

TISHREI DIGEST

ימים נוראים

5776-2015

Featuring a
compilation of
Divrei Torah

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For more information, visit www.thornhillkollel.com for lists of shiurim, events, and schedules.

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ABOUT KOLLEL OHR YOSEF

At the time of its inception, in the fall of 2007, Kollel Ohr Yosef was identified as one of the most significant and valuable ventures of its kind in North America.

Founded by Mr. Warren Newfield and Mr. Yaakov Kaplan, the Kollel was named for the late Joseph Tanenbaum Ob"m. The Kollel has cultivated a broad circle of participants, affiliated families, friends and supporters. To date, it has brought over 60 young families to reside in Thornhill. Today, Kollel Ohr Yosef is recognized in the community, across the board, as a vital component of Thornhill's institutional infrastructure, serving as a catalyst for growth, development and expansion.

Kollel Ohr Yosef facilitates programs targeting a wide spectrum of community members. The Kollel's warm and inviting Bais Medrash pulsates vibrantly around the clock. It is host to high-level, advanced learning where promising young men can be nurtured to develop into future Rabbinic and educational leaders. Over the past several years, Kollel Ohr Yosef's approach, aimed at spiritually enriching the community through serving as a centre for superb learning and stimulating programs, has clearly proved successful. The reach of the Kollel, with 400-500 local community members currently associated with it, suggests that the faculty and variety of programs are in place for a successful "second level" Kiruv organization that has the realistic potential and wherewithal to reach out and interact with the entire spectrum of the Thornhill community.

We look forward to welcoming you and spending time with you at the Kollel over Yom Tov and throughout the rest of the year. Please join us at one of our many programs and lectures or in the Bais Medrash to experience the dynamic energy and atmosphere that rigorous Torah study creates. We look forward to greeting you.



A MESSAGE *from our* ROSH KOLLEL



The גמרא states:

Rabbi Shmuel bar Nachmani said in the name of Rabbi Yonasan, "What is that which is written: 'For you are our father (referring to Yitzchak), because Avraham does not know us and Yisroel does not recognize us'?"

Hashem will come to אברהם in the future and say, "Your children have sinned against Me." אברהם will respond, "Obliterate them."

Hashem will then go to יעקב and say, "Your children have sinned against Me." יעקב too, will respond, "Obliterate them."

Hashem will then go to יצחק and say, "Your children have sinned against Me." יצחק will respond differently. He will defend the Jewish People, and conclude by saying that he and Hashem should split the burden of the nation's sins. And if not, יצחק will say that he has already sacrificed himself to Hashem, when he willingly stretched out his neck by the עקידת יצחק and in that merit all the people's sins should be forgiven (Shabbos 89b).

This גמרא, at first glance, seems quite perplexing. We know from many דברי חז"ל that each of the אבות represents and epitomizes a particular מידה. אברהם symbolizes חסד, יצחק epitomizes גבורה – Din, and יעקב represents רחמים. Wouldn't we think that אברהם or יעקב, with their respective מידות of חסד and רחמים, would come to the defense of ישראל עם before יצחק who represents גבורה?

Nonetheless, although initially surprising, the link between גבורה and receiving life is clearly expressed to us by Hashem and Chazal. We know that יצחק is the only one of the אבות who gave a bracha for גשמיות (טל) אלקים (ויתן לך אלקים מטל). In Shemona Esrei as well, the bracha in which we request life - מכלכל חיים בחסד - is ברכת גבורות, the bracha which corresponds to יצחק.

כמש"כ הגר"ז בסידורו, לפי שעיקר ההשפעה ברבוי אור וחיות ביותר אינו אלא ע"י בחי' הגבורות דוקא לפי שיש בהם תגבורות אור וחיות בכח עצום יותר מכח החסדים... וכן כל השפעות ברבוי גדול הוא ע"י הגבו' כמו הגשמים שיורדים בגבורה ובני חיי ומזוני...

We know that ראש השנה is the day of Din, the day that we are given life. We daven in the מוסף תפילת מוסף: "...May You see the binding of Yitzchak on the מזבח that Avraham prepared for his son, where he overpowered his mercy to do Your will with a whole heart. Therefore, may You overpower Your anger with Your mercy for us." It may seem puzzling that overpowering one's mercy should in turn cause Hashem to be merciful. However, clearly our Tefilla assumes that Gevurah enables Hashem to respond Middah K'negged Middah with mercy even when man is underserving.

This principle is expressed in the day's Mitzva of Shofar as well. Sefarim tell us that the תפילה before and after indicates that the purpose of these two תקיעות is to serve the middle blast. This central blast represents גבורה or מידת הדין. The תפילה after and רחמים must be fueled by the blast of גבורה as we try to be זוכה to life.

The root of how Gevurah cuts through our sins and brings life is brought out על דרך המוסר, in the משנה אבות which asks: "איזהו גיבור הכובש את יצרו". Thus, the Gevurah that matters is the strength channeled to overcome our יצר. That is the Gevurah which allows Hashem to respond Middah K'negged Middah with mercy.

In our lives we are all challenged by each other, whether a spouse or a child, a work associate or a friend. At times our ability to give is cut short, often leaving the other person lacking. It is only through exercising the Middah of Gevurah and restoring our own abilities to act with kindness and mercy, can we ask Hashem to do the same for us. Perhaps this is alluded to in the aforementioned Chazal. Yitzchak asks to split in sharing the burden of our sins with Hashem. "Together, we will use our Middah of Gevurah to overlook our disappointment with Klal Yisrael." They will, with awesome strength, continue to be kind, continue to be merciful - continue to give - so that no one in Bnei Yisrael should lack life and redemption. Let us remember that we can join this partnership as the awesome day of din approaches. We are all looking for זכותים, we all have specific needs, but the עצה that will make us זוכה is to be מעביר על. Then Hashem, in turn will overlook our issues, expressing Hashem's celestial מידת הגבורה. Let us strive to emulate both Hashem and Yitzchak.

May we all be זוכה to a חתימה וחתומה טובה.

Rabbi Mordechai Scheiner, Rosh Kollel

Prior to assuming the leadership of Kollel Ohr Yosef, Rabbi Scheiner learned in numerous prestigious Kollelim, most recently Kollel Avreichim of Toronto. Alongside the strenuous demands that come along with the position of Rosh HaKollel, Rabbi Scheiner is involved with many community initiatives, learns with numerous groups and individuals, and is constantly available to the greater community.

Rosh Hashanah - Yom Kippur Schedules

ROSH HASHANAH		72 minutes	8:42pm
EREV ROSH HASHANAH Sept. 13 th , Sunday		2ND DAY ROSH HASHANAH Sept. 15 th , Tuesday	
Selichos & Shacharis	7:00 am	Shacharis <i>Shir Hayichud</i>	7:30am
Chatzos	1:14pm	Brachos	7:40am
Mincha & Candlelighting	7:14pm	HaMelech	8:20am
Divrei Mussar <i>Rosh HaKollel</i>	7:50pm	Kiddush <i>sponsored by Motti & Shira Gastfreund in honour of their children and grandchild</i>	10:40am
Maariv	8:10pm	T'kias Shofar (approx.)	10:55am
1ST DAY ROSH HASHANAH Sept. 14 th , Monday		T'kias Shofar for women <i>429 Yorkhill Blvd.</i>	4:45pm
Shacharis <i>Shir Hayichud</i>	7:30am	Shiur	6:15pm
Brachos	7:40am	Mincha	6:50pm
HaMelech	8:20am	Shkia	7:29pm
Kiddush <i>sponsored by Mr. & Mrs. Steven Perel</i>	10:40am	Maariv	8:19pm
T'kias Shofar (approx.)	10:55am	72 minutes	8:41pm
T'kias Shofar for women <i>429 Yorkhill Blvd.</i>	4:45pm	ASERES YEMEI TESHUVA	
Heart of the Mitzvah <i>R' Eliyahu Goldwasser</i>	6:00pm	TZOM GEDALIAH Sept. 16 th , Wednesday	
Mincha <i>followed by a Shiur</i>	6:50pm	Fast begins	5:31am
Maariv (2ND NIGHT ROSH HASHANAH)	8:10pm		

DAVENING IN EITZ CHAIM IS SPONSORED BY:

**FIRST DAY ROSH HASHANAH:
JEREMY AND JUDI COHEN
TO THANK HASHEM FOR GOOD HEALTH AND ALL THE BRACHA IN THEIR LIVES**

**SECOND DAY ROSH HASHANAH:
MOTTI AND SHIRA GASTFREUND
IN HONOUR OF THEIR CHILDREN AND GRANDCHILD**

Selichos & Shacharis	7:30am
Mincha #1	1:45am
Mincha #2	6:50pm
Shkia	7:27pm
Maariv	8:02pm

ASERES YEMEI TESHUVA
Sept. 17th - 18th, 20th-21st

Selichos & Shacharis	7:00am
Selichos & Shacharis <i>Sunday</i>	7:30am

SHABBOS SHUVA
Sept. 19th

Mincha & Candlelighting	7:05am
Shacharis	8:15am
Drasha <i>Rosh HaKollel</i>	10:20am
Kiddush	10:45am
Heart of the Mitzvah <i>R' Eliyahu Goldwasser</i>	5:00pm
Mincha #1	5:20pm
Mincha #2	6:55pm
Shalosh Seudos	
Shkia	7:21pm
Maariv	8:16pm

YOM KIPPUR

EREV YOM KIPPUR
Sept. 22nd, Tuesday

Selichos & Shacharis	7:10am
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Mincha	3:00pm
Tefila Zakah	6:25pm
Kol Nidrei & Candlelighting	6:58pm
Maariv	7:55pm

YOM KIPPUR
Sept. 23rd, Wednesday

Shacharis <i>Shir HaYichud</i>	7:50am
Brachos	8:00am
HaMelech	8:40am
Yizkor (approx.)	11:40am
Mincha	5:00pm
Neila (approx.)	6:30pm
Maariv	8:09pm
72 minutes	8:26pm

BEIN HAZMANIM

Sept. 24th, 25th, 27th Thursday, Friday, Sunday
Part of Yeshivas Bein Hazmanim:

Shacharis #1	7:15am
Shacharis #2 <i>followed by breakfast</i>	8:00am
Seder	9:15am
Mincha	6:00pm
Maariv	9:45pm



WAKE UP! IT'S ELUL!

Rabbi Dovid Sapirman

With Rosh Hashana merely days away, our thoughts turn toward the up-and-coming Yamim Noraim and Y'mei Hadin. It hasn't been easy to jump from summer vacation into the intensity of Elul and Rosh Hashana, but what choice do we have but to prepare ourselves properly for the Yom Hadin?

Not only are we about to go through a very serious life-and-death judgement, but we will also have the opportunity to get closer to Hashem than at any other time of the year. After all, Rosh Hashana was the day Adam Harishon was created, sinned and judged. The Sh'china came down to Gan Eden to be close to him, to inspire him to do Teshuva. Likewise, the Sh'china comes to us every Rosh Hashana, and stays with us until the blowing of the Shofar after N'ilah. What an amazing chance to bask in that radiance and get closer to Hashem!

In the Bais Hamikdash, there was a Mitzva to blow Chatzotzros (trumpets) every day while bringing the Korbanos. It was also obligatory to blow the trumpets during a time of war or any other type of public distress, such as a drought or a famine. The Sefer Hachinuch gives a very enlightening rationale behind this Mitzva. "When bringing a Korban ... and especially at a time of a Tzara, a person needs to have great Kavana when he pleads before his Creator to have mercy on him and save him from his distress. Since a human being is made of the physical, he very much needs to be aroused (emotionally) to these things, for without being aroused, by nature he will remain as if asleep. Nothing arouses like the power of music."

All year long we try our best, hopefully, to serve the Borei Olam by fulfilling His commandments and keeping the Halacha. Although we go through all the right motions, this can easily become habitual, performed sheerly out of rote. Indeed, this is what the Sefer Hachinuch has just told us. It is most common that people sleep away their lives. They need to be awakened and aroused to focus on reality.

The Rambam explains the Mitzva of blowing Shofar on Rosh Hashana in similar fashion. "Even though the blowing of the Shofar is a Divine decree, there is a hint in it. It is as if to say, 'Wake up, sleepy ones, from your sleep, slumbering ones from your deep slumber! Search through your deeds, do teshuva and remember your Creator. You, who have forgotten the truth with the pettiness of the times, and waste all your years with pettiness and emptiness which will not help or save (you), take a good look at yourselves! Improve your ways and deeds. Let each one of you desert his evil way and improper thoughts."

The Rosh Hashana Shofar is, in essence, like an alarm clock. Many people have a snooze button on their clocks. It goes off a little in advance of the time they need to actually get out of bed. That way, when it's time to get up, they will be somewhat awake. We, too, should not wait to wake up the last minute, just moments before Rosh Hashana. The month of Elul is also a time of awakening. Let Elul be our snooze button, so that we can come into Rosh Hashana with all our senses poised and ready to face the din.

I heard a Mashal in the name of Rav Yosef Leib Bloch, Zt"l, (Rosh Yeshiva, Telshe, Lithuania). A person wanted to emigrate from Europe to America. In those days, a trip such as this was done by boat. The person was told that the boat would stop in four ports before crossing the Atlantic. It would dock in Italy, France, Spain and Portugal. He wondered what he would do when the boat docked. All the passengers would go out sightseeing and purchasing things from the local merchants. He, however, knew not a word of the languages spoken in those countries. How would he communicate? He wouldn't even be able to understand the street signs. Being an industrious fellow, he hired four tutors, one for each language. After learning a little Italian, a little French, Spanish and Portuguese, he would be able to get by wherever the boat would stop. Sure enough, at each of these ports he was able to understand enough of each language to enjoy himself. The only thing that he had forgotten to do was to learn English, the language of his permanent destination, America.

All too often, we do the same thing. We are so preoccupied with this-worldly things that we forget that this life is only a temporary stop, and that Olam Haba is our permanent destination. This is what the Rambam meant when he wrote about the people "who forget the truth because they are involved with the pettiness of the times."

Let us all try to focus on the reality of life, our ultimate purpose for which our Neshama was sent here, and be well prepared to be Zocheh to a K'siva Va'chasima Tova. Amen!

Rabbi Sapirman gives Shiur on Topics of Emuna every Monday night at the Kollel. He is the Founding Director of the Ani Maamin Foundation, an organization that strives to strengthen and impart Emunah to all ages, and to all students.



CHINUCH ASPECTS OF TESHUVA

Rabbi Yuval Kernerman

We are all familiar with the Gemara in Nidda (31a) that teaches that there are three partners in the creation of a person: Hashem, his father and his mother. We may not be aware of a fascinating insight that the Mashgiach from Lakewood, Rav Mattisyahu Salomon, makes regarding this

relationship: since we cannot fathom the true meaning of a non-physical Ribbono Shel Olam, it is natural for children to relate to their parents as the physical paradigm for Hashem.

That is to say, if a child views his parents as compassionate and loving, it is likely that the image he will have in his mind is that Hashem is likewise compassionate and loving. Conversely, if his parents are overly punitive and unforgiving, sadly, he is likely to have an image in his mind that the Ribbono Shel Olam is (chas v'shalom) vindictive and unforgiving.

It therefore behooves us as parents to make sure that we are fair with our children- especially in the area of Teshuva.

Rabbi Dr. Benzion Sorotzkin is a frum therapist who lectures to Mechanchim at venues such as Torah Umesorah conventions. He once stated in a Shiur that his impression, in dealing with many frum patients, is that children tend to create a very literal (yet, sadly, very misguided) impression in their mind of the judgment process of Hashem: Hashem is (chas v'shalom) a powerful god that we must appease by doing irrational deeds, lest he punish us for disservice. In the worst case scenario, Rabbi Sorotzkin contends, youngsters are left with a heretical image of Hashem where He becomes similar to the gods of the ancient pagans, who needed to appease them in order to avoid punishment.

Of course, a Torah-true image of Hashem is that of a benevolent Creator, who- for reasons beyond our possible comprehension- bestows good upon us solely for our own benefit. Mitzvos are given as an opportunity to come close to Him. He does not gain in any way from our Mitzvos, nor is He "injured" by our misdeeds.

Rav Dessler (Michtav MeEliyahu Vol. 3, p. 260) notes that there are many statements of Chazal that indicate that Hashem is "pained by Aveiros;" however, he cautions that we must understand that these statements cannot be taken literally. To do so is actually sacrilege, as it implies that Hashem is limited in some way, with the frailties of human emotion. Nevertheless, such statements serve a purpose, explains Rav

Dessler, since they help us understand that our actions are meaningful and impactful.

Unfortunately, a youngster who stumbles and makes a mistake may get frustrated with himself and fall into despair in feeling that punishment is inevitable and irreversible. A child may ask: "What does Hashem want from me?" Rabbi Sorotzkin advises that we build children by telling them: "Hashem doesn't want anything FROM you, but He wants so much FOR you." He gave us a life of Torah and Mitzvos for OUR benefit- not His!

Lehavdil, I often use the analogy of athletes to explain this concept to children. Children can readily understand that an athlete will happily forego certain pleasures in his diet, and go through rigorous programs of exercise without anyone forcing him to- because he knows that this will allow him to have a very lucrative career. This often helps them understand that Hashem, in His infinite wisdom, knows that a regimented life of Mitzvos gives us a Neshama that is healthy and fit. Moreover, living a spiritual life is not just preparation for Olam Haba- when we live spiritually, we are not slaves to the Guf- and even our Olam Hazeih becomes a more meaningful and enjoyable existence. We must teach our children what we know to be true- that a sincere, spiritual life, is more enjoyable in THIS world than the empty lives of those who are slaves to their physical drives.

As we turn to Hashem to seek forgiveness for our misdeeds this year, we should keep in mind the importance of making sure our children understand that we are forgiving of their wrongdoings- and so, too, is Hashem forgiving of them. In so doing, may we merit to raise children who see that Hashem is compassionate and

Prior to the summer of 2013, Rabbi Kernerman learned for a number of years in the Cincinnati Community Kollel and went on to become the Principal of the Cincinnati Hebrew Day School. In 2013, he moved to Toronto to become the Menahel of Yeshivas Eitz Chaim – Viewmount Campus. At the same time, Rabbi Kernerman joined the Kollel Ohr Yosef Community.



LISTEN UP!

Rabbi Dovi Gopin, Alumni

We are concluding what is known as the שבועה דנחמתא; the seven weeks following תשעה באב, during which we read different הפטרות that deal with the נחמה over the הבית.

The first הפטרה begins with the famous פסוקים:

"נחמו נחמו עמי יאמר אליכם. דברו על לב ירושלים וקראו אליה וגו'."

"Be consoled My Nation, says Your Power. Speak to the heart of Yerushalayim and call out to her, etc..."

There is a well known חז"ל מאמר that distinguishes between the words "ויאמר" and "וידבר". Even though they both connote speech, there is a difference in how that speech is conveyed. "ויאמר" is a לשון רפה – a soft spoken speech, while "וידבר" means a לשון קשה – a harsh tone of voice. This being the case, the question arises: why does the נביא say "דברו על לב ירושלים", which is a harsh tone of voice? If one were to console an אבל, the proper way to speak would be in a soft tone of voice, not a harsh tone.

I once heard from א שליט"א a beautiful תירוץ based on a tragic event in our history. Toward the end of the Holocaust, as they realized that they were losing the battle, the Nazis ימשו"ז wanted to kill as many Jews as possible and to leave little or no trace of the atrocities committed. To accomplish both of these wicked goals, they decided to set fire to the barracks with the אידין still inside, and flee the camps. As the flames began to consume the barracks, there were some אידין who realized what was happening and started running out of the burning inferno. The rest of the group, however, were so forlorn and worn out from the entire experience of the Holocaust, that they only knew one thing: "If you leave the barracks without being told, you'll be shot on sight." They didn't move. The אידין who were fleeing turned around and began screaming at the other אידין, "Wake up! We're free! You have to leave NOW or else you'll be burned alive!"

That was not the time to speak in a soft manner. If they wanted the others to snap out of their mindset, they had to speak to them a little bit rougher than usual.

The same was at the זמן החורבן. כלל ישראל were so traumatized from the entire deathly experience that they couldn't hear any נחמה. They thought that because of their sins they were completely driven away from ד'. In fact, the נביא says ישראל's response is (פטרה פרשת עקב) "ותאמר ציון עזבני ה'". Therefore the נביא had to speak to them in a 'harsh' tone and tell them, "Snap out of your mind! אמצב has not forsaken you and does want you!"

This scenario was not unique to that time period, but will repeat itself by the גאולה

העתידה. We have become so comfortable in our גלות that there are those of us who don't even realize that we're in גלות! We enjoy our lifestyles to the point that we don't even think about returning to ארץ ישראל. Even though we daven "ולירושלים עירך ברחמים תשוב", we don't truly feel it and don't truly think that it could possibly become a reality.

When משיח will come, he will say to us – בלשון קשה – "Wake up! This is not how you're supposed to be living your lives! You're supposed to be back in ארץ ישראל with the המקדש! Come - you're free from this גלות!" That will be the only way we will be able to comprehend what is truly happening and will follow back to ארץ ישראל עד כאן דבריו.

Maybe we could apply this lesson to the ימי אלול and the approaching ימים נוראים. It is very hard for us to do תשובה – we feel that we are generally good people (which we are!) and that we are basically trying our best (which is true!) and we wonder what we really have to change about the way we live our lives.

If someone were to come to us and speak בלשון רפה and say, "You know, in a couple of days your life will be on the line, maybe you should think about doing דברי תשובה," it would probably not resonate with us. Sometimes we need to hear דברי מוסר and קולות of the שופר – בלשון קשה in order to wake us up and inspire us to come back to הקב"ה. However, even if we do listen to the שופר and דברי מוסר, invariably we end up in the same place that we were the previous year.

The פסוק tells us, "תמיד עיני ה' בה מרשית השנה ועד אחרית שנה". At the beginning of each year, a person says that this year is going to be "השנה" – this is going to be the year that I turn things around and become a better person. However, invariably what happens is that after שמחת תורה, it becomes a "שנה" – just like every other year. So how do we make sure that this year does not turn out like every other year? We listen to the שופר, we listen to the דברי מוסר – we listen, yet nothing happens?

הרב שלום שוודרן, זצ"ל, "קול דודי דופק", ספר in his שולחן, points out that we may in fact not be listening at all!

יתרו. "וישמע יתרו כהן מדין וגו' ויבא יתרו", says פרשת יתרו in the beginning of the פסוק. We see that מגייר brought him to be (עי' רש"י שם) and that שמיעה brought him to be. We see that there is a type of שמיעה that can bring a person to תשובה. In order to understand what type of שמיעה we're dealing with, we must first understand what was so special about יתרו's "hearing". Didn't the whole world hear what happened? "שמעו עמים ירגזון", "all the nations heard and trembled?" What was so special about יתרו that the תורה went out of its way to tell us that he heard? Everyone heard what happened!

Upon closer examination the question falls away. The לשון חז"ל is "ומה שמועה יתרו ויבא".

The difference between יתרו and the rest of the world is that שמיעה's יתרו brought him to עשי' (action). In essence, יתרו was not listening with his ears, but he was listening with his heart! יתרו listened with his לב and understood what was happening and what it meant, and therefore came to be מגייר. His listening brought him to actions – while the rest of the world heard but did nothing about it. For this reason, it is considered as if יתרו heard what happened. ("גאנץ וועלט האט געהערט, יתרו האט דערהערט")

From here we see that there is only one way that listening will bring us to action; it is not enough to listen with our ears. We must listen with our hearts. We must understand what it is exactly that we are hearing. Once we understand, the listening should bring us מעשה ליד. So what then is the message of the קול שופר that we are supposed to "hear?"

There is an interesting זוהר (that I heard quoted by רב אברהם שארף שליט"א) which infers from a פסוק in ישעי' that the future גאולה will only come through בכי. The reason for this is that when יעקב took the ברכות from עשו, עשו cried two tears. Only when we are מבטל those tears of עשו will we be able to go out from גלות.

This זוהר is very perplexing for many reasons. If all we must do is cry and then we'll be redeemed, haven't אידן over the generations cried enough tears about the חורבן? When will it be enough if not already? Additionally, we must understand why עשו בכי means anything! Wasn't he crying about the fact that he lost (what he thought) were the ברכות for גשמיות? He was upset that now he wouldn't be the one who's in charge! For such a crying we must suffer through גלות?

The עשו זוהר gives a beautiful explanation to this. עשו tried his hardest to convince יצחק that he was a צדיק, as we know he asked him very intricate שאלות concerning מעשר. In the process, however, he also convinced himself that he was a צדיק גמור (the name עשו comes from the "לשון עשוי", which means 'made' or 'complete'). In his mind, he thought that he was deserving of the ברכות because he was such a צדיק.

However, when he came before יצחק the פסוק says, "ויחרד חרדה גדולה" – "and he trembled greatly". רש"י explains that the entrance of גהינם opened before him. It was at that point that עשו saw, for the first time, that his life was one big שקר. He now saw in front of his very eyes that he was not the צדיק he thought he was. When that happened, "ויזעק זעקה גדולה ומרה", עשו cried tears – tears of חרטה (regret) over the life that he erroneously led!

If a person is always מצדיק everything he does then ראש השנה doesn't mean anything to him because he feels that he has done nothing wrong. It is only when

a person realizes that he is living a שקר, and has חרטה on that שקר that he will be able to do תשובה.

We all might be שומרי תורה ומצות and בהלכה, etc... but on some level each one of us must realize that we have something that requires a תיקון. It is only when we will truly cry over those things that need to be fixed and have genuine גאולה העתידה, that will we be מבטל the בכי of עשו and be זוכה to the חרטה.

This is why חז"ל tell us that on ראש השנה, when we blow the שופר, the שטן is מבולבל (confused) and does not prosecute. The reason is that the שטן knows what we have to do in order to be נגאל. When ראש השנה comes, and the אידן have sincere חרטה for their עבירות accompanied with true tears of regret, the יצר הרע thinks that this might be the year - this might be the year of the האמיתית where we will all go back to ירושלים!

This is what the שופר represents. The main קולות of the שופר are the שברים and תרועה – which are sounds of crying and weeping. The שופר represents the חרטה of the איד who seriously and honestly wants to make the proper changes to his lifestyle.

When it comes time on ראש השנה for the תקיעות, we must learn to listen properly to the קול שופר! We have to listen with our hearts and think to ourselves – what have I done wrong this year and how can I improve in my ways?

By doing this, a person will not only hear the קול שופר but that שמיעה will bring him ליד מעשה – and he'll Takeh come to fulfill more and more מצות! He will eventually make the necessary steps to get his life back on the right track.

(As an aside, ר' שלמה קלוגר writes that on ראש השנה a person should/could have in mind during the ברכה of "המעביר שינה מעיני" that with the קול שופר, הקב"ה should help him 'wake up' and let the קול שופר have an effect on him!)

We still have time before ראש השנה. We can still daven to הקב"ה "ברך עלינו ה' אלקינו את השנה הזאת" please bring שפע on to this year. We can still 'pull ourselves together' and end off the year on a 'good note' ("הכל הולך אחר החיתום")

Therefore, let us start listening to the קול שופר with an open heart, for it is only through a proper שמיעה that we will come ליד מעשה. If we come ליד מעשה, we'll be able to be בתשובה שלימה and be זוכה to a טובה.

Rabbi Gopin is a unique source of pride for the Thornhill community, being one of its very own "homegrown" Talmidei Chachamim. Starting out as a full-time member of the Kollel, Rabbi Gopin has since moved on to become Rebbe/Mashgiach at The Toronto Cheder.



OPENMINDED DAVENING

Rabbi Shmuel Aron Kleiner, Alumni

For many years I would anticipate the coming of the Yomim Noraim as days to be Mispallel for my own personal and familial needs. We all have them, whether they be in health, finances, Nachas from our children, Shiduchim and Sholom Bayis, just to name a few. People may believe that this is their opportunity to daven for a happy and healthy sweet new year for themselves and their entire Mishpocha. The Pasuk states "דרשו ה' בהמצאו". These are the days when Hashem is near to us. How can one miss such closeness to Hashem? How can we not seek Him out and beg of Him for everything and anything on our minds during these special days?

However, it seems that the objective of these Heilige days may be more than just to make personal requests for the upcoming year. The Gemara in Rosh Hashanah tells us that Sarah Imeinu was remembered on Rosh Hashana regarding the promise that she and Avrohom Avinu would have a child. The Gemara points out that it is no coincidence that right before then, Avrohom was davening for Avimelech and his family to have a Refuah! It was specifically in that Zechus that Hashem fulfilled His promise to Avrohom Avinu and Sarah Imeinu even before Avimelech was cured! Just imagine how another individual in a similar situation would react! They could easily be consumed by their own personal plight, so much so that it would be nearly impossible to think about another individual! However, Avrohom was not a regular person and his selfless act actually was the key to his personal salvation.

A "Chassidische Maaseh" is told regarding a Chassid and his Rebbe. Whether the story is true or not is irrelevant; the message rings clear. This Chassid, whom we'll call R' Fishel, and his wife were married for many years, without being Zoche to children. Year after year, they implored their Rebbe to please intercede on their behalf and beg the heavens to grant them a child. As time passed, it seemed that their Tefillos were in vain. One year, during Chodesh Elul, the Rebbe had an idea for the Chassid. "My Heilige brother is in town for a Chasuna" said the Rebbe. "He is truly a Tzadik Nister, a hidden Tzadik. Perhaps you should go to him to receive a Bracha!" R' Fishel complied and went to speak with the Rebbe's brother. R' Fishel was surprised when the Heilige brother, after listening to his plight, responded, "I cannot give you a Bracha today. However, please come with your wife to my town in two weeks time for Rosh Hashana. I invite you to spend the Yom Tov with me, and at that time I will be able to grant you and your wife a Bracha."

R' Fishel relayed the unusual response of the Heilige brother to his wife and his Rebbe.

All agreed it seemed peculiar. However, it was clear that it would be worthwhile to make the long arduous journey and spend Rosh Hashana with the Heilige brother of the Rebbe. R' Fishel and his wife began preparing for their journey.

It was Rosh Hashana night, when lo and behold, R' Fishel walks into his regular Shtiebel to daven Maariv with his beloved Rebbe! He entered the Beis Medrash and went to his seat in the corner. The gasp of the Rebbe was audible to all! "What are you doing here?" enquired the Rebbe. "You left on the trip a few days ago to be with my Heilige brother! What happened?" R' Fishel answered softly, "If I went to your brother for Yom Tov and Hashem at long last answered our Tefillos for children, then people would say that the Rebbe has a brother whose Tefillos are more potent than his own. Does the desire to have children give me the liberty to shame another Yid, I asked myself. We immediately turned around and headed home for Yom Tov."

I'm sure you all guessed it: nine months later, to the day, R' Fishel and his wife were Zoche to a son. This is not the point of this story! Hashem is well aware of what each of us needs. In fact, He knows our needs even better than we do ourselves. And what we think we need may very well not be in Hashem's plan. One thing is certain though: acting in a selfless manner and thinking about others will certainly serve as a Zechus for us in the Yemei Ha'Din

I want to point out that one need not actually articulate Tefillos for another Yid in order for it to be considered a Tefilla. We say in Davening daily, "יהיו לרצון אמרי פי" "והגיון לבי לפניך..." Our "הגיון לבי" is the thoughts in our heart, which Hashem knows well. Just thinking of a Yid in need of a Yeshua during Davening can be sufficient!

However if we explore the davening more deeply we will gain an entirely different perspective. Rosh Hashana davening is replete with requests that Hashem reveal Himself to the world as the one and only true Melech. We plead that every living thing recognize that Hashem created them and should breathe K'vod Shomayim. In fact, the blowing of the Shofar is part of the coronation ceremony when appointing a new king. On a more personal note, we ask that Hashem gather us in from dispersion amongst the nations and lead us finally to our home in Yerushalayim. Indeed, the Shofar blasts also engender a yearning for the final blowing of the Shofar Gadol with the coming of the Geulah. These are just some of the main themes of the Yomim Noraim.

I am not insinuating that we not be Mispallel for personal Bakashos. On the contrary, many parts of Davening are clearly focussed on this alone. We find this in Avinu Malkeinu as well as many other places in the Davening. All I suggest is that we expand our horizons to think bigger than we normally do, and to think outside

our personal box. Wouldn't the coming of Mashiach answer all of our other small problems as well? Think big!

The following Mashal will help elucidate this point.

There was a king whose young son misbehaved intolerably in the palace. Day after day he would cause trouble and wreak havoc for everyone in the palace. The day came when the king sent his son out of the palace. The little boy, excited to explore the big world, got lost. He ended up deep in a forest far away from the palace. There he met a woodchopper and they began to talk. The woodchopper offered to give the little boy room and board if he helped him chop wood. The boy agreed and began chopping wood. Years passed and the boy had forgotten where he came from. One day while he was chopping wood, his axe snapped in half. He could no longer chop his wood and could not afford a new one. He asked his friend, the old woodchopper, what he should do.

The old woodchopper had a suggestion. "I heard that the king is coming to town very soon. Write on a piece of paper that you need a new axe. Throw it to him as his chariot rides through. Maybe he will be able to get you one."

The boy wrote the letter. The day finally came, and the king was riding through the town on his chariot. The boy threw his paper into the king's chariot, and it landed on his lap. The king immediately recognized his son's handwriting. The king was overcome with sadness. He thought to himself, "This child is the prince and he is asking for a new axe? Let him ask to be allowed back to the palace and all his problems will be solved!"

Does a person really believe that if he sets aside these Heilige days to be Mispallel for K'vod Shomayim that he will lose out? Does he think Hakadosh Baruch Hu does not know what he needs? Davening for personal Tzrochim is no Chiddush to Hashem; He knows better than us what we need. It can't be that our Av Horachaman would hold back health or livelihood from a person who utilized the Yomim Noraim to beg for K'vod Shomayim. On the contrary, there can be no greater Z'chus than spending these days thinking about Hashem, and realizing that He is suffering in Golus more than we are. Feel His pain! Listen to the Shofar wailing and crying, and let us cry out as well to Hashem that He take us out of this endless Golus! Maybe in this Z'chus will we be Zoche to hear the Shofar Gadol, which will herald the coming of Moshiach ending all of our aches and pains במהרה בימינו אמן.

Before coming to Thornhill, Rabbi Kleiner spent many years learning in Mir, Yerushalayim. As one of the original members of the Kollel, he delivered several of the regular Shiurim in the Kollel. Rabbi Kleiner has since moved on to become a Rebbi at The Toronto Cheder.

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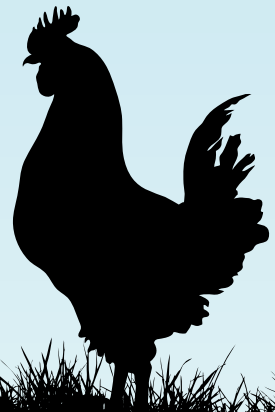
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DIVINATION AND THE HEAD OF THE FISH

Rabbi Yossi Bergman, Alumni

There is a widespread Minhag¹ that on Rosh Hashanah we eat particular foods for a good Siman- a good omen. We eat an apple dipped in honey to merit a sweet upcoming year and the head of a fish in order that we be a head- a leader and not a tail- someone whose life is controlled by another. Besides

these Simanim which are based on the nature of the food, we use certain foods as Simanim because of what their name implies. For example, many people eat carrots (Mehrin, in Yiddish) since the Yiddish word alludes to the accumulation of many merits. The Hebrew word for carrots (Gezer- גזר) can be read as G'zar, which can also serve as a Siman, an omen for a good judgment (דין גזר).

The source for the custom of eating specific fruits and vegetables which suggest our hopes for the upcoming is found in the Gemara.² אמר אבוי השתא דאמרת סימנא מילתא היא יהא רגיל איניש למיכל ריש שתא קרא, ורוביא, כרתני, סילקא, ותמרי: "Now that you have said that an omen is a significant thing, a person should be accustomed to have a gourd, fenugreek, leek, beets and dates." This practice was observed by Rav Hai Gaon³, who served as last Gaon before the period of the Rishonim. It is recorded⁴ that he would sit by his table, a basket containing various foods which served as Simanim would be brought to him, and he would recite Tefillos consistent with the ones we say over the Simanim.

Although the Siman most associated with Rosh Hashana is not mentioned in the Gemara, the sweet apple dipped in honey has an even earlier source. Fourteen years after they had built the second Mikdash, all the Jews were gathered on Rosh Hashanah to hear the Torah being read by Ezra. After completing the reading Ezra and Nechemia along with the Levi'im instruct the people⁵ ושתו אכלו משמנים ושתו - go and eat sweet foods for today is a sacred day.

It would seem that this Minhag poses quite a difficulty. The Torah forbids any form of divination. In Parshas Kedoshim, the Pasuk states לא תנחשו⁶ -that an individual may not act based on his belief in sorcery or superstition. Consequently, the Gemara writes⁷ that a person is not allowed to request the tax collector to refrain from demanding payment on Motzaei Shabbos or first thing in the morning as it

is considered an inauspicious omen to begin a week or one's day with a monetary deduction. Therefore it would seem that on Rosh Hashana, instead of relying on Simanim to merit an upcoming year that we look forward to having, we should turn to Hashem in prayer and entreat Him for the things that we desire. Eating a sweet apple is not the answer. Instead, we must elevate ourselves by performing Mitzvos or drawing near to Hashem through prayer. Indeed, the use of Simanim may have an effect opposite to the intended one.

Because of this question, the Meiri⁸ writes that the reason for the Simanim is definitely not a belief that they have the power to affect the upcoming year- that would be superstition. Rather, the Simanim serve to inspire us to repent for our past and daven to Hashem for our future.

However, it appears that the approach of the Meiri is not shared by everyone.⁹ Indeed most Meforshim understand that the Simanim serve more than just as an inspiration for Teshuva and Tefilla. They explain that, as long as a person does not eat the head of the fish with the understanding and belief that this has the ability to influence the upcoming year, this act would not be included in the Torah's prohibition of divination. Only if a person believes that the Simanim have this power will eating them be tantamount to idolatry.

The nature of the Simanim is connected to the manner in which Hashem created the world. We are all aware that certain times are considered to be more propitious than others. During the three weeks between the 17th of Tamuz and Tisha B'av a person is instructed to be careful how he chastises his students: a blow that would not normally hurt the student may end his life at that time. During the month of Adar, however, we are told that this is the right time to have a court case involving a non-Jew. Although there is no natural explanation for this phenomenon, our decisions are affected by this reality.

Similarly, within Hashem's design, He included various ways to sway the heavenly courts.¹⁰ A person can elevate himself through acts of kindness or Torah study. Or he might daven to Hashem that He intercede on his behalf even though he is not deserving of a positive verdict. Or he can use Simanim. The first two methods would be considered natural ones, where the cause and effect are evident. The third approach, that of Simanim, in which a person circumvents the barriers created by his previous sins, is considered to be supernatural. But this technique is

4. מרדכי ריש ר"ה

5. נחמיה ח, י

6. ויקרא י"ט, כ"ו

1. שו"ע ס' תקפג

2. כריתות ו.

3. AD 939-1038

9. חכמת שלמה ס' תקפג

10. נמ"י סנהדרין סז.

7. סנהדרין ס"ו.

8. הוריות י"ב.

not (ככיכור) outwitting Hashem for this possibility was created by Hashem. As long as the person using Simanim recognizes that his success is not dependent on the Simanim but on Hashem, their use would be permitted.

On Rosh Hashana we use Simanim¹¹ to change the outcome to a positive one. We eat carrots and beets hoping that this year will bring with it health and happiness. We use the Simanim and trust in Hashem.

Perhaps there is a deeper message to the Simanim. A person who has a court case in which his right to live is being decided will present himself to the courts as being repentant. On Rosh Hashana, the day our future is being determined, maybe we should dress simply and forgo any eating. Instead though, we dress our best and eat the Simanim along with a festive meal. The Simanim, which are a supernatural way of persuading the heavenly courts, demonstrate that our judgement is not through normal proceedings. Because this is so, we eat happily and dress in our finest because we are confident that Hashem will decide our fate for the best. We are not being subjected to a natural judgement, a proposition which would cause us to tremble owing to our many shortcomings. Rather, our future is in Hashem's hands Who can supernaturally overlook our flaws and grant us a year of plenty.

Prior to his arrival in Toronto, Rabbi Bergman taught Gemara and mentored students at Yeshiva D'var Torah in Yerushalayim. He gives the Daf yomi shiur every morning at Beis Tefilah Franklin in addition to the many chavruses he mentors from the community at large.

11. חכמת שלמה שם

TISHREI TRIVIAL PURSUIT

1. When do we read four or five days in a row from four out of the five Chumashim?
2. Which five Brachos are recited only once a year?
3. Which three Mitzvos require special Kavana, and what is the connection between them?
4. Which Mitzvah, if you have intention to help someone fulfill, then that person is not יוצא, but if you don't, he is?
5. What is the connection between the הושענות, and פרשת בשלח?
6. When do we take out three ספרי תורה for the Torah reading? (four answers)
7. Which four people lived until the age of 120 years old?
8. Which 10 (or 11) people were called איש האלקים?
9. Which Mitzvah can only be performed by Kohanim and Yisraelim but not Levi'im?
10. There is a Yahrzeit mentioned in the Torah that you could read about on that day. Whose?
11. Which wife was seven times older than her husband? Which husband was over thirteen times older than his wife?

(Answers on page 45)



A FORK IN THE ROAD

Rabbi Yosef Dovid Rothbart, Avreich

Swathed in garments reserved for the only day that man dare cross the threshold of earth's holiest place, the Kohen Gadol would draw near to the two identical goats waiting by the entrance of Hashem's home. As he positioned himself between the two animals, an urn containing two indistinguishable lots was presented to him. He then plunged both hands into the urn and quickly snatched one lot in each fist simultaneously. These lots - one which had the word 'לד', and the other לעזאזל - would determine the destiny of each goat. The lot selected by the right hand would be placed on the goat to his right, while the second one, the lot chosen by his left hand, is deposited on the one standing to his left. The goat chosen to be 'לד' is slaughtered as an offering while its partner, alive and unscathed, looks on contentedly, blissfully unaware of its fate.

Such is the depiction of the most intense and dramatic moment of the Yom Hakippurim service, a service culminating in the hurling of the goat designated for עזאזל off the cliff and into the abyss, and resulting in the transformation of the thread from scarlet to white.

Yet, despite its familiarity, upon reflection numerous features of this Avoda are quite enigmatic and require explanation. Essentially, this is a Korban Chatas - a sin offering. No other offering of this type consists of two animals. Only on Yom Hakippurim do we find such a phenomenon of a Korban Chatas consisting of two animals. Also unique is the Halachic requirement that the two goats be selfsame in every detail as regards appearance, size and value. Furthermore, these two animals should be purchased at the same time. A third aspect which is quite striking is the manner in which they are designated. When a person wishes to select an animal as a sacrifice, he expresses this in words. Indeed, if a person were to use lots to effect a designation, such an effort would be for naught. Yet, for these two goats, lots must be chosen as they stand facing the Mishkan's entrance, for a typical designation cannot be performed to accomplish this. Finally, no other animal destined for sacrifice is killed by being taken out to a desolate crag and heaved off from it. What is the significance and message behind this inimitable and dramatic component of the Yom Hakippurim service?

Rav Shamshon Raphael Hirsch explains that this Avoda represent two different and antithetical pathways that lie before man. The two goats, identical in every

which way, stand together facing the Mishkan, each one having the potential to be either elevated to Hashem or cast to עזאזל. But there, at its threshold, their paths diverge. The goat chosen for Hashem dies through the sharp knife of the Kohen, its animalistic tendencies brought under human control. It is then taken by the vessel of the sanctuary, sanctified, and allowed to be brought close to the holiest place accessible to man. In contrast, the goat whose destiny lies with עזאזל is unaffected by the sanctified knife. It remains "עומד חי לפני ד'", alive and unchanged; its animal tendencies not inhibited in any way. In its egocentric animalistic state, it waits impervious at the doorstep of the sanctuary. But it will never cross the threshold. Instead, it is banished from the grounds of the Mishkan and out to the wilderness, where no human resides. Instead of subjecting itself to the knife of the sanctuary, it preserves its self-centered existence, only to end up at the edge of a desolate cliff.

The Korban Chatas of Yom Hakipurim, then, symbolizes the choice that is placed before us on the year's holiest day. The two goats represent every one of us. Each of us has animalistic tendencies as well as the moral fortitude to subordinate them. Our life's value depends on whether we choose to wield this power to oppose these selfish whims or we allow ourselves to succumb to them. Every person has the potential to be elevated as the 'שעיר לד', and resist all the ubiquitous temptations that lure him away from service of Hashem. Or, like the שעיר לעזאזל, he can exercise his power obstinately to resist conforming to Hashem's will. For just like the stubborn goat, Hashem has granted us the capacity of resistance in order to contest the allure of the physical world. But we can also turn this very power against the One Who has bestowed it on us and resist the call of Hashem to follow His commandments.

This choice is not predetermined for anyone. It is not governed by a person's background or social status. The two goats are identical - both choices are available. It is only in the hands of man - symbolized by the lots seized by the people's representative - to decide upon which path he will travel. The realization that nothing compels a person's choices for the future other than his or her own will is a necessary prerequisite to returning to Hashem.

It is imperative that we understand the consequences of our actions. If we choose to muster our entire power of defiance in order to tear ourselves away from our fascination with the physical world and bring our animalistic tendencies under human control, then we can achieve the highest levels of



holiness and intimate closeness to Hashem. If however we decide stubbornly to resist this moral task, and refuse to surrender our base desires to the knife of resistance, then our end will be like the goat of **לֹאֵזֶה**, rejected and expelled not only from Hashem, but from all of society, to die an ignoble death. Indeed, R' Hirsch elucidates the word **לֹאֵזֶה** as composed of two words, **עִז**-stubbornness, **לֵזֶה**- gone, no future. On Yom Kippur, each of us stands at the threshold of the Mishkan at the verge of holiness. Faced with the question of whether to enter or turn away, which will we choose?

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Sukkos Schedule

SHABBOS PARSHAS HAZINU Sept. 26 th	
Mincha & Candlelighting	6:52pm
Shacharis	8:15am
Heart of the Mitzvah <i>R' Eliyahu Goldwasser</i>	5:40pm
Mincha	6:30pm
Shalosh Seudos	
Shkia	7:08pm
Maariv	8:03pm
72 minutes	8:20pm
SUKKOS: FIRST DAYS	
EREV SUKKOS Sept. 27 th , Sunday	
Mincha & Candlelighting	6:48pm
Maariv	7:41pm
72 minutes	8:18pm
FIRST DAY SUKKOS Sept. 28 th , Monday	
Shacharis	8:30am
Heart of the Mitzvah <i>R' Eliyahu Goldwasser</i>	5:55pm
Mincha	6:45pm
Maariv	7:45pm
72 minutes	8:18pm

SECOND DAY SUKKOS Sept. 29 th , Tuesday	
Shacharis	8:30am
Shiur	5:55pm
Mincha	6:45pm
Maariv	7:53pm
72 minutes	8:15pm
CHOL HAMOED Sept. 30 th -Oct. 2 nd , Wed-Fri Part of Yeshivas Bein Hazmanim	
Shacharis <i>followed by breakfast</i>	8:00am
Shiur & Seder	
Mincha	6:00pm
Maariv	9:45pm
SHABBOS CHOL HAMOED Oct. 3 rd	
Mincha & Candlelighting	6:39pm
Shacharis	8:30am
Heart of the Mitzvah <i>R' Eliyahu Goldwasser</i>	5:10pm
Mincha	6:00pm

Shkia	6:55pm
Maariv	7:50pm
72 minutes	8:07pm
SUKKOS: SECOND DAYS	
EREV YOM TOV (HOSHANA RABA) Oct. 4 th , Sunday	
Shacharis #1 (Neitz)	6:40am
Neitz	7:19am
Shacharis #2	8:00am
Mincha & Candlelighting <i>followed by a shiur</i>	6:36pm
Maariv	7:29pm

SHEMINI ATZERES Oct. 5 th , Monday	
Shacharis	8:30am
Yizkor (<i>approx.</i>)	10:10am
Shiur	5:10pm
Mincha	6:00pm
Selling aliyos	
SIMCHAS TORAH NIGHT Oct. 5 th , Monday	
Maariv	7:27pm
Hakafos	7:40pm
72 minutes	8:04pm

The New Zman
will begin on Wednesday, October 14. Programs, shiurim and minyanim will resume normal schedule.
Check www.thornhillkollel.com for a list of shiurim, and our weekly and Shabbos schedules.



HILCHOS YOM TOV SELECTIVE HALACHOS PERTAINING TO YOM TOV

Rabbi Eli Kohanano, Avreich

1. There is a disagreement as to whether or not matches are Muktzeh on Yom Tov.
2. It is forbidden to create a new fire on Yom Tov, since it was able to be lit before Yom Tov. However, transferring from an existing flame is permitted for a Yom Tov need. Some Poskim maintain that taking from an electric coil which is red hot is considered to be transferring from an

- existing flame and therefore permitted, while others contend that a coil is not a flame and therefore prohibited.
3. It is forbidden to transfer a flame for no purpose on Yom Tov. However, if a person wanted to move the flame in order to illuminate his home or for Kavod Beis HaKenesses, it is permitted.
4. One may not prepare from one day to the next. Even preparing during Bein Hashmashos is forbidden.

1. See Aruch Hashulchan 503, 7 and Shmiras Shabbos K'hilchisa 21, 5 who hold that matches are not Muktzeh since transferring flames is allowed during Yom Tov and matches can be used for this purpose. The Yabia Omer II, 27 holds that they are no better than any שפילאכטנען כלי לאיסור as they are made to strike and create a new fire which is forbidden on Yom Tov. Therefore, they are only allowed to be moved if they are needed for a permissible purpose, or if they occupy space which is needed. To move them to transfer a flame would be allowed even according to this opinion.
2. See Shulchan Aruch 502 and Mishna Berura 502, 1. In regards to electric coils, see Igros Moshe Y"D II, 75 who permits it. He draws a parallel from similar case discussed by the K'sav Sofer (Siman 77) which is brought in Mishna Berura 502, 4. Harav Shlomo Miller Shlita however, contends that taking a flame from a Toldos Ha-aiish is called Molid and is Assur.
3. See Shulchan Aruch 514, 5. See also Mishna Berura, 34 who explains that transferring lights for non-Yom Tov needs could possibly be an Issur D'oraisa as Melachos permitted on Yom Tov were only permitted L'tzorach. There is much discussion regarding lighting candles for a Yartzeit. See Biur Halacha, D'H Ner Shel Batala who posits that a person should light his Yartzeit candles before Yom Tov. If a person forgot to do so, he may light it in a room where benefit will be derived from the candles. In a שעת הדחק (pressing situation), it's possible that one may be lenient. One should consult a competent Posek.
4. See Shulchan Aruch 503 and Biur Halacha D'H B'Yom Tov. See also Chidushei R' Akiva Eiger, Nedarim 79b "Mah" brought in short in his glosses on Shulchan Aruch, 495,

- that even to prepare during Bein Hashmashos for Bein Hashmashos could be forbidden since it is not known exactly when day turns to night. For this reason, even lighting a candle (through transferring of course) would be forbidden as one could be preparing for the upcoming night.
5. See Mishna Berura 503, 1 and Rema in Siman 667, 1 who explain that the prohibition of preparation also applies to doing things that aren't forbidden because of Melacha. If one wants to tidy up the house in order that it should look neat, it would be permitted, since this is considered a Yom Tov need (Mishna Berura ibid, 6). I heard in the name of Harav Shlomo Miller that setting up ones table before nightfall is permitted for this reason as well. (This logic only applies to non Melacha preparations.)
6. See Orchos Shabbos III, 29 30 who writes that because the opening of the oven doesn't cause the light to go on immediately, but instead the air enters the oven and that causes the thermostat to turn on the oven, this constitutes a Grama and some permit a Grama on Yom Tov. See Sha'ar Htziyun 514, 31 that brings Poskim who hold that Grama is allowed even it is not being relied upon to prevent a loss. The Chazon Ish held that Grama on Shabbos and Yom Tov are the same and therefore only in a case of a loss could one use the Heter of Grama. If a light would go on and off right away when the oven door would be opened everyone would agree that it is forbidden.
7. See Shulchan Aruch 511, 2. The reason is that since heating up hot water is permitted for Ochel Nefesh, it is also allowed for other uses deemed Shaveh L'ochel Nefesh, such as washing one's hands and face. Even though the water being heated up at the time that the person is washing his

5. Even things that aren't Melacha but take effort, such as washing dishes or transporting tables and chairs, are forbidden.
6. Some permit opening an electric oven on Yom Tov even if this may cause the oven's indicator light to turn on. Others maintain that this is forbidden.
7. It is permissible to wash one's hands and face with hot water on Yom Tov, even though the cold water is going into the hot water boiler as a result. It is also permissible to use hot water to wash the dishes. (Those who have a built-in instant electric hot water system should consult a Rav.)

8. Some Poskim permit lowering a flame on a gas stove in order to prevent a dish from burning. Many Poskim though, are stringent if a different smaller flame can be used instead. Sephardim should follow the stricter opinion.
9. There is a Machlokes whether a Choleh who isn't incapacitated is allowed to take pills or vitamins during Yom Tov. On Yom Tov Sheini everyone agrees it is permitted.
10. Leftover oil from the Yom Tov candles which were lit during Bein Hashemashos is Muktzeh. The flame itself can be transferred for any YomTov need.

- hands may not actually be used, the cooking of the water is looked at as part of the process of washing and is therefore permitted (R' Moshe Feinstein Zt"l). The Rosh Kollel Shlita brought a proof in the name of Rav Ahron Kotler Zt"l to this from the Gemara in Kesubos 7a which discusses Be'ila Rishona B'Yom Tov.
8. See Shulchan Aruch 514, 1 that turning down a flame, even a little bit, is forbidden on Yom Tov as lowering a flame doesn't improve the food, but just keeps it from getting ruined. Therefore, this is not considered an act for Ochel Nefesh. Consequently, Sephardim should be strict and not turn down any flames for any purpose. See Chazon Ovadia Hilchos Yom Tov who permits this even for Sefardim as the "Kibui" on a stove isn't as strict as wood which is what the Mechaber is discussing. According to the Rema, it is permitted to turn down a flame if there is no other way to save the dish from getting ruined. Rav Moshe Zt"l in Igros Moshe O"C I,115 and O"C IV, 103 is Mechadesh that according to the Rema there is no difference between transferring a flame to cook with, or turning down a flame for cooking purposes. The reason why the Rema wrote that a person may only turn down the fire if there is nowhere else to place his food is that in those days turning off a fire was more difficult than starting a new fire. Nowadays however, raising and lowering a flame is the same. Therefore, one shouldn't do more work and transfer a new flame. See Shemiras Shabbos K'Hilchasa 3, 10 and footnotes 42-44 for those who argue and the logic behind their opinions.
9. See Shulchan Aruch 496, 2 that performing acts of Refuah that would be forbidden on Shabbos are also forbidden on Yom Tov as well. Taking medicine on Shabbos, even though no Melacha is being done, is

- forbidden due to the גזרה "שחיקת סממנים" - lest a person come to grind medicine which is an Av Melacha. On Yom Tov however, according to most Poskim grinding is Assur only Miderabanan as it is a Melacha that is necessary for Ochel Nefesh (see Mishna Berura 495, 13). Therefore the decree of "שחיקת סממנים" would be similar to a "גזרה לגזרה" and would be allowed. This is the opinion of the Avnei Neizer O.C. 394 and Tzitz Eliezer VIII, 15. The Magen Avraham 532, 2 disagrees, as he infers from the language of the Mechaber that only on Chol Hamoed are all types of Refuah allowed, but not on Yom Tov itself as the taking of medicines isn't considered "שוה לכל נפש". The Shmiras Shabbos K'hilchisa (old print) 33, 24 agrees with the Magen Avraham (see also footnote 89 there for a deeper analysis). On Yom Tov Sheini however, all would agree that it is allowed since the Shulchan Aruch 496, 2 permits even performing a Melacha Miderabanan for a Choleh's need. A Melacha D'oraisa however, is Assur.
10. Magen Avraham 514, 7 writes that the oil is set aside for the Mitzvah during Bein Hashemashos and is therefore Muktzeh for the entire Yom Tov. Oil from a candle that is lit after Bein Hashemashos would be able to be used it during Yom Tov. The Sha'ar Htziyun (ibid,15) brings a Machlokes whether one would be able to take out oil while the flame was still lit for an Ochel Nefesh need since "Kibui" for a Yom Tov need is be allowed. Or do we say that because the "Kibui" and the usage of the oil for Ochel Nefesh do not happen at the same time it would be forbidden. The Sha'ar Htziyun concludes with a Safek and therefore this should not be done. The fire itself can be transferred for needs such as cooking or if more light is needed since that is one's intention when lighting Yom Tov candles. (Shmiras Shabbos K'hilchisa 44, footnote 35)

SELECTIVE HALACHOS PERTAINING TO SUKKOS

1. A person is only required to eat in a Sukka if he is partaking of an אכילת קבע. Therefore, it is permitted to eat fruit or drink water and wine outside of a Sukka as this is considered to be only an אכילת עראי. If, however, a person wishes to drink wine with a קביעות, some opinions maintain that he is obliged to do so in a Sukka.

2. The custom is to recite the Bracha לישב במסוכה when eating more than a K'beitza of bread or Mezonos. Sephardim, however,

only recite the Bracha when eating bread.

3. Decorations, including food items, hanging from the סכך are Muktzeh. Therefore, if they fall down during Yom Tov or Shabbos they may not be moved. See footnote regarding decorations attached to the Sukka walls.

4. During the first two days of Sukkos, a person should not give his Lulav to a child under Bar Mitzva before he has already fulfilled his obligation.

5. Aravos whose leaves have dried out or fallen off are Pasul.

6. One should make sure to pay for Arba Minim before Yom Tov.

7. For Hadasim to be Kosher they must be מושולש. It is unclear what constitutes מושולש. Some opinions maintain that if the stems meet at any point it is מושולש, while others argue that as long as it looks as if the stems are together that is sufficient.

8. A טפח of the שדרה must protrude from the rest of the Minim.

Rabbi Kohananoo learns morning and night Seder with the Kollel. As well, Rabbi Kohananoo holds the position of Mashgiach Ruchani at The Joe Dwek Ohr HaEmet Sephardic School.

1. See Shulchan Aruch Siman 639, 2, who writes that אכילת עראי is allowed outside the Sukka since the principle of תשובו כעין תדורו only dictates that we treat the Sukka as we would our home. Because people snack outside their homes, it is permissible to do so outside a Sukka. The Mishna Berura (ibid; 13, 15) cites the opinion of some Achronim who maintain that a person who eats wine, meat, cheese or fish together with a group, or sits down to a meal (Sha'ar Hatziyun, 35) consisting of any of these items must do so in the Sukka as this constitutes a קביעות. However, because this is subject to dispute, the Bracha of לישב would not be recited. See also Sefer Teshuvos V' Hanhagos Chelek I, Siman 371, who presents the following Chiddush: Because nowadays people commonly eat these foods as a meal, everyone would agree that if a person wished to eat any of them, he would be required to sit in a Sukka.

2. The Mishna Berura (ibid, 15) brings a Machlokes as to when the bracha of לישב must be recited. He paskens that לישב should be recited not only on bread products, but also on Mezonos foods. However, he does add that when eating Mezonos products, a person should remain for some time in the Sukka after finishing eating in order that the Bracha also include spending time in the Sukka. Sephardim however follow the ruling of the Kaf Hachaim. In Siman 639, 33, he writes that although a person must eat bread as well as Mezonos products in the Sukka, the Minhag of Sephardim is to recite לישב only when eating bread.

3. See Shulchan Aruch Siman 638, 2, who writes that food items which were hung as Sukka decorations are Muktzeh. Therefore, a person may not use these fruits throughout the Yom Tov as it is a מצוה ביזוי. Furthermore, if they fell down during Shabbos or Yom Tov one could not move them, just like any other item

that is Muktzeh. During Chol Hamoed, once Yom Tov has passed, they may be moved as long as they are not eaten (Mishna Berura, 14). The Shulchan Aruch points out that if a person makes a provision that "I don't separate myself from the food throughout the entire period of Bein Hashemashos", the food does not receive the status of Kedushas Sukka and may be used. The Rema though writes that the custom is not to rely on such a condition as we are not experts in making stipulations (see Mishna Berura, 23, who questions this reason). Practically, the Mishna Berura (24) paskens that for fruit that were hung from the walls of the Sukka, a person may rely on a condition since according to many opinions the walls themselves do not have Kedushas Sukka and certainly, by extension, neither would the decorations. A person who does plan on using the fruit over Sukkos, and stipulates accordingly, must be careful that they are not tied in a way that one would be forbidden to untie them during Shabbos or Yom Tov.

4. See Shulchan Aruch Siman 658, 5. The reason is that the Torah writes that in order to fulfill the obligation of Lulav, it is necessary to own the set being used. Children can acquire things halachically but are unable to give up ownership. Therefore, when the child returns the Arba Minim after having acquired them in order to perform the Mitzva, they still belong to the child and the one using them afterward isn't Yotzei his Mitzva. In order to avoid this difficulty, a father can hold the Arba Minim together with his son since as long he still holds on to them he has not given up ownership (ibid). There is no issue with giving one's Arba Minim as a full gift to a friend and receiving it back as a gift afterwards (Shulchan Aruch 638, 3).

5. See Shulchan Aruch Siman 647, 2. The reason that dried out Aravos are Pasul is that they aren't "Hadar".

The Mishna Berura cites a Machlokes regarding the reason why the Aravos are Pasul when the leaves fall off. The Ritva argues that, after the leaves have fallen off, it is no longer possible to consider this plant to be an Arava since Aravos have leaves. Rabbeinu Manoach however disagrees, and he maintains that such Aravos are not "Hadar". There is a big מנהג between these two reasons. The Pesul of "Hadar" only applies the first two days of Sukkos. Therefore, according to Rabeinu Manoach, after that time, a person can use such Aravos. However, according to the Ritva, who asserts that such a branch cannot be considered to be an Arava, it is Pasul for the entire Yom Tov (see Mishna Berura, 10, and Sha'ar Htziyun, 11, for further discussion). See also Rema 649, 5, and the Mishna Berura there for many different opinions on the matter. Practically a person should do his best to avoid this issue. Aravos that turned black are not dry but moist. Such Aravos are kosher, albeit, according to some, only B'dieved (see Mishna Berura, 11, who writes that because it is easy to find Aravos that are good according to all opinions, a person should try to do so). The Chazon Ish (Orach Chaim Siman 146; 32, 35) wrote that Aravos, just like Hadasim, that hang downwards are problematic as the four Minim need to be taken גידולן.

6. See Mishna Berura Siman 658, 10 who writes that before a person pays he is only קונה מדרבנן, and in order to fulfill the Mitzva, he must own the Arba Minim on a biblical level. He adds however that if the person brought them into his Reshus, he would acquire them biblically, through a Kinyan Chatzer. The Shevet Halevi (Chelek VII Siman, 83) points out that this is not clear cut, for in order to facilitate such a Kinyan, it is necessary for the seller to be מפקנה the item to the buyer. Most sellers, however, are not fully מפקנה the Esrog until they are paid. See also Ashrei Haish (chapter XXXII Siman, 23)

who writes in the name of Rav Elyashiv z"tzl that one who bounces a check or doesn't pay when the seller asks for the money is not Yotzei. Paying with a post-dated check is a matter of Halachic dispute and one should ask a competent Posek.

7. The Shulchan Aruch (646, 3) writes that the Hadassim which the Torah is describing must have at least three leaves growing on the same line. The Mishna Berura (10) explains this to mean that none of the leaves should be higher than the others. The exact Shiur though is not clear. The Chazon Ish writes that as long as the stems of the leaves meet each other at any point they are considered to be in the same row (see Kehillas Yaakov Likutim on Maseches Sukka, who brings a proof to this opinion from the Yerushalmi). Harav Shlomo Miller Shlita is of the opinion that as long as they look more or less together they are considered מושולש. This is also the opinion brought in the name of Harav Vosner Z"tzl (Kovetz Mibeis Halevi Hilchos Daled Minim).

8. See Shulchan Aruch Siman 650, 1. See Rashi (Sukka 32b מדיה שהיא כס) who writes that because the Lulav is the tallest of the Minim it must be held that way in order to fulfill the Mitzva. There is a dispute among the Poskim if this requirement is even מועב. See Kaf Hachaim (650, 9), who brings this dispute and paskens that one would not be Yotzei. The reason is that the Shulchan Aruch uses the word "צריך" which implies that the Lulav has to be held this way. The beginning of the שדרה is where the leaves begin to double at the bottom of the lulav and it ends before the leaves jut out from the top (see Chazon Ish Orach Chaim 146, 23).



HUT DWELLERS

Rabbi Yosef Dovid Rothbart, Avreich

The familiar chatter and clanking of the dishes can be heard in the brisk night. Sukkos has arrived. In but a few days winter will arrive, bringing its annual stretch of grey monotony punctuated only by the shadow of a struggling sun and the occasional blizzard. But for now, each family sits ensconced

within the ornamented walls of a Sukka warmed by the many tunes of the families who join them in the dark. Their ancient music weaves together, forming a pleasing symphony that spirals heavenward. And, as they sit there in their transient structures, they are transported to a miraculous time when the food that was eaten fell from the heavens and the water that was drunk flowed from a rock. This is the power of the Sukka. And yet, although the effects of the Sukka are apparent, its objective isn't.

The Gemara in Sukkos (11b) cites a disagreement regarding what intention a person must have while enjoying the Mitzvah of the day. Rabbi Eliezer's position is that the Sukka symbolizes the clouds of glory which sheltered and guided the nation during the journey through the wilderness; while Rabbi Akiva disagrees, maintaining that it represents the actual huts that the Jewish nation resided in at that time. The position of Rabbi Eliezer is comprehensible. The Torah wants us to remember the ענני הכבוד that Hashem provided for us during the nation's sojourns and to recall the miracle that was manifest in the wilderness. However Rabbi Akiva's view needs clarification. For what purpose would the Torah will us to remember the austere huts that the people built themselves for their protection and privacy?

In order to appreciate the opinion of Rabbi Akiva, the S'fas Emes draws our attention to the manner in which the Gemara (Sukkos 2a) describes the Mitzvah of dwelling in the Sukka. כל שבעת הימים צא מדירת קבע ושב בדירת עראי, "Forsake your permanent dwelling for seven days and settle in a temporary one", the Gemara instructs. From this description, the S'fas Emes infers that aside from their obvious liberation, the true freedom that the Jewish people were granted at the Exodus was the ability to disengage from the physical at will. From then on, they would never again be trapped by the fetters of physicality but would have the inner resources to break its grip and transcend it.

And that is the deeper implication of the Pasuk לְמַעַן יֵדְעוּ דֹרֹתֵיכֶם כִּי בַסּוּכּוֹת הוֹשַׁבְתִּי אֹתָם מִמִּצְרַיִם, "So that your generations shall know that I caused the Children of Israel to dwell in huts when I took them out of Egypt." At

the time of the Exodus from Egypt, Hashem implanted in the hearts of B'nei Yisrael the weltanschauung that this world is an ephemeral one- a Sukka- ensuring that they never be entrapped by physicality again.

The S'fas Emes points out that this transformation can be seen in the Pesukim themselves. The Pasuk, וְאֶשָּׂא אֶתְכֶם עַל כַּנְּפֵי נְשָׁרִים, "I have carried you on the wings of eagles", is referring to the day the entire nation assembled in Ramseis before embarking on their journey. Immediately after that, the nation travelled to Sukkos, וַיִּסְעוּ בְנֵי יִשְׂרָאֵל מִרַעְמֶסֶס סֻכְתָּה, The word וַאֲשָׁא connotes an elevation. It was in Ramseis that the B'nei Yisrael began to experience this freedom from the limitations of physicality which paved the way for their arrival in Sukkos where the transformation was completed.

וַיִּסְעוּ בְנֵי יִשְׂרָאֵל מִרַעְמֶסֶס סֻכְתָּה (והוא כנ"ל שניתן להם כח להיות למעלה מהטבע להיות להם כנפים שלמים לפרחא בהון לאביהן שבשמיים)

With this in mind, is it possible that the different rationales given to explain the message of the Sukka- clouds of glory, or simple huts- in essence complement each other? To the extent that a person is able to exchange his "permanent dwelling and settle in a temporary one"; to the degree he is able to disengage from physicality – to that extent will he merit to be enveloped by the Clouds of Glory, as can be illustrated by the following incident. Shortly after crossing the wilderness's threshold, the nation was greeted by a vicious army of Ameleikim, whose sole desire was to purge the earth of this newly liberated people. Their plan would not be actualized. The aggressors were greeted by an impregnable wall of vapour. But, their campaign was not for naught. A handful of Jews were vulnerable, not encircled by the celestial clouds. Rashi explains these were members of the nation who were מוחמת חטאם, חסרי פולטן, שיהיה הענן פולטן, expelled from the clouds owing to their sinful behavior. These were people who did not entirely transcend the lure of physicality, and consequently had no place within the spiritual oasis provided by the ענני הכבוד. It is not coincidental that Sukkos, the location where the nation's transformation was complete, was the city where they merited the clouds of glory.

With this line of reasoning, a different question is resolved. Various justifications have been given to account for the date of this Yom Tov. Why now, when the days have already shortened and cooled, is Sukkos celebrated? By this time of year the nation had already been safely housed in Hashem's clouds for many months. The S'fas Emes explains that it is not possible to rejoice in a Sukka any other

time during the year. Only now, after experiencing the liberating effects of Yom Hakkipurim, by spending an entire day in angelic fashion, is it possible to attempt to engage in normal activities divorced from their physicality. Only after having been purified in the Mikva of Hashem from the dips into the impure waters of sin (as the Pasuk says, וְכִפַּר עַל־יְכֹסֶם לְטָהָר אֶת־יְכֹסֶם מִכֹּל חַטֹּאתֵיכֶם לִפְנֵי יְקֹוֹק וְתִטְהַרוּ, כי ביום הזה יכפר עליכם לטהר אתכם מכל חטאתיכם לפני יקוק ותטהרו), can a person eat, drink and sleep entirely for heaven's sake, לפני ד'.

And this is really the depth of the commandment to sit in a Sukka. It is not an activity of living in a hut, but an appreciation of the unique ability Hashem gave us to disengage and transcend the physical. We are not commemorating a historical event, but rather reacquainting ourselves with the inimitable gift of being able to exist in a physical world and spiritual plane simultaneously. And then, after internalizing that this is our innate potential for seven days, to strive to accomplish this, long after the Sukka walls have been dismantled.

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מסכת סוכה מוקדש לע"נ ברוך בענדיט וברכה גרוס ע"ה

אין פחות מעשרה טפחים ולא יתר על עשרים אמה. ורחבה אין פחות משבעה טפחים על שבעה טפחים. ויש לו להוסיף ברחבה אפילו כמה מילין. היתה פחותה מעשרה או משבעה על שבעה או גבוהה מעשרים אמה כל שהוא הרי זה פסולה." הרי הרמב"ם עירב השיעורי גובה יחד עם השיעור רוחב ומשמע שכשם ששיעורי הגובה מן התורה כמו"כ שיעורי הרוחב⁷ המה מה"ת, ויעו' ברי"ף⁸ "וכמה כדי ראשו ורובו ושולחנו ז' טפחים על ז' טפחים". הרי דברי הרמב"ם סתרי אהדדי, דבפ"ו הל' ח' הרמב"ם משמע דסוכה קטנה פסולה מן הגזירה שמא ימשך אחר שולחנו, ואילו בפ"ד הל' א' משמע דסוכה קטנה שהיא פחותה מז' על ז' פסולה מן התורה, וצ"ע.

ב' עוד דוק בלשון גדר הדין "מי שהיה ראשו ורובו בסוכה ושולחנו בתוך הבית או מחוץ לסוכה ואכל הרי זה אסור" אילו פסק ישיר "אסור לאכול בו", שפיר היה מובן.

ג' עוד דוק בלשון גדר הדין "ואכל הרי זה אסור וכאילו לא אכל בסוכה עד שיהא שולחנו בתוך הסוכה", מבואר מזאת ההגדרה "וכאילו לא אכל בסוכה" דחשבינן האכילה כאכילה מחוץ לסוכה, וכל זה מנין הוא, וצ"ב.

ד' בגמ' מבואר דגדרי הפסול בסוכה גדולה שונה מבסוכה קטנה. בסוכה גדולה הסוכה עצמה סוכה כשירה ולא יוצא גזירה שמא ימשך אחר שולחנו, ואילו בסוכה קטנה דירת קבע בעינן ועצם הסוכה פסולה. גוף זאת החילוק היתה שורש ההוכחה אשר המשנה בדף כח' חיסורי מיחסרה ומוכרחין לחדש דשני הלכות שונות נשנו כאן. וצ"ב דבהרי"ף מבואר דהמה חד טעמא והרמב"ם הוסיף דלא רק הטעם חד אלא גם הגדרים המה חד, שהרי בענין סוכה קטנה כתב דכל האוכל בה "כאילו לא אכל בסוכה" ועל זה הוסיף וכתב "ואפילו בסוכה גדולה", משמע דלא רק טעם הפסול בתרומייהו חד אלא גם הגדרת הפסול הוא חד, והיא מילתא דתמיה שבגמ' מפורש דהמה שני גדרי פסול השונים זה מזה, הקטנה פסולה ממש והגדולה בעצם כשירה ומפני הגזירה לא יצא, וצ"ע.

גוף הדירה עראי ואופן הדירה קבע⁹

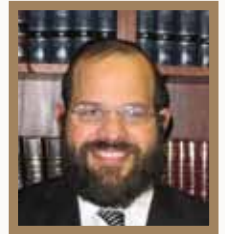
ונראה להקדים שיש שני גדרים בענין הדירה, חד מצד החפצא של הסוכה ב'גוף הדירה', וחד מצד האדם הדר בסוכה ב'אופן דירת הדר'. לענין 'גוף הדירה', כתב הרי"ף דף א' "ואנן מסתברא לן דהלכתא כרבא דקיימא לן סוכה דירת עראי בעינן". ולבד מה שהרמב"ם בדרך כלל נמשך אחר הרי"ף, יעו' מש"כ בפ"א הל' ד' שסוכה למעלה מעשרים אמה פסולה משמע שדעתו ג"כ לפסוק כרבא, שהרי סתם ולא חילק אם הדפנות מגיעות לסכך אם לאו, וגם לא חילק אם הסוכה גדולה או קטנה כדמחלקינן לאיזדך אמוראי בסוגיא ב' ע"ב, מבואר כשיטתו של רבא ד"דירת עראי בעינן". וקיים עוד דין לענין 'אופן הדירה', יעו' בהמשנה בדף כח' ע"ב ד"חייב אדם לעשות ביתו עראי וסוכתו קבע" והרי זה היפוך דין 'גוף הדירה', ובברייתא מבואר שהוא נלמד מדדרשינן 'תשבו' כעין תדורו, ע"ש.

כביאור עושה אדם את ביתו עראי ואת סוכתו קבע

יעו' ברמב"ם פ"ו הל' ה' דקיום מצות הישיבה מצד האדם מתחלקת לשנים, דלבד מצות הישיבה שהרמב"ם מבאר כיצד היא "שיהיה אוכל ושותה ודר בסוכה", קיים דין

**שמה ימשך אחר שולחנו
סוכה דף ג' ע"א**

Rabbi Moshe Rubanowitz, Avreich



ז"ל המשנה¹ "מי שהיה ראשו ורובו בסוכה ושולחנו בתוך הבית ב"ש פוסלין וב"ה מכשירין". הגמ' דנה² במה פליגי האם המשנה איירה בסוכה קטנה שאינה מחזקת אלא ראשו ורובו דלב"ש פסול שצריך גם להחזיק שולחנו ולב"ה כשר דסגי בראשו ורובו או המחלוקת נוגע לסוכה גדולה הראוי להחזיק ראשו ורובו וגם שולחנו בתוך הבית וב"ש וב"ה חולקים אי גזרינן שמא ימשך אחר שולחנו אם לאו, לב"ש גזרינן ולב"ה לא גזרינן.

אחר שקלא וטריא מסיק הגמ' דהמשנה איירי בין בסוכה קטנה בין בסוכה גדולה, וב"ש וב"ה פליגי בתרומייהו, וחיסורי מיחסרה והכי קתני "מי שהיה ראשו ורובו בסוכה ושולחנו בתוך הבית ב"ש אומרים לא יצא וב"ה אומרים יצא, ושיאנה מחזקת אלא כדי ראשו ורובו בלבד ב"ש פוסלין וב"ה מכשירין".

יש מן הראשונים³ הנוקטים דאין לשני הפלוגות קשה, ופסקו דרב שמואל בר יצחק הינה דוקא לענין סוכה קטנה הפחותה מז' על ז' ופסולה כב"ש ולענין סוכה גדולה ההלכה כב"ה שהוא מותר לכתחילה דלא חיישי לשמא ימשך אחר שולחנו. אחרים סביר⁴ דפסקו של רב שמואל בר יצחק הוא דבין סוכה קטנה ובין סוכה גדולה פסולים כב"ש וכלשון הרי"ף "דחד טעמא נינהו". יעו' בהר"ן שביאר סברת החולקים על הרי"ף, והוא מצד משמעות הסוגיות דפלוגתת ב"ש וב"ה היא מתרי טעמי, בגדולה אי גזרינן שמא ימשך אחר שולחנו ובקטנה אי בעינן דירת קבע ומכיון דבקטנה איפסקא בהדיא כב"ש נקטינן כוותיה ובגדולה הדרינן לכללין דב"ש במקום ב"ה אינה משנה. וסיים הר"ן עם הסברת שיטת הרי"ף בזה"ל "אבל הרב אלפסי ז"ל משמע דסבירא ליה כיון דתנו גבי הדדי כי הדדי נינהו, וכיון דאיפסקא בהדיא בסוכה קטנה כב"ש, נקטינן נמי כוותייהו בסוכה גדולה".⁵

אלא שלמעשה קשה לסלול דרך וטעם ברור שהוא ה"חד טעמא" לשני הדיונים השונים, דין סוכה קטנה ודין סוכה גדולה, יעו' במלחמת. ובדברים דלהלן נשתדל לבאר שיטת הרי"ף מתוך דברי הרמב"ם, וזה החילוני בס"ד.

ז"ל הרמב"ם בפ"ו מהל' סוכה הל' ח' "מי שהיה ראשו ורובו בסוכה ושולחנו בתוך ביתו או חוץ לסוכה ואכל הרי זה אסור, וכאילו לא אכל בסוכה עד שיהא שולחנו בתוך הסוכה גזירה שמא ימשך אחר שולחנו ואפילו בסוכה גדולה", ויש כמה נקודות אשר צ"ב.

א' בסוף הל' ח' הוסיף הרמב"ם 'ואפילו בסוכה גדולה', מבואר דמתחילת ההלכה עד הסוף המדובר לא היה בסוכה גדולה אלא עם סוכה קטנה [פחותה מז' על ז'] אשר שולחנו בתוך הבית ופסול שמא ימשך אחר שולחנו. והם דברי תימה, דיעו' בפ"ד הל' א' דסוכה קטנה [היינו פחותה מז' על ז'] פסולה מן התורה וז"ל "שיעור הסוכה גבהה

חששו שמא ימשך אחר שולחנו ויופסד קיום המצוה בשלימותה, גזרו שמעתה 'מקום האכילה' תקבע 'מקום דירתו' דוקא בצירוף 'מקום שולחנו'.

והדברים מבוארים להדיא בדברי הרמב"ם "מי שהיה ראשו ורובו בסוכה ושולחנו בתוך ביתו או חוץ לסוכה ואכל הרי זה אסור - וכאילו לא אכל בסוכה - עד שיהא שולחנו בתוך הסוכה", כלומר שמכח גזירתם, בכדי שאכילתו יתן למקומו דין דירה בהסוכה בעיני ששולחנו תהא לפניו בהסוכה בשעת האכילה, ודוקא בכך יחשב מקום אכילתו מקום דירתו בהסוכה. והיוצא מזה, דבכה"ג ששולחנו בתוך הבית הגם שראשו ורובו בתוך הסוכה, אכילתו בהסוכה לא נחשבת כמעשה דירה בהסוכה, ולהיפוך אכילתו בהסוכה חשובה כדירה בתוך הבית מכח מה שהשולחן שלפניו היא בתוך הבית, וכמו שכתב הרמב"ם "וכאילו לא אכל בסוכה". וכפי הנראה, שולחנו בתוך הבית גרע מסוכת בית הכנסת, דבבית הכנסת אכילתו מותר אלא שאינו מקיים המצוה בשלימותה ואילו שולחנו בתוך ביתו מדרבנן לגמרי לא יצא, וכמו שיתבאר לקמן.¹⁶

ודוק לשון הרמב"ם 'ואכל הרי זה אסור' ולעיל הערנו, דלכאורה הלשון מעוקם, והוי ליה לומר בלשון ישיר 'אסור לאכול בסוכה ששולחנו בתוך הבית'. אך עתה ברוה שהרמב"ם רצה להדגיש שאין הגזירה 'איסור אכילה', אלא הגזירה היא דאכילתו קובעת מקום דירתו בצירוף שולחנו, ומזה הטעם שולחנו בתוך הבית חשיבא 'כאילו לא אכל בסוכה' ומשום"כ עיקם הרמב"ם הלשון וכתב 'ואכל הרי זה אסור' כדי שלא נטעה לומר שהגזירה היא 'איסור אכילה'.

ובתוספת ביאור, מה שגזרו חז"ל גדר חדש בדין קביעת מקום דירה ולא גזרו פשוט, איסור אכילה בסוכה כשהשולחן בתוך הבית הוא משום דכל האיסור אכילה מחוץ לסוכה אינה אלא מפני דעל ידי האכילה מחוץ לסוכה הרי הוא מפסיד קיום המצוה בשלימותה, שהרי מונע עשיית 'סוכתו קבע', והמצוה שלימותה היא אכילה בסוכה שדירתו קבועה בו. ועל כן אילו גזרו איסור פשוט הגזירה היתה חמורה מעיקר הדין. שאיסור האכילה מחוץ לסוכה אינו דבר אסור בעצם אלא מכח מה שנגרם, שאינו הופך הדירה בסוכתו מדירת עראי לדירת קבע, ועל כן מסתבר יותר לגזור גזירה המתאימה לעיקר הדין ודי בגזירתם אם הועילו, אשר האכילה בהסוכה תחשב כאוכל מחוצה לה, וזאת ההתאמה, להתאים הגזירה לעיקר הדין, מתאפשרת דוקא על ידי חידוש בגדרי קביעת מקום הדירה וכמשנ"ת, שיהא גדר מקום הדירה קבועה על ידי האכילה בצירוף השולחן שלפניו, ובזה לשון הרמב"ם 'ואכל הרי זה אסור' מדוקדק להפליא, שבנידון הזה ד'שולחנו בתוך הבית', חז"ל לא גזרו איסור על עצם האכילה, אלא החשיבו מקום השולחן כמקום האכילה, וממילא רק מדין עשיית ביתו עראי וסוכתו קבע נאסר באכילה.

סוכה גדולה וסוכה קטנה

ועתה עלינו להתבונן, הנה ברמב"ם מבואר דלא רק טעם הפסול אחד אלא גם גדר הפסול אחד בין בקטנה בין בגדולה וכמשנ"ת, ואילו בגמ' מבואר דגדרי הפסול שונים, דבסוכה גדולה 'לא יצא' ובסוכה קטנה 'פסולה', וכמשנ"ת לעיל. ונראה דלפי הנתבאר דגדר הגזירה היא דדירתו נקבעת עפ"י שולחנו, הכל בא על נכון, דבסוכה גדולה בגוונא

נוסף לעשות ביתו עראי וסוכתו קבע, וגם על זה שואל הרמב"ם "כיצד" ומשיב בכמה נקודות (א) "כלים הנאים.. בסוכה"¹⁰. (ב) "אוכלין ושותין וישנין בסוכה"¹¹ ונראה שמתכוין להוסיף שכל אכילותיו אפילו פירות וכל שתיותיו אפילו מים וכל ישנותיו אפילו עראי יהיו בסוכה. (ג) "ואסור לאכול סעודה חוץ לסוכה כל שבעה אלא אם כן אכל אכילת עראי כביצה או פחות או יתר מעט, ואין ישנין חוץ לסוכה אפילו שינת עראי, ומותר לשתות מים ולאכול פירות חוץ לסוכה"¹² הרי שבעיקר כל אכילותיו ושתיותיו וישנותיו צריכים להיות בסוכה וחז"ל גדרו העמידו איסור מוחלט לענין סעודת קבע ושינת עראי מחוצה לה.

משמע, שלולי החיוב לעשות ביתו עראי וסוכתו קבע, היה יכול לסעוד כל סעודותיו [לבר מליל יום טוב הראשון]¹³ מחוץ להסוכה, אלא שבסוכה מקיים מצוה. וכל מה דאסרינן הסעודות מחוץ להסוכה הוא מדין "לעשות ביתו עראי וסוכתו קבע". ומה שסיים הרמב"ם ד"מי שיחמיר על עצמו ולא ישתה חוץ לסוכה אפילו מים הרי זה משובח" נראה לפרש, הרי זה משובח בעשיית ביתו עראי וסוכתו קבע.

הרי מצות הישיבה מתקיימת באכילה ושתיה בסוכה, אך המצוה בשלימותה לא מתקיימת אלא אם כן אופן אכילתו היא בהתייחסות קבועה עם הסוכה שלו. חלוקת אלו שני הדינים מבואר גם בדברי הגאונים, שאם אדם אוכל כל אכילותיו בסוכת בית הכנסת על אף שכל אכילותיו בסוכה בכל זאת אינו יוצא חובתו בשלימות. וז"ל¹⁴ "אבל בני העיר לסמוך על סוכה של בית הכנסת לצאת בה ידי חובתם אינם יוצאים, אלא בסוכה של כל אחד ואחד בביתו" ע"ש באריכות יתר. וז"ל המנהיג¹⁵ "למדנו מתוך תשובות של רבינו האי ז"ל שהמנהג שעושים בספרד סוכה בחצר בית הכנסת ונכנסין ויושבים שם רוב הקהל ומברכין לישב בסוכה בישיבה בעלמא יפה הן עושין, אבל כל ידי חובתן לא יצאו, כי הסוכה היא תמורת דירתו של כל שנה לישב בה ולטייל בתוכה ולאכול ולשתות ולישון ולשנות בה, והם אין עושין אלא ישיבה בעלמא". ומסתבר ששני הדינים מתחברים יחד שעיקר המצוה היא, לאכול ולשתות בסוכה שדירתו קבועה בו.

גזירה שמא ימשך אחר שולחנו

ואשר נתבאר לעיל הוא שהאיסור אכילה מחוץ להסוכה הוא מחמת החיוב לעשות ביתו עראי ודירתו קבע, שכדי לקבוע דירתו בהסוכה בעיני שכל אכילותיו תהיינה בהסוכה, ואכילה מחוץ להסוכה מונע עשיית סוכתו קבע. ומעתה נראה לבאר מה ראו חז"ל לגזור על בכה"ג ששולחנו בתוך הבית. והנראה שחששו שמא ימשך אחר שולחנו ויימצא אוכל תחת גג ביתו וזה יגרם הפסד קיום מצות סוכה בשלימותה. שהרי המצוה היא 'לאכול בסוכה שדירתו קבועה בו' כלומר שהישיבה בהסוכה תקייה בהנהגה של דירה קבועה בהסוכה, ובכדי לקבוע סוכתו לדירה קבועה בעיני שכל אכילותיו תהיינה בתוך הסוכה, ואם ימשך אחר שולחנו ויימצא אוכל בתוך ביתו, הרי בזה הוא מונע הפיכת 'ביתו' מדירה קבועה לדירה עראי, והפיכת 'סוכתו' מדירה עראי לדירה קבועה. ואשר על כן, באו חז"ל וחידשו הגדרה בגדרי דיני קביעת הדירה. שלפני גזירתם, מקום הדירה נקבעה בהמקום אשר ראשו ורובו נמצאת בשעת האכילה, דהיינו אותו 'מקום שאוכל בו' היא 'מקום דירתו', וכן הוא בהלכות עירובין. יעו' במס' עירובין דף מט 'עירוב משום דירה', ובדף עג' "מאי מקום דירה רב אמר מקום פיתא". עכ"פ, משום שחז"ל

דשולחנו מחוץ להסוכה חשבינן דירתו כמחוץ להסוכה ואכילתו אסורה על אשר הוא עושה סוכתו עראי והמצוה בשלימותה לעשותו קבע. ובגוונא דאין לו שולחן, לא בסוכה ולא בביתו, על אף שאינו מקיים המצוה בשלימותה אמנם מצוה יש לו, שהרי הסוכה ראויה לשולחן וכשירה. והמבואר מכל זה, דבסוכה גדולה עצם הסוכה כשירה דבאין שולחן כלל מקיים המצוה בשלימותה ובגוונא דשולחנו בתוך הבית גדר הפסול היא ד'לא יצא' דדירתו נמשכת אחרי מקום שולחנו, וכמבואר בגמ'¹⁷.

אמנם בסוכה קטנה, כשרות הסוכה תלויה אם ראויה לקיום המצוה לאכול ולשתות בסוכה שדירתו קבועה בה. ומכיון שבסוכה פחותה מז' על ז' מן הנמנע להכניס אליה 'שולחן' הרי היא מנועה מקביעת דירה, וממילא הסוכה פסולה לא רק מזרבנן אלא גם מן התורה. מצות התורה כלשון הרמב"ם הוא "שיהיה אוכל ושותה ודר בסוכה כל שבעת הימים בין ביום בין בלילה כדרך שהוא דר בביתו בשאר ימות השנה". הרי מן התורה בעינן סוכה שראויה לדירה, ומאחר שחז"ל חידשו דדין הדירה נקבעת על ידי השולחן, ממילא סוכה שלא מחזקת ראשו ורובו ושולחנו מופקעת מדין דירה ו'פסולה' גם מן התורה. ויעו' בעירובין דף סא' ע"ב דלרבי אליעזר הנותן עירובו במערה על אף שאין בה דיורין עדיין העירוב כשירה ד"מאי אין בה דיורין אינה ראויה לדיורין". כמו"כ בסוגיא, בעינן שלכל הפחות הסוכה תהא ראויה לדיורין¹⁸, אך סוכה קטנה שלא מחזקת שולחנו מופקעת מדירה, וגם מה"ת פסולה.

גם דברי הרמב"ם באו על נכון ומש"כ בפ"ו לא סתרי עם מש"כ בפ"א. לכאורה, מקור הרמב"ם לחלק דין סוכה קטנה לשני הלכות נפרדות היא מגוף הסוגיא, שמצד אחד התנא בדף כח' ע"ב כלל דין סוכה גדולה ודין סוכה קטנה בחד מימרא אשר משתמע שבתרווייהו גדר הפסול היא חד כמש"ב הר"ן, ומצד שני מהגמ' דף ג' מבואר שגדרם שונה בסוכה גדולה 'לא יצא' וסוכה קטנה 'פסולה'. וכן בהרמב"ם, בפ"ו ה"ח מבואר שהגדרת הפסול בין בסוכה קטנה בין בסוכה גדולה היא חד ד"מי שראשו ורובו בסוכה ושולחנו בתוך הבית ואכל הרי זה אסור וכאילו לא אכל בסוכה עד שיהא שולחנו בתוך הסוכה" והיינו שלא יצא, ומצד שני בפ"א ה"ד מבואר דסוכה הפחותה מז' על ז' היא בחפצא סוכה פסולה. והביאור כמשנ"ת, סוכה קטנה המופקעת מלהיות ראויה לדירה פסולה מה"ת מגרמת גזירת חז"ל ואילו בסוכה גדולה עצם הסוכה ראויה לדירה וכשירה, אלא דהאוכל בה בעת ששולחנו בתוך הבית לא יצא, דמגרמת הגזירה הרי הוא כאילו אכל מחוץ להסוכה.

1. סוכה דף כח' ע"ב
2. דף ג' ע"א
3. בעל המאור, רי"ץ גיא, בעל העיטור, ר"ן, תוס' והרא"ש.
4. הר"ף, רבינו חננאל, רמב"ם, רמב"ן ורבינו ישעיה דטרני.
5. ואולי כוננת אומרו "כיון דתני גבי הדדי כי הדדי נינהו" הוא עפ"י דברי הגר"א ז"ל בספר קול אליהו וז"ל "הנה רבינו הקדוש סידר שיתא סדרי משנה בחכמה נפלאה עד שבדבור אחד נכללין כמה עקרים וכמה סברות בקוצר לשון. ולכן האמוראים שהיו אחר חתימת המשנה לא היה להם רשות להוסיף ולא לגרוע אלא לפרש דבריו כל אחד כפי מה שקבל מרבו. ומה שאמרו לפעמים חסורי מיחסרא והכי קתני, יש לומר שאין במשנת רבי שום חסרון בלישנא ומה שהוסיפו הוא מובן בזך הלשון של רבינו הקדוש ז"ל, אפס כדי להסביר לעיני המון הראים בהשקפה ראשונה, לפנינו צריך להסביר יותר, והמעין בדבריו יראה שהוא כלול בדבריו בירתן אות אחת, וכן יש לפרש בכל המקומות, עכ"ל,
6. למעלה מעשרים אמה ולמטה מעשרה טפחים
7. ז' על ז' טפחים
8. דף יג' ע"א מדפי הר"ף
9. עיקר ענין זה מרי' יעקב פליישמן שליט"א (ישורון ח"ט דף תסג')
10. (באמצע ה"ה שם)
11. (ה"ו שם)
12. (באמצע ה"ו שם)
13. כמבואר לקמן בהל' ז' "אכילה בלילי יום טוב הראשון בסוכה חובה, מכאן ואילך רשות, רצה לאכול סעודה סועד בסוכה, רצה אינו אוכל כל שבעה אלא פירות או קליות חוץ לסוכה אוכל, כדין אכילת מצה בפסח".
14. תשובת הגאונים בשם רב נטרונאי גאון ז"ל בסימן שט'.
15. ספר המנהיג הלכות סוכה אות ה'
16. הרמב"ם השמיט דין 'אין לו שולחן כלל'. ונראה, דאילו דינו כדין 'שולחנו בתוך ביתו' היה הרמב"ם מלמדינו כן בפירוש. ונראה דבאין לו שולחן מקומו נקבע במקום אכילתו, וביש לו שולחן מקומו נקבע במקום שולחנו.
17. ואין לומר דמה ד'לא יצא' בסוכה גדולה ושולחנו בתוך הבית, הכוונה ד'לא יצא המצוה בשלימותה' ודומה לאוכל בסוכת בית הכנסת. דעל אף שלמעשה הוא אוכל תחת סכך הסוכה ותאמר שרק המצוה בשלימותה לא מתקיימת, לשון הרמב"ם הוא בסתמא 'לא יצא', ומשמע דגרע מסוכת בית הכנסת. וביאורו לכאורה פשוט, דבסוכת בית הכנסת אכילתו חשיבא אכילה בסוכה אלא שלא מקיים דין דירתו קבע בסוכה משא"כ בנידון דידן סוכה גדולה ושולחנו בתוך הבית, מתקנת חז"ל מקום האכילה גרידא בתר מקום השולחן, ועל כן חשיב כאוכל מחוץ לסוכה, ומזרבנן עיקר המצוה לא יצא.
18. ויעו' גם תוס' ד"ה בית התבן בדף פה' ע"ב "לענין הנחת עירוב לא בעי אלא דחזי לדירה".

Originally from LA, Rabbi Moshe Rubanowitz came to Thornhill after several years in the Norfolk Kollel in Virginia. He is a Rebbi at The Toronto Cheder in the mornings and spends second Seder and night Seder with the Kollel.

YESHIVAS BEIN HAZMANIM

Thurs, Sept. 24 - Tues, Oct. 13

8:00 Shacharis

Breakfast

Seder

Shiurim will take place over Chol Hamoed.
Further details to be announced.

ANSWERS TO TISHREI TRIVIAL PURSUIT

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1. When Rosh Hashana falls out on Monday or Thursday. On Rosh Hashana we read from Vayeira and Pinchas; Tzom Gedaliah, Ki Sisa; and Monday, Thursday, and Shabbos, from Ha'azinu and V'zos Habracha.
2. 1) הפותח לנו שערי רחמים
2) להדליק נר של יום הכיפורים, which is said after ברכו during Shacharis of Yom Kippur.
3) על ביעור חמץ
4) ברכת אילנות
5) תשעה באב, which is said during Mincha of באב
3. 1) Sitting in a Sukka.
2) Tzitzis.
3) Tefillin. By each of these Mitzvos the Torah writes למען. (See Vayikra 23, 43, Bamidbar 15, 40, Shemos 13, 9)
4. A person can serve as part of the Sukka wall, but only if he is standing there unintentionally.
5. The words וה-ו and אני-ו are two names of ד' taken from the פסוקים preceding the שירת הים (See ד"ה אני מה. רש"י סוכה מה. ד"ה אני מה).
6. 1) Simchas Torah
2) שבת ר"ח חנוכה
3) שבת ר"ח אדר, פי שקלים
4) שבת ר"ח ניסן, פי החודש
7. משה רבינו, הלל הזקן, רבי יוחנן בן זכאי, רבי עקיבא (תוספות בכורות נח. ד"ה חוץ)
8. ילקוט שמעוני שמואל א ב, צא) משה, אלקנה, שמואל, דוד, שמעיה, עדו, אליהו, אלישע, מיכה, אמוץ, המסורת מנה חנן בן יגדליהו
9. Pidyon Haben
10. Aharon Hakohen (פי' מסעי)
11. 1) כלב ומרים: he was 8, she was 56.
2) ע' סנהדרין סט) יצחק ורבקה: he was 40, she was 3



זה קלי ואנוהו - פרי עץ הדר Rabbi Baruch Lichtenstein, S'gan Rosh Kollel

The Rema, in Orach Chaim Siman 639, 3, paskens that on the first night of Sukkos a person should not begin eating his Seudas Yom Tov until after dark. Although, halachically, a person may accept Shabbos or Yom Tov before nightfall (a principle known as Tosefes Shabbos or Tosefes Yom Tov), and on a regular Shabbos recite Kiddush while it is still daytime, on Sukkos, he

must wait until after three stars appear to begin his Seuda. The source for this Halachah is a Tosafos found in the beginning of the tenth chapter of Maseches Pesachim (Arvei Pesachim). Tosafos there says that the source for the requirement that all the Mitzvos of the Seder, including the Mitzvos of Matza and Maror, must be performed after dark is the Pasuk, בלילה הזה, which means "this NIGHT". From the word "NIGHT", it is clear that the Mitzvos of the Seder must be performed after nightfall, and not during the time of Tosefes Yom Tov when it is still daytime. Many Halachos of Sukkos are learned out from Pesach through a גזירת שוה ט"ו-ט"ו of גזירת שוה that the Halachos that apply to the fifteenth of Nissan (the first night of Pesach) apply to the fifteenth of Tishrei (the first night of Sukkos). Therefore a person must wait to eat his Seudas Yom Tov on the first night of Sukkos until after dark.

R' Chaim Brisker asks the following question: why is it necessary to learn from a Pasuk that the Mitzvos of Pesach and Sukkos must be performed at night? The Torah associates these Mitzvos with their respective Yom Tov. And even if a person were to accept Tosefes Yom Tov, it cannot be considered that the Yom Tov had truly arrived, so as to enable him to do the Mitzvos of that Yom Tov, until after nightfall.

However, it would seem that this question really depends on how to understand the concept of Tosefes Yom Tov.

There is a well known Machlokes, cited in the glosses of Shulchan Aruch Siman 668, between the Maharshah and the Taz that helps to illuminate this Inyan. These two great Poskim disagree about what the Halacha would be in the following scenario: If a person accepted Tosefes Yom Tov on Erev Shemini Atzeres, with the result that for him the Yom Tov of Shemini Atzeres has begun, is he still obliged to sit in a Sukka in order to eat?

The Maharshah maintains that he would have to eat in the Sukka. Therefore, he writes, such a person cannot begin his Seudas Yom Tov until after dark. Were he to begin during the day, he would be obliged to eat in a Sukka and recite the

Brachah of לישב בסוכה. Because in Kiddush he would mention Shemini Atzeres, when, of course there is no Mitzva to sit in the Sukka, this would be a contradiction. Consequently, the Maharshah rules, a person who brought in Shemini Atzeres early must wait until nightfall, when making לישב בסוכה is no longer required to begin eating.

The Taz, however disagrees with the Maharshah. He argues that the same Hashem who decreed that a person must eat in a Sukka during Sukkos acknowledged that he can accept Tosefes Yom Tov. And once one accepts Tosefes Yom Tov of Shemini Atzeres, it is no longer considered to be Sukkos, but rather Shemini Atzeres, a time when he is no longer obliged to eat in a Sukka. Therefore, the Taz writes, once a person has accepted Shemini Atzeres, he can make Kiddush in his house even while the sun is shining brightly outside.

The Acharonim explain that the Machlokes between the Maharshah and the Taz revolves around the understanding of the concept of Tosefes Shabbos. The Maharshah maintains that when a person ushers in Shabbos early he is extending the קדושת שבת into Erev Shabbos. This means that, although halachically it is still Erev Shabbos, the day has the Kedusha of Shabbos. Similarly, when one accepts Yom Tov early on Erev Shemini Atzeres, it remains Hoshanah Rabbah but with קדושת יום טוב of Shemini Atzeres. Therefore, if a person wanted to eat after accepting Shemini Atzeres early, he would still be obliged to sit in a Sukka. The Taz, however, argues that when a person accepts Shabbos early, he in fact changes the day. The moment he accepts Shabbos, even though it is still day outside, the day is no longer Friday. Rather, Friday is shortened as the rest of the day becomes Shabbos. Therefore, says the Taz, when a person accepts Yom Tov early on Erev Shemini Atzeres it is no longer Sukkos anymore. Instead, the day becomes Shemini Atzeres and there is no longer an obligation to sit in a Sukka.

The same Machlokes applies each time someone accepts Shabbos early. There is a Halachah that requires a person to eat three meals on Shabbos. If someone accepted Shabbos early and ate his Friday night meal while it was still day, it would be questionable whether this meal would count towards the three meals that he must eat during Shabbos. According to the Maharshah he is not Yotzei (i.e., he hasn't fulfilled) his Chiyuv (obligation) as it is not yet Shabbos. For according to the Maharshah it is just Friday with קדושת שבת, and he is supposed to eat the Seuda on Shabbos. On the other hand, according to the Taz he would be Yotzei, for once he accepted Shabbos the day became Shabbos and the Seuda he ate was a Seudas Shabbos. Practically, the Magen Avraham advises that one should avoid any doubt on this score by making sure to eat a K'zayis of Challah after it gets dark in order to be Yotzei the Chiyuv of Seudas Shabbos even according to the Maharshah.

What about Kiddush? According to the Maharshal, a person can be Yotzei his Chiyuv of Kiddush during the add-on period of Tosefes Shabbos. This is because Kiddush depends on whether there is קדושת שבת and not on whether it is actually Shabbos. Consequently, even the Maharshal would agree that a person can recite Kiddush even though it is Friday for once he accepted Shabbos, the day has קדושת שבת.

With this in mind, let us return to the question of the Brisker Rav. Rav Chaim had asked why it was necessary to have a scriptural source telling us that the Mitzvos of Yom Tov can only be done at night. After all, says the Brisker Rav, adding on to the Yom Tov does not turn Erev Yom Tov into Yom Tov. Now we understand that this actually depends on how the concept of Tosefes Shabbos and Yom Tov is to be understood. According to the Maharshal, who maintains that it is still Erev Yom Tov - only with קדושת יום טוב - the question is a valid one. However, according to the Taz, who holds that it is already Yom Tov from the time one accepts Yom Tov, even though it is still day, it is understandable that a person should be able to fulfil the מצות היום before nightfall. For this, it is necessary to derive from the Pasuk of בלילה הזה that the Mitzvos of Yom Tov must be done only after it is dark.

In addition to the numerous responsibilities of a S'gan Rosh Kollel, Rabbi Lichtenstein oversees second Seder in the Kollel. As well, he leads the S'micha and Lunch & Learn Programs alongside delivering many Shiurim for the community at large.

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*In the Rosh Kollel's Sukka
429 York Hill Blvd*



FOCUSING ON SHABBOS: USING MEDICATION FOR ADHD

Dr. Uri Wolf

Attention Deficit Hyperactivity Disorder (ADHD) is a common medical condition. It is among the most common psychiatric disorders in children and affects between 2-5% of adults.¹ Core symptoms include difficulty focusing and maintaining attention, hyperactive behavior and impulsivity.² Other related symptoms include extreme mood swings, anger outbursts and disorganization.

ADHD symptoms can lead to difficulties in relationships and work. ADHD is associated with other psychiatric conditions including anxiety and depression.³ A number of different classes of medication are used to treat ADHD. Stimulants, such as methylphenidate (Ritalin), are the most commonly used medication to treat ADHD. Approximately 70% of people with ADHD respond to stimulants. They improve inattention, impulsivity, and hyperactivity as well as related problems, such as low self-esteem, mood swings, cognitive problems, and social and family functioning.⁴

Using medications on Shabbos is a complex topic. There are a number of concerns that stem from the גזרה prohibiting the use of methods of "healing" (רפואה) on Shabbos. The גמרא⁵ explains that רפואה is prohibited because of שחיקת סממנים - grinding ingredient to make medication. In earlier times remedies were commonly made by grinding ingredients. Rashi explains if רפואה is permitted it may lead a person to grind ingredients to make medication, which is a Torah prohibition. The Rif and Rosh explain that if the remedy is not readily available, a person may come to transgress this prohibition in haste, since people are very concerned for their health.

The relevance of this concern to modern medication as well as understanding the nature of this concern will be discussed. There are a number of other factors to consider in taking medication on Shabbos and we will explore their application to ADHD treatment. This discussion will be limited to treating adult ADHD. This article is not meant to replace sound Halachic advice.

שחיקת סממנים of The relevance of

Kitzos HaShulchan⁶ points out that as opposed to earlier times, medication is no longer made by individuals. Modern medication is made by drug manufacturers and dispensed by medical advice. The concern that we may come to grind our own medication seems remote. Since the reason of the prohibition is no longer valid do we say the prohibition is lifted? Precedence for this is the prohibition of clapping hands in song on Shabbos.⁷ Rashi explains this is prohibited so one does

not come to fix musical instruments on Shabbos. Tosafos points out that today we are not skilled in fixing musical instruments. They conclude, since the reason of the prohibition is no longer valid, the prohibition is lifted.

Kitzos HaShulchan concludes that lifting a prohibition due to irrelevance poses a number of difficulties. We need to be confident that the provided rationale is the only rationale for the prohibition. We can only be certain of this in situations that our Rishonim provide. We may not apply this loosely. Additionally, the relevance of this prohibition is still extant in some communities that make homemade remedies. Since in these situations remedies are still made by means of grinding, the prohibition remains.

Despite the continued relevance of this גזירה there is some room for leniency. In situations in which it is unclear if medication can be used or if there is a halachic dispute, the Kitzos HaShulchan's reasoning can serve as a mitigating factor to be lenient.⁸

The nature of the גזירה

After establishing that the prohibition relating to grinding ingredients for medication is relevant in today's age, we will explore the nature of this גזירה. The prohibition of רפואה on Shabbos prohibits the use of both medicinal and non medicinal forms of healing. The גמרא cites examples such as massaging muscles vigorously to perspire and immersing in certain mineral baths for therapeutic reasons.⁹

The Rambam permits applying a suction to the abdomen to treat a stomach ailment on Shabbos. This is not included in the prohibition of רפואה on Shabbos since one does not generally use ground medication to heal this type of stomach ailment. The Taz explains that the type of ailment determines if the גזרה applies. If this particular ailment is typically healed with ground medication, then even using non medicinal means would be prohibited. However, ailments that are generally not treated with ground medication are not included in this גזירה of רפואה.¹⁰

The Tzitz Eliezer proposes a leniency regarding modern medication based on the previous discussion. The rationale permitting healing ailments that are not generally treated with ground medication is that modes of healing that are not associated with grinding ingredients will clearly not lead to the prohibition of grinding. This same rationale should apply if people in general do not grind their own ingredient for their own medicinal use. Modern medication is made by drug manufacturers. Individuals no longer grind raw ingredients to make medication. Since individual do not grind ingredients for medication there should be no גזרה.

Even according to the Tzitz Eliezer, although the גזירה of grinding ingredients may not apply to modern medication, an alternative prohibition of "mundane activities

on Shabbos” (עובדא דחול) would be relevant. The act of healing itself may be considered עובדא דחול and prohibited. However, this prohibition can be curtailed in situations of distress (לצער).

Other authorities do not mention this leniency. Accordingly, any medical condition that is generally treated with medication is included in the prohibition of healing on Shabbos. This is despite the fact that individuals do not generally make their own medications. In fact, the modern manufacturing process itself does not involve grinding raw ingredients since medications are made synthetically. However, there are a number of health supplements and herbal remedies that do employ the grinding of ingredients. Additionally, the drug manufacturing process does use a number of prohibited Shabbos activities including cooking and separating the bad from the good (בורר). The concern of שחיקת סממנים on Shabbos includes any type of prohibited activity relating to the making of medications on Shabbos.¹¹

Permitted situations

Now that we established the relevance of שחיקת סממנים to modern medication, let us explore when medication may be used. Certainly, in life threatening situations medication may be used. Trivial pains (מיחושים) cannot be treated with medication. Some situations are more severe than “trivial pains” but not life threatening. Someone with an illness affecting the “entire body” (חולה כל גופו) and someone who is “bed bound” because of illness (נפל למשכב) are permitted to take medication.¹² The former case includes illness that is localized to one part of the body but on account of this, one is unable to adequately accomplish what needs to be done. The latter case includes someone who is able to get out of bed but needs to push himself to get out of bed because of illness.¹³

How do we classify emotional symptoms in this scheme? Some forms of emotional illness can clearly lead to life threatening consequences and be considered life threatening. Examples of this include severe depression, mania, and psychotic illness. In these situations if not treated adequately, there is concern of harm to the afflicted or others, either through suicidal behavior, or poor decisions with serious consequences. Severe anxiety can be considered an illness that affects the entire body.¹⁴ Classifying symptoms of ADHD is more challenging.

Clearly, there are different degrees of difficulty associated with ADHD. Some experience, at most, difficulty with concentration and focusing on tasks. On a day with no work or school, this may not be very disruptive. It is doubtful that this is considered an “illness” in relation to the prohibition of רפואה on Shabbos. Since this situation is not considered an illness, it is permitted to treat with medication.¹⁵ Others experience more serious and pervasive symptoms including procrastination,

disorganization, impulsive behavior and mood swings. This can lead to significant difficulties functioning and fulfilling personal and familial obligations. The inability to function adequately is considered an illness “affecting the entire body” and would permit the use of medications on Shabbos.¹⁶ It is conceivable that someone may have a degree of difficulty to the extent of being considered an “illness” yet not be sufficient to be considered “affecting the entire body”. This situation would have the status of a “trivial pain” and be prohibited to treat with medication. Each individual is affected by ADHD in different ways and its impact needs to be clarified on a case-by-case basis.

Medications started before Shabbos

There is discussion about taking medication that was started prior to Shabbos and is to be taken daily including Shabbos. Although this leniency is mentioned by Poskim, there is a lot of debate as to the basis of this and its application.¹⁷

Stimulant medication used to treat ADHD is commonly taken consistently every day. Stimulant medications are available in immediate release and extended release forms. These medications are effective for between 2-16 hours after they are taken. Immediate release medications are usually taken two to four times per day while extended release medications are taken once or twice a day.¹⁸ Because of their short time of action, stimulants cannot be taken before Shabbos to be effective on Shabbos. Some are advised by their physician to take short breaks from their medication for a few days to weeks. These short “drug holidays” can often be tolerated. On the other hand, problematic symptoms can reemerge in some cases if medication is stopped even for one day.

The Tzitz Eliezer attempts to rationalize the leniency of taking medication consistently. He points out that medication that is taken daily, such as antibiotics, do not treat the illness on Shabbos. In fact, each day on its own will not remove the infection, only the cumulative use of the drug will ultimately remove the infection. The שחיקת סממנים of גזרה was only said where the medication will effect a cure on the day it is taken. Only in this situation, a person may rush into grinding ingredients in order to quickly cure the ailment. According to this, ADHD medication pose a problem. ADHD medication is a symptomatic treatment, the treatment relieves the symptoms shortly after taking the medication and is effective only as long as the medication is active in the body. Since it is not the accumulated benefit of daily treatment that treats the symptom, this leniency should not apply.

The Chazon Ish was reported to permit daily medications for a different reason. If someone needs to take a medication on a daily basis this is considered a “medical condition” (מחלה). The prohibition of רפואה on Shabbos is relevant to “a painful

state" (מִיחֻשׁ) not a "medical condition".¹⁹ This reasoning is highly contentious, and the context of this leniency is questionable. Most Poskim do not rely on this leniency. Furthermore, the fact that ADHD treatment does not "cure" the condition but rather ameliorates the symptoms, may make it more similar to a "painful state" in which the prohibition applies.²⁰

In any case, most Poskim do not rely on the leniency of continuing medication that was started before Shabbos. This leniency can be relied on only in situations in which the failure to continue the medication will result in significant illness or dysfunction. As mentioned previously, some cases of ADHD would fall under this category while others would not.

Conclusions

This article reviewed a number of topics relating to taking stimulant medication for ADHD on Shabbos. ADHD can affect a number of different aspects in a person's life. Applying the שְׁחִיקַת סַמָּנִים of גְּזִירָה to modern medication is relevant and applicable. The necessity of treating ADHD symptoms on Shabbos poses unique questions relating to how Halacha views illness and difficulty functioning. The symptomatic nature of ADHD treatment may have implications relating to the continued use of medication started before Shabbos. As described above, there are many leniencies that at times can be employed when appropriate. There are also differences in presentations of ADHD that need to be considered. It is therefore important to seek Halachic advice prior to taking medication on Shabbos for this relatively common condition associated with significant disability.

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דוקא שנפל לגמרי למשכב אלא אפילו אם הוא מתגבר ומתאמץ ללכת כגון לבית הכנסת להתפלל, מיקרי נפל למשכב, כיון דלולי התאמצתו היה במשכב. משמע מזה שאי יכולת לעשות מה שצריך לעשות (inability to function) מיקרי חולי כל גופו. ואני מסתפק אם זה דוקא אם האי יכולת לעשות מה שצריך לעשות הוא מצד הצער שיש לו מהחולי או אף בלא צער האי יכולת לעשות מה שצריך לעשות חשיב חולי כל גופו. בנידון דידן (ADHD) אין צער אלא החולי עצמו מונע

חמור כבישול ודאי לא עבידי דטעה עכ"ל. משמע דלא כחוט שני וצ"ע.
12. שו"ע סימן קכח.
13. גם זה בחוט שני (שם) שאף שיש לו מיחושים או כאבים במקום מסוים בגופו ולא בכל גופו, מ"מ אם מחמת הכאבים אינו יכול לתפקד ולהתגבר לעשות מה שצריך לעשות בדרך כלל מיקרי שמחמת המיחוש והצער חלה כל גופו. ובגדר נפל למשכב אינו

והנכנס לשם יזיע והזיעה ביום השבת אסורה.

10. ז"ל הרמב"ם (פכ"א ה"א לא) ומותר לכפות כוס על הטבור בשבת כדי להעלותו וכן מותר ליחנק וללפף את הקטן ולהעלות אזנים בין ביד בין בכלי ולהעלות אנקלי שכל אלו וכיוצא בהן אין עושין אותן בסמנים כדי לחוש לשחיקה ויש לו צער מהן. עכ"ל: והובא דבריו בטור (ס' שכח). והקשה הב"ח הלא כל רפואה אסורה גזירה משום שחיקת סמנים דאף על פי דאין רפואה זו בסמנים כלל מכל מקום גזירה משום רפואה אחרת דליתא אלא בסמנים וגזרו כל רפואה אסורה. ולהבין הא שהוסף הרמב"ם טעם "ויש לו צער מהם" ולא סגי בהא דאין דרכן לרפואות בסמנים, פ' בלבוש שבא הרמב"ם לפ' שאע"ג דאי' בהו רפואה ודומה לעובדא דחול אפ"ה התיירו, דבמקום צערא לא גזרו בזה. ובט"ז (ס"ק כח) על הדין שאסור לחולה ליגע עצמו בשבת כדי שזיע מפני שהיא רפואה הקשה הא כיון שאין כאן שייכות שחיקת סמנים היה לנו להתיר. ותריך דכיון שלפעמים מביאים הייעה על החולה ג"כ ע"י סמנים חיישין שיעשה רפואה אחרת משא"כ בהרמב"ם דלעיל אין שייכות רפואה לאותן הדברים ע"י שחיקת סמנים כלל לא גזרו. וז"ל קרית מלך רב (על הרמב"ם פ"ב ה"י) שכל שדרך בני אדם לעשות ע"י סמנים אסור אפילו בלא סמנים היינו כשדרך רוב העולם הוא ע"י סמנים אבל אם אין דרך רוב העולם לעשות ע"י סמנים כ"א מיעוטא כשעושה שלא ע"י סמנים שרי. עכ"ל. לפי"ז דן בציץ אליעזר (ח"ח ס' ט"ו, ס"ק ז) קולא ברפואת זמנינו דלסוג מחלה שאין תרופה לה כי אם מסוגי התרופות שאדם פרטי לא יוכל בשום פנים לעשותם דאזי מותר בשבת שאין שייכות רפואה למחלה זאת ע"י שחיקת סמנים כלל: ועוד כתב שדוהק לחלק בזה בין תרופה שלא שייך בה כלל שחיקת סמנים לבין כשלווקחים תרופה שכן יש בזה שחיקת סמנים אבל היא נעשית בבתי החרושת ורק אדם פרטי אינו יכול להכניס דמאי שנא דזיל בתר טעמא דאצל החולה ואצל כל אדם פרטי אחר אין דרך שיבואו בזה לידי שחיקה. וע"ע שם שנתן טעמים שונים שאכן שייך גזירה זו גם בזמנינו. וגם כתב שם שבאופן כללי קשה לדון להתיר בזה"ז כי רבו עוד רבו בקרב העדות השונות שמשתמשים גם בתרופות ביתיות שעורכין אותן בעצמם באופן שקיים שפיר טעם הגזירה של שחיקת סמנים. עכ"ל.

11. ע' חוט שני (פרק פ"ט) ז"ל דע דלאו דוקא שחיקת סמנים שדרך לעשות ע"י מלאכת טחינה, אלא אפילו אם הדרך להכין את התרופה ע"י מלאכות אחרות כגון לבשל את הרפואה וכיוצא"ב גם הם בכלל הגזירה שלא להתרפאות בזה בשבת. אלא צ"ע ממה שהביא בציץ אליעזר (שם ס"ק טו) מספר החיים דלא משמע כן. שהביא שם היתר רפואה שהתחיל מבע"י אם כבר בישלו והכין לו מע"ש דאין לחוש לשחיקת סמנים כיון שדרך לתקנו ואח"כ לבשלו. וסיים ז"ל ולחוש שישא לבשלו היום לא שמענו מעולם דבאיסור

1. Kooij S. et al. (2010) European consensus statement on diagnosis and treatment of adult ADHD. BMC psychiatry. 10:67
2. American Psychiatric Association. (2013) Diagnostic and statistical manual of mental disorders (5th ed.). Washington, DC
3. Volkow N. et al. (2013) Adult attention deficit-hyperactivity disorder. New England journal of medicine. 369:20.
4. Asherson P. (2005) Clinical assessment and treatment of attention deficit hyperactivity disorder in adults. Expert review of neurotherapeutics. 5(4):525-539.

5. שבת נג ע"ב
6. בקצות השולחן (בבדי השולחן ס' קלד) כתב שנראה לומר דאיסור רפואה משום גזירת שחיקת סמנים קיל טפי בזמננו כיון שעכשיו אין בקיאות בשחיקת סמנים והרפואות נעשות ע"י הרוקחים בבית המרקחת ועפ"י פקודת הרפוא לא שייך למגור דלמא אתי לשחיקת סמנים. והרי זה דומה למש"כ תוס' (ביצה ל) ד"ה אין מטפחין פ' רש"י שמא יתקן כלי שיר ומיהו לדידן שרי דזוקא בימיהם שהיו בקיאים לעשות כלי שיר שייך למגור אבל לדידן אין אנו בקיאים לעשות כלי שיר ולא שייך למגור. והביא עוד התורת חסד להגאון מלובלין שסיים שם ז"ל ועתה מי מאתנו יעזי בדעתו לשקול בפלס שכלו איזו גזרה חשיב הטעם ידוע שלא יצטרך מנין אחר להתירו, ואין לנו אלא דברים מפורשים בדברי הראשונים שהטעם ידוע והותרה הגזרה ממילא כשנתבטל הטעם עכ"ל. וסיים בבדי השולחן דלפ"ז גם איסור רפואה בשבת י"ל דאין הטעם ידוע שאסרו משום שחיקת סמנים וצריך מנין אחר להתירו. והוסיף עוד שאף אם הטעם ידוע מ"מ יש לומר שנמצאים מקומות בעולם שעדיין מעשה אבותיהן בידיהם לטפל ברפואות ביתיות ושוחקין בעצמם הסמנים וכיון שהטעם לא בטל לגמרי י"ל דעדיין הגזרה במקומה עומדת.

7. ביצה ל.
8. ז"ל הקצות השולחן (שם): ויש לעשות סנף להיתר, כגון היכא דנחלקו הפוסקים יש לצרף הסברה להתירא. וכן יש אנשים בעלי ספקות שאע"פ שיש להם צער גדול אינם יכולים להחליט בעצמם אם כל גופם נחלש מזה או שלא הגיעו לחולי כל הגוף. יכולים לסמוך להיתר רפואה בזה"ז דלא שייך כ"כ חשש שחיקת סמנים כנ"ל. אבל במיחוש בעלמא דלכו"ע אסור ברפואה אין להתיר בזה"ז.
9. משנה שבת קמז. אבל לא מתעמלין. וברמב"ם (פכ"א ה"ל כ"ח) שדורסים על גופו בכח עד שייגע יזיע או שיהלך עד שייגע יזיע שאסור ליגע את עצמו כדי שזיע בשבת מפני שהיא רפואה. ועוד שם במשנה אין יורדין לקורדימא ובפ' המשניות הרמב"ם בור המים ויש בו חמימות לפי שהמים מכונסין בו

PROGRAMS at the KOLLEL

A listing of current programs in Kollel Ohr Yosef. View it online at thornhillkollel.com

ONGOING PROGRAMS

KOLLEL BOKER- Start your morning off right with a half-hour Gemara Shiur given by Rabbi Scheiner beginning at 6:50, or participate in the 6:30 Amud Yomi Chabura which will be starting Meseches Sukka after Yom Kippur.

MORNING KOLLEL WITH RABBI EISENBERGER- Start your day with a morning Seder in the Kollel. The Chabura learns Chumash, Mishna, Halacha and Tanach, Monday-Thursday 10:00-12:15, and Friday 10:00-11:00.

SUNDAY MORNING BREAKFAST N' LEARN- Rabbi Scheiner gives a Halacha Shiur beginning at 8:40 followed by breakfast and a Hashkafa Shiur given by Rabbi Avi Oberstein at 9:30.

HILCHOS SHABBOS S'MICHA CHABURA- Learn the complex laws of Shabbos Sunday mornings at 9:00. Led by Rabbi Baruch Lichtenstein.

TUESDAY MORNING LUNCH N' LEARN- Join Rabbi Baruch Lichtenstein at 12:15 PM for a stimulating Shiur and lunch.

NCSY LEARN N' EARN- High school students from the community learn in the Kollel together with a mentor on Wednesday nights at 8:00.

(continued next page)

אותו לעשות מה שצריך לעשות. הנני מכיר טוב להרב מרדכי טורטשינר שליט"א ששאל עבורי את הרב ד"ר אברהם ס. אברהם שליט"א מחבר ספר נשמת אברהם שאלה זו והשיב לי לדעתו שאין חילוק בין האי יכולת לעשות מה שצריך לעשות מחמת ADHD מאם הוא מחמת צער.

14. לגבי אשה שנשטתית אחר הלידה (postpartum psychosis) ויש חשש אם תתענה ביוה"כ תחזור לשטותה והשאלה היא אם מותרת לאכול ביוה"כ כתב באגרות משה (אבן העזר סי' סח) פשוט שמותרת משום דשטות הוא סכנה, ואף שהמחלה עצמה לא תמיתנה אבל מכיון שמצד המחלה אפשר שתמית עצמה או אחרים, הרי הוא ג"כ בכלל פקוח נפש. וכן לגבי מי שיש לו severe anxiety כתב באגרות משה (אורח חיים ח"ג סי' נ"ג) לגבי שבת שבחולשת העצבים שקורין נערוון שיהיה חשש להמחלה שנקרא נערוון בראק דאן (nervous break down) הוא ודאי בדין מיחוש שמצטער כל גופו. ועוד במשנה הלכות (ח"ד סי' נ"א ס"ק ב') בחולה על הנערוון ואינו יכול לישון בלי כדורים ומצטער הרבה ודאי יש בזה חולי הגוף כי כל הגוף נחלש מבלי שינה.

15. כך שמעתי מפי הגאון ר' שלמה מילר שליט"א ואפשר שהתיר אף במצבים החמורים יותר שגם הם אינם בכלל חולי ורפואה, ולפי"ז בכל אופן מותר

16. כך כתב לי מחבר נשמת אברהם. ע' לעיל הע"י יג.

17. ע' בציץ אליעזר (נשם אות טו) שהביא מספר החיים להגר"ש קלוגר ז"ל הנה מרגלא בפומא דאינשי לומר דאם כבר התחיל לעסוק ברפואות קודם השבת מותר לו לעשותה אפילו בשבת ואם לא התחיל בחול אין לו להתחיל בשבת. והסביר שיטתו עוד ז"ל שלהתחיל לאכול ולשתות רפואה חדשה בשבת בזה יש לחוש כיון דלא הוכנה לו מבע"י שמא יבוא לשחוק בשבת, אבל אם כבר התחיל בה מבע"י אז מסתמא כבר הכין לו ממש דרך רפואתו כדבעי וליכא למיחש שיבא לידי שחיקת סממנין עכ"ל. והקשה בציץ אליעזר ע"ז והרי איסור לקחת רפואה בשבת משום גזירת שחיקת סממנים לא היתה משום המקרה הזה בלבד לפי יבא בזה ע"י גם לידי שחיקה אלא הגזירה היתה על בעלמא לדילמא יבוא לטעות להתיר ע"כ במקרה אחר גם לשחוק כשיצרכו לכך. וטרה שם לפי היתר זה. וכתב דאולי יש להסביר דאם כבר התחיל לעסוק ברפואות קודם השבת מותר לעשותו בשבת. מפני דאימתי אסרו לקחת רפואה בשבת היינו דווקא היכא שהלקיחה בשבת יש בה כשלעצמה בכדי להביא לו התרופה, דרך אז הוא דגזרו גזירת סממנים כדייעתו שזה יביא לו התרופה יבוא מתוך בהילות גם לשחוק סממנים אם יצרכו לכך אבל היכא שקבע הרופא שלקחה של יום אחד בלבד לא תביא לו הרפואה וצריך לזה כמה וכמה ימים אזי לא נחשב זה כלקחת תרופה בשבת ובאמת היתר כללי כזה שמותר ליקח רפואות שהתחיל מלפני שבת צ"ע מגמ' שבת (קמ). לגבי רב אחא בר יוסף חש ביוקרא דליבא (פרש"י שלכו כבד עליו ובח' הר"ן שכאב הלב) אתא לקמיה דמר עוקבא

א"ל זיל שתי תלתא תקלי חילתתא בתלתא יומי, אזל אישתי חמשה בשבת ומעלי שבת לצפרא אזל שאל בי מדרשא (פרש"י) מה יעשה בשבת) ומסיק שם שמותר גם לשרות לרפואה זכיון דאישתי חמשה ומעלי שבתא אי לא שתי בשבת מיסתכן. משמע דמצד איסור רפואה יש היתר אם התחיל לפני שבת רק אם יש סכנה אם יפסיק לשבת. אולם בחידושי הר"ן הביא יש מפרשים דמסתכן דהכא לאו דוקא אלא מצטער מחמת חליו. וכ"מ מהרמב"ם (פכ"ב הל' ז) וע"ע פכ"א הל' כב ומגיד משנה (שם) שמותר בשבת כדי שלא יחלה אם פסק מלשתות, ולא כתב לשון מסתכן אם פסק משמע שאם התחיל מלפני שבת מותר לקחתה גם בשבת אם יביא ההפסק לידי חולי. ומסיק שם בציץ אליעזר ז"ל עכ"פ הלכה נראה דכל שיש מקום להניח שבאי המשכת לקחת הרפואה בשבת תביא לו לידי מכאובים היוצאים מגדר מיחושים בעלמא או שיצטער מזה אזי כדאי הגרש"ק ז"ל לסמוך עליו ולהורות להתיר ובפרט כשנצרך לזה לסנוף גם מה שהבאנו לע' בדברינו מה שיש מקום בכלל לצדדי היתר על כגון הרפואות שבזמנינו שחייד אינו יכול לעשותם. וכן בשש"כ (פי' לד אות עו) ז"ל ושמעתי מהגרש"ז דרך אם ההפסקה תגרום לו נזק או שהרפואה היא דוקא מספרי ימים רצופים אשר מוכרח שיהיה שבת ביניהם כי אז יש להקל. עכ"ל.

18. Kooij S. et al. (2010) European consensus statement on diagnosis and treatment of adult ADHD. BMC psychiatry. 10:67

19. בארחות רבינו (ד' סי' ריז) סיפר לי הגר"ג שליט"א הוראה ששמע ממרן החזו"א זצוק"ל כל רפואה שצריכים לקחתה ברציפות כמה ימים (אף פחות מז' ימים) מותר להתחיל לקחתה מיד ולהמשיך לקחתה אף בשבת והטעם דרך במיחוש בעלמא אסרו רפואה בשבת משום דיעבור מעצמו אבל במחלה אף שאין בה סכנה לא אסרו לקחת תרופות דחז"ל לא אסרו במקום מחלה, ואם צריך לקחת תרופות כמה ימים אי"כ אין זה מיחוש בעלמא רק בגדר מחלה ומותר, ספרתי ע"כ למו"ר והתיר על סמך כן. עכ"ל. ע' ספר הלכות שבת בשבת (פ"ל הכ"ג) על היתר ששמע מהחזו"א ז"ל ע"ז אמרו חז"ל אין למידן הלכה מפי מעשה וגם מרן החזו"א הזהיר טובא ע"ז כידוע. עכ"ל. ועוד כתב שם על היתר הספר החיים ששמע בפשיטות מהגר"ש אלישיב זצ"ל שאין לסמוך על היתר זה כלל רק בצירוף התירים אחרים.

20. בענין היתר ליקח רפואה אם התחיל לפני השבת כתב בחוט שני (שכח אות כז) ונראה פשוט דהני מילי רק בתרופה שיש ליטלה ברציפות כך וכך ימים כדי להתרפאות אבל תרופה שאין ענין ליטלה ברציפות כדי להתרפאות ורק בזמן שנטלה הרי זה מועיל לו, כמו תרופה לשיכור כאבים או להורדת החום לא מהני מה שהתחיל ליטלה מלפני השבת. אכן ע' בילקוט יוסף (שכח הע' נט) ז"ל תרופה שבאה להשקיט את העצבים או את הכאבים, ואין בכוחה לרפואה, ו"ל שאינה בכלל גזירת שחיקת סממנים שהיא דבר המרפא את החולי.

THURSDAY NIGHT MUSSAR SHMUZ- Come hear an inspirational Mussar Shmuz delivered by the Rosh Kollel followed by refreshments graciously donated by Joe Boo's Cookoos.

DAF HAYOMI- Given nightly Sunday-Thursday by Rabbi Chaim Leib Gross.

PARSHA SHIUR- Friday morning 9:30 with Rabbi Dan Rand.

NIGHT SEDER IN THE KOLLEL

HALACHA SHIUR- Given Monday and Wednesday by Rabbi Kohanoo. This is text based interactive Shiur with real-life applications. Currently learning Mishna Berura Hilchos Brachos.

NAVI SHIUR BY RABBI ENGEL- Monday nights at 8:15. Currently learning Sefer Shoftim.

AROUND THE YEAR- A Wednesday night Chabura led by Rabbi Moshe Bauman learning seasonal topics.

WEEKLY GEMARAA B'IYUN SHIUR- Led by Rabbi Eliyahu Goldwasser meeting on Monday, Tuesday, and Thursday nights.

CHUMASH FOUNDATIONS - Learn basic skills for the study of Chumash and Rashi with Rabbi Eliyahu Goldwasser

GEMARA B'IYUN CHABURA- In-depth Iyun style learning led by Rabbi Yaakov Erlanger.

SHIUR ON TOPICS OF EMUNA- Monday nights 8:30 with Rabbi Sapirman.

SHABBOS IN THE KOLLEL

FRIDAY NIGHT LEARNING SEDER IN THE KOLLEL- A Chabura learning opportunity for high school Bochorim along with a Shiur for adults followed by Chulent. Taking place during the winter months.

WEEKLY KIDDUSH FOLLOWED BY SHIURIM

Parsha Shiur with Rabbi Yisrael Goldman.

Ramban Shiur with Rabbi Dan Rand.

Halacha Shiur with Rabbi Avi Freidman.

Ben Ish Chai Shiur with Rabbi Eli Kohanoo.

Mishnayos learning group for grade four and up with Rabbi Avi Oberstein.

Parsha Shiur for grade two and three with Rabbi Yuval Kernerman.

39 Melachos of Shabbos for grade 1 and younger with Rabbi Moshe Bauman.

THE HEART OF THE MITZVA - A very popular 50-minute interactive Sugya Shiur taking place before Mincha. Led by Rabbi Eliyahu Goldwasser.

MOTZAI SHABBOS FATHER AND SON LEARNING PROGRAM*- Fathers and sons learning, with pizza and prizes!

SEASONAL PROGRAMS

B'YACHAD COMMUNITY-WIDE LEARNING- Over 20 organizations and hundreds of Jews join together to learn Torah before Shavuos. The largest Torah learning event city-wide. Organized by the Kollel.

CHAVRUSA SHAFT*- A program pairing Chavrusas with different levels of experience in order to facilitate growth in Gemara. A structured program meeting a few times a year accommodating all levels of learning.

LEGAL HOLIDAY BREAKFAST N' LEARNS AND YARCHAI KALLA*- Shiurim given over breakfast from both local and visiting speakers.

GUEST SPEAKERS- World renowned Rabonim speak before Yom Tov and throughout the year.

CHANUKA M'SIBA- Divrei Torah, live music, and dancing.

PURIM M'SIBA- Live music, food and dancing.

KUMZITS*- Periodically held with live music, food and Divrei Torah.

SIMCHAS BAIS HASHOEVA- in the Rosh Kollel's Sukka with Torah and live music.

WOMENS' PROGRAMS

TUESDAY NIGHT HALACHA SHIUR- given by Rabbi Scheiner at 8:00 PM at the Bergman home. Currently learning Hilchos Shabbos.

PENINIM AND TEHILIM GROUP- Wednesday mornings at 9:30 in different homes.

SHAVOUS KIDDUSH- Refreshments for women and children. Mrs. Esty Scheiner gives her highly anticipated annual talk.

ANNUAL SHIURIM SERIES FOR WOMEN- Seasonal series on relevant and stimulating topics.

CHANUKA MELAVE MALKA- An evening of inspiration for the women of the community.

**Joint program with BAYT*



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