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PARSHA INSIGHT

BY RABBI YAAKOV ASHER SINCLAIR

I'm Not Your Etrog

"Pinchas, son of Elazar, son of Aharon the Kohen..." (25:10)

A few weeks ago, on Shabbat afternoon, I was asked to speak to a group of young boys and girls who were about to go into the IDF. To better prepare them for their leadership roles, they join what are known as *mechinot k'dam tzva'i*. Part of their preparation is to come into contact with sectors of Israeli society that they would not normally meet. This particular Shabbat they were being hosted by haredi families in our area. They were all intelligent and articulate — the *crème de la crème* of Israeli secular society — and for the most part they had never had an in-depth encounter with someone haredi. I emphasized to them that as Jew I have an obligation to love and respect every Jew as my brother, and that haredim care and love their secular neighbors, even though this may not be immediately apparent. The gulf between the two worlds is not easy to bridge, but that afternoon I felt I made some headway.

Towards the end of my presentation, one of the girls accused me of not being a typical haredi. "I'm not sure what a typical haredi is," I said to her, but I assured her that if there was one, I was close to it. "You don't seem judgmental to me," she said. "At lunch, my hostess made me feel like "an empty wagon."

I'm not sure if she realized it, but this was precisely the argument that the Chazon Ish made to the then - Prime Minister of Israel, David Ben Gurion, when the PM went to Bnei Brak to try to reach a compromise about yeshiva students and army service. Ben Gurion

asked the Chazon Ish how the two communities could find a way to live together, and the Chazon Ish responded by quoting from the Gemara in Sanhedrin: "*If two wagons meet each other while on the ascent to Bet Horon... How then should they act? If one is laden and the other is unladen, the latter should give way to the former.*" The Chazon Ish said that the haredi community is like a wagon laden with the tradition and customs of centuries, while the secular community is unladen.

Sometimes in our sincere desire to bring our Jewish brothers and sisters close to Jewish tradition, we can come off as condescending — "*You poor benighted creature, how lucky you are to have found yourself at a haredi Shabbat table where we will disabuse you of all your apikorsut and ignorance.*"

In this week's portion of the Torah, Pinchas "zealously avenges" the honor of Heaven. G-d calls him a descendent of Aharon, and he is rewarded that he and his offspring being given the gift of priesthood: "My covenant of peace".

Not every one of us is a Pinchas. The ways of the Torah are the ways of peace, and without genuine respect there can be no peace.

No real relationship can start with an agenda. However intense my desire to bring those who are far away close to the *Shechina*, if I treat my fellow Jew as an Etrog I will end up with a lemon.

Zevachim 72 - 78

A Mixed-Multitude

“Anything that is ‘fixed’ is seen as 50-50”.

In Hebrew, this principle is called “*kol kavua k’mechetze al mechetze dami*,” and is one of the important tools we are given in *Shas* for assigning the status of an item whose status is in doubt. Is the item *mutar* (permitted) or is it *assur* (forbidden)? Two other similar principles are called “*batel b’rov*” (nullified in the majority) and “*kol d’parish, m’ruba parish*” (all that has separated, has separated from the majority). Our Talmudic Sages use these and other principles to resolve the status of an item whose status is in doubt. The main Chumash sources for these principles are Shemot 23:2 and Devarim 19:11, but the understanding of how and when to apply them is explained in *Shas* (e.g., Ketuvot 15a and Sanhedrin 79a).

The *mishna* which begins the eighth chapter of *Masechet Zevachim* teaches what to do when a forbidden animal becomes mixed with a number of kosher animals that were designated to be offered as sacrifices. For example, the first case is that in which a “*chatat* that should die” becomes mixed together with kosher offerings. (There are five types of “*chatat* that should die,” as counted by Rashi, such as a *chatat* whose owner has already died.) The *mishna* teaches that the procedure for all of the animals in this mixture is for them all to die — i.e., none may be offered and none may be redeemed after becoming blemished.

We don’t say that the forbidden animal is *batel b’rov*, says the *gemara*, because, as a living animal, it has special importance, and is not nullified in the mixture. However, the *gemara* asks, why don’t we remove one animal from the mixture at a time and say about it: *kol d’parish, m’ruba parish*? In applying this principle, we would be saying that each one that is removed from the mixture is really from the majority of animals, which are permitted, and thereby permit them to be offered. The *gemara* answers that if we take one from the herd, the prohibited one is considered *kavua* and fixed among the permitted ones. Due to this, we look at the result as 50-50, which means that each removed animal is still in doubt as to whether it is permitted or not.

Although the principle of *kavua* doesn’t deny that the majority of animals are permitted, Chazal interpret a specific verse to teach that the result of a *kavua* case is 50-50, despite the actual majority that exists. This type of teaching, one that is based on a verse in the Torah, is known as a *gezerat hakatuv*, a decree of that which is written in the Torah. No further logical explanation is necessary. It is sufficient that G-d decrees in the Torah that it is so.

Nevertheless, I have heard an explanation to logically explain the difference between *kavua* and *kol d’parish*. Here is an explanation that I heard from Rav Moshe Shapiro, *zatzal* (to the best of my memory), while learning from him in his kollel nearly forty years ago: When something is “found,” the appropriate question to ask is: Where did this come from? Here the question is: Is this meat from a kosher store or from a non-kosher store? Since the majority of stores in the city are kosher, we apply the statistics of majority and say that it came from one of the majority of kosher stores, and is therefore kosher.

If, however, I bought a piece of meat from one of the stores in the city, and then afterwards forget from which type of store I bought this meat, a completely different question is the appropriate one: “*What is this? Kosher or not kosher?*” This a binary question with only two answers to consider: kosher or not kosher. Therefore, the number of stores is not a factor, and even if there are a majority of kosher stores we say that the meat is “doubtful-kosher” and forbidden to eat.

A fascinating question is asked with regard to the rule of *kavua*: The Sanhedrin was composed of judges who were located in a chamber of the courtyard of the Beit Hamikdash called *lishkat hagzit*. They voted on the cases that they heard, and ruled based on majority. But, since they were in a *fixed* location when they issued their ruling, why shouldn’t the rule of *kavua* apply, and every outcome be a 50-50 doubt? An answer to this question is that, although their bodies were fixed in location, their *dei’ot* — minds and thoughts — are not physical objects that can be considered as existing in a fixed location. (Mordechai)

• *Zevachim* 73b

PARSHA Q&A?

1. Why was Pinchas not originally a *kohen*?
 2. Why was Moav spared the fate of Midian?
 3. What does the *yud* and *heh* added to the family names testify?
 4. Korach and his congregation became a “sign.” What do they signify?
 5. Why did Korach’s children survive?
 6. Name six families in this Parsha whose names are changed.
 7. Who was Yaakov’s only living granddaughter at the time of the census?
 8. How many years did it take to conquer the Land? How many to divide the Land?
 9. Two brothers leave Egypt and die in the *midbar*. One brother has three sons. The other brother has only one son. When these four cousins enter the Land, how many portions will the one son get?
 10. What do Yocheved, Ard and Na’aman have in common?
 11. Why did the decree to die in the desert not apply to the women?
 12. What trait did Tzlofchad’s daughters exhibit that their ancestor Yosef also exhibited?
 13. Why does the Torah change the order of Tzlofchad’s daughters’ names?
 14. For what transgression did Tzlofchad die?
 15. Why did Moshe use the phrase “G-d of the spirits of all flesh”?
 16. Moshe “put some of his glory” upon Yehoshua. What does this mean?
 17. Where were the daily offerings slaughtered?
 18. Goats are brought as *musaf* sin-offerings. For what sin do they atone?
 19. Why is Shavuot called *Yom Habikkurim*?
 20. What do the 70 bulls offered on Succot symbolize?
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PARSHA Q&A!

Answers to this week’s questions! - All references are to the verses and Rashi’s commentary unless otherwise stated.

1. 25:13 - *Kehuna* (priesthood) was given to Aharon and his sons (not grandsons), and to any of their descendants born *after* they were anointed. Pinchas, Aharon’s grandson, was born *prior* to the anointing.
 2. 25:18 - For the sake of Ruth, a future descendant of Moav.
 3. 26:5 - That the families were truly children of their tribe.
 4. 26:10 - That *kehuna* was given forever to Aharon and his sons, and that no one should ever dispute this.
 5. 26:11 - Because they repented.
 6. 26:13,16,24,38,39,42 - Zerach, Ozni, Yashuv, Achiram, Shfufam, Shucham.
 7. 26:46 - Serach bat Asher
 8. 26:53 - Seven years. Seven years.
 9. 26:55 - Two portions. That is, the four cousins merit four portions among them. These four portions are then split among them as if their fathers were inheriting them; *i.e.*, two portions to one father and two portions to the other father.
 10. 26:24,56 - They came down to Mitzrayim in their mothers’ wombs.
 11. 26:64 - In the incident of the *meraglim*, only the men wished to return to Egypt. The women wanted to enter *Eretz Yisrael*.
 12. 27:1 - Love for *Eretz Yisrael*.
 13. 27:1 - To teach that they were equal in greatness.
 14. 27:3 - Rabbi Akiva says that Tzlofchad gathered sticks on Shabbat. Rabbi Shimon says that Tzlofchad was one who tried to enter *Eretz Yisrael* after the sin of the *meraglim*.
 15. 27:16 - He was asking G-d, who knows the multitude of dispositions among the Jewish People, to appoint a leader who can deal with each person on that person’s level.
 16. 27:20 - That Yehoshua’s face beamed like the moon.
 17. 28:3 - At a spot opposite the sun. The morning offering was slaughtered on the west side of the slaughtering area and the afternoon offering on the east side.
 18. 28:15 - For unnoticed ritual impurity of the Sanctuary or its vessels.
 19. 28:26 - The Shavuot double-bread offering was the first wheat-offering made from the new crop.
 20. 29:18 - The seventy nations.
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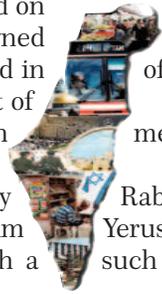
LOVE of the LAND

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

Tailor-Made for Jerusalem

It was on a summer day in 1904 that the famous Jerusalem tailor, Reb Shmuel Shneider, knocked on the door of Rabbi Yitzchak Blazar, the renowned rabbi of Petersburg, Russia who had recently settled in the Holy City. He had been summoned by this giant of Torah and Mussar to measure him for a new suit in the style of Jerusalem Jews.

Unfamiliar with the tailor, who was himself a very learned Torah scholar, Rabbi Blazar welcomed him into his home, assuming that this man with such a



distinguished countenance was one of the Torah greats of Jerusalem who had come to greet him. After a long discussion between the two on subjects of Torah and Mussar, the tailor rose and said:

“Pardon me, but I would like to take your measurements for the suit you ordered.”

“This is the Yerushalmi tailor,” exclaimed Rabbi Blazar, “and I was not even aware! O Yerushalayim, how privileged you are to have a tailor such as this in your midst!”

PARSHA OVERVIEW

G-d tells Moshe to inform Pinchas that Pinchas will receive G-d’s “covenant of peace” as reward for his bold action - executing Zimri and the Midianite princess Kozbi. G-d commands Moshe to maintain a state of enmity with the Midianites who lured the Jewish People into sin. Moshe and Elazar are told to count the Jewish People. The Torah lists the names of the families in each tribe. The total number of males eligible to serve in the army is 601,730. G-d instructs Moshe how to allot the Land of Israel to *Bnei Yisrael*. The number of the Levites’ families is recorded. Tzlofchad’s daughters file a claim with Moshe. In the absence of a brother,

they request their late father’s portion in the Land. Moshe asks G-d for the ruling, and G-d tells Moshe that their claim is just. The Torah teaches the laws and priorities which determine the order of inheritance. G-d tells Moshe that he will ascend a mountain and view the Land that the Jewish People will soon enter, although Moshe himself will not enter. Moshe asks G-d to designate the subsequent leader, and G-d selects Yehoshua bin Nun. Moshe ordains Yehoshua as his successor in the presence of the entire nation. The Parsha concludes with special teachings of the service in the Beit Hamikdash.

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BY RABBI YIRMIYAHU ULLMAN

Airing Questions

From: Alexy

Dear Rabbi,

I was in an airport travelling with my family and saw a rabbi praying in the departure area before the flight. I explained to my son that a rabbi is a holy and learned person, and that it is important to show respect to the rabbi. I also told my son that while a rabbi won't discuss Judaism without being asked, he considers it a good deed to answer questions about it and that one should take advantage of the opportunity to do so. After that "prep-talk", when the rabbi finished his prayers, I began a conversation, the rabbi was very friendly (he actually gave my son kosher chocolate), but my son was not as respectful as he should have been, nor did he ask any questions. So I have some questions about this scenario. Is there a way that I can know whether such a person is a rabbi? Is it common to pray that way outside of a synagogue, in an airport? Is it acceptable to address the rabbi in this way and to ask him questions? Why do you think my son did not take up on my encouragement?

Dear Alexy,

I commend you on your own respect and interest in Judaism which is genuine and refreshing. If all Jewish parents expressed to their children what you expressed to your son, there would be much more assurance of passing on Judaism to future generations.

Was the person a rabbi? It is important to know that not everybody who might appear to be a rabbi is one. The reason for this is that among the more observant Orthodox groups, mode of dress is fairly standard, such that rabbis and layman look alike. Generally, even a layman of such affiliation and appearance is well-versed and knowledgeable and may be considered reliable for answering many questions about Judaism. Two useful points for you to know is that, out of humility, a rabbi might not admit to being one; on the other hand, most rabbis and laymen would admit to not knowing the

answer to a question and defer to a more knowledgeable source.

Is it common to pray in an airport? While it is mandatory to pray in a synagogue with the community, in extenuating circumstances such as during travel when the appointed times for prayer expire without access to a synagogue or community, it is permitted to pray individually and outside of a synagogue. Presumably, this is what the man that you saw was doing, and even a rabbi might find himself in that situation. However, if the route is a common one for Jews, such as between Israel and New York, the required number of ten men might make impromptu services for prayer in the airport, or even in the plane.

Did you address the rabbi in an acceptable way by asking questions? From the way you prepped your son, I'm sure you addressed the person with reverence and respect, which is really how we should address all people, and I'm sure that was acceptable to him. In fact, you mention that he was friendly toward you. And, as far as asking a rabbi or any other Orthodox person about Judaism, there should be nothing wrong with that, as long as one asks respectfully and not with sarcasm and confrontation.

Nevertheless, some people are naturally friendly, others are less so. Some are more knowledgeable, others less so. Sometimes, one has more time, while at other times one is in a rush. So you can always ask, but just be prepared for various responses, and don't make generalizations about Orthodox Jewry based on the reactions of select individuals. Another point to consider, specifically in the situation you describe, is that the person may not have much time to talk if he's prayed between flights, and may need to care for personal needs or have a wife and small children travelling with him who might need his help.

Regarding your son's reaction to the situation, it actually seems perfectly natural and expected. From what I glean, he is probably not familiar with Orthodox Jews. Children are wary, or at least shy, of strangers in general. This is certainly so when the stranger looks "strange" to them. And add to that your well-meaning, but possibly intimidating "prep-talk", and I can see why

Continued on page eight

WHAT'S IN A WORD?

Synonyms in the Hebrew Language

BY RABBI REUVEN CHAIM KLEIN

A Heritage of Inheritance

When the Torah lays down the laws of inheritance (Num. 27:1-11), it uses two different words to convey the notion of bequeathal — *nachala* and *yerusha*. The difference between these two terms is not readily apparent, but as we have seen many times, the Hebrew language does not use synonyms just for the fun of it. There must be some nuance being conveyed by using two different words. In this essay we will visit several approaches which aim to clarify the exact differences between the words *nachala* and *yerusha*.

We begin with a short discussion of another word which often appears in the construct as attached to *nachala*: *achuza*. That word commonly appears in the construct phrase *achuzat-nachala*. Malbim explains that the word *achuza* refers specifically to property which one received through inheritance, and he has already taken possession of it and “holds it” (*ocheiz*). Property which he has not yet taken possession of (for example, if the property is far away or is still under dispute) is called *nachala* or *yerusha* without the *achuza* modifier.

What is the difference between *nachala* and *yerusha*?

Malbim offers two ways of differentiating between the terms. First, he argues that the word *yerusha* is related to the word *reshut* (“domain” or “charge”) and simply denotes the transfer of property from one party’s domain to another’s. *Nachala*, on the other hand, refers specifically to the transfer of property in the transgenerational continuum of parent to child. Second, Malbim explains that *yerusha* focuses on the inheritance as a legal transfer of property whether or not it was sanctioned by the inheritor, while *nachala* refers specifically to when the inheritor willingly bequeaths his belongings to his inheritee.

Rabbi Shmuel Dovid Luzzatto (1800-1865), known as *Shadal*, posits a fundamental difference between the Hebrew words *nachala* and *yerusha*. He proposes that the word *nachala* denotes one who receives his inheritance as part of a greater undertaking of divvying up a specific estate. One who receives a *nachala* does so alongside others who also receive their portion.

Shadal even contends that the word *nachala* is related to the word *chelek* (“portion”), as both words contain the *CHET-LAMMED* combination.

Here are two quick examples of *nachala* in *Shadal*’s estimation: The Torah gives to a firstborn the right to inherit a double portion of his father’s property, while his younger brothers receive only one portion. In that context, dividing the father’s property among all the brothers is called a *nachala* (Deut. 21:16). Similarly, when G-d divvied possession of the world among the seventy nations, each nation received a *nachala*, because other nations also took their lot in tandem (see Deut. 32:8).

In contrast, *Shadal* explains that *yerusha* refers to a sort of inheritance whereby one person receives everything. If somebody has only one child, that child inherits the whole lot. He has no rivals with whom he must split the pot. This *yoresh*-takes-all approach is supported by the Scripture: Abraham complained that because he had no children, his household steward was seemingly destined to inherit all his belongings (Gen. 15:3). In that context, Abraham used the verb *yoresh*,* not *nochel*.

Others explain that *nachala* refers specifically to the passage of inheritance from father to son, while *yerusha* denotes any form of inheritance between relatives, even if not to one’s direct descendants.

Rabbi Shlomo Pappenheim of Breslau (1740-1814) and Rabbi Yaakov Tzvi Mecklenburg (1785-1865) explain that the root of the word *yerusha* is *REISH-SHIN*, which is related to the word *rosh* (*REISH-ALEPH-SHIN*). He who inherits his relative’s property effectively becomes “the head” of that estate. In fact, the Modern English word *inherit* is derived from the Latin word *inhereditare* which means “to be appointed as heir”, in which case the inheritee assumes the deceased’s power of position.

Rabbi Samson Raphael Hirsch (1808-1888), in an almost-prophetic synopsis of current events, identifies the difference between *yerusha* and *nachala* as reflective of two opposing ways in which the younger generation may relate to the older generation. In one model, the younger generation views itself as primary,

Continued on page eleven

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ANATOMY OF A MITZVAH

BY RABBI YITZCHAK BOTTON

The Laws of Inheritance

“If a man dies without any sons, his inheritance passes over to his daughter...” (Bamidbar, Parshat Pinchas 27:8). The order of inheritance is as follows: If a man dies, his possessions are divided among his sons, with the firstborn son receiving a double portion. If there aren’t any sons, the estate passes to his daughters...

Though the Torah clearly delineates precisely who inherits the possessions of a person who dies, one should not think that the intent of this commandment is that a person is enjoined by G-d to give his possessions over to his inheritors. That is not so, because G-d does not desire to limit a person’s control over his property, causing it to go to his inheritors. Instead, G-d allows a person to do as he pleases with his money while he is alive, even if doing so will cause his inheritors to lose out. Rather, the intent of the law of inheritance is that at the time of one’s passing from this world all of his possessions are transferred to his heirs. This legal transfer takes effect at the moment of death. Upon death, one’s property instantly and without delay becomes bound to the heirs.

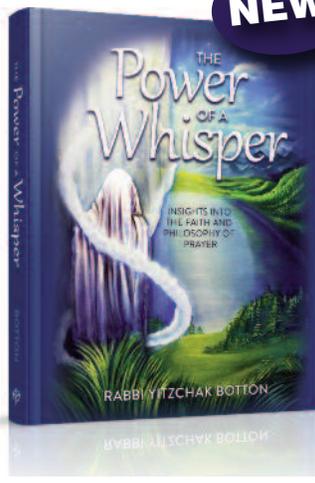
In light of the above, some questions arise. What if a person wants his money and his other assets to be divided up differently than the Torah prescribes?

If a person says, “My son will not inherit me,” or, “My

daughter will inherit me” (when he also has male children), his words are meaningless, since he has no power to uproot the laws of the Torah, which clearly state the opposite. This is true even though a person can do whatever he wishes with his money, because his control is effective *only* while he is alive. He can, therefore, give his possessions away to whomever he pleases, and he can even destroy them. But he cannot nullify the laws of inheritance, because that goes against the word of G-d, against His decrees.

Rabbi Yochanan ben Beroka maintains that if someone makes a stipulation concerning a person who is qualified to inherit him, his words are valid. For example: If a person said “So-and-so, my son, shall inherit everything (even though he has other sons), or he said “So-and so, my daughter (when there are only daughters), shall inherit everything,” his words are valid. The law follows this opinion, except in the case where there is a *bechor*

• Source: based on Sefer HaChinuch, Parshat Pinchas



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BY RABBI YOSEF HERSHMAN

Authentic Peace

Last week, we read about the fiasco of *Baal Pe'or*, where many Jews were seduced by Midianite women, and then persuaded to worship the idol *Pe'or* in the most detestable ways.

As the leaders of the nation assembled to sit in judgment over the guilty, the brazen Zimri paraded a Midianite princess around, in full view of the whole community, encouraging continuation of the reprehensible crime. The sight of such impudence, at the entrance to the Sanctuary — the sight of such heinous degeneracy at the site that was to safeguard the holiness of the people — reduced the nation, including its leaders, to helpless tears.

Only one man — Pinchas — summoned the strength for manly action. As a young man, he saw the tears of helplessness as a sign that Israel's leaders had lost faith in their nation's future. He took a spear in hand and slew the Jewish man and the Midianite woman in an act that spared the people the wrath of G-d. The plague that already had claimed 24,000 lives, and would have claimed the lives of many more, ceased immediately.

Pinchas demonstrated that as long as there is even one person left on earth to champion the cause of G-d and Torah, then G-d's cause — the survival and education of humanity — is not lost. Our *parsha* opens with Pinchas' being rewarded with the covenant called peace. The supreme harmony of peace is entrusted here to that spirit and activism which thoughtless people — anxious to mask their passivity and neglect of duty as “love of peace” — like to brand and condemn as “disturbances of the peace.” But in reality, one who

dares to struggle against the enemies of what is good and true in the eyes of G-d is a fighter for the covenant of peace on earth. Authentic peace is harmony with the Will of G-d.

The converse is also true. One who does not stand up for truth, one who will not struggle to attain it, is also called a “hater of peace.” (Psalms 120:6) Only if people will respect truth, and endeavor to have their actions, desires, speech and actions correspond to that truth, will they be able to work together in harmony.

When it comes to our personal sphere of desires, rights and possessions, we are encouraged to pursue peace, at almost any price. If it is only our personal interest, property rights, or honor that is at stake, we should avoid even the most justified quarrel. But when the price for peace includes the values of humanity in general, and of the Torah in particular, it is too high a price.

In Scripture, when truth and peace are juxtaposed, truth ordinarily precedes peace. (Zecharia 8:19; 8:16) Truth comes first and peace only second. Peace, as Pinchas has taught us, is a *product* of truth. And this is why peace cannot be pursued at the expense of the truth.

Eternal priesthood is promised to Pinchas and to the loyal heirs among his sons because he was zealous on behalf of G-d, and took bold action to atone for all those who remained silent around him. In acting for the sake of G-d's truth, he is rewarded with eternal peace.

• Sources: *Commentary, Bamidbar, 25:12, Mishlei p. 196, Tehillim 120:6*

ASK...continued from page four

he'd be reluctant to capitalize on the “opportunity” you orchestrated for him. In fact, perhaps the rabbi's perception of your son's awkwardness prompted his gift of chocolate.

So, while I greatly admire your intention and the ideas that you conveyed to your son, based on your son's reaction, it seems you might better achieve your educational goal with a slightly modified approach. Your “prep” was amazing, and I'd definitely keep that.

However, rather than expecting your young son to initiate questions to an unfamiliar, intimidating adult, in this situation you might have taught by example, inviting your son to merely accompany you to ask your questions together. As the conversation progressed, and your son would be more at ease, you could, through “show and tell”, encourage him to see and touch, for example, the rabbi's *tefillin* or *tallit*, piquing your son's natural curiosity to ask his own questions.

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MEZUZAH
maven

BY RABBI ZE'EV KRAINES

Walk-in Closets

Q: When we moved into our new home, we thought that we had enough mezuzot for the rooms. But we hadn't considered the walk-in closets because our old home didn't have any. I've seen that some of my friends have mezuzot on their closets, and some don't. Are there any clear-cut rules?

A. A walk-in closet that is four-by-four amot requires a mezuzah on the right side of one entering it. If it is long and narrow (e.g. two by eight amos), a mezuzah is placed there without a beracha.

If the closet is inside the bedroom of a married couple, the mezuzah should be enclosed with two coverings, one of which is opaque. Even if the mezuzah is placed on the inside frame of a closed closet door, it is advisable to cover it with two covers in case the door is inadvertently left open during marital relations.

If a walk-in closet is less than sixteen



amot square some *poskim* suggest that it is praiseworthy to affix a mezuzah on the right of the closet as it opens into the room, without a *beracha*. However, in America many *rabbanim* exempt this small walk-in closet in accordance with the view of Rabbi Moshe Feinstein.

Additionally, all would agree that when this small closet is generally accessed by standing outside of it and reaching in, it is exempt from a mezuzah even on the right side of its door leading to the big room. Since the doorway is not for entry and exit, it is not truly a "walk-in" closet even when it is large enough for a person to "walk into" it.

• Sources: *Shach* Y.D. 286:10; *Hagahos Rabbi Akiva Eiger* 286:13, as interpreted by *Chazon Ish* Y.D. 168:5; *Parashah Sedurah* 42; *Igros Moshe* Y.D. 1:181, cited in *Inside Stam*, p. 214; *Shevet HaLevi* 3:103; *Kuntres HaMezuzah* 286:104; *Chovas HaDar* 4:27

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BY RABBI SHLOMO SIMON

Rav Yonason Wiener

Melbourne, Australia - Yeshivat Kol Torah: 5 years Yeshivat Brisk (Rav Dovid Solevechik): 7.5 years Rabbi in Ohr Somayach (Ohr Lagolah Program) for the past 20 years

When the windows of his apartment at 15 Scheurenstrasse, Dusseldorf shattered, and the marauding crowd of Nazis broke into his home, ransacking it and hurling his *sefarim* and *Shas* into the street, Yosef Wiener, his wife and daughter ran into the bedroom and hid. It was November 9th, 1938 — *Kristallnacht* — and the destruction of the Jewish community in Germany had begun in earnest. The attacks were ostensibly in retaliation for the assassination two days earlier of the German diplomat Ernst vom Rath by Hershel Grynszpan, a seventeen-year-old German-born Polish Jew living in Paris. At great personal risk, their teenage daughter Paula ran into the street and retrieved the *Shas*.

In August of 1938 the Nazi regime had revoked the residency status and citizenship of the *Ostjuden* — Jews who had emigrated from Poland. By the end of October 1938 the regime began deporting them to the Polish border. Yosef Wiener and his wife were *Ostjuden*. They had both been born in Poland and had immigrated to Germany many years before. Yosef, a *talmid chacham* and businessman, was a community leader who had applied for an American visa. But now, after being stripped of their German citizenship they were subject to the quota for immigrants from Poland. Because there were tens of thousands of Jewish applicants who also had been born in Poland, the Wieners had a long wait until their number would be reached.

After *Kristallnacht*, Yosef travelled to Stuttgart with his wife and daughter to plead with the American Consul there for a lower number. While the Consul was very courteous, he told Yosef that nothing could be done to help his family. (Ironically, Yosef received a letter in the middle of World War II from the American Government that told him that he and his family were now eligible for visas — imagine if they had waited for it!)



While the Wieners were in their hotel in Stuttgart, the Nazis came to the hotel looking to arrest all Jewish men. Yosef hid on the balcony. When the Nazis burst into their hotel room, Mrs. Wiener (Rachel) told them that she and her daughter had travelled to Stuttgart without her husband. They left without searching the balcony. Paula pleaded with her father to leave Germany immediately, and Yosef boarded the next train and fled to Maastricht, Holland, where his sister-in-law, Rosy Gellert, lived. Rachel and Paula returned home to Dusseldorf. Paula soon joined him in Maastricht.

While the Nazis were smashing the Jewish stores, homes and synagogues in Frankfurt am Mein, Shaul, the Wiener's 15-year-old son, was in bed, fast asleep. He was a student at Rav Breuer's yeshiva there, and boarded with the Rosh Yeshiva's family. In the morning, on his way to the Yeshiva for *davening* he noticed that the streets were eerily deserted, and when he came near the yeshiva he saw that the main *shul* was a smoking hulk. It had been burned down by the Nazis. He then realized that some catastrophic event had happened during the night. A Nazi policeman was guarding the area around the *shul*. He waited until the Nazi's back was turned and then quickly slipped into the Yeshiva building, which was not harmed. He ran to his locker and grabbed his *tefillin*, which were in an embroidered black velvet bag made by his mother for his bar mitzvah, Mishnayot Mo'ed, Selichos (Rodenheim), and a Kitzur Shulchan Aruch, along with some other small items he found in the Yeshiva office, and ran back to the Breuers' home. Rav Breuer told him that the situation was so dangerous he couldn't reopen the Yeshiva.

About two weeks later, when things had calmed down a bit, Shaul returned home to Dusseldorf and helped his mother pack up their possessions. She engaged a smuggler to get the larger items to Holland.

Continued on page twelve

What's in a Word...continued from page six

rejects its connection to the past, and takes for itself everything the elders had built up. In such a case, the inheritance of the younger generation may aptly be called a *yerusha*, a word which is related to *gerush* (“chasing away”) and *Koresh* (the Hebrew name of the Persian king Cyrus who conquered the entire civilized world for himself, and who, according to some legends, ascended the throne by killing his own grandfather). In this way of looking at things, the younger generation — bereft of their elders — become free to enjoy the fruits of their predecessors’ labor.

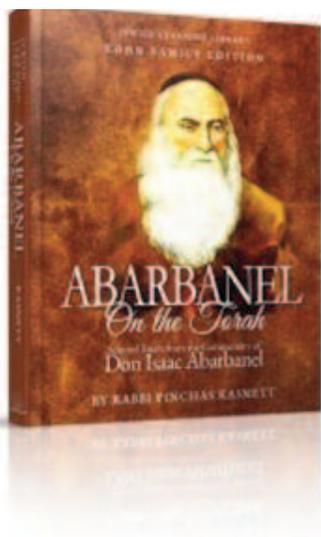
In the second model, the younger generation views itself as the continuation of previous generations. Inheritance under this more conservative paradigm is called *nachala* because, like a river (*nachal*), it flows

seamlessly and naturally. In this, preferred model, there is no disconnection or repudiation, as both the older and younger generations are of one continuum, and the young appreciate the old.

* There is a slight difference in grammatical usage between the Hebrew *yoresh* and the English *inherits*. In Hebrew, one is a *yoresh* a deceased person, while in English one *inherits* the property of the deceased. Many people are not aware of this nuance and use the latter as an exact translation of the former.

Liluy Nishmat my mother Bracha bat R’ Dovid and
my grandmother Shprintza bat R’ Meir

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@OHR...continued from page ten

Yosef Wiener owned a knitting factory in Dusseldorf which manufactured tablecloths. He also travelled throughout Germany to sell his wares. A year or so earlier, he discovered that one of his regular customers, a Jewish merchant in Cologne named Doninits, had emigrated to Australia. Yosef wrote to him and told him that he too was looking for a country to take in his family. Doninits applied to the Australian Welfare Society on the Wieners' behalf. Although they took only 50 immigrants from Germany per year, the waiting list for Australia was shorter than the US quota applicable to the Wieners.

In what, in retrospect, may only be seen as great *siyata d'Shemaya*, Rachel, who was still in Dusseldorf, received their visa to Australia at the beginning of March, 1939 at their home in Dusseldorf. With Visa now in hand, Rachel and Shaul arrived in Maastricht on Shushan Purim, March 6, 1939, where the family was reunited. They purchased their tickets and boarded the SS Sibajak at Rotterdam on March 8, 1939, arriving in Colombo, Ceylon on March 30th, and on April 1st boarded the RMS Otranto bound for Melbourne. The Otranto had left Gdansk in Poland and carried many Jewish refugees. On Seder night everyone was crying over what they had left behind and over the unknown future.

The family arrived in Melbourne on April 17, 1939, and was welcomed by the Jewish Welfare Society. They were among the last Jews to leave Europe before the Second World War started a few months later.

The family settled down at 10 Pilley St., East St. Kilda, the Jewish neighborhood in Melbourne. Shaul went to Melbourne High School, the most prestigious private high school in Melbourne, where he was an excellent student. Upon graduation he was admitted to the University of Melbourne, where he studied medicine and was awarded an MB and BS degree in 1947. After completing a medical internship in Hobart, Tasmania, he became a research scholar in Microbiology at the University of Melbourne, and was awarded a PhD in 1953. Dr. Wiener then worked for the Commonwealth Serum Laboratories in Melbourne, developing many life-saving procedures and drugs. His singular accomplishment as a researcher, perhaps, was the development of anti-venom antidotes to the bite of the Red Back Spider and the sting of the Stonefish — both very deadly.

The Red Back Spider is quite common in Australia, and more than 5,000 people are treated yearly with the anti-venom that Dr. Wiener discovered — without a single casualty. Ever a student, he received his MD degree from the University of Melbourne in 1960, and was a Fulbright scholar at Columbia University in New York in 1960-1961. On Queen Elizabeth II's birthday on June 14, 2010, in recognition of his contributions to medical research he became a Member of the Order of Australia, one of the highest awards in Australia.

His son, Yonason, was born in Melbourne and attended a local Jewish Day School. After high school, his parents sent him to Yeshivat Kol Torah in Jerusalem, which had been founded by two prominent German rabbis, Rabbi Dr. Yechiel Michel Schlesinger and Rabbi Boruch Kunstadt, in 1939. Yonason studied there for five years, and then learned in Rav Dovid Solevechik's Yeshivat Brisk for seven-and-a-half years. About 20 years ago he was invited by Yeshivat Ohr Somayach to teach and head the *semicha* program in our Hertz Ohr Lagolah Institute.

Yonason's father was not only a family doctor, allergy specialist and prominent medical researcher, he was also a community leader in Melbourne and started the Meals-on-Wheels program there, providing meals for the elderly and disabled in the Jewish community. He was the inaugural president of the Council of Orthodox Synagogues of Melbourne and was involved with

many synagogue councils there as well. He also taught and ran synagogue services for many years.

As the first-born son in his family, Dr. Wiener also made a *siyum bechorot* every *erev* Pesach on a different *mesechta*. One year, as he was making the *siyum*, a piece of glass fell out of the last pages of the *gemara* — most likely a sliver of a window from *Kristallnacht* (see photo).

In one of his last interviews upon receiving the Australian Medal, Dr. Wiener was asked why he devoted so much of his life to research on anti-venom antidotes. He answered: "I wanted to show my gratitude to the Australian people. I would have been one of the six million people killed had we stayed in Germany."

Ohr Somayach also wishes to acknowledge our gratitude to Australia and to Hashem for showing great kindness to this family, and for nurturing Rav Wiener for our Yeshiva.

