

Parsha Encounters

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Parshas Mattos - Rabbi Fishel Zlatopolsky

The Key to Continuity

"And Yoir Ben Menashe went and captured their cities and called them City of Yoir. And Novach went and captured Knas and its suburbs and called it Novach after his name." (Bamidbar 32, 41-42)

Rashi comments that *"its"* [suburbs] - is read as if it would have been written – *"not"* Rashi quotes Rabbi Moshe Hadarshon who explains that the Torah is hinting to us that this name "Novach" did not endure. The name "Novach" vanished along the path of history.

Rabbi Shimon Schwab asks what the significance of this fact is. Our precious Torah is not a history book and it is certainly not interested in teaching us a lesson in geography or topography. Moreover, many generations later in the Book of Shoftim we do find a mention of the "City of Yoir." This is quite strange. Why was the "City of Yoir" awarded exceptional longevity while "Novach" disappeared?

Rabbi Schwab says that a careful reading of the Torah yields an answer to these questions. Yoir called his city "The City of Yoir", while Novach called his city "Novach." To Novach, this city meant more than just his property, more than just an object of his possession. It was not just *his*, it was him. The Torah's response to this is categorical: – "NOT NOVACH". This will not be. A person is too valuable to be a city. On the

other hand, a person who aspires to enrich himself spiritually, to imbue himself with Torah and mitzvos, such a person *is* spirituality - he is a live broadcast of Torah and Mitzvos. The Gemara (Makkos 22B) comments on how foolish are the people who would get up in honor of a Sefer Torah, but would not do so in front of a Talmid Chochom. It is indeed foolish to accord honor to a Sefer Torah but not to a "Living Torah."

Similarly, we find Dovid HaMelech referring to himself as "I am Tefillah" (Tehillim 109:4) and expressing himself as "all my bones are proclaiming - who is like You, Hashem." (Tehillim 35:10)

The Torah is teaching us a most valuable lesson about ourselves. Our precious spiritual essence will not allow us to form a permanent connection with our possessions. Our license plates might proclaim it, our business signs might state it, but the Torah says "NOT NOVACH" – This will not be. Our houses, cars, and businesses will never become us. It is only by attaching ourselves to spirituality that we can hope to perpetuate ourselves.

Rabbi Zlatopolsky learns nightly at the kollel. To dedicate a Parsha Encounter call the kollel at (773)262-9400.



Halacha Encounters

KEDUSHAS BAIS HAKNESSES

Rabbi Henschel Plotnik

The Bais Hamikdash has always been the focal point of our avodas Hashem. Even in its destruction the navi comforts us with the words, "And I will be for them a mikdash me'at, a miniature sanctuary" (Yechezkel Ch. 11) So much so, the Toras Kohanim says on the pasuk in the tochacha "And I will destroy your sanctuaries" (Vayikra 26:31) - this includes your synagogues and study halls. Our shuls and places of tefilla are our batei mikdash and therefore demand our reverence and awe. The Gemara further tells us that it is not the building per se' that requires this reverence, rather the shechina that resides there. According to some Rishonim this obligation is Min HaTorah, although the bent of the Poskim seems to follow the opinions that kedushas beis knesses is only d'rabannan in nature. (See Sdei Chemed K'lalim Ma'areches 2 #43) Either way it is incumbent upon us to cherish the honor and dignity due to the last vestige of the Beis Hamikdash by studying the pertinent halachos of how we must treat this makom kadosh.

It needs to be clarified from the outset that not all rooms or areas of a shul building necessarily carry the same kedusha as the main sanctuary, or, for that matter, any kedusha at all. Although it is admirable to give proper respect to an area that is used occasionally for tefilla, such as the hallway of a shul, the Mishna B'rura (154:3) paskens that it is not required. If that area is originally intended to be used for other activities, such as a passageway, one does not have to be concerned about using it as a shortcut. (See Halichos Shlomo Ch. 19:3) However, a courtyard that is used consistently as a place of tefilla, such as the Kosel plaza or outdoor minyan "venues" like the famous "Itzkowitz shul" in B'nei Brak, should be treated with kedusha (Piskei Teshuvos 154 Note 4 Quoting Mishnas Yosef). If a specific "tnai" was spoken out before its usage that this place should be retained as a makom chol, the restrictions would not apply. (so it would seem from the general rule of tnai working even for real shuls)

The Ezras nashim (women's gallery) is a subject of debate amongst the Poskim. The Chochmas Odom (K'lal 86:15) seems to hold that the Ezras Nashim does not have the stringencies of k'dushas beis knesses whatsoever (the reason given has nothing to do, cholilo, with women lacking kedusha (see Igros Moshe O.C. Vol4 #49) but simply because they are not obligated in t'filla b'tzibur, thereby leaving the ezras nashim with the lower status of a room used for private tefilla). A very impressive list of Acharonim disagree and hold that it indeed carries the same kedusha as the men's section (see Aruch Hashulchan 154:7), while a third stream of thought falls somewhere in the middle and feels that there is kedusha, albeit of a lesser degree (Avnei Nezer #33) If the Ezras Nashim is frequently used for minyanim and learning Torah this becomes a moot point.

Aside from the application of the usual prohibited activities in a shul, such as frivolous behavior and using it as a shortcut, the above disagreement would have ramifications when a shul wants to expand the Ezras nashim by diminishing the size of the men's section. Reconfiguring a shul building often alters the size and dimensions of various rooms and changes their use. Many Teshuvos have addressed this issue throughout the years (see Yabia Omer Vol.8 Ch.18), as the kedusha of a room cannot be compromised. A Rav must always be consulted on this matter.

It certainly stands to reason, though, that given a choice extra effort should be made to daven where the kedusha is optimum. The Chayei Odom (Ch. 17:1) gives a list of preferred places to daven (all other considerations being equal such as compatibility, responsibilities, and schedule) based on their level of kedusha and suitability for tefilla. They are, in order of preference : 1. A Bais Medrash where Torah is learned all day, especially if this mispalleh learns there 2. A shul that is used on a consistent basis 3. A place that has consistent minyanim even if it not sanctified as an official shul 4. A house used occasionally for tefilla 5. An

enclosed room with windows 6. An area enclosed by trees. (These last two places are listed because the ability to concentrate there is better, not because of any intrinsic kedusha.)

One should avoid davening in the hallway of a shul because its kedusha is certainly less than the main sanctuary (although this needs no proof, seforim quote this in the name of Rav Elyashiv even if it means not having the rights to lead the davening because a bigger chiyuv deserves the amud.) and the special segulos of davening in a makom kadosh will be forfeited.

As an aside, the Kaf Hachaim writes that despite the Gemara's opposition to davening in an open area, if someone experiences a miracle there, it is an appropriate place to daven for him (90:28)

According to the accepted halacha, shuls in Chutz La'aretz are beneficiaries of a t'nai, a precondition that allows mundane activity as long as it doesn't detract from the spirit of the shul. (see Mishne B'rura 151 and Biur Halacha concerning Eretz Yisrael) According to many authorities this t'nai need not be spoken out, although it is recorded that many tzaddikim were particular to verbally express it outright. The popular expression "shtibel" was intended to make it clear that a home which served as a place of tefilla was still considered a house without the restrictions of a full fledged shul (see Piskei Teshuvos 151 Footnote 104)

One common misconception is regarding the permissibility of using a shul as a shortcut. Many people assume that as long as one sits down or recites a pasuk they are given a carte blanche to stroll right through. The Biur Halacha (151 "La'asos) indeed mentions this leniency in the case of a shul with two doors on two opposite ends, where the Shulchan Aruch forbids using the shul as a shortcut under normal circumstances. This is an extension of the halacha that if someone needs to call his friend out of a shul he may do so as long as he learns something while inside. However, it is not universally accepted that one can walk out the opposite door. The Ohr Sameach in Hilchos tefillah rules that even in such a case he must exit through the same door he entered (see also Bais Baruch on the Chayei Odom who has difficulty with the Biur Halacha's application). He maintains, based on the Rambam, that entering solely for the purpose of shortening the walk is prohibited even by uttering a pasuk. According to him, this heter can be employed only if he entered for a D'var Mitzvah. As mentioned above, if someone had to call his friend out of the shul he should learn something so as not to be guilty of merely strolling in and out of the Shul as the Shulchan Aruch writes in s'if 1. In fact, even in that case one should not simply say a pasuk but should attempt to at least engage in some Torah learning (see Kaf Hachayim who understands that preferably one should learn something first. Only if one is incapable of learning do we allow him to say a pasuk or just remain in shul for a moment). According to one contemporary authority, even walking through one shul to get to another should be avoided (see Avnei Yoshphe vol.1 #23). Walking through one minyan room to get to another one is not problematic because they are considered part of one shul (ibid.)

Although the details of what kinds of behavior are sanctioned by this t'nai are many, anything categorized as "kalus rosh" - lightheaded behavior, is certainly forbidden. The Aruch Hashulchan decries the desecration of kedushas beis haknesses by people that engage in idle chatter and smoking in shul, (151:5. Although the A.H. tries to be melamed z'chus, he is clearly troubled by the common practices. See also teshuvos V'hanhagos (R' Shternbuch) #159 quoting the Gerrer Rebbe ZT"L about the great merit of refraining from talking in shul) even if not during davening. The Kaf Hachaim brings a number of quotations from the Zohar about the Chilul Hashem of speaking in a shul, and even more so on Shabbos when he is branded as desecrating the Shabbos as well. Although we all like to feel at home in our home away from home, we must always be cognizant of its special kedusha, a daily reminder of the mikdash that we sorely miss. May we merit to see its rebuilding speedily in our day.

Rabbi Plotnik, an alumnus of the kollel is the rav of Beis Tefilla.