



A collection of Torah thoughts produced by the Maor Centre, Melbourne

המאור

Light reading
HaMaor

ISSUE 9

Parshas Vaeschanan, Menachem Av 5784

Nachamu Nachamu - Hashem is always with you

BEIS HAMIKDASH THOUGHT

The Chulda Gates

Climbing Up from Down Below

There was one gate on each side of the Temple Mount, but on the south side there were two gates. This is because the city was to the south of the Temple and most visitors would enter from that side. These gates were named the Chulda gates.

Unlike the other gates where one entered level with the ground of Har Habayis, the Chulda gates were below ground. After entering, one had to climb up a pathway of stairs to reach the Temple Mount.

Because of this, they were named after a Chulda - a type of rodent that lives in the foundations of the house beneath the floor.

The Chulda is a metaphor for the descent of the Neshama into this lowly world, the descent of the Jewish people into exile and the challenges that we face in life.

Sometime our path to G-dly revelation, arriving on the "Temple Mount", is with easy, level access. But this type of experience is generally limited to the lofty souls of the Tzaddikim.

Most of us must enter through the Chulda gates as our path to reaching spiritual heights comes from below ground. We face challenges and struggles and we have to put in effort to climb upwards.

But these experiences of descent ultimately bring us to greater heights as alluded to in the verse in Tehillim: מושיבי עקרת הבית אם הבנים שמחה "He seats the barren one of the house as a happy mother of children".

The sages explain that the words עקרת הבית can also denote the foundations of the house and describes the Jewish people in our lowly state. From there we will become a happy mother, bearing the fruits of spiritual accomplishment.

This Shabbos is called Shabbos Nachamu, the Shabbos of comfort after the day of Tisha B'av when we mourn the destruction of the Beis Hamikdash and the tragic descent of our people into the suffering of golus.

This week's Haftorah is the first of 7 Haftorahs of comfort to the Jewish people in their state of golus and assuring them that Hashem will bring them back to Eretz Yisroel with the Geulah.

It opens with the famous words נחמו נחמו עמי. Hashem tells the Novi Yeshaya "Comfort, comfort My people says your G-d. Speak to the heart of Yerushalayim... for she has received double for all her sins."

Because the Jewish people were punished double-fold for their sins, Hashem comforts them with a double measure of comfort, Nachamu Nachamu.

The Tiferes Shlomo of Radomsk gives a beautiful explanation of the true comfort that these words provide in times of difficulty;

The destruction of the Beis Hamikdash and the ensuing Golus led to great suffering for the Jewish people. For close to 2000 years, we have suffered poverty and oppression, and the taunts of those who mock and denigrate us. A golus of the body.

But there is a spiritual suffering that comes with golus that make it that much more difficult to bear. Not only have we been exiled and suffer physically, we are plagued with the feeling that Hashem has forsaken and abandoned us. Does Hashem still desire our service? Does he still hear our prayers? Perhaps because of our sins He no longer finds favour in our Avodah of Torah and Mitzos and He has pulled away.

Suffering is terrible enough. But to feel that we are going through it alone, without Hashem by our side, is all the more painful.

The first and foremost comfort that a Navi or Tzaddik can give in the time of golus is to reassure us that Hashem is present with us wherever we are. Despite everything, He still desires our Avodah and He still hears all of our prayers. He is present alongside us through everything we experience, close at hand and suffering together with us.

One of the greatest G-dly visions ever experienced was the Nevua of Yechezkel of the Merkava, the Diving Throne with all of its angels. Where did this vision take place? Not in Yerushalayim, not even in Eretz Yisroel. Yechezkel says that he received this vision when "I was amongst the exile by the river Chvar... in the land of the Kasdim (Babylon)".

This vision was a comfort to his fellow Jews in exile. Here, in our place of tears, suffering and banishment, Hashem with His hosts of angels is with us.

We find a similar idea in the very first Exile that the Jewish people experienced, the slavery in Egypt. Before passing away Yosef said "I will die in this land. But פקוד יפקוד, Hashem will remember you and take you out of this land". פקוד is in present tense, יפקוד is in future tense.

The term פקוד is used by our sages to describe the union between husband and wife. Yosef was telling the Jewish people that we may feel like we are dying in the suffering of exile, spiritually distant. But we should know that Hashem says that even in golus, He is constantly united with us. He is with us now פקוד, and so too He will be with us יפקוד when He redeems us.

Right now, while we are suffering in Golus and Hashem's presence is not revealed, we don't feel or sense this closeness or union. Hashem sends His Neviim and Tzaddikim to comfort us that the reality is not how we perceive it.

The double punishment for their sins refers to the two facets of the pain of Golus; the suffering of the body, our physical travails, and the spiritual trauma of doubts that Hashem is no longer with us, no longer desires us and does not hear our prayers

Hashem sends Yishaya to deliver a double comfort נחמו נחמו for both of these afflictions.

Usually, Neviim conclude their message with נאום ה' "says the Lord". In these words of comfort, Yishaya concludes יאמר אלליכם "says your G-d". The prophet is consoling us by reminding us, that despite our sins, despite the fact that we have been punished and sent into golus, Hashem is your G-d. He is with us, helping us through, hearing our prayers and waiting to take us home.

Which Takes Precedence? Tefillin, Mezuzah or Tzitzis?

Rabbi Yonason Johnson

The first Parsha of the Shema found in Vaeschanan, contains both the Mitzvah of Tefillin and the Mitzvah of Mezuzah. This Parsha is written in both the Tefillin and the Mezuzah. Both are important Mitzvos that remind us of the Oneness of Hashem. But which one takes precedence?

The Talmud Yerushalmi¹ records a dispute over which Mitzvah takes precedence – Tefillin or Mezuzah. This question would apply if someone does not have sufficient funds to buy both Tefillin and a Mezuzah².

According to Shmuel, the Mitzvah of Mezuzah takes precedence. His reasoning is that the Mitzvah of Mezuzah is applicable on Shabbos and Yomtov as well, whereas Tefillin only applies on weekdays³.

Rav Huna rules that the Mitzvah of Tefillin takes precedence. This is because the Mitzvah of Tefillin still applies to one who is travelling, when they would be exempt from the Mitzvah of Mezuzah which only applies to one who is dwelling in a house.

In our version of the Yerushalmi brings a Baraisa to support the ruling of Shmuel. The Baraisa teaches that one may convert the worn-out Parshios of the Tefillin to make a Mezuzah, but one may not use a worn-out Mezuzah to make Tefillin. From this we see that Mezuzah possesses greater sanctity⁴ and should therefore take precedence.

In the laws of Tefillin, the Rosh writes that the Mitzvah of Tefillin takes precedence in accordance with Rav Huna. He writes that this is because Tefillin is a Chovas Haguf⁵.

The Rosh adds that this seems to be the ruling of the Yerushalmi which records the reasoning of Rav Huna but not of Shmuel. Shaarei Korban notes that the Rosh must have had a differing version of the text of the Yerushalmi, because our version also brings a reason for Shmuel's position. The Tur⁶ follows the ruling of his father, the Rosh.

Even though our version of the Yerushalmi brings a Braisa to support the opinion of Shmuel, the Beis Yosef⁷ notes that this Baraisa is disputed by a similar Baraisa in the Talmud Bavli⁸ that states that one may not make either Tefillin or a Sefer Torah into a Mezuzah⁹. Accordingly, Tefillin possesses greater Kedusha and should take precedence.

This version is supported by the version of the Baraisa in Mesechta Sofrim¹⁰. The Hala-

cha follows the Bavli.

In the laws of Tefillin, the Shulchan Aruch¹¹ rules like the Tur that Tefillin take precedence because it is Chovas Haguf. The Ram"o¹² brings this ruling in the laws of Mezuzah.

What is Chovas Haguf

Rabbi Akiva Eiger explains that the intent is that one must put on Tefillin as a personal obligation i.e. an obligation on the person. In contrast, one could exempt themselves from the Mitzvah of Mezuzah, for example if a person chooses not build or live in a house.

He quotes the Beis Hillel who understands the Rosh more literally as meaning an obligation on the body. Tefillin takes precedence over Mezuzah because they are a Mitzvah that is worn on the body.

A practical difference between these understandings would be whether Tefillin takes precedence over the Mitzvah of Lulav or Sukkah, which are also not worn on the body, but are a personal obligation. According to the Beis Hillel, Tefillin would take precedence. Rabbi Akiva Eiger suggests that it is possible that Sukkah would take precedence.

Tzitzis or Tefillin?

Rabbi Akiva Eiger writes that Tefillin would take precedence over Tzitzis. This is because Tzitzis is not a Chovas Haguf, since one could exempt themselves by not wearing a 4 cornered garment, similar to the way in which one can exempt themselves from the obligation of Mezuzah.

Even though Tzitzis are also worn on the body, the Beis Hillel writes that Tefillin would take precedence. This is because the garment of the Tzitzis that is worn on the body only has the status of Tashmishei Mitzvah, whereas the Tefillin that are worn on the body are Tashmishei Kedusha.

If one can borrow Tefillin

The Magen Avraham writes that the Rosh's ruling only applies if one cannot borrow a pair of Tefillin to put on. If one can borrow Tefillin, the Mezuzah takes precedence since it cannot be borrowed because the other person requires it. This only applies nowadays when we don't wear Tefillin all day, so a pair can easily be borrowed. The Magen Avraham's ruling is brought by the Alter Rebbe¹³ and the Mishna Berura¹⁴.

Shaarei Teshuva¹⁵ quotes Poskim who write that based on this distinction of the Magen Avraham,

if one could borrow Tefillin, then buying Tzitzis would also take precedence. Shaarei Teshuvah adds that this is only if one is absolutely certain that they will be able to borrow Tefillin every day.

However, the Pischei Teshuvah suggests that even if it is possible, but not certain that he will be able to borrow Tefillin every day, the Mezuzah or Tzitzis will still take precedence. Only if it is not possible to get Tefillin, would Tefillin take precedence.

Rabbi Akiva Eiger suggests that if by buying Tefillin one will not be able to fulfill both the Mitzvos of Mezuzah and Tzitzis and will miss out on both, perhaps the Mezuzah and Tzitzis would take precedence, even if one will not be able to borrow Tefillin.

Rabbeinu Tam Tefillin

Shaarei Teshuvah writes that only Rashi Tefillin take precedence over Tzitzis. If one has Rashi Tefillin but wishes to buy Rabbeinu Tam Tefillin which would mean that they cannot afford Tzitzis, Tzitzis would take precedence. This is because the primary Mitzvah of Tefillin is the Rashi Tefillin and most people do not wear Rabbeinu Tam Tefillin.

1. Megillah 4:12
2. Korban Haeida ibid
3. Rabbi Akiva Eiger writes that this is based on the Talmudic principle of תדיר ושאינו תדיר תפילין קודם, that precedence is given to that which is more frequently occurring.
4. Applying the principle מעלין בקודש ולא מורידין
5. See Biur Hagr" a Yoreh Deiah 285:4 who questions why the Rosh brings this reason which is not found in the Gemara. Rabbi Akiva Eiger understands that this is the meaning of the reason brought in the Gemara that one on a journey would be exempt from Mezuzah.
6. Orach Chaim end of Siman 38
7. Tur Orach Chaim 38
8. Menachos 32a
9. Some suggest that the text of the Yerushalmi is corrupted and should record the Braisa as found in the Bavli, and that it supports Rav Huna.
10. Chapter 14:17
11. Orach Chaim 38:12
12. Yoreh Deiah 285:1 Darkei Moshe Yoreh Deah 285:1
13. Orach Chaim 38:11
14. 38:37
15. Orach Chaim 25:1

