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PARSHA ENCOUNTERS

21 Iyar 5769 / May 15, 2009

Parshas Behar-- Bechukosai ✍️ Rabbi Meir Stern

Rewarding Thoughts

"Im Bechukosai Teileichu V'es Mitzvosai Tishmiru Va'asisem Osum. V'nosati Gishmeichem B'eetum..."

If you will follow my decrees and observe my commandments ... I will provide your rains in their time and the land will give its produce..."

There is a well known Talmudic dictum, "*Schar mitzvah b'hai almuh leca*," there is no reward for *mitzvos* in this world. This world is for doing *mitzvos* and the next world is where we will receive our reward. If so why does the Torah say if we observe the *mitzvos* then we will receive the blessings of rain, plenty and peace, all of which are rewards in this world.

The *Tiferes Shlomo of Radomsk* gives us a new explanation of the *posuk* through which he answers this question. He says '*mitzvosai tishmiru*' is not referring to the performance of *mitzvos*, rather it means the anticipation of the mitzvah. We find a similar usage of the word '*shomar*' in the *posuk v'oviv shomar es hadovor*. *Rashi* explains this to mean that Yaakov was waiting for Yosef's dreams to come to fruition. Similarly, here *mitzvosai tishmiru*, is referring to a person's eager anticipation to perform the mitzvos, as if one is waiting to enter the king's treasury and take his fill of gold and precious stones.

The *Tiferes Shlomo* posits that there is a reward for this anticipation alone, and this reward we reap in this world. This reward does not diminish the reward for the actual performance of the mitzvah which is reserved for the world-to-come. Now we can understand the *posuk, Im bechukosai teileichu* and *v'es mitzvosai tishmiru* are both

talking about one's thoughts and anticipation for opportunities to do *mitzvos*. For this one will receive a great reward in this world.

With this the *Tiferes Shlomo* explains the *posuk*, '*shomer mitzvah lo yedah dovor rah*,' one who is *shomer mitzvah* will not have any evil befall him. We now understand that the *posuk* is telling us one who eagerly awaits to do *mitzvos* will not only be rewarded in the next world for all the *mitzvos* that he performs, but also in this world he will be protected and not have any evil befall him.

There is an astonishing revelation in the *Nefesh Hachaim* also regarding the thought process before doing *mitzvos*. He writes that as a person gets the idea to do a mitzvah, a 'light' of holiness comes down from the Heavens and surrounds him. This 'light' helps the person perform and complete the mitzvah. When he finishes the *mitzvah* the light becomes even greater and encourages and enables him to do many more *mitzvos*. This is what is meant when *Chazal* said, *Haboh litaher misayin osoh*, one who comes to purify will be helped from Heaven in doing so.

Sefiras HaOmer in its very nature is a time in which we think about and anticipate the upcoming *Zman Matan Torahseinu*. Let us utilize this time to the fullest and we will merit a complete *Kabalas HaTorah*.

Rabbi Stern learns daily at the kollel.

HALACHA ENCOUNTERS

Carrying on Yom Tov

Rabbi Shlomo Francis

The Torah states, regarding the types of melachoh that are permitted on Yom Tov: och asher yeachel lichul nefesh-except for what must be eaten for any person. Hence, many melachos including those permitted on yom tov may only be performed for ochel nefesh (food related) purposes. There is a concept known as "mitoch" (since) which states: "mitoch shehutra litsoreich hutrah nami shelo litsoreich" - since [the melachoh] is permitted for a [food related] need it is likewise permitted for a non-[food-related] need.

Hotzah is a melachoh that is usually necessary for food preparation and therefore the concept of mitoch applies. Thus one may carry for non food related needs as well. It is a common misconception that carrying on Yom Tov is always permitted. In truth, this is not the case. There are many stipulations limiting when one may carry and what one is permitted to carry. One who carries on Yom Tov without adhering to these stipulations, may be liable for malkus (lashes) for violating the prohibition of performing melachoh on Yom Tov (Ramah 518:1). On Friday evening, one is required to check his pockets before entering a rishus harabim (public domain). On yom tov, the prohibition of melachoh is not as severe as it is punishable by malkus as apposed to skilah (stoning) which is the punishment for violating Shabbos. Hagoan R' Moshe Shturnbach therefore questions whether one must check his pockets on yom tov for unnecessary items (Tshuvos Vihanhagos 348).

TSORECH HAYOM

Carrying on Yom Tov is only permitted for a tsorech hayom (a Yom Tov need). Something that is needed such as a machzor, may be carried without hesitation. One is not required to transport his Yom Tov necessities before Yom Tov to avoid carrying on Yom Tov. On Yom Tov itself one need not improvise or borrow to avoid carrying items that he truly needs.

An item that will not be used until after Yom Tov may not be carried. From a halachik standpoint, nightfall marks the beginning of the following day. Therefore, an item that one intends to use only after nightfall is not considered a tsoreich hayom. In chutz la'aretz a second day of Yom Tov is observed. These two days of Yom Tov are considered separate entities in the regard that it is prohibited to perform any melachah the first day for benefit on the second day. The period of time between shkiah (sunset) and tseis hakochovim (the appearance of the stars) is called bein hashemashos. In halachah, this time period has an intermediate status. It is treated as possibly part of the day and possibly part of the night. One may not do melachah before sunset if one will benefit from it only during bein hashemashos. Hagoan R' Akiva Eiger points out that even if one does melachah bein hashemashos for immediate benefit, it is possible that the benefit is being derived during what is halachikly considered part of the next day. Hagoan R' Shlomo Zalman Aurbach (quoted in Hilchos Hamoadim 2:22) concludes that during bein hashemashos one may do a melacha dirobanon for immediate benefit. However, a melachah dioraisah is forbidden to do at all.

CARRYING TO PREVENT A LOSS

According to the Remah (518:1), one may carry an item that is not necessarily needed that day to prevent a loss. For example, one staying in a hotel may carry his valuables with him if he feels that they are not safe in his hotel room. According to this view, because that leaving the valuables behind will cause the person distress, carrying them is considered a Yom Tov need. Many other poskim maintain that this is an indirect benefit and cannot be considered a tsoreich hayom. The Mishna Berurah concludes that one should follow to the stricter opinion. If, however, leaving the valuables behind would prevent the person from leaving the premises and thereby prevent him from attending a meal or other tsoreich hayom, he would then be permitted to take his valuables with him (Hilchos Hamoadim 5:8). If one intends to use the valuables on Yom Tov, then protecting them is considered a tsoreich hayom and is therefore permitted. Even when protecting ones possessions is considered a tsoreich hayom, it can only be viewed as such if they cannot be secured by other means. For example, protecting the contents of ones home from a burglary is a tsoreich hayom. Therefore, if one must carry a key to keep his home locked, it is permitted. If, however, one can hide the key or leave it with a neighbor then carrying the key is no longer considered a tsoreich hayom. If one's home does not contain items that are needed on Yom Tov, or if one will not be returning home early enough to benefit

from its contents on Yom Tov, in such cases protecting ones home cannot be viewed as a tsoreich hayom.

A POSSIBLE TSOREICH

An item that one might need that day may be carried on Yom Tov. For example, one may carry a change of clothing or diapers for a child if there is a chance they might be needed. The fact that these items are needed as a precaution renders them tsorechei hayom (Shulchan Shlomo 118).

The Mishna Berurah (518:10) quotes the Taz who permits one to indiscriminately carry a pocket knife on Yom Tov. According to this view, the fact that he may chance upon a fruit and the knife would then come in handy permits one to carry the knife throughout the day. Other poskim require a more probable need in order to be considered a tsoreich hayom. .

RIBBUI BISHIURIM

Carrying on Yom Tov for a Yom Tov need is not considered a forbidden act of melacha. By increasing the amount (ribui bishiurim) of items to which the melacha is done, one is merely performing the permissible act on a larger scale (B.Y.O.Ch. 331). Rav Moshe writes (IG" M O.Ch. 103) that one may carry an entire box of tissues even if he only needs a few. This is permitted even if he intends to use the additional tissues after Yom Tov. He may not, however, verbally express such an intent. Hagoan R' Shlomo Zalman Aurbach (Shulchan Shlomo 518) and Hagoan R' Elyashiv (Mivaksho Torah) write that this is only permitted if all the tissues are in one box or in one pocket. One who is carrying tissues in one pocket must check his other pockets for additional tissues (Shulchan Shlomo ibid). Additionally, one may not expend extra effort in order to carry more tissues. For example, if the tissue box has only a few tissues left, one may not search for additional tissues to fill the box, if the extra tissues will not be used on Yom Tov. Hagoan R M. Feinstein and Hagoan R S.Z. Aurbach only permit carrying more of the same item. Other poskim including the Debitsiner Rav (Be'er Moshe 3:93) and Hagoan R' Moshe Shturnbach (Tshuros Vihanhagos 348) permit one to carry other items as well.

HITIRU SOFO MISHUM TICHILASO

The Mishna Berurah (518:6) writes that if one is concerned that their machzor may be stolen or misplaced if left in shul, it may be brought back home. This is permitted even if one has no need for the machzor in his home and even according to the opinions that one may not carry to prevent a loss. The Mishnah Berurah explains that this is permitted because otherwise one might refrain from taking his machzor to shul in the first place. This concept is called hitiru sofo mishum tichilaso-the end result is permitted because of the beginning, i.e. chazal permitted returning the item home so one will not refrain from bringing the item there in the first place.

PRACTICAL APPLICATIONS

One attending a seuda with a young child may bring along a baby bag containing items that may be needed such as diapers and change of clothes if they are often needed. If the bag contains more diapers than necessary he need not remove them as they may be carried due to the concept permitting ribui bishiurim on Yom Tov. If, however, the bag contains other items that one does not need, according to R' Moshe they must be removed. When returning home, one should not carry these items unless he needs them at home. If he is concerned that they may be misplaced if he leaves them behind, he may bring them home due to the concept of hitaru sofa mishum tichiluso. Many shuls host a neilas hachag on the last day of Pesach. It is common practice that members of the shul bring leftover "Pesach food" to be eaten at the neilas hachag. As long as the neilas hachag begins a while before shkiah, the food may be carried on Yom Tov. The fact that there is a possibility that a food item may be eaten before shkiah renders the act of carrying it a tsoreich hayom. A food that one intends to serve for dessert may not be carried if dessert will not be served before shkiah. If one can ascertain that one serving of dessert will be eaten before shkiah, he may then carry the entire box based on the concept of ribui bishiurim. If one is only eating a single portion of the dessert to permit the carrying of the remaining desserts, it is considered an act of harama (legal trick). The Mishna Berurah (103:7) brings dissenting views as to whether such a harama is permitted and concludes that although the custom is to be lenient, one who is stringent "tavo alov brocha"-will receive bracha.

Rabbi Francis is a full-time member of the kollel.