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Eiruvin Daf 21

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Daf Notes is currently being dedicated to the neshamah of

**Tzvi Gershon Ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

**The Chachamim only allowed one to use the boards of the well for the animals of the Jewish pilgrims on the festivals.**

Rabbi Yitzchak bar Adda said: The Chachamim only permitted people to enclose the area of the well with boards for the use of the Jewish pilgrims who would come to Jerusalem for the festivals and needed to draw water. This means that the permit was for the animals of the pilgrims, but if a person wished to drink from the well, he would have to climb into the well and drink inside the well. And although Rav Yitzchak said in the name of Rav Yehudah, who said in the name of Shmuel that the boards for the well are only permitted for a well that contains spring-water which is a natural spring, and to an animal – it makes no difference if the well contains running water or collected water, this only means that the water must be fit for human consumption, but the permit of the boards was specifically for the animals of the pilgrims.

A *braisa* stated: If the well was too wide for a person to manage to climb inside (*for he could not brace himself on its walls*), then even a person was permitted to rely on the boards enclosing the well area in order to draw water. A man must not draw water and hold it before his animal (*to drink*) on the *Shabbos*, but he draws water and pours it out (*into a trough*) and the animal drinks of its own accord.

Rav Anan asked: If so, what was the use of the wooden boards around the wells?

The *Gemora* wonders: “What was the use?” you ask; surely it is to enable people to draw water from the wells!?

The *Gemora* explains Rav Anan’s question: Of what use is it that the head and the greater part of the body of the cow is within the enclosure? [*If he is merely placing the bucket down before the animal, why is it necessary to for the animal to be inside the enclosure?*]

Abaye explained: Here we are dealing with a trough that stands in a public domain, and one that is ten *tefachim* high and four *tefachim* wide (*making it into a private domain, one where it would be permitted to carry on top of it*), and one of its sides projects into the area between the *pasei bira’os*. (20b - 21a)

**In Babylonia, the huts that are outside the city are not included in a town’s boundaries, and the ruling regarding the boards for wells only applies in *Eretz Yisroel* and Babylonia.**

Rav Yirmiyah bar Abba said in the name of Rav: The boundaries in the towns of Babylonia did not extend to include huts that were placed outside the town’s limits. [*Normally a temporary hut would be viewed as a house and we would measure the edge of the town from the location of the house that is the furthest from the town, provided that the house or houses are within seventy and two third Amos from each other. The reason the leniency of huts does not apply in Babylonia is because flash floods*



were common in Babylonia, which could wash the huts away. In other lands where floods were not common, the ruling regarding huts did apply.] The law of the well boards allowing one to draw water from a well only applied in *Eretz Yisroel* and in Babylonia, but not in the rest of the Diaspora, because *Mesivtos*, study halls, were not prevalent in the Diaspora. [In *Eretz Yisroel* and in *Babylonia*, students were constantly traveling back and forth to cities that had *Mesivtos*, and they were therefore permitted to draw water from a well enclosed by boards.]

An alternative version in the *Gemora* states that the ruling regarding huts and the boards used to enclose wells did not apply in Babylonia or any land outside of *Eretz Yisroel*. This version maintains that the ruling of huts did not apply in other lands because thieves would steal the huts, so they are not significant enough to be viewed as houses. The reason this version maintains that the boards for enclosing wells was not applied in Babylonia is because there was sufficient water from streams in Babylonia, and people did not have to depend on well water. The Chachamim permitted the use of the boards enclosing the wells in *Eretz Yisroel* because *Eretz Yisroel* depends primarily on rainwater, not on streams. (21a)

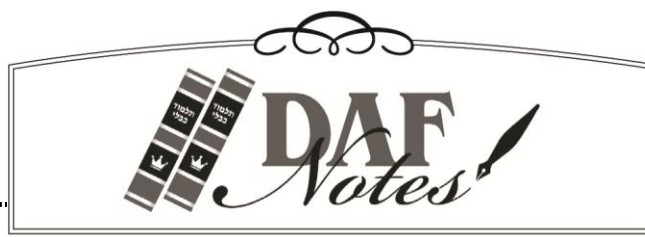
Rav Chisda said to Mari, the son of Rav Huna, the son of Rav Yirmiyah bar Abba: People say that you walk on the *Shabbos* from Barnish to Daniel's Synagogue, which is (a distance of) three *parsa'os* (a *parsah* is equivalent to four *mil*, and a *mil* is 2,000 *amos* – the distance one is permitted to walk on *Shabbos*); what do you rely upon (to walk so far)? Are you relying on the isolated huts (that are located at intervals of seventy *amos*)? But didn't the father of your father say in the name of Rav that the law of isolated huts is not applicable to Babylonia? The other (Mari) went out and showed him certain ruined settlements (between Barnish and Daniel's Synagogue) that were contained within seventy *amos* and a fraction (of each other). (21a)

**The whole world is one part in three thousand two hundred of the Torah.**

Rav Chisda said: Mari bar Mar expounded the following verse: *To every goal I have seen a limit, but Your commandment [the Torah] is very broad.* Dovid did not define the limit of the Torah. Iyov said: *longer than the earth is the Torah's measure, and wider than the seas,* and Iyov also did not define the limit of the Torah. *Yechezkel* said: *then he spread it [a scroll of the Oral Law] out before me, and it was inscribed within and without, and in it was inscribed lamentations, rejoicing, and woe.* *Yechezkel* also did not define the limit of the Torah.

The *Gemora* explains this last verse: '*Lamentations*' refers to the travails of the righteous in this world, for so it is said: *This is the lamentation and they shall lament;* and '*rejoicing*' refers to the reward of the righteous in the World to Come, for so it is said: *With singing, accompanied by the harp;* and '*and woe*' refers to the travails of the wicked in the World to Come, for so it is said: *Calamity shall come upon calamity.*

The *Gemora* returns to the subject matter: Zechariah ben Iddo defined the limit of the Torah, because it is said: *and He said to me, "what do you see?" and I said, 'I see a folded scroll, its length is twenty amos and its width is ten amos.* This refers to the *amah* of Hashem, so to speak. Unfolding the scroll would make the scroll twenty *amos* square, and the verse quoted above from *Yechezkel* states: *and it [the scroll of the Oral Law] was inscribed within and without,* meaning that it was inscribed on both sides. By peeling the scroll from the front so that the two sides of the scroll would be one, the total would be forty *amos* by twenty *amos*. It is said: *Who measured with his foist the sea; and the heavens with a span He gauged. [A handspan is half an amah, so a square handspan is a quarter of a square amah.] [The heavens thus measured one divine handspan square, and] this teaches us that the entire world is one part in three thousand two hundred of the Torah. (21a)*



**Good figs symbolize the righteous and bad figs symbolize the wicked.**

Rav Chisda said: Mari bar Mar expounded the following verse: It is said: *and behold two pots of figs were prepared before the sanctuary of Hashem, one pot contained figs that were very good, like the figs which ripen first; and the other pot contained figs that were very bad, which could not have been eaten because they were so bad.* The Gemora explains that the good figs symbolize those who are completely righteous, and the bad figs symbolize those who are completely wicked. Nonetheless, it is said: *the pots [literally, the violets, but here interpreted homiletically] emitted a fragrance,* which implies that even the other pot, i.e. the wicked, will eventually emit a fragrance. (21a - 21b)

**Jews who have not sinned are likened to a good fragrance and Jewish women inform their husbands regarding their menstrual cycles.**

Rava expounded: It is said: *the violets emit a fragrance,* and this refers to the young Jewish men who never tasted the flavor of sin. The continuation of the verse: *and at our doors are all fine fruits,* refers to Jewish women who inform their husbands that they have menstruated, so they will abstain from contact as proscribed in the Torah. Another interpretation of the latter part of the verse is that the women close their openings for their husbands, i.e. they are loyal to their husbands. (21b)

**There are two interpretations for a verse stating new ones and old ones.**

It is said: *new ones as well as old ones, my Beloved, I have hidden for you.* The Jewish People said before Hashem: Master of the universe, I have accepted on myself more restrictions than you have placed on me, and I have observed these rabbinic restrictions also.

Rav Chisda asked a certain scholar what the words *new ones as well as old ones* refer to, and the scholar responded that the verse refers to lenient and stringent commandments. Rav Chisda questioned this interpretation, because the Torah was only given once. Rav Chisda then interpreted the verse as follows: *old ones* refer to laws given at Sinai, and *new ones* refer to *Divrei Sofrim*, laws instituted by the Chachamim. (21b)

**One who violates the words of the Chachamim is liable the death penalty.**

Rava expounded: It is written: *and more than these, my son, be heedful, the making of many books* etc. This means that one should heed the words of the Chachamim more than the words of the Torah, because the words of the Torah contain positive and negative commandments, with various levels of punishment, whereas one who violates the words of the Chachamim is liable the death penalty. The words of the Chachamim were not written in the Torah because an endless amount of books would have been required to write all the rulings of the Chachamim.

*And much study is a weariness of flesh.* Rav Pappa, the son of Rav Acha bar Adda stated in the name of Rav Acha bar Ulla: This teaches us that he who scoffs at the words of the Sages will be condemned to boiling excrements.

Rava asked: Is it written: *'la-ag'* (with an *'ayin'*) - 'scoffing'? The expression is *'la-hag'* (with a *'hey'*) - 'study'?

Rather, this is the exposition: He who studies them (*the Torah*) feels the taste of meat. (21b)

**Rabbi Akiva was meticulous to wash his hands in prison even when there was insufficient water for him to drink.**

The Gemora cites a *braisa*: The Romans imprisoned Rabbi Akiva for teaching Torah, and Rabbi Yehoshua Hagarsi



attended to his needs. Every day Rabbi Yehoshua Hagarasi would bring Rabbi Akiva a measured amount of water. One day the prison guard said that there was too much water being brought, and he suspected Rabbi Akiva of attempting escape, claiming that Rabbi Akiva would use the water to soften the ground of the prison so he could dig an escape tunnel. The guard poured out half the water, which Rabbi Yehoshua brought to Rabbi Akiva. Rabbi Akiva requested that Rabbi Yehoshua give him the water so Rabbi Akiva could wash his hands before eating bread. When Rabbi Yehoshua pointed out to Rabbi Akiva that there would not be sufficient water with which to drink, Rabbi Akiva responded that it would be better for him to die because of thirst than to transgress the words of the Chachamim who mandated that one wash his hands before eating bread. Rabbi Akiva did not eat until he washed his hands, and the Chachamim, upon hearing this incident, commented that Rabbi Akiva must have been even greater when he was younger and when he was not in prison, more than he was now, old and incarcerated. (21b)

**Shlomo HaMelech instituted the laws of Eirubin and washing one's hands.**

Rav Yehudah said in the name of Shmuel: When Shlomo HaMelech instituted *eirubin* and the washing of the hands, a Heavenly Voice came forth and declared, "My son, if your heart is wise; My heart shall be glad as well." And it is written: "My son, be wise, and make my heart glad - that I may answer he who disgraces Me."

Rava expounded: It is said: *Come, my Beloved, let us go out to the field, let us lodge in the villages. Let us arise early to the vineyards, let us see if the vine has flowered, the grape blossom has opened, the pomegranates are in bloom; there I will give my love to You. Come, my Beloved, let us go out to the field* is interpreted as follows: The Jewish People say to Hashem: "Master of the universe, do not judge me like those who reside in the cities, where theft, immorality, vain oaths and false oaths are

prevalent. Rather, *let us go out to the field*, i.e., I will show you Torah scholars studying Torah amidst dire poverty. *Let us lodge in the villages*. Do not read the word *bakefarim* (in the villages) but read it *bakofrim* (among those who deny the existence of Hashem). The descendants of Esav have been granted prosperity and yet they still deny Hashem. *Let us arise early to the vineyards* refers to the synagogues and study halls. *Let us see if the vine has flowered* refer to those who study Scripture. *The grape blossom has opened* refers to those who study *Mishna*. *The pomegranates are in bloom* refers to those who study *Gemora*. *There I will give my love to You* is interpreted to mean: "I will show you my glory and my greatness, the praise of my sons and daughters."

Rav Hamnuna said: What are the allusions in that which was written: *And he spoke three thousand parables; and his songs were a thousand and five*? This teaches us that Shlomo uttered three thousand parables for every single word of the Torah and one thousand and five reasons for every single word of the Sages.

Rava expounded: It is said: *and besides being wise, Koheles [Shlomo HaMelech] also taught knowledge to the people, he listened, and sought out and arranged many proverbs. He taught knowledge to the people* means that Shlomo taught the Torah and the *Mishna* with the symbols of cantillation, and Shlomo explained the Torah with analogies. *He listened, and sought out and arranged many proverbs* means Shlomo HaMelech made handles for the Torah (which means that Shlomo HaMelech instituted the laws of *eiruvei chatzeiros* and that one must wash his hands before eating bread; they were safeguards against violating the Biblical prohibition of carrying from a private domain into a public one, and that sacred food should not become tamei). (21b)

**Torah scholars study Torah in poverty and those who study Scripture, *Mishna* and *Gemora* are praiseworthy.**

It is written: *His locks are curled*. This, said Rav Chisda in the name of Mar Ukva, teaches us that it is possible to pile up mounds of expositions on every single point (*of the letters of the Torah*). And black as a raven: With whom do you find these? It is with one who, for their sake (*the words of Torah*), comes early in the morning, and remains late in the evening in the study hall.

Rabbah explained: You find these with one who, for their sake (*the words of Torah*), blackens his face like a raven (*due to his exhaustion from studying*).

Rava explained: You find these with one who can bring himself to be cruel to his children and household like a raven, as was the case with Rav Adda bar Masna: He was about to go away to the study hall when his wife said to him, "What shall I do with your little children (*to feed them*)?" He retorted, "Are there no more wild vegetables in the marsh?" (21b – 22a)

## INSIGHTS TO THE DAF

### *The Origins of Netilas Yadayim*

Before eating bread, we wash our hands and recite, "Blessed are You, Hashem...Who sanctified us with His commandments, and commanded us concerning *netilas yadayim*." What are the origins and the reasons behind this Rabbinic commandment? Our *Gemara* explains that Shlomo Hamelech originally enacted that the Kohanim must immerse their hands in a mikveh (see Maharsha) before touching *korbanos*. If a Kohen would touch *korbanos* without first immersing his hands, he would render them *tamei*. He instituted this practice in order to heighten the Kohanim's sensitivity to the importance of maintaining ritual purity in the *Beis HaMikdash*.

Hillel and Shammai attempted to expand upon this enactment, by requiring washing hands before touching *terumah*. However, their decree was not accepted until a

later generation when their students succeeded in including it as one of the eighteen enactments instituted in the attic of Chananyah ben Chizkiyah ben Garon.

Rashi's teachers and the Rambam explain the reason for this second enactment of *netilas yadayim* because of a concern for *tumah*. Rashi himself, however, asks that if this was their concern, what did they gain by requiring washing the hands? If a person was in fact *tamei*, he would need to immerse his entire body in a mikveh to purify himself, and not merely wash his hands. The Acharonim explain (see *Mishna Acharonah Yadayim 3:1*) that *netilas yadayim* for *terumah* was based on an earlier enactment, before Shlomoh Hamelech and not mentioned in our *Gemara*, that when a person touches something that is itself *tamei*, but cannot impart *tumah* to others (*midoraisa*), his hands become *tamei*. To remove this limited form of *tumah midrabanan*, it suffices for one to wash his hands. Based on this, the students of Hillel and Shammai instituted a further enactment that one must always wash his hands before touching *terumah*, for concern that he might have unknowingly touched such a limited form of *tumah*.

Rejecting the interpretation of his teachers, Rashi (s.v. *netilas yadayim*) explains that the enactment of *netilas yadayim* was for the sake of cleanliness. By touching *terumah* with dirty hands one might ruin it, thereby transgressing the prohibition against causing *terumah* to become inedible. Our Sages wished to accustom the Kohanim to refrain from touching *terumah* with dirty hands, and for this purpose they enacted *netilas yadayim*.

Later, the Sages required every one of us, Kohen and Israelite alike, to wash hands before eating bread, in order to familiarize the Kohanim with *netilas yadayim* for *terumah* (Chullin 106a; Magen Avraham O.C. 158). Today we are all *tamei*, and the Kohanim do not eat *terumah*. Nevertheless, the Rabbinic enactment to wash hands for bread remains. When the *Beis HaMikdash* will be rebuilt (may it be soon, in our days), we will already be familiar

with the practice of *netilas yadayim* (Mishna Berurah 158:1).

According to Rashi, the only reason we wash before eating bread is to ensure that the Kohanim wash for *terumah* (See Rashba, *ibid.*). However, Tosafos (*ibid.*, s.v. *mitzvah*) and Smag add that our Sages instituted the practice of washing hands for bread in order to encourage cleanliness and *kedusha*. Since the table upon which one eats is compared to a *mizbeiach*, one must conduct himself with the necessary *kedusha* during his meals. They based this enactment on the *possuk*, “Sanctify yourselves and be holy.” (Vayikra 11:44. See Keren Orah, Sotah 4b).

Tosafos agree that that *netilas yadayim* for bread was meant to ensure that the Kohanim wash for *terumah*, (as is explicit in *Maseches Chullin*, *ibid.*). Why then did they need to present the additional reason of cleanliness and sanctity?

If a person washes before beginning his meal, he fulfills the enactment to familiarize Kohanim with *netilas yadayim* for *terumah*. Even if his hands would be sullied during the meal, he would not need to wash again. However, our Sages instituted a second decree to wash hands again before continuing the meal, in order to maintain an added degree of sanctity.

## DAILY MASHAL

### ***Emunas Chachamim, Faith in our Sages***

The *Gemora* states that the words of the Chachamim were not written in the Torah because an endless amount of books would have been required to write all the rulings of the Chachamim. What is the meaning of this statement? Is it beyond Hashem’s ability to write all the rulings of the Chachamim? Furthermore, the *Gemora*<sup>1</sup>

<sup>1</sup> Nedarim 22a

elsewhere states that if the Jewish People had not sinned, they would only have received the Five Books of Moshe and the Book of Yehoshua, which contains the details of *Eretz Yisroel*. This implies that more writing is not beneficial, but in fact a punishment. This statement also requires explanation, because the words of the prophets contain many teachings, as is evidenced in our *Gemora*. Let us understand what the *Gemora* means by rulings of the Chachamim. Certainly most Rabbinic rulings find their origins in the Torah. Even the laws of *muktzeh* are a subject of dispute between the Ramban and Raavad as they debate the source for *muktzeh* in the Torah with regard to performing forbidden acts of labor on Shabbos. What, then, is meant by the words of the Chachamim that are not recorded? Regarding the incident with Rabbi Akiva recorded in the *Gemora*, where Rabbi Akiva refused to eat bread until he washed his hands, we see a tremendous *mesiras nefesh*, sacrifice, on Rabbi Akiva’s part, to fulfill the words of the Chachamim. Rabbi Akiva chose death by thirst rather than the death penalty that one incurs for violating the words of the Chachamim. This does not only refer to the actual violation of the words of the Chachamim, but also to the *Emunas Chachamim*, the faith that one must have in the Sages. Perhaps this is the explanation of the cryptic statement that Rabbi Akiva made to Rabbi Yehoshua Hagarsi. Rabbi Akiva said, “Yehoshua, do you not know that I am old and my life depends on your life?” What did Rabbi Akiva mean by this? Perhaps Rabbi Akiva was intimating that the opposite was true. The *Gemora*<sup>2</sup> states that Rabbi Tarfon said to Rabbi Akiva “whoever separates himself from you is considered to have separated himself from life. The Chachamim symbolize life, as the Medrash states, just like a dove cannot fly without wings, so too the Jewish People cannot survive without their elders. Rabbi Akiva was hinting to Rabbi Yehoshua Hagarsi that he was required to wash his hands before eating bread, because adhering to the words of the Chachamim is the only way to be considered truly alive.

<sup>2</sup> Kiddushin 66b



## ***Every Jew has Redeeming Qualities***

In Yermiyahu HaNavi's prophecy, he saw two barrels of dates in the Beis HaMikdash. One barrel was filled with good figs, and the other was filled with rotten figs. The *Gemora* explains that the good figs represent the righteous Jews, whereas the rotten figs represent the wicked Jews. The *Gemora* then assures us that even the rotten dates are destined to give off a pleasant fragrance, since even the most misguided Jew has precious, redeeming qualities (see Maharsha).

The Torah uses the symbolism of a pleasant fragrance to represent the good aspects of the wicked Jews, since this was hinted to in the *Ketores*, which contained among its ingredients galbanum, a foul smelling substance. When mixed together with the other ten spices of the *Ketores*, the Galbanum also exuded a pleasant fragrance (Rif on Ein Yaakov).

## ***Rabbis Safeguard Against Assimilation, As It Leads To Inter-marriage***

By Rabbi Frand

The last pasuk [verse] of Parshas Achrei Mos states: "You shall safeguard My charge that these abominable traditions that were done before you not be done, and not make yourselves impure through them. I am Hashem, your G-d." [Vayikra 18:30]. The Talmud derives the idea of making a fence around the Torah from this exhortation to "safeguard" the commandments (Mishmeres l'mishmarti) [Moed Katan 5a; Yevamos 21a].

If people would only observe the strict Biblical commandments and not observe the Rabbinical safeguards that were added later, we would not recognize what we now call "observant" Judaism. Shabbos observance is a totally different experience because of the Rabbinical enactments that "safeguard" the basic prohibitions of labor. The scope of virtually every area of halachic restriction that we practice has

been greatly expanded by virtue of the principle of "make a safeguard for My charge."

Sometimes one could question the extent of "Rabbinical fences" and wonder whether the rabbis didn't go "too far." We look at some "D'Rabanans" and say, "this is a little too far fetched; we'd never make a mistake over here." But we need to understand that the Rabbis were extremely wise, and knew exactly what they were doing. Their basic intent many times was not so much concern with stopping a specific violation, as with creating a certain atmosphere. They were interested in establishing a pervasive attitude.

I recently taught my Yeshiva class about the laws of consuming food prepared by non-Jews, which are in the Talmud, in Tractate Avodah Zarah. There are prohibitions against eating food prepared (under certain circumstances) by a non-Jew; of drinking wine that is so much as touched (under certain circumstances) by a non-Jew. The rationale behind all of these Rabbinic prohibitions is "lest we come to intermarry with them" (mi'shum chasnus).

One can ask, if the food only contains Kosher ingredients and I take it into the confines of my own home, why should the fact that it happened to have been cooked by a non-Jew be any cause for concern that I might come to marry a non-Jewish woman? Isn't that far-fetched?

The Rabbis were not worried that if someone ate something cooked by a non-Jew, they would immediately go out and marry that person. Rather, they were interested in creating an atmosphere that shouts to us "we've got to remain separate." Once we start breaking down the little things and start tampering with the atmosphere, we are quickly left with what we have today in the United States of America: over fifty percent intermarriage. We no longer have an atmosphere of separation.



The following is excerpted from a column by the rabbi of a Reform congregation in Miami, Florida:

"We think that intermarriage leads to assimilation, but it is the other way around. We marry people like ourselves. The average middle-class Jew is as different from the average middle class Gentile as your average Hutu is different from your average Tutsi. I know Rabbis aren't supposed to say things like this. We are supposed to fight assimilation tooth and nail. But to be honest I am about as assimilated as you can get. Put me in a lineup of the average middle class goy [sic] and the only way you could tell us apart is to play a Jackie Mason tape and see who laughs. The truth is our kids don't intermarry. They marry people just like themselves. People who eat stone crabs marry people who eat stone crabs."

The rabbi has it exactly right. People are not intermarrying. They are marrying people exactly like themselves. The reason why a strictly religious person would not contemplate marrying a non-Jew (or vice-versa) is because they are so different. Those who follow the Rabbi's safeguards live in an environment nearly as different from that of the average middle class American non-Jew, as either of those environments are different from that of the average Tutsi. The cross-cultural divide is too great. The groups are too different from each other, so they do not intermarry. It would be like marrying someone from a different planet. But if someone eats like them and talks like them and dresses like them, then it is not intermarriage at all. It is marrying within one's own kind.

He wrote further: "As far as religion goes they both have the same fake sense of spirituality. They both believe in a G-d without being able to define either belief or G-d. They both hold goodness above theology and righteousness above tradition. Religion does not matter to most of our kids. We tried to make it matter and we failed. They don't intermarry. They marry the same kind."

This all started because of an attitude that said, "so what if I go ahead and eat food cooked by non-Jews? So what if I drink a cup of wine with them? It's kosher food! It's kosher wine!" Once one breaks down the "safeguard of My charge" then anything can happen.

Therefore, when we see Rabbinic decrees that sometimes strike us as being far-fetched or even absurd -- we need to step back and acknowledge that the Rabbis knew exactly what they were talking about. They wished to create an attitude and an atmosphere, as the Torah instructs: "Make a safeguard for My charge."

Those who mock the concept of making a safeguard for the Biblical laws should go out and look at what is happening in the world. The alternative is all too readily present for us to painfully witness. People who eat stone crabs marry people who eat stone crabs.

<http://wap.torah.org/learning/ravfrand/5764/achareimos.html>

## ***Fences of Holiness***

By Rabbi Zev Leff

Do not imitate the practice of the land of Egypt in which you dwelled; and do not imitate the practice of the land of Canaan to which I bring you, and do not follow their traditions (Vayikra 18:3).

The common theme running through Acharei Mos, Kedoshim and Emor is the kedushah (holiness) of Klal Yisroel and the need for its preservation and protection. In Acharei Mos, we are enjoined not to behave in the depraved manner of the Egyptians and Canaanites (Vayikra 18:3). The question is asked: Why did the Torah command us only with respect to the extreme depravity of the Egyptians and Canaanites? Part of the answer lies in the verse that concludes this parashah and sums it up: "And you shall guard My observances" (Vayikra 18:30). Chazal (Yevamos 21a) derive from this verse the need to make fences around the Torah.





Those fences include general rabbinic decrees designed to distance one from transgressing Torah law and the specific protective measures each individual must implement in his own life to protect himself in areas of personal vulnerability. The Torah is not merely exhorting us not to lead immorally depraved lives, but warning us that if we do not implement safety measures to prevent us from such depravity, we will sink to the lowest level, that of the Canaanites and Egyptians.

Often we hear those who do not understand the true nature of rabbinic legislation complain that the Rabbis made observance much more difficult, complicating our lives with extra prohibitions and restrictions. The following analogy demonstrates the fallacy of this argument. A group of people are situated on a mountaintop which ends in a sheer cliff and a drop of several thousand feet. One civic-minded member of the group erects on his own initiative a safety fence to prevent anyone from venturing too close to the edge of the cliff and falling off inadvertently. Would anyone complain that the fence limited his freedom of movement by making it less likely that he plummet off the mountain to his death?

One who appreciates the seriousness of transgressing a Torah law - the devastating effects of such transgressions on one's neshamah, one's eternal life and the world in general - surely feels more secure knowing that safety fences have been erected to make it more difficult for him to inadvertently transgress.

Thus, the first function of rabbinic "fences" is to prevent one from transgressing Torah prohibitions inadvertently. For instance, the prohibition on handling certain objects associated with prohibited activities on Shabbos. The danger of inadvertently striking a match on Shabbos is drastically reduced if one never touches matches. Similarly, the rabbinic prohibition on trapping any animal on Shabbos reduces the chance of confusing animals that we are permitted to capture and those which we may not according to Torah law.

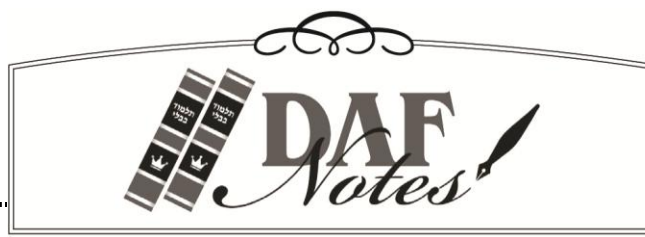
Nevertheless, there are rabbinic prohibitions that seem excessively far-fetched as protective enactments. Sometimes this is because we lack Chazal's sensitivity to the potency of forces that may drive one to sin.

A congregant once asked me about allowing a sick old uncle to stay in an apartment usually occupied by his two teenage daughters. When I told him that his daughters could not remain there alone with their great uncle due to the prohibition of yichud (members of the opposite sex being alone together), he complained at the seeming absurdity of worrying in this case.

I was reminded of a story involving Rabbi Elya Lopian. A young bachur sought his permission to attend a relative's wedding. Reb Elya inquired if the women would be dressed modestly. The bachur replied that there would be non-religious people there, but, Baruch Hashem, he had reached a level where immodest dress no longer made an impression. Reb Elya gave him permission to attend the wedding, but only after he contacted one of Reb Elya's friends. The young man took the phone number and returned a few hours later to tell Reb Elya that he must have made a mistake because the number was a doctor's office.

"No," Reb Elya told him, "there was no mistake. I am a man in my late eighties, blind in one eye, and these things still affect me, but if they don't affect you, then I fear something is physically wrong with you and would like you to go see a doctor."

Hashem created us with extremely strong and potent physical desires, all of them intended to be used for important and holy purposes. But if not channeled properly, these desires can lead to the greatest impurity and defilement. Recognizing how potent these drives are, necessitates extreme caution and strong protective measures. Complaining of the stringency of Chazal's protections is like complaining about the protective lead-lined clothing one wears in a nuclear plant. If one



understands how dangerous the radioactivity-ity is, such protective measures are not viewed as excessive.

Chazal had a much surer sense than we of the power of these natural desires. I doubt there is any communal rabbi who does not know from his personal experience of people who were confident of their ability to restrain themselves without observing rabbinic-proscriptions and whose confidence proved badly misplaced.'

Other times, rabbinic rules work indirectly by instilling attitudes that reduce temptations to sin. The Rabbis, for instance, prohibited drinking wine touched by a non-Jew or eating food cooked by a non-Jew as a fence against intermarriage. On the surface, it seems ludicrous that drinking wine in the confines of one's home that has been touched by a non-Jew, or eating food cooked by a gentile and bought in a store could in any way make it more likely that one would marry a gentile.

That response, however, fails to comprehend the purpose of the rabbinic enactment, which is not designed to protect one against intermarriage with any particular non-Jew, but rather to create an all-pervasive attitude that is in itself a protective measure. The prohibition against eating food cooked by non-Jews and from drinking wine touched by non-Jews has effectively created an attitude of an absolute chasm between Jew and non-Jew. The mere knowledge that the food cooked by a non-Jew is forbidden engenders a feeling of separateness that makes the thought of intermarriage even more remote.

Similarly, the rabbinic strictures regarding chametz on Pesach have created a mind-set which makes it extremely unlikely that we will have any contact with chametz, though it is not something from which we naturally separate ourselves.

There is yet another aspect to rabbinic legislation. The Torah commands us to be a nation of priests, a holy nation. An aura of holiness must surround us, not just an

absence of external sin. True, being alone with the old sick uncle may not lead to immorality, but allowing a situation where immorality is even remotely possible is not holiness. Holiness demands removing oneself totally from any taint of anything that can be associated with immodesty. Rabbinic fences enclose us in an environment that reflects holiness and cordons off all that opens into unhappiness.

Thus, the observance of Rabbinic prohibitions reflects our holiness even more than observance of Torah prohibitions. Rabbeinu Yonah (to Pirkei Avos 1:1) writes:

It is very great and praiseworthy to make a fence to the Torah's mitzvos so that one who fears and respects God's word will not stumble into transgressing the mitzvah. One who observes the rabbinic laws that form the fences around the Torah shows more fear of God than one who fulfills the mitzvah itself. Performance of the mitzvah does not imply fear and respect as much as observance of the fences by one who is careful not to even come close to inadvertent transgression.

Thus rabbinic fences, besides protecting us from inadvertent transgressions, create an attitude of yiras shamayim and an environment of kedushah that enhances the performance of each and every mitzvah.

[http://www.shemayisrael.co.il/parsha/leff/archives/ach\\_kdsh.htm](http://www.shemayisrael.co.il/parsha/leff/archives/ach_kdsh.htm)

## ***A Fence Around the Torah – The Key to Yiras Shomayim***

Rabbi Zvi Sobolofsky

*“Asu syag laTorah – make a fence as a safeguard around the Torah laws” is the instruction given to us by the Anshei Keneset Hagedolah (Avos 1:1). Chazal (Yevamos 21a) derive this obligation to protect the mitzvos by enacting rabbinic decrees from the last passuk in Parshas Achrei Mos (Vayikra 18:30), “ushmartem es mishmarti”.*



While *gezieros d'rabanan* are found in all areas of *halacha*, a unique status was assigned to the safeguards protecting prohibitions of *gilui arayos* (prohibited relationships). We are taught (*Avos D'rabbi Nosson 2:1*) that the Torah itself enacted safeguards to protect us from violating the prohibitions of *arayos*. All physical contact is prohibited by the Torah itself. These prohibitions are to be a fence to protect us from committing actual *gilui arayos*.

*Chazal* extol the value of *sayagim* around *mitzvos*. *Shlomo Hamelech* is praised by Hashem for instituting *gezeiros* in the realm of carrying on Shabbos. *Chazal* (*Eruvin 21b*) consider this to be one of the greatest achievements of *Shlomo Hamelech*. Why are *gezeiros drabanan* so critical? Why is *Shlomo Hamelech* praised so lavishly for this *gezeira* that it even overshadows his other accomplishments, such as building the *beis hamikdash*?

The Ramban (*Shemos 20:8*) comments that all the negative commandments of the Torah are rooted in *yiras Hashem*. In contrast to the positive commandments which serve to express our *ahavas Hashem*, one expresses one's fear and awe of Hashem by refraining from what He prohibits.

In the realm of positive *mitzvos* one can express one's *ahavas Hashem* to different degrees. One who merely fulfills *mitzvos* in the basic form without embellishing on the beauty of their performance has only attained a certain level of *ahavas Hashem*. Performance of a *mitzvah* in the most beautiful way possible clearly demonstrates, and serves as a tool to enable us to grow in, our *ahavas Hashem*.

In the realm of *mitzvas lo taase* it is more difficult to differentiate between different levels of *yiras Hashem*. Isn't *yiras Hashem* exhausted by simply refraining from *issurim*? Where is there room for growth in abstaining from *aveiros*? Perhaps the key to growth in *yiras Hashem* can be found in the requirement of "*asu syag laTorah*". A

person who not only refrains from prohibitions, but also creates safeguards that **distance** him from violating the word of Hashem demonstrates his appreciation for *yiras Hashem*. One who does not have such safeguards, even if he technically does not violate any prohibition, clearly is lacking in *yiras Hashem*.

There are two distinct aspects of *yiras Hashem*. The elementary level is *yiras haonesh* – fear of punishment. The Rambam in *Hilchos Teshuva* emphasizes that everyone must begin with this basic level of fear. Hopefully, one's *yiras Hashem* will mature and reach the level of *yiras haromemus* – awe for the majesty of Hashem. We allude to these two levels of *yiras Hashem* in the *tefillah* for *mevarchim hachodesh*. We ask Hashem for many things during this *tefillah*. The only request that we repeat is our desire for a life full of *yiras Hashem*. Why do we repeat? Apparently we are asking for two distinct types of *yiras Hashem*. First we request *yiras shomayim v'yiras cheit*. *Yiras cheit* is the basic fear that *cheit* carries with it a punishment. When we beseech Hashem for *yiras shomayim v'yiras cheit* we are requesting that we refrain from *cheit* because of *yiras haonesh*. We then progress to requesting *ahavas Torah v'yiras shomayim*. This is a very different type of *yiras shomayim*. This is a *yirah* that stems from an appreciation of the greatness of Hashem. Just as *ahavas Torah* emanates from an appreciation of the beauty of Torah, so too this *yiras shomayim* of *yiras haromemus* comes from a realization of the absolute awesome power of Hashem.

*Asu syag laTorah* is the mechanism to demonstrate our *yiras Hashem*. It serves to indicate both *yiras haonesh* as well as *yiras haromemus*. One who truly views *cheit* as a spiritual poison and understands the severity of *onesh* involved with violating the word of Hashem will not suffice to passively abstain from *aveiros*. He will actively search for ways to guard himself from coming anywhere near *cheit*. Just as one who has poison in his house will not leave it out in a way that it may inadvertently be eaten, one who views *cheit* as spiritual poison will make



every effort to protect himself from any association with it.

*Yiras haromemus* is the corollary of *shivisi Hashem l'negdi tamid*. One who truly believes he is constantly in the presence of Hashem will be filled with the awe that is natural to be felt being in His presence. One who is in the king's palace is on his best behavior and scrutinizes his every action and word, lest he offend the king. If we are truly in the presence of *Melech Malchei Hamelachim*, how much more so are we obligated to guard ourselves not to violate the word of The King. We have to take extra precautions not to even come close to violating an actual *mitzvah*.

Shlomo *Hamelech* accomplished many great things during his lifetime. Part of his legacy to us is *Asu syag laTorah*. He taught us how to grow in our *yiras haonesh* and our *yiras haromemus*. It is through our dedication to *gezeiros drabanan* that we demonstrate to Hashem our desire for *yiras shomayim*. May we merit that Hashem grants all of us *chayim sheyesh bohem yiras shomayim v'yiras cheit, chayim sheyesh bohem ahavas Torah v'yiras shomayim*.

[http://www.torahweb.org/torah/2006/parsha/rsob\\_acharei.html](http://www.torahweb.org/torah/2006/parsha/rsob_acharei.html)

## ***Our Dual Relationship with the Secular World***

Rabbi Hershel Schachter

When Yaakov returned to *Eretz Yisroel* he “encamped” (“*vayichan*”) on the outskirts of the city Shechem (Breishis 33:18). The rabbis of the Talmud (Shabbos 33a) understand the *possuk* to imply that in addition he improved and “beautified” the city, either by instituting a coin system, or a public bath house, or a shopping mall. The *medrash* understands yet an additional level of interpretation on the phrase “*vayivhan*”, that Yaakov established his *techum* for *Shabbos* purposes. The *halacha* declares that at the start of *Shabbos* each Jewish person has to determine where “his home” is, and has a

very limited area around “his home” where he may roam about. Yaakov established his “home” and determined where his limited area of walking would be.

The Torah (*Breishis* 23:4) quotes Avraham *Avinu* as telling the *bnei Chet* (who lived in Kiryat Arba) that he was both a stranger and a regular citizen dwelling among them. These two terms are mutually exclusive! If one is a regular citizen, he is not at all a guest or a stranger – so how did Avraham describe himself as being simultaneously a stranger and a citizen? The answer obviously is that all religious Jews relate to the outside world about them in a dual fashion. In many areas we work along with everyone else as full partners. We all use the world together and have a reciprocal obligation towards each other to make it more livable and more comfortable. When we were born we entered into a world full of beautiful trees, a world with hospitals, medications, etc. Therefore we all have an obligation to provide for such conveniences and institutions for the next generation. All of mankind is considered one big partnership in a certain sense, just as people living in the same community are considered as belonging to a partnership, and are therefore obligated to contribute towards that partnership – in order to further develop it – in accordance with the wishes of the majority of the partners.

Yaakov *Avinu*, like his grandfather Avraham, felt obligated to establish shopping malls etc. to improve everyone's quality of living. Yes, we are all obligated to participate in all civic, scientific, and political enterprises which will enrich the lives of the entire community.

But at the same time the religious Jew has his own unique outlook on life and style of living. The tradition of the Talmud was, based on the *possuk* in Eicha (2:9), that although there is much *chochma* (knowledge and wisdom) to be gained from the secular world, but “Torah” (teaching a way of life and an outlook on the world) can not be picked up from the other disciplines. These can

only be acquired through the revealed truths of the Torah.

Avraham Avinu says that although he is on the one hand a full-fledged citizen, at the same time he feels he is a stranger amongst his non-Jewish neighbors, and not only does he lead his life differently from them, even after death he may not bury his spouse Sara in the regular cemetery. Even in death, the Jew stands alone. And similarly Yaakov, despite the fact that he's so involved in improving the entire society, nonetheless he feels it necessary to chart out his *techum*, indicating that he can not "go out of his box" to mingle freely with all of his neighbors. He is absolutely unique and alone. The Torah mentions the fact that the Jewish people always stands alone (see *Bamidbar* 23:9), and this is linked (*Devarim* 33:28) to the "standing alone" of Yaakov Avinu.

Immediately after the mention of the fact that Yaakov wanted his family to stand alone, the Torah relates what tragedy followed (*perek* 34) when Dina decided to disobey her father's instructions and "hang out" with the local girls her age.

The Torah commanded us ("*u'shmartem es mishmarti*" - *Vayikra* 18:30) to introduce safeguards to the *mitzvos*. Not only are we Biblically forbidden to carry in a *reshush harabbim*, we must also abstain from carrying in a *karmelis*, lest we forget and carry in a *reshus harabim*. Not only are we Biblically prohibited to eat meat cooked with milk, we should also avoid eating chicken with cheese, lest this will lead to eating real *basar bechalav*. Rabbi Moshe Chaim Luzzatto wrote in his classic work *Mesilas Yesharim* that the Torah's command to "erect a fence" ("*asu s'yag laTorah*" - *Avos* 1:1) about the *mitzvos*, to protect us from even coming close to sin, is not addressed only to the rabbis. Each individual must introduce personal "*harchakos*" (safeguards) depending on his or her particular situation.

The Torah relates (*Breishis* 35:2-4) that Yaakov disposed of all the *avoda zarah* (idols) in his possession which his

children had taken from Shechem. The commentaries point out that *avoda zarah* ought to really be burnt. Why didn't Yaakov destroy them? The suggestion is offered (see *Sforono*) that the people of Shechem had already been "*mevateil*" these *avoda zarahs*, so strictly speaking, they had already lost their status of *avoda zarah*. Yaakov's disposing of them was a *chumra* that he thought appropriate in his circumstance.

A man like Yaakov who is very involved in the outside world, establishing shopping malls, etc., has to accept upon himself additional *chumras* and *harchakos* to prevent himself from being swallowed up by the secular society around him. One who sits in the *beis hamedrash* all day long, or who lives in Bnei Brak or Meah Shearim doesn't really need all such extra *chumras* or *harchakos*; he's no where near the secular world.

The same word ("*vayichan*") which indicates how Yaakov acted in accordance with the concept of "*toshav*" (a regular citizen of the world), also has the additional connotation of drawing the lines for isolation through *techumin*. We all have an obligation to strike a proper and reasonable balance between our status as *ger* and *toshav*; and the more one functions as a *toshav*, the more that individual must personally emphasize that he is at the same time really a "*ger*".

[http://www.torahweb.org/torah/2005/parsha/rsch\\_vayishlach.html](http://www.torahweb.org/torah/2005/parsha/rsch_vayishlach.html)