



YARCHEI KALLAH

Plans are underway for this year's Yarchei Kallah learning programs.

IYH, things will be opened up and we look forward to welcoming you to join us for these amazing annual learning opportunities.

Yarchei Kallah Melbourne learning program will run from December 26 - January 2

The Yarchei Kallah retreat will take place at Camp Marysville from January 2 - 9.

For more information about these programs, please email Kollel@yeshivahcentre.org

Stay tuned for details of the programs, including speakers and topics, that will be shared in the coming weeks.

MONDAY NIGHT CHASSIDUS

As we begin the Torah once more, join Rabbi Johnson on Monday nights to delve into the Chassidische Parsha of the week - exploring the Parsha through the Maamarim of the Alter Rebbe in Torah Or.

Mondays 8:30pm on Zoom

NEW WEEKLY PUBLICATION

Kollel has launched a new weekly publication, **Learning from the Chassidische Parsha**. The weekly one-sider presents synopsis of a Maamar from Torah Or on the Parsha, with practical lessons to learn.

A collection of Torah thoughts produced by Kollel Menachem



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Who should populate Hashem's Palace?

The Midrash on Bereishis presents a fascinating parable that relates to the Mabul in Parshas Noach.

There was once a king who built a place and brought a group of mute individuals to live in it. Every day they would praise the king with their hand gestures and by tipping their hats. The king thought that if this is how even the mute inhabitants praise him, those who are capable of speaking would surely praise him in an even greater way.

The king replaced the mute residents with speaking ones. However, instead of praising him, they seized the palace for themselves, claiming that it belonged to them and not to the king. On seeing this turn of events, the king exclaimed, let the palace revert back to the way it was.

At the beginning of Creation, there was water. On the second day of Creation, Hashem said "let the water be gathered to one place". The sea praises Hashem, as recorded in Tehillim "From the sounds of many waters and the mighty waves of the sea" What is their praise? "Mighty on High is Hashem."

Hashem said that if the waters, which have no mouth and cannot speak, praise Me such, surely when I create man, he will praise Me even more.

But Man did not live up to this expectation. In the generation of the Flood, Man rebelled against the authority of Hashem, denying that Hashem was the Creator of the world and living as though the world was his own domain.

On seeing this, Hashem said let them (Man) be removed and let the former residents (water) return. And so Hashem brought the Flood, to wash away Man and to return the water to the surface of the earth to praise Hashem once more.

The Meforshim point out a number of difficulties. Wasn't the whole purpose of Creation for Man and didn't Hashem know that Man would sin?

The Rebbe Maharash, Rabbi Shmuel of Lubavitch, offers a deeper explanation of this Midrash according to the teachings of Chassidus.

The waters represent a state of absolute Bittul, surrender and nullification-of-self before Hashem, so that one has not independent or separate existence. This is like the creatures of the sea which are completely submerged in the water and cannot be removed and separated from it.

כי מן המים נשיתיהו, "because I have drawn him from the water". Moshe was completely surrendered to Hashem, with the highest level of Bittul, as though he had no independent existence outside of Hashem.

Like the mutes in the parable, Moshe had difficulty speaking, because to speak is to express one's self, which goes against the very essence of Moshe's being—Bittul.

In general, this is like the Avodah of the Tzaddikim who only do as Hashem desires and do not possess any independent desires.

In contrast, the speaking inhabitants, represent a state of independence from Hashem. Unlike the Bittul represented by the mutes, speaking being a metaphor for expression of self.

This represents those of us, who are not on the level of Tzaddikim. We perceive ourselves as being independent of Hashem and have a Yetzer Hora that leads us after our own personal desires.

Nonetheless, the Midrash teaches that Hashem populated the world with these 'independent', 'speaking' people because they too can praise Him and their praise would be even greater. When independent beings, through their own efforts, exercise their free choice to praise Hashem and serve Him, this praise is far greater than the praise of the naturally surrendered Tzaddikim.

But the downside and risk is that is also possible that they may exercise their free, independent choice, to not accept Hashem's kingship. They may even rebel against Hashem, denying His kingship altogether, as Man did at the time of the Flood.

According to the Rebbe Maharash, the king's exclamation "let the palace revert back to the way it was", was not to rue the Creation of Man and wishing for the return of the former inhabitants. Rather it is a wish that independent Man would be able to aspire to and attain the Bittul of water and be purified through the waters of the Flood. Like the Mikva that purifies the defiled, the Mabul represents Teshuvah.

This is the true realisation of the purpose of Creation and is the reason why Hashem did not populate the world with perfect angels or Tzaddikim. Hashem desires a Dirah Betachtonim; where that which is independent and could even deny His existence, comes to submit and submerge itself to Him.

The weekly Halacha analysis

Leaning in Tachanun without a Sefer Torah

Rabbi Yonason Johnson

On Erev Shabbos, we resumed saying Tachanun, after a 3-week hiatus. As many of us are still unable to Daven in Shule due to the COVID-19 restriction, this issue is one of timely relevance.

The technical Halachic and Talmudic name for the Tefillah of Tachanun is Nefilas Apayim – literally ‘falling on one’s face’. In the times of Chaza”l and the Rishonim, Nefilas Apayim involved actually bowing down with their face to the ground. This could be done either with stretching out one’s hands and feet or by kneeling on the ground.

Nowadays, due to a number of Halachic concerns, the custom is not to bow with one’s face to the ground. Instead, we lean our heads on our arm and cover our face¹.

When there is no Sefer Torah present

The Rokeach² writes that we only ‘fall on our face’ in the presence of a Sefer Torah. As support, he quotes a Posuk from Sefer Yehoshua³ at the battle of Ai “and Yehoshua tore his clothes and fell on his face on the ground before the Ark of Hashem...”

This opinion is recorded by both the Ram”o in Darkei Moshe and by the Beis Yosef. The Beis Yosef writes that if this is a received tradition (Kabbalah), we accept it. But if not, it can be easily argued against.

In the Shulchan Aruch, the Mechaber writes about Nefilas Apaim without qualifying that it is only in the presence of a Sefer Torah or not. However, the Ram”o⁴ brings the opinion of the Rokeach as Halacha.

The Ta”z challenges the opinion of the Rokeiach and his source. He quotes from the account of the Pilegsh Begivah “and they cried and repented before Hashem”. We do not say that crying and repentance may only be done in the presence of the Sefer Torah (before Hashem). So too, the use of “before Hashem” has no consequence in the verse of Yehoshua either⁵. He also brings a case discussed by the Rosh as proof that one does Nefilas Apayim even at home⁶.

In contrast, the Magen Avraham⁷ follows the position of the Ram”o who rules like the

Rokeiach. The Alter Rebbe⁸ adopts the ruling of the Ram”o and Magen Avraham, however he describes this as Yesh Nohagin, that there are those whose custom is to only do Nefilas Apayim in the presence of a Sefer Torah⁹.

Siddur HaAriza”l writes that one should fall on their face even when there is no Sefer Torah present. However, this only applies to a person who is known to be pious and follow the ways of Kabbalah. Birkei Yosef¹⁰ writes that we follow the opinion of the Mechaber and fall on our face even when there is no Sefer Torah present and that this accords with the teachings of Kabbalah¹¹.

Davening at the time of the Tzibbur

What about those who are Davening while watching a broadcast from a Shule where there is a Sefer Torah present?

Darkei Moshe quotes Mahar”l Molin that if one is davening at home at the same time that the Tzibbur is davening, it is considered as if he was with them in the Shule in the presence of the Aron Hakodesh. Therefore, they can say Tachanun while covering their face¹².

This is because we apply the principle that even a Mechitzah of iron cannot separate between a Jew and their Father in Heaven¹³. Based on this Elya Rabbah writes that this applies even if the door of the Shule is closed.

Levush writes that he never saw this practised. It could be that the leniency only applies when the person’s house is next to the Shule and can hear them. However, the other Acharonim do not make this distinction.

Magen Avraham writes that one has to be saying Tachanun at the same time that the Tzibbur is saying Tachanun. However the Ta”z¹⁴ writes that it is sufficient to be davening at the same time as the Tzibbur is davening. The Alter Rebbe explicitly rules like Magen Avraham.

Ketzos Hashulchan¹⁵ writes that one may only do Nefilas Apayim at home together with the Tzibbur if no Makom Metunaf (a disgusting place where one is forbidden to daven) separates between one’s home and the Shule.

Pri Megadim¹⁶ quotes Elya Rabbah that when

one says Tachanun without falling on their face, for example one who is davening in their home, it may be said while standing.

Other Seforim in the house

Elya Rabbah¹⁷ records the opinion of Shayarei Kneses Hagedolah that other Seforim have the same status as a Sefer Torah.

The Elya Rabbah writes that he has not seen this practised. Further, in every home, one would be in the presence of the Mezuzah, so why would one not do Nefilas Apayim? He also points out that the Posuk which is the source of the Rokeiach’s ruling refers to the Aron Hakodesh which contained a Sefer Torah.

Kaf Hachayim rules like Elya Rabbah that we do not perform Nefilas Apaim when there are only Seforim present.

However, many of the contemporary Poskim rule like the Shayarei Kneses Hagedolah, including the Igros Moshe¹⁸. Rabbi Nissim Karelitz¹⁹ likewise writes that one may do Nefilas Apayim in the presence of other Seforim. However, he qualifies that this is only where the Seforim are kept in a permanent manner such as in a designated bookshelf.

Chinuch for children

Rabbi Moshe Feinstein rules that for the purpose of Chinuch we can allow children to do Nefilas Apaim even where there is no Sefer Torah or even Seforim present, relying on the ruling of the Mechaber²⁰.

Custom in Yerushalaim

Rabbi Yechiel Michel Tukitchinsky writes that the Minhag in Yerushalaim is to do Nefilas Apaim²¹ even when there is no Sefer Torah present and even when not in a Shule. He explains that Yerushalaim is always considered to be before the Ark of Hashem as the Kedusha of Yerushalaim never departed.

Rabbi Shlomo Zalman Auerbach explains that this only applies to within the walls of the Old City²¹. However, Ketzos Hashulchan²³ does not make any distinction. Rabbi Moshe Feinstein²⁴ writes that anyone visiting Yerushalaim should follow the local custom.

1. See Shulchan Aruch Harav 131:1
2. Siman 324
3. 6:7
4. 131:2
5. There is a difference in that the Posuk in Shoftim does not mention the Ark of Hashem
6. This proof is not definitive as it may refer to a home where a Sefer Torah was present
7. OC 131:7
8. 131:3
9. Perhaps he words it this way because the Ta”z follows the Mechaber
10. 131:1
11. See Nimukei Orach Chaim (Munkacz) that there are different understandings of the position according to Kabbalah.
12. Agur quoted in Darkei Moshe
13. Pesachim 85b
14. 131:7
15. 24:1
16. Eshel Avraham 131:5
17. 131:5
18. 5:20:5
19. Chut Shani Yomtov, Inyanim 10
20. He writes that when he was young, in many places in Europe the children were not taught to say Tachanun, even those who already knew a number of Mesechtos!
21. Eretz Yisrael (1:9)
22. Ishei Yisrael 25 note 39, Teshuvos Vehanhagos 2:79
23. 24:4
24. Igros Moshe YD 3:129