



פרשת וישלח  
כסלו תשפ"ג  
שנת הקהל



### HAKHEL IN THE PARSHA

As he returns to Eretz Yisroel and prepares to travel to Bethel, Yaakov gathers the members of his family and exhorts them to remove any idols that they may have amongst them, to purify themselves and to change their garments.

This gathering, which included men, women and children, is similar to the gathering of Hakhel. Yaakov as the head of the household - the king, gathered his household. He spoke to them words of rebuke relating to our fundamental beliefs, which translated into practical action in the observance of the Mitzvos.

### SHABBOS SHIUR

The community is invited to join the Shabbos shiur between Mincha and Maariv in the Yeshivah Shule. Topic: The Alter Rebbe's reconciliation of the paradox between free-choice and Hashem knowing everything.

### YUD-TE'S KISLEV LEARNING

All men and Bochorim are invited to join together for a **Chassidus Learning Evening** in preparation for Yud-Tes Kislev, Rosh Hashona of Chassidus.

This Sunday night 8:00pm in the Werdiger Hall, followed by Maariv. Learning materials will be provided and hot refreshments served.

A collection of Torah thoughts produced by Kollel Menachem



## In this Edition

Model for a lasting marriage **P.1**

Eruvin: A Lechi placed behind walls **P.2**

## The Kabbalistic model for a lasting marriage

At the end of our Parsha we learn of "the kings who reigned in the land of Edom before any king ruled over Bnei Yisroel". The Torah lists seven Edomite kings, each of whom ruled **וימלך**, subsequently died **וימת** and was replaced by the next king as their successor.

In these Pesukim, the Ariza"l finds allusion to two world orders. The first world is the world of Tohu (chaos) and the following world is the reality of Tikun (correction).

Both worlds are comprised of seven Divine energies referred to as Sefiros. These Sefiros are the spiritual building blocks through which Hashem channels His light into creation. But the nature and interrelationship of the Sefiros differs greatly between the two.

The 'kings of Bnei Yisroel' refer to the Sefiros of the world of Tikun. The 'kings of Edom', who ruled before them, refer to Sefiros of Tohu which preceded the world of Tikun. The demise of the seven kings of Edom represents how the seven Sefiros of the world of Tohu suffered a spiritual collapse.

From the fragmented Sefiros and spiritual rubble of Tohu, the reality of Tikun was brought into being. After the death of the seventh king, the Torah names the eighth king, Hadar. This king represents the beginnings of the world of Tikun and therefore, unlike the previous kings, his death is not mentioned.

The difference between the nature of the Sefiros in the worlds of Tohu and Tikun is discussed a great length in Chassidus, some of the differences are;

In Tohu the Sefiros are described as 'kings'. Each Sefira existed in its full strength, with a powerful sense of its own identity, like a king, who with their power and ego, seeks exclusive and absolute domination.

The Sefiros of Tohu sought their own need to express themselves and did not leave space for the existence of any other Sefira. Like the kings of Edom, only with the demise (collapse) of the previous Sefira, could the new Sefira arise and have space to express its unique self.

The Sefiros of Tohu did not wish to receive influence from the other Sefiros. To do so, they would first need

to recognise that they are lacking something that they do not have within themselves. They would also need to recognise that the other has qualities and strengths that can complete them if they are open to receive.

These features all stem from the underlying sense of ego in Tohu. This gave rise to a world of conflict and separateness that could never be sustainable.

In Tikun, the complete opposite pervades. The Sefiros have the element of Bittul (humility). As such they do not seek exclusive expression. They can accept the existence of other Sefiros without feeling threatened by a loss of dominance.

They sense that no one has perfection and is complete on their own and they are able to appreciate the qualities and strengths of the other Sefiros. They appreciate that the only way to achieve their own wholeness is by receiving influence and learning from the other.

Because of this, the Sefiros of Tikun unite with one another in a deep bond described as Hiskallelus, whereby in each Sefira there are elements of each of the other Sefiros.

In a letter sent to the Rebbe and the Rebbetzin in anticipation of their second wedding anniversary on the 14th of Kislev 1930, the Rebbe's father writes;

"The marriage of man and woman is the concept of Tikun (which is) the opposite of Tohu where there is no mention of marriage between man and woman, for in the kings of Tohu (until the 8th king Hadar), there is no mention of the names of their wives. Tikun is the concept of marriage..."

Marriage is the uniting of two individuals to become one. When we display the attributes of Tohu; ego, not giving space for the other and not being able to receive influence, no unity can be achieved and chaos ensues.

But with the humility and flexibility of Tikun, when we make space for the other and can be vulnerable and open to receive influence from one another, we build a relationship of harmony and unity - a marriage made in Tikun that will endure for eternity.

- See Sukkah 5b
- Eruvin 11, Shulchan Aruch OC 362:11
- Yerushalmi
- Tikun Eiruvin
- 363:7
- 363:113
- Avnei Nezer 291
- Haelef Lecha Shlomo
- Haelef Lecha Shlomo 155
- A requirement which is brought in the Gemara and Shulchan Aruch
- 161, 174
- Beis Shlomo 55:5
- The wall itself cannot be considered as a Lechi - Maharsham
- 363:14
- OC 91, 96
- Haelef Lecha Shlomo 155, 161
- 1:207
- Chavatzeles Hasharon OC:20 (Harav Babad of Tarnopol)
- Including Rav Moshe Feinstein, Rabbi Shimon Eider, Rav Heine-man
- And especially if the wire of the Tzuras Hapesach is lower than 20 Amos
- As discussed in a previous edition, the Lechi itself does not need to extend up to the wire.

# The weekly Halacha analysis

## Eruvin: A Lechi placed behind walls

Rabbi Yonason Johnson

One of the ways in which a wall can be created for the purpose of carrying on Shabbos, is through constructing a Tzuraz Hapesach (literally the form of a doorway). A Tzuraz Hapesach is Biblically defined as a wall. This is a Halacha Lemoshe Misinai<sup>1</sup> – an Oral Tradition going back to Har Sinai.

Like a doorway, a Tzuraz Hapesach is created with two vertical poles (down-posts or door-posts) and a pole on top (crossbeam or lintel)<sup>2</sup>. The Gemara describes this as קנה מכאן וקנה על גביהן. מכאן וקנה על גביהן. The vertical pole is also called a Lechi and the crossbeam is called the Kaneh. The crossbeam can also be a string.

### A Lechi positioned in a Reshus Hayachid

One of the questions raised by the Acharonim is the validity of a Tzuraz Hapesach where one of the Lechis is positioned in a Reshus Hayachid, such as behind the walls of a garden, inside of a house or in a hedge.

The earliest authority to raise this issue is Rabbi Yaakov of Lisa (1760-1832 Poland - author of Chavas Daas and Nesivos Hamishpat) in his work Mekor Chaim<sup>4</sup>.

He writes that if the Lechis of a Tzuraz Hapesach are placed in a house or behind a wall that surrounds it on four sides, the Tzuraz Hapesach is invalid (לאו כלום הוא). His ruling is quoted in Shaarei Teshuvah<sup>5</sup> who adds that this applies even if only one of the Lechis is placed in a Reshus Hayachid. The Mishna Berura<sup>6</sup> brings this as Halacha.

The Mekor Chaim writes that the rationale of this Halacha is that the Lechi must be visible outside as a Heker (recognising factor). When surrounded by walls, the Lechi is not recognisable because the Reshus Hayachid is considered as though it is completely filled (במאן) (He concludes that this is obvious and does not need any proof).

The Acharonim explain this invalidation in a number of different ways.

If we view the Reshus Hayachid to be 'filled up', then in halachic reality, the Lechi no longer exists. There are those who write that the principle of במאן דמליא דמי only applies to a roofed structure such as a house<sup>7</sup>. However, the Acharonim explain that even without a roof, the courtyard is considered full up to the

height of the walls<sup>8</sup>.

Rabbi Shlomo Kluger<sup>9</sup> explain that the main issue is the Lechi being 'recognisable'. In order to serve as a wall, the entire Tzuraz Hapesach must be recognisable (ניכר) to those who pass by it. This is the same law that applies to a Lechi which is placed at the opening of an alleyway (Mavoi) to permit carrying within it<sup>10</sup>. A Lechi of a Tzuraz Hapesach which is positioned within Rehus Hayachid such as a house or behind walls, is not recognisable.

Rabbi Shlomo Kluger<sup>11</sup> brings a further reason to invalidate a Tzuraz Hapesach when the Lechi is placed behind walls. A Tzuraz Hapesach is supposed to resemble a normal doorway. We find this concept applied in a number of Halachos relating to a Tzuraz Hapesach such as the law of a Pische Shimai. He argues that one does not build a doorway with a wall runs through the middle of the doorway.

Another explanation is based on the Halacha that the walls of a Reshus Hayachid are considered to extend all the way up to the heavens<sup>12</sup>. If so, in Halachic reality, the walls will disrupt the Tzuraz Hapesach<sup>13</sup>.

### If the Lechi protrudes higher than the walls

According to the explanation that the invalidation is because the Lechi is not 'recognisable', the Lechi itself is technically kosher. The only deficiency is that it is not visible. The Acharonim discuss whether the Mekor Chaim's ruling applies where the Lechi sticks up higher than the walls, so that it is recognisable from outside.

Yeshuos Yaakov<sup>14</sup> rules leniently if the Lechi sticks up high above the walls of the Reshus Hayachid, writing that this is how the Eiruv in his city was built. This is also the view of the Chasam Sofer<sup>15</sup>.

They do not write how much the Lechi must protrude above the walls. Some require that ten Tefachim of the Lechi extend and be visible above the walls as this is the minimum height of a Lechi. In all cases, the Lechi must still extend all the way to the ground to be kosher.

In contrast, Rav Shlomo Kluger<sup>16</sup> writes that the fact that part of the Lechi is visible above the walls is not of consequence. To be valid, the bottom ten Tefachim (i.e. from the ground

up) must be visible as this is the essential part of the Lechi that renders it kosher.

The Chasam Sofer is lenient if the crossbeam (Kaneh) of the Tzuraz Hapesach is lower than 20 Amos. In this case, the crossbeam itself is a sufficient Heker, even if the Lechis are not visible at all. The ruling of the Mekor Chaim only applies where the crossbeam is higher than 20 Amos.

### Lenient Authorities

Not all authorities agree with the stringency of the Mekor Chaim or his issue of concern. The Aruch Hashulchan does not quote it. The Alter Rebbe does not mention any concern over a Lechi placed in a Reshus Hayachid.

In a Teshuvah on the topic, the Maharsham<sup>17</sup> addresses the question of whether one can include a Lechi for a Tzuraz Hapesach which is placed in a garden behind a fence. He writes that the Divrei Chaim of Tzanz said that there are many clear proofs against the Mekor Chaim, but Lemaaseh we are concerned for his stringency.

Shaalos Uteshuvos Chavatzelos Hasharon<sup>18</sup> writes that even though his father was always Machmir in matters of Halacha, he built the Eruv with Lechis placed in a Reshus Hayachid. Many Poskim write that in the past, in Europe, the custom was to be lenient.

### Practical Application

Most contemporary Poskim<sup>19</sup> are concerned for the stringency of the Mekor Chaim when building Eruvin. However, in a Shaas Hadchak, where there are no alternative solutions, there is room for leniency, especially if the Lechi extends above the walls of the Reshus Hayachid, which according to some Poskim, even the Mekor Chaim would permit<sup>20</sup>.

Maharsham suggests a possible solution which would suffice according to all opinions. Since a Lechi has no minimum thickness, one can form a Lechi out of clay/plaster or the like and place it on the outer side of the fence, positioned directly under the wire (which currently extends over the wall to the Lechi behind it)<sup>21</sup>. This creates a new Tzuraz Hapesach which will be entirely visible and not surrounded by walls.