



פרשת בראשית
תשרי תשפ"ב

HILLULAH OF REB LEVI YITZCHOK OF BERDITCHEV

The 25th of Tishrei is the Yartzheit of the Berditchever, the great Tzaddik and Rebbe, Rabbi Levi Yitzchok.

Over 75 community members came together for a virtual Zoom Farbrengen for the community to mark this special day and to learn from his ways.

Rabbi Yonason Johnson led a study of some of the teachings of Kedushas Levi on Parshas Bereishis, highlighting two of the Berditchever's outstanding qualities; his loving approach to every Jew and his Chayus and passion in Mitzvos.

Rabbi Leor Broh enthralled by weaving together stories of Rabbi Levi Yitzchok together with his teachings.

The evening continued with a Farbrengen, with nigunim and words of inspiration.

The Farbrengen was dedicated by the Goldhirsch family.

MOTZAI SIMCHAS TORAH FARBRENGEN

As we could not come together to celebrate the end of Yomtov as a community, a special online gathering of Anash took place after Yomtov had ended.

We followed the Minhagim of the end-of-Yomtov Farbrengen by listening to the Nigunim of the Rebbeim as well as the reciting of a Maamar.



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The path of the Defender of Israel

Which does Hashem desire more, the deeds of the Tzaddikim (righteous) or the deeds of the Reshaim (wicked)?

It sounds like a bizarre question. Why would we entertain the thought that Hashem desires the deeds of the Reshaim and may even prefer them to the deeds of the Tzaddikim? Yet this question is posed in the Midrash.

On the first day of Creation, Hashem created light and dark, calling the light, day and the dark, night.

The Midrash explains that light and day refer to the "deeds of the Tzaddikim". Darkness and night refer to the "deeds of the Reshaim". The Torah seems to put the two on par.

From the end of the verse "and Hashem saw the light that it was good", the Midrash concludes that it is the "deeds of the Tzaddikim" that Hashem desires.

The great Tzaddik and Rebbe, Rabbi Levi Yitzchok of Berditchev (whose Yartzheit was on Friday, Tishrei 25) offers a beautiful explanation of this perplexing Midrash.

The Midrash does not refer to Hashem's desire for the righteous or the wicked, it deliberately refers to the "deeds" or "ways" of the Tzaddikim and the Reshaim.

On the injunction to love Hashem with all your heart (בכל לבבך), our sages teach that one must serve Hashem with both of their inclinations, the Yetzer Tov and Yetzer Hara. Rabbeinu Yonah explains how this is possible and what it means.

The natural traits of the Yetzer Tov are to love peace, pursue peace and to draw our fellow Jews closer to the service of Hashem through sweetness and positivity. These are the Middos of the Tzaddikim.

In contrast, the Middos of the Yetzer Hara are anger and hatred. The Reshaim use these negative Middos to do evil and harm and to despise those who serve Hashem.

Our sages are teaching us that the Tzaddik can also utilise the Middos of the Yetzer Hara in the service of Hashem, to direct anger towards those who go

against Hashem's will.

With this, Rabbi Levi Yitzchok explains our Midrash. The "deeds of the righteous" refer to the path of drawing others closer through love, kindness, positive words and compassion. This is the path that is likened to the light and warmth of day.

The "deeds of the Reshaim" refer to the use of the Middos of the Reshaim in the service of Hashem; to use words of stern rebuke and anger to those who have gone astray, in an effort to cause them to regret their ways and to return.

Since both are approaches within the service of Hashem, the question of the Midrash is now understandable, which approach does Hashem desire?

The Midrash concludes that whilst both paths may have holy motivations, it is the path of closeness, love and positivity that Hashem desire, not the path of anger. Hashem saw that the path of light was good, not the path of darkness.

The Posuk וירא אלקים את האור כי טוב can also mean that Hashem saw the light, "because He is good". Hashem is the ultimate Good and so He chooses the Middas Hatzaddikim, the path of light.

In contrast to the path of Mussar, the Baal Shem Tov and the Chassidic movement, espoused the approach of love, closeness and positivity towards every Jew, even to those who have gone astray.

Rabbi Levi Yitzchok of Berditchev championed the approach of light, the Middas Hatzaddikim. He was renowned for his great love for every Jew and always seeking to judging them favourably and in a positive light, even when they were doing wrong. Through his constant defence of the Jewish people in the eyes of Hashem, he earned the title "the Defender of Israel" סגוריא של ישראל.

The Alter Rebbe taught, that through his efforts to judge every Jew favourably, Rabbi Levi Yitzchok created a new palace of merit in Heaven. Whoever follows in his ways and judges their fellow favourably, merits to enter this chamber, from which they can draw down blessings to fulfill all of their desires, for themselves and their fellow Jew.

Zechuso Yagein Aleinu. May his merit protect us.

The weekly Halacha analysis

Taking the Torah out into the streets

Rabbi Yonason Johnson

This year, in Sydney and Melbourne under the lockdown regime, many people held their Simchas Torah Hakafos out in the streets, in parks and other public places. Is there any Halachic issue of disrespect by taking the Torah out of the Shule for this purpose?

The Problem of Moving a Sefer Torah

Generally we are not permitted to move the Sefer Torah from its location in the Shule. The issue at hand is one of proper respect for the Sefer Torah. The Shulchan Aruch¹ rules that we may not bring a Sefer Torah to prisoners even on the Yomim Noraim.

The Zohar² is extremely stringent, stating that the Golus of the Sefer Torah applies even when moving a Sefer Torah from one Shule to another, how much more so when the Sefer Torah is taken from the Shule into the street.

Many Poskim³ are stringent like the Zohar and do not permit moving the Sefer Torah even from room to room.

Moving from one room to another when the rooms are separated by a Mechitza and one need not go through a hallway is permissible⁴. Other Poskim are lenient when moving the Sefer Torah from room to room when both are under the same roof.

It is preferable that each shtiebel room have their own Aron Kodesh and Sifrei Torah. Even moving the Sefer Torah while in the Aron Kodesh is problematic⁵.

If a Sefer Torah is available in the Shule, one should not bring another Sefer Torah from another room even if it is more Mehudar or for another reason (i.e. a specific *Ksav* or a desire to use a family Sefer Torah etc). This is a double affront; to the Torah being moved and to the Torah which is not being used⁶.

If a Sefer Torah would require a lot of rolling e.g. on Rosh Chodesh, *Tircha Detzibura* (delaying the congregation) may override the concern and another Torah may be brought.

A private Sefer Torah which is kept at home may be taken out and moved, for example when travelling⁷. Some require that it be written with the intention that it will be moved⁸.

Conditions to Permit Moving the Torah

The Ram"o⁹ rules that if the Sefer Torah is brought to the second place one or two days prior and kept in an honourable place (an Aron or cupboard) than it may be moved when required. This is then considered as a *Kvius* and not just temporary. Mishna Berura¹⁰ adds that the same is

true if the Sefer Torah will be left there for a day or two.

There is a widespread Minhag of using the Sefer Torah in its "temporary" location at least three times. There is no early source for this custom¹¹. Nonetheless the Minhag should be observed¹².

Some Poskim question the permissibility of bringing a Sefer Torah to a mourner's house to use for the Tefillos. Therefore, the above steps should be taken i.e. having a designated place and using it three times. Many communities will have a private Sefer Torah to use for this purpose which is another basis for leniency.

When a question of moving a Sefer Torah arises (e.g. camps, Shabbatons, extra Sifrei Torah for leining etc.) one should consult with a Rov for guidance on how this should be done.

Simchas Torah and Hachnosas Sefer Torah

Minhag Yisroel is that during a Hachnosas Sefer Torah, we bring out all of the Sifrei Torah from the Shule to greet the new Sefer Torah which is being dedicated.

Similarly on Simchas Torah many Kehillos bring the Sifrei Torah out to dance in the street. In Eretz Yisroel this is commonly done for the *Hakafos Shniyos*.

What is the basis for permitting this practise, especially as the Sefer Torah is not being read?

One of the proofs brought by the Poskim in support of this custom is from the Yerushalmi¹³.

On Yom Kippur in the Beis Hamikdash, the Sefer Torah would be brought to the Kohein Gadol to read from. The Yerushalmi question why is the Torah brought to the Kohein when usually one goes to the Sefer Torah?

(Parenthetically, based on this statement, the Chazzan should go to the Aron Kodesh to receive the Sefer Torah rather than waiting for the Sefer Torah to be brought to him).

The Yerushalmi answers that bringing the Sefer Torah to men of great stature is an exception because the Torah is thereby honoured and elevated.

This is brought as Halocha by the Or Zarua¹⁴ and is the ruling of the Ram"o¹⁵ who writes that for an honourable person it is permissible to move the Sefer Torah in all circumstances.

Based on this the Poskim permit taking out the Sifrei Torah, when it is being done for the honour of the Sefer Torah.

This is the justification of taking out the Sifrei Torah for a Hachnosas Sefer Torah and also for

Hakafos since this too brings honour to the Sefer Torah and is for rejoicing in the Sefer Torah¹⁶. It also brings the joy of the Torah to more people and increases the joy.

Marika"sh¹⁷ brings an alternate proof from the Mishna in Mesechta Yoma. After the Kohein Gadol would read from the Sefer Torah on Yom Kippur afternoon, each person would bring their Sefer Torah from home and read from it, in order to show its beauty to others¹⁸.

This too was permissible as it was for the honour of the Sefer Torah and the one who commissioned it. The same applies during Hakafos and when honouring the dedication of a new Torah.

Additionally, there are many things done on Simchas Torah which are questionable in Halocha but are nonetheless allowed for the Simcha of Torah e.g. dancing and clapping on Shabbos and Yomtov.

There are Poskim who challenge the custom of removing the Sifrei Torah from the Shule for Hakafos. However most Poskim permit the practise and *Minhag Yisroel Torah Hi*, Jewish customs are considered as Torah, especially as it has been done for centuries in the presence of Gedolei Hatorah who did not protest but on the contrary encouraged the practise.

Rav Ovadiah Yosef concludes his Teshuvah on the topic writing that on the contrary, one who wants to be stringent is withholding the honour of the Torah.

In our current situation, where Hakafos would not be allowed to be held in Shule and were the Sifrei Torah not taken out in public, the Hakafos would not have taken place at all, there is certainly no concern as this is the greatest honour for the Torah.

1. OC 135:14
2. Volume 1 p225b and volume 3 p71b
3. Yaavetz Mor Uketzia 135, Maaseh Rav on customs of the Vilna Gaon and others.
4. Eshel Avraham Butshash
5. Igros Moshe YD 2:91
6. Kinyan Torah 4:16
7. Tzitz Eliezer 18:6. Vayevarech Dovid 26. This does not apply to a personal Sefer Torah which is on loan or kept in a Shule and used for public readings
8. Kaf Hachaim 135:78
9. 135:14
10. 135:49
11. Rav Shlomo Zalman Auerbach as quoted in Halichas Shlomo. The earliest source is Aruch Hashulchan 135:32
12. Rivevos Efraim 3:95 quoting Rav Moshe Feinstein
13. Yoma Chapter 7
14. Siman 60
15. ibid
16. See Birkei Yosef quoting Rav Abuhav that even according to the Zohar this would be permissible.
17. Erech lechem 135
18. Based on the distinction above between a private and communal Sefer Torah, this proof is rejected by some Poskim