



A Living Soul

By Chanan Strassman ('05)

In describing the creation of man, the Torah shares an interesting procedural detail: "וַיִּצְרֶה אֱלֹהִים אֶת־הָאָדָם עֹפָר" "מִן־הָאֲדָמָה וַיִּפֹּחַ בְּאַפָּיו נִשְׁמַת חַיִּים וַיְהִי הָאָדָם לְנֶפֶשׁ חַיָּה," "And Hashem God formed the man of dust from the ground, and He blew into his nostrils the soul of life, and man became a living being" (BeReishit 2:7). After forming Adam from the earth, Hashem gave him a soul, and only then did he become truly alive. Clearly, a living being requires both a physical body and a spiritual soul.

While Adam's body came from the ground, something which did not exist until it was created by God, his Neshamah arrived in an entirely different way. It did not exist before, like the dust, nor was it fashioned anew and installed right at that moment. Rather, Hashem blew directly into Adam from His own eternal essence. The Neshamah was not created, but shared. To have a "Nishmat Chayim" is to be connected with the source of life; a living soul from the Living God.

The Ba'al HaTurim made a keen observation on the phrase, "VaYipach Be'Apav Nishmat Chayim," "And He blew into his nostrils the soul of life." One will notice how the final letters in each word, "Chet-Vav-Taf-Mem," spell out a word on their own: "Chotam," "Seal." (Ba'al HaTurim, BeReishit 2:7) Not only did Hashem breathe the soul of life into humankind but within each Neshamah resides the seal of HaKadosh Baruch Hu. Every living soul is adorned with a divine stamp. If a person is alive, there can be no doubt that she or he is God's handiwork.

Interestingly, the Ba'al HaTurim may have been alluding to a particular discussion in Masechet Sanhedrin. The Gemara uses the imagery of a Chotam to illustrate Hashem's greatness by comparing how a person mints a coin to His creation of man. A craftsman using a metal

seal can produce many coins, but they will all look the same if he only uses one mold to stamp the raw material. In contrast, Hashem created all of humankind starting with one individual, Adam HaRishon. Each of us bears the seal of our Creator, a living soul, and yet no two human beings are exactly alike (Sanhedrin, 37a). Thus, one aspect of Hashem's greatness is the way He nurtures man's individuality even while using the same Chotam.

The Neshamah serves as a direct and eternal connection between each of us and the Ribono Shel Olam. He shares a part of Himself with us, sealing an intrinsic stamp of godliness into every human being. And at the same time, we do not lose ourselves in His presence. By design, we all express that inner godliness in our own unique ways. A living soul from Hashem makes each one of us a living being.

Smart Locks and Shabbat

By Rabbi Chaim Jachter

One new device that has raised Shabbat concerns is a smart lock.¹ Aside from the various features described in

¹Wikipedia defines a smart lock as follows (https://en.wikipedia.org/wiki/Smart_lock, accessed July 27, 2020): "A smart lock... is designed to perform locking and unlocking operations on a door when it receives such instructions from an authorized device... It also monitors access and sends alerts for the different events it monitors and some other critical events related to the status of the device... the key is not a physical key but a smartphone or a special key fob configured explicitly for this purpose which wirelessly performs the authentication needed to automatically unlock the door... Certain smart locks include a built-in Wi-Fi connection that allows for monitoring features such as access notifications or cameras to show the person requesting access."

the footnote, some smart locks also have a feature that locks the door automatically a certain amount of time after one opens the door. This certainly is problematic on Shabbat, as the locking is performed via electrical impulse. Triggering this effect by walking into the house constitutes Molid.²

Another feature of this technology is its ability to keep an active log of entries and exits. Every time a door is opened, the smart lock sends an electronic message to an app indicating that it was opened.³ This too can pose a real issue on Shabbat. An article by Dov Pavel⁴ puts the problem as follows: “[E]ven if you choose not to use the auto-lock feature, there may be an over-arching Shabbat issue. Every lock and unlock event, even if using the mechanical lever, is logged. Through the Wink app, you can see a detailed log that the lock sends every time it is opened or closed. Apparently, even with the auto-lock feature completely disabled, every time you open or close the lock you are sending a signal. This log may not be useful or even noticeable in most cases. There is no obvious light and everything about the activity of turning a mechanical lock seems permissible...except for the log.”

What is the status of this log in terms of Shabbat? Does it pose a problem to the use of smart locks in practice?

According to Rav Eliyashiv, who holds that Neicha Lei is defined by whether one benefits from the Melachah taking place (even if not the particular effect one is triggering), this presumably should constitute a Pesik Reisha DeNeicha Lei, since one benefits from the logging system overall. If so, even if the issue at hand is merely a rabbinic prohibition of Molid, there is little room for leniency.

However, according to the opposing view of Rav Ovadia Yosef and Rav Zalman Nechemia Goldberg, that

Neicha Lei is defined by broad strokes and is limited to direct benefits that result from the melacha performed, one might argue that this action constitutes a Pesik Reisha DeLo Neicha Lei, since one does not care about this particular entry being logged. And because the concern here is only rabbinic (Molid), there may be room to be lenient according to Rav Ovadia Yosef and Rav Goldberg.

Rav Ike Sultan, in an article on this topic, writes as follows:⁵ “Regarding a door with a Smartlock, if it is on one’s own house, it is considered beneficial to have the Smartlock enabled and functioning since it allows a person the ability to track the opening and closing of the door, an important feature of the lock. Rabbi Hershel Schachter⁶ explains this point by saying that anytime a system a person buys for his house is functioning normally it is considered beneficial, otherwise he wouldn’t have bought it in the first place⁷. However, if someone else has the Smartlock enabled on their door and invites a guest, the guest has no intention or benefit whatsoever from the fact that the Smartlock was enabled; he would have been just as happy if the door had a regular manual lock. Therefore, if someone were to be invited to the house of someone who has a Smartlock enabled it is considered a pesik Reisha where there is no benefit to the guest. Yet, this question will hinge on the century old discussion of whether closing a circuit is Biblically prohibited or only rabbinically prohibited. The majority of rabbis believe that it is only rabbinically prohibited. That being the case, there is room to permit a person to enter someone else’s house who has the Smartlock enabled and functioning on Shabbat.”

Rav Schachter’s assertion that “any time a system a person buys for his house is functioning normally, it is considered beneficial” seems to fit more with Rav Eliyashiv’s aforementioned definition of Neicha Lei.

²Although the lock is activated only later, it does not necessarily constitute Gerama, since the device is set up to function this way even during the week.

³This is commonly found on hotel room doors, where for security reasons, every time a room door is opened, it is logged.

⁴<https://jewishlink.news/features/21234-are-smart-locks-shabbat-compatible> (accessed July 27, 2020).

⁵<https://www.yutorah.org/lectures/lecture.cfm/901089/rabbi-ike-sultan/can-you-use-smartlocks-automatic-bathrooms-and-automatic-lights-in-hotels-on-shabbat/> (accessed July 27, 2020).

⁶Rav Schachter confirmed (personal conversation) that this is his position.

⁷It is important to note that the Shiltei Gibborim’s lenient approach is not applicable to smart locks, since one directly impacts the lock.

Nevertheless, one might argue that even Rav Ovadia Yosef and Rav Zalman Nechemia Goldberg would consider this Neicha Lei, because in this case, the homeowner set up the smart lock intentionally. Rav Schachter argues that a system one has himself set up is by definition considered Neicha Lei.

However, Rav Mordechai Willig rules leniently. He views this as a situation of Lo Neicha Lei, since the owner does not benefit from the system recording his entering or leaving the house.⁸

In practice, it is very worthwhile to satisfy Rav Schachter's more stringent view.⁹ However, if one forgot to set up the solution before Shabbat, one may rely on the more lenient view to permit entering and exiting one's house. One may add as a lenient consideration Rav Asher Weiss's approach that there is no concern for Molid when the result is of no consequence or significance. Thus, even if one views the situation as Neicha Lei, the homeowner may enter his house anyhow, since it is not a situation of Molid.

To avoid any confusion though, this discussion of smart locks bears no relevance to smart homes. Guests and hosts alike benefit from the heat, air conditioning, and lights which turn on as a result of the smart home sensors one triggers. Therefore, one must disengage the smart home devices before Shabbat. If one forgot to do so, there is no solution available other than to ask a non-Jew to enter the house and disable the smart systems.

Na VaNad: The Ultimate Punishment for the Ultimate Sin

By Ariel Kryzman ('23)

This week's Parashah, Parashat BeReishit, famously discusses the first murder in the Torah. Kayin kills Hevel out of jealousy because Hashem accepted Hevel's offering and not Kayin's. Part of Kayin's punishment is "Na VaNad Tihyeh Ba'Aretz," "You will be a restless wanderer on

⁸Rav Willig's approach is somewhat similar to his ruling (stated in a Shiur delivered at Yeshiva University) that an LED light from a disarmed alarm system that is activated by entering the house qualifies as Lo Neicha Lei.

⁹In his aforementioned article, Dov Pavel offers technical solutions towards satisfying the stricter view.

earth" (BeReishit 4:12). Typically, God exercises punishment Middah Keneged Middah. Here, however, the punishment of exile seems completely unrelated to the sin of murder!

Ramban offers a Peshat reasoning for Kayin's punishment. Ramban suggests that the punishment of exile is remarkably similar to that of the Ir Miklat, the city of refuge where one who negligently kills someone goes for protection from the family of the one who was killed. Because that killer is a fundamental threat to the community in which he lives, he must leave. Here, Kayin is also forced to leave as he poses a threat to his community, but since he sinned deliberately, he is not awarded the sanctuary of an Ir Miklat.

Rav Yisrael Meir HaKohen Kagan, in his Sefer Chafetz Chaim Al HaTorah, views this punishment as a direct consequence of Kayin's actions. The Chafetz Chaim offers a Mashal of a traveling salesman who often spends much time away from home for business. Being away from home is very hard for him, especially when he suffers from setbacks and failures along the way. Although this is very hard for him, he always has a home that he looks forward returning to and seeking comfort in. Then all of a sudden, tragedy strikes, and his wife is Niftar. Now, even though he still has the same house, he has no home. Now, even though he returns just as often as before to the same home, his business trips and time spent at home are filled with much more loneliness than before. The Chofetz Chaim explains that the Nimshal is that since we all try to do Mitzvot and do Teshuvah if we sin, we always have a home to look to for comfort in Olam HaBa. Even if we stumble and get hit with setbacks in Olam HaZeh, we still feel reassurance that Hashem is with us and that we will eventually go home to Olam HaBa. However, when one sins so egregiously like Kayin, they act as if there is no God and there are no divine rewards or punishments. If they keep acting like this, they can Chas VeShalom lose their home in Olam HaBa. Then, they wander the earth, experiencing the same setbacks and failures that we all do, but they don't have the comfort of looking forward to returning to their home in Olam HaBa. That is Kayin's curse of "Na VaNad Tihyeh Ba'Aretz." His act of murder warranted his losing the eternal home that we all hope to seek comfort in.

Im Yirzat Hashem, let us all be able to be comforted in being reminded of our future home and use that inspiration to build our relationship with Hashem.

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