



A collection of
Torah thoughts
produced by the
Kollel

חידוש Chiddush

אין בית המדרש בלא

KOLLEL UPDATES

Tax-Time-Torah Evening

Maaser and Tzedakah: This Motzai Shabbos, the Kollel in conjunction with Young Yeshiva will be hosting a learning evening and melave malka for the young members of the community.

Rabbis Michoel Stern and Yaakov Feiglin will present the hashkafa and practical halachos of Maaser including; how it is calculated, tight budgets and allowable deductions.

The program takes place at 8:30pm at 27 Balaclava Rd.

Taharas Hamishpocho Review Series

This Sunday evening we will be starting a 4-week series for men. The course will include a refresher on the halachos of Taharas Hamishpocho and sessions on Sholom Bayis.

For full details of the series and to register, visit

www.KollelMenachem.com.au/taharah

Return Seforim Campaign

You may have seen the signs around the place. Do you have any Kollel seforim at home which you may have forgotten to return? Is yes, please return them. We miss them in Kollel where others can use them too.



In this issue

Religious Fanatics **P.1**

Open Shut Them - Prams on Shabbos **P.2**

Religious Fanatics

Zealots! The word conjures up images of kamikaze soldiers, fanatic jihadists and stone-throwing Jews in Chasidic garb - hardly the image of piety and ethical behaviour. Certainly not the behaviour Torah would endorse.

This week we read about Pinchos, a fanatical religious zealot. Zimri, the prince of the Tribe of Shimon takes Kozbi, the Moabite princess, for immoral purposes. The people are crying at this public *Chillul Hashem* and affront to Moshe. The great sages of the generation are sitting not knowing what to do. Along comes Pinchos, the *youngest of the group* and kills both Zimri and Kozbi. He bases himself on the *Halocha MiSinai* that in such cases *Kanoim Pogin Bo* - the zealots strike him.

Pinchos' actions turned away Hashem's anger and stopped the plague which was ravishing the Jewish people. Hashem declares that as a result of Pinchos acting zealously on My behalf, I will give him a covenant of peace. Pinchos was given the gift of Kehuna. Even though some of the sages disapproved of Pinchos' conduct, he received Hashem's stamp of approval.

Why the gift of priesthood? The Kohanim represent the quality of Chesed. They are the disciples of Aharon who love peace and pursue peace. Pinchos was deserving of this reward because he too was a lover of peace. This is why the Torah traces his lineage back to Aharon. The Chassidic sources point out that the weapon Pinchos used - a *Romach* (spear) - has the same letters as *Rachem* (mercy).

Sometimes the path of peace calls for a tough stance. And in many situations an act of 'aggression' is in the interest of peace. Conversely those who fly the banner of peace while allowing evil to flourish are doing a disservice to the cause which they claim to represent.

In the haftorah for Parshas Pinchos (which is substituted this year with one of the 3 haftorah's of retribution read during the 3 Weeks) we read about another zealot, Eliyahu Hanovi. Our sages teach that Pinchos is Eliyahu, that the soul of Pinchos became the soul of Eliyahu.

The haftorah describes Eliyahu fleeing from king Achav and his evil wife Yizevel. He is led by an angel to Har Sinai where he enters a cave. Hashem asks Eliyahu "What are you doing here?" to which Eliyahu responds "I acted zealously for Hashem. Bnei Yisroel have forsaken Your covenant (Bris), destroyed Your alter and killed Your prophets."

The Yalkut Shimoni teaches that Hashem rebukes Eliyahu for this statement. "You are constantly zealous. You were zealous at Shittim against immorality (the episode of Pinchos) and now you are zealous. By your life, no Jew will perform a Bris Milah without you being present." This is why a chair is placed for Eliyahu at every Bris. He is *forced* to witness how the Jewish people did not forsake the covenant as he had claimed. Hashem tells Eliyahu that if cannot see the good within Bnei Yisroel, he is no longer fit to serve as their leader. Hashem sends Eliyahu to Damascus to anoint Elisha to replace him as *novi*.

Pinchos' zealotry in Shittim was lauded and rewarded. But as Eliyahu he took this zealotry too far. Zimri too considered himself a zealot of sorts. He had a point to make, he was acting for a cause. Rashi even describes that his intention was to save his fellow tribe members from culpability from their immoral behaviour.

Zealousness has its place in Torah, but it's a fine line to negotiate. How do we discriminate between the zealousness of Pinchos and that of Zimri? How can we tell whether our indignation is truly righteous? When do we know if our rebuke or fight-for-the-cause is really coming from a good place?

A zealousness which leads to *Brisi Shalom*, increased peace amongst the Jewish people and between the Jewish people and Hashem through increased observance and *Yiras Shmayim*, this is the zealousness of Pinchos, the *Kano'us* of Kedusha. On the other hand, when the zealousness only serves to cause *Sinas Chinom* and divisiveness, this is the zealousness of those who may seek the reward of Pinchos but are following the actions of Zimri. This is the zealousness for which Eliyahu was reproached.

We find ourselves now in the 3 Weeks. The Beis Hamikdash was destroyed and exile decreed upon us as a result of *Sinas Chinom*. One of the factions at the time of the destruction were the self-proclaimed Biryonim - zealots. It was they who fanned the flames of civil war and ultimately led to the fall of Yerushalayim and the Temple.

We must be zealous for our beliefs to uphold that which is pure and holy. Our zeal and devotion should be one which promotes *Yiras Shamayim* without compromising *Ahavas Yisroel*. Though our efforts, may we merit the arrival of *Pinchos Zeh Eliyahu* to announce the coming of Moshiach and the rebuilding of the Beis Hamikdash. Then these days will be transformed from days of mourning to days of joy and happiness and true peace amongst our people and throughout the world.



Shiurim Schedule

Beis Hamikdosh Evening

On Motzai Shabbos Chazon the Kollel will be hosting our annual community Beis Hamikdosh evening for men and women.

Gateways - A visual presentation touring the gateways of the Beis Hamikdosh, their history, stories and significance.

With Rabbi Shmuel Lesches

Av 6 - July 13th at 8:30pm in the Goldhirsch Hall.

Chassidus of the Churban

Hidden Love and the Purpose of Concealment

All women are invited to join a Chassidus shiur learning the text of a fascinating Chassidic Maamer by Rabbi Hillel Paritcher. The Maamer will be taught by Rabbi Johnson.

Thursdays 8:00-8:45pm

July 4 & 11: At the Gestetner's, 23 Denman Avenue

Daily Siyumim & Hilchos Beis Habechirah Shiur

Daily siyumim will take place in the Shule after the 8:30pm Maariv minyan. Commencing Sunday night, Rosh Chodesh Av (July 7).

The Siyum will be followed by 15 minutes of learning Hilchos Beis Habechirah of the Rambam. Led by **Rabbi Shlomo Barber**

If you are able to make a siyum please contact Rabbi Sabbah.

To sponsor a siyum please contact

Rabbi Johnson or email kollel@yeshivahcentre.org



Q. I know that you can't put up a tent or open an umbrella on Shabbos. But can I open and close the cover of my baby carriage?

A. The Shulchan Aruch¹ rules that one is not allowed to build an ohel (tent structure) on Shabbos. This prohibition applies when the ohel is constructed to be a roof or to protect the area or those underneath it from something be it rain or sun.

If the ohel is a permanent structure it is biblically forbidden as a derivative (*toldah*) of *boneh* – building. Constructing a temporary ohel is rabbinically forbidden. Adding to a pre-existing permanent ohel is also forbidden. However adding to a temporary ohel will be permitted in certain situations, for example if the pre-existing temporary ohel is at least a tefach (8cm) wide.

When a temporary ohel is constructed without the intention of covering that which is beneath it, such as when setting up a table top on top of its legs, there is no problem unless one is also erecting or there are already 'walls' underneath.

Any ohel which is forbidden to erect on Shabbos may also not be dismantled. This would be an act of *sofser* - destroying.

The Shulchan Aruch brings the law of a *Kisei Traskal*²; a type of folding chair made of leather attached to a frame. When the frame is opened, the leather spreads out to create a seat. The Shulchan Aruch rules that opening such a chair is permissible on Shabbos and does not constitute an ohel.

In explanation, the Magen Avraham³ quotes Rashi 'because he has not done anything, he is merely setting it up.' Rashi brings this in connection to setting up a pre-constructed 'ohel' such as a bed. By extension, even though the folding chair needs to be spread out, since he is merely 'setting

Open Shut Them? Pram Hoods on Shabbos

Rabbi Yonason Johnson

it up', it may be opened on Shabbos. The Magen Avraham adds that based on this reason one may erect a Chuppah on Shabbos. This ruling applies to a Chuppah that was attached to the poles before Shabbos and is only being opened up on Shabbos⁴.

At first glance it seems that the Magen Avraham allows one to open these types of items even if it is for the purpose of a creating an ohel. The *heter* being that it was already assembled before Shabbos and now is only being set in place. This is the view of the Mishna Berura⁵. From here some poskim actually allowed one to open an umbrella on Shabbos since it too is only being set in place on Shabbos. Most Poskim however, including the Mishna Berura, rejected this ruling for other reasons⁶. According to this opinion a baby carriage hood may be opened and closed on Shabbos.

However, on this law the Alter Rebbe⁷ writes; any temporary roof which one does not intend to make as an ohel is only forbidden to spread over 'walls' if it was not attached to the walls before Shabbos. The Alter Rebbe clearly rules that the law of the *Kisei Traskal* - i.e. that a pre-connected 'ohel' may be opened up on Shabbos - is limited to when there is no intention to create an ohel, such as when setting up a folding chair. If however the intention is to create an ohel, it remains forbidden.

Why then does the Magen Avraham allow a Chuppah to be opened? The *Acharonim*⁸ explain that since the Chuppah is set up for *kavod* (to honour those beneath it) and not for shade, it is not considered to be set up as an ohel. This is the basis for permitting a Tallis to be spread as a Chuppah for the Chosson Torah on Simchas Torah. However, a Chuppah structure which is opened for the purpose of shading would be *assur*. Clearly an umbrella would be forbidden according to this view⁹ as constituting an ohel.

Based on this it seems that it would be forbidden to open or close the cover of a baby carriage since it is being done for the purpose of an ohel - to shade or cover the baby. Indeed this is the basis of the psak of Rav Moshe Feinstein¹⁰ to be strict. Ketzos Hashulchan¹¹

also rules stringently.

Even according to this opinion, if the carriage hood was open at least a tefach (8cm) before Shabbos, one could open it more on Shabbos. This would only be adding to a temporary ohel which is permissible.

There are those who question this ruling of the Ketzos Hashulchan based on a clear ruling in the Shulchan Aruch. In Hilchos Sukkan¹² the Alter Rebbe writes about a roof (*shlock*) which has been erected on top of a Sukkan to protect it from rain. The roof is opened when the Sukkan is in use. The Alter Rebbe rules that even though the *shlock* is made as an ohel, since it has hinges on which it opens and closes it is considered to be a door (*pesach gamur*) and can therefore be opened and closed on Shabbos, even if it was not left a tefach before Shabbos.

The carriage hood is also operated with hinges and is made to open and close constantly. If so, the heter of the *shlock* should apply. This is the psak of the Beer Moshe¹³.

The same leniency would not apply to a 'boot cover' (see diagram) which is not operated with hinges but rather snapped, zipped or draped on. If the boot cover is higher than a tefach (8cm) above the inside of the bassinett, it will constitute an ohel which is made for the purpose of sheltering from the elements. If the boot cover is being used, it should be attached before Shabbos and should always remain covering at least a tefach length across the bassinett.



¹ Orach Chaim Siman 315

² Sif 5

³ Sif Koton 8

⁴ Shaar Hatziyun 34

⁵ Sif Koton 27

⁶ See Biur Halocha נרנח נ"ח

⁷ Sif 13

⁸ Tehillah Ledovid 315:8

⁹ See Noda Bihudah Mahadura Tanyana O.C. 30

¹⁰ Orach Chaim volume 4, responsa 105

¹¹ Ketzos Hashulchan 120:8

¹² Orach Chaim 626:20

¹³ Volume 6, responsa 97