

A DISCREPANCY WORTH UNDERSTANDING

It may very well be that the phenomenon that we experience this year would have been, at the most, a subject of a few conversations decades ago. It may have been a subject of curiosity but it was likely that after an initial conversation, if the fact was even known, it was soon forgotten.

What is the issue? What is the discrepancy? The discrepancy is that for many, many weeks the weekly Torah readings in Eretz Yisroel will be different than those in Chutz LaAretz. There are two reasons, stemming from the same fact, for this phenomenon.

The one fact that is the ‘cause’ of the difference is Yom Tov Sheni that occurs on Shabbos.

We know that Yom Tov Sheni was set for locales out of Eretz Yisroel because communication between Eretz Yisroel and Chutz LaAretz was challenging. Those who live in Chutz LaAretz were not necessarily aware when Beis Din established Rosh Chodesh and therefore were unable to count the days to the Yom Tov that occurred on a particular date, a function of Rosh Chodesh, the first of the month.

In Eretz Yisroel the communication was simpler and thus there was no need to observe Yom Tov Sheni¹. They knew when Rosh Chodesh was and therefore they were able to know the day of Yom Kippur, Sukkos and Pesach².

¹ Of course, there is one Yom Tov Sheini that is observed in Eretz Yisroel just like it is observed in Chutz LaAretz: Rosh Hashanah. The reason is simple. Rosh Chodesh Tishrei *is* Rosh Hashanah and therefore the communication could not take place because of Yom Tov prohibitions. Therefore, Rosh Hashanah is two days in Israel just in the rest of the world.

Because of this, because the communication regarding Rosh Chodesh Tishrei/Rosh Hashanah can never be widespread at all, the second day of Rosh Hashanah is a category somewhat different than the other ‘Yom Tov Sheni’ days that are related to Pesach, Shavuos and Sukkos. It is *Yom Tov Sheni* but not *Yom Tov Sheini Shel Goluyos*.

The way that our calendar works is that the days on which Yomim Tovim can occur are fixed. When the calendar that we have was established, it still related to the astronomical Rosh Chodesh, the Halachic appearance of the new moon, but was no longer absolutely determined by it. Our Chachamim made the fixed calendar in such a way as to avoid three problems:

- Yom HaKippurim should not fall on a Friday
- Yom Kippur should not fall on a Sunday
- Hoshanna Rabbah should not fall on Shabbos.

Yom HaKippurim should not fall on Fridays or Sundays because Chazal did not want to have two consecutive days with full Shabbos prohibitions, Shabbos and Yom HaKippurim either before it or after it. Such occurrences would interfere with life and death.

They would interfere with life because if Yom HaKippurim would fall on a Friday, there would be no fresh vegetables for Shabbos. If Yom HaKippurim would fall on

For a concise summary of the development of the two days of Rosh Hashanah as we have it, see the relevant chapter in *Moadim B'Halachah* of Rav Shlomo Yosef Zevin ZT"l. There is an English translation called 'Festivals in Halachah'.

² The omission of Shavuos, which also has its Yom Tov Sheni and is very relevant for our discussion here, is not an error.

One could ask, 'If there is a doubt regarding when Rosh Chodesh is, why doesn't that doubt accumulate each month and therefore after two months add a second day about and increase monthly? If I have multiple days of doubt, perhaps I need Yom Tov Shlishi and Revi'i?

The answer to this question is that Chazal determined that prior to the following month, the information of when Rosh Chodesh was determined will have made its way throughout the Jewish world, to the enclaves of Israelite population.

Thus, for example, if in Chutz LaAretz the Seder is made twice because the day of Rosh Chodesh Nissan is not necessarily determinable, by the time Rosh Chodesh Iyar comes about there is no aggregate of doubts; the earlier one has been solved and the new one arises.

either a Friday or a Sunday, the dead would have to be buried after a two-day wait³.

In order to avoid this, a complicated algorithm was developed in order to avoid those calendar appearances. Based on our fixed calendar, only the Yom Tov Sheni of Pesach (the 8th day) and the Yom Tov Sheini of Shavuos can occur on Shabbos.

When those days of Yom Tov Sheni occur on Shabbos then in Chutz LaAretz the Yom Tov Torah reading in place of what would have been *Parshas HaShavua*. In Eretz Yisroel where it is not Yom Tov Sheni, the regularly scheduled *Parshas HaShavua* is read.

Thus, we have a discrepancy. That discrepancy was certainly not an issue even decades ago and certainly not centuries ago. People stayed where they were.

When we come to Shavuos, we are aware that even though it occurs on the 6th of Sivan, it is not that date that determines when Shavuos will be.

Unlike, all of the other Yomim Tovim, Rosh Hashanah, Yom HaKippurim, Sukkos and Pesach that the Torah tells us the month and date of their observance, the Torah fixes the observance of Shavuos as a function of Pesach.

We read on the second day of Pesach (Vayikro Perek 23/P'sukim 15-16):

וְסִפְרָתֶם לְכֶם מִמְחֻרַת הַשְׁבַת מֵיּוֹם הַבִּיאָכֶם אֶת עֲמָרָה הַתְּנוּפָה שְׁבַע שְׁבָתוֹת תְּמִימָת תְּהִינָה: עַד
מִמְחֻרַת הַשְׁבַת הַשְׁבִיעִית תְּסִפְרֵו חֲמִשִים יוֹם וְהַקְרְבָתֶם מִנְחָה קְדֻשָה לְה':

You shall count for yourselves from the morrow of the Sabbath, from the day of waving the waved *omer*, seven complete weeks they shall be. Until the seventh week you shall count 50 days and you should offer a new grain-offering to G-d.

These verses, referring to Shavuos, teach us that Shavuos is not determined by its own calendar date. It is determined by counting from Pesach. Pesach, in turn, is determined by counting from Rosh Chodesh Nissan.

Therefore, Shavuos really doesn't have a doubt attached to it. Shavuos occurs in Sivan and before it occurs, we have noted Rosh Chodesh Iyar and Rosh Chodesh Sivan. By that time we know without a doubt when Rosh Chodesh Nissan occurred. Therefore, we may ask, 'what doubt is there regarding Shavuos?'

There was practically no travel to and from Israel and thus the differential had almost no impact on anyone.

Nowadays when travel is so common, for those who would enjoy hearing the same Parsha twice, there is a solution. One is in Eretz Yisroel when it is Yom Tov Sheni, as above in Chutz LaAretz and then travels abroad for the next Shabbos.

For example, this year, 5776, the Chutz LaAretz 8th day of Pesach is on Shabbos⁴.

The simple answer is that Chazal did not want to distinguish between one Yom Tov and the other so even if the reason does not apply to Shavuos, Chazal enacted it anyway in fulfillment of their mandate of (Bava Metzia 48 b):

לא פלוג חכמים בתקנותם.

Chazal made across-the-board enactments.

It is interesting to note that there is an opinion that the second day of Shavuos has more strictures than other second-day yomim tovim because it was enacted despite the fact that the reason for second-day yomim tovim doesn't apply to it. If it was enacted anyways, there must be a unique reason that demands its observance.

See *Moadim B'Halachah* cited in a previous footnote.

³ There is a discussion regarding these issues. When other Yomim Tovim fall on Friday, and the first day of Shavuos does occur on Fridays sometimes, fresh produce will also be unavailable and burial of the dead will also be postponed for two days.

It should be noted, however, that in principle a Jew may be buried on the first day of Yom Tov if all of the Melachah is performed by non-Jews and a Jew may be buried on Yom Tov Sheni by other Jews who are allowed to all necessary melachos for the burial.

⁴ In editions of *Tur Shulchan Aruch* and in many editions of Shulchan Aruch we find a 1000 year calendar following Hilchos Rosh Chodesh. When we examine that calendar we understand that that if we know three variables only we can make the calendar for an entire year.

The three variables are:

- The day of the week on which the first day of Rosh Hashanah occurs,

That Shabbos *Parshas Acharei Mos* is read in Israel and the Yom Tov reading is read in the exile. The following Shabbos Parshas Kedoshim is read in Eretz Yisroel and *Acharei Mos* is read in Chutz LaAretz.

For those who are traveling in the opposite direction, however, they will not hear *Parshas Acharei Mos*. It is not read in Chutz LaAretz on the 8th day of Pesach and upon their return to Israel for the following Shabbos they will hear *Parshas Kedoshim*!

A clear-thinking individual, and one who is somewhat knowledgeable, cannot solve the discrepancy but may suggest a way to make the discrepancy short-lived this year of 5776.

That person will say, ‘the solution is quite simple. On the following week, let the double portion of *Acharei Mos/Kedoshim* be read in Chutz LaAretz and in Israel they can read *Kedoshim* by itself so that for the subsequent week, *Parshas Emor*, all are joined together. Since *Acharei-Mos/Kedoshim* are often joined, we would not be initiating a new practice.

If this would be a non-leap year, when *Sh'mini* is read on the Shabbos corresponding to the 8th day of Pesach, the solution could come almost as

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- The number of days in Cheshvan and Kislev which varies: there may be 29 and 30, 29 and 29 or 30 and 30, respectively,
 - Whether it is a leap year (*Shana Me'uberet*) or not (*Shana Peshuta*).

With this information we know the calendar of the entire year since everything else is fixed. Regarding the first day of Pesach falling on Shabbos and, therefore, the 8th day occurring on Shabbos as well, there are three calendar conditions that allow that to happen:

FIRST DAY OF ROSH HASHANAH	NUMBER OF DAYS IN THE MONTH OF CHESHVAN	NUMBER OF DAYS IN THE MONTH OF KISLEV	Shana Peshuta or Shana Me'uberet
Friday	29	30	Peshuta
Monday	30	30	Me'uberet
Tuesday	29	30	Me'uberet

The occurrence of the first day of Pesach is a very frequent occurrence. In fact, in this decade it has happened 3 times already and will occur twice more after this year: 5772, 5775, 5776, 5778 and 5779.

immediately. In two weeks following the 8th day of Pesach, Chutz LaAretz could read the double Parshos of Tazria-Metzora and Israel would read Parshas Metzora only. Since *Tazria/Metzora* are often joined, we would not be initiating a new practice.

That solution, so elegant in its simplicity, is not what happens, however.

Let's first see the results for this discrepancy as they do occur on our calendar.

We can start from the 8th day of Pesach which falls on Shabbos and continue with the second day of Shavuos occurring on Pesach. In both of these cases, Israel continues with the regular weekly reading and Chutz LaAretz has its reading postponed.

In a leap-year, such as this year, Acharei Mos is read in Israel when the 8th day of Pesach is on Shabbos. In a non-leap year, Parshas Sh'mini is read in Israel when the 8th day of Pesach falls on Shabbos. This latter possibility was the fact last year, 5775.

The schedule of readings is that in a non-leap year, Israel and Chutz LaAretz are rejoined a few following Pesach when Israel reads Bechukosai and the double Parshos of Behar-Bechukosai are read in Chutz LaAretz. The date on which the readings of the entire Jewish world are reunited is 27 Iyar the fifth week since the discrepancy began and two weeks before Shavuos.

In a leap year Israel and Chutz LaAretz are only rejoined many weeks later when Israel finishes Sefer B'midbar with Parshas Mas'ei and Chutz LaAretz reads the double Parshos of Mattos-Mas'ei. The date on which the readings of the entire Jewish world are reunited is 2 Menachem Av, the fourteenth (!) week since the discrepancy began and the week before Tish'a B'av.

Thus, the 'simply elegant' solutions that were raised above do not realize themselves in practice?

Why not?

Before we present the one comprehensive explanation that I have found, which may not answer all of the questions, one fact seems to stand out.

There are reasons that are more important than ending the discrepancy between the weekly Torah readings of Israel and Chutz LaAretz⁵.

In fact, the one Teshuva that I know was written by someone who himself was a traveler from Eretz Yisrael to Chutz LaAretz. The *MaHaRiT*, Rav Yosef Trani, was a younger contemporary, and neighbor, of Rav Yosef Karo, *Maran*, author of *Shulchan Aruch*.⁶

Subsequent to being appointed the Rosh HaYeshiva in Tzefat he became the Rosh HaYeshiva in Constantinople (known as Istanbul today).

Maharit writes in *Shu'T Maharit* (II, Orach Chaim 4):

[שאלה:] אשר עוד בקשה נפשו לדעת מה טעם כשאיירע כמו שנה זו מעוברת שחל
שמעיני של פסח בשבת שבני ארץ ישראל קראו פרשת אחרי מות בו ביום ובחוץ
לאرض לשבת הבאה ונמצינו נפרדים מבני ארץ ישראל בכל השבתות עד פרשות
מطtot ומוסיע ולמה לא נתחבר יחד תיכף בשבת שאחרי הפסח ונקרא אחרי מות
וקדושים כמו שאנו מחים אותם בכל שנה פשוטה:

⁵ In casual and informal conversations the thought arises that the discrepancies were not an issue until recent years when travel between Israel and Chutz LaAretz is common as noted above.

It has been raised that perhaps if the travel conditions of our times had existed when the weekly Torah readings were established, the decision would have been different.

The answer to this suggestion and others of the same ilk is almost always the same: 'I don't know'.

But, even if that supposition were to have been correct, the fact is that such is not the practice and *Minhag Yisroel* is inviolable. And as we will see, this *Minhag Yisroel* is based on clear sources.

⁶ MaBiT, Rav Moshe Mi'Trani was the father of MaHaRiT and a sometimes-disputant of Maran. In particular, we remember MaBiT today because of a fundamental *machlokes* between him and Maran regarding Shmitta produce that comes from a non-Jew who possesses land in Eretz Yisrael.

Some may be familiar with *Beit E...lokim* a Sefer MaBiT wrote on *avodas Hashem*.

[Question:] You also wished to know the reason that in a year like this year when the eighth day of Pesach falls on Shabbos that in Eretz Yisroel they read Acharei Mos on that Shabbos and the following week it is read in Chutz LaAretz and the they are divided from the inhabitants of Eretz Yisroel for all the Shabbosos until Parshos Mattos-Ma'asei. Why shouldn't we immediately combine Parshos after Pesach [in Chutz LaAretz] and read Acharei Mos-Kedoshim – that is what we do in a non-leap year [when the eighth day of Pesach falls on Shabbos]?

תשובה - הרבה טרחו הראשונים לחבר כמה פרשיות הסמוכות זו לזו בשנה פשוטה כמו תזריע מצורע אחרי מות קדושים בהר בחוקותי וכל עzman לא טרחו אלא שייהיו קורים במדבר סיני קודם לעצרת

Response – [We find] that earlier authorities made great efforts to combine consecutive Parshos in a non-leap year, such as Tazria-Metzora, Acharei Mos-Kedoshim and Behar-Bechukosai⁷. Their entire purpose for such efforts was to make certain that Parshas Bechukosai would be read prior to Shavuos⁸.

ומספרו סימן מנו ועצרו וטעמא משום דאמרין בפרק בני העיר עזרא תיקן להם לישראל שייהיו קורים קללות שבתורת כהנים קודם עצרת ומפרש טעם כדי שתתכלח שנה וקללותיה שעצרת נמי ראש השנה לאילן הוא מארבעה פרקים שהעולם נדון בהם כדתנן ובעצרת על פירות האילן וכתבו התוספות שנגגו העולם להפסיק בפרשה אחת בין קללות לעצרת והוא פרשת במדבר סיני וכשם שאמרו שלא לאחר

⁷ *Maharit* points out that there are many double-Parshos in Sefer Vayikro and explains the reason for this preponderance there.

⁸ That is, were there to be no double Parshos in Vayikro then Parshas Bechukosai would be read after the Yom Tov of Shavuos.

In a non-leap year, there are 9 single Parshos and six free Shabbosos [in Chutz LaAretz, and in Israel when Pesach does not occur on Shabbos]. Bechukosai is the 8th of those 9 Parshos.

In *Shas* and later compositions we find Shavuos called *Atzeres* because it stops [עצור] the Sefira or because it was when Israel gathered together [עצרת] to receive the Torah.

כך אמרו שלא להקדים שיהיו קורין אותם שתי שבתות שלפני עצרת דלא מינכרא
AMILTA SCLO KLLOTIA ALA AM CN NKRAIM BSMOR LAACHRIT HSNA

The early authorities⁹ gave us a *siman*-indication [that this should be] – *manu v'atz'ru*. Count and stop. [This also means ‘count and observe Shavuos because ‘atzru is like Atzeres-Shavuos.] The reason [for reading Bechukosai prior to Shavuos] is what they say in Masseches Megillah Perek *B’nei Ho’Ir* (31 b) that the curses in Sefer Vayikro¹⁰ should be read before Shavuos and the reason is explained that ‘the year and its curses should be finished [and the New Year and its blessings should begin].

This is relevant because Shavuos is also termed a Rosh Hashanah for trees¹¹ since it is one of the 4 periods in the year when the world is judged. This is as we read in the Mishnah (Masseches Rosh Hashana Perek 1/Mishnah 2), ‘On Shavuos we are judged regarding the fruit produced by trees.’

Tosfos (d.h. *klolos*) writes that the universal *minhag* is not to read the curses immediately before Shavuos but to have a week’s intervention, which is Parshas B’midbar. And just like they [the Chachamim] said not to

⁹ This phrase is found in Siddur Rashi and in one compilation of Teshuvos HaGeonim.

¹⁰ The harsh rebukes that the Torah writes twice, once in Parshas Bechukosai at the end of Sefer Vayikro and once in Parshas Ki Sovo, towards the end of Sefer D’vorim are called קלות by Chazal. We refer to them as תוכחה.

¹¹ It would seem that this statement is inexact. In the first Mishna in Masseches Rosh Hashanah we read that the Rosh Hashanah for trees, when we mark their age vis a vis the Halachos of *orloh*, is in the month of Shevat – Rosh Chodesh according to Beis Shammai and the 15th (*Tu*) of Shevat according to Beis Hillel, in combination with the Rosh Hashanah which the Mishnah lists as the new year for planting.

See Bartenura there for the explanation of the interaction of these two dates.

The Mishnah does say that fruit of the tree is judged on Shavuos. Perhaps that is what Maharit means since a time of judging reflects on the new year.

have the curses read after Shavuos so the Chachamim said that they should not precede Shavuos by two weeks. Otherwise the purpose of reading the ‘end of the curses (prior to the ‘new year)’ would not be discernable. It would only be discernable if they are read a week in advance.

[In the following section, *Maharit* shows that there is a precedent that can be learned from candle lighting on Erev Shabbos in which the Gemara discusses that if candle lighting precedes Shabbos too much it will not be discernable that the lights are lit in honor of Shabbos.]

Maharit continues and discusses how that the problem is not solved in Eretz Yisroel.

ובארץ ישראל שקראו אחרי מות ב' לעומר הוצרך הדבר שייה להם שתי שבתות של הפסק בין קיללות לעצרת אבל בחוץ לארץ ראוי לעשות סדר השנים מנו ועצרו.

In Eretz Yisroel, when Acharei Mos is on the 7th day of the Omer [corresponding to the 8th day of Pesach] there would have been a two week gap between the curses and Shavuos [if Acharei Mos and Kedoshim were combined]. But, [at least] in Chutz LaAretz it is appropriate to follow the order of years of ‘count and make Shavuos’.

ומיהו יש לשאול למה לא יחברו חוקת ובלק שהם קודם למטות וمسע כמו שאנו מחיםרים אותם בחוצה לארץ כ舍ל פסח בחמשי שאז יפול יום שני של עצרת ביום השבת בחוצה לארץ אין קוין פרשת הסדר ומתחברים עם בני ארץ ישראל בחוקת ובלק. כבר ראיתי בספר תיקון יששכר שבسورיא נהוגן לעשות כן לחבר חוקת ובלק גם בשנה זו אבל ברוב מקומות ישראל לא נהגו אלא במטות וمسע.

But, one can still ask, [why wait to close the gap until the end of B'midbar], adjoin Parshos Chukkas and Bolok which come first before Mattos-Mas'ei. This would be in consonance with the fact that we join them in Chutz LaAretz when Pesach is on a Thursday and *Yom Tov Sheini* of Shavuos is on Shabbos [creating a discrepancy because] in Chutz LaAretz they do not read Parshas HaShavua [which is Parshas Noso that is read that Shabbos in Israel and Chutz LaAretz rejoins Eretz Yisroel for Parshos Chukkas – Bolok.

In fact, I did see in the *Sefer Tikkun Yisochor* that in Syria that is what they do -they combine Parshos Chukkas and Bolok [and do not wait for Parshos and Ma'asei to close the gap] in such a year. However the majority of the Jewish world does not follow that practice and only close the gap for Parshos Mattos-Ma'asei.

ונראה לי שטעם הוא דכיוں שנדרשו שלא יכולו להתחבר בכל אותן השבתות מפני עצרת המתינו לאחרונה ואף על פי שהיו יכולים להקדים שבת אחת בחוקת וביבלון לא רצוי לשנות מסדר כל השנים שאין פסח חל בשבת ומחרברין מטות ומשען שהחיבור מוכיח והדבר צריך מפני תשעה באב הבא אחוריים שיקורין בשבוע שחל בו ואתחנן וסימניך צימנו וצלנו. והטעם הוא משום פרשת (דברים ד/כה¹²) כי תולד זקנים ובנים ובנים ונושנתם בארץ וגומר ואמרין צדקה עשה עמנוא הקדוש ברוך הוא שהקדמים שתי שנים לונשנתם כמו שאומרים בחיבורים.

The reason [why the majority of the Jewish world does not combine Parshos Chukkas-Bolok as above] appears to me to that that once the closing of the gap is postponed for so many weeks because of Shavuos, the practice is to wait until the end [soon before Tish'a B'av, (as will follow)] because they wanted the practice to be as it is generally when Pesach does not fall on Shabbos when Mattos-Ma'asei¹³ are combined.

¹² P'sukim 25-26 there read in their entirety:

כִּי תֹלֵיד בָּנִים וּבָנִי בָנִים וְנוֹשַׁנְתֶּם בָּאָרֶץ וְהַשְׁחַתֶּם וְעָשִׂיתֶם פֹּסֶל תָּמֹונָת כָּל וְעָשִׂיתֶם הַרְבָּע בְּעֵינֵי הָאָרֶץ...לְקַרְבָּן לְהַכְעִיסוֹן: הַעֲדִתִּי בְּכֶם הַיּוֹם אֲתָּה הָאָרֶץ כִּי אָבֶד תִּאֲבְדוּ מִתְּהֻרְבָּן מִלְּעָלָיו כִּי הַשְׁמָדָה תִּשְׁמַדֵּן:

When you will give birth to children and grandchildren and become antiquated in the land and you will be corrupt and you will make an idol of an image of anything and you will do bad in the eyes of Hashem your G-d. I call the heaven and earth to witness against you this day that you will surely perish rapidly from upon the land that you are passing the Jordan River to there to inherit it; you will not have long days upon it because you will be surely destroyed.

¹³ *Minhag HaOlom* is that in such years Parshas Chukkas and Bolok are separate and Parshos Mattos and Ma'asei are combined. If Chukkas and Bolok will be combined then Mattos and Ma'asei have to be separate in order for Parshas HaShavua of the week of Tish'a B'av to be *Vo'eschanan* as he presently explains.

The combination of Mattos-Ma'asei is necessary because of Tish'a B'Av which follows after their reading so that Parshas HaShavua of the week of Tish'a B'Av will be in accordance with the *siman* of *tzi'mu v'tzi'lu*-‘fast and pray’¹⁴.

The reason why [it is important that Voeschanan¹⁵ be read during the week of Tish'a B'Av is] because in that Parsha we read the verse ‘when you will give birth to children and grandchildren and become antiquated in the Land [of Israel]’ and we say that Hashem acted charitably with us because He make the Destruction two years early as they write in their composition^{16,17}.

¹⁴ In the week of Tish'a B'Av one fasts first - צימז' and then reads *Vo'eschanan* which means ‘I prayed’. See D'vorim Perek 3/Posuk 23 and Rashi there.

I was unable to find the source for the *siman* of צימז'.

¹⁵ *Maharit* implies the following question: let us combine Parshos Chukkas and Bolok to close the gap as soon as possible and leave Mattos and Ma'asei conjoined as they usually are. That way one accomplishes ending the discrepancy earlier rather than later as well as maintaining the standard combination of Mattos and Ma'asei.

The answer is that if both sets of these Parshos were to be combined then Parshas Voeschanan would be read the week prior to Tish'a B'Av and that is undesirable as he explains.

¹⁶ In Masseches Gittin (88 a) Chazal interpret this verse of ונושנתם and others saying that G-d was merciful in the fact that He calculated the Churban Beis HaMikdosh to be two years before it should have occurred. Rashi there explains the Divine mercy:

עלא אמר - הימן צדקה שמייר להביא הרעה לסוף ח' מאות וחמשים דהימן ב' שנים קודם ונושנתם דהיא בגימטריא ח' מאות וחמשים ושתיים אם שהו עד ונושנתם היה מתקיים בהן כי אבד תאבדן.

U'la said The charity is that He hastened to bring the bad that befell Israel at the end of 850 years which was two years before the 852 years that is implied in the word ונושנתם, the *gematria* equivalent of which is 852. [This was an act of charity] because had they waited for the Churban to take place according to the *gematria* of ונושנתם then the continuation of the verse, ‘you will surely perish’ would have had to have been fulfilled.

¹⁷ In the final section of this responsa, *Maharit* cites a precedent for this idea as well and ends with his signature.

We learn many things from this *Teshuva* that was written some four centuries ago. Beyond the explanations for a custom that seems to be counter-intuitive, we see that the investigation of our *Minhagim* is no less thorough than is the investigation of a complicated *Halachic* matter that has far-reaching consequences.

We also learn how seriously our sages took our *Minhagim*. We read the *Posuk* in *Mishlei* (Perek 1/*Posuk* 8):

שמע בָּנִי מֹסֶר אֲבִיךְ וְאֶל תַּטֵּשׁ תּוֹרַת אָמָּךְ:

My son, listen to the instruction of your father; do not abandon the Torah of your mother.

Rashi explains:

שמע בָּנִי מֹסֶר אֲבִיךְ - מה שנתן הקדוש ברוך הוא למשה בכתב ועל פה:

My son, listen to the voice of instruction of your father-[to] that which Hashem gave to Moshe in writing and orally.

אמר - אומתך כנסת ישראל כמו (יחזקאל יט/ב¹⁸) מה אמר לביאה והם דברי סופרים חדשו והוסיף ועשו סייגים לתורה:

*Your mother-your nation*¹⁹, *K'nesses Yisroel* as it is written, your mother was like a lioness and this refers to the words of the Chachamim who innovated and added and make protective fences for the Torah.

And we read in the Torah (D'verim Perek 32/*Posuk* 7):

¹⁸ The entire verse reads:

אמְרָתָךְ מַה אָמַג לְבֵיאָךְ בֵּין אֲרִיוֹת רְבָצָה בְּתוֹךְ כְּפָרִים רַבְתָּה גּוֹרִיה:

You shall say, 'How your mother [the House of King Yoshiyah-Metzudos] was important like a lioness among the lions [the non-Jewish kings-Metzudos]; she crouched among the villages and raised her cubs [without fear-Metzudos].

¹⁹ Not only to אֶתְּנוֹה, mother and אַמְּנוֹה, nation, have almost identical spelling they also stem from the same foundation. This is similar to the idea that one's birth-country is termed מולדת, as if the country brought the person to life. See *B'reishis* Perek 12/*Posuk* 1.

זכור ימות עולם בין שנות דר זדר שאל אביך ויגדר זקניך ויאמרו לך:

Remember the days of the world, comprehend the years of each and every generation; ask your father and he will tell you; your elders and they will say to you.

Rashi writes:

שאל אביך - אלו הנביאים שנקרוים אבות, כמו שנאמר באלהו (מלכים ב' ב'יב²⁰) אבִי אבִי רְכֵב יִשְׂרָאֵל:

Ask your father-these are the prophets who are called ‘fathers’ as it is written regarding Eliyahu: My father, my father, the chariot of Israel’.

זקניך - אלו החכמים:

Your elders-these are the chachamim.

That which has been handed down for centuries is sacrosanct. It is has been approved by the Jewish People and its wise men over the years. Were it to have been incorrect or even foolish, it would have been discarded²¹.

²⁰ The entire verse reads:

אֱלֹיֶשׁעַ רָאָה וְהוּא מַצְעֵק אָבִי אָבִי רְכֵב יִשְׂרָאֵל וְפָרְשֵׁיו וְלֹא רָאָה עוֹד וַיִּחַזֵּק בְּבָגְדֵי וַיַּקְרֻעֵם לְשָׁנִים קָרְעִים:

Elisha saw and he was crying out, ‘My father, my father, the chariot of Israel and its horsemen; and he saw him no longer and he grasped his clothes and he tore them into two tears.

²¹ We find the term **מנהג הדיטט**, a ‘common’ minhag used to denigrate a practice that was improperly adopted and should be discarded. See for example Tosfos d.h. *bi'g'vil* to Masseches Bava Basra 2 a.

It should be noted that sometimes the term **מנהג הדיטט** is not used pejoratively. Rather it is a phrase contrasting man with G-d. See Rashi to Sh'mos Perek 19/Posuk 19 which reads:

וַיְהִי קֹל הַשּׁוֹפֵר הוֹלֵךְ וַיִּזְקַק מִזְדַּחֲמָה מִשְׁהָ יְדִבֵּר וְהָאֱלֹהִים יַעֲנֶה בְּקֹל:

The sound of the Shofar became very increasingly strong; Moshe would speak and Hashem would answer him in voice.

Rashi writes there:

What an appropriate message for all times and particularly during the Yom Tov of Pesach and even more particularly in a world where those claiming to be Orthodox seek to challenge our Mesorah.

The ‘discrepancy’ presents us with an underlying message: that which is transmitted from Hashem to B’nei Yisroel, from our Chachamim to us, from parent to children the Torah, its Mitzvos, the Mitzvos imposed by our sages and *Minhag Yisroel* preserve our sanctity and add validity to ongoing history of Am Yisroel.

Chag Sameach

Shabbat Shalom

Rabbi Pollock

הולך וחזק מאד - מנהג הדיט על זמן שהוא מאריך לתקוע קולו מחליש וכוהה, אבל כאן הולך וחזק מאוד ...

Became very increasingly strong-It is the way of a common person that the more that he lengthens the sound of the shofar the more he becomes weak and fades; but here it became very increasingly strong.