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PARSHA INSIGHTS

BY RABBI YAAKOV ASHER SINCLAIR

LISTENING TO THE LITTLE VOICE

“Reuven, you are my firstborn, my strength...Accursed is their rage for it is intense...” (49:1-7)

Nobody likes being told they did something wrong. And no one has yet walked the earth who was not a candidate for correction.

How do we overcome our inherent talent for self-justification and admit that we messed up, and realize that by accepting that reproof we can grow immeasurably?

Rabbi Yehuda b’Rabbi Shemuel bar Nachmani said: Because Reuven and Shimon and Levi accepted the rebuke of their father they merited that their names would be associated with those of Moshe and Aharon (in Parshat Shemot), to fulfill the verse *“an ear that hears life’s reproof will dwell among the wise”*. (Mishlei 15:31) (Yalkut Shimoni)

It must have been very difficult for Reuven and Shimon to accept such criticism, or our Sages would not have heaped upon them such praise. And that, even though they were great *tzadikim* eager to find ways to improve themselves, and the reproof came from their father Yaakov whose purity of intention was undoubted, and also these words of reproof were among the last to leave his lips — nevertheless it was very hard for them.

If it was hard for such great people as Reuven and Shimon, what hope do we have to be able to hearken to honest and constructive criticism?

When Avigail took King David to task and told him that it was wrong to spill blood and to kill Naval, she finished her reproof with the words, *“And don’t say, because I am king, there is no one to take me to task — You take yourself to task!”* It’s apparent from Avigail’s adding those last words that without that final admonition David might not have accepted her criticism.

If King David needed that extra admonishment, how are we to be able to hear honest criticism?

There’s a little voice inside each of us that says at a time like that, *“He (or she) is right, you know...”* Usually we manage to silence that little voice with pride and self-defense. But if we take to heart Avigail’s words, *“You take yourself to task!”*, and imagine that it’s not someone else criticizing us but *“we ourselves”*, we will find that that we have become bigger and better in the process.

• Source: *Chidushei HaLev*

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BAVA METZIA 110 - 116

“When you lend to someone else, you shall not enter his home to take his collateral. You shall stand outside, and the person to whom you gave the loan will bring the collateral to you outside.” (Devarim 24:10 & 11)

These verses serve as the basis for laws that govern taking a security for payment of a loan (and certain other debts) in the event the time for payment has arrived and the borrower refuses to pay. The *mishna* on our *daf* teaches this halacha explicitly: “One who lends his friend, he should take a security in Beit Din (Jewish religious legal court), and he should not enter the person’s house to take the security.”

The Sage Shmuel explains in the *gemara* that the prohibition against entering the borrower’s home to take the security is referring to the agent of the Beit Din, who was appointed and sent to collect from the borrower. Nevertheless, he may not enter the borrower’s domain. Rather, this agent of the court is permitted to grab it from the borrower when the borrower is in the marketplace, or some such public area outside the home. Accordingly, it seems from the *gemara* that the lender may not only not enter the borrower’s home to take a security, but is also not allowed to take seize it in the open — rather, he must file a claim in Beit Din so that Beit Din will send their agent to collect it in public.

Not allowing a lender to collect his own security appears not to be in accordance with the principle of “*avid inish dina l’nafshei*” — a person may do what is lawful for himself — as is taught by Rav Nachman in Masechet Bava Kama 27b. A number of resolutions are offered by the Rishonim and Achronim. Here are two for starters.

The Torah prohibits the lender’s seizing an item only if he is seizing it as collateral. However, if he is taking it as payment for the debt, it is permitted (Rabbeinu Tam). The Ketzot HaChoshen questions this explanation since taking an item for payment requires that the Beit Din evaluate its exact value, and barring this evaluation, the item may not be taken. An additional answer offered by Rabbeinu Tam is that a person may only “take the law into his own hands” if he is taking from another person an item that in fact belongs to him. The most obvious example would be that if a person sees a thief with his stolen item, he is permitted to repossess it from the thief. Regarding taking an object for security in the case of a loan, however, only an agent of Beit Din may take action, and, even then, only outside of the debtor’s home.

An interesting note: The word “coined” by Chazal in the *mishna* for a collateral security is different than the word that appears in the Torah. Our Sages use the word “*mashkon*” in the *mishna* and *gemara* for a collateral. It literally means “that which dwells”. I have heard that this “new word” is meant to teach us to view the collateral item as merely “dwelling” in the hands of the lender, despite him not being the true owner (yet).

The Torah word for collateral in Devarim 24:10 (and other places) is “*avot*”, spelled *ayin, veit, tet*. Rabbi Shimson Raphael Hirsch explains in his commentary on the Chumash Devarim 15:6 that the word *avot* is related to the word *eved* (slave), which denotes the intensely joined nature of the relationship between the lender, borrower, and the security item that represents the borrower’s “enslavement” to the lender. Rabbi Hirsch also points out that the word *avot* is also related to the Hebrew word for braided, such as braided rope that tightly joins two entities (although the Hebrew word for braided is spelled with a *taf* at the end instead of a *tet*). Collateral taken for payment serves as an indication of “who’s the boss”, and who is tied up to whom.

• Bava Metzia 113a

LOVE OF THE LAND

Selections from classical Torah sources which express the special relationship between the People of Israel and Eretz Yisrael

NECHEMIAH’S WALL

Remnants of a wall dating back to the time of Nechemiah have apparently been discovered in an archeological dig in Jerusalem’s ancient City of David.

In the Book of Nechemiah (6:16) it is recorded that this wall around the city to which Jews had returned from Babylonian captivity was completed in only 52 days despite the threats of hostile neighbors who had occupied



the area around Jerusalem.

This part of the two-and-a-half-millennia-old wall is located outside Sha’ar Ha’ashpatot (Dung Gate) and the Old City walls facing the Mount of Olives. Based on rich pottery found during a dig under a previously uncovered tower which had hitherto been assumed to date back to the Hasmonean period, it is now assumed that the tower was part of the wall built centuries before by Nechemiah.

PARSHA Q&A ?

1. Why is kindness towards the dead called “*chesed shel emet*” — kindness of truth?
2. Give three reasons Yaakov didn’t want to be buried in Egypt.
3. How do you treat a “fox in his time” (i.e., a commoner who rules)?
4. “When I was coming from Padan, Rachel died on me... I buried her there on the way to Efrat...” Why did Yaakov say all this to Yosef?
5. Initially, why was Yaakov unable to bless Efraim and Menashe?
6. What does *pillalti* mean?
7. What does “*Shechem*” mean as used in this week’s parsha? (two answers)
8. Which individual is called “the *Emori*”? Why? Give two reasons.
9. What did Yaakov want to tell his sons but was unable to?
10. What privileges did Reuven lose due to his rash actions?
11. What congregation from Yaakov’s offspring did Yaakov not want to be associated with?
12. What did Yehuda do after he heard Yaakov rebuke Reuven, Shimon and Levi? Why?
13. What does milk do to teeth?
14. Why is Yissachar like a “strong-boned donkey”?
15. With what resource did both Yaakov and Moshe bless Asher?
16. In Yosef’s blessing Yaakov said, “They embittered him...” Who are “they”?
17. Which descendants of Binyamin “will divide the spoils in the evening”?
18. From whom did Yaakov buy his burial place?
19. What oath did Yosef make to Pharaoh?
20. Which two sons of Yaakov did not carry his coffin? Why not?

PARSHA Q&A!

Answers to this Week’s Questions!

All references are to the verses and Rashi’s commentary unless otherwise stated.

1. 47:29 - Because the giver expects no reward from the recipient.
2. 47:29 - a) Egypt’s ground was to be plagued with lice; b) At the time of the resurrection, those buried outside Israel will suffer; c) So the Egyptians wouldn’t make him into an idol.
3. 47:31 - Bow to him.
4. 48:7 - Yaakov thought Yosef harbored resentment since Yaakov had not buried Yosef’s mother, Rachel, in the *Ma’arat HaMachpela*.
5. 48:8 - The *Shechina* departed from him.
6. 48:11 - “I thought.”
7. 48:22 - a) The actual city of Shechem; b) A portion.
8. 48:22 - Esav. a) He acted like an Emorite; b) He trapped his father with words (*imrei pi*).
9. 49:1 - When *mashiach* will come.
10. 49:3 - Priesthood and Kingship.
11. 49:6 - Korach and his congregation.
12. 49:8 - He drew back. He was afraid that Yaakov would rebuke him for the incident with Tamar.
13. 49:12 - It makes them white.
14. 49:14 - Just as a donkey bears a heavy burden, so the tribe of Yissachar bears the yoke of Torah.
15. 49:20 - Oil-rich land.
16. 49:23 - Yosef’s brothers, Potifar and his wife.
17. 49:27 - Mordechai and Esther.
18. 50:5 - From Esav.
19. 50:6 - Yosef swore not to reveal Pharaoh’s ignorance of Hebrew.
20. 50:13 - Levi, because he would carry the *aron* (holy ark). Yosef, because he was a king.

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Vayechi

HOW YOSEF FORGIVES HIS BROTHERS

With the death of their father Yaakov, Yosef's brothers fear that, despite all of Yosef's assurances to the contrary, he would now exact revenge from them for having sold him into slavery. They even go so far as to fabricate a report about Yaakov's wishes that he supposedly expressed before his death. They instruct a messenger to tell Yosef that Yaakov had given an explicit order that Yosef forgive his brothers. Abarbanel points out that this completely fabricated order had two dimensions. First, Yosef should forgive them because of the brotherly connection between them. Secondly, he should forgive them because they are the "servants of your father's G-d." The brothers were taking no chances. If he would not forgive them due to the family connection, perhaps he would forgive them since they were 'brothers in faith', sharing the same unique religious values and beliefs, the beliefs handed down to them from Yaakov. With their father's death they express a deep concern about their fate: "Perhaps Yosef will nurse hatred against us and then he will surely repay us all the evil that we did him."

Abarbanel, however, in a close analysis of the literal meaning of the verse, reveals a completely different dimension of their concern. Abarbanel renders the above verse as "*It should be that Yosef will nurse hatred against us and it should be that he surely will repay us all the evil that we did him.*" The meaning of this astounding explanation is as follows: Now that Yaakov is dead we would prefer that he express his feelings openly rather than keeping them locked up inside. We would also prefer that he repay us with evil. Since the result of the evil that we did him was his elevation to greatness, whatever evil he does to us will be to our benefit as well. It is clear to Abarbanel that the brothers were expecting Yosef to take some form of retribution. The brothers' reaction illustrates two important principles of Jewish thought. First of all, they wanted their relationship with Yosef to

be free of any doubt. If hatred and retribution were in his heart they wanted to deal with it openly. Secondly, they understood the principle of "measure for measure". They expected that their fate would exactly parallel Yosef's.

However, as Abarbanel made clear in Parshat Vayigash, Yosef reiterated that just as he was G-d's agent to sustain the family in Egypt, they too were G-d's agents to bring him to Egypt in the first place. What they had done was clearly the will of G-d and they had nothing to fear. The Torah concludes the whole incident with the words, "He spoke to their hearts and they were comforted." Commenting on this verse, Rashi gives an astoundingly different interpretation. According to Rashi, Yosef told his brothers that their fears were well-founded: he had every right to punish them. However, Yosef was afraid of the likely reaction of the Egyptians. After all, it was only the arrival in Egypt of his well-known and respected father and brothers that convinced the Egyptians that he was something more than a lowly slave all his life. If he punished them, doubts about his origins would resurface and resentment over his powerful position would be rampant. How could a man punish his own brothers for something that had turned out so well? According to Rashi, then, how could Yosef's words touch their hearts and comfort them? Rabbi Ephraim Wachsman of Monsey, New York offers the following amazing psychological insight to explain Rashi. Yosef knew that the brothers would always be psychologically burdened by their guilt, no matter how much they intellectually accepted that the whole series of events was the will of G-d. Therefore Yosef knew that he had to *validate* their feelings of guilt. This is what penetrated their hearts and comforted them. Validation of one's guilt followed by the assurance that all is well in the end provides true closure and consolation. Perhaps this is what Abarbanel was alluding to. The brothers never lose those feelings of guilt and Yosef never tells them directly that they were

PLEASE JOIN US...

...in saying Tehillim/Psalms and a special prayer to G-d for the safety and security of all of Klal Yisrael in these times of conflict and conclude with the following special prayer:

"Our brothers, the entire family of Israel, who are delivered into distress and captivity, whether they are on sea or dry land – may G-d have mercy on them and remove them from stress to relief, from darkness to light, from subjugation to redemption now, speedily and soon."

YEARLY USAGES

From: Ryan

*Dear Rabbi,
Is it OK to use the non-Jewish system of counting years,
or must we use specifically the Jewish year?*

Dear Ryan,

The Jewish year is based on the Torah's reckoning of the passage of years from Creation. Using this system of counting the years thus recognizes the existence of G-d, the fact that He created everything, that He dictates and regulates the natural world and that He guides history.

Aside from this theological consideration, even if only for reasons of seniority, the Hebrew calendar should take precedence. The current Jewish year of 5777, corresponding to the non-Jewish year 2017, makes the Hebrew calendar 3760 years older than the Gregorian calendar!

But there's more to it than that.

The non-Jewish year reckons the number of years since the purported birth of Jesus. This reckoning was adopted in order to assert their view of the importance of Jesus (which is clearly false of course). This is the meaning behind the terminology B.C. and A.D. The former stands for "Before Christ" in English (*christos* means savior in Greek), and A.D. stands for *Anno Domini* in Latin, which is an abbreviated reference to the phrase, "The year of Lord Jesus Christ". (Contrary to popular *misconception*, A.D. does not stand for

"After Death", since this system revolves around the birth of Jesus, not his death.)

Insofar as using this system of reckoning years may be a tacit acceptance of the religious beliefs of Christianity which lie therein and which Judaism does not accept, a Jew should strive to use the Hebrew calendar and not the Gregorian one.

That being said, since the Gregorian calendar has become the universal standard such that it is nearly impossible to avoid using it, one may do so with this utilitarian purpose in mind. This is particularly so nowadays when these dates are applied to most spheres of life (finance, education, travel, etc.), where this system is used in a way which is void of its religious content.

However, even when using this non-Jewish way of reckoning years, where applicable and relevant, such as when citing an historical event, one should avoid the religious connotation of B.C. and A.D. by using the more neutral terms of BCE (Before the Common Era) and CE (Common Era), respectively.

In a similar vein when noting events of a particularly Jewish nature, such as the dates in invitations to weddings or Bar Mitzvah celebrations, one should use only the Jewish date. If this might cause confusion among invitees who are unfamiliar with the Jewish date, then the non-Jewish date may be used also, but only in a way which is secondary to the Jewish date.

PARSHA OVERVIEW

After 17 years in Egypt, Yaakov senses his days drawing to a close and summons Yosef. He has Yosef swear to bury him in the Machpela Cave, the burial place of Adam and Chava, Avraham and Sarah, Yitzchak and Rivka. Yaakov falls ill and Yosef brings to him his two sons, Ephraim and Menashe. Yaakov elevates Ephraim and Menashe to the status of his own sons, thus giving Yosef a double portion that removes the status of firstborn from Reuven. As Yaakov is blind from old age, Yosef leads his sons close to their grandfather. Yaakov kisses and hugs them. He had not thought to see his son Yosef again, let alone Yosef's children. Yaakov begins to bless them, giving precedence to Ephraim, the younger, but Yosef interrupts him and indicates that Menashe is the elder. Yaakov explains that he intends to bless Ephraim with his strong hand because Yehoshua will descend from him, and Yehoshua will be both the conqueror of *Eretz Yisrael* and the teacher of Torah to the Jewish

People. Yaakov summons the rest of his sons in order to bless them as well. Yaakov's blessing reflects the unique character and ability of each tribe, directing each one in its unique mission in serving G-d. Yaakov passes from this world at age 147. A tremendous procession accompanies his funeral cortege up from Egypt to his resting place in the Cave of Machpela in Chevron. After Yaakov's passing, the brothers are concerned that Yosef will now take revenge on them. Yosef reassures them, even promising to support them and their families. Yosef lives out the rest of his years in Egypt, seeing Ephraim's great-grandchildren. Before his death, Yosef foretells to his brothers that G-d will redeem them from Egypt. He makes them swear to bring his bones out of Egypt with them at that time. Yosef passes away at the age of 110 and is embalmed. Thus ends Sefer Bereishet, the first of the five Books of the Torah. *Chazak!*

EATING BEFORE PRAYERS

It is forbidden to eat or drink anything except for water in the morning before praying. This rule applies not only on a weekday, but also on Shabbat and Yom Tov. However, foods and drinks that are consumed for medical purposes are permitted. (Shulchan Aruch Orach Chaim 89:3)

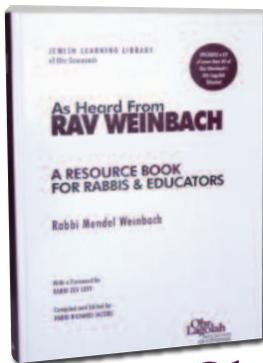
The Talmud explains (Berachot 10b) based on the verse, “You may not eat upon the blood,” that it is forbidden to eat before one prays. Doing so is considered an act of arrogance. The Zohar goes so far as to compare one who eats before praying to one who indulges in sorcery. (Zohar Vayakhel 215b, brought in Kaf HaChaim)

It is forbidden even to just taste food and drink before prayers (Rambam Laws of Prayer 6:4, brought in Mishneh Berurah). It is permitted to drink water since there is no sign of arrogance in drinking it. The same applies to tea and coffee, which are usually drunk in order to help one focus in the morning. The early halachic authorities forbade having milk and sugar in tea and coffee. However, nowadays, since most people cannot drink these drinks without milk and sugar, it is permitted (Halichot Shlomo 2:2; also see Kaf HaChaim in the

name of Ikrei HaDat for a discussion about adding sugar — perhaps today the same would apply for milk as well). One should nevertheless be careful to not congregate together with other people when drinking before prayers, since it can lead to delaying one’s prayers, and may involve needless conversation when people should be praying.

Though one is not allowed to eat before saying *kiddush* on Shabbat and Yom Tov morning, this prohibition does not apply until *after* one prays the Morning Prayers. As such, one is also allowed to drink tea and coffee before prayers on these days as well. (Mishneh Berurah)

One who is sick and must therefore eat before prayers is allowed to eat even foods that are tasty, even though normally these foods are associated with a degree of arrogance. This rule applies also to someone who is not too sick (Mishneh Berurah). It would seem that one who needs to take medicine upon rising and cannot wait until after prayers, and also cannot take them on an empty stomach, would also be allowed to eat before praying.



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SAY YOUR PRAYERS

Upon his deathbed Yaakov bequeaths to his favorite son Joseph the city of Shechem, “which I took from the Amorites with my sword and my bow” (Gen. 48:22). As we know, Yaakov was not a swordsman nor was he an archer. His power was in his voice (see Gen. 27:22). As a result, tradition (Bava Batra 123a) offers a non-literal rendering of this passage by explaining that “my sword” refers to *tefilla* (prayer) and “my bow” refers to *bakasha* (request). Similarly, Targum Onkelos translates Yaakov’s words into Aramaic as “...with my prayer (*tzaloti*) and my request (*bauti*).” The juxtaposition of these two words suggests that they do not mean the exact same thing, so what then is the difference between *tefilla* and *bakasha*? Moreover, what do these two words for prayer have to do with swords and arrows?

Rabbi Simcha Maimon (a prominent Rosh Yeshiva in Jerusalem) offers two approaches to explaining the difference between *tefilla* and *bakasha*. Firstly, he explains that *tefilla* refers specifically to the “flattering” aspect of prayer in which one praises G-d, while *bakasha* refers to the “wishful” aspect of prayer in which one asks for his needs from G-d. Secondly, he explains that *tefilla* denotes formal, institutionalized prayer with set formulae and *halachot*, while *bakasha* refers to an *ad hoc* expression of prayer and request from G-d.

Following his second approach, Rabbi Maimon explains the analogy drawn between these two types of prayer and the two weapons mentioned in the Bible. The link between requests (*bakashot*) and bows (*kashot*) may simply be homiletical, as the two words are spelled and pronounced very similarly. Nonetheless, Rabbi Maimon explains how the two are related on a conceptual level. A *bakasha* is not inherently a powerful form of prayer because it lacks the formality

of *tefilla*, just as an archer’s projectile need not be as sharp as a sword. Nonetheless, the efficacy of an arrow is not in the arrow itself, but in the kinetic energy from its release, just as the efficacy of a *bakasha* is not inherent in the words of the prayer, but in the supplicant’s feeling of urgency. By contrast, a *tefilla* is akin to a sword in that the words of *tefilla* have inherent power just as a sword itself is very sharp, making it inherently dangerous.

Rabbi Shmuel Laniado (a 16th century Syrian scholar) offers a similar observation in connecting *bakashot* to bows and arrows. The advantage of using a bow and arrow in battle is that the archer does not need to approach his enemy in order to hit him. He can keep a distance from his enemy, yet still manage to wound him. Similarly, *bakashot* reflect the idea that one standing in This World can experience a dire situation, yet without leaving his physical location his prayer can penetrate the upper realms and reach the Heavens.

Rabbi Yaakov Tzvi Mecklenburg offers another insight into the meaning of the word *tefilla* and contrasts it with a third term for prayer, *techina/tachanun*, commonly translated as supplication. He argues that the word *tefilla* is derived from the word *plila* (arbitration/judgment, although in Modern Hebrew it means “criminal”), as the petitioner’s plea demands from G-d that He address a perceived injustice. On the other hand, *techina/tachanun* denotes a form of prayer whereby the supplicant appeals to G-d as one who admits that he is not worthy of that which he requests, but nonetheless beseeches G-d to graciously grant him his needs. This word is derived from the Hebrew word *chen* (favor) as the supplicant hopes to find “favor” in G-d’s eyes, even as he is undeserving of having his request filled.

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HARAV HAGAON RAV MOSHE SHAPIRO, ZATZAL

A few of my thoughts and memories about an unforgettable Torah giant, from whom I and multitudes at Ohr Somayach and around the world had the great merit of learning Torah over the course of decades...

I like to call myself a *talmid* of Reb Moshe. I don't really deserve that appellation, but since I had the great *zechut* to learn *gemara* and *hashkafa* from him I have at least a shadow of a claim to it. In my experience there was no one like Reb Moshe. He was the consummate *Gadol B'Torah* and *Mentsch*. Everything he did and said was shaped by the Torah he learned. He not only had *Tanach*, *Shas* and *Poskim* at his fingertips – they coursed through his heart and brain — but he also represented the embodiment of the Torah. His words penetrated into the heart of the listener. Many of his *talmidim* guided themselves, when he wasn't available, by seeing his image in front of them and asking, "What would Reb Moshe say about this?"

He was a great intellectual and had an amazing grasp of the modern world, its philosophy, science and music. He was, of course, an original thinker and in certain ways a maverick. Although many people wanted to put him in a box, he wouldn't let them. The background of the student was almost irrelevant. If the person had a thirst for Torah he saw the person's great potential and "invested" all of his strength and special ability to transmit the essence of Torah to that person. It didn't matter if the *talmid* was someone new to observance and Torah study, or whether the *talmid* was a Rosh Yeshiva. He wouldn't back down. He was a loving father to all his *talmidim*, many of them at Ohr Somayach, where he taught for many years. Each one of us has stories to tell. Here are two. They aren't about him, but he chose to relate them to us in *gemara shiur*. They were his *aggadotah*.

It was during the Gulf War in 1990-1991. Those of us who lived in Israel at that time remember the 39 Scud missiles shot by Saddam Hussein that reached our

Homeland. There was one death directly caused by the Scuds. Reb Moshe told us that the man who was killed was a famous anti-religious activist from the Tel Aviv area. Every Friday evening, years before, he and a friend of his would ride their big and noisy motorcycles down the main street of Bnei Brak to protest the closing of the streets there and to disturb the holiness of the Shabbat. One Friday evening the wire stretching across the road slipped off one pole and was hanging quite low. As he roared down Rabbi Akiva Street, his friend was decapitated by the wire. Years later the other Shabbat desecrater, who reveled in violating the 39 *avot melacha* of Shabbat, died by one of the 39 Scuds.



HaRav Shapiro zatzal giving a shiur in the Beis Medrish of Ohr Somayach in Jerusalem.

The other story is about a front-page picture in most of the newspapers in Israel during that war. It was a photograph of a man whose house had been totally destroyed by a Scud, standing in middle of the collapsed building and smiling broadly. Rav Moshe told us that he had been in a cab the day the picture was published, and the cab driver told him about his friend who was pictured. He had been an infamous thief for many years, had been in prison and when freed continued with his life of crime. Somehow, he heard a talk by a rabbi who urged his audience to do *teshuvah*. The speech was so compelling that the thief decided then and there to give up his life of crime and become religious. Which he did. After years of learning and doing *mitzvot*, he was troubled by one thing. All his possessions had been acquired through theft. Although he compensated the victims and did many acts of *chessed* for the community, his possessions were always a reminder of his past sins. When the missile destroyed his house and all his possessions, but miraculously left him unscathed, he was so happy that G-d had finally removed those reminders — and all he could do was smile.