



A PROJECT OF CHICAGO COMMUNITY KOLLEL

# PARSHA ENCOUNTERS

15 Elul 5769 / Sep. 4, 2009

Parshas Ki Savo ✍️ Rabbi Shlomo Pomerantz

## Achieving Royalty

**T**he Posuk in Parshas Shoftim (20:3) says “Hear O Israel, you are coming near to the battle...” Rashi explains that the kohen’s use of the familiar words “Hear O Israel” (the first words of Shema) is significant. Through this phrase, the kohen informs us that even if the Bnei Yisroel only possess the merit of a single mitzvah, Krias Shema, they will be worthy of salvation.

What is the nature of this “weapon” of “Shema?” Why does this merit have the power to conquer our enemies?

The posuk in Tehilim (chapter 124) states: “If it wouldn’t be for you, Hashem, helping us when man (Adam) stood up against us, we wouldn’t have survived...” The Midrash says that the term “Adam” refers to Yishmael. The “simple” explanation for this definition is that Yishmael is called a “perch adam – a wild man” in the Torah. R’ Avraham Schorr shlita further develops this idea. He notes that we don’t find the title of king ever associated with the tribe of Yishmael. Why? R’ Schorr explains that kings represent a higher level of humanity, distinct in terms of royalty, dignity, and controlled actions. Yishmael can never reach this level.

R’ Schorr offers an insightful proof. He contrasts the chesed performed by Avrohom Avinu/Bnei Yisroel with the chesed done by Yishmael. As a child of Avrohom Avinu, Yishmael also performs chesed, but his kindness is not tempered by the setting of boundaries. The Gemara informs us that ten levels of promiscuity descended to our world; of these, Yishmael took nine. The Torah calls acts of promiscuity “chesed” because the impetus for such acts is a warped understanding of the nature of chesed. Such chesed is not a hallmark of royalty, but is characteristic of Yishmael. Bnei Yisroel, however, perform acts of chesed guided by gevurah, the midah of Yitzchok Avinu (chesed performed by Avraham Avinu with Yishmael, for example). Chesed with limits fulfills a higher purpose and befits royalty.

These observations lead to an alarming conclusion. Chazal teach that “The hearts of kings are in the hand of Hashem.” When Bnei Yisroel are under the domain of a foreign king (e.g. Titus), they are essentially still under Hashem’s jurisdiction. Yishmael, however, cannot achieve the status of royalty. As a mere common man, then, his decisions are not directly dictated by Hashem, resulting in the greatest degree of Hester Ponim (Hashem’s hidden presence). We are enduring such a golus (exile) today.

How can we emerge from this deep abyss? R’ Schorr assures us that we can do so by fully accepting the sovereignty of Hashem over our lives, which is primarily accomplished through the recital of the shema. Through this acceptance, we can combat the midah of Yishmael. They (Yishmael) are a people without boundaries/limitations; when we accept Hashem’s rule over us, we declare ourselves to be bound by a higher power. This acceptance has the potency to overcome Yishmael and his powers.

As we approach Rosh Hashana, the Yom Tov when we renew our commitment to Hashem’s Malchus, it behooves us to strengthen both our recital of shema and our awareness of Hashem’s sovereignty. These efforts will hopefully bring the ultimate redemption, when the entire world will declare that Hashem is king and we are His nation – a nation of kings.

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Mark your calendars!  
The Kollel’s Annual Teshuvah Drasha  
with Rabbi Yissocher Frand  
Wednesday, September 16<sup>th</sup> - 8:15 PM  
Congregation Sha’arei Tzedek Mishkan Yair

# HALACHA ENCOUNTERS

## Bais Haknesses

Rabbi Pesach Gottesman

Since the destruction of the Bais Hamikdash, the central gathering place for Jews has been the Bais Haknesses. Indeed, the Navi Yechezkel as explained in Maseches Megilla 29A, refers to a Bais Haknesses as a “mikdash me’at,” a minor Bais Hamikdash. Many people, however, don’t realize that, like all aspects of Jewish life, treatment of a Bais Haknesses is regulated by various rules. Internalizing the concept that a Bais Haknesses serves as a means to connect to the Bais Hamikdash enables us to more easily follow the applicable halachos.

Not every place where people gather to daven is classified as a Bais Haknesses. To achieve this status, a building or room must be given to the public to be used exclusively for davening or learning. A room which is used for an occasional minyan (such as a Friday night minyan or a mincha minyan in a downtown office) is not considered a Bais Haknesses.

Actions prohibited in a Bais Haknesses can be grouped into three categories. The first category includes actions which disgrace the place, such as S’chok and Kalus Rosh (joking and frivolity). Actions which appear to belittle the holiness of a Bais Knesses, such as eating, drinking, sleeping, or entering without purpose, comprise the second category of prohibitions. The third category involves gatherings for a purpose other than davening or Limud Torah, such as assembling for secular classes or eulogies.

Generally speaking, the actions in these categories may not be performed in a Bais Knesses. Some poskim allow classes to be given in a shul (see Piskei Teshuva 151: 8). If a large crowd is attending a funeral, eulogies may be delivered in the shul.

One may enter a shul only if his intention is the performance of a mitzvah; a shul should definitely not be used as a shortcut. If one must enter solely to summon somebody, one should stop inside to say Divrei Torah, or at least sit down for a few seconds.

### Eating and Drinking

Although one may not eat, drink, or sleep in a Bais Knesses, a Talmid Chochom (one who spends his days studying Torah) may do so if he has no other place available. In addition, anyone who must eat, drink, or take a nap in order to continue his studies, may do so if leaving will disturb him.

### Bais Medrash

For the most part, all the halachos that apply to a Bais Haknesses also apply to a Bais Medrash. There are two leniencies regarding a Bais Medrash:

A Talmid Chochom may treat his Bais Medrash like his home because he is there the entire day. Therefore it is permitted to eat or sleep there even if another place is available.

Any person may take a nap in a Bais Medrash. Most shuls nowadays have the status of a Bais Medrash because they are also used for Torah study. However, this leniency does not apply to places that are only used for davening, such as those that only have siddurim and chumashim, and no other sefarim.

### Making a Tenai

Before a shul is constructed, a tenai (stipulation) may be made to permit certain future uses of the shul. According to the Magen Avraham (151:14), the tenai only allows for eulogies or classes in the shul. The Biur Halacha (151: Aval) maintains that one may rely on the Ramban, who permits eating and drinking if there is no other practical option. However, Rashi and Hagoas Ashri (see Magen Avraham s.k. 2) allow eating, drinking, or other uses even when there is another option. Hagoan R’ Moshe Feinstein Zt”l notes that although the Mishnah Berurah does not follow their opinion, apparently many communities do rely on their ruling. Therefore, it is permissible to make Kiddush in a shul, even when the meal is not a seudas mitzvah. It is assumed that all shuls make the above-mentioned tenai before building.

It must be stressed that many shuls nevertheless have the minhag to prohibit certain activities in shul, such as eating a meal or drinking coffee. One should always adhere to the local customs. Under all circumstances (even if a tenai was made or a person is a Talmid Chochom), it is forbidden to behave frivolously. Examples of inappropriate behavior would be reading a newspaper or conversing for no constructive purpose. It is said in the name of R’ Shmuel Kaminitzky that a Talmid Chochom may discuss Parnassa in a Bais Medrash. Logically, the same should be true for a shul built with a Tenai according to the opinion of Rashi and Hagoas Ashri.

*Rabbi Gottesman is a full-time member of the kollel.*

### CORRECTION

In last week’s article the opening paragraph mistakenly said: *When a man marries a new wife, he shall not go out to the army, nor shall it obligate him in any matter [for a **Milchemes Mitzvah** – a war for the purpose of expanding the borders of Eretz Yisrael]; he shall be free for his home one year, and shall gladden his wife whom he has married. (Ki Seitzei 24:5)* The term **Milchemes Mitzvah** should be replaced with **Milchemes Reshus**. Later in the article the S’dei Chemed is quoted as saying that a husband that violated this restriction (leaving one’s wife during shana rishona) **must** make up for the time that he was gone at the conclusion of *shana rishona*. This is not entirely accurate, as the Sdei Chemed is uncertain if one is obligated to do so. We apologize to Rabbi Plotnik, and to our readers for these errors.