

ME'OROS HA'TZADDIKIM

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זכות רפואה שלמה
מלכה בת רחל

A Tzaddik, or righteous person, makes everyone else appear righteous before Hashem by advocating for them and finding their merits.

Kedushas Levi, Parshas Noach (Bereishis 7:1)

☪ **SHEMOS** ☪

☪ CHASSIDUS ON THE PARSHA ☪

Ahava Rabba – Ohev Yisrael

Dvar Torah

The Taam of Coming and Going

“And they embittered their lives with hard work” (Shemos 1:14).

The holy Apta Rav, mechaber of *Ohev Yisrael*, asks why the *taamei hakeriya* (cantillation marks) in this *pasuk* are *kadma ve'azla*. The intonation of such *taamim* is a happy and joyful sound, and does not seem to fit the mood of the *pasuk*, which describes bitterness and suffering. It would have seemed more appropriate to use the *taamim* of *darga tevir*, which has a lower, sadder or more plaintive tone.

The *Ohev Yisrael* answers that from *Shomayim* they revealed to him the reason: when the Egyptians embittered the lives of the Jews in *Mitzrayim* through the suffering of the servitude, this suffering caused them to be redeemed earlier than had originally been decreed by *Hashem*. Since the translation of *kadma ve'azla* means “come and go”, this alludes to the fact that the bitterness and suffering of the slavery caused them to leave earlier, before the *ketz* had arrived. In addition, the words *kadma ve'azla* equal the same in *gematria* as *ketz* (“the end” or “conclusion” of the exile). (*Kadma ve'azla* is spelled *kuf daled mem alef* = 100+4+40+1=145; *vav alef zayin lamed alef* = 6+1+7+30+1=45. Together they equal 190, corresponding to the *gematria* of *ketz* – *kuf tzadi*. They were in *Eretz Mitzrayim* for 210 years instead of the original

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ראש הכולל, ורב קהל ד'סאמיט פארק

Rabbi Dan Krancer שליט"א
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400 years decreed to Avraham at the *bris bein habesorim*, which means that they were redeemed a total of 190 years early. After *ketz* years, *kadmu ve'azlu* – they got up and left! (*Sifron Shel Tzaddikim* p. 39)



Crying for Hashem Brings Personal Salvation

“And the Children of Israel groaned because of the *avoda* (work) and they cried out; their cries went up before Hashem because of the *avoda* (work)” (*Shemos* 2:23).

The *Apta Rav* explains in *Ohev Yisrael* that when a person is in *tzora* (pain and distress) and cries out to Hashem to save him from those *tzoros*, he must try not to focus on himself. He should not focus on his own pain and suffering, rather he must focus on how the *tzoros* are preventing him from serving Hashem through *Torah*, *tefilla* and *avoda*. Then, in turn, all his prayers are uplifted and rise to Heaven to be answered, since he is *davening* for the *tzaar* (pain) of the holy *Shechina*.

This is how we should read our *pasuk*:

“And the Children of Israel groaned because of the *avoda*” – this refers to the Egyptians preventing them from being *osek* in *Avodas Hashem* due to their pain and suffering.

“Their cries went up before Hashem because of the *avoda*” – all their *tefillos* were uplifted and they achieved salvation; their *yeshua* came about because they merged their private prayers over their own pain and suffering together with their pain, frustration and bitterness that the enslavement caused them to be *botel* from *Avodas Hashem*, preventing them from serving Hashem properly. (*Ohev Yisrael, Likkutim Chadoshim*)



Shabbos Noam Haneshomos – Noam Elimelech

Saved From Ga'ava – a Long Way to Go

“These are the names of Bnei Yisrael who (were) coming to Egypt: eis Yaakov, they and their households came” (*Shemos* 1:1).

The Rebbe Reb Melech remarks on some linguistic points in our *pasuk*. First, he notes the change in tense of the verbs: in the beginning the *pasuk* uses the present tense – “coming” to Egypt – whereas the *pasuk* concludes with the past tense – “they came”. Furthermore, each verb tense is applied to a different name: in the beginning we are described as “Yisrael” and in the conclusion we are named “Yaakov”.

To explain these differences, the *Noam Elimelech* understands that they allude to types of *Tzaddikim* who are at different stages of maturity in *Avodas Hashem*. The first type of *Tzaddik*, named “Yisrael”, is the more mature of the two and is on a higher level of serving Hashem. He realizes through his maturity and experience that while he does serve Hashem, this service is never complete and there is always more to learn, more to *daven* and more work to do on himself and his *middos*. The *avoda* is infinite, which is why his *avoda* is described in the present tense, since he is always aware of this lack and how much more he has to continue to grow in his *avoda*. He also recognizes his shortcomings and in his humility is

saved from any delusions of grandeur, because he knows he lacking in his *avoda*. Instead, he focuses on the needs of Klal Yisrael, who are downtrodden in *Golus* by unjust burdens placed on them. Their suffering and pain become his focus, rather than his own growth, his own *dveikus* and *hislahavus*; his attachment to *Hashem* and his excitement in *avoda* pale in comparison to the needs of his people and their many sufferings. Such great *Tzaddikim* are properly named "Yisrael".

Then there are younger, less mature *Tzaddikim*, who, while indeed righteous, are so excited and aflame by any new small act of holiness that they do suffer delusions of grandeur and imagine that they have already reached dizzying spiritual heights. Their own vanity is awakened and they mistakenly think that they have already reached true *avoda*! Although they are *Tzaddikim* they have stumbled in arrogance and haughty self-aggrandizement - and so they are only known by the name "Yaakov".

This is how the *pasuk* reflects these two prototype *Tzaddikim* and their *avoda*: "Bnei Yisrael who (were) coming" - refers to those higher-level *Tzaddikim* called "Yisrael", who are described in the present tense, since they are constantly worried and pained over their lack of *avoda*, realizing how little they have achieved and how much more they have to do. It is this very conscious growth that makes them rise constantly to higher and higher levels, which is why they are described in the present tense.

Then there are "*Eis Yaakov, they and their households came*", referring to the lesser *Tzaddikim* named "*Yaakov*", who are described in the past tense. This part of our *pasuk* hints at those who delude themselves, imagining that they have achieved spiritual perfection. They think of themselves as having been there and done that already and hence are described in the past tense. They fail to see their own shortcomings, and this failure is their undoing, for true *avoda*, concludes the *Noam Elimelech*, is to be constantly aware of one's failures and shortcomings, to be truly humble and saved from vanity and arrogance - and this path is good for us all.



OHR HACHAIM

"The gates of heaven opened up and I saw G-dly visions, the Creator of the four corners of the earth, and I gazed and meditated upon that which I had permission to, and began to explain at the beginning of Hashem's holy words" Ohr HaChaim, Bereishis

Praises For The Holy Ohr HaChaim HaKodosh

Rav Shlomo Gestetner, the *Rav* of the Gush Shmonim neighborhood in Yerushalayim, related the following story, which he heard firsthand from the *yungerman* who told it about himself:

A *Talmid Chochom* living in Yerushalayim in the year *tov shin nun ches* had a son who lost his sight and became blind. The doctors could find no antidote or treatment to help him recover his failing vision, and his eyesight was lost.

The father of the *yungerman* went to the *tziun* of the *Ohr HaChaim HaKodosh* on Har

HaZeisim and *davened* there for a *yeshua*, taking upon himself to study and learn the *sefer Ohr HaChaim*. Not long afterward, his son's vision returned and he was healed with no medical intervention!

After some time he heard of another *yungerman* who suffered from diabetes and was stricken with total blindness as a result! The *Talmid Chochom* hastened to the house of the poor *yungerman* and urged him to visit the *tziun* of the *Ohr HaChaim HaKodosh*, to *daven* there and ask that his eyesight be restored so that he could take upon himself to learn the *sefer Ohr HaChaim* each week on the *Parsha*. At first, the *yungerman* was despondent and did not take this piece of advice seriously. Eventually, after constant prodding, he agreed and they set off together to Har HaZeisim to the *tziun* of the *Ohr HaChaim HaKodosh*. There he prayed and cried from his heart that he merit a restoration of his vision, so that he could see and study the holy *sefer Ohr HaChaim*.

Upon arriving home, he was given a volume of the *Ohr HaChaim*. He opened it and was dumbfounded and amazed when he could see something faintly, as if in a fog! Where total darkness had prevailed, he now began to regain his vision little by little. The more he studied, the more his vision returned each day, the holy letters becoming clearer and more sharply defined, until he was able to see again normally just like everyone else. Today he sees completely normally, overjoyed with the gift of the light of life – the *Ohr HaChaim*.

Rav Meizlish, who recorded this story, adds: How true are the words of the sages of Venetia who wrote in their *haskoma* that “whoever tastes of the honey of this *sefer*, his eyes shall shine and be enlightened, for just as it is named, it is the *Ohr HaChaim* – the light of life and all light dwells therein.” (*Shivchei Ohr HaChaim* p. 22)



The Holy Lights Of The Ohr Hachaim

“And she named him Moshe...because I drew him from the water” (2:10).

The *Ohr HaChaim HaKodosh* points out that in most cases in the *Chumash* where the *Avos* are given names, the reason for the name always precedes the actual naming. For example, in *Bereishis* 21:6 we learn that Yitzchok is given his name because of laughter, and only afterward is he named. Similarly, in *Bereishis* 25:26, the *Torah* tells us that Yaakov was holding onto Esav's heel, and that is why is called Yaakov. The same scenario repeats itself in the case of the *Shevotim*, first regarding Reuven (29:32) and then Shimon (29:33) where the reason for the name is given first. The exception to the rule is *Moshe Rabbeinu*, whose naming precedes the explanation for it.

The *Ohr HaChaim* explains that perhaps because the *Imohos*, our holy matriarchs, were prophetesses and their *Ruach HaKodesh* revealed to them what they should name their offspring, they differed in this way from *Bas Paro*. Whereas they were able to discern the deep, spiritual essence of their children, they named them based on what they understood about their souls, whereas in contrast, *Bas Paro* could not understand Moshe's depth and what his name signified in relation to the great stature of his *neshoma*. In reality Moshe's name is exceedingly deep and great and holds many wonders, as is explained in the *Zohar* (III p. 276) and *Tikkunei Zohar* (*Tikkun* 69). *Hashem* is the One Who brings down names into this world and placed Moshe's name into her mouth. The reason she gave later for having drawn him

from the water was only her mundane explanation, for she did not really know the true deeper divine reason for Moshe's name.



“And she opened [the basket] and she saw the yeled (baby) and behold a naar (young child) was crying, and she had mercy on him and said, ‘This is one of the Jewish children.’ (2:6)

Rav Moshe Franco, a *talmid* of the *Ohr HaChaim* in Livorno, records in *Meor HaChaim* the following teaching from the *Ohr HaChaim* on this *pasuk*:

Chazal say (*Bava Metzia* 59a) that the gates of tears were never locked. Whenever a person cries, from Heaven they have mercy on him. Asks the *Ohr HaChaim*: Why does the *pasuk* switch from *yeled* to *naar*? Shouldn't the *pasuk* should have said *yeled*, as it does in the beginning of the *pasuk*? But this *pasuk* hints at us all; when it says a young child - *naar* - it means us. *Naar* is Am Yisrael, as Hoshea says (11:1), “Yisrael is a young child and I love him.” And when we, Klal Yisrael, *daven*, cry and shed tears, then *Hashem* has mercy on us all from Heaven. In addition, if you *daven*, cry and shed tears, this is a *siman* (proof) that he is “**one of the Jewish children**”.



The anniversary of the *petira* of a *Tzaddik* is known as a *Hilula*, which means “A Day of Joy”.

One of the tools that *Kabbala* teaches is to connect to a *Tzaddik* (righteous person). The method to connect to a *Tzaddik* is to adopt the following ritual:

1) Learn the anniversary of his *petira* or, if this information is not available, the days of *Erev Rosh Chodesh*, *Rosh Chodesh* and the fifteenth day of the Hebrew month can be utilized for a connection.

2) Light a twenty-five-hour candle in his or her honor. There is no specific *berocha*. Some say the following: This candle is being lit in the merit of _____.

Others say that it is the custom within *Klal Yisrael* to light a *yahrzeit* candle on the day that a relative or a *Tzaddik* has passed away. The lighting has no accompanying blessing, and people would like to express themselves in a *tefilla* when lighting the candle. This is not only true on a *yahrzeit* but on every *Yom Tov* as well.

The author of the *Pele Yo'etz*, Rav Eliezer Papo (1785–1828), did in fact compose such a *tefilla*. Rav Papo was the *Rav* of the city of Selestria in Bulgaria. Bulgaria was a part of the Ottoman Empire at the time. The *tefilla* of the *Pele Yo'etz* is reproduced and translated below, as a public service.

Hebrew Tefilla for Lighting a Yahrzeit or Hilula Candle

[תְּפִילָּה הַנִּמְצָאת בַּסֵּפֶר אֶלֶף הַמִּגּוֹן מִבַּעַל הַפֶּלֶא יוֹעֵץ עַל פְּרֻשֵׁת וַיֵּצֵא עֲמוּד כ"ד]

הַרְיֵנִי מִדְּלִיק נֵר זֶה לְמִנוּחַת וּלְעִילוּי נְשִׁמַת אָבִי / אִמִּי מוֹרְתִי / הַצַּדִּיק _____
בְּנֵי בֵּית _____, יְהִי רָצוֹן מִלְּפָנֶיךָ ה' אֱלֹהֵינוּ וְאַלֵּקֵי אֲבוֹתֵינוּ, שֶׁתְּקַבֵּל בְּרַחֲמִים
וּבְרָצוֹן כָּל מַעֲשֵׂה הַטוֹב שֶׁאֲנִי עוֹשֶׂה, בֵּין בְּמַחְשָׁבָה, בֵּין בְּדִבּוּר, בֵּין בְּמַעֲשֵׂה וְיִהְיֶה הַכֹּל

לְזָכוֹת וּלְמִנוּחַת וּלְעִילוֹי לְנַשְׁמוֹת עַמְךָ יִשְׂרָאֵל, וּבְפָרֵט לְנַפְשׁ רוּחַ וְנַשְׁמָה שֶׁל אָבִי / אִמִּי / צַדִּיק _____ . יְהִי רָצוֹן שְׁתֵּהֵינָה נַפְשׁוֹתֵיהֶם צְרוּרוֹת בְּצִרוּר הַחַיִּים.

Translation:

Behold I am lighting this lamp for the resting and uplifting of the soul of my father/my mother/the *Tzaddik* _____ the son/daughter of _____. May it be Your will before you, *Hashem*, our G-d and the G-d of our forefathers, that all my good deeds whether in thought, speech or action be done for a merit and a resting and an elevation of the souls of your nation Yisrael. It should be especially for the soul of my father/mother/the *Tzaddik* _____. May it be Your will that their souls be bound in the bond of life.

3) Learn about the person including history, culture, writings and teachings.

4) Study some of his teaching or writings.

See more at: www.yeshshem.com/hilulah.htm



GEDOLIM BE'MISASAM YOSER



Yahrzeits Beginning Shabbos Shemos

http://www.chinuch.org/gedolim_yahrtzeit/Teves/Shevat

Biographical information and yahrzeits compiled by Reb Manny Saltiel and www.anshe.org

* **21st of Teves ~ Begins Friday Night (Dec 28th)**

- * **Rav Yosef Shatzkes**, *Av Bais Din* of Brod, (5631/1871);
- * Birthdate and *Yahrzeit* of **Shimon ben Yaakov Avinu**, (1567 BCE);
- * **Rav Shlomo**, *Rav* of Vilna at the time of the *Vilna Gaon*, (5552/1791);
- * **Rav Eliyohu Eliezer Mishkovsky**, *Rosh Yeshiva* of *Knesses Chizkiyohu* in Kefar Chassidim, *Eretz Yisrael*. The *Yeshiva Knesses Chizkiyohu* was founded in 1949 at the behest of the *Chazon Ish*. It was first located in Zichron Yaakov and was headed by Rav Noach Shimanowitz. Six years later, it moved to its permanent residence in Kfar Chassidim, under the guidance of the *Mashgiach*, Rav Eliyohu Lopian and the *Rosh Yeshiva*, Rav Mishkovsky, (20th of *Teves*, according to *Yated* 2007), (5742/1981);
- * **Rav Yisrael Dov** of Vilednik, the *She'eiris Yisrael* (1789–1849 or 1850). Also known as the *Maggid* of Vilednik, he was a *talmid* of Rav Mordechai Twersky (1770–1837), the Chernobyler *Rebbe*. During his lifetime, thousands journeyed to the *She'eiris Yisrael* for blessing, inspiration and consultation. Before he passed away, he told his *talmidim* that whoever would reach out and touch his door seeking help would be aided. Today, even thousands of non-Jews come to pray at his gravesite in their times of need. The *She'eiris Yisrael's* reputation continues to endure among generations of gentiles in the area, and many Jews from around the world travel to his *kever* in Vilednik, Ukraine, on his *Yahrzeit*, (5610/1849);
- * **Rav Matzliach Mazuz**, the *Ish Matzliach* (1912–1971). The son of Rav Refoel and Rochel Mazuz, Matzliach was born on the island city of Djerba. When he was eleven, he was accepted into the *Yeshiva* of the eminent Rav Rachamim Chai Chavita *HaKohen*. After his marriage in 1930, Rav Matzliach moved to Tunis, where he served as a *Mashgiach Ruchani* in the *Chevras HaTalmud Yeshiva* for thirteen years. He was later appointed to the position of *Dayan* in the *Bais Din* of Tunis. Six hundred couples came to him for divorces between the years 1955–1958, and he managed to make *sholom bayis* between 75 percent of them.

He founded the *Kisei Rachamim Yeshiva* in Tunis, named after his mentor, Rav Rachamim Chai Chavita. Years later, his sons reestablished this *Yeshiva* in Bnei Brak. In 1971, while Rav Matzliach was returning from a pre-dawn *minyán*, clad in *tallis* and *tefillin*, a group of Arabs attacked and killed him. Among Rav Matzliach's writings are: *Shu"t Ish Matzliach*, on the four parts of *Shulchon Aruch*, three of which are in print so far; *Kuntress HaMa'arochos*, which discusses the rules of issuing *halachic* decisions; *Matzliach Yeshua*, a collection of *chiddushim* on the *Shas*; and *Mogen V'Tzina*, answers to questions on the *Maharsha*. The rest of his writings are still in manuscript form. Rav Matzliach is survived by his sons: Rav Mayer, *Rosh Yeshiva* of *Kisei Rachamim* in Bnei Brak and the leader of the Tunisian community in *Eretz Yisrael*; Rav Yosef Tzemach, the director and *Mashgiach Ruchani* of the *Yeshiva*; and Rav Rachamim, also a *Mashgiach Ruchani*. One of Rav Matzliach's daughters is married to Rav Yitzchok Barda, *mechaber* of *Yitzchok Yeranen*, and another to Rav Chanan Kablan, a *Dayan*, (5732/1971).

* 22nd of Teves ~ Begins Motzai Shabbos (Dec 29th)

- * **Rav Shmuel Heller**, *Ashkenazi Rav* of Tsefas for fort years. On the 24th of *Teves* in 1837, he was discovered buried up to his neck in stones. He had been standing under the lintel of the *Bais Medrash Ari* at the moment of the earthquake. His wounds were so severe that he was bedridden for six months, and lost the use of one arm for the rest of his life. Rav Shmuel was a *talmid* of Rav Avrohom Dov Auerbach of Avritch (1765–1840), who spent ten years as *Rav* in Tzefas, (5645/1884);
- * **Rav Yehuda Leib Eiger** (1816–1888). A grandson of Rav Akiva Eiger, Rav Leibel was born in Warsaw. He learned under Rav Yitzchok Meir Alter, the *Chiddushei HaRim* in Warsaw. At twenty, he married and moved to Lublin, where he *davened* at the *shul* of the *Chozeh*. There, he befriended Rav Yisrael, the *Chozeh's* son. He then moved to Kotzk. He became a *Rebbe* after the *Rebbe* of Izbitza passed away in 1854. After his *petira*, his son, Rav Avrohom, printed his *seforim* *Toras Emes* and *Imrei Emes*, (5649/1888);
- * **Rav Sholom Moskowitz** of Shatz, a Romanian town in the Bukovina district (1878–1958). A direct descendant (fifth generation) of Rav Yechiel Michel of Zlotchov and a great-grandson of Rav Michel of Premishlan, he was named after his mother's great-grandfather, the *Sar Sholom* of Belz. After learning at Shatz, he traveled to the famed *Maharsham* (Rav Sholom Schwadron) of Berzhan to study practical *halocha* and to receive *semicha*. After leading a group of *Chassidim* in Cologne, Germany, Rav Sholom arrived in London, in 1927, where he served for thirty years. Among his *seforim* is a commentary on *Perek Shira*. He promised to help anyone who comes to his *kever* on a Friday morning and lights three candles (a tradition mentioned in *Sefer Tikkunim*). He is buried in the Enfield *Bais Kevoros*, London, England, (5719/1958).

* 23rd of Teves ~ Begins Sunday Night (Dec 30th)

- * **Rav Yehuda Arye Leib HaLevi Epstein**, known as Rav Leibush of Ople. Orphaned of his father, Rav Yechiel Michel Epstein, and his mother at a young age, Rav Leibush and his two younger brothers were supported by a simple Jew of Ostrovsta. He was a *Chassid* of the *Yid HaKodosh* and the *Chozeh* of Lublin. He became *Rav* of Ozerov in 1812. His most famous descendant was Rav Moshe Yechiel Michel *HaLevi* Epstein, the *Aish Da'as* of Ozerov, (5598/1837);
- * **Rav Gedalia Hertz** (1914–1977). Born in Ujazd, near Tomashov, Poland, he left for the Lubavitch *Yeshiva Tomchei Temimim* in Warsaw after his *bar mitzva*. After some years, he

went to Grodno to the *Yeshiva* of Rav Shimon Shkop. After marrying in 1935, he moved to *Eretz Yisrael* and entered the *Yeshiva Sfas Emes* in Yerushalayim. The following year, the Gerrer *Rebbe*, the *Imrei Emes*, decided to open a branch in Tel Aviv, which was later named *Yeshivas Chiddushei HaRim*; Rav Gedalia was chosen as *Rosh Yeshiva* while still in his early twenties. After the founding of the State of Israel, he was chosen to be the representative of the *Vaad HaYeshivos* to government officials and was instrumental in getting Ben Gurion to accept a deferral for all *Yeshiva* students. In 1955, Rav Gedalia became the *Rav* of the newly established *Yeshiva kehilla* in Sydney, Australia. In 1963, he returned to *Eretz Yisrael*, (5738/1977).

* 24th of Teves ~ Begins Monday Night (Dec 31st)

- * **Rav Naftoli Katz**, *mechaber* of *Semichas Chachomim* (1660–1719), descendant of the *Maharal*. Born in Ostracha, Ukraine, he passed away in Istanbul. His father, Yitzchok, a *Rav* in Stefan and a *darshan* in Prague, was *niftar* in 1670. Rav Naftoli married Esther Sheindl, daughter of Shmuel Shmelke Zak of Ostraha, and headed the *Yeshiva* that his father-in-law built for him. After Rav Shmuel was *niftar*, he succeeded him as *Rav* and *Av Bais Din*. In 1704 he became *Rav* of Frankfurt until 1711, when a fire broke out in his home and spread from there, burning down several hundred homes. Rav Naftoli was jailed and accused of setting the fire. When he was released, he left for Prague and Breslau and stayed with Rav Zvi Ashkenazi (the *Chacham Zvi*). They both excommunicated Nechemya Chayun, who wrote a book in favor of Shabbetai Zvi. He had fourteen children, seven sons and seven daughters. Rav Yaakov Emden, the son of the *Chacham Zvi*, married Rav Naftoli's daughter, Rochel. [*Hamodia* 2006 lists Rav Naftoli Katz, the *Semichas Chachomim*, as the 24th of *Shvat*], (5480/1719);
- * **Rav Yosef** of Yampula, son of the Zlotchiver *Maggid*, (5573/1812);
- * **Rav Shneur Zalman** of Liadi, affectionately called the *Alter Rebbe* (1745–1813), the *Ba'al HaTanya*. The *Rav* became a *talmid* of the *Maggid* of Mezritch at the age of thirty, studying with him for twelve years, and became the leader of *Chassidus* in Lithuania following the *Maggid's petira* in 1772. While raising money for the release of Jewish prisoners from Czarist jails, he was arrested on charges of treason and incarcerated in Peter-Paul Fortress in Saint Petersburg. There he astonished jailers and courtiers with his wisdom and piety. Eventually he was released, and moved to Liadi. In addition to the *Tanya*, he also authored the *Shulchon Aruch HaRav*. The *Rav* was a mystic, a communal activist, a philosopher, a halachic authority, a composer, a *talmudist* – but he was primarily a spiritual guide, who created a practical path that allows anyone to approach divinity. Although Rav Shneur Zalman lived in an era of change and unrest on a global scale, his life and teachings have continued to inspire. His *kever* is in Haditch, Ukraine, (5574/1813);
- * **Rav Meir Eisenstadt**, also known as *Meir Ash*. His responsa were published by his son under the title *Imrei Eish*. He was *niftar* in Ungvár, (5622/1861);
- * **Rav Avrohom Dov Berish Flamm** (1804–1873). Rav Flamm is considered to be the leading *talmid* of the Dubno *Maggid*, Rav Yaakov Kranz, although, in fact, the two never met. Rav Flamm was, however, the leading student of the *Maggid's* writings, and it was he, together with the *Maggid's* son, Rav Yitzchok Kranz, who edited them and prepared them for publication. Rav Flamm was himself a popular *Maggid*, and he held that post in several Polish and Lithuanian cities. Besides publishing the Dubno *Maggid's Ohel Yaakov* and *Sefer HaMiddos*, Rav Flamm wrote several works of his own. His *Yerios Ha'Ohel* and *Sefas Ha'Yeria* were printed together with *Ohel Yaakov*, while his *Shemen HaMor* is a free-

standing work, (5634/1873);

- * **Rav Moshe Yosef Teitelbaum** (1842–1897). The son of Rav Yekusiel Yehuda Teitelbaum, he was appointed *Rav* and *Av Bais Din* of Stropkov when Rav Yechezkel Shraga Halberstam returned to Sienawa in 1880. In 1891, he left the town for a post in Ujhely, Hungary, (5658/1897);
- * **Rav Shmuel Borenstein**, the *Shem MiShmuel* from Sochatchov (1855–1926). He was born in Kotzk to Rav Avrohom Borenstein, the Sochatchover *Rebbe* and *mechaber* of *Avnei Nezer*. His grandfathers were Rav Nachum Ze'ev of Biala, the *Agudas Eizov* and Rav Menachem Mendel, the *Kotzker Rebbe*. Rav Shmuel considered Rav Chanoch Henoch of Alexander to be his *Rebbe*. After the *petira* of the Alexander *Rebbe* in 1870, the *Avnei Nezer* was made *Rebbe*, and his son followed him as his *Rebbe*. He was married in 1873, but after his wife was *niftar* in 1901, he remarried in 1903. Rav Shmuel served as *Maggid Shiur* in his father's *Yeshiva* in Sochatchov and helped him write *Eglei Tal* on the thirty-nine *melochos* of *Shabbos*, as well as *Avnei Nezer*. After his father was *niftar* in 1910, the *Chassidim* crowned Rav Shmuel their *Rebbe*. His *sefer* contains the thoughts of his famous father, (5687/1926);
- * **Rav Avrohom Shmuel Binyomin Sofer** (II), the *Divrei Sofer* [Yated 12.28.07]. {Avrohom Shmuel Binyomin Sofer (I) was the eldest son of the *Chasam Sofer* and Sorel, daughter of Rav Akiva Eiger, and was known as the *Ksav Sofer*, (1815–1871)}, (5709/1948);
- * **Rav Eliyohu Eliezer Dessler** (1892–1953). His father, Rav Reuven Dov Dessler, was a *talmid muvhok* of Rav Simcha Zissel of Kelm, and his mother was a granddaughter of Rav Yisrael Salanter and a niece of Rav Chaim Ozer Grodzinski. After learning in Kelm, he married a granddaughter of Rav Simcha Zissel. During the Bolshevik revolution, he moved to London in 1927. In 1941, he founded the Gateshead *Yeshiva* and *kollel*. In 1948, he was asked by Rav Yosef Kahaneman to join the Ponevezh *Yeshiva* in Bnei Brak. Many of his thoughts and discourses are collected in *Michtov Me'Eliyohu*. [25th of *Teves*, according to Yated 2007], (5714/1953);
- * **Rav Moshe Mordechai Biederman**, the Lelover *Rebbe* (1904–1987). Son of Rav Shimon Nosson Nota Biederman, Moshe Mordechai was born in Yerushalayim. When he was just ten years old, his mother passed away and his father moved to Cracow, Poland, leaving him to the care of his grandfather, Rav Dovid. Five years later, after the *petira* of his grandfather, he traveled to Europe and established his place of learning at the Radomsker *shtiebel* in Cracow. He became very close to the Stoliner *Rebbe*, the Yenuka. When his father was *niftar* in 1930, the *Chassidim* looked to Rav Moshe Mordechai to become their new *Rebbe*. He stayed in Poland until right before the onset of the War, settling in Tel Aviv in 1944. [*Hamodia* Jan. 3, 2007] (5748/1987);
- * **Rav Mordechai Gifter** (1915–2001). Born in Richmond, Virginia, he moved to Baltimore with his family when his father noted the difficulty in teaching his son in a city without strong *Torah* resources. As a youth, he studied in the Rav Yitzchok Elchonon *Yeshiva* of New York City under his *Rav*, Rav Moshe *HaLevi* Soloveitchik. Rav Gifter studied together with Rav Nosson Wachtfogel, former *Mashgiach* of Lakewood and Rav Avigdor Miller of Flatbush in the *Rav Yitzchok Elchonon Yeshiva*. On the advice of his uncle, Rav Yehuda Leib Zer, one of the directors of the *Rav Yitzchok Elchonon Yeshiva*, Rav Gifter went to study in the Telz *Yeshiva* of Lithuania in the winter of 1932. He became very close to the *Rosh Yeshiva*, Rav Avrohom Yitzchok Bloch. In the summer of 1939, Rav Gifter became

engaged to the daughter of Rav Zalman Bloch. The wedding date was set for a year later. The couple married in the United States. With the expansion of the *Ner Yisrael Yeshiva* in Baltimore by Rav Yaakov Yitzchok Ruderman, Rav Gifter was asked to deliver *chaburos* to the students. In 1943, Rav Gifter became a *Rav* in Connecticut, and later, his uncles, Rav Eliyohu Meir Bloch and Rav Chaim Mordechai Katz, founded the *Telz Yeshiva* in Cleveland. They asked him to join them as *Ra"m* and *Mashgiach*. He moved to *Eretz Yisrael* in 1976, founding the *Telz Yeshiva* in Kiryat Telz-Stone near Yerushalayim. However, three years later, the *Rosh Yeshiva* of Telz in Cleveland, Rav Boruch Sorotzkin, was *niftar*, and Rav Gifter returned to Cleveland to succeed him. And there he remained until his own *petira*, (23rd of *Teves*, according to *Yated* 2007), (5762/2001);

* **Rav Moshe Akiva Tikochinsky**, *Mashgiach* of *Slabodka Yeshiva* in Bnei Brak. *Mechaber* of *Bein HaSh'moshos* and *HaYomom Bekadur Ha'aretz*, (5749/1988).

* **25th of Teves ~ Begins Tuesday Night (Jan 1st)**

* **Rav Yechiel Michel Tukatchinsky (Tikochinsky)**, *Mashgiach* of *Slabodka* in Bnei Brak, and founder of *Yeshivas Mekor Chaim* in Yerushalayim. In 1925, he published a *sefer* called *Tekufas HaChama Uvirchosoh*, in preparation for the *berocha* made when the sun returns to the point at which it began at the time of Creation. He wrote a *sefer* called *Bein HaShmoshos*, published in 1929, which deals with the International Date Line. In 1941, he changed his mind altogether, as documented in his *sefer*, *Hayomom Bekadur Ha'aretz*, in which he shows that the new day begins twelve hours to the east of Yerushalayim.

* **26th of Teves ~ Begins Wednesday Night (Jan 2nd)**

* **Rav Avrohom ben Dovid MiPosquières (Ra'avad)** (circa 1125–1198) was a Provençal *Rav*, a prolific commentator on the *Talmud*, on *Sefer Halochos* of Rav Yitzchok Alfasi (*Rif*) and *Mishne Torah* of Maimonides (*Rambam*), and is regarded as a father of *Kabbola* and one of the key and important links in the chain of Jewish mystics. He was a product of the flourishing Jewish presence in Provence in the twelfth century, born in the south of France about 1125 and passing away at Posquières (meaning “place of wells”) on November 27, 1198. In that era, Christians and Jews created separate communities within the well-defended village of Posquières. *Ra'avad* (abbreviation for Rav Avrohom ben Dovid) acquired most of his *Talmudic* learning under the guidance of Rav Moshe ben Yosef and Rav Meshullom ben Yaakov of Lunel, and remained in Lunel after completing his studies, subsequently becoming one of the rabbinical authorities of that city. Next he went to Montpellier, where he remained for only a short time, and then moved to Nîmes, where he lived for a considerable period. Under the direction of *Ra'avad*, the rabbinical school of Nîmes was considered the chief seat of *Talmudic* learning in Provence. Besides being an active teacher, he wrote answers to hundreds of learned questions as well as a commentary on the whole *Talmud* and several compendia of rabbinical law. He is best known for his *Hasogos* on the *Rambam* and the *Rif*, but many of his other works are lost. The *Ra'avad* is often considered to be the source of the commonly used diagram of the *Sephiros* of the Tree of Life that was ultimately written down by his son Yitzchok the Blind. He considered Judaism a spiritual practice of deed, not of dogma, and followed an ascetic mode of life that gained for him the title of “the pious”. In spite of his asceticism, the *Ra'avad's* wealth and



benevolence were famous. Not only did he erect and keep in repair a large school building, but he cared for the material welfare of the poor students as well. It was his great wealth that brought him into peril of his life, however. In order to obtain some of it, Elzéar, the lord of Posquières, had him cast into prison, where he might have perished, had not his persecutor's superior intervened. When Elzéar was banished, Rav Avrohom *ben* Dovid returned to Posquières (now named Vauvert) where he remained until his *petira*, (4959/1198);

- * **Rav Avrohom Chaim** of Zlotchov, *mechaber* of *Orach LeChaim* and *Pri Chaim*. [Note: Rav Chaim Leib Epsztein was *Rav* and *Av Bais Din* at Czyzewo from 1729, then at Czyzewo, and finally at Kolszyn. He was *mechaber* of a *sefer* called *Pri Chaim*. There was also a *Rav* in Sokolow named Rav Chaim Leib from Kaluszyn, *mechaber* of *Pri Chaim*.], (5577/1816).

* 27th of Teves ~ Begins Thursday Night (Jan 3rd)

- * **Rav Shimshon Refoel Hirsch**, Frankfurt-am-Main, Germany, (1808–1888). He was born in Hamburg, Germany. His father, Rav Refoel Aryeh (1777–1857), who changed the family name to Hirsch, was the son of Rav Menachem Mendel Frankfurter of Altuna (1742–1823). Rav Shimshon Refoel's father, though a merchant, devoted much of his time to Torah studies; his grandfather, Rav Menachem Mendel Frankfurter, was a talmid of Rav Yonoson Eibeshitz and was the founder of the Talmud Torah in Hamburg and unsalaried Rav of three neighboring congregations of Altuna, Hamburg and Wandsbeck ("AHU"); his great-uncle, Löb Frankfurter, was the author of several Hebrew works, including *HaRechasim LeBik'a* (הרכסים לבקעה), a Torah commentary. At the age of eighteen, Rav Shimshon Refoel went to Mannheim to learn at the Yeshiva of Rav Yaakov Ettlinger, author of *Aruch LaNer*. Rav Hirsch received *semicha* from Rav Ettlinger after learning there for a year. Thereafter, he attended the University of Bonn. That education would serve him well later in life as he combated the forces of Reform with eloquence. When he was twenty-one, he was appointed Chief Rav of the Grand Duchy of Oldenburg. There, he married Chana Judel. Rav Hirsch remained in Oldenburg until 1841, when he was elected chief Rav of the Hanoverian districts of Aurich and Osnabrück, with his residence in Emden. During this five-year post, he was taken up almost completely by communal work, and had little time for writing. He did, however, found a secondary school with a curriculum featuring both Jewish studies and a secular program. He also authored *Iggros HaTzofon* (The Nineteen Letters), under the pen name Ben Uziel. One year later, he published *Chorev*. In 1847, he became Chief Rav of Moravia, a region of fifty thousand Jews in fifty-two communities, and which is now the Czech Republic. In 1851, he became the Rav of Frankfurt-am-Main, which he transformed into a Torah bastion. His best-known work is his classic six-volume commentary on Chumash. He is considered the intellectual founder of the Torah im Derech Eretz school of contemporary Orthodox Judaism and had a considerable influence on the development of Orthodox Judaism. Rav Hirsch passed away in 1888 in Frankfurt-am-Main and is buried there.

(Rav Shimshon Refoel Hirsch once went out of his way to see the Alps. When asked why, Rav Hirsch replied, "Because, when I get up to Heaven, I want to have an answer when Hashem says to me, 'Nu, Shimshon, what did you think of My Alps?'"), (5649/1888);

- * **Rav Shmuel Hillel Shenker**. His father, Rav Avrohom Shenker, was one of Rav Yisrael Salanter's greatest *talmidim*. Rav Shmuel spent his early years in Slobodka, but was orphaned of his father at an early age. He thus traveled to the *Talmud Torah* in Kelm to

absorb the *Torah* and *mussar* of the *Alter*, Rav Simcha Zissel of Kelm. After a number of years, he traveled to *Eretz Yisrael* with his relative, Rav Tzvi Pesach Frank, who later became chief *Rav* of Yerushalaim. In 1895, Rav Shmuel Hillel married Laya Genendel, the eldest daughter of Rav Yosef Chaim Sonnenfeld. On the 9th of *Iyar* 1944, his beloved son, Rav Mendel Shenker, passed away when he was only forty-six. Another year passed and another son was taken from him. Rav Yisrael, his youngest and most beloved son, passed away in the prime of his life on the 27th of *Teves* 1945, (5717/1956);

- * **Rav Kalman Avrohom Goldberg** (1895–1968). A devoted *talmid* of the *Alter* of Novardok, he became *Rav* in Vasilkov and moved to America in 1926. In 1928, he was hired to head the *Bais Din* for *Adas Yisrael*, under Rav Velvel Margulies. After Rav Velvel's *petira*, he became *Rav*, (5729/1968);
- * **Rav Menashe Yitzchok Meir Eichenstein** of Ziditchov-Petach Tikva, (5732/1971);
- * **Rav Avrohom Simcha HaKohen Kaplan**, chief *Rav* of Tzefas, (5751/1990);
- * **Rav Pinchas Hirschprung**, chief *Rav* of Montreal (1915–1998). At the age of fifteen, he published a *Torah* journal, *Ohel Torah*, along with his friend, Rav Yeshaya Yosef Margolin, in Galicia. He then joined *Yeshivas Chachmei Lublin*, learning under Rav Meir Shapiro. At the outbreak of War World II, Rav Pinchas fled to Vilna, which was still neutral territory. In 1942, he acquired a visa to travel to Canada with a group of students from Mir and Lubavitch. When he arrived in Montreal, he was offered the position of *Rav* of *Kehillas Adas Yisrael*. When *Yeshiva Merkaz HaTorah* was established, Rav Pinchas became its *Rosh Yeshiva*. Eventually, he was appointed *Rav Ha'ir* (chief *Rav*) of Montreal, (5759/1998).



❁ HILLULA DE'TZADDIKA ❁

WHAT'S BEHIND YAHRZEIT MEANINGS & CUSTOMS

The *Maharil*, in *Hilchos Taanis*, teaches us that the reason why there is a custom to visit the *Bais hachaim* on a fast is because “this place is the resting place of the *Tzaddikim* and is therefore sanctified, pure and holy and our tefillos are more readily heard, accepted and answered when *davened* on holy ground. When you *daven* there, do not make requests of the dead who are buried there; rather ask *Hashem* to answer you mercifully in their merit. Then circle around the graves and donate charity before reciting tefillos.”

בית הקברות הוא מקום מנוחת הצדיקים ומתוך כך הוא מקום קדוש וטהור התפילה נתקבלה שם יותר, אך אל ישים מגמתו נגד המתים, אך יבקש מהשי"ת שתן עליו רחמים בזכות הצדיקים שוכני עפר, ויקיף הקברות, ויתן צדקה קודם שיאמר התחינות.

The *Zohar* in *VaYeira* page 71 teaches us that if we suffer any calamity or tragedy we have the custom to go and *daven* at the *kevorim* of *Tzaddikim*. The reason for this is that we approach them with fasting, remorse and repentance, and we have in mind that the departed souls ask and *daven* for us before *Hashem* on High, as opposed to the prohibition against speaking to the dead which is an idolatrous practice where the idol worshippers sought out the impure dead souls and bodies using sorcery and witchcraft. Instead, beseech our *Tzaddikim* who, in *gan eden*, are truly alive, and ask through *tefilla* and fasting and *teshuva* alone.



❁ GEDOLIM BE'MASAYHEM ❁

STORIES & ANECDOTES

Rav Yosef Shatzkes, 21st of Teves

Av Bais Din of Brod

Rav Shatzkes was a *boki*, well versed in the *Gemora Yerushalmi*. Before he passed away, he requested that only a person well versed in Yerushalmi be buried beside him, because he wanted a *chavrusa* in the next world who could learn with him! The *chevra kadisha* read this and accepted it. They were astonished when

some time later, the *mechaber* of the commentary *Pnei Moshe* on the *Yerushalmi* visited Brod, got sick and passed away – and so he was buried next to Rav Shatzkes and became his *chavrusa* in *Yerushalmi* in *Olam HaBa!* (Pinkus of the Brod *Kloiz*, printed in *Arim VeImahos BeYisroel* Volume 6, p. 333)



Rav Yisrael Dov of Vilednik, 21st of Teves

Mechaber of the She'eiris Yisrael

Rav Yisrael Dov of Vilednik points out a *diyuk* in the words of *Chazal*: Dovid *HaMelech* did not “sin” – rather he was “mistaken” – because at the hand of Heaven he was caused to err, in order to raise up the “fallen souls of Yisrael” (i.e. in generations to come). This is what *Chazal* mean when they say that Dovid *HaMelech* only succumbed to “that incident” (with Bassheva) in order to teach us how to do *teshuva*. All those who have succumbed to “*p'gam habris*” can receive their *tikkun* through Dovid *HaMelech* (*She'eiris Yisrael-Vilednik, Shovavim Likkutim*). Through *Tehillim*, in particular, one will be brought to repentance, which will bring about the *tikkun*.



The Viledniker's Mother (Famed Rav Shlomo Carlebach story)

One day the holy Viledniker was told that the wife of one of his *Chassidim* had moved back to her parents. He was so heartbroken – he called the woman and this is what he said: “I want you to know, your husband loves you so much. He is up

all night in the *shul*, reciting *Tehillim* and *davening* that you should come back to him, because he loves you so much. So I'm begging you, please, please, please, go back to your husband who loves you.”

And this is what she said, “*Rebbe*, let it be clear to you: I didn't leave my husband because I don't love him. On the contrary, I love him so much. But *Hashem* hasn't blessed us yet with children, and a house without children is more destroyed than the *Bais HaMikdosh*. A house without laughter, without crying of children, is so lonely, so empty. I couldn't bear it anymore, so I went back to my parents' home. But *Rebbe*, if you want me to go back to my husband, bless me with children.” She was a very clever woman, so she added, “*Rebbe*, if you bless me with children, bless me to have a son like you.”

The holy Viledniker just smiled and said to her, “I'll be so happy to bless you to have a son like me, but you have to promise me something: If you will be a mother like my mother, then you will have children like me. Let me tell you about my mother: It should never happen to any child in the world. My father left the world when I was

seven, and I had a brother who was only five years old, and my mother was taking care of us. My mother was so good to us; *gevult* was she sweet – *gevult* was she holy – *gevult* was she beautiful. One morning, she woke up and she said, ‘*Yisraelk’le mien tier kind* [Yisrael’ek’le, my precious son], please bring me a *siddur*. I have to *daven* but I am too sick to get out of bed.’ I brought my mother the *siddur* and she held it in her holy hands. This is what she said: ‘Master of the world, *Tatte Zeese, Heilege Tatte* [Sweet Father, Holy Father], I’m so sick. I can’t even *daven*. But Master of the World, You know the truth; if I won’t take care of my children, there is nobody else who will take care of them. So just for the sake of my children, *Tatte Zeese, Master of the world, make me well.*’ I swear to you: she got up, she was well.

“One more story about my mother: Can you imagine how many tears my mother shed, how many *tefillos* she offered, when she kindled the lights before *Shabbos*? I was so little, yet I knew; the only one who prayed more than my mother, was the *Kohen Godol* on *Yom Kippur* in the Holy of Holies. So one Friday she was crying so much, and I guess she bent over the candles, and her tears fell on the candles. When she opened her eyes, it was already *Shabbos*. There were no more candles. The tears extinguished the fire. My mother said, ‘Master of the World, *Heilige Tatte in Himmel* [Holy Father in Heaven], I can’t live without the light of *Shabbos*. Master of the world, Master of the world, Master of the world, how can I have *Shabbos* without my *Shabbosdike licht* [light of *Shabbos*]? But it’s already *Shabbos*, so I’m begging You, Master of the world, please – You, You Master of the world, rekindle my light, rekindle my *Shabbosdike Licht*.”

The Viledniker *Rebbe* said to the woman, “I swear to you, I saw a hand coming down from Heaven and kindling the lights of *Shabbos*.”



In one of the cities in the Ukraine a terrible plague broke out. As the death toll rose, the community leaders decided to seek out sinners and transgressors, for they felt if they could root them out they could stop the plague from spreading and taking lives.

There was one family in town where it was well known that the husband and wife did not live together, because he was a simpleton and she was sophisticated. Since their family matters were well publicized the council determined that the wife must be at fault; surely it was her infidelity and promiscuous behavior that had brought this plague upon them. They decided to give her lashes. After they had meted out their punishment to atone for her suspected sins, the woman could not hold back her shame. She declared boldly that she was pure and blameless and that their accusation and suspicions were false. She asked that they travel to the *Tzaddik*, the Viledniker *Rebbe*, to whom all secrets were revealed and all things known, so that he too could reveal her righteousness and proclaim her not guilty and clear her besmirched reputation.

When they arrived she immediately began to scream and berate the community leaders. But the *Tzaddik* turned to her and said, “My dear woman, hold your tongue, for though you are blameless for the sin they have accused you of, nonetheless you are worthy of lashes. For it has been decreed in Heaven that you are to be punished. So what if your husband is no wise man?! Is that a reason for your mistreatment of him? You ignore him and his love, and his wretched soul is so pained by your mistreatment of him that he has sat and sobbed through many chapters of *Tehillim*. He has true *yiras shomayim*. In Heaven they heard his cries and anguish and have judged you guilty and sentenced you to lashes, which you have rightfully received. Now go home and act like a good kosher Jewish wife and all shall be well.” It was then that the woman turned to the

Tzaddik and said, “If the *Rebbe* will promise me a son as righteous as he himself is, then I will listen to everything the *Rebbe* tells me to do.”

“You wish to merit a son such as I am? Well, if you wish to have a son like me, you must be as my mother was. If you will be like my mother then you will merit such a son.”

The woman asked, “How was the *Rebbe’s* mother?”

“Let me tell you of my mother,” answered the *Vildniker*.

“When I was very young I was orphaned from my father. I was raised by my mother, but when I was just nine or ten she became deathly ill. As she lay in bed, wasting away, she called me over and asked for a *sefer*.

“I knew that she could not read Hebrew, so I was amazed, but asked her which *sefer* I should bring. ‘Whichever *sefer* you wish – it does not matter,’ my mother answered.

“I brought her a large volume which was the *Rif’s* commentary to the *Talmud*. My mother took the *Rif* in her hands and said: ‘*Heilige Osios! Bet dem obishter das mein Yisrael Ber zol zein ein erlicher yid!* - Holy Letters, please approach and beseech *Hashem* that my son *Yisrael Ber* will be a holy and righteous Jew!’ For she foresaw her untimely passing and knew that she would not live to raise me.

“Now,” concluded the *Viledniker*, “do you understand the type of mother I had? When you will be like her, then your son will be like me.”

(cited from the story told by *Eliezer Dov Friedman* in the name of *Rav Betzalel Vilshansky* – *She’eiris Yisrael*, p. 14-15)



From the *Rav’s* writing:

“The *Torah* was given over in seventy languages clearly explained” . . .
“The holy *Torah* itself is (written using)

holy letters. They are initially en clothed in the holy tongue (Hebrew). Afterward, they are clothed in sackcloth in thousands of different vestments and it contains the entirety of those seventy languages.

...I heard from my master, the holy *Rebbe* of *Czernobyl*, that it was revealed to him from heaven in a dream that for three hundred years they are preparing and organizing the limbs of the *Moshiach*. He was told that it is hinted to in a *Rashi* that this preparation and organization is using *La’az*, foreign languages, meaning to say that *Moshiach’s* limbs are prepared specifically through foreign languages; this is a very deep thing



indeed. This is because *Moshiach’s* concept is to cause all the nations to call out clearly in their language in *Hashem’s* name (*Tzefania* 7:15) because *Moshiach* is revealed once the seventy languages have been gathered together from among the seventy angelic princes which are sackcloth garments for *Torah*, and become nullified to the *Torah* as we all call out in *Hashem’s* name. Not so when the *Torah* was given, when there were seventy distinct languages, and they were including at that time in the holy *Torah*. However, in the future, all the power of the seventy languages will be nullified completely, as it says in *Tzefania* above.

Truthfully, the final task of refinement called *Birurim* is achieved through languages, since every word and idea contains a spark of holiness and that spark is refined and uplifted through true unifications and combinations using foreign languages to elucidate and explain

the holy *Torah*. This is the purpose of the unifications and upliftment of the holy sparks. Therefore when you study and learn you should translate all you learn

specifically into *La'az* - a foreign language. This rectifies sinful thoughts and evil thoughts which cause the holy sparks to fall into the realm of the broken vessels.”



Rav Sholom of Shatz, 22nd of Teves

Mechaber of Ohr HaGonuz

There is a photo of the Shatzer taken with his permission. Written on its reverse side is the *pasuk*: *ba'avur tiheyey yiroso al pneichem levilti secheto'u* – “in order that fear of *Hashem* be on you to prevent you from sin”. This is the story of such a special photo and its signature:

Once, the Shatzer's daughter, Rebbetzin Chaya, came to visit and requested a photo. Initially he refused, and

quipped, “What will you do with such a photo? Will it help your *Yiras Shomayim*?” She said that yes, it would – and so he agreed and stipulated that he would inscribe the photo on its reverse, which is why his photo is inscribed by himself as a *segula* for *Yiras Shomayim*.

(*Ohr HaGonuz* II, *Kuntres Likkutei Dibburim* 18)



Rav Naftoli HaKohen Katz of Pozna, 24th of Teves

Mechaber of Semichas Chachomim

A Holy Aura

Once, when a young *Tzaddik* was a *Yeshiva bochur*, he was unsure about which *Yeshiva* to attend, until a heavenly voice directed him to Pozna, to the *Yeshiva* of the *Semichas Chachomim*. When the young *Tzaddik* arrived and attended a *shiur*, he was greatly astonished to see a bright, shining aura, burning like a candle, above the head of the *Maggid Shiur*, the *Rosh Yeshiva*, Rav Naftoli Katz, *mechaber* of the *Semichas Chachomim*!

He decided to shadow the *Rosh Yeshiva* and try to learn what special deeds he must have accomplished to earn such a shining aura like a burning flame. And so he tagged along and observed that he fed many guests, including the poor and indigent at his table – but this was not enough reason. He further investigated and discovered that he served his guests himself and personally attended to their needs, even while he himself ate nothing,

for he was fasting – yet he concluded that this too was not enough reason for the shining aura. He continued to follow the *Rav* around and witnessed how he slept. He stole into his bedroom, hid himself and saw how Rav Katz closed the door, locked it, opened a sealed chest, took out a stone and lay down on the ground and slept on the stone as a pillow! After about an hour, he rose, went over to the bed, messed up the sheets, covers and pillows and rearranged them to make the bed appear slept in, and proceeded to study *Torah* secretly. This, he concluded, was the reason why he merited the shining aura of a candle burning above his holy head! (*Teshuas Tzaddikim* p. 480–481)



Guard Your Eyes

The Spinka *Rebbe*, *mechaber* of *Imrei Yosef*, used to be very careful to guard his eyes from inadvertently gazing at

or seeing any forbidden sights. So much so, that when he walked outside in the street he kept one eye closed; the other he opened just a small slit to see. One day, he studied the *sefer Semichas Chachomim* and saw written there that whoever gazes with only

one eye is doing something that has a negative sign. This is because the wicked Bilaam was one-eyed. From then on, he would walk with both eyes shut and someone would lead him. (Introduction to *Chakal Yitzchok, Maamar 5:1*)



Rav Shneur Zalman of Liadi, 24th of Teves

The *Ba'al HaTanya*, Founder of *Chabad Chassidus*, *Der Alter Rebbe*

There was once a *Chassid* of the *Alter Rebbe* who was a peddler of goods and made a living traveling from town to town selling his items. One time, during a *yechidus*, the *Rebbe* asked him questions and, after hearing the *Chassid's* responses, the *Alter Rebbe* advised him always to carry with him three *challos*. The *Chassid* did not understand why the *Rebbe* would give him such a strange instruction, but he did exactly as the *Rebbe* had instructed, trusting that one day he would understand why he got such advice from the *Rebbe*.

And so it happened one day that the *Chassid* was traveling before *Shabbos* and he lost his way. *Shabbos* was approaching soon, so he quickly tried to find a place to stay. He knocked on a house and the owner came out with a friendly smile. They exchanged greetings and the *Chassid* explained to the man that he needed a place to stay the night. The man invited him in and led him to his room. Now, this man was a non-Jew, and when he opened the door and led the *Chassid* into the room, the *Chassid* realized that there was a friend that was going to be staying with him that night. It was a huge dog, the size of the *Chassid* himself! He realized that his host was not as friendly as he had first appeared to be and quickly turned around to go back. By this time the



door was locked and the non-Jew told him that “in this room people go in but they do not come out.”

The *Chassid* became very afraid. He figured that being in a room with such a friend he did not have long to live. He started *davening* to *Hashem* and saying *vidui* (confession). He noticed that the dog was just sitting in his corner. So the *Chassid* began *davening mincha*. Still, the dog was quiet. He then *davened kabbolas Shabbos* and *maariv*. The *Chassid* remembered that he had three *challos* with him, so when he found some water in the room, he washed and made *kiddush* on the bread. The dog listened to *kiddush*, so to speak, and afterward was very excited. The *Chassid* realized that the dog wanted some *challa*, so he ate a small piece and gave the dog the rest of the loaf. Needless to say, the rest of the night he did not sleep; with such a friend in the room, who could sleep? Morning came and the *Chassid davened shacharis* – and the scene repeated itself with the *challa*.

After *Shabbos* the owner of the house opened the door to the room carrying a broom and bucket, planning to clean up the bones of the man. Lo and behold – he found the *Chassid* sitting in one corner and the dog in the other. So he screamed at the dog, “Get that Jew – eat him!” But the dog wouldn’t move. The *Chassid* realized that when you feed a dog, you become its owner. So he said to the dog, “Get that man!” The dog jumped on



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the non-Jew and tore him apart.

Then the dog took the Jew by his *kappota* and dragged him to the forest. There, he took him to a place where the *Chassid* found a great treasure, a chest filled with gold coins. The non-Jew had acquired it all by killing and stealing from his former “guests”. The dog grabbed the Jew again and took him outside the forest near his village. At that point the dog dropped dead. The Jew realized where he was and made his way home. Before going home he stopped by the *Alter Rebbe* to tell him all that had transpired. The *Rebbe* took him in and told him the following: “The dog was a *gilgul* (reincarnation) of a Jew who did not properly fulfill the *mitzva* of eating after making *kiddush*. His punishment was to be stuck in the body of this dog. When you made *kiddush* for him this was his rectification. The reason he took you to show the gold coins is because he wanted to repay you for helping him accomplish his *tikkun* so that he could go to *Gan Eden*.” The *Rebbe* told the *Chassid* that he should open a business with the gold coins. This the *Chassid* did and became a rich man.

Needless to say, the *Chassid* then realized why the *Rebbe* had given him the seemingly strange instruction to carry three *challos* with him at all times.



A mitzva is made to be performed only when it is clothed in the ways of nature.

After his arrest, Rav Shneur Zalman was at once escorted to the secret cells of the dreaded Peter-Paul fortress in Saint Petersburg, where he was to spend over seven weeks until his miraculous release on the 19th (*Yud-Tes*) of *Kislev*, 1798. For the first three weeks he was held under severe conditions – the lot of those impeached for rebellion against the Czar. The rationale for this was simple: one of the principal charges against the *Rebbe* was that he had

treacherously raised funds for Russia’s traditional enemy, the Turkish sultan. (He had collected money through the charity boxes of the *Rav Meir Ba’al Hanes* Fund for the support of his *talmidim* in the Holy Land, which was then under Turkish rule!)

This interrogation took place not there, but in the headquarters of the Tainy Soviet, the Secret Council on the other side of the Neva River, so that the *Rebbe* had to be taken across each time by ferry.

On one such occasion, the *Rebbe* asked the gentile official accompanying him to stop the ferry so that he could stand and recite *Kiddush Levona*, the blessing recited over the new moon. He refused, whereupon the *Rebbe* said, “If I want to, I can stop the boat myself.”

And indeed, after the man again refused to oblige, the boat stopped in the middle of the river. The *Rebbe* then recited the *pesukim* of *Tehillim* 148, which are said before the blessing over the moon, but did not pronounce the blessing itself. The ferryman realized that unusual forces were at work. He begged the *Rebbe* to release the boat. The ferry then proceeded on its way.

When the *Rebbe* again asked the official to stop the boat, he asked, “What will you give me in exchange for the favor?”

In reply, Rav Shneur Zalman gave him a blessing. The man then demanded it in writing, and the *Rebbe* recorded it on a note in his own handwriting.

In later years, when that official rose to a position of power and enjoyed an old age of honor and prosperity, he treasured that note, which he kept under glass in a heavy gold frame. Indeed, it was seen and read by a renowned *talmid* of the *Rebbe* by the name of Rav Dov Zev, who, before he was appointed *Rav* of the *Chassidic* community in Yekaterinoslav, lived in Stradov, where he was given the main responsibility of teaching *Chassidic* philosophy and guiding the *Chassidim* in observance and self-refinement. He had

heard from an aged *Chassid* that there lived a gentile squire not too far from Stradov who was the son of the official who had received that written blessing from Rav Shneur Zalman halfway across the River Neva. The son too revered the note in the frame, he said. Hearing this, Rav Dov Zev made it his business to locate that nobleman, and was thus able to see the note.

One year on the 19th of *Kislev*, on the anniversary of Rav Shneur Zalman's release, Rav Yosef Yitzchok related the above episode and added that as a boy he had been left with a question. Since the *Rebbe* had already stopped the boat, why did he not recite the *berocha* as well, and then he would not have to depend upon the favor of the gentile? When he grew older, he continued, and had grasped the approach

of *Chassidus* more profoundly, he understood that there was a point of principle involved. The *Rebbe* had been obliged to act as he did, for a *mitzva* is made to be performed only when it is clothed in the ways of nature, and not through supernatural means.



He added incidentally that the very fact that a manuscript page of Rav Shneur Zalman's handwriting should be found in the hands of a gentile is a mystery known only to the Knower of Secrets.



In 1812, Napoleon's *Grande Armée* invaded Russia, with the self-proclaimed "liberator's" aim to bring the whole of Europe under his hegemony.

Around that time, Rav Schneur Zalman of Liadi wrote to one of his *talmidim*:

If *Bais* – B[onaparte] will be victorious, Jewish wealth will increase, and the prestige of the Jewish people will be raised; but their hearts will disintegrate and be distanced from their Father in Heaven. But if Aleph – A[lexander] will be victorious, although Israel's poverty will increase and their prestige will be lowered, their hearts will be joined, bound and unified with their Father in Heaven. And this shall be your sign: in the near time, the apple of your eyes will be taken from you... (Igros Kodesh Admor HaZoken, letter #64)

[This was a famed and raging dispute, mainly between the Ba'al HaTanya and Rebbe Reb Mendele of Rimanov (who were chaverim) with regard to who should win: the Czar of Russia or Napoleon. Rebbe Reb Mendele felt that although there was a threat of assimilation under Napoleon, nevertheless the Jews suffered tremendously under the Russian Czar and felt it was time to live under the freedom of rights that Napoleon's win offered. Although Napoleon ultimately lost, Rebbe Reb Mendele's curse came true in later years, when the Czar's entire family was savagely wiped out.]

The *Chassid* to whom this letter was addressed, Rav Moshe Maizlish of Vilna, was no mere bystander to these events. At Rav Schneur Zalman's behest, Rav Moshe served as a spy for the Russians, passing on information he picked up in the French general command, where he worked as an interpreter, to the czar's generals.

When Napoleon's advancing armies approached Rav Schneur Zalman's hometown of Liadi, the *Rebbe* was forced to flee. The *Rebbe* left Liadi with sixty wagons carrying his extended family and many of his *Chassidim*, escorted by a troop of soldiers attached to the convoy by express order of the czar.

A few miles out of Liadi, the *Rebbe* suddenly requested from the officers accompanying the convoy that they provide him with a light carriage, two good horses

and two armed drivers. Taking along some of his own people, the *Rebbe* rushed back to Liadi. Upon arriving back at his own home, he instructed that a careful search be made to see if any of his personal items had been left behind. After a thorough search, a pair of worn-out slippers, a rolling pin and a kneading bowl were found in the attic. The *Rebbe* instructed that these be taken along, and that the house be set on fire. He then blessed the inhabitants of the town, and quickly departed.

No sooner did the *Rebbe* leave the town than the first scouts of the French army entered Liadi from the other side. Shortly thereafter, Napoleon himself, accompanied by his generals, arrived at the *Rebbe's* residence, only to find the house engulfed in flames. A proclamation was issued throughout the town and the surrounding villages promising a generous reward in golden coins to anyone who could produce an object belonging to the Jewish *Rav*, or a coin he had received from the *Rebbe's* hand. But nothing was found.

For more than five months, as Napoleon advanced across Russia, took Moscow and then embarked on his disastrous retreat, the *Rebbe's* entourage wandered from town to town and from village to village, only narrowly avoiding the swath of carnage cut by the French army as it moved through the country.

The *Rebbe* rode in the third wagon. In the first wagon sat his grandson, Rav Nachum, with two military officers. Whenever they arrived at a crossroads, the entire procession would halt while Rav Nachum walked to the third wagon to ask



Napoleon's retreat from Moscow, winter of 1812-1813

Rav Schneur Zalman which way to proceed. At times, the *Rebbe* would reply without moving from his seat; other times, he would walk to the crossroads, lean on his staff and meditate for a while before issuing his directive.

On one occasion, Rav Nachum erred in his understanding of the *Rebbe's* instruction and the convoy took the wrong turn. When the error was revealed, Rav Schneur Zalman instructed that they continue along the road already taken, but said with great regret in his voice, "How fortunate it is when the grandson follows the grandfather; how unfortunate it is when the grandfather must follow the lead of the grandson."

Many trials and tribulations followed that wrong turn in the road, culminating in their arrival in the town of P'yene.

The *Rebbe's* convoy arrived in P'yene in the dead of winter, on the eighth day of *Teves*, 5573 (December 1812). P'yene was a good-sized town, consisting of some three hundred large houses and courtyards, many of which were empty, as the men were away at war. The generous townspeople provided housing and kindling free of charge to the refugees.

Ten days later, the *Rebbe* fell ill. On the 24th of *Teves*, *Motzo'ei Shabbos* following *Shabbos Parshas Shemos*, at 10:30 in the evening, after reciting the *havdola* prayer marking the close of the holy *Shabbos*, he returned his soul to its Maker.

Shortly before his passing (by one account, "after *havdola*, several minutes before giving up his soul in purity to *Hashem*") the *Rebbe* penned a short discourse titled "The Humble Soul".

"For the truly humble soul," Rav Schneur Zalman wrote, "its mission in life lies in the pragmatic aspect of Torah, both in studying it for oneself and explaining it to others, and in doing acts of material

kindness in lending an empathizing mind and counsel from afar regarding household concerns, though the majority, if not all, of these concern things of falsehood...For although the divine attribute of Truth argued that man should not be created, since he is full of lies, the divine attribute of Kindness argued that he should be created, for he is full of kindnesses...And the world is built upon kindness.”

www.chabad.org/library/article_cdo/aid/465708/jewish/The-Passing-of-Rabbi-Schneur-Zalman-of-Liadi.htm#footnote1a465708



Following his release from imprisonment in Saint Petersburg on the 19th of *Kislev*, 5559 (1798), an event which marked the *Chassidic* movement's decisive victory over its opponents, Rav Schneur Zalman of Liadi sent a letter (the letter forms the second chapter of *Igeres HaKodesh*, part IV of *Tanya*) to all his followers, warning them against any feelings of pride and superiority over their antagonists. The letter begins by quoting the *pasuk* (*Bereishis* 32:11) [in *Parshas Vayishlach*, which was read on the *Shabbos* before Rav Schneur Zalman's release] in which Yaakov says to *Hashem*, "I am diminished (*kotonti*) by all the kindnesses...You have shown Your servant."

Rav Schneur Zalman explains: "The meaning of this is that every kindness bestowed by *Hashem* upon a person should cause him to be exceedingly humble. For a [divine] kindness is [an expression of]... 'His right hand does embrace me' (*Shir HaShirim* 2:6) – *Hashem* is literally bringing the person close to Himself, far more intensely than before. And the closer a person is to *Hashem*... the greater the humility this should evoke in him...This because 'all before Him is as naught' (*Zohar*, part I, 11b); so the more 'before Him' a person is, the more 'as naught' [does he perceive himself to be]...This is

the attribute of Yaakov...

"The very opposite is the case in the contrasting realm of...*kelipa* (evil): the greater the kindness shown a person, the more he grows in arrogance and self-satisfaction.

"Therefore, I come with a great call to all our community regarding the many kindnesses which *Hashem* has shown us: Assume the attribute of Yaakov...Do not feel yourselves superior to your brethren (i.e. the opponents of *Chassidus*); do not give free rein to your mouths regarding them, or hiss at them, G-d forbid. [I] strictly warn: Make no mention [of our victory]. Only humble your spirits and hearts with the truth of Yaakov..."

Rav Schneur Zalman's great-grandson, Rav Shmuel of Lubavitch, once remarked: "If the *Rebbe* would have omitted the words 'with the truth of Yaakov' from his letter, he would have gained fifty thousand additional followers. But the *Rebbe* demanded truth."



The Black Carriage

By: Reb Yerachmiel Tilles

The 19th of *Kislev* is celebrated throughout the *Chassidic* world as the day of the liberation of the founder of *Chabad*, Rav Schneur Zalman of Liadi (1745–1812). Rav Schneur Zalman was arrested by the czarist regime under the accusation that his teachings undermined the imperial authority, and his release allowed the vigorous growth of *Chassidus* and the uninhibited dissemination of its teachings.

During the "intermediate days" of *Sukkos* of 1798, an armed officer arrived in Liozna to arrest Rav Schneur Zalman of Liadi, the founder of the *Chabad* movement. Deciding that it would be advisable at this point to take the biblical advice, "Hide yourself for a brief moment" (*Isaiah* 26:20), the *Rebbe* slipped out a side

door. The officer returned to his headquarters empty-handed.

Back in the house, the *Rebbe* decided that if the agent were to return, he would allow himself to be arrested. Some say that he decided this only after consultation with Rav Shmuel Munkes, one of his close *Chassidim*, who happened to be in the *Rebbe's* home at the time. Rav Shmuel reputedly said to the *Rebbe*, "If you are a true *Rebbe*, you have nothing to fear by being arrested. If you are not, you deserve whatever they will do to you (!), for what right did you have to deprive thousands of *Chassidim* from enjoying the pleasures of this world?"

When the officer reappeared on the day after *Simchas Torah*, which fell on Thursday that year, the *Rebbe* did not hide. Within a few hours, he was already seated in the infamous "Black Mary", the carriage reserved by the Czarist regime for rebels who were under capital sentence. Covered on all sides with heavy black metal panels, and with no windows whatsoever, it was designed to cast dread on all those who saw it. Guarded by heavily armed soldiers, the ironclad black carriage pulled out of Liozna on Thursday night and clanked its fearsome way down the highway to Saint Petersburg, via Vitebsk and Nevel.

At half past ten the next morning, some six hours before candle-lighting time, the *Rebbe* asked that they stop where they were until after *Shabbos*. The officer in charge ignored his request. A moment later the axles of the carriage broke. No sooner had they repaired them, than one of the horses collapsed and died. Fresh horses were brought, but they could not move the carriage from its place. By this time the gendarmes gathered that it would be impossible to press on with their journey against the *Rebbe's* will, so they asked their prisoner if they could detour to a nearby village and spend the next day there. The *Rebbe* refused, but did agree that the carriage be moved off the highway to an

adjacent field.

The spot at which the *Rebbe* spent that *Shabbos* is about three miles from the village of Seliba-Rudnia, which is near the town of Nevel. An old *Chassid* who survived into the twentieth century, Rav Michael of Nevel, used to relate that he knew *Chassidim* who were able to point out the exact spot at which the *Rebbe* had spent that lonely *Shabbos*. He himself had gone there to see it with his own eyes. All the way there he had seen old and drooping trees on both sides of the road, but that memorable spot was marked by a tall tree with luxuriant foliage.



Commentary from Rav Yosef Yitzchok Schneersohn, the sixth Rebbe of Chabad:

The story of the *Rebbe's* journey to Saint Petersburg gives tangible testimony to the statement that whatever happens to a *Tzaddik* – and especially to a *Tzaddik* who is a leader of Jewry – takes place only with his consent. Indeed, not only the *Rebbe*, but every *Tzaddik* likewise rules over all material matters. What the *Torah* has to say about the created universe is decisive: all temporal matters are subject to the dominion of the *Torah*.

When the *Rebbe* did not want to travel further, the wagon came to a halt, and it came to a halt where and when the *Rebbe* so desired. Had the wagon stood still at candle-lighting time, this would have been not at all remarkable. For such things we find concerning even an unwitting reaction, as it is written: "No evil shall befall the righteous" (*Proverbs* 12:21). But that the wagon should stand still at ten-thirty on Friday morning, and not budge –

this is a palpable wonder of *Hashem*, like an overt miracle.

From all of the above it should be abundantly clear that one whose word carried weight over material things, as was the case with the *Rebbe*, had the option of not being imprisoned at all, and of not hiding, even for a solitary hour. If he did go nevertheless, this was for the sake of a profound purpose involving the service of *Hashem*.

The patriarch Avrohom opened the channel of self-sacrifice for the sanctification of *Hashem's* Name, and the *Rebbe* opened the channel of self-sacrifice for *Chassidic* service of *Hashem*. From all of this one can gather that the whole episode of the *Rebbe's* imprisonment was only a garment worn by choice, in order to avoid making use of supernatural means.

Truth to tell, this subject warrants a detailed explanation, especially since this would provide at least an inkling of an appreciation of the *Rebbe's* quintessential inner love for Jews in general, for he wanted every individual to start living with zest in his *Torah* study, and in his divine service according to the teachings of *Chassidus*, and his love for *Chassidim* in particular. And this love the *Rebbe* planted in the *Rebbs* who succeeded him. Such a deep-seated and quintessential love is everlasting, throughout all the generations until the coming of *Moshiach*, when it will be granted us, at the time of *techiyas hameisim* (the Resurrection of the Dead), to gaze directly upon the living and luminous countenances of the *Rebbs*.

www.chabad.org



The Judgment and the Advice

Rav Noach was a devoted *talmid* of Rav Schneur Zalman of Liadi, the *Alter Rebbe* of *Chabad*, who lived in eighteenth-century Russia. Rav Noach's son eventually married the *Alter Rebbe's* daughter and

from that union came the *Rebbe*, known as the *Tzemach Tzedek*. To this day, the memory of Rav Noach is honored among Lubavitchers, who tell this story about him:

After Rav Noach passed away and came before the Heavenly Court, they looked into his case and found that he had been a very good Jew. All his life he had observed the commandments as best he could and never missed any opportunity to perform an additional *mitzva*.

Now, as is well known (*Avos* 4:11), when a Jew fulfills a *mitzva*, a holy *malach* (angel) is created from that very act. These angels, it is said, will come to testify on behalf of the soul after death. And the more properly and sincerely he does the *mitzva*, the stronger the *malochim* will be. So it happened when Rav Noach stood before the Heavenly Court that thousands upon thousands of luminous *mitzva malochim* came to his trial, saying, "I was born from such-and-such a good deed performed by Rav Noach when he was alive on earth."

The Heavenly Court was very impressed by the testimony of all these *mitzva malochim* and was about to decide that Rav Noach should go immediately to *Gan Eden* ("Paradise"). But suddenly another *malach* appeared, a dark one. It stood before the Court and said, "I was created from a sin that Rav Noach committed during his life on earth." Then the *malach* revealed to the Court exactly what the sin had been.

The three judges who sit on the Heavenly Court deliberated thoroughly. On the one hand, Rav Noach was a pious man who had led a basically righteous life, so he deserved to go to *Gan Eden*. But on the other hand, he had committed the sin. Just as no good deed ever goes unrewarded, so does no sin ever go unpunished. Finally, the Court decided to give Rav Noach two choices: he could spend a half hour in *Gehinnom* ("Purgatory") now, to atone for the sin, and then go straight to *Gan Eden*, or he could avoid the pain of *Gehinnom* by

reincarnating on earth once again and making up for the sin there.

Rav Noach answered: “With all due respect to this Court, I would like to consult with my *Rebbe*, Rav Schneur Zalman, before I make a decision. All my life I never did anything concerning my spiritual life without first asking the *Rebbe*’s advice. And so I would like permission to ask the *Rebbe* about this now.”

The Court consulted the Heavenly Records and found that it was indeed true. Rav Noach never did anything important without first asking the *Alter Rebbe*’s advice. “Very well,” the Court replied. “You may return to earth in spirit and consult with your *Rebbe* about your decision.”

Back on earth, Rav Schneur Zalman was sitting at the table as usual, learning *Torah* with his *Chassidim*. Then the soul of Rav Noach appeared to him and posed the question: “Earth or *Gehinnom*?” The *Rebbe* turned to his *Chassidim* and said, “Rav Noach is here right now, and he is asking what judgment he should choose: a half hour in *Gehinnom* or to be born in this world another time.”

The *Chassidim* said nothing. What could they say? If the *Rebbe* wasn’t prepared to decide, how could they presume to speak for him? So they sat there in silence, waiting to hear what the *Rebbe*’s answer would be.

The *Alter Rebbe* put his hand on his forehead, then rested his elbow on the table and concentrated very deeply. For a long time he just sat there in silence, turning the question over in his mind, weighing all the consequences. Then came the answer: “*Gehinnom* - to Purgatory!”

As soon as the *Rebbe* had said the word “*Gehinnom*”, the *Chassidim* all heard a voice cry out in anguish, “Oy, *Rebbe*!” At the same moment they saw, burned into the wall by the door, the outline of a human hand!

From this the *Chassidim* understood

what a spiritual danger it can be for a soul to be born into this world. Better to spend half an hour in the fires of Purgatory than a whole lifetime on earth once again!

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Derelict in his Duties

A *talmid* once came before the *Ba’al HaTanya* and asked to be taught a new lesson in *hisorerus* – awakening excitement for *davening*. When the *Ba’al HaTanya* asked him what type of *davening* he had focused on till now, the *Chassid* answered with the following amazing example:

I was once called in to deal with an official matter with the Russian authorities. As I stood outside the courthouse I noticed a prisoner, a former soldier in uniform, being mercilessly and cruelly beaten. When I asked the reason for such punishment, I was told that this soldier was being punished for being derelict in his duty. It was winter and bitterly cold outside. “He came back from his duty with frozen ears!” they thundered. “This soldier is supposed to be on guard duty,” continued one of the officers. “How can it be that a soldier who is charged with duty to guard His Majesty the Czar would have frozen ears?! The very fact that he is fulfilling his duty to His Majesty the Czar, the very fact that he is fulfilling His Majesty’s command – that should warm his whole being and should cause his blood to boil from head to toe and circulate throughout his entire being as it resonates with his duty! How could his ears freeze, if not that he was derelict in his duty!”

And so they judged him worthy of punishment. This made a great impression on me and with this manner of meditative contemplation on His Majesty and my duty to *Hashem*, I *davened* with *hisorerus* for some six years. But now I am ready for something new!” (*Otzar Yisrael*, p. 261)

The Sefer HaTanya

Some say that when the *heilige* Berditchever Rav learned *Tanya* for the first time he exclaimed, “Wondrous Wonder!!! How did he [Rav Shneur Zalman, the *mechaber*] manage to get such a great G-d into such a small *sefer*?! (*Yiftach Libeinu BeSoraso*, p. 312)

Rav Ahrele Roth, *mechaber* of *Shomer Emunim* and founder of the *Toldos Aharon Chassidus*, once visited the Satmar Rav, Rav Yoel, in *Chutz La'artz*. During their conversation, Rav Ahrele asked a

question on the *pasuk* (*Bereishis* 4:7), which teaches that although you desire evil you can overcome the *yetzer hora*. *Rashi* comments there: “If you so will it, you can defeat him.” Rav Ahrele asked the Satmar Rav, “How do you get such a will to begin with? From where can you acquire the will to defeat the *yetzer*?”

For that, answered the Satmar Rav, you need to study the *sefer HaTanya*. (*Teshuas Tzaddikim* p. 495, in the name of *Zechor LeAvrohom*)



Rav Eliyohu Eliezer ben Reuven Dov Dessler, 24th of Teves

Mechaber of Michtov Me'Eliyohu

Rav Dessler was born and raised in a *mussar* environment, his parents scions of Rav Yisrael Salanter, founder of the *mussar* movement and *talmidim* of Rav Simcha Zissel Ziv of Kelm. He used to joke that in his youth all of Kelm where he was sent to study at age thirteen (and called by his maternal uncle, Rav Chaim Ozer Grodzinski, a *wunderkind*) was an incubator for *mussar*, as he used to fondly recall how his meals were served by a relative who always fed him the same bland tasteless bowl of oats, day after day, for years. After such training on such plain fare, he laughed, every dish was a tasty one!

His hometown was Homil, a bastion of *Chassidus*, and it is very possible that when he was forced back there after the

German conquest of Kelm, that he learned *Chassidus* and added that to his more mystical interpretations and approach of *Chassidus*-infused *mussar*.

He worked tirelessly after the war to help rebuild *Yiddishkeit* from the flames. In Gateshead, England, he gathered about himself great *talmidim* and *yungeleit* to create the *kollel*, the boarding school, the teachers' seminary and many other institutions. He had *talmidim* in London and Manchester as well, for whom he cared spiritually and physically, and taught many students across England. Eventually, he was called upon to be the *Mashgiach* of *Ponevezh* in *Eretz Yisrael*, where he served until he was *niftar*.



לזכר נשמת אמנו החשובה, נפש יקרה ועדינה, אשה יראת ה' ובעלת מדות טובות
מרת זיסל ז"ל בת הרה"ח מו"ה מאיר זאב הכהן ב"ץ ע"ה הי"ד מעיר נירעדהאז יע"א
ונכדת הרה"ק רבי אהרן צבי טערקלטייב זי"ע מבריד
אשת הרה"ח מו"ה אברהם חיים ע"ה גאלדענבערג

She was a Holocaust survivor who never let that period of time define her life. Although she lost most of her family - she claimed that *Hashem* gave her an amazing life. She had a unique knack of making everyone who encountered her feel like they were the most important loved person. Her inimitable smile never left her face.

She transmitted a strong value system stressing *Emunas Hashem* and *Tzaddikim*. Her love for stories of *tzaddikim* gave her *chiyus* and she conveyed that *chizuk* to anyone who met her. In her eighty-nine years of life, there wasn't one person who had an untoward word or adverse feelings about her. She loved her family deeply and immensely. May *Hashem* console her family and may she be a constant *melitza yeshura*, אמן.

(מותקן אמונה טהורה) בדרך המסורה (והתנהגה כאשה כשרה) לכל משפחתה, היא הודה היא הדרה - נקיה
וטהורה היוצר וצר צורה (וקיבלה הגזירה) נפטרה בש"ט בת תשעים שנה ב"ד לחודש כסלו (ערב חנוכה)
שנת תשע"ח לפ"ק תמליץ טוב בעד משפחתה היקרה ותקים לתחיה לקץ הימין מהרה תנ'צ"ב'ה'

Zera Shimshon



Shemos

The Zera Shimshon, Rav Shimshon Chaim ben Rav Nachmon Michael Nachmani, was born in 5467 (1706/1707) into an illustrious family with great Rabbinical lineage. He studied the revealed and concealed parts of the Torah by the Torah greats of his day.

He served as Rav of Modena, Pisa, Sayna and Reggio, Italy, and was recognized as a holy and pious individual, as well as a tremendous Torah scholar in all areas of Torah. He passed away on the 6th of Elul 5539 (1779).

His Seforim were named, Toldos Shimshon (The 'Offspring' of Shimshon) on Pirkei Avos and Zera Shimshon (The 'Seed' of Shimshon) on the Parshi'os of the Torah. In his introduction, he explains that since his only son had died during his lifetime, he wrote his Seforim to perpetuate his own memory after his passing.

The following is his passionate request to learn his works.

"I implore of you with ten terms of supplication to choose from my Chiddushim (novella) the piece that finds favor in your eyes, for your learning will sooth my soul etc..."

"This righteousness will stand by you forever – to 'eat' in this world, and be satiated in the next. In this merit, Hashem will repay you with children, health and sustenance.

"...and now my brothers and friends etc. do a true kindness, and with your eyes you will see children and grandchildren surrounding your table, houses filled with all that is good, wealth and honor will not cease from your children..."

לזכר נשמת

רבינו שמשון חיים בן רב נחמן מיכאל זצ"ל

בעל הזרע שמשון זיע"א

ויה"ר שיתקיימו בנו ברכותיו של אותו צדיק

ואתם קחו לכם תבן (ה', יא')

Go yourselves to gather straw (5:11)

The Mesora counts four pessukim throughout Tanach that being with the word אתם. The first one is mentioned above. The second one is (Shemos 19:4), אתם ראיתם אשר עשיתי למצרים, *you have seen that which I have done to Egypt*. The third one is (Devarim 29:9), אתם נצבים היום, *you stand today*. And the fourth one is (Yeshaya 43:10), אתם עדי, *you (the Jewish people) are My (Hashem's) witnesses*.

Whenever the Mesora points out these kinds of details in the wording of the Torah, many Seforim show how all these similar words are connected to each other somehow. Here, the Zera Shimshon (14) explains that all these pessukim are reliant on the passuk that precedes them which serves as an introduction to the next passuk and if not for the earlier passuk we would not understand the next passuk that begins with the word אתם.

The first passuk is the one that tells how after Moshe Rabbeinu and Aharon came to inform Pharaoh that Hashem commands him to let the Jews leave for a festival in the desert, Pharaoh defied Hashem's orders and increases the labor on the Jews by decreeing that they must now gather their own straw to make bricks and have to keep the production rate the same as when they were supplied with the straw.

This, the Zera Shimshon says, is the answer to the Rambam's question, The Rambam (Teshuva 6:5) asks - why did Pharaoh get punished for fulfilling Hashem's decree of enslaving the Jews, wasn't he doing what Hashem commanded? The Zera Shimshon explains that since when Hashem commanded Pharaoh to send the Jews out he disobeyed Hashem's order and even made the Jews work harder, that is what he was punished for.

Now we can understand the second אתם which is (Shemos 19:4), אתם ראיתם אשר עשיתי למצרים, *you have seen that which I have done to Egypt*. Why did Egypt get punished, after all they were only enforcing Hashem's decree? The first אתם explains this - they were getting punished for אתם.

The fact that Hashem not only punished the Egyptians, but He also allowed the Jewish people to witness the Egyptians' suffering as the second passuk clearly says (*you have seen*), is a proof that although the Jews also defied Hashem's commandments in Egypt through idolatry, nevertheless, since they did so only out of the madness caused by the terrible conditions in Egypt, Hashem forgave them. They therefore justly warranted seeing their tormentors suffer.

This allows us to understand the third אתם which is (Devarim 29:9), אתם נצבים היום, *you stand today*. Rashi says that what Moshe Rabbeinu was telling the Jewish people in this passuk is that they are *still* standing today. The Jews had just made a covenant with Hashem in which He bound the Jewish people by ninety eight curses should they not follow His will. The Jewish people were deathly afraid after they heard this and Moshe Rabbeinu said, you are *still* standing today, meaning, you've already angered Hashem with numerous sins and yet He has not destroyed you - you are (still) standing, so don't be so worried.

The problem with Moshe Rabbeinu's words of comfort is that until now there was no covenant so perhaps that is why Hashem did not destroy the Jews on account of their sins, but now with the covenant, He will?

However, now that we know that Hashem is lenient when the Jews do not sin intentionally, the ninety eight curses were principally issued for someone who sins intentionally (see the pessukim further on in Nitzavim 29:17, 18). Therefore, Moshe Rabbeinu was reassuring them that only if they sinned intentionally did they have what to fear.

This allows us to grasp the fourth and final passuk which is (Yeshaya 43:10), אתם עדי, *you (the Jewish people) are My (Hashem's) witnesses*. The question is - how can the Jewish people serve to testify for Hashem? After all, we are called Hashem's children (Shemos 4:22) and a child cannot testify for his father?

However, now that we see that Hashem made a covenant with us, this allows us to understand how we can serve as His witnesses. This is because if we were actually Hashem's children, why would He need to make a covenant in order for us to follow His wish, the fact that He is our father alone should be enough to obligate us? It must be, explains the Zera Shimshon that our title as children is not in the halachic sense, rather, it is Hashem's expression of love to the Jewish people, He calls them by the closest possible term - children. Thus, each passuk beginning with אתם allows us to understand the passuk that comes after it.

לזכות חיים דוד בן מויבא הוה להצלחה
וסייעתא דשמיא בכל מעשה דידי ובכל
העניינים

זכות רבינו זיע"א יעמוד לזיווג הגון בקרוב
עבור שושנה נהמה בת הנה פעסא ולרפואה
שלימה ליוכבד בת דבורה ולכל משפחתה
שימולא הקב"ה משאלות לבם לטובה
במהרה

ולזכות רבקה רויוא בת פייגא לזיווג הגון
בקרוב בתוך שאר ישראל
לזכות ההפץ בעילום שמו לזווג בניו ובנותיו
בקרוב בזכות רבינו זיע"א

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The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

December 19, 2018

Dear Mr. President:

We are writing to add our names to the ever-growing list of people from across the political spectrum that are beseeching you to exercise your power of clemency on behalf of a businessman named Ronen Nahmani, who is serving a draconian 20-year sentence for violating an administrative regulation^[1] related to marijuana substitutes. Mr. Nahmani's sentence is one of the most grotesque examples of prosecutorial overreach and judicial indifference that we have ever encountered.

This injustice requires your attention, as Mr. Nahmani has exhausted his appeals and only you can rectify this grievous wrong. Mr. Nahmani's wife, Szilvia, is dying of cancer. Her eight-year-old daughter asks, "Who will care for us if you die while daddy is still in prison?" Mr. Nahmani and his wife have five young children. With her husband locked away and his business seized, Szilvia reports that she has been relegated to accepting public assistance to support herself and her children. The devastated children express pure despair, alternating between sorrow, fear, and despondency. Szilvia tells us that their 10-year-old son, Orel, is so distraught that he speaks of ending his own life. Their eight-year-old daughter, Daniella, says that she would give up her arm if that would bring her father home. Szilvia wrote: "Our life and home has changed from laughter and joy to sleepless nights and nightmares." The constitution gives you the ultimate decision regarding acts of clemency, Mr. President, and we implore you to act now.

Politicians, celebrities, business leaders, and ordinary people are horrified that such a disproportionate sentence can be meted out to a non-violent, first-time offender whose offense has "no identifiable victim."^[2] Americans danced in the streets when you performed a "Hanukkah miracle" and commuted the sentence of Sholom Rubashkin. Your decision to grant clemency in that case was so well received that even *Slate Magazine* published an article with the headline "Trump Did a Good Thing: In Praise of the President's Decision To Commute Sholom Rubashkin's Sentence"^[3] — and *Slate* is a publication so liberal that even *The Washington Post* identifies it as possessing a liberal outlook.^[4] Your courageous decision to commute the sentence of Alice Johnson was applauded by Americans of all ideologies. We are certain that news of the commutation of Mr. Nahmani's sentence would be welcomed with the same enthusiasm.

Allow us to explain the Kafkaesque nightmare that resulted in this married father of five young children receiving a 20-year sentence for a technical violation of the Controlled Substances Act so that you can see for yourself why this case cries out for your intervention. We have been advised that Mr. Nahmani owned a multifaceted import and export business and that a small portion of his business was devoted to the sale of synthetic cannabinoids. As you know, marijuana and its analogues have been in a hinterland of legal flux. Ten states and Washington, D.C. have legalized recreational marijuana, 33 states have legalized some form of marijuana, and 13 states have decriminalized it. Although marijuana has remained illegal at the federal level, confusion about federal marijuana laws proliferated due to the mixed messages and patchwork legal enforcement during the Obama administration. Despite public professions that the administration was not prioritizing the enforcement of federal marijuana laws,^[5] the Justice Department was issuing memoranda directing stringent enforcement of certain marijuana-related offenses.^[6] Concurrently, the Obama administration used administrative action to add certain chemicals to the list of controlled substances.

Using the authority granted to the executive branch under the Federal Analogue Act,^[7] which purports to criminalize all substances that have a similar chemical structure and biological mechanism of action as an illegal drug *even in the absence of any statute expressly criminalizing the chemical*, a bureaucrat issued a notice that resulted in the temporary criminalization of several synthetic cannabinoids. Unlike the major drugs of abuse, such as heroin and cocaine, controlled substance analogs need not be directly criminalized by Congress through the legislative process; they can instead be criminalized by regulatory fiat. In fact, though the authority to schedule substances rests with the Attorney General of the United States, he has delegated his authority to the Administrator of the DEA, who in turn has delegated his authority to the Deputy Administrator of the DEA.^[8] Despite broad public perception that his government had a liberal attitude towards marijuana, the Obama administration was actually working to broaden the enforcement of federal marijuana laws and increase the number of prohibited synthetic cannabinoids outside of the regular legislative process, and with a minimum of public awareness. Cannabis substitutes—which had been unregulated until his administration began passing these administrative regulations—were being criminalized even as synthetic opioids were killing scores of Americans without attracting any regulatory action.^[9]

The PSI indicates that Mr. Nahmani purchased two cannabis substitutes (AB-FUBINACA and THJ-2201) from a Chinese supplier for resale in the United States.^[10] At the time that he purchased these substances *neither one of them was listed as a prohibited controlled substance*.^[11] All the evidence presented at trial supports the proposition that Mr. Nahmani did not intend to violate the law and did not know he was doing so. The chemicals that Mr. Nahmani distributed were openly

available for purchase at gas stations and other retail locations.^[12] An agent surveilling Mr. Nahmani entered into a gas station where the products were being sold and asked about the products.^[13] The clerk freely and unconcernedly told the agent that the products were for smoking.^[14] It defies common sense to imagine that Mr. Nahmani would have conducted his business so openly if he, or his customers, believed and understood that they were breaking the law.

Understandably, Mr. Nahmani was determined to fight his indictment as he genuinely believed his conduct had been legal. We have been told that the government attempted to sway Mr. Nahmani toward a guilty plea by making plea offers for a sentence far below the statutory maximum, but Mr. Nahmani insisted on defending himself. From the question asked of the judge during jury deliberations, it is apparent that the jury was unsure about Mr. Nahmani's level of culpability.^[15] The jury did ultimately convict Mr. Nahmani after the judge instructed them to return a guilty verdict if they determined that he had possessed *any* of the substances listed in the indictment, including the substances that were not scheduled when they were purchased.^[16]

At sentencing, the government argued that the chemicals that Mr. Nahmani had possessed were equivalent to pure THC (tetrahydrocannabinol—one of the many psychoactive ingredients in marijuana) rather than marijuana itself.^[17] Accordingly, every kilogram of material that Mr. Nahmani possessed was multiplied by **167 times** in order to calculate his sentencing guideline range, yielding a statutory maximum sentence. Yet, in other cases, the government has agreed to a sentencing ratio of 1:1, rather than 1:167, for equivalent synthetic cannabinoids, which has resulted in defendants (with the government's acquiescence) being sentenced to a below-guideline, noncustodial sentence of probation.^[18] In fact, *even in the very same district*, during the relevant time period, the government regularly recommended a 1:1 sentencing ratio for synthetic marijuana: *See, e.g., United States v. Harrison*, No. 12-CR-80218 (S.D. Fla. Aug. 15, 2013); *United States v. Shealey*, No. 12-CR-80218 (S.D. Fla. Aug. 15, 2013); *United States v. Lester*, No. 12-CR-80072 (S.D. Fla. Aug. 24, 2012); and *United States v. Bryant*, No. 12-CR-80161 (S.D. Fla. June 27, 2013).

Notably, in every case we have cited where the government accepted that the 1:1 sentencing ratio was proper, the defendant had pleaded guilty. It appears that the government uses the 1:167 ratio as means of artificially inflating the penalty for defendants who choose to fight back against the charges. It is also significant that the very same government chemist who provided the expert testimony supporting the 1:167 ratio for Mr. Nahmani has been disqualified in other federal courts because he “used an improper definition of [the statute] in his methodologies; lacked sufficient facts or data to offer an opinion in the absence of in vivo results; and unreliably applied his principles and methods.”^[19] The United States Sentencing Commission recognized that the 1:167

ratio is illogical and has resulted in grossly disproportionate sentences. It has recently amended the U.S. Sentencing Guidelines to call for a downward departure for synthetic cannabinoids such as the ones at issue here.^[20] If Mr. Nahmani were facing judgment today, he would be eligible for this downward departure.

With great deference and respect to the federal judiciary, even judges are not beyond reproach—and the judge who sentenced Mr. Nahmani has a checkered past. In the 26 years since George H.W. Bush appointed the him to the bench, Judge Moore has elicited frequent criticism from the conservative 11th Circuit Court of Appeals. In 1999, it was revealed that Judge Moore had been the target of a grand jury investigation into whether he had accepted illegal gifts and bribes while heading the U.S. Marshal Service. Sitting en banc, the 11th Circuit concluded that Judge Moore did not act properly during the investigation, writing that “Judge Moore violated 28 U.S.C. § 455(a).”^[21] More recently, Judge Moore was chastised by the 11th Circuit for “troubling” conduct because he conducted portions of a criminal trial outside the presence of the defendant and her attorney.^[22] Judge Moore has acted rashly from the bench in the past, and his sentence in this case was yet another act of intemperance from this judge.

The prosecution of Mr. Nahmani was an unconscionable abuse of prosecutorial discretion, and Mr. Nahmani has been understandably deeply distressed at the failure of the judicial system to mete out proportional justice. Notwithstanding all of the above, we have been told that Mr. Nahmani is sincerely remorseful. Recent scientific research indicates that synthetic cannabinoids can be dangerous when consumed, and Mr. Nahmani expressed horror at the suggestion that the products he distributed may have been dangerous. Our understanding is that Mr. Nahmani has sold lighters and tobacco-related products for many years and did not understand that this unlisted smokable chemical was illegal, and he certainly didn’t understand that it posed a risk of harm greater than other legal smokable products. And despite government testimony about anecdotal health problems associated with the use of synthetic cannabinoids, the government has not alleged that anyone was harmed by Mr. Nahmani’s offense. Yet his 20-year prison sentence is longer than the federal punishment for kidnapping (punishable by 204 months’ imprisonment), sexual abuse (punishable by 120 months’ imprisonment), child pornography (punishable by 96 months’ imprisonment), arson (punishable by 63 months’ imprisonment), and robbery (punishable by 63 months’ imprisonment). This is a travesty of justice that urgently requires your intervention.

Although the circumstances of Mr. Nahmani’s conviction are troubling, this 44-year-old father would merit your clemency power on purely humanitarian grounds. His wife Szilvia—to whom he has been married for 16 years—and his five young children are suffering terribly. Szilvia suffers from an aggressive form of breast cancer and does not know how much longer she has on this Earth. Meanwhile, Mr. Nahmani has never stopped striving to do the right thing. He remains quiet

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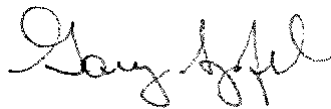
and humble, spending his time behind bars engaged in extensive Jewish religious studies. He treats everyone he meets with respect and has not had any disciplinary problems during his imprisonment. Szilvia sadly observes that her husband would already be home with his family if he had acquiesced to the government, as so many innocent defendants do, and pleaded guilty. Instead he languishes behind bars.

Mr. Nahmani's appeals have been exhausted, and his only remaining remedy is the awesome power of clemency, which our Constitution bestows exclusively to you as President. This case presents the worst kind of disproportionate sentence for a first-time nonviolent drug offense. Mr. Nahmani is a pious man, a devoted father of five, and a husband to an extremely ill wife who desperately needs his return. If you choose to act again in this case, we can assure you that there will be a similar outpouring of thanks and adoration from all those who firmly believe that their president fights for "the forgotten man." Therefore, we join the Nahmani family and their supporters in imploring you to correct this injustice and reunite this family.

Most respectfully,



Alan Dershowitz
Felix Frankfurter Professor of Law
Harvard Law School



Gary Apfel
Attorney for Sholom Rubashkin
Pepper Hamilton LLP

Enclosures:

Letter signed by 17 former prosecutors and judges in support of clemency for Ronen Nahmani

Letter from Szilvia Nahmani to The Honorable Donald J. Trump

Letter from Szilvia Nahmani to Ivanka Trump

Letters from Mr. Nahmani's children

^[1]See 18 U.S.C. § 813 *et seq.*, 21 U.S.C. § 811, 28 C.F.R. 0.100, *et seq.*

^[2]PSI ¶ 21, *United States v. Nahmani*, 696 Fed. Appx. 457 (11th Cir. 2017) (No. 15-14599), *cert. denied*, 138 S. Ct. 1706, 200 L. Ed. 2d 955 (2018).

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[3]Mark Joseph Stern, *Trump Did a Good Thing: In Praise of the President's Decision To Commute Sholom Rubashkin's Sentence*, Slate Magazine, Dec. 22, 2017 < <https://slate.com/news-and-politics/2017/12/in-praise-of-trumps-decision-to-commute-sholom-rubashkins-sentence.html>>.

[4]Aaron Blake, *Ranking The Media From Liberal To Conservative, Based On Their Audiences*, The Washington Post, Oct. 21, 2014 < https://www.washingtonpost.com/news/the-fix/wp/2014/10/21/lets-rank-the-media-from-liberal-to-conservative-based-on-their-audiences/?utm_term=.9593865c5933>.

[5]E.g., Lisa N. Sacco, et al., *The Marijuana Policy Gap And The Path Forward*, Congressional Research Service, Mar. 10, 2017 at 11 < <https://fas.org/sgp/crs/misc/R44782.pdf>>.

[6]E.g. *id.* at 11-14.

[7]18 U.S.C. § 813.

[8]See generally, 28 C.F.R. 0.100, Appx. To Subpart R of Part O, Sec. 12.

[9]Although 55 Americans were dying each day due to synthetic opioids during the Obama presidency, a comprehensive scheduling of the deadliest synthetic opioids did not occur until your own administration. See generally, 21 C.F.R. 1308.

[10]PSR ¶ 24, *Nahmani*, 696 Fed. Appx. at 457.

[11]There were six synthetic cannabis products that formed the basis of Mr. Nahmani's conviction: AB-FUBINACA, PB-22, XLR-11, THJ-2201, 5-Chloro-UR-144, and 5-Bromo-UR-144. Doc. 3 at 2, *Nahmani*, 696 Fed. Appx. at 457. The government only presented evidence that Mr. Nahmani knowingly purchased AB-FUBINACA and THJ-2201 by name. PSR ¶ 24, *Nahmani*, 696 Fed. Appx. at 457. At the time he made this purchase, this substance was *nota* listed controlled substance. The jury never decided which chemicals Mr. Nahmani was legally responsible for. In fact, the confused and troubled jury specifically asked the court during deliberations whether they had to find that Nahmani was responsible for all six chemicals and were told that it didn't matter which chemicals he was responsible for. See generally Doc. 132 at 7-8, *Nahmani*, 696 Fed. Appx. at 457. Mr. Nahmani was indicted for a conspiracy that spanned from April 1, 2014 to July 28, 2014. AB-FUBINACA was only listed as a prohibited analog on February 10, 2014. 21 C.F.R. 1308; see < https://www.deadiversion.usdoj.gov/fed_regs/rules/2016/fr0906.htm>. THJ-2201 was not listed as a prohibited analog until January 30, 2015. 21 C.F.R. 1308; see < https://www.deadiversion.usdoj.gov/fed_regs/rules/2017/fr0127_2.htm>.

[12]PSI ¶ 8, *Nahmani*, 696 Fed. Appx. 457.

[13]*Id.*

[14]*Id.*

[15]*See generally* Doc. 132 at 7-8, *Nahmani*, 696 Fed. Appx. at 457.

[16]*See* doc. 134 at 4, *Nahmani*, 696 Fed. Appx. at 457.

[17]*E.g.*, Doc 142 at 1, *Nahmani*, 696 Fed. Appx. at 457.

[18]*See, e.g., United States v. Sadiq*, No. 12-CR-153 (W.D. Okla. Nov. 27, 2012) (defendant received a sentence of probation for distributing 1200 grams of synthetic marijuana); *United States v. Nawaz Khan*, No. 12-CR-102 (E.D. Ky. Jan. 16, 2014) (defendant received a sentence of probation for distributing 49.9995 kilograms of synthetic marijuana); *United States v. Malik*, No. 12-CR-102 (E.D. Ky. Jan. 16, 2014) (defendant received a sentence of probation for distributing kilogram quantities of synthetic marijuana); (defendant received a sentence of probation for distributing kilogram quantities of synthetic marijuana); *United States v. Fox*, No. 12-CR-102 (E.D. Ky. Jan. 29, 2014) (defendant received a sentence of probation for distributing 49.9995 kilograms of synthetic marijuana).

[19]*United States v. Williams*, No. 13-00236-01, 2017 WL 1856081, at *16 (W.D. Mo. Apr. 7, 2017), *report and recommendation adopted*, No. 13-CR-00236, 2017 WL 1683068 (W.D. Mo. May 2, 2017) (citation omitted).

[20]U.S. Sentencing Manual § 2D1.1 cmt. n.27(E)(ii) (amended Nov. 1, 2018) (“[a]lthough synthetic cannabinoids activate the CB₁ receptor to a greater degree than THC, the evidence also established that synthetic cannabinoids exhibit a range of potencies. Adoption of the [Guidelines as amended] minimizes the **risk of frequent over-punishment for substances in this class** while providing penalty levels that are sufficient to account for the specific harms caused by distribution of these substances”).

<https://www.ussc.gov/sites/default/files/pdf/amendment-process/official-text-amendments/20180430_Amendments.pdf>.

[21]*United States v. Cerceda*, 172 F.3d 806, 811 (11th Cir. 1999) (footnote omitted).

[22]*United States v. Margarita Garcia*, 906 F.3d 1255, 1260, 1268-69 (11th Cir 2018).

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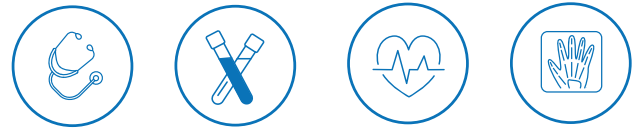
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