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# HEMDAT YAMIM

## PARASHAT HASHAVUA

Teruma, 2 Adar 5775

### Keeping the Shechina

Harav Yosef Carmel

Many quills have been broken in an attempt to fully explain the order of events in the *parshiyot* of Yitro, Mishpatim, and Teruma, which discuss different parts of the story of the giving of the Torah and the commandment to build the *Mishkan*. A major part of the question hinges on the place of the sin of the Golden Calf: did it precede or succeed the commandment to build the *Mishkan*?

This time we will examine the connection between Yitro and Teruma, even though they are separated by Mishpatim. The giving of the Torah starts in Yitro and continues through Mishpatim. The construction of the *Mishkan* starts with Teruma and continues through the end of *Sefer Shemot* well into *Sefer Vayikra*. One of the main identifying elements of the giving of the Torah was the prevalence of the Glory of Hashem, which was accompanied by special clouds and fire at Mt. Sinai. Specifically, at the end of Mishpatim, the Torah tells how Moshe went up the mountain and entered the cloud, where he stayed for 40 days and nights (Shemot 24:12-18). The question that a spiritual person asks is how could Bnei Yisrael continue the positive elements they gained by these expressions of the Divine Presence well beyond the one-time event of *Matan Torah*?

A powerful answer is contained in the opening of *Parashat Teruma*. Bnei Yisrael would donate for a *Mishkan*, which would be a place where the Divine Presence would dwell on an ongoing basis (Shemot 25:8). Key among the elements of the *Mishkan* was the *aron* (ark containing the *luchot*, upon which the Ten Commandments were written). The *aron* was covered by a *kaporet*, out of which rose up the *keruvim*, and the voice of Hashem spoke to Moshe from that point (ibid. 22). The idea that without an *aron* there is no *Mishkan* (see Yerushalmi, Megilla 1:12) gives this connection extra meaning. The *Mishkan* enables the continuation of the dwelling of the Divine Presence in the midst of Bnei Yisrael.

In this state, the connection to Hashem is not only through the bringing of sacrifices but with the ongoing involvement in Torah study, which had started with the powerful Divine Revelation at Sinai. The *luchot* are in the midst of the *aron* in the midst of the *Mishkan*. Their presence enables Moshe to continue to receive Torah lessons from Hashem, which he can share with the whole nation. This center of service and of Torah, which started in the *Mishkan*, continued for hundreds more years in the *Beit Hamikdash*, continuing the Sinaitic experience. Through the study of Torah, then, the Jew is able to continue his direct connection to Hashem. In and around the *Mishkan* there is also a prevalence of the cloud that hosts the *Shechina*, as we see when the *Mishkan* was complete in the midst of its inauguration (see Shemot 40:34-38).

Let us pray to continue to receive the Torah, preserving the experience Bnei Yisrael had at Sinai, and live a life in which "I [Hashem] will dwell among you."

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by Rav Daniel Mann

### Standing for Parents in our Times

**Question:** Most people do not stand up when their parents enter the room. Is this due to the opinion that it is enough to stand for them once in the morning and at night?

**Answer:** We believe in the great significance of upstanding Jews' common practices and in looking for halachic justification for them. However, there has to be a good fit between sources/logic and the practices.

The *gemara* (Kiddushin 31b) gives examples of *kibbud* (honoring) for parents and of *mora* (awe). While standing is not on either list, it is evident from *gemarot* that it is expected (see Beit Yosef, Yoreh Deah 240). This is logical considering the *mitzva* from the Torah (Yayikra 19:32) to stand before old people and scholars (Kiddushin 32b).

R. Yannai (ibid. 33b) says that a *talmid chacham* is not permitted to stand for his *rebbe* more than once in the morning and in the evening to avoid giving to him more honor than to Hashem. The Rif does not cite this ruling, and the Rosh (Kiddushin 1:56) explains (and agrees) that the *gemara's* subsequent discussion indicates that his idea is rejected. The Rambam (Talmud Torah 6:8) does accept R. Yannai. The Shulchan Aruch (and, therefore, Sephardim-see Yalkut Yosef, Kibbud Av 4:8) rules like the Rif/Rosh.

The Rama (YD 242:16) accepts R. Yannai, but not according to its simple reading; one is not obligated more than twice a day, but he may do more (see Darchei Moshe YD 242:11; Semag, Aseh 13). Most Acharonim (see Chayei Adam 67:7; Shevet Halevi II:111; Yalkut Yosef ibid.) assume that the exemption applies to parents also. The Aruch Hashulchan (YD 240:24) suggests that the obligation to stand for one's parent may exceed that toward his *rebbe*. (I believe, but cannot develop here, that according to the Rambam's presentation of the case in which it is not permitted to stand more than twice a day, it does not apply to parents. Also note that the Rama rules that when one is among people who did not see him stand previously, he must stand again.)

It is difficult to demonstrate how the Rama's opinion would justify the common practice of laxity about standing up for parents. After all, do people think about whether they already stood for their parent that day? The Rama can still help, depending on the following *chakira* about his opinion. Must one stand at the first opportunity of the day, after which there is an exemption, or should there just be a mode of behavior in which he is expected to stand roughly once in the morning and once at night? This might depend on if standing is part of the positive *kibbud*, making the exact timing less crucial, or the more negative *mora*, in which case without an exemption, remaining seated is an *aveira* (Yalkut Yosef ibid. is unsure to which category it applies). This, of course, helps only if the child stands with some regularity, which is not always be the case.

Another minimizing opinion found in the Aruch Hashulchan (ibid.) is that standing only applies when a parent comes in from outside the house, not when he moves from place to place in the home.

The most plausible explanation for the practice of laxity is the idea that a parent can be *mochel* (waive rights to) *kibbud* (Kiddushin 32a). (Regarding being *mochel* requirements of *mora*, see Living the Halachic Process III, G-4.) In our times, parents do not usually expect their children to stand up in their honor and often do not find it to even be positive. If that is the case in a specific household, then the child is indeed not required to stand.

Let us clarify a few things. Even after their *mechila*, it is a *mitzva* to stand for parents (Pitchei Teshuva, YD 240:16). Some say that one has to make some gesture of respectful acknowledgement (see Kiddushin 32b). If the reason parents are *mochel* starts from the children (i.e., the parents are so used to their not standing that they no longer demand or expect), this is not a good thing. Therefore, it is, in most cases, better for children (of all ages) who try to do things properly to stand for their parents more than is presently common.



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# Ein Ayah

(from the writings of Harav Avraham Yitzchak Hakohen Kook, z.t.l.)

## White and Colored – What They Mean Beneath the Surface?

(condensed from Ein Ayah, Shabbat 1:82-83)

**Gemara:** Rabbi Tzaddok said: The practice of the House of Rabban Gamliel was to give their white garments to the launderer three days before Shabbat [so that the job would be finished before Shabbat], but their colored garments even on Friday. From their words we learn that it is more difficult to wash white garments than to wash colored garments. Abayei gave a colored garment to a launderer and asked him how much he was charging to wash it. He answered: “The same as white.” Abayei responded: “The Rabbis already preceded you [with the insight that it is easier to wash colored].”

**Ein Ayah:** [The context of the gemara is clearly in the realm of halacha and practical household information. However,] it is proper to attach a moral element to this discussion.

A person should try to fix natural characteristics so that natural shortcomings do not become attached to them. He should also be concerned about the actions he performs, for although they are not within the essence of the spirit, they still create an imprint on the form and the nature of the spirit.

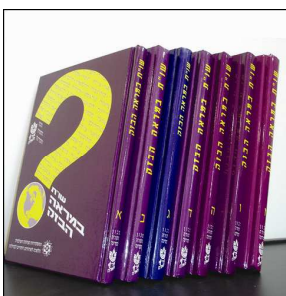
White garments, whose color is from within, hint at natural characteristics, just as a spirit is imprinted by its characteristics. Colored garments, whose colors come from the outside and leave an imprint upon the garment, hint at one's actions. Since the Rabbis said that it is harder to wash white garments, we can by extension say that it is harder to purify oneself from the natural characteristics he has acquired, as they require more time and more effort.

Shabbat should be a boundary for a person, so that in preparation for Shabbat, he should try to purify himself from flaws before the holy day comes. Regarding natural characteristics, this entails efforts three days before Shabbat. Regarding actions, even though they eventually impact on the spirit, it is like dyeing from the outside, and one day suffices. This is because something that is natural is harder to change than something that became incorporated only by means of bad habits created by improper actions.

Although it is important to work to improve one's traits and actions, it should be done in a measured manner so that it should not be unnecessarily draining. This is especially true for a *talmid chacham* (like Abayei), for whom the Torah he studies directs his natural tendencies toward goodness and sanctity. Therefore, a sin that a *talmid chacham* commits would be a passing one that would not have as deep an imprint as a natural inclination, and thus can be more easily remedied.

One who tries to make things more difficult for a *talmid chacham* by telling him that he needs as much toil in fixing a passing improper act as in fixing an inborn personality flaw is doing an injustice. After all, the Torah he learns will remedy the serious flaws over time. If, at times, it is necessary to make such changes, this is indeed a serious matter. However, equating passing remedies, which are comparable to washing colored garments, with washing white garments, which is generally the lot of those who are not dedicated to intensive Torah study, is wrong. This is what Abayei responded. The Rabbis already distinguished between the different types of laundering for different types of fabrics. The scholar should take upon himself to fix the impact of imperfect actions, but within reason and with the realization that the power of Torah and fear of Hashem reinforce one's proper attributes so that they are tilted toward goodness. Given the lesser degree of additional work that is needed, one should not overly burden the *talmid chacham* and take him away from his concentration on additional study, in order to remedy the situation in a different way.

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# P'ninat Mishpat

## Rabbi Akiva Eiger (Introduction)

By Rabbi Daniel Mann

We have spent the last several months in this column on discussions that are based on the writings of two of the rabbis of Lemberg (Lvov) in the second part of the 19<sup>th</sup> century – Rav Yosef Shaul Nathanson and Rav Yitzchak Shmelkes. The former was so prolific a writer that we could continue for another few months (and perhaps we will indeed return to him). However, I felt that it was time to move on or, shall we say, back in history. From Lvov, Ukraine of the late 1800s, we will travel back some fifty years and around 400 miles northwest to Posen (Poland – at the time it was part of the German kingdom of Prussia). We will study some of the responsa of the famed Rabbi Akiva Eiger (d. 1837). If we go back a few decades earlier, we can meet Rabbi Akiva Eiger in what the Jews called Friedland. He was born in Eisenstadt (Austro-Hungary). His adolescence (if one can so call that time in the life of a child prodigy) was in the yeshiva in Breslau followed by a few years in Lissa.

I apologize if this tiny biography will sound like an advertisement, but Rabbi Akiva Eiger was one of the featured *gedolim* in my book, *A Glimpse at Greatness*, published by Eretz Hemdah. As I explained there, while Rabbi Akiva Eiger wrote many responsa to rabbis throughout the region, he did not publish prolifically. Perhaps his major work was the compilation of approximately 1,000 responsa, known simply as *She'lot U'teshuvot Rabbi Akiva Eiger*, which covers subject matter in all four sections of Shulchan Aruch. Within the smallest group of the four, that corresponding to Choshen Mishpat (monetary law), much of the discussion is on theoretical or text-based matters, rather than judicial case studies, which is what we usually focus on in this column.

Discussions of actual cases were also, for the most part, sent from the rabbis of other cities. Posen, as a prominent and devout Jewish community, had a respected *beit din*. (The most famous picture of Rabbi Akiva Eiger, which is on the cover of *A Glimpse at Greatness*, is from a painting of him walking with two *dayanim* from that *beit din*). It is not clear to me to what extent Rabbi Akiva Eiger sat regularly as the head of the court. There were cities with enough scholars to make it possible for there to be separate functions of the city's rabbinate and its rabbinical court. It is also possible that even when being a *dayan* or otherwise being involved behind the scene, the *posek* would be careful to not include stories that are too close to home in his works. Additionally, on technical grounds, letters were needed to give information needed for the rabbi sending the question out-of-town, whereas local issues may have been dealt with orally.

In any case, we hope that the 4-5 weeks that we will spend on *dinei Torah* regarding which Rabbi Akiva Eiger expressed an opinion will be enlightening and informative.



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