

# O H R N E T

SHABBAT PARSHAT SHEMOT · 23 TEVET 5777 · JAN. 21, 2017 · VOL. 24 NO. 13

## PARSHA INSIGHTS

BY RABBI YAAKOV ASHER SINCLAIR

### CRACKING THE CODE

*“They will heed your (Moshe’s) voice...” (3:18)*

**N**ations spend megabucks on keeping their communications secret. But a code, however sophisticated, can always be cracked.

In 1939 it was generally believed at the British Government Code and Cypher School (GC&CS) at Bletchley Park that the Nazi’s “Enigma” code could not be broken. Only the head of England’s German Naval Section, Frank Birch, and the mathematician Alan Turing believed otherwise. Using an embryonic computer and a lot of hard work, GC&CS managed to break “Enigma”. This resulted in a dramatic turn-around in the Atlantic War. Enigma intercepts helped the British to plot the positions of U-boat patrol lines, and adjust the routes of the Allied convoys to avoid them. Losses of merchant-ships dropped by more than two-thirds in July 1941.

*“They will heed your voice...”*

G-d assured Moshe that the elders would heed Moshe’s call because they had received a tradition from Yaakov and

Yosef that the eventual redeemer would use the expression, “I have surely remembered.” (Rashi) The question remains: What if someone else “broke the code” and purported to be the true redeemer? What would stop him from misleading the Jewish People, with disastrous results?

*“It happened sometime later, in the days of the wheat harvest, that Samson remembered his wife...” (Shoftim 16:1)* The word “remembered” here is “yifkod”, an expression of love and yearning — and it’s exactly the same word used by Yaakov and Yosef.

There was another dimension to Yaakov and Yosef’s code — and that indeed made it truly unbreakable: the Jewish People knew that not only would the true redeemer use the correct word – *pokad* – but he would ignite in their hearts a burning love and yearning for the G-d of Yisrael and the Land of Israel.

And that’s not something you can crack.

• Source: *The Kotzker Rebbe*

## PARSHA OVERVIEW

**W**ith the death of Yosef, the Book of Bereishet (Genesis) comes to an end. The Book of Shemot (Exodus) chronicles the creation of the nation of Israel from the descendants of Yaakov. At the beginning of this week’s parsha, Pharaoh, fearing the population explosion of Jews, enslaves them. However, when their birthrate increases, he orders the Jewish midwives to kill all newborn males. Yocheved gives birth to Moshe and hides him in the reeds by the Nile. Pharaoh’s daughter finds and adopts him, although she knows he is probably a Hebrew. Miriam, Moshe’s sister, offers to find a nursemaid for Moshe and arranges for his mother Yocheved to fulfill that role. Years later, Moshe witnesses an Egyptian beating a Hebrew and Moshe kills the Egyptian. Realizing his life is in danger, Moshe flees to Midian where he rescues Tziporah, whose father Yitro approves their subsequent marriage. On Chorev (Mt. Sinai) Moshe wit-

nesses the burning bush where G-d commands him to lead the Jewish People from Egypt to *Eretz Yisrael*, the Land promised to their ancestors. Moshe protests that the Jewish People will doubt his being G-d’s agent, so G-d enables Moshe to perform three miraculous transformations to validate himself in the people’s eyes: transforming his staff into a snake, his healthy hand into a leprous one, and water into blood. When Moshe declares that he is not a good public speaker, G-d tells him that his brother Aharon will be his spokesman. Aharon greets Moshe on his return to Egypt and they petition Pharaoh to release the Jews. Pharaoh responds with even harsher decrees, declaring that the Jews must produce the same quota of bricks as before but without being given supplies. The people become dispirited, but G-d assures Moshe that He will force Pharaoh to let the Jews leave.

## BAVA METZIA 117 - BAVA BATRA 3

*Rabbi Yehuda says, “The owner of the attic (the second floor of the building) rebuilds both the first floor and the attic, and lives there until the owner of the first floor pays him for his expenses.”*

The *mishna* teaches about a building with two floors and two owners living there, one owner on each floor. The building falls down and the owner of the attic wants his upper floor dwelling area rebuilt, but the owner of the first floor refuses to rebuild the first floor or agree to pay for its rebuilding. What should the owner of the attic do?

The first opinion in the *mishna* is that he builds one floor, and lives there until the owner of the bottom floor pays his expenses. Rabbi Yehuda, however, argues that this is problematic since the owner of the attic would need to pay rent for living in the bottom floor once the owner of the bottom floor pays his debt. Therefore, Rabbi Yehuda teaches that the owner of the attic should rebuild both floors and live in the building until the owner of the bottom floor pays his debt. (Since, according to Rabbi Yehuda, the attic is ready for living in, the attic owner is not considered having benefit from living in the building. Therefore, he would not need to pay rent later, and there is no issue of the rent appearing as a *ribit* (interest) payment. If the attic owner had built only the bottom floor and lived there, he would need to pay rent to the owner of the bottom floor later, and this is the *ribit* problem that Rabbi Yehuda avoids with his solution in the *mishna*.)

The Nimukei Yosef asks a seemingly basic question on our *mishna*. Why does the attic owner need to pay for rebuilding the dwelling, instead of Beit Din forcing the bottom floor owner to rebuild his part of the building, or pay for building it? He has an obligation to the attic owner, according to the terms of their arrangement, to provide a first floor of the building in order to allow for the existence of the attic owner’s second floor. This question is also asked in the Talmud Yerushalmi.

The answer given in the Yerushalmi is that the owner of the bottom floor has gone far away and is not present to collect from. And even if he has assets here that Beit Din could take for the rebuilding, they do not do so. This is in accordance with the ruling in the case of a run-away borrower, in which case Beit Din does not collect from his property without his being present (see Ketuvot 88a). This is also the approach of the Ramban to answer the Nimukei Yosef’s question.

The Rashba, however, states that the halacha is that in the case of a borrower who has gone without paying his loan, the Beit Din may in fact seize his assets without him being present, as is the ruling of Rav Nachman in Masechet Ketuvot. This is due to a Rabbinical decree that allows collection for the lender, even in the absence of the borrower, so that people won’t borrow and run away, thinking that their assets are safe. Now, since Beit Din may in fact collect from the bottom floor’s owner’s assets if he is not present, why don’t they do so instead of requiring the attic’s owner to rebuild the structure and hope he gets repaid one day by the owner of the bottom floor?

The Rashba answers that the owner of the bottom floor never really had a “personal obligation” (*shibud haguf*) to provide a bottom floor for the attic owner to dwell on. Rather, only his bottom floor structure was “obligated” (*shibud habayit*) to serve the attic owner. But if it fell, its owner has no obligation to replace it. This is why the *mishna* teaches that the attic owner would need to rebuild it himself if he wants to live there. (See Tosefot Yom Tov who discusses the issues in this *mishna* at length, and also offers his own fascinating explanation to resolve why the Ramban says that Beit Din cannot collect from the bottom floor owner’s assets in his absence, despite the halacha being that Beit Din can indeed collect from an absent borrower’s assets. He suggests that the case of a loan is different than the case in our *mishna*. For a *loan*, by allowing collection from borrowers’ assets even in their absence, lenders will be more assured of being able to collect loans, and will not refrain from fulfilling the mitzvah of lending and helping the needy.)

• Bava Metzia 117 a

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## PARSHA Q&A ?

1. Why does the verse say “And Yosef was in Egypt”?
2. “...And they will go up out of the land.” Who said this and what did he mean?
3. Why did Pharaoh specifically choose water as the means of killing the Jewish boys? (Two reasons.)
4. “She saw that he was good.” What did she see “good” about Moshe that was unique?
5. Which Hebrew men were fighting each other?
6. Moshe was afraid that the Jewish People were not fit to be redeemed because some among them committed a certain sin. What sin?
7. Why did the Midianites drive Yitro’s daughters away from the well?
8. How did Yitro know that Moshe was Yaakov’s descendant?
9. What lesson was Moshe to learn from the fact that the burning bush was not consumed?
10. What merit did the Jewish People have that warranted G-d’s promise to redeem them?
11. Which expression of redemption would assure the people that Moshe was the true redeemer?
12. What did the staff turning into a snake symbolize?
13. Why didn’t Moshe want to be the leader?
14. “And G-d was angry with Moshe...” What did Moshe lose as a result of this anger?
15. What was special about Moshe’s donkey?
16. About which plague was Pharaoh warned first?
17. Why didn’t the elders accompany Moshe and Aharon to Pharaoh? How were they punished?
18. Which tribe did not work as slaves?
19. Who were the: a) *nogsim* b) *shotrim*?
20. How were the *shotrim* rewarded for accepting the beatings on behalf of their fellow Jews?

## PARSHA Q&A!

### Answers to this Week’s Questions!

All references are to the verses and Rashi’s commentary unless otherwise stated.

1. 1:5 - This verse adds that, despite being in Egypt as a ruler, Yosef maintained his righteousness.
2. 1:10 - Pharaoh said it, meaning that the Egyptians would be forced to leave Egypt.
3. 1:10,22 - He hoped to escape Divine retribution, as G-d promised never to flood the entire world. Also, his astrologers saw that the Jewish redeemer’s downfall would be through water.
4. 2:2 - When he was born, the house was filled with light.
5. 2:13 - Datan and Aviram.
6. 2:14 - *Lashon hara* (evil speech).
7. 2:17 - Because a ban had been placed on Yitro for abandoning idol worship.
8. 2:20 - The well water rose towards Moshe.
9. 3:12 - Just as the bush was not consumed, so too Moshe would be protected by G-d.
10. 3:12 - That they were destined to receive the Torah.
11. 3:16,18 - “I surely remembered (*pakod pakadeti*).”
12. 4:3 - It symbolized that Moshe spoke ill of the Jews by saying that they wouldn’t listen to him, just as the original snake sinned through speech.
13. 4:10 - He didn’t want to take a position above that of his older brother Aharon.
14. 4:14 - Moshe lost the privilege of being a *kohen*.
15. 4:20 - It was used by Avraham for *akeidat Yitzchak* and will be used in the future by *mashiach*.
16. 4:23 - Death of the firstborn.
17. 5:1 - The elders were accompanying Moshe and Aharon, but they were afraid and one by one they slipped away. Hence, at the giving of the Torah, the elders weren’t allowed to ascend with Moshe.
18. 5:5 - The tribe of Levi.
19. 5:6 - a) Egyptian taskmasters; b) Jewish officers.
20. 5:14 - They were chosen to be on the Sanhedrin.

**OHRNET** magazine is published by **OHR SOMAYACH** Tanenbaum College

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## PHARAOH'S "FINAL SOLUTION"

### Shemot

In the beginning of this week's Torah portion Pharaoh says to his people "...behold the people, the Children of Israel, are more numerous and stronger than we. Come, let us outsmart it lest it becomes numerous, and it may be that if a war will occur it too may join our enemies and wage war against us and go up from the land."

Abarbanel is puzzled by Pharaoh's concerns. First of all, the Children of Israel were clearly not more numerous than the Egyptians. And even if they were more numerous, it makes no sense for him to say, "...lest it become numerous." Secondly, if he was concerned about the Jews' leaving, what difference does it make whether it is peacetime or wartime? Finally, if he was concerned about the Jews joining with the enemy, he should have been concerned that they would conquer Egypt, not that they would leave.

Abarbanel responds that the expression in the verse "...more numerous and stronger than we" refers not to their numbers but to their strength, which he recognized came directly from G-d's Divine Providence. It is in the following verse, in regard to wartime, that Pharaoh is concerned about their numbers. To explain this concern, Abarbanel posits that the Egyptians viewed the Jews as their valued property that they wanted to retain, rather than an alien presence that they wanted to get rid of. During peacetime they would have no opportunity to leave Egypt, regardless of their numbers. Pharaoh could easily keep them under control. However, in a time of war an increased Jewish pop-

ulation could join with the foreign invaders to overcome the Egyptians and flee the country. Pharaoh at this point did not see the Jewish population as usurpers or a physical threat to Egyptian hegemony. He was actually worried about the opposite possibility, that he could lose a segment of his population that was making an invaluable contribution to the country.

Pharaoh's solution to this possible problem was to totally oppress them and take away their freedom with a methodical, step-by-step process that started with an increased tax burden, and progressed to back-breaking enslavement. His goal was to arrest their population increase. However, G-d's direct intervention resulted in the exact opposite — the more they were afflicted, the greater were their numbers. Additionally, they began to spread out throughout the country. Now the Egyptians' concern shifted dramatically. They were no longer worried about the future possibility that the Jews would assist an enemy invasion. Rather, they had become a present nuisance, taking food and fish from Egyptian fields and the Nile River.

Pharaoh then embarked on history's first attempt to find the "Final Solution to the Jewish Problem." His decision to limit the genocide to the killing of male infants only was based on his calculation that Jewish girls could be much more easily controlled and assimilated into Egyptian society and would pose no military threat if Egypt were invaded.

## PLEASE JOIN US...

...in saying Tehillim/Psalms and a special prayer to G-d for the safety and security of all of Klal Yisrael in these times of conflict and conclude with the following special prayer:

*"Our brothers, the entire family of Israel, who are delivered into distress and captivity, whether they are on sea or dry land – may G-d have mercy on them and remove them from stress to relief, from darkness to light, from subjugation to redemption now, speedily and soon."*

## LENIENTLY STRINGENT

**From: Gavriel**

Dear Rabbi,  
I am wondering when it is appropriate to act upon “chumrot” (stringencies) and when it is not. Is it ever forbidden to be stringent even though being lenient would compromise one’s standard of observance?

Dear Gavriel,

Following “chumrot” and being “machmir” (being stringent) is a very delicate matter.

For one, a person may not make up his own *chumrot* except as realistic, personal safeguards against transgressing. But as far as proactive practice or initiating restrictions, one may not add to the *mitzvot* of the Torah. Therefore, only well-established, long-standing *chumrot* which have a basis either in halacha or in the valid tradition of a community or family may be adopted. Interestingly, sometimes halachically-based *chumrot* are not only allowed to compromise observance, but they actually suspend it. Some examples of this would include *chumrot* instituted by the Talmudic Sages which preclude observance of otherwise obligatory *mitzvot*.

For instance, in a case where one is in doubt as to whether he pronounced a blessing, the Sages required stringency regarding making the blessing now, and forbid him from doing so. This is because in the case that he had in fact already made the blessing, doing so now would be akin to reciting G-d’s name in vain. Rather, in such a case, because of this Rabbinically-sanctioned *chumra*, one must proceed without reciting the blessing, resulting in the negation of a *mitzvah* on account of a *chumra*.

Another such example is when Rosh Hashana occurs on Shabbat. Even though the Torah commands blowing the *shofar* on Shabbat, the Sages were stringent and prohibited doing so because of a concern that people might transgress

a Torah prohibition by carrying the *shofar* in the public domain. Thus the *chumra* suspends the Torah-mandated observance.

It is important to note that while in these cases the Sages exercised their Torah-given mandate to safeguard the Torah from possible transgression, they only did so regarding passively refraining from fulfilling a *mitzvah*. But they did not institute *chumrot* that would involve proactively transgressing a Torah prohibition.

That being said, *chumrot* which are not required by halacha, even if they are based on halacha, and even if they are ordinarily upheld by an individual, family or community, may not suspend the performance of a *mitzvah*, or be used as a justification to transgress.

An example of the former might involve the *chumra* of eating only handmade *matzot* for Pesach and not to eat any machine-*matzot*. Since nowadays this is only a *chumra* which is not required by halacha, if one had access only to machine *matza* for Pesach, such a *chumra* must not take precedence over the requirement to eat *matza*. Rather, in such a case one must compromise his *chumra*, not the halacha. Thus, he must be lenient in his stringency and stringent in his observance.

Regarding the latter, an example might involve being *machmir* to rely only on top-of-the-line (*mehadrin*) kosher supervision, even though a standard supervision is available which is also considered kosher. If a person found himself as a guest in another’s home where his well-meaning hosts have prepared food with kosher but not *mehadrin* supervision, and the hosts would be hurt, offended or embarrassed if he refused to eat what they prepared, it would be forbidden to uphold his *chumra* and thereby transgress mistreating others. Rather he should compromise his standard of observance, and uphold the dignity and happiness of his hosts by partaking of — and enjoying — what they prepared for him!

### LOVE OF THE LAND

Selections from classical Torah sources which express the special relationship between the People of Israel and Eretz Yisrael

## THE SEWERS OF ANCIENT JERUSALEM

In his “The War of the Jews”, historian Josephus Flavius writes that numerous people in Jerusalem fled from the invading Roman legions into the subterranean drainage channel which served the city.

A recent archeological excavation has uncovered this channel in the City of David. Its walls reach a height of three meters in some places, an indication that those who



fled to this sewer were able to actually live there until they could escape from the city through its southern end.

What particularly impressed the channel’s discoverers was the planning on a grand scale which the city’s rulers did in order to develop a system that drained the rainfall and prevented flooding.



## EATING BEFORE PRAYERS — PART 2

**T**he prohibition of eating and drinking before one prays begins at dawn, unless one is eating a 'set meal' (defined as more than a *kabeitza*, which is about fifty grams of bread or baked food), in which case the prohibition against beginning this meal starts a half-hour before dawn. (Shulchan Aruch 89:5 as explained by Mishneh Berurah and Halacha Berurah by Rabbi David Yosef)

There is a dispute among the *Rishonim* as to whether one who has begun eating must stop at dawn, or is allowed to continue eating after dawn. The later halachic authorities write that the first opinion should be followed, to stop at dawn (Shulchan Aruch, Mishneh Berurah, Kaf Hachaim, and others). Even though the halacha is that one who started eating before *Minchah* does not need to stop eating, *Shacharit* is different because the Rabbis based their ruling on the verse: "You may not eat upon the blood," meaning "do not eat before praying upon your blood", i.e. your well-being. One must therefore stop eating. (Magen Avraham, Taz, Mishneh Berurah)

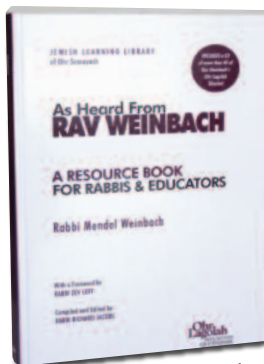
According to Kabbalah (based on the Zohar, Vayakhel

215b), after a person sleeps it is forbidden to eat until he prays. This is so even if he wakes up in the middle of the night. Although according to the letter of the law someone who sleeps is permitted to eat and drink until dawn, ideally one should be stringent and comply with the Zohar, unless it is necessary for him to eat (Mishneh Berurah). However, even according to Kabbalah one who does not sleep during the night is allowed to eat until dawn. (Kaf HaChaim)

Someone who is extremely hungry or thirsty, and is therefore not able to pray with proper concentration, is allowed to eat or drink before praying. However, he is not obligated to do so. (Shulchan Aruch 89:4)

One is allowed to give children who have reached the age of *chinuch* ('age of education', which is around six to eight years old) food before prayers (Magen Avraham). Rabbi Ovadia Yosef writes that it is appropriate to train children from the age of twelve not to eat before prayers.

Someone who mistakenly made a blessing on food before praying should taste some of the food or drink so that his blessing will not be in vain.



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## A PANOPLY OF CANOPIES

The Bible tells of the marriage between Amram and Yocheved, and the subsequent birth of their son Moshe (Ex. 2:1-10). The Gemara (Sota 12a, Bava Batra 120a) explains that before this marriage described in the Torah, Amram and Yocheved had previously been married, but divorced from each other as a result of Pharaoh's decree to kill all Jewish baby boys. Their eldest child, Miriam, complained to her father that by separating from his wife he was actually worse than Pharaoh, because Pharaoh's decree only affected the male babies while Amram's actions also precluded the existence of female Jewish babies. As a result of Miriam's rebuke, Amram *remarried* Yocheved in the marriage mentioned in the Torah. The expression used by the Gemara to describe Amram remarrying Yocheved is "he seated her in an *apiryon*". What is an *apiryon*?

The word *apiryon* also appears in the Bible itself — as a *hapax legomenon* (that is, a word which appears only once within a given text) — also in conjunction with what appears to be a wedding: "King Solomon made for him an *apiryon* from Lebanese wood. Its pillars made of silver; its covering, gold; its seat, purple; and its interior decked with love from the daughters of Jerusalem. Go out and gaze upon the King Solomon — O daughters of Zion — with the crown that his mother crowned him on the day of his wedding, and the day of his heart's gladness" (Song of Songs 3:9-11).

Regarding Amram and Yocheved's wedding, Rabbi Pheobus Meir Parenzo (1500-1575) in his glosses printed in the 1566 Venice edition of *Yalkut Shimoni* (Ex. §165), and the Maharsha (1555-1631) both explain that an *apiryon* is a *chuppa* (wedding canopy). Nonetheless, as we have previously explained, no two words mean exactly the same thing in Hebrew, so there must be some difference between these two words. Moreover, there is another, more familiar word which essentially means the same as *apiryon* and *chuppa*: *succah*. How can we differentiate between these various words for canopy?

Rashi (to *Succah* 2a) writes that the defining characteristic of a *succah* is its *sechach* (covering). This means that a *succah* is a type of canopy or hut whose main source of shade comes from its upper covering. However, the word *chuppa* too is derived from the verb *chofeh/mechapeh* (cover), which refers to covering something in a physical way (e.g., a tablecloth "covers" the

table), and in a figurative way (e.g., a robber's friend might "cover" for him by helping supply an alibi). So what's the difference between these two words?

Rabbi Tzvi Mordechai Libber of Milwaukee answers this question by first pointing to another passage of Rashi (to Ex. 35:12), where he explains that the word *sechach* refers to a protective covering. Therein lays the difference between a *succah* and a *chuppa*. The word *succah* denotes a booth whose main objective is to protect and shield one from the elements. The word *chuppa*, on the other hand, simply recalls the fact that a canopy is covered on top, but does not at all imply that the purpose of the canopy is to serve as shelter. According to this explanation the words *succah* and *chuppa* might actually refer to the same sort of edifice, but the former focuses on its protective role, while the latter simply means that it is covered on top.

The Mishnah (Sota 9:14) records that during the Hadrianic Persecutions (circa. 2nd century), the Rabbis decreed that a bride may not travel in a city inside an *apiryon*, but they later rescinded that ruling for reasons of modesty. This passage suggests that an *apiryon* is not simply a canopy, but a mobile enclosure within which a woman might travel. So what does *apiryon* mean?

Some argue that the word *apiryon* is related to the Sanskrit word *paryanka* which means palanquin or sedan chair in English. This refers to a covered litter for one passenger, consisting of a large box carried on two horizontal poles carried by four or six human bearers. Such vehicles are used by important persons in India and other Eastern cultures. In the context of the above-cited Mishnah a bride would lead her processional entourage from inside such a celebratory box. The Rabbis first outlawed this practice because they felt that the excessive joy of the bride's "parade" was inappropriate during the Hadrianic Persecutions, but they later lifted the prohibition for reasons of modesty.

According to this, when the commentaries cited wrote that "*apiryon* is a *chuppa*" they did not mean that the word *apiryon* means the same as the word *chuppa*. Rather, in the context of Yocheved's marriage to Amram, the sedan chair in which she was seated assumed the halachic role that a *chuppa* serves in a regular Jewish wedding.

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