

חורת מציון ממפיס
Torah MiTzion Memphis
כוללים ציוניים בתפוצות
ZIONIST KOLLELS

Shabbat Shalom from Torah MiTzion

Brought to you by Memphis Torah MiTzion - memtorahmitzion@gmail.com

By Rav Avi Goldberg, Kollel Memphis

The ark of ourselves...

Humanism, Pluralism, Communism, socialism, Capitalism, Judaism...

Twice the world was almost destroyed. Once a physical destruction at the days of Noah when the creator of the world flooded the world, and once years later when a wicked evil king in Egypt – Pharaoh – decreed to through all male boys to the river and by that wipe out the Jewish nation that was establishing, threatening to destroy the spiritual compass of the world – Israel.

In both cases the saving of the world comes via a – תיבה. Once it is Noah that is commanded to build an ark and gather all animals and his family into it in order to rebuild the world after the flood. Later on in Egypt another תיבה built for a small baby in order to somehow save him from the awful decree of killing all babies.

The ark in this weeks' parsha is a separation between all humans and Noah's family. In Egypt the תיבה will save Moshe, and separate the Jews from Egyptians (and in fact later by receiving the Torah we will be separated from any other nation). But why is there a need for separation? Why can't we all just be similar, together?

Many different Ideals are in the world. Many of the ideals come and go, and some stay longer than others. This week we meet two (at least) visions for the world.

Noah was born into a world that is fairly equal, long before there was a chosen nation. All people could worship G-d as they chose, and there were only beginning of Nations. But it seems that despite of the great freedom most humans chose live egoistically, caring about their own needs even on the expense of hearting others. Theft, violence and immoral relations filled the world!

Abraham, whom we meet for the first time at the end of this weeks' portion, receives the first command from G-d that asks him to separate from his family. Leave your country, family and land of birth and go elsewhere (to the land of Israel of course).

The People of the generation of the flood lead a world that doesn't have distinctions at all. All men are equal, and it seems that even animals can be equal to men (some commentators explain that the situation was so bad that humans had relations even with animals!)

The universal ideology that tries to present a world where everything is just the same, where nothing is better really than anything, easily leads into a situation where distinctions are done but with no real reason or justification. People steal and attack innocents, women are seen as objects, and the only matter is the personal pleasures.

A similar ideology rises years later, but is also mentioned in this weeks' parsha. It appears that most of the world united in order to form a unification of ideologies and to have one spoken language for the entire world. Their wishes and desires were so strong that they succeeded to unite everyone to one mission, building a great tower that will serve as the center of all civilization, and would prevent people from separating from each other. But G-d does not accept this ideology too. G-d separates the people, disperses them over the face of the whole earth and confuses their united language.

One could ask why? Why does G-d have to ruin such an ideology? Unity of the world is not wanted?

Chazal teach us in the Midrash that this generation, similar but different from the generation of Noah, reached immorality. The rabbis teach that the civilization was so anxious to reach their goal with the tower that they didn't care as much for human life. The description of the Midrash teaches that during the building process of the tower, when a brick fell and broke people would mourn and cry, but if a man was hit by a brick are any other injury or death they would quickly replace him but would become so sorry and cry the lose. Ideology that runs by one thought, by one type of a mind and one ideal leaves behind all other ideals, and again easily reaches corruption and immorality.

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Kollel News:

- The holidays are behind us and we can look back in pride and summarize a good season. Starting with Melaveh Malka, wide community learning night, special programming is the day schools, Conducting and arranging the Yom Kippur Prayers at the Home for the Elderlies, movie in the Sukka, Hoshana Rabah Learning night in the Sukka, and many other activities and joint activities with the local shuls. We hope to continue and provide the community with quality programs and education!
- This is the time to set up a Chavruta with the Kollel. Please contact us at : memtorahmitzion@gmail.com.
- Rabbi Reuven kolton is visiting in town. Welcome!

Shabbat Times

	Memphis	Jerusalem
In	6:17 pm	16:39
Out	7:12 pm	17:51

1567 DAYS

Please daven for

Gilad Shalit
[Gilad ben Aviva]



Din Torah: Mistake In Fueling A Rented Car

Courtesy of: Mishpetey Eretz Institute, Ofra. www.dintora.org

Question

I rented from a leasing company a KIA car that requires fueling with diesel (*solar*). I was not told of this fact and I am used to renting small cars that are fueled with "Petroleum 95" (*Delek 95*). In this case, I also requested and ordered a small car, but they did not have one in stock and so they gave me a larger vehicle. I filled up the car at a fuel station and the attendant asked me what kind of fuel should be used. I answered "*Delek 95*" and this is what he put in. I subsequently returned the car to the company and everything was OK. The damage occurred later. As a result of the fueling, I caused damage to the car. In an inquiry I conducted later at the company garage that imported this car, I was told that until several years ago this kind of car was indeed fueled using *Delek 95*. My question is whether I am obligated to pay for the damage?

In addition, the damage is divided into three parts:

1. Damage to engine parts.
2. The car got stuck and it was necessary for it to be towed by the company.
3. At the time it was being fixed, the car was not leased out and the company was caused damage from its loss of profit.

If the answer to my fundamental question is that I am obligated, am I required to pay for all three elements of damage or only on some counts?

Answer

1. Damage to the engine – You were responsible for verifying the type of fuel that was appropriate for the car, and it therefore appears that the act should not be defined as duress and it is even possible that this act would be classified as actual negligence. You are therefore required to pay for the damage. The fueling attendant at the garage is clearly not liable, for he is simply acting in accordance with the customer's instructions.
2. With regard to transporting the car to the place of repair, in damages the responsibility for transporting the object rests on the damager (*Shulchan Aruch, Choshen Mishpat 403:3*) and even if the injured party dealt with this, the expenses rest on the damager. There are grounds to argue that the case of

transporting a car is not similar to a case of an animal that falls into a pit, because the car was transported for the sake of its repair, and if so, the law depends on the question whether the damages payments are payments for the repair of the damage (as the *Shach* holds – 95:18) or whether they are payments for the loss in value (*Hagahot Imrei Baruch, ibid.*). However, it appears that also according to the opinion that the payment is on account of the decline in value, there are grounds for requiring payment to be made for the transportation of the car, because if the car is stuck in a certain place before it is repaired this also reduces its value.

3. Regarding the profits of which the leasing company was deprived as a result of the grounding of the car, this is pure *gerama* (indirectly caused damage) and where the damage was the result of a mistake and was not perpetrated willfully, one is not even subject to an *extra-legal* obligation (*latzeit yedei Shamayim*) to rectify the damage (*Chazon Ish, Bava Kamma 5:4*). It emerges from the *Poskim* that one should include in a calculation of this damage also the loss in value of the object caused by the fact that it is not fit for work at any given time (*Netivot HaMishpat 340:3, s.v. ve'yesh lomar*).

In summary:

1. The leaseholder is required to pay for the damage to the engine parts.
2. The leaseholder is required to pay for the towing.
3. The leaseholder is not bound to pay for the loss of the profit but for the decline in value of the car as a result of the fact that it was not possible to use it during the repairing period.



Cheshvan / Continued from page 3

which is beyond nature and beyond our lowly earthbound reality. Similarly, Menashe – the tribe which is identified with the month of Cheshvan – is an anagram of the word "*shmoneh*" (eight).

Our sources teach that Cheshvan is also identified with the sense of smell (*rei'ach*). According to the Gemara, the source for the *brachot* (blessings) for smells is the *pasuk*:

"Let every soul praise God - Halleluyah!" (Tehilim 150:6)

Smell is the sense which is closest to the soul, and smell is associated with the *Mashiach*:

"And he will be imbued (*v'haricho*) by the fear of Hashem." (Yeshaya 11:3)

Today, we refer to the ability to judge via the sense of smell as the "sixth sense".

Smell is man's ongoing encounter with reality. One eats three times a day but smells every second - with each breath. The ability to judge reality via the sense of smell is an expression of the ability to comprehend reality to its fullest.

Moreover, smell is the only sense which was not affected by Adam *HaRishon's* sin. Smell transcends reality's externalities and superfi-

cial defects. Smell relates directly to reality itself.

Interestingly, smell is rarely used in the modern world. Perhaps this is an indication that smell possesses an added dimension which will be manifested *la'atid lavo* – in a more perfect reality.

Finally, the month of Cheshvan is identified with the letter *nun*, which represents *nefilah* (falling). However, *nun* also symbolizes the ability to invert reality and our approach to it. *Nun* is spelled: *nun-vav-nun*, and thus it can be read from either direction. Similarly, Cheshvan demands that we change the way we look at it. Instead of trying to shed light on the month and its components by adding something from outside, we must alter our point of view in order to locate its internal significance.

Cheshvan is the time for learning how to deal with the routine and the ordinary and how to approach reality. One must train oneself not to seek out only the special occasions and not to live from emotional high to emotional high.

The ability to live with reality as it is, to find its inherent light and holiness, and to see life itself as a goal and an objective is the way to elevate life in its entirety and to bring the whole world closer to the *atid lavo*.

Cheshvan: A Sanctified Routine

Rav Yossi Stern - Rosh Yeshiva, Yeshivat Hesder of Acco

The month of Cheshvan is called “MarCheshvan” (from the Hebrew word *mar* - meaning bitter). This unique name heightens the stark difference between the seemingly bitter and gray month of Cheshvan and the pronounced sweetness of its predecessor: the *mitzvah*- and festival-laden month of Tishrei.

According to the Zohar, one who does not know how to transform bitterness into sweetness or darkness into light may not enter the Heavenly Yeshiva. Hence, we must study and delve into Cheshvan’s distinctive bitterness – in order to rectify it and sweeten it.

On a simple level, the name “MarCheshvan” refers to its bitterness. Yet, there is another, more optimistic explanation. The word “*mar*” can also mean “drop”:

“Behold the nations are like a drop (*mar*) from a bucket.” (Yeshaya 40:15)

Thus, the name alludes to the rain which we anticipate in this month. Rain transforms bitter into sweet. When the water from the sea rises, it becomes sweet and comes down as potable rainwater.

Another interpretation of the word “*mar*” is “master”. However, we must determine if this is a euphemism or if Cheshvan actually has a certain degree of authority.

Cheshvan: The month of the future

Cheshvan is the month which teaches us how to confront *shigrah* (the routine). This is its defining characteristic and its purpose. Therefore, as we shall see, it remains devoid of festivals, because it is set to be filled with content *la’atid lavo* (literally, “in the future to come”). Not coincidentally, Cheshvan is the eighth month, and the number eight represents that which is beyond nature.

Note that “*la’atid lavo*” is a complex concept which can easily be misconstrued. For instance, Chazal state that the *mitzvot* – including the festivals – will be abolished *la’atid lavo*. As a result, Rav Kook was forced to refute the claims of a misguided contemporary writer. The writer had insisted that we have reached the “*atid lavo*” and therefore the practical *mitzvot* should be cancelled.

Thus, this expression must be handled with care. However, the one thing we can learn from Chazal’s teaching is that *la’atid lavo*, there will no longer be special sanctified days or deeds. Instead, life itself will be holy, and *shigrah* will be sanctified. Currently, life’s peaks and special occasions are designed to prepare us for the next stage, when life itself will be transcendent. Man often mistakenly believes that one’s gray, daily routine is the basis for the special days and events which fill our lives. However, the month of Cheshvan teaches us that the opposite is true: the highest level is achieved via *shigrah*.

Shmini Atzeret is an obvious manifestation of this idea. This festival serves as the eighth day of Succot, and thus it contains an element of *la’atid lavo*. Furthermore, Shmini Atzeret is famously characterized by its lack of practical *mitzvot*. Chazal state:

“And you shall be only (*ach*) joyous’ (Devarim 16:15) – To include the final night of the festival for rejoicing.” (BT Pesachim 71a)

The Vilna Gaon points out that the word *ach* (only) usually comes to limit or exclude, but in this case, it appears to be inclusive. However, he explains that this *ach* excludes the other *mitzvot* and leaves one with nothing but pure *simchah* (joy) – with neither a *lulav* nor a *suc-cah*. *La’atid lavo*, then, refers to the ability to achieve the highest spiritual level without any external or practical intermediaries.

Shigrah must be approached properly in every aspect of life. One’s family life must not be built around the times when one escapes the daily routine, and one’s relationship with one’s spouse and children must not only be expressed during family trips or when purchasing surprise gifts. Both the home and life itself must be healthy and established. The special occasions must serve only to illuminate and add to the blessed daily routine.

When one encounters something bitter, one’s natural tendency is to sweeten it by adding a sweetener. Yet, a better solution is to identify the bitterness’s inherent sweetness and goodness. This must be our approach during Cheshvan and during life’s daily routines. Rather than search for ways to add excitement to the darkness, we must search for good in the darkness itself.

Yarei’ach Bul: The month of the Third Beit HaMikdash

The Hebrew name for Cheshvan is “*Yarei’ach Bul*” (literally, “the month of Bul”), the month when Shlomo HaMelech finished building the First *Beit HaMikdash*:

“And in the eleventh year, in the month of Bul, which is the eighth month, the House was completed...” (Melachim I 6:38)

What does “*Bul*” mean? The Yalkut Shimoni explains:

“What is ‘in the month of Bul’? In the month of *mabul* (flood) without the [letter] *mem* – to represent forty days. [*Mem* is 40 in Gematria.] For even though *HaKadosh Baruch Hu* swore, ‘For [as] the waters of Noach this is to Me,’ (Yeshaya 54:9) nevertheless for forty days each year, those days would make an impression on the world – until Shlomo arose and built the *Beit HaMikdash*, and those forty days ceased. Therefore, it is written without the *mem*, to represent the forty days which ceased.

“When the *Bayit* was built in *Yarei’ach Bul*, twelve months were completed... And *HaKadosh Baruch Hu* thought to combine the joy of the *Beit HaMikdash* with the month in which Avraham was born... This is the month of Tishrei...”

“And so too you find with the construction of the *Mishkan*. R’ Chanina said: On the 25th of Kisleiv, the construction of the *Mishkan* was completed, and it remained folded up until the 1st of Nissan, as it is written, ‘On the day of the first month, on the first of the month; you shall set up the Tabernacle...’ (Shmot 40:2) ...And *HaKadosh Baruch Hu* thought to combine the joy of the *Mishkan* with the month in which Yitzchak was born...”

“And from now, Kisleiv lost out, because the work was completed in it. *HaKadosh Baruch Hu* said: I must reimburse. How did *HaKadosh Baruch Hu* reimburse it? The Chanukah (literally, dedication) of the Chashmonai, and so too MarCheshvan - *HaKadosh Baruch Hu* will reimburse it in the future...”

According to this Midrash, the rededication of the *Beit HaMikdash* on Chanukah was the rectification and “payment” for Kisleiv, which is when the *Mishkan* was completed but not dedicated. Similarly, *HaKadosh Baruch Hu* has to repay Cheshvan as well, because that was when the First *Beit HaMikdash* was completed but not dedicated. The Bnei Yisaschar explains that the rectification and payment will occur when the Third *Beit HaMikdash* is built in Cheshvan *la’atid lavo*.

The Midrash also teaches that Cheshvan is the month of the *mabul*. *La’atid lavo*, it will appear in its rectified form as a *mabul* of Divine enlightenment and the *Shechinah*’s Revelation. At that time, everyone – from young to old – will come to recognize Hashem.

Shigrah serves as an equalizer; each day is equivalent. Similarly, *la’atid lavo*, this Divine enlightenment will equate the young and the old. A blessed routine means that the exceptional details are not the only aspects which are imbued with holiness. Instead, the entire whole is sanctified.

The month’s symbols

As noted above, Cheshvan is the eighth month. Eight represents that

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Reception for Returning *Shlichim* 5771

"All good things must come to an end..."

After a long, intensive, and productive year, Torah MiTzion's *shlichim* of 5770 returned to Israel, and last Sunday, they gathered at Nefesh B'Nefesh's Yerushalayim headquarters for a special reception in their honor.

The evening began with an emotional and joyous reunion, followed by dinner. During the meal, Rav Boaz Genut, Torah MiTzion's executive director, introduced the new office staff members: Sari Mayer, office manager; Eitan Grossman, recruitment coordinator; and Eliad Avruch, newsletter editor.

Next, Mr. Gael Greenwald, former director of the World Zionist Organization's Hagshama Department, and Mr. Zeev Schwartz, Torah MiTzion's chairman and World Bnei Akiva's secretary-general, greeted the attendees.

The distinguished guests at the event included Rav Yechiel Wasserman, chairman of the World Zionist Organization's Department of Religious Services in the Diaspora; Mr. Yitzchak Shtiglitz, executive director of the World Zionist Organization's Department of Religious Services in the Diaspora; and Ro'i Abaciss, former executive director of the World Zionist Organization's Hagshama Department.

Rav Yossi Tzuriel of the Jewish Agency was given an award for his long-

time support of Torah MiTzion throughout the years.

Many of the speakers stressed that being a *shaliach* is a lifetime position. Even after the *shaliach* returns from the Diaspora and the formal *shlichut* ends, he or she continues to serve as a personal example and to contribute actively to the nation and society.

During the course of the reception, returning *shlichim* Ariel Chesner of the Montreal Kollel, Doron Chitiz of the Cape Town Kollel, Chaim Hoffert of the Montevideo Kollel, Rosh Kollel Rav Yishai Lisner of the Montreal Kollel, and Rosh Kollel Rav Yehudah Lopian of the Washington Kollel shared a number of fascinating and poignant stories from their *shlichut* experiences.

The wonderful evening concluded with a screening of "*Achat Yoter Midat*" ("One Too Many"), a film produced by the Maaleh Film School.



The Ark of Ourselves/ continued from page 1.

Unity is important. Gathering around one ideology is important. There is a level that everything is equal in the world. But there are also differences. There many thoughts, many ideals many colors. Things are divided and separated. It appears that a true ideology is one of a – תיבה ark, the ability to close and dive into ones' self and find and enhance the uniqueness of his own self. The ark calls us to look deep into ourselves, as individuals, families, congregations, and nations, in order to clarify to ourselves the special qualities we carry. Only then we can leave the ark and start redeeming and building the world.

It is interesting to point out that in both arks we mentioned, Moshe and Noah, we find a source of light inside the ark. In this weeks' parsha we read about the) תזוהר Tzohar, (yes there is also an organization with this name, but the origin is this weeks' parasha) which is explained to be a beautiful stone that gave light in the ark. Similarly, the rabbis teach us that Moshe himself had light. Building separations in the form of the ark could be constructive, a learning period that reveals personal qualities that later on help the entire

Rabbi Reuven Kolton

is visiting this weekend in town.

Rabbi Kolton was a Shaliach of Torah Mitzion Kollel and a teacher in the MHA during the years 2005-2009, and is remembered well by many students and teachers and other community members. He now lives in Israel with his wife Oshrit (also a teacher in the girls school) and their 3 children Netzach, Tair, and Racheli.

Those who are available on Motzaei Shabbat are welcome to meet Rabbi Kolton at the House of Diane & Allan Harkavy

on Sat. night at 9:00 pm. (5725 Gladeview Dr.)