



The Light of The Menorah

By Reuben Kaminetzky ('25)

Parashat Tetzaveh begins with the Mitzvah of lighting the Menorah. The Pasuk says "ואתה תצוה את בני ישראל ויקחו אליך שמן זית" "You [Moshe] shall further instruct Bnei Yisrael to bring to you clear oil of beaten olives for lighting, for kindling lamps regularly" (Shemot 27:20). The רשב"ם, quoting the מדרש, explains that this commandment is different from all of the other commandments related to the service of the משכן. The usage of the tense of ציווי, commandment, indicates that this Mitzvah isn't just for the present generation, but applies to all future generations as well (ibid. s.v. ואתה תצוה). What makes the Mitzvah of lighting the Menorah different from all of the other Mitzvot that were done in the משכן and בית המקדש, which apply only to the generations with the משכן or בית המקדש? One key difference is that the Pasuk emphasizes that the Menorah must be continually lit unlike other Mitzvot in the משכן which could only be done at certain times. The Pasuk in משלי teaches that the Torah is compared to light: "כי נר מצוה ותורה אור," "For the commandment is like a lamp, and the Torah is a light," (6:23). בני ישראל always need the light of the Torah and this is why the Menorah needs to be continuously lit. Additionally, בני ישראל are called אור לגוים, or a light to the nations. It is our job to take the light of the Torah and transmit it to the world. This insight also explains why the Mitzvah is for all future generations even if there is no בית המקדש, because the world always needs the light of the Torah.

Showing Our True Colors

By Jacob Becker ('22)

Parashat Tetzaveh opens with "Ve'Atah Tetzaveh Et Bnei Yisrael VeYikchu Eilecha Shemen Zayit Zach Katit LaMaor LeHa'alot Ner Tamid," "You shall address Bnei Yisrael to bring you clear oil of crushed olives for lighting the lamps regularly" (Shemot 27:20). The Midrash (Shemot Rabbah 36:1) notes that the word "Eilecha" seems redundant. While addressing this issue, the Midrash seems to relate "Eilecha" to the analogy of Bnei Yisrael to an olive and cites a Pasuk in Yirmiyahu, "Zayit

Ra'anah Yefeih Pri To'ar," "Flourishing olive tree with beautiful fruits" (11:16), to prove this comparison.

The Midrash then asks if Bnei Yisrael had been compared to other fruit trees. The Midrash points out that Bnei Yisrael were compared to many other trees, such as grapevines, fig trees, date trees, cedars, nut trees, and even all crops from a garden. The Midrash then explains the reasoning behind Yirmiyahu's comparison. An olive is taken off a tree and squeezed, brought up to an olive press, placed in a mill, crushed, wrapped in ropes, pressed by stones, and only after all this do they give their oil. The same applies to Bnei Yisrael; as the other nations of the world come and beat us, drive us from place to place, imprison us, bind us with chains, surround us with soldiers, and after all that, we repent. That is how to explain the Pasuk quoted above with the olive tree.

The Midrash then presents another explanation. Says the Midrash, why did Yirmiyahu see fit to compare us to an olive tree?

Many Mefarshim are bothered by the fact that this Pasuk seems to be talking negatively about us. In truth, the Pasuk portrays us in a positive light. As the Gemara (Pesachim 33b) says, olive oil, as opposed to other fruit/vegetable juices, is deemed separate from the fruit itself. There is a tiny reservoir of oil in the olive, but not within its flesh. The oil that was there is revealed when the shell is crushed.

The same applies to us; even when we sin, our essence remains pure. We may act sinfully, but in our heart of hearts, we remain devoted to Hashem. When we are beaten and suffering, our repentance strips away the shell of sin that distances us from our Creator. Our essence is then revealed, as Shabbat 146a says, pure as the nation was born. With this, the Midrash praises a Jew whose soul, like the oil of an olive, is unaffected by the rude vessel in which it is contained.

This is the rationale famously offered by the Rambam in Hilchot Geirushin 2:20 for forcing a husband to divorce his wife when necessary, even though a husband must do so willingly. The husband refuses because his Yeitzer HaRa incites him to act in a selfish manner. Through the application of force, this external influence is overcome, allowing the person to express his true will which is to grant the Get as required. The case of the uncooperative husband is true with respect to Bnei

Yisrael as a whole. Our sins are not ingrained in us, rather from the influence of the evil inclination. Behind this facade, what one truly desires is to serve Hashem and do his will. The suffering causes us to repent, making the evil inclination vanish, and our true goodness becomes revealed.

We have to remember that we are like an olive tree. Sometimes we make mistakes. Sometimes we are in the wrong. Sometimes we sin. Deep down, however, we want to do better. We are better than that. All we have to do is repent and remove the facade that is blocking us from showing our true intent.

Why We Wear A Kippah Part 2

By Chanan Schreiber (22)

Is there a difference between walking more than four Amot and walking less than four Amot? What size does one's Kippah have to be?

Rav Shlomo Kluger

Rav Shlomo Kluger (18th and 19th century) holds that the level of the obligation of wearing a Kippah depends on the situation you're in: how far you're walking. If you are walking less than four Amot (around 6 feet), you can wear a small Kippah¹ but nothing less; if you are walking more than four Amot, you must wear a big Kippah. However, no matter the distance, completely bareheaded is always Assur.

Source for the Issur to go Bareheaded

In the Gemaras which discuss Kippah there is no distinction between a small Kippah and big Kippah.² Also, the fact that completely bareheaded is Assur is not mentioned either.

Rav Kluger recognizes this issue and reinterprets the Gemaras quoted above. The Gemara³ says, "Rav Huna the son of Yehoshua did not walk four Amot with his head uncovered," which seemingly implies that when walking less than four Amot, it would be allowed to go bare-headed. However, when it says, "he did not walk four Amot with his head uncovered," this really means, "he didn't walk four Amot with his head partially uncovered (small Kippah), but rather he covered his whole head (big Kippah)," because if he had no Kippah at all, that would be completely Assur.⁴

Rav Moshe Feinstein finds Rav Kluger's interpretations of the Gemaras forced and incorrect. He tries to explain Rav Kluger's opinion in a way that fits better with the Gemaras: Rav Kluger must agree that based on the Gemaras, wearing a Kippah is just a Middat Chassidut. Only because of the Taz (who introduces the Issur of Chukat Akum) does Rav Kluger say that going bareheaded is Assur. Therefore, as long as you wear a

small Kippah, it works since it differentiates you from the non-Jews.⁵

Is a small Kippah Assur when walking more than four Amot?

While Rav Kluger holds that wearing only a small Kippah is Assur when walking more than four Amot, Rav Moshe Feinstein disagrees. As a proof, Rav Moshe quotes the Halacha that someone else's hand works as a Kippah. Just like the hand works even though it doesn't cover your whole head, so too, a regular Kippah works even if it doesn't cover your whole head.

A possible explanation for Rav Kluger's opinion is the Halacha of Rubo KeKuLo. If the small Kippah leaves the majority of your head uncovered it is like your whole head is uncovered, and therefore it would be Assur. But, if it covers the majority of your head, it is like your whole head is covered and would be fine. Rav Kluger must be talking about when the Kippah leaves the majority of your head uncovered, when he says a small Kippah is Assur.

Rav Ovadia Yosef disagrees with Rav Kluger, just like Rav Moshe, and holds that a small Kippah is allowed even when walking more than four Amot. However, this is only if the Kippah can be seen from all sides.⁶ Rav Ovadia quotes a practical question that was posed to Teshuvat Simchat Kohen (2:3) regarding this issue: "If there are those who wear a small Kippah only in the back of their head, should you not give them an aliyah until they wear a larger head-covering?" The Simchat Kohen responded that the Gabai should not refrain from giving him Aliyot. Even if they move their Kippah forward a little, then more of the back will be uncovered. Therefore, you should try to get them to wear a bigger Kippah, but if they do not, you should still give them Aliyot; if you don't they might stop coming to shul.

The Magein Avraham and the Taz

The Magein Avraham seems to say contradicting things in the case of walking more than four Amot. In one place he says wearing a Kippah is just a Middat Chassidut, and in another place he implies it would be Assur to go without a Kippah.

Rav Moshe Feinstein tries to resolve this contradiction. Really, the Magein Avraham holds that a Kippah, when walking more than four Amot, is just a Middat Chassidut. However, because all of Bnei Yisrael have taken on this Minhag, even the simple Jews, everyone should wear it. Nevertheless, in the case of walking less than four Amot, only Talmidei Chachamim and people who try to take on Minhagei Chassidut must make sure to wear a Kippah.

This view runs counter to the Taz who holds that walking even less than four Amot is Assur without a Kippah. According to him, even when just sitting you are obligated to wear a Kippah because of Chukat Akum. Rav Moshe Feinstein suggests that maybe the Magein Avraham agrees that the Issur of Chukat Akum applies to Kippah but only in the case of sitting

¹ A small Kippah refers to one that leaves some of the head uncovered, while a big Kippah covers most of the head.

² Rav Moshe Feinstein asks this question on Rav Kluger's opinion.

³ Kiddushin 31a

⁴ In the same way, Rav Kluger reinterprets the Gemara in Shabbat (118:) and the Midrash quoted by the Maharshah

⁵ Rav Ovadia Yosef says that Rav Moshe is just trying to find a way to make Rav Kluger make more sense with the Gemara, but it isn't really what Rav Kluger meant. Rav Kluger just seems to be incorrect.

⁶ This is Lishitato (consistent with his aforementioned view), since there is a potential Issur of Marit Ayin. If not everyone can see the Kippah, this problem would still exist.

or only in the case of Tefillah since that's when the non-Jews have the custom to remove their hats. However, in the case of just walking, they don't have the Minhag to go bareheaded, and therefore it wouldn't be an obligation to wear a Kippah when walking less than four Amot; it would just be a Middat Chassidut. Rav Moshe concludes that he follows the Taz: because of Chukat Akum, it is an obligation to wear a Kippah when walking whether more or less than four Amot, and even when just sitting.

Conclusion

So why do you wear a Kippah? Why is it such an important thing? There are seemingly a couple different reasons. Nowadays, there are potentially two Issurim you can violate by removing your Kippah. First, is Chukat Akum, introduced by the Taz, and the second is Marit Ayin, introduced by Rav Ovadia. According to both Rav Moshe Feinstein and Rav Ovadia Yosef, because of these Issurim, whether you are walking more or less than four Amot, you are obligated to wear a Kippah and the Kippah must be able to be seen from all sides.

When going back to the times of the Gemara, even if wearing a Kippah was not an obligation, but rather just a Middat Chassidut, these Halachot still seem to fit very well. What better way to fear Hashem and constantly be conscious of His presence, than to wear a Kippah whether you're walking a long distance or just sitting in your house? Hopefully we can now, not only wear our Kippah all the time, but understand why we wear it and be proud of it.

What is Sefer Devarim? Part 2

By Rabbi Chaim Jachter

Mishneh Torah

Now that we know what Sefer Devarim is and what Sefer Devarim is not, we must ask why Chazal refer to this Sefer as Mishneh Torah, a repeat of the Torah.

A contrast of how the prohibition of Lo Tachmod (roughly translated as do not be jealous) is presented in Sefer Shemot and Sefer Devarim helps us grasp the deeper meaning of Chazal calling Sefer Devarim, Mishneh Torah.

In Sefer Shemot (20:14), Hashem commands us not to be jealous of our neighbor's wife, his ox and donkey, and all that belongs to his neighbor. However, in Sefer Devarim Moshe Rabbeinu formulates (according to the Pashtanim such as Ibn Ezra) the prohibition as forbidding jealousy of one's neighbor's wife, house, field, ox, and anything he has.

Why does Moshe Rabbeinu add the neighbor's house and field? An answer is that in the Midbar we did not have homes and we did not have fields. Now that we in Sefer Devarim are about to enter Eretz Yisrael the concern for jealousy of one's neighbor's house and field becomes very relevant.

Is Moshe Rabbeinu changing the Torah? He is certainly not. He is repeating the Torah in a manner that applies Hashem's word to the new situation. I recently composed a

work with my son about electric shavers. We did not repeat the Torah, but we applied its divine words to the contemporary situation.

Chazal refer to Sefer Devarim as Mishneh Torah not literally as a repeat of the Torah. Rather it is an application of Hashem's Torah to the situation we are about to enter.

Moshe Rabbeinu's Mishneh Torah is a paradigm for all "Mishneh Torahs" in the future. When a Rabbi addresses his congregation, he does not merely repeat the Torah. That would be of little value. The Rabbi follows in Moshe Rabbeinu's footsteps and takes the Torah and applies it to the contemporary situation.

Menachot 29b - Moshe Rabbeinu Meets Rabi Akiva

With our approach to Mishneh Torah, we can explain the remarkable story (Menachot 29b) of Moshe Rabbeinu visiting Rabi Akiva's Shiur. Shockingly, Moshe Rabbeinu does not understand the Shiur. He is calmed, though, when in response to a student's challenge as to the source of a surprising approach, Rabi Akiva responded it is a Halachah LeMoshe MiSinai (a tradition received by Moshe Rabbeinu at Sinai).

Many find this Gemara to be perplexing in the extreme. How can Rabi Akiva's Shiur be an authentic expression of Torah if Moshe Rabbeinu does not understand it?

We suggest that Moshe Rabbeinu did not understand since Rabi Akiva was applying the Torat Moshe to the scenarios of his generation. Moshe Rabbeinu is assuaged when Rabi Akiva points to Moshe Rabbeinu as his source. By saying this, Rabi Akiva is saying although he is addressing issues that might be foreign to Moshe Rabbeinu, he shares the methodology and vision of Moshe Rabbeinu. Hence, Rabi Akiva's Shiur is an authentic continuation and application (a legitimate Mishneh Torah, as we are saying) of Torat Moshe. Therefore, Moshe Rabbeinu is assuaged.

Were Rabi Akiva to read the Hebrew version of my electric shaver book (that my son and I contributed to Techumin volume 41), he would not understand it either. However, I am confident Rabi Akiva would be assuaged by the fact that we quote him in the formulation of our approach to electric shavers. We share Rabi Akiva's methodology and vision and we believe we therefore are a legitimate continuation of his Torah.

Change vs. Application

Legitimate Torah learning applies Hashem's Torah but does not change it. Changing Torah is inauthentic and doomed to fail. The Conservative movement's horrific ruling in 1950 "permitting" driving to services on Shabbat is a tragic example of such illegitimate change. Even a competent Yeshiva high school student recognizes the illegitimacy of this ruling which has no basis in our classic Torah texts. Decades later even Conservative leaders admitted the colossal mistake in issuing

this ruling which led to the dissolution of a sense of community in the Conservative movement.

Who Wrote Moshe Rabbeinu's Speech?

Although Moshe Rabbeinu delivered the speeches in Sefer Devarim ,who wrote the speeches? Megilla 31b states unequivocally that Moshe Rabbeinu composed the speeches. Tosafot (ad. loc.) clarify that Moshe Rabbeinu wrote it with Ru'ach HaKodesh, divine inspiration. This means that Hashem influenced Moshe Rabbeinu in his composition of the speeches. However, Tosafot does not state that Moshe Rabbeinu wrote Devarim with Nevu'ah, prophecy. Moshe Rabbeinu did have input into the speech. While it is difficult, if not impossible, to know where Hashem's influence ended and Moshe Rabbeinu's autonomy began, the Gemara clearly states that Moshe Rabbeinu had at least a measure of independence in the composition of the speeches recorded in Sefer Devarim. Moreover, Moshe Rabbeinu certainly did not devise the Mitzvot that appear for the first time in Sefer Devarim. Instead, what Moshe Rabbeinu is doing is presenting Mitzvot which he heard from Hashem at Har Sinai but until now were simply Torah SheBe'al Peh (see Shemot 34:32 with Chizkuni, as well as the introductions of the Ramban and Abarbanel to Sefer Devarim).

Abarbanel clarifies that Hashem is the author of Sefer Devarim since Hashem is quoting Moshe Rabbeinu with His approval and even possibly edits his speeches for inclusion in the Torah. Abarbanel fits beautifully with Chagigah 15b that teaches that Hashem cites the original Torah thoughts of the great Chachamim. While Hashem undoubtedly influences the Chachamim (see Mishna, Yadayim 4:3), they also have some degree of autonomy. Hashem cites the great Chachamim with approval just as He approvingly presents Moshe Rabbeinu's speeches in Sefer Devarim.

Conclusion – Hashem Empowers Us

Sefer Devarim is undoubtedly not a mere repeat of that which is in the prior four Sefarim. Rather, Hashem is quoting how Moshe Rabbeinu masterfully prepares us for the barrage of transitions we will face when he soon will depart this world. Chazal refer to Sefer Devarim as Mishneh Torah since Moshe Rabbeinu applies Hashem's teachings to the new situation we are about to face. Hashem approvingly cites Moshe Rabbeinu's words and incorporates them into the Torah.

Charlie Harary appropriately describes Hashem as an empowering God. Moshe Rabbeinu seeks to help us continue to observe Torah and succeed in our divinely ordained mission as the "Mamlechet Kohanim VeGoy Kadosh." Hashem helps Moshe Rabbeinu and dignifies his efforts to the extent that Hashem even incorporates his words into the Torah! Those who make a similar effort to Moshe Rabbeinu are similarly assisted and dignified by Hashem.

Editors-In-Chief Emeritus: Ezra Lebowitz and Aidan Samet
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Publication Editors: Chanan Schreiber, Micah Cyrulnik, and Azarya Tiger
Communications: Mr. Liam Machlin
Rabbinic Advisor: Rabbi Chaim Jachter
Questions, comments? Contact us at:
Phone: (201) 837-7696
webmasters@koltorah.org