

MDTorah WEEKLY

	ירושלים	בית שמש	בני ברק
הדלקת נרות	5:45	5:44	6:00
צאת השבת	6:56	6:56	6:58

בראשית - Parshas Bereishis
Oct 5, 2002 – כ"ט תשרי תשס"ג – Vol. 4 No. 1

Talking Business

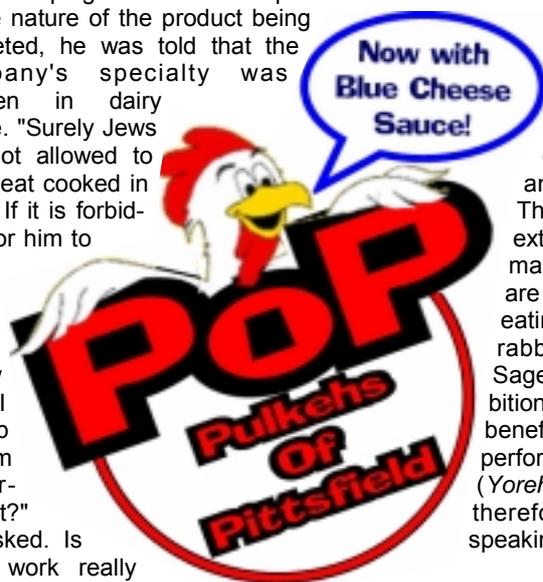
Everyday Jewish Business Law



Not The Right Job

Question

Ari designs adverts. He was approached by the Jewish owner of a food business to create designs for an advertising campaign. When Ari enquired as to the nature of the product being marketed, he was told that the company's specialty was chicken in dairy sauce. "Surely Jews are not allowed to eat meat cooked in milk? If it is forbidden for him to sell the product, how can I help him advertise it?" he asked. Is such work really prohibited?



Answer

The Torah mentions the prohibition of mixing milk on three occasions. Our Sages inform us that not only is it forbidden to eat meat cooked in milk, but it is also forbidden to derive any other form of benefit from the mixture. In addition, one may not cook meat and milk together even if one does not derive any benefit from the mixture. The Torah prohibition only extends to domesticated animals. Fowl and wild animals are not included. Nevertheless, eating fowl cooked in milk is rabbinically forbidden. Our Sages did not extend the prohibition to deriving other forms of benefit from the mixture, nor to performing the actual cooking (*Yoreh Deah* 87:1). It would therefore seem that, strictly speaking, there is nothing wrong

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Living Education

Principles of Education Gleaned from the Weekly Parsha

Creating the World: Creating Bnei Torah

The success of a teacher is dependent on the way he looks at his job. Either he sees himself as a supplier of information and as a class warden, or as a spiritual stage director, who composes and directs the creation and expansion of the neshamos (souls) of his students. Yes, he "creates" them, as we find that Avraham was praised for "creating" the souls of his disciples, as the *posuk* states, "ואת הנפש ואת הנפש יבנה" [בראשית יב:ה] ("and the souls which they made in Charan..."). Onkelos explains that helping another increase his Torah loyalty and observance is considered an act of creation.

In every sense the teacher is a "creator". He creates lesson plans, he creates the tools and methods to deliver them, he creates inspiration in his students, he creates the whole atmosphere of learning in the classroom. The teacher creates relationships with his students and guides them to have constructive relationships with their classmates as well. All in all, he creates Bnei Torah, and inspires them to enter a cycle of continual growth. A teacher who sees himself as a "creator", needs only to look back at the original "Creation" and let the Ribono shel Olam teach him how to achieve optimal success.

See the Sefas Emes in Bereishis) "אשר ברא תרל"ב ד"ה בזוה"ק" a similar vein, that the *posuk* "אשר ברא" [בראשית ב:ג] [אלוקים לעשות] ("that Hashem created to do") reveals that Hashem created in man and in all of His creatures the ability to fulfill their purpose. We can add that ...אשר ברא means that man should learn from Hashem's Creation – בראשית – ברא – how to accomplish – his role.

Or, in the words of the Degel Machane Ephraim, a grandson of the Ba'al Shem Tov, and a great tzaddik in his own right, in order to change one's nature, man needs to emulate his Creator. Just as Hashem created

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Rav Leff Speaks

The Yetzer Hora, Part I

The original snake was the epitome of material existence. It was the most sophisticated creature that there could be, lacking a *neshama*. It was almost human, sly and walking on two legs. It represented the most refined, tempting manifestation of pure physicality; man without his spiritual dimension. Because it had no *neshama*, it couldn't talk, according to most *reshinom* (early commentators). They explain, therefore, that the words attributed to the snake in the Torah were communicated to Chava by gestures. The words were heard only in Chava's mind. I picture the snake as something like the Planter's Peanuts emblem, except maybe for the monocle.

The Satan used the snake to entice Chava to pursue the purely physical, even though it was empty of anything

spiritual. That was her test, to choose to elevate herself spiritually, or to be drawn down to a level of physicality and nothing else.

How does the *yetzer hora* work? The first ploy was: "Didn't G-d tell you not to eat of any of the trees in the garden?" The first thing a person does when he wants to do something wrong is to convince himself that *nothing* is permitted. "It's oppressive," he tells himself. "It's impossible to keep all of this!" If it's impossible to do, it follows that there's nothing wrong with doing it. So the claim is that G-d said you can't eat *anything*. The same tactic is employed elsewhere. It's impossible not to speak *lashon hora*, so you might as well not try. It's impossible to keep Shabbos (for someone who's never kept Shabbos), so you might as well not try.

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The Importance of Being Truthful

When G-d created the world, Truth said, "Don't create [the world]!" What did G-d do? He tossed Truth to the earth, as it says, "Truth will rise up from the earth." (Bereishis Raba 88:5) A person who doesn't tell the truth won't succeed in this world because no one wants to deal with a liar. A person can fail to keep all the other mitzvos and still do well for himself—but not if he doesn't care about truth. Truth is the one exalted virtue which is reinforced by the demands of life in this world. Why? Because being truthful is so important and so difficult that if people could manage life without being truthful, they wouldn't bother being truthful, and they would never realize the great importance of truthfulness: that a person can't serve G-d without it. When the midrash tells us that G-d tossed Truth to the earth, it means that even life on this earth, for all its mundane preoccupations, could not endure without the exalted virtue of truthfulness. (Based on sefer *Kedushas Levi*)

But why, then, would men be inclined to lie?

Man lives in a world created by G-d, but he also lives in worlds he creates for himself. That's why man, of all the creatures, is the only one that lies. He

can disregard the truth—the world as G-d made it—and make up a world of his own because he really does live in worlds of his own making, worlds which fill the Void that G-d left unconstructed when He rested from the act of creation. To see that Void, all you have to do is look out at G-d's world from the perspective of your Divine Soul. Your soul is so exalted, its source is so close to the Divine, that it rises above all the worlds G-d created. So the soul is surrounded by a Void, and that Void is frightening. For even the soul can only know G-d through a world. Only a world can reveal G-d's Glory.

The Void is the most fundamental challenge to man's existence. To be truthful, he has to fill that Void with worlds of his own making that reveal the Glory of G-d. Anything short of that is false—and much easier to do. He can deny the Void by debasing his soul so that it no longer sees beyond this world; or he can glorify this world so that it fills the Void with an overgrowth that obscures it. Only the Torah empowers us to acknowledge the Void and even delight in the Void as an opportunity to create new worlds (the worlds we create, as *Sifrei Kodesh* teach us, by learning Torah and keeping mitzvos) and be partners with G-d in the act of creation. Without the Torah, the Void is too frightening to be acknowledged. That fear is the source of all lies. **MD**

(Talking Business—Continued from page 1)

for a Jew to sell chicken cooked in dairy sauce (to non-Jews). However, in our case, the chickens in question were not slaughtered in accordance with *shechitah* laws. Eating such meat falls under the *Torah* prohibition of eating *neveilos* (meat which was not ritually slaughtered). Once again, the *Torah* only prohibits the eating of such meat, but not deriving other forms of benefit from it. It would still seem that one could sell meat which was not ritually slaughtered to non-Jews.

The *Shulchan Aruch* (*Yoreh Deah* 117) rules that all forms of non-eating benefit from *neveilos* are permitted, with the exception of trading in items which are primarily intended as food. Our Sages were concerned that since these items are meant for eating, a Jew trading in these forbidden foods might come to eat them. Therefore, although one may derive personal benefit from non-kosher chickens, one may not trade in this product. It is thus clear that the Jew who owns the business in

question is not acting in accordance with the *halachah*.

This brings us to the next question: Is Ari enabling or assisting a fellow-Jew to contravene the *halachah* by designing advertisements for his forbidden business? If one Jew makes it possible for another Jew to transgress, he is in contravention of the prohibition, "Do not place a stumbling block in front of a blind man (*Vayikro* 19:14)." The classic example is of a person handing a glass of wine to a nazirite (who may not drink wine) standing on the other (inaccessible) bank of a river. The nazirite could not have procured the forbidden beverage without the assistance of the other Jew. However, if the nazirite could have taken the wine by himself but this Jew happened to hand it to him, he is not in infringement of this prohibition. He is nevertheless guilty of assisting a Jew to sin, which is a separate prohibition (*m'saya'ah li'yday ovrei aveiro*). Ari is not the only advertising designer available. If he does not take the job, someone else will create adverts for the non-kosher chicken business. By taking the job he would not be enabling his fellow-Jew to sin. He would still be guilty of assisting him in sinning. We can thus conclude that Ari should not take the job. (There are differing opinions as to the present-day status of non-observant Jews. According to some authorities, the prohibition of assisting does not apply in this case [see *Shach*, *Yoreh Deah* 151:6]. The *Chazon Ish* [*Eruvin* 23:14 and *Yoreh Deah* 2:28] holds that they are like any other Jew in this regard.) **MD**

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(Living Education—Continued from page 1)

nature with Chochmoh – wisdom, so too man can create for himself a new nature using Chochmoh. So too, a teacher can learn from the Creation how to create success in his classroom.)

Masterplan: The first posuk in the Torah includes the blueprint for all of Creation: את השמים ואת הארץ – the heavens and the earth. Before Hashem actually implemented the stages of Creation, He mapped out a complete picture of what the Creation would look like and how it would function. He decided in which order to create, (יום אחד, שני, שלישי...) at which speed (ויבדל בן אור ובין החושך [בראשית א:ד]) and at what intensity (וירא את כל אשר עשה...) and rest (וישבת ביום השביעי [בראשית ב:ב]) Hashem placed limits when necessary המאור הקטן הגדול... (בראשית א:ט) and eliminated them when He saw fit to do so. (The creation involving the waters was not limited to the second day.)

A teacher must have a master plan as well. Before the beginning of the school year, he should not only know which subject or mesechta he will be teaching, but at what pace, at which depth and at which breadth he plans to present the material to his students. The teacher must work within daily, weekly and monthly time limits, cutting edges when necessary and giving more time to a topic when it is called for. The different commentators he wishes to use, his expectations from his class and of each student as an individual, how much time to allot for review, how much homework to give and even how his students should spend their breaks, are all something a teacher needs to take into account even before the school year begins.

The need for a master plan for the school year is alluded to in the first day of Creation, which is called יום אחד ראשון (first), for the beginning of the year stands alone as the basis and foundation for the whole year.

Daily Preparation: The night before each class day the teacher should create lesson plans for all his classes, deciding which major and minor points he wants to deal with and what he wants to accomplish the next day—and stick to it.

השמים represents the learning content, while הארץ represents how to "bring it down" to the level of the students. Sometimes the most beautiful or the most inspiring concept will be left stranded beyond the reach of the students if the teacher did not develop the right means to convey his message to them.

In fact, a good part of a teacher's job is creating interesting and fruitful means of conveying his teachings to his students. The Medrash explains the posuk ... ונגשו כלים – the heavens and earth became vessels through which Hashem could generate his Torah into world. So too, a teacher must find the appropriate means by which to impart his teachings to his students.

The teacher should review his lesson before presenting it, looking for faulty logic or misunderstandings. He should put himself in the place of his students and ask questions on his presentation and answer them.

ויבדל בין האור לחשך – A teacher must choose from amongst his preparations that which he will include in his lesson and that which he will leave out, what he will say at first and what he will conclude with.

Just as Hashem created different species, so too, He created people with differing levels of (Continued on page 3)

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comprehension. Therefore it is up to the teacher to prepare his lesson on a number of different planes, so that all his students can benefit. He should ask clever students more complex questions and easier questions to average students. Each student will feel the class is given on his level and enjoy it.

In השמים...הארץ, the שמים is written in the plural and הארץ in the singular to teach us that the Torah can be taught on many different levels, but needs to reach the ground with a perfect fit for each individual. (The שמנים גמטריא קטנה is 12 and so is that of הארץ.)

The ending of the first day of creation with אחד teaches us how to approach each day's lesson.

1. Each day should have a self-contained lesson plan.
2. Each day expect a measured degree of accomplishments.
3. One should use all his abilities and strengths to achieve maximum success.
4. All of the day's events, whether good or bad, should be looked at as a single unit, all necessary to build up the students in the long run.

Clarity and Geshmack: The first day Hashem created light. Light represents clarity; clarity of ideas and clarity of thought. The basis of all accomplishment is clarity. When Daniel mentions Torah teachers, he refers to them as כוכבים, who enlighten their students with their Torah, their chochmoh and their Yiras Shamayim.

טוב refers to Torah, as טוב and תורת טוב, as well, refers to Torah, as in לקח טוב נתתי לכם תורת... .

Clarity, and the good or the enjoyment—the *Geshmack*—it brings to a person comes through Torah. It is advisable for a Rebbe to present a problem to his students and show how it can be solved through the chochmoh and clarity of Torah.

Rav Avraham Erlanger, shlita, Magid Shiur in Yeshivas Kol Torah, pointed out in a recent gathering of educators in Bnei Brak, that the Rebbe should show his students the beauty, the depth and the splendor of Torah logic and reasoning. He said that when the lesson is clear and Geshmack, the talmidim are attracted to the Torah and are prevented from developing outside interests.

Rav Uri Veissbloom, Mashgiach in Yeshivas Nachlas Levi'im in Chaifa, mentioned as well at the above gathering, that each shiur should be as clear and interesting as possible, so that the students will go away with a Geshmack feeling – a joy of learning and an appreciation of Torah.

The shiur should be enjoyable, interspersed with stories of Gedolim which stress great mid-dos and Yiras Shamayim.

Encouraging students: The students should be encouraged to think on their own and discover their inner strengths. Rav Veissbloom shared with his listeners the following incident to stress this point.

A certain student in the Yeshiva found it extremely difficult to grasp the learning although he put forth a major effort to do so. One day, Rav Veissbloom, who was then a magid shiur, introduced that day's shiur with a declaration that there would be no shiur until one of the talmidim explained to him a difficult Rashba (early Talmudic commentary). The student in case reviewed

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Parsha Points to Ponder

In the Beginning

“What does Hashem Elokecha want of you but to have *yira*...” (Devarim 10:12) The verse seems to say that *yira*—fear and awe—is all that G-d wants from us. But, as we learn from the Zohar (3:267a), *ahava* (love) is a higher level of devotion to G-d. If G-d wants us to love Him, why would the verse say that *yira* is enough? Rebbe Baer of Mezritch explains that when a person works on *yira*, G-d reciprocates by conferring the *mida* of *ahava*. *Yira* is a most fundamental quality that is common among men. It is even found among animals. The reason for this is that the creation is G-d's kingdom and mirrors G-d's majesty. With this in mind, we can interpret the opening verse of the Torah. It is translated, “In the beginning, Elokim created...”, but the Hebrew is actually somewhat ambiguous and allows us to translate it differently: “In the beginning, [He] created Elokim...” Elokim is the name of G-d which signifies G-d as we know Him through the *mida* of *yira*. The verse seems to suggest what is written explicitly in sefer Devarim: that the beginning and foundation of the world (and of our service of G-d) is *yira*.

Based on sefer *Be'er Moshe*

Holding the World Together

“The sixth day.” יום השישי The Torah added a hey to the word ששי to indicate that G-d created the world on the condition that the Jewish people would accept the five books of the Torah. The reason for this is that heaven and earth, the upper and the lower worlds, are two opposites that cannot be related except through an intermediary. That intermediary is man who possesses a physical body and a Divine soul. But to sustain his Divine soul, a human being needs the Torah. So if the Jewish People had not accepted the Torah, man could not serve as that intermediary, and the world, lacking the human element that holds it together, could not endure. The world persisted for the 26 generations between Adam and the giving of the Torah because there were 26 tzaddikim (Noach, Shem, Ever, the Avos, et al) who devoted themselves to Torah.

Based on sefer *Kli Yakar MD*

(Rav Leff—Continued from page 1)

Reb Yechezkel Abramsky said that Eishes Yafas Toar is the foundation of the entire Torah. The Torah permitted a woman in time of battle because it is beyond the capabilities of a human being to control himself in such a situation. It follows that when the Torah does forbid something, it must be that it is within the person's capabilities; otherwise, the Torah would have permitted it.

In Avos d'Rabbi Noson it says that that which led Adam to do the *chet* (sin) was that he added a fence onto the mitzvah: He instructed Chava that it was prohibited to touch the tree, as well as eat its fruit. This Midrash explains that Adam had added something that was impossible to keep. They couldn't walk around the garden without touching the trees. It was impossible not to.

Then, Chava replied that it wasn't true, since most of the trees were permitted. Only two trees were forbidden. Only those things that are damaging are forbidden to us. So it was necessary to persuade her that the tree was not damaging. The snake told her that not only would she not die upon touching the tree, but she would become like G-d. So the next thing that the *yetzer hora* tries to convince you is that even if not everything is prohibited, and it is possible to keep the mitzvah, but no harm will come to

you if you do what is forbidden, and it may even be beneficial.

The truth is that the sin is dangerous. How does a person fantasize that the sin is not dangerous and is worthwhile? For that, you need a good imagination. The snake opened Chava's eyes, and made it seem like the tree was good to eat, even though it wasn't. But she only imagined that it was good to eat. “*V'taivah hu l'eynaim*.” That fires a desire for the object. “*V'teirah haisha ki tov haetz l'ma'achel*.” She saw that it was good to eat, but she couldn't yet taste it. “*V'nechmad ha'etz lehaskil, v'taivah*”

The first thing a person does when he wants to do something wrong is to convince himself that nothing is permitted. It's oppressive. It's impossible to keep all of this. If it's impossible to do, it follows that there's nothing wrong with doing it.

l'eynaim.” These phrases represent the three kinds of desire: physical, esthetic (*vateirah*) and intellectual (*l'haskil*). We are liable to be enticed by any one or all of them.

What happened? She proceeded to eat, giving in to her desire. As a result, the *yetzer hora* became a part of her, and of us. What happens afterwards—when you can view things objectively again—is that you wake up and realize what you've done, and feel ashamed and foolish. Then, either the *yetzer* leaves you and you can do *teshuva*; or it continues to work on you, and deny that you did anything wrong. Adam blamed it on his wife. She, in turn, blamed it on the snake.

To be continued... MD

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(Living Education—Continued from page 3)

the Rashba a number of times along with the rest of the shiur until suddenly he understood the Rashba and he told Rav Veissbloom of his great find. Rav Veissbloom gave him a tremendous complement. From that point onward, said Rav Veissbloom, the student's mind began to open up and he eventually became a talmid chochom.

Students should be encouraged to achieve on their own, as the posuk states (בראשית א:כח) פרו ורבו—*be fruitful and multiply*—succeed in your own learning and use that as a springboard for future achievements.

When a student achieves on his own, he is filled with a feeling of simcha. The same clarity which pushes a student to nod his head in tacit agreement when he hears it from his Rebbe, turns into an excitement of simcha, a feeling of discovery, when he reaches the understanding on his own. This is why there is a mitzvah of simcha on Yom Tov and not on Shabbos, according to the Sefas Emes

("עוד"ה" ד"ה 84 עמ' פס) for Shabbos is given to Am Yisrael as a gift, without effort, while Yom Tov is decided upon by Beis Din, as representatives of Am Yisrael, and this self-achievement fills one with simcha.

The students should feel they come away from the shiur with clarity, with inspiration and with a satisfaction that they are engaged in words of wisdom.

Overburdening Students: A teacher should not overburden his students or confuse them, unless he feels it is beneficial for their achievement.

Just as Hashem let His creation rest between days and on Shabbos, so too a Rebbe should give his students time to rest, review and digest the material learned that day. This time for rest should be considered an integral part of the student's day and as a creative act in itself, just as Hashem used the word for creation וי'ה to refer to the lull between days of creation.

To be continued... MD

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Halacha L'Maase
by HaQaon R' Shammai Kahas Gross

Shemen Serayfa
(Oil from Trumah that has become *tameh* and awaits burning.)

1. A Kohen can use *shemen serayfa* to light Chanukah candles. There is no issue of its being deficient in measure because the only measure that applies to the Chanukah candle is that it burn a certain amount of time. Also there is no issue of doing mitzvos in bunches (הבילות הבילות) because he is not doing two actions at once, but simply fulfilling two mitzvos at once. And there is no issue of burning kodshim at night (which is forbidden), because most poskim hold that that does not apply to chalah or to trumah that has become tameh.
2. Also on erev Shabbos Chanukah it is permitted to light candles from *shemen serayfa*. But it is forbidden to light candles from *shemen serayfa* on Yom Tov because *kodshim* should not be burned on Yom Tov, and this applies to *shemen serayfa* as well. It is forbidden to use *shemen serayfa* for holiday candles even if the candles are lit before night, because the woman takes the holiday upon herself in lighting the candles and it is considered, therefore, as though the oil were being burned on the holiday itself.
3. If a Kohen uses *shemen serayfa* to light his Shabbos candles, a Yisroel is also permitted to benefit from its light. Even if the Kohen walks away, the Yisroel can benefit from the light since the oil was first set alight by the Kohen according to the halachah. According to the Rambam in *Hilchos Trumah* (11:16-17), a Yisroel who has no oil from *chulin* to light the Chanukah candles can use *shemen serayfa* from Trumah which has not yet come into the possession of a Cohen. In addition, he writes that *shemen serayfa* can be used to light candles in synagogues and batei midrash that are not in the *rishus* of a Kohen (since there are Kohanim among those who are present.) If it is certain that there are no Kohanim, the poskim are divided on the matter, some permitting, some forbidding using the *shemen serayfa*.
4. A Kohen may not take *shemen serayfa* out of the land of Israel. He has to burn it in the land of Israel.
5. *Shemen serayfa* can be used to make a fire on Lag B'omer since it is in any case supposed to be burned. MD

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