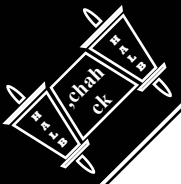


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Volume 5 - Issue 21

The DRS Weekly Torah Publication



YOU DO YOURS AND I'LL DO MINE

BY: RABBI SHLOMO KLAPHOLTZ, 11TH GRADE REBBE, DRS-YHSB

When learning a *parashah* like *Bamidbar*, we often breeze through the *pesukim* fooling ourselves into believing that we understand the *parshah* with little effort. By engaging in only a cursory reading of the *pesukim*, however, we are likely to miss out on some of the wonderful depth of meaning and inspiration that the Torah provides.

Even with a superficial reading of the first *perek* of *Bamidbar*, we know that *shevet Levi* was not counted among the other tribes. But it is very fascinating to note that the command from *Hashem* to Moshe not to count them first appears in *passuk* 49. Yet, already in *passuk* 47 the Torah tells us that the *Levi'im* were not counted amongst the rest of *B'nei Yisrael*. How did they know not to count the *Levi'im* before the command was given? The Ramban answers that Moshe figured out on his own not to count *Shevet Levi* from the fact that when the command to count the *B'nei Yisrael* was given, a *nasi* was appointed from each *shevet*, except *Levi*. Since no leader was appointed, it was understood that *Levi* wasn't to be included in this census. However, this explanation still leaves us with an important question: Why was *Levi's* exclusion not explicitly commanded to the *B'nei Yisrael* beforehand? Granted, Moshe, with his keen insight, was able to surmise this *halacha* on his own, but if the Torah was going to issue a command, wouldn't the proper place of the command be prior to the actual census? Rav

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This week's issue of *Devarim Ha'Yotzim Min Ha'Lev* is dedicated in honor of the newly elected Student Council. May they have much success in their future plans.

PARSHAT BAMIDBAR
MAY 22ND, 2004
2 SIVAN, 5764

Last time to recite Shema: 9:12 am
Candle lighting: 7:54 pm
Shabbat ends: 9:06 pm

If you would like to sponsor an issue of *Devarim Ha'Yotzim Min Ha'Lev* please contact Sammy Goldsmith at (516) 374-0102

SPEAK UP

BY: TZVI SHAPIRO, 11TH GRADE STUDENT

Sefer Bamidbar begins with the Torah's command to take a census of the entire *B'nei Yisrael*. Every male from 20 years old and above from each tribe was to be counted. However, *shevet Levi* was not to be counted in the census, as the *passuk* (*Bamidbar* 1:49) says: "But you shall not count the tribe of Levi and you shall not take a census of them among the children of Israel." Furthermore, *shevet Levi* received the privilege to guard and carry the dismantled *Mishkan* as well as to have its camp surrounding the *Mishkan* while the other *shevatim* surrounded Levi. Why was *shevet Levi zocheh* to this special treatment?

The *Medrash* tells us that *shevet Levi* was considered "the King's special legion" because during the *Chet Ha'Egel* when so many of their fellow Jews worshiped the golden calf, *shevet Levi* was resolute in its opposition. It is for that reason that *shevet Levi* was distinguished from all the other nations.

The *Chidushei Ha'Rim*, Rabbi Yisrael Meir Altur of Gur, however, poses a problem: Surely there were some other Jews who did not serve the *Egel Ha'Zahav*. Why, then, was *shevet Levi* singled out alone? Why

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HALACHA Corner

USING SECULAR DATES PART II

BY: RABBI ARYEH LEBOWITZ

I. Introduction. Last week we began a discussion of the use of the Gregorian calendar by Jews. We presented a brief historical background to the origins of the calendar and outlined the reasons of those who rule against the use of the calendar by Jews. In brief, the Maharam Schick opposed using secular dates on a tombstone in the grounds that the date serves to remind people of Jesus, and reminding others of an *avodah zara* constitutes a biblical prohibition. The Chatam Sofer opposed the calendar on the grounds that the Torah specifically commands us to count our months from Nissan, and not from secular months. Furthermore, the mention of the Jewish date is an opportunity to remember that God created the world and took us out of Egypt. We dare not pass up such an opportunity by using the secular date. This week, we will discuss the opinions of those who permit using the secular calendar and we will analyze the most halachically correct way to identify secular months.

II. The argument to allow using secular dates. Obviously, those who permit the use of secular dates must address both the argument of the Maharam Schick and the argument of the Chatam Sofer.

A. The response to the Maharam Schick. Many of the leading *poskim* of our generation (*Rav Ovadia Yosef Responsa Yabia Omer Yoreh Deah III 9:3; Tzitz Eliezer VIII 8:1 and IX #14; Rav Yehoshua Freund cited by Responsa Az Nidberu XII #39*) point out that one can take issue with the stringency of the Maharam Schick for many reasons:

1. While the *gemara* clearly prohibits explicit mention of an *avodah zara* even for non idolatrous purposes, it is quite a stretch to extend this prohibition to anything that may remind somebody of the *avodah zara*. We do not find this stringency in the Shulchan Aruch or any of the earlier authorities.
2. As we have illustrated last week, there remains a very strong possibility that the secular dates do not correspond at all to the birth of Jesus. Rather, as *Sefer Otzer Yisroel* (page 291) points out, the dating starts with the Roman Empire. If the dating has

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RABBI KLAPHOLTZ (Continued from page 1)

Mordechai Gifter, zt"l, explains as follows: A person understands something much better when he makes an effort to comprehend it on his own first. When an idea is purely spoon fed to a person, his grasp of the material will remain lacking to a certain degree. Therefore, *Hashem*, at first, did not appoint a representative from *shevet Levi*. This prompted the *B'nei Yisrael* to wonder why *Levi* was different. It was only after they had thought about the issue, and arrived at their own logical conclusion, that *Hashem* explained that *shevet Levi* had a different status and role and thus should not be counted together.

A similar idea can be found in the actual counting of *shevet Levi*. In contrast to the other tribes, who were counted from the age of twenty years old and up, *shevet Levi* was counted from one month old and up. *Rashi* (3:16) cites a *midrash* that Moshe was bewildered by this commandment of *Hashem*. "How can I enter into their tents to know the number of their babies?" *Hashem* answered him, "You do yours and I will do Mine." So Moshe went to the doorway of the tent, and a heavenly voice announced: "there are such and such amount of babies in this tent." One can ask an obvious question. If a heavenly voice was going to announce how many children there were, why did Moshe have to walk from tent to tent? The answer, I believe, is implicit in the *midrash*. It is only after "you do yours" that *Hashem* does His. Moshe had to do all he could before *Hashem* helped him out.

However, we may analyze this matter even further. Why is it that specifically by the counting of *shevet Levi* we are taught this idea of the need to put in effort first? Perhaps it is because as the *Rambam* writes (end of *Hilchot Shemitah V'Yovel*): *shevet Levi* was the prototype of the *Torah* learner. As the *gemara* teaches us (*Megillah 6b*), "*Im yomar lach adam lo yagati u'matzati al ta'amin.*" Regarding *Torah* study, it is only the person who puts in effort who will succeed. "*Yagati u'matzati taamin!*"

This is a rather fitting message for us as we conclude our *Sefirat Ha'Omer* on the way to *Kabbalat Ha'Torah* on *Shavuot*. The message of our daily counting, adding each day to the previous count, is that we can only reach a deeper understanding of the *Torah* with a daily commitment, building on our past efforts. It is only after we put in the requisite effort (represented by the *sefirah*) that we merit receiving the *Torah* with the maximum appreciation for it on *Shavuot*.

HALACHA (Continued from page 2)

nothing to do with the birth of Jesus there would be no problem of reminding ourselves of *avodah zara* when mentioning the secular date. Some object to this leniency on the grounds that as long as people *think* the date relates to *avodah zara*, they will be reminded of the *avodah zara* and one will violate a torah prohibition by bringing the *avodah zara* to people's attention (Rabbi Nosson Gestetner, author of Responsa Lehorot Natan cited in Tzitz Eliezer XIII 14:3). Rabbi Eliezer Waldenberg (Tzitz Eliezer *ibid.*) addresses this objection in two ways:

- a. It would seem that if the date really has no relevance to the *avodah zara*, and people only mistakenly equate the two, there would be no prohibition of mentioning the date. We cannot control what goes through the minds of others when we speak carefully and avoid mention of *avodah zara*.
 - b. We may argue further that most people are not reminded of *avodah zara* at all when told the date. Even the small percentage of people who are reminded of the *avodah zara*, probably know that there is no exact connection between the secular date and the *avodah zara*.
3. Even if one were to argue that the dating does in fact correspond to the birth of Jesus, the *Sefer Yereim* (75) writes that the prohibition to mention names of idols is limited to those names that ascribe godliness to the idols. However, a name that merely serves to identify the object without any connotation of deifying the object would not be included in this prohibition. It therefore follows that even if one is reminded of Jesus when mentioning the secular date, so long as he does not recall any godly characteristics of Jesus, he has not violated the prohibition of mentioning the names of other gods.
4. Rabbi Eliezer Waldenberg (Responsa Tzitz Eliezer XIII #14) suggests that we may distinguish between using secular dates in the context of business and using them in the context of a tombstone. In a cemetery we must be more diligent in assuring that our behavior reflects that which unites the Jewish people and focuses on the spiritual side of our existence. It is only there, perhaps, that the Maharam Schick was opposed to using secular dates. In business, however, where there is room for the mundane, we may use secular dates. Even so, Rabbi Waldenberg suggests that when dealing with internal matters (letters between Jews) we should be careful to use the Jewish date. Furthermore, he suggests, even when writing documents that require the secular date one should try to include the Jewish date as well.

B. The response to the Chatam Sofer. Rav Ovadia Yosef suggests that the Chatam Sofer's objection to using secular dates is limited to those who have attempted to assimilate into non-Jewish culture, and use the secular date as another form of being like the nations of the world. However, if somebody uses the secular date for purely practical purposes, such as business dealings where others would not recognize the Jewish date, even the Chatam Sofer would rule leniently. To prove this assertion, Rav Yosef points out that even the Chatam Sofer himself concluded a letter that was addressed to political leaders with the date November 8 1821 (see, however, Responsa Be'er Moshe VIII #18 who addresses the view of the Chatam Sofer, and argues very strongly that the Chatam Sofer remained opposed to the use of secular dates throughout his life). For this reason, Rav Yosef concludes that when necessary (i.e. writing checks, contracts etc.), especially outside of Israel (where nobody is aware of the Jewish date), it is permissible to use the secular date. When practical (i.e. letters to friends, personal notes etc.), however, one should attempt to use the Jewish date. Furthermore, it would seem that one who uses both dates next to each other is clearly indicating that the Jewish date is meaningful to him, and that he is only using the secular date for practical reasons.

C. In addition to the various rabbinic responses to the stringent stance of the Maharam Schick and the Chatam Sofer, many *poskim* have pointed out other reasons to permit the use of secular dates:

1. Rabbi Yehoshua Freund (cited in Responsa Az Nidberu *ibid.*) points out that it is very curious that there is no mention of any prohibition on this matter in the Shulchan Aruch or any of its classical commentaries. Considering that the dating system has been in effect for two millennia it would seem that somebody should have mentioned this problem before the 18th century. Furthermore, Rav Ovadia Yosef points out that there is significant rabbinical precedent for the use of secular dates. Such torah luminaries as the Shach (Sefer Kiryat Ne'emanah page 78), Maharam Padawa (responsa 36), Rav Shlomo Eiger (Iggerot Soferim page 66), and even the Chatam Sofer himself have dated letters with the secular dates.
2. Rabbi Freund points out further that a stringent ruling in this area would preclude Jews from engaging in almost all business activity. Simple tasks such as writing checks could become a major problem. Considering that the overwhelming majority of God fearing Jews do not refrain from such activities, it is highly unlikely that it would be prohibited. It is important to point out that even those who are stringent suggest that a check may be dated by writ-

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Hebrew Academy Of Long Beach Woodmere Campus 700 Ibsen Street



בס"ד

The Entire Community is invited to Celebrate Shavuot at DRS. We Are Especially Proud to Invite the Community to hear Shiurim From Some of Our Senior Talmidim, Based on Their Learning This Year in Masechet Ketuvot, As Well As Shiurim From Our Rebbeim On Shavuot Night.

Schedule

תיקון ליל שבועות

Tuesday, May 25

- 8:05 pm Mincha
"Let's Eat!" A Halachic Analysis of *Mitoch Shhutra L'Tzorech, Hutra Nami Shelo L'tzorech*
Daniel Lewisohn, DRS Senior
Sponsored by Eli and Rena Dworetzky commemorating the Yahrzeit of Marta Faygel bat Aryeh Leib
8:50 pm Maariv
11:00 pm Tikkun Leil Shavuot

Wednesday, May 26

- 4:50 am Shacharit
8:05 pm Mincha
"Seeing is Believing?" A discussion on *Yidiyah B'lo R'iyah*.
Joey Hirsch, DRS Senior
Sponsored by Dr. Herbert and Anne Pasternak
8:50 pm Maariv

Thursday, May 27

- 8:30 am Shacharit / Yizkor
7:00 pm Bait Medrash Learning
8:05 pm Mincha
"Im Yirtza Hashem By You:" Sheva Brachot and the *Eirusin* process.
Daniel Loewenstein, DRS Senior
Sponsored by Mrs. Bryna Loewenstein in honor of Daniel Loewenstein and the class of 2004
9:05 pm Maariv / Havdallah

11:00 Open Bait Medrash Learning
Collation Throughout the Evening
Sponsored by Yocheved and Aaron Goldberg in honor of their daughter Elisheva's Bat Mitzvah

12:00 "Between the *Luchot*" An analysis of the nature of *Kibud Av V'aeim*.
Rabbi Yisroel Kaminetsky

In memory of Rivka Hena bas R' Shimon Halevi, Mrs. Ruth Levine, Sponsored by all of her grandchildren and great grandchildren

1:15 "It's *Matan Torah*: Do you know where your children are?" The Saga of the *Ger Katan* in *Halacha*.
Rabbi Elly Storch
Sponsored by Eva and Harold Heffer in honor of Rabbi Storch and Rabbi Kaminetsky

2:30 "The Accidental Tourist" *Yom Tov Sheni* for an American in Israel.
Rabbi Aryeh Yudin

Sponsored by Debbie and Meir Rosenfeld in honor of the Bar Mitzvah of Yehuda Peretz

3:45 "I Swear I'm Dutch!" Waiting between eating meat and dairy foods.
Rabbi Aryeh Lebowitz

Sponsored by the Schonfeld Family for a Refuah Sheleima for Rachel Leah bat Esther

4:50 Shacharit

Shiurim are part of the Eliezer Baumel Creative Learning Program at DRS
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HALACHA (Continued from page 3)

ing the last two numbers of the secular year (i.e. '04 instead of 2004). Rav Moshe Stern (Responsa Be'er Moshe VIII #18) happily reports that he has dated many checks in this fashion and has yet to have the bank return a single one of them.

III. Numbering the months. In addition to the issue of counting the years according to the secular calendar, there is an additional debate regarding using secular months to identify a day. Amongst those who share a lenient view regarding the years, there is debate as to the best way to identify the secular months in checks and other such documents.

A. Rav Ovadia Yosef (Responsa Yabia Omer *ibid.*) points out that both the Ramban (commentary to *Parshat Bo*) and the Chatam Sofer stress the importance of counting our months according to the Jewish calendar. This means to say that when the Torah tells us that Nissan is the first of the months, it is implying that we may not consider any other month to be "the first". Therefore, suggests Rav Yosef, when dating a check one should not refer to the secular month by number, but by name. There is no prohibition to use the names January, February, March, etc.; but there is a prohibition to refer to them as the first three months of the year.

B. Rabbi Waldenberg suggests that the exact opposite is true. He writes that he has heard that the names of the months are after gentile gods. If this is the case, one may not mention the names of the months, but should instead refer to the month by number. Although the Tur (Orach Chaim 117) and R' Akiva Eiger (Responsa 118) both record the names of secular months, they clearly were unaware of the idolatrous origins of these names. We, who are aware of the significance of these names, should avoid using them under any circumstances.

C. Compromise opinion. According to the Encarta Encyclopedia, the months of January, March, May, and June are named for various Roman gods. The months of February and April are named for other religiously significant events, but not directly for gods. The months of July and August are named for the Roman leaders Julius Caesar and Augustus respectively. Finally, the months of September through December are rooted in the Latin words for the numbers seven through ten (before Julius and Augustus named months for themselves, there were only ten months in the year and these months corresponded to these numbers). If this is the case, it may be advisable to use numbers to refer to those months that are named for *avodah zara* (in order to avoid the biblical prohibition of mentioning the names of *avodah zara*), and to write out the name of those months that are not named for *avodah zara* (in deference to the opinion of the Ramban that we should not count non Jewish months by numbers).

IV. Conclusion. We have surveyed the opinions of the leading poskim of the past three hundred years regarding the use of secular dates. While the arguments to be lenient are compelling and may be relied upon, the passion with which those who are stringent express themselves suggests that one should promote the use of the Jewish calendar when possible.

TZVI SHAPIRO (Continued from page 1)

didn't Hashem single out any individual who did not serve the *Egel Ha'Zahav*?

A story is given to illustrate the answer:

Not long after Nikita Khrushchev's rise to power in the former Soviet Union in the 1950's, he addressed a large gathering of the communist faithful. He began to condemn the crimes and misdeeds of his predecessor, Joseph Stalin, and promised a new era of freedom and civility. As he was decrying the purges, crackdowns, and the horrific crimes of Stalin, all of a sudden a meek voice from the back of the room was heard. "Mr. Chairman, where were you when all this was happening? Why didn't you say something then?" It was apparent that Khrushchev heard the question. His face turned red as he retorted in a menacing voice, "Who said that?" Silence. He screamed louder. "Who is the one who asked that? I want to see him NOW!" A dead silence filled the room. No one moved. Then a sly smile spread over Khrushchev's face. He looked toward the back of the large room. In slow and calculated speech he began to shout, "I know exactly where you are! I know exactly where you're standing!" The nervous silence was unbearable, as the large audience awaited the fate of the poor man. "I know where you are standing," repeated the feared leader of the world's largest communist country. "You are standing in the exact spot I stood when Stalin used to make his speeches!"

The Chidushei Ha'Rim answers that what made shevet Levi different than all other members of *B'nei Yisrael* was that they did much more than to passively not serve the *Egel*. Not only did they not serve the idol, they actively did their duty and spoke out in opposition to the actions of the rest of *B'nei Yisrael*. True, there may have been other members of *B'nei Yisrael* who did not worship the *Egel Ha'Zahav*, but it was *shevet Levi* alone that actively spoke out against the evil actions of their brothers. That is why *shevet Levi* merited the distinction from all of the other *shevatim*, by Hashem.

When Jews are doing things that they should not be doing today, as well, we must not only not join with them but rather we must be leaders, as were the *Levi'im*, and actively stand up and protest their actions.

STORIES OF GREATNESS:
WEEKLY ACCOUNTS OF INSPIRATION

BY: NAFI SCHWARZENBERGER

It once happened that the rulers of Poland cast a terrible decree against the Jews who were living there. The decree said that all of the Jews had to reside in the cities and they could not be in the villages or in the countryside. This was a terrible blow to many Jews who made their livings through inns or factories that they no longer could use. Many Jews were forced to leave their homes in the villages and go into the cities for refuge.

In an effort to have this terrible decree removed, and to help many Jews who were now left without any provisions, the great *Chassidische Rebbe*, Rabbi Schneur Zalman of Liadi (the founder of Chabad, author of *Tanya* and *Shulchan Aruch Ha'Rav*) began visiting Jewish communities throughout Poland to collect money. *Rav* Schneur Zalman hoped to collect enough money to bribe the Polish officials to have the decree repealed.

In his travels, *Rav* Schneur Zalman arrived at the town of Tulchin and decided to visit *Rav* Baruch, the grandson of the *Ba'al Shem Tov*. When *Rav* Baruch heard the reason that *Rav* Schneur Zalman was raising money he became a bit concerned. "Are you sure that raising money for a bribe is the best way to deal with the situation," he asked *Rav* Schneur Zalman, "why don't you just teach the people the *Shema* of my grandfather? I'm sure that will be enough to destroy any evil decrees against the Jews in heaven."

"Actually," replied *Rav* Schneur Zalman, it is the *Shema* of the *Ba'al Shem Tov* that got us in this situation to begin with."

"You see, many years ago, after being exiled from Spain, the Jewish people wandered throughout Europe in search of a new place to set-

tle. However, none of the nations of Europe would allow them entry into their lands, even though they were offered tremendous bribes. The reason for this was actually because there was a great debate in heaven between all of the angels of the different nations of Europe. Each angel refused to allow the Jews to enter their lands. This was because they all feared that if the Jews would enter their lands they would build houses of worship to *Hashem* and begin to proclaim the *Shema* throughout the land. The angels all feared that if this happened their nations would all be destroyed by the greatness of *B'nei Yisrael*.

"However, the angel of Poland did not agree with all of the other angels. Poland's angel said that when the Jews said the *Shema*, in reality they said it for their own glory and not for the glory of *Hashem*. Therefore, their recitation of the *Shema* will only lower their favor in heaven and not raise it.

"And so the king of Poland allowed the Jews to come settle in his land in exchange for a very large bribe, a six-foot pile of silver. However, many years later the *Ba'al Shem Tov* arrived and taught all of the Jews the true meaning of the *Shema*, the *Ba'al Shem* taught the Jews to say *Shema* for the sake of heaven and not for their own sakes. Upon seeing this, the angel of Poland realized that having the Jews in Poland would now be bad for his people and so the terrible decree that the Jews now face was passed.

"You see," concluded *Rav* Shneur Zalman, "we certainly will not give up the *Shema* that the *Ba'al Shem Tov* taught us, so our only choice is to throw some more silver on the pile."

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Devarim Ha'Yotzim Min Ha'Lev

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