



# Modernity

Shiur# 347 | Nov 25<sup>th</sup> 2021

## תלמוד בבלי מסכת עירובין דף ק עמוד ב

אמר רבי יוחנן: אילמלא לא ניתנה תורה היינו למידין צניעות מחתול, וגזל מנמלה, ועריות מיונה. דרך ארץ מתרנגול - שמפייס ואחר כך בועל.

## בראשית רבה פרשת בראשית פרשה ט סימן א

וירא אלהים את כל אשר עשה וגו', רבי לוי פתח (משלי כה) כבוד אלהים הסתר דבר וכבוד מלכים חקור דבר, רבי לוי בשם רבי חמא בר חנינא אמר מתחלת הספר ועד כאן כבוד אלהים הוא הסתר דבר מכאן ואילך כבוד מלכים חקור דבר, כבוד דברי תורה שנמשלו במלכים שנאמר (משלי ח) בי מלכים ימלוכו לחקור דבר.

## Riddles of the Week

#1

### משנה ברורה סימן תרסב ס"ק ג

א"כ חל יום ראשון בשבת - דאז צריך לברך זמן בשני שהוא פעם ראשון שנטלו כיון שלא אמרו בראשון. וה"ה אם לא נטל הלולב עד יום השביעי דמברך זמן בשביעי [אחרונים]:

### שער הציון סימן תרסב ס"ק ד

כתב הפרי מגדים, משמע הא נטל הלולב ביום א' ולא ברך, שוב אינו מברך זמן כשנטלו ביום ב' [פרי מגדים במשבצות זהב]. ובאמת לאו ראייה היא, דלפי שהשולחן ערוך לא מיירי אלא בחסר יום אחד שלא נטלו דמברך זמן בשני, וקא משמע לן דהוא הדין חסר ששה ימים דמברך זמן בשביעי, וכן איתא בלבוש בהדיא בסימן תרמ"ד לענין לולב וזה לשונו, מי ששכח לברך שהחיינו ביום א' יברך בימים אחרים באיזה יום שיזכר ובלבד שיברך בשעת הנטילה, וכן כתב המגן אברהם שם וזה לשונו, ואם לא ברך זמן ביום א' מברך כל זי"ן מתי שיזכר, משמע מזה דאפילו נטלו ולא ברך. ובאמת אינו דומה זה לשאר עניני אוכל דקיימא לן בסימן רכ"ה דאינו מברך אלא בתחלה כשראהו ולא כשהרגל בו, דהכא כיון דמפסקי לילות מימים דבלילה אין זמן נטילה, כל יומא הוא מצוה בפני עצמו, וצריך עיון:

### שולחן ערוך אורח חיים הלכות חנוכה סימן תרעו סעיף א

המדליק בליל ראשון מברך שלש ברכות להדליק נר חנוכה, ושעשה נסים, ושהחיינו ואם לא בירך זמן בליל ראשון, מברך בליל שני או כשיזכור.

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### שולחן ערוך אורח חיים הלכות חנוכה סימן תרעא סעיף ח

חצר שיש לו שני פתחים משני רוחות, צריך להדליק בשתייהן מפני החשד החשד וכו'. הגה: ואם מדליק בשני פתחים אינו מברך רק באחד מהם ובשני מדליק בלא ברכה.

## שולחן ערוך יורה דעה הלכות שחיטה סימן יג סעיף ב

השוחט את הבהמה ונמצאת כשרה, ומצא בה עובר בן ח' בין חי בין מת, או בן ט' מת, מותר באכילה ואינו טעון שחיטה; ואם מצא בה בן ט' חי, אם הפריס על גבי קרקע, טעון שחיטה.

### ש"ך יורה דעה סימן יג ס"ק ד

אם הפריס ע"ג קרקע טעון שחיטה. מדבריהם דלמא אתי לאחלופי בשאר בהמות כשרואין שאוכל אותו בלא שחיטה כדאיתא בש"ס ופוסקים:

### ט"ז יורה דעה סימן יג ס"ק ד

טעון שחיטה. משום מראית עין דאתי לאחלופי בבהמה גמורה כיון שגם זה הפריס ע"ג קרקע.

### רבי עקיבא איגר יורה דעה סימן יג סעיף ב

טעון שחיטה. ולענין הברכה הביא התב"ש תשו' רשב"א דמברכים.

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## שולחן ערוך אורח חיים הלכות בציעת הפת, סעודה, וברכת המזון סימן קפז סעיף ד

הגה: ואומרים על הנסים בחנוכה ובפורים, קודם ועל הכל וכו'; ואם לא אמרו, אין מחזירין אותו (טור). וע"ל סימן תרפ"ב. ומ"מ יוכל לאומרו בתוך שאר הרחמן ויאמר: הרחמן הוא יעשה לנו נסים כמו שעשה בימים ההם וכו', והכי נהוג (כל בו).

## שולחן ערוך אורח חיים הלכות חנוכה סימן תרפב סעיף א

הגה: כששכח על הנסים בברכות המזון כשמגיע להרחמן יאמר: הרחמן יעשה לנו נסים ונפלאות כשם שעשית לאבותינו בימים ההם בזמן הזה בימי מתתיהו כו' (כל בו, וכבר נתבאר סימן קפ"ז סעיף ד').

## תלמוד בבלי מסכת ברכות דף ס עמוד א

היתה אשתו מעוברת ואמר יהי רצון שתלד כו' הרי זו תפלת שוא.

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### שולחן ערוך אורח חיים הלכות חנוכה סימן תרעא סעיף ז

ומדליקין ומברכין (בבית הכנסת) משום פרסומי ניסא.

### בית יוסף אורח חיים סימן תרעא אות ז ד"ה ומצוה להניחה

זוה לשון הריב"ש בתשובה (סי' קיא) המנהג הזה להדליק בבית הכנסת מנהג ותיקין הוא משום פרסומי ניסא וכו' ומברכין על זה כמו שמברכין על הלל דראש חדש אף על פי שאינו אלא מנהג.

### שולחן ערוך אורח חיים הלכות ראש חודש סימן תכב סעיף ב

וקורים הלל בדילוג, בין יחיד בין צבור. וי"א שהצבור מברכין עליו בתחלה לקרוא את ההלל, ויש אומרים שאף הצבור אין מברך עליו לא בתחלה ולא בסוף, וזה דעת הרמב"ם וכן נוהגין בכל א"י וסביבותיה.

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#### #5

### ט"ז אורח חיים סימן תרעט ס"ק א

נ"ח תחלה. דאי ידליק של שבת תחלה קבלי' לשבת ואתסר עליה מלאכה כ"כ בה"ג. והתוס' חולקי' וס"ל דלא תליא קבלת שבת בהדלק' הנר ולדידן שיש מנהג פשוט שהאשה המדלק' נר שבת מקבל' שבת עלי' ואסור' במלאכה רק אחרי' בני הבית עדיין מותר' ע"כ איש שמדליק נר שבת ושכח להדליק של חנוכה אסור לו להדליק של חנוכה אח"כ אלא יתן לאחד מבני ביתו להדליק' ולא כלבוש שמתיר בדיעבד בזה להדליק אח"כ כיון שלא קבל בפירוש שבת:

### ט"ז אורח חיים סימן תר ס"ק ב

שאלה קהל א' היה להם בער"ה שופר ובאו שודדים וגזלו אותם ונטלו גם השופר ושלחו הקהל לקהל אחר לשלוח להם ונתעכב השליח מחמת אונס ולא בא עד סוף יום ב' והיה ר"ה ביום ה"ו ובשעה שבא השופר כבר התפללו של שבת אבל עדיין היה יום גדול מהו לתקוע בעת ההיא ולא נחוש לשבות דאין תוקעין בשבת: תשובה נעתיק דברי המרדכי פ' ב"מ וז"ל אוקימנא מתני' דספק חשיכה מערבין ע"ח ופר"י ור"ח וכ"פ בהדיא בירושלמי

וה"ה ערוב תבשילין ספק חשיכה מערבין ופסק רבינו יואל וה"ה לאחר תפלת ערבית יכולין לערב אם הוא יום דעניית ברכו הוא כתקיעת שופר וקודם ספק חשיכה היו מקבלין שבת ותוקעין כדי להוסיף מחול על הקדש ואפ"ה מתיר בע"ש לערב ע"ח בספק חשיכה וה"ה אחר עניית ברכו. ושוב מצאתי בשם רבינו שמריה שהורה כן והביא ראיה ממ"ש רבינו יואל ומקצת תלמידיו אסרו ואמרו דיש חילוק בין קבל עליו שבת ללא קבל וחזר הרב ואסר והביא ראיה מהתוספתא בסוכה התחיל לתקוע שלישיית אפי' מיחם בידו מניחו על הארץ ואלו גבי ספק חשיכה תנן מערבין וטומנין ש"מ חומר בקבלה מבספק עכ"ל. ואיני כדאי להכריע אבל תמוה לי הוכחה זו ממה דק"ל מן התוספתא דלק"מ דבמשנתנו אמרינן וטומנין את החמין דהיינו הטמנה לחוד לא בשום בישול אבל ההיא דתוספתא מייירי להשים המיחם על האש לבשל דזה אסור אחר תקיעת שופר שלישיית ותדע שהרי בפ' ב"מ דף ל"ה אמרינן וקדירות מונחות על הכירה התחיל לתקוע תקיעה שלישיית סילק המסלק והטמין המטמין הרי דהטמנה מותר אחר תקיע' ג' וכאן אמר דמניח המיחם על הארץ אחר תקיעה ג' אלא ע"כ דיש חילוק כמ"ש ובא"ח סי' שמ"ב מביא ב"י בשם הרמב"ם כל הדברים שהן אסורין משום שבות לא גזרו עליהם בין השמשות אלא בעצמו של יום אבל בין השמשות מותרים והוא שיהא שום דבר מצוה או דוחק כיצד מותר לו בין השמשות לעלות באילן להביא שופר כו' אבל אם לא היה שם דוחק או מצוה אסור לפיכך אין מעשרין את הודאי אף על פי שאין איסור הפרשת מעשר בשבת אלא משום שבות אבל מעשרין את הדמאי עכ"ל הרי דאמר שאין איסור שבות אלא בעצמו של יום משמע אבל לא בתוספת שמוסיף ומקבל על עצמו קדושה יתירה ולפי הנראה דאף אותן דלעיל שמחמירין בקבלה יותר מספק חשיכ' מודי' כאן דקבלה קיל טפי דדוקא לעיל לענין מערבין שהוא דבר רשות חמור קבלה טפי דכיון שהוא מקבל על עצמו קדושה נוספ' ויש לו רשות ע"ז ואפי' חיוב איכא ע"כ ודאי חל עליו איסור של שבת עצמו משא"כ בספק חשיכה ולא קיבל אלא שהקדושה חלה ממילא יש סברא לקולא דשמא לא הגיע זמן הקדוש' עדיין אבל כאן דלדבר מצוה כגון תקיעת שופר וכיוצא הסברא להיפך דבספק חשיכה יש לאסור דשמא לילה הוא משא"כ בקיבל עליו ואוסר על עצמו האיסורים של שבת ודאי יש סברא לומר' דאדעתא דהכי לא קיבל עליו דזה ודאי שכל אדם ניחא לקיים מצות הקדוש ברוך הוא ואלו היה יודע שיכול אח"כ לקיים מצוה של חובת היום לא היה מקבל עליו קדושת שבת וזה הוה כמו קבלה בטעות לענין יום המעונן דלא הוה קבל' כמ"ש בסי' רס"ג דמה לי טעות דמעונן או טעות דקיום המצו' בשניהם אלו ידע האמת לא היה מקבל עליו א"כ כיון שמותר בין השמשות בשבות לא גזרו בזה הזמן פשיטא דלא גזרו קודם בין השמשות כל שהוא לדבר מצוה ונראה עוד דאפי' היה יודע שיביא שופר אח"כ ואפ"ה קיבל עליו שבת דל"מ ליה לאפקועי החוב של שופר דקבלה שלו (לא) עדיף משבועה וקי"ל אין שבוע' חלה לעבור על המצוה והמחמיר במרדכי בקבלה היינו ברשות ואין דבר זה סותר מ"ש בא"ח לענין ש"ע דאם קבל עליו קדושת ש"ע יכול לאכול אחר כך קודם ליל' בלא ברכת סוכ' ולא כרש"ל בתשו' כמוזכר שם שאני התם דאין חובת מצות סוכה עליו כדי שתאמר דקבל' שלו הוא נגד המצו' דהא אי בעי לא אכיל כלל ויהיה בשב ואל תעש' משא"כ כאן בשופר דחיובו בקום ועשה וקבלתו מבטלת ולא כל כמיניה כ"ש כאן דשוגג הוה דלא ידע שיהיה שופר כאן:

## **Selected audio from our listeners**

### **Answers to the Questions**

**Answers to the Question 1** *click here*

**Answers to the Question 2** *click here*

**Answers to the Question 3** *click here*

**Answers to the Question 4** *click here*

**Answers to the Question 5** *click here*

**Answers to the Question 6** *click here*

**Answers to the Question 7** *click here*

**Answers to the Question 8** *click here*

**Answers to the Question 9** *click here*

**Answers to the Question 10** *click here*

**Answers to the Question 11** *click here*

**Answers to the questions 12** *click here*

## **Comments on the Shiur**

**Comments on the Shiur 1** *click here*

**Comments on the Shiur 2** *click here*

**Comments on the Shiur 3** *click here*

**Comments on the Shiur 4** *click here*

**Comments on the Shiur 5** *click here*

**Comments on the Shiur 6** *click here*

**Comments on the Shiur 7** *click here*

**Comments on the Shiur 8** *click here*

**Comments on the Shiur 9** *click here*

**Comments on the Shiur 10** *click here*

**Comments on the Shiur 11** *click here*

**Comments on the Shiur 12** *click here*

**Comments on the Shiur 13** *click here*

**Comments on the Shiur 14** *click here*

## **Shiur Suggestions**

**Shiur Suggestions 1** *click here*

**Shiur Suggestions 2** *click here*

## Selected emails from our listeners

### Comments on Show

Hi Reb Dovid here are the answers to the two riddles this week

As always, yasher koach gadol on your amazing shiur. Please note that there are kosher phones in Israel that have WhatsApp and possibly Waze, but block all other internet activity. This could explain how Rav Chaim's family members have WhatsApp and cameras on their phones, but not internet access.

For example, see here. [https://zolphone.co.il/?page\\_id=2455](https://zolphone.co.il/?page_id=2455)

I have many other questions about activities I have seen and heard about, but this activity may not be as indicative of dual standards as previously implied.

I have incredible respect for Rabbi E Goldberg, and it is possible that he knew for a fact that the phone was not a kosher smartphone with WhatsApp.

Given the sensitive nature of this matter, I ask that you not publish this note.

Sincerely,

Avi

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Hi Rabbi Lichtenstein,

I wanted to thank you for your podcast. I heard about it from my Rav. - I just listened to it for the first time (to the internet one from Nov 6th) I appreciated it tremendously and I will most certainly be reevaluating my internet usage and making changes appropriately.

Good Shabbos ,

Yair Zakai

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Hi first I want to thank you for your great work in spreading Torah, it is truly a beautiful thing! I also appreciate how you always bring both sides of the coin when discussing a topic, it is because of this that I was surprised that you brought on a Frum scientist who expressed his views but did not bring a counter prospective!

Please find a at this link a detailed rebuttal of the theory of evolution by professor Lowenthal through the lens of the Rebbe

[https://www.chabad.org/multimedia/video\\_cdo/aid/4140151/jewish/The-Lubavitcher-Rebbe-on-Evolution.htm](https://www.chabad.org/multimedia/video_cdo/aid/4140151/jewish/The-Lubavitcher-Rebbe-on-Evolution.htm)

Thank you again for all you do, I do not mean to attack in any way I just feel that this is very important.

Yudi Gerber

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Frieche Chanuka,

Thank you very much for your excellent podcast. I listen to it regularly and learn and have hanah from it.

On the topic of this week's headlines it would be ltoyeles to make mention of [koshercell.org](http://koshercell.org) and the lightphone on your podcast.

I got a flip phone from [koshercell.org](http://koshercell.org) and replaced my smart phone with it. I don't think it is an exaggeration to say it made me a significantly better father. (And there is really nothing in the world that is not worth giving up to achieve that).

The reason why to use [koshercell.org](http://koshercell.org) as opposed to a regular flip phone on the market is because from what I have found regular flip phones still have some internet connection.

And the lightphone is a simple touch screen phone that I recently got for my wife. The advantage of the light phone is that 1. It is easier to text with it than with a flip phone 2. It has GPS 3. It has the possibility for podcast listening. But the internet and social media is not available on the phone.

I still have an internet in my office and that is where I do my work.

I have no association with either of these companies but I am writing to you about them because I believe that people's lives could be improved in a tremendous way if they exchanged their phones for one of the above options and only used the internet in their office.

Thank you again for your wonderful podcast and all you do for Klal Yisroel.

Y Kaltmann

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Joshua Kapuler

BS"D

Professor Gruber

English II

8 June 2015

Beam Me Up Moses:  
Orthodox Judaism's Bumpy Segue into the Internet Age

Post World War II Judaism has become a vibrant pulsating global force in today's modern technological world. Thad Reuter, a senior editor for *Internetretailer.com*, reports that "B&H Photo-Video", owned and operated entirely by Ultra Orthodox Hasidic Jews, ranked "No 225 in the Internet Retailer 2015 Top 500 Guide", which provides data on the 500 largest e-retailers in the U.S. and Canada. Additionally, Nati Tucker, writer for *Haaretz.com*, reports that none other than Google recently "organized the first conference of its kind for Haredi (Orthodox Jewish) advertisers". Tremendous communication and livelihood opportunities are now readily available for Orthodox Jews; however, a tremendous fear and disdain of this new modern world has engulfed many of Orthodox Jewry's biggest leaders and their students. Although anyone,

religious or not, must be aware of potential pitfalls when engaging modern technology - from irresponsible time wasting to slipping into self-destructive habits -the approach of attacking new technological advances is far surpassed for the Orthodox Jew by the tremendous benefits of embracing technology's presence in today's life.

A *Zogby Interactive* survey concluded that "The Internet is by far the most popular source of information and the preferred choice for news ahead of television, newspapers and radio" ("Internet Most Popular Information"). Additionally, the Internet has become "the decisive technology of the Information Age, and... we can say that humankind is now almost entirely connected" (Castells and Annenberg). This, however, is all to the great chagrin of many of Orthodox Jewry's biggest leaders. On May 20, 2012 at Citifield Stadium in New York, thousands of Ultra-Orthodox Jews gathered to hear rabbis tell them about the dangers of the Internet. In his article "Rabbis Tell 60,000 in NY: Get Rid of the Internet If You Know What's Good for You", David Shamah quotes Rabbi Chaim Kanievsky, a "leading authority in Haredi Jewish society" ("Chaim Kanievsky"), as saying that the Internet is "a great destruction for the Jewish people,...There is no home that has these devices that has not fallen prey to terrible sins"(Shamah). Matisyahu Solomon, another pillar in Orthodox Judaism, said "The purpose of the [gathering] is for people to realize how terrible the Internet is" (Kazis). And more recently, *Der Blatt*, a Satmar (Ultra Hasidic) newspaper declared that, "The rabbis overseeing divorces say WhatsApp (the Internet social media app) is the No. 1 cause of destruction of Jewish homes and business" (Kuruvilla).

The big gathering, however, wasn't the first time Orthodox rabbis attempted to crack down on Internet use. In 2000, the Council of Torah Sages, "the supreme rabbinical policy-making council of several related prestigious [religious] Jewish intra national organizations"

("Moetzes Gedolei HaTorah"), gathered to discuss modern devices. As Micah Stein writes in *Tablet Magazine*, the greater Orthodox world received a "serious warning against the terrible dangers within computers, compact disc players, movies and the Internet... [and] a prohibition against accessing the Internet or owning a computer". What was the outcome? Ironically, as he writes, "a vibrant community of Haredi news sites, blogs, and forums began to develop online", and some of the sites even "featured lectures and articles by the same rabbis who denounced the sites' very existence". Not to be stymied, as Stein continues, the rabbis kept the pressure on, and in 2005 again came out strong against the Internet. Lakewood New Jersey, "one of the hubs of Orthodox Judaism and ...home to one of the largest yeshivas in the world" ("Lakewood Township, New Jersey"), "banned students enrolled in any of [its] 43 yeshivas from having computers at home". What was the Jewish response this time? Similarly, as in the 2000 crack-down, the ban seems to have had an ironic backlash. "A year after the ban was instituted, the Lakewood Public Library reported a 40 percent increase in computer use at its branches, fueled mainly by", not surprisingly, "Ultra Orthodox Jews". Yet with unwavering tenacity, in 2009 the Council again went on the offensive and called Orthodox websites "gateways to the vilest of places on the Internet", and accused them "of spreading slander, lies, and impurities". And in a very audacious move, as reported by Ari Galahar on *ynetnews.com*, in 2011, Orthodox Jewish leaders in Israel released an ad campaign claiming that "The Internet causes drought and terminal disease".

The decisive voice of Orthodox Jewry seemed to have been, for all intents and purposes, clearly laid out; however, a different approach of acceptance and embrace was also being expressed among religious Jewish leaders. Rabbi Manis Friedman, a noted Torah scholar, world-renowned author, counselor, speaker, and the dean of the Bais Chana Institute of Jewish Studies

in Minnesota, “dismissed the notion of banning the Internet and rejected the idea that the Jewish community is facing an unprecedented crisis” (Eller). Friedman even “laughed off the idea that [The Jewish People] needs a mass gathering to master the challenges posed by the Internet”.

Every generation has its test, as he goes on to say:

The test of that [past] generation was, are you going to give in to communism or not...In

our generation, the test is can you handle a computer or you can't? Can you handle the

Internet or not? That is the test. Is it any worse than communism? ... Just as Jews over

the years have survived the inquisition and communism, they will weather the challenges presented by the Internet as well.

Rabbi Yosef Heller, the head of the Kolel (institute for full-time, advanced study of the Talmud and rabbinic literature) in Crown Heights, Brooklyn, also expressed a similar outlook:

Suppose someone would speak of a tool that is the source of much evil, bringing about murder and thievery, spreads heresy... It is called a ... telephone. We would laugh

at such a statement. While it is true that the telephone has been used in all these terrible acts, it would be foolish to say that that is what a telephone is about. The Internet is a tremendous bracha (blessing) given to our generation by Hashem (G-d).

It has brought us phenomenal good in the area of livelihood and health, opening up

Avenues previously nonexistent. Of course we must use it for a blessing... we must take

adequate precautions. Moreover, Hashem created everything in this world for a good

purpose...when we use the Internet for a good cause, we are using it for the purpose for

which it was created (Heller [28]).

Tucker, as well, reports some staggering facts, which seem not only to validate the more welcoming approach, but more importantly, show a very realistic view of the situation as it is.

"In April 2013" (close to a full year after the big gathering), "there were 2.6 million visits a month to Haredi websites through desktop computers", and "a big jump in usage occurred over the past year: Last month, the number of visitors (to Haredi websites) from desktop computers rose to 4.1 million, an 80% increase". With the estimated number of Orthodox Jews in the world being around a "total of between 1.67-1.8 million"(LeElef), 4 million visits a month is more than twice their total population. We can very easily see why "[this] phenomenon has many social and cultural implications for the integration of the Ultra Orthodox into...society and the workplace, not to mention many new business opportunities".

Internet mobile phones as well, according to Tucker, are also very heavily used in the Orthodox world. In his words: "SimilarWeb (which tracks Internet traffic usage) ...discovered the Haredi community to be a major mobile Internet consumer... there were 1.9 million visits to the mobile versions of Haredi Internet sites". He adds that between mobile devices plus "desktop and other computers... Haredi websites draw some seven million monthly visits".

So what exactly happened to all the severe prohibitions enacted by the big Haredi rabbis? Tucker goes on to quote Yehudit Ifrah of the Mutag Bepirsum ad agency: "It is a 'conspiracy of silence'...'There is still no official approval to use the Internet. But we have also seen in the last two years that there is a lot more usage via cellular, and the applications being built for it testify to that'". However, sticking to her religious ethical standards, she is careful to add that even with all of the computer usage for business purposes, there is still "no breaking down of the limits [of Haredi standards]". As Heller said, the Haredi world seems to be using the Internet "for the purpose for which it was created".

The present situation, unfolding as it is, seems to fall perfectly in concert with the vision of another prominent rabbi in the Orthodox world. In 1982, when addressing the use of television and video for good causes, Rabbi Menachem Mendel Schneerson, who has been called "The most influential Rabbi in modern history" (Telushkin Title Page), publicly stated that "The ultimate purpose for which...new technologies were developed is that they be used for holy purposes... The fact that they can also be used for... things that are the opposite of holiness, is to facilitate free choice" (Rubin). Schneerson makes a reference to the Book of Numbers. He sees the Bible's episode of the Jewish leaders' opinion of the Promised Land as a "land that consumes its inhabitants" (The Gutnick Edition Chumash, Bamidbar, 13, 32), intimating to contemporary leaders' fear of the world at large, fearing the world will "make a Jew corporeal and not spiritual" (Schneerson 4: 1043). He enjoins, however, the exact opposite is true. As the biblical episode continues; "(we will eat them [the ominous giants in the Promised Land] up as if) they are our bread" (The Gutnick Edition Chumash, Bamidbar, 14, 9).

In his words: "We have nothing to fear from the world ... we will have supernatural success [even] within the natural confines of the normal world, to make the world parallel our

outlook of G-dly life" (Schneerson 4: 1044). With such a high volume of technological and Internet activity, the Haredi world en masse, has seemingly 'plugged in' to this approach.

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I haven't heard the whole podcast yet however the comparison of the internet to printing was simply spectacular!!

And below is a direct quote from a theoretical physicist in Harvard who had the famous (atheist) scientist Stephen Hawking at his Passover Seder...

"... We don't know what most of the matter in the universe is, so we label our ignorance and call it dark matter. We call it that because we can't see it – there's no interaction of this matter with light. There were suggestions over the past decades of various particles that might account for the darkness, and hundreds of millions of dollars were invested in that. We haven't found anything yet... we are searching in the dark—literally, because the subject is dark matter. "

"[we don't want] to give the illusion to the public that scientists always have the answer, which isn't the case most of the time..[or] provide the idea that science is the occupation of the elite.. I'm very much in favor of saying, 'The emperor has no clothes'. "

Harvard professor Avraham Loeb - April 2021.

Theoretical physicist who works on astrophysics and cosmology. Director of the Institute for Theory and Computation at Harvard University; the founding director of Harvard's Black Hole Initiative; chair of the Breakthrough Starshot Advisory Committee; and has served on the President's council of Advisors on Science and Technology.

(The point is everything scientists measure and read as of today is based on their findings as they reflect light under a microscope, a telescope, etc . But there is, in their own words, "upwards of 80% more of reality they are simply not seeing", because it does not reflect light to our sense of sight

"It turns out that roughly 68% of the universe is dark energy. Dark matter makes up about 27%. The rest - everything on Earth, everything ever observed with all of our instruments, all normal matter - adds up to less than 5% of the universe."

<https://science.nasa.gov> › focus-areas

Dark Energy, Dark Matter | Science Mission Directorate and, as an orthodox Uber driver with a bachelor's degree, I have discussed this with other students of science, astrophysicists etc

## Answers to the Questions

Riddles # 4

שלום

לגבי ר"ח לא היה תקנה אף פעם לברך כמו של הטור שרבו הדעות וכן הר"ן שהביא הב"י "אם הלכה רופפת בידך ראה האריך הציבור נוהגים" בכזה מנהג סובר הב"י שאין מברכים. אבל לגבי חנוכה שתיקנו על כל ישראל להדליק בביהכ"נ כמש"כ הב"י שם הוי ליה תקנת חכמים ועל זה כן מברכים. והגם שהריב"ש נקט שהוא כמו ר"ח סובר הב"י שהם שונים.

שכויח עצום על השיעורים

Isaac Saban

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Riddles # 4

The bet yosef brings the ribash not to compare with rosh chodesh rather to let us know that today that we turn on the candles inside there is a component of pirsume nisa that is lacking

So when a minhag comes to complete an aspect of the mitzva we do make a blessing for the minhag.

Shabat shalom.

I'm a new participant

Alberto Yohros

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Hi Reb dovid

here are the answers to your 5 chanukah riddles

1. the meromei naftali (pg. 305) says that by chanukah everyday there is a "tosefes nes", so even though chazal were not mesaken to make shehecheyonu everyday but if

you forgot then you can make it up on another day. whereas by other mitzvos each day is an inyan on its own and can't be caught up. another answer is that the pri megadim holds that shehecheyonu of chanukah goes on the day not on the hadlokas haner, so you can make shehecheyonu each day even though you have already lit previously like other yomim tovim that you can make shehecheyanu all 7 days.

2. when one shechts with a sakin peguma it is a machlokes in meseches chullin if its muttar to eat, the rosh and ran hold since the chachomim required shechita so you need to shecht with all its dinim (so its ossur to eat) however the rashba holds that even if its not shechted properly its muttar to eat. and the pri megadim (yo"d 13:5) brings that the brocho is dependant on this machlokes, according to rosh and ran you need all dinim, but according to rashba since dinim of shechita are not noheg so too brocho is not needed. the problem is that rav akiva eiger brings a teshuvah harshba (chelek 1 siman 523) that hold that by ben pakua you need to make a brocho, so the same thing should be here, but the ran in shabbos says that if you have two entrances then you only make brocho on first one because its only a chashad, so too here its only maris ayin!?

see heflesi (yo"d 13:4) who is mechalek that by ner chnuka its a chashad so no brocho is needed but ty ben pakua its because of maris ayin so a new brocho is need ( the kesav sofer in shu"t yo"d siiman 146 says that this answer is a dochek. however, lechoyra you can explain it that rov of the gezeiros derabanan are to be marchik from aveira, by maris ayin its in order that others don't see you and copy and be oiver, whereas chashad it to prevent others from suspecting you of acting wrongly, so its not like other takonois chazal so no brocho is needed) the heflesi gives another answer that by chanukka the 2 entrances are shayech one to another so one brocho is potur the other one, whereas by ben pakua one brocho cant pottur him on the other shechita. the birkei yosef and michtam ledavid also bring down this answer (this is also a doichek beacuse the ran is talking about chashad, nothing to do with if they are shayech one to the other). a third answer is given by the kesav sofer who says that the rema paskens that on talis koton you make "al mitzvas tzitzis" and the Taz there explains that the nusach of "al mitzvas" is misyaches to the kullalois hamitzva, whereas the nusach of "la'asois..." is misyaches to the ma'aiseh he is doing now, so you can be mechalek that by shechita the "al" is misyaches to the mitzva beklalois so even though its all

because of maris ayin you can make a brocho, whereas by channuka the nusach is "lehadlik..." which is misyaches to the ma'aseh he is doing now and since right now he is not doing it only because of chashad, so no brocho is made. see also the pri toyar (yo"d 9:1) and the tevu'as shor (13:9) on this inyan, and the pri megadim ends off that its best to make a brocho on another shechita first and then do the ben pakua to be yoize all safekois.

3. the bechor shor in shabbos answers that there is a chiluk between a yachid and a rabim. by a yachid he cant be mispalel but a rabim can (the chochmas shlomo also brings this answer). another answer is that by channuka it was a nes of teva ha'oilam whereas by a pregnant women its not teva to swap from boy to girl. the yeshu'os yakkov (o"c 682:2) brings another answer that channuka was a public nes so everyone knows its from Hashem so it makes a kiddush Hashem so its muttar, but it would be forbidden by a nes for a yochid. the inyanim l'mishpat brings another answer that we dont daven for a nes normally, but the horachamon by chanukka is a requesting the yeshu'os which were muvtach to us to get in the future, so it is muttar.

4. the chacham tzvi (88) leaves this question unanswered, however rav shlomo zalman in sh"ut ( chelek 2 53:2) explains that the poskim dont argue if you make a brocho on a minhag its only that a mitzva which is entirely a minhag like hallel on r"c or megillas rus or koheles , but by ner channuka it is a mitzva for everyone to do at home but its only that the halacha requires you to also do it at shul because of pirsumei nisa, so everyone agrees that a brocho is needed. the shevet haleivi (chelek 1 185) also brings this answer.

5. The Taz there says that by shofar they were mekabel shabbos beta'us, so the problem is that by ner chanukka it was also beta'us. so the beis she'arim (sh"ut 3:93) answers that the chiyuv of tekiyas shofar was already at the time of kabalas shabbos so it was like a neder that is ta'us mitchilsoi so it doesn't need hatara, but by channuka the chiyuv was not till night time so at the time of kabalas shabbos there was no chiyuv of ner channuka, so even though it was mekabel beta'ua it was a ta'us that was mischadesh after the neder so it needs hatara and charata etc. so he can't light and must therefore get someone else to light for him.

yaasher koach

a freilichen chanuka!

Shloimy Berlin,

Gateshead, England

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(#1 Attempt) It could be that according to the Pri Megadim, since the first day of Lulav is a obligation "min Hatorah", I only have that one chance to say Shechiyahnu. The other days of Sukkos have a different and "lower" status in their obligation. If I missed the Shechiyahnu on the d'oraisa level, I may not be able to make it up.

Going further, the other days of Sukkos are only set up as a "zecher l'mikdash" for shaking the lulav (see gemara in Sukkos). It's one thing to be making Shechiyahnus on d'rabbans (as we clearly see from chanukah and other mitzvos that you could), but to be making a bracha of Shechiyahnu, a bracha thanking Hashem that I lived to have this opportunity to shake a lulav, on a day where the only reason I'm shaking it is because we don't have a beis hamikdash, I can see a side to say that wouldn't seem fitting. In the days of the beis hamikdash, the second day of Sukkos would have no mitzvah of shaking the lulav outside the mikdash, even on a d'rabbanan level. Therefore I shouldn't be making the Shechiyahnu when this obligation is not only of a "lesser" status than the first day, but is a "zecher l'mikdash" in its essence. It is a lack of Mikdash which causes this obligation.

However by chanukah, the same obligation level exists every day and me missing the opportunity one day, the next day presents the same exact level of opportunity. Each day is a miracle in its own right.

(#2 Attempt) Perhaps there is a difference by a Ben Pakuah and the lighting neiros. From the start when the person is lighting by one entrance way, he is obligated at that moment of making the bracha that he has to light again at the second door way. It could be since he is obligated for the second entrance the moment he makes the bracha, that bracha "covers" both entrances. After he lights By his main entrance way, he should go

and light by the secondary one. By Ben Pakuah, the shechitas are two separate shechitas. He isn't obligated to shecht or eat the Ben Pakuah. He wasn't necessarily even aware at the time of shechting that there was a Ben Pakuah. Since the shechting is considered a separate shechting and there was no "obligation" to shecht the Ben Pakuah at that time (the obligation only applies when he wants to eat the Ben Pakuah), the bracha he made doesn't cover the separate obligation.

(#3 Attempt) The lashon in the Gemara in brachos is the following: "the one who is tzoek (screams/davens) over the past (l'she'avar) that is a vain prayer"(Brachos 54a). It sounds like all the Gemara is trying to say is that davening for the past to change is a miracle that one cannot daven for. Once a woman is pregnant, the gender has been decided and one can't daven for the past to change. Same thing with a "scream that came from the city". The event took place already that caused a scream. To now daven for that scream to come from a possibly different location is a vain prayer since the event already took place. However, the Harachman at the end of benching doesn't contradict that Gemara since one davens for nissim to take place in the future and not miracles that change past events. The issur implied isn't necessarily an issue of davening for miracles, but it is a problem to try and change events that already took place.

The Chochmat Shlomo offers another answer and under the assumption that really davening for miracles is an issue (unlike what I suggested above), however, there may be a difference between an individual davening for a personal miracle and davening for a miracle for the klal. Davening for "personal miracles" is what the issue is about,(and all the examples in the Gemara are davening for "personal miracles"), however the Harachman is a request for the klal and is therefore allowed.

(#4 Attempt) The whole institution of Hallel on Rosh Chodesh is a Minhag in its essence. Ashkenazim make a bracha on it while Sfardim do not.

However the Minhag by Chanukah is different. By the lighting candles, there is an already existant obligation to light candles to publicize the miracle. The Rabbi's then expanded the lighting to include the shuls. That Minhag (which is an expansion of an already existant chovah as opposed to a Minhag in essence) has an additional

publicizing on the miracle in shul (and there is no shiur to persumei nissah). Since it is just building off of an already existant obligation, all sides of poskim can say the bracha even if they don't for Rosh Chodesh Hallel.

(#5 Attempt) The whole "issur" of a shofar on Shabbos is a gzeirah in its essence. It isn't considered a melacha (see gemara RH) but we were concerned that one will come to carry a shofar in Reshus HaRabim 4 Amos. Therefore we made a gzeirah on using a shofar on Shabbos.

The Taz writes regarding the shofar why it would be allowed to do even after they accept Shabbos. He mentions that "safeik chasheicha", bein hashmashos, is mutar for the sake of a mitzvah in a pressing situation to do a "shvus"/ d'rabbanan issur. Certainly, in a case where it is even before bein hashmashos, but they just accepted the issurim of Shabbos on themselves (and they didn't know a shofar would be available to them at this point, had they known they also wouldn't have accepted Shabbos), would it be permissable (and maybe even a chovah says the Taz) to pass on the shvus and blow the shofar.

On the other hand by Chanukah, since the issur being dealt with is a d'oraisa issur of lighting candles we cannot be oiver on it. There the Taz writes that one should do the lighting via another person in the house who hasn't yet accepted shabbos.

Happy Chanukah!

- Gavriel S.

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By Chanukah all the nights are part of one Mitzvah that is Dirabanan although by Lulav we know that the first day is significantly greater in that it is a Deoraisah and the other remaining 6 days are ONLY dirabanan for Zecher Lemikdash (Sukkah 41a). As such it would seem logical to say that Shehechianu was ONLY made on Lulav for the first day which is from the Torah and the remaining days which are Dirabanan are a lower level Mitzvah and as such doesn't permit for Tashlumin with Shehechianu.

I Believe the Pleti is quoted by giving two answers - the first one I don't like as much so I will give you the second one. The Brachah on the Menorah for the first Chanukah is enough to count for the second door in the same house bc they are likely in close proximity to one another and as such another brachah wasn't instituted for this very minor Hefsek within the same house but by Shechita a bracha is required bc it is only one action. I want to also maybe propose a second approach I heard from my friend Ian Schwartz - the Rosh writes that shechita is Only a heter - therefore every single shechita mipnei Hachashad would seemingly require another Bracha yet when it comes to a Mitzvah like neiros I would be inclined to say that the mitzvah is on the Gavra is whereas by Shechita the mitzvah is on every single separate animal nothing to do with the gavra himself.

I went to Rav Asher's Shiur in Toras Chaim the other week and I heard him say many answers on this Kashya but one of them was that Chanukah was a Miracle done for the Rabim whereas changing the gender of a baby is done only for a Yachid - therefore it is actually totally Mutar to ask on behalf of the Rabim for Hashem to create a miracle since it is for the sake of heaven. I personally would like to add to this with the Gemara in Taanis 9a where the Gemara asks how Moshe was able to be Mefarnes the Tzibur all alone - the Gemara there answers that he actually was working on behalf of the RABIM and that's why all these miracles were able to continue happening - the obvious implication is that had it been for a Yachid it clearly would not have been enough even for Moshe for Nissim to happen.

The Mor Ketziah simin 672 is quoted as saying the following: We must say a brachah by Shul bc the whole point is to be Mifarsem the Neis and therefore you must make the brachah in Shul - if you don't make the brachah you aren't fully being Mefarsem the Neis and although yes it is a Minahg you must still make a Brachah to even fulfill Pirsu Menisa

It is possible that you are only being Mafkiah your Daas on a Torah ordained law such as Shofar but by Chanukah which is only a dirabanan the Mitzvah to light Neiros isn't strong enough to be Mafkiah your Daas from Tosefes Shabbos and Shabbos would actually be Chal on you.

Gavriel Chasky

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Regarding the famous question of the Bechor Shor, how can we say הרחמן הוא יעשה לנו נסים ונפלאות, we are not allowed to daven for a neis?

I never understood the question, the navi Michah says " כִּי־מִי צִאתְךָ מֵאֶרֶץ מִצְרַיִם אֶרְאֶנּוּ "נִפְלְאוֹת", this is something we were promised that it is going to occur, the issur is to daven for a new personal miracle.

Zev Landerer

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B) By Chanukah you already fulfilled the mitzvah at the first lighting so when doing it again because of chashad there is no beracha. Whereas by shechita you are now fulfilling the mitzvah albeit because of chashad so you make a beracha.

C) Gemara in berachos is saying not to ask for a miracle in specific situation. But It's ok to Daven for miracles in general not to a specific situation.

D) the mechaber holds the beracha is part of/contributes to the pirsumei nisa so you make the beracha even though it's a minhag.

E) In this case it would be the equivalent to swearing to be mevatel a Mitzvah derabanan which the shevua is valid, but by shofar it is against a not a deoraysa where shevua cannot be mevatel.

Samuel Obstfeld

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1. Lulav and Chanukah are different. By Chanukah the bracha of shecheyanu goes on the "day" (we're just s'omech it on the lighting of the candles but it's not really on the candles). Therefore if on day 1 of Chanukah you didn't make a Bracha then on day 2 you make a Bracha because the bracha goes by the "day". Whereas by lulav the bracha is on the mitzvah of lulav. Another answer is that by Chanukah every day by itself is a

mitzvah since every day was anew miracle. Therefore if you didn't make a Bracha on the first night you may do so on the second, whereas by lulav all 7 days are the mitzvah and since you fulfill that mitzvah once you can't make the Bracha again the second time because it's not a new mitzvah.

Mike Kosoy

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Below are my answers to the five riddles you posed:

1) I thought of two possible answers to your kashya on the Pri Megadim.

A) The Shehechyanu of Chanukah is different than the shehechyanu on lulav, as the shehechyanu of chanukah might also be covering the day itself and not just the mitzvah. By Lulav, shehechyanu for the day is already made in kiddush, so the shehechyanu on the lulav is for the mitzvah alone. Once you've taken the lulav without making shehechyanu, the Pri Megadim thinks you lost your chance, like if you ate a new fruit and didn't make a shehechyanu. But by Chanukah, there's no other shehechyanu on the day itself, so the shehechyanu we say on the mitzvah is needed to cover the שיהי שיהי shehechyanu for chanukah itself. The proof to this idea is that the Mishnah Berurah in Sha'ar Hatziyun 676:3 raises the possibility that if one forgot to say shehechyanu until after the 8th night whether they can make it in the middle of the day (without connection to any neiros chanukah), like one could for other yamim tovim. As such, even if shehechyanu isn't warranted for the mitzvah of neiros chanukah, it's still warranted for the day itself.

B) It could be the Pri Megadim's chumrah is a local one to the mitzvah of lulav where the mitzvah on the first day is deoraisah, while the mitzvah on the other days is only midrabanan. By all other mitzvos (including chanukah candles), the level of the mitzvah on the 2nd day is the same as the first day, so if one forgot to say shehechyanu on their first יום, they can say it the 2nd time. But after fulfilling the deoraisah mitzvah of taking lulav on day 1 of sukkos, one's excitement for the mitzvah on the 2nd day is mitigated because the 2nd day's mitzvah is on a lower level than his fulfillment of the mitzvah on the previous day, so he can't say a shehechyanu.

2) I found four answers to this question:

a) Tevuos Shor YD 13:2 (first answer) is mechalek between that which is found in a mishnah or braisah (Ben Pakua) and a meimra/sevara of an amarah (Chanukah). He argues the latter isn't a specific takanas chazal, so doesn't get a bracha.

b) Tevuos Shor ibid.'s 2nd answer is that only for a harchaka to a deoraisah do we make a bracha, based on משמרת את ושמרו that Chazal are mechuyav to make such gzeiros. However, a harchaka on a גזירה is somewhat like a gzeira ligzeirah so not שייך to say vetzivanu.

c) Pleisi YD 13:4 (First answer) is mechalek between Chashad and Maris Ayin. He says we don't make a bracha on chashad (like by Chanukah), but would for maris ha'ayin (ben pakua). He doesn't make it clear what that chiluk is. Rav Moshe OC 4:82 understands maris ayin is generally something that people will think is actually מותר based on what you did and will end up being mezalzel in issurim, while chashad is something they know you're doing wrong and will think you're an avaryan. Lichorah that hagdara isn't how Pleisi understood it, since it's hard to imagine Jews will think that it's מותר to eat a normal animal without schechting it. I saw the Encyclopedia Talmudit (by "חשד") quotes the Chavos Da'as as saying that Chashad is something that's open to interpretation whether one is doing something wrong, while Maris ha'ayin looks like he's definitely doing an issur. I assume this is how Chavos Da'as understood – by Chanukah, maybe he lit at a different place, so it's only chashad and no bracha, but by Ben Paku'a, it appears like he's definitely eating an animal without shechita, which certainly seems אסור.

d) Pleisi 13:4 #2: By chanukah, you are making a bracha on the chashad pesach as well, since the bracha you make on your main chanukia is going to cover your lighting of the other chanukiah as well. As such, there's no stirah. This answer assumes though that if there was הדעת היסח is between, you'd presumably have to make a bracha on the chashad pesach as well, which doesn't sound like how we paskin.

3) Bechor Shor Shabbos 21b asks this question and gives two different answers:

A) It's מותר to daven for a Neis on behalf of all of כלל ישראל (the Rabim), just not for a neis for an individual. He points out various piyutim in davening ask for nissim for the rabbim, so it must not be an issue. He explains that specifically by a yachid is it improper because how can any individual think he's worthy of a neis. But the zechus of the klal is one which may be deserving of a neis. As such, it's אסור to daven for one to change their own child's gender, but it's מותר to ask for miracles for klal yisrael.

B) It's מותר to daven for a Neis Nistar (that stays within the bounds of teva) but not for a neis niglah (outside the bounds of teva). Asking for nissim like those of the chanukah milchama is thus מותר since that was בדרך הטבע (as was the Purim story), while changing a gender would be למעלה מן הטבע so is prohibited.

4) Rav Shlomo Zalman Auerbach in Minchas Shlomo 2:58:3:2 בעיקר ומיהו ד"ה discusses your question. He answers that even Shulchan Aruch agrees to the Rema when the minhag is an expansion of a previous halacha, and not just a standalone minhag. As such, by neiros chanukah, it's as if the minhag just expanded the mitzvah of ner chanukah from the home to the beis knesses as well to increase ניסא פירסומי, and thus even the Shulchan Aruch agrees to make a bracha. He compares this to kiddush at night in shul even when there are no orchim – since Kiddush on Friday night is a pre-existing halacha, the minhag to say it in shul even without being motzi anyone isn't a bracha levatala even according to the Shulchan Aruch. [I had trouble understanding this last point because kiddush in shul is a takana, not just a minhag, and the Shulchan Aruch himself recommends against making kiddush in shul if possible in סימן רסט.]

5) The answer to the stirah in the Taz I think is simple. In the case of Shofar, Taz 660:2 is discussing a case where \*the whole community\* accepted shabbos together by davening ma'ariv early. As such, it will be impossible for them to fulfill the mitzvah of shofar since it's now shabbos for everyone. As such, it's considered a kabbala beta'us in order to enable them to fulfill the mitzvah of shofar. However, by the Chanukah case, Taz 679:1 is clear he's talking only about the one person who lit shabbos candles that they can't light chanukah candles now. But he can still fulfill his mitzvah by having someone else light on his behalf, and Taz in fact says אלא יתן לאחד מבני ביתו להדליקה

Thus, since he's still able to fulfill the mitzvah (through a shaliach) after accepting shabbos, it's not a kabbala beta'us.

Kol Tuv and thank you for a wonderful program!

Naftali Dembitzer

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1) the first day of succus is midiraisa so if you don't say shehecheyanu on the first day then you wouldn't say it the second day which is only a zecher for the first day

2) to light chanuka candles in two separate spots stops the chashad so then you wouldn't say a brachos levatala but by a ben pekua you would need to say the brocho to stop the chashad that you shot the animal

3) we don't say specific nissim that we want but general is ok

4) to say hallel on rosh chodesh is a minhag so we wouldn't say a brocho but lighting a menorah itself isn't the minhag the minhag is to light it in shul so that we would say a brocho

5) the reason you would still blow shofar after you davened mariv is that shofar is a dioraisoh and there is a gezairah not to do it on shabbos but if you just davened mariv then you would chanukah is a dirabonon and the issur to light on shabbos is midiraisa so if you davened mariv you would not be allowed to do a av melacha of Aish on shabbos

Avi Roth

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[א] עי' בדברי הפרמ"ג שם באשל אברהם, ואתה תחזה מש"כ לבאר מ"ש לולב משופר ולולב וחמץ ע"ש, ומתוך דבריו יוצא שהסיבה שאין לברך זמן ביום ב' הוא מפני שיוצאין בברכת שהחיינו בקידוש הלילה, דהוה ג"כ מדרבנן ע"ש, וא"כ י"ל דרק אם לא נטל לולב בהימים הראשונים וא"כ לא כוון בברכת הזמן על מצות לולב על כן צריך לברך שהחיינו בהגיע לולב לידו ונוטלו, משא"כ אם היה לו לולב אע"פ שלא בירך

עליה זמן הרי כבר יצא מזמן דקידוש, משא"כ בחנוכה שאם לא בירך שהחיינו על המצוה, איך יצא חובת ברכת זמן, לכן דין הוא שכל זמן שיזכור יברך.

ב] אכן בפשיטות יש כאן מחלוקת בין הרשב"א (שו"ת ח"א תקכ"ה) דס"ל דמברכין על החשד, והר"ן שכתב הכא לענין נ"ח שאין מברכין על הנר דמדליקין משום חשדא, וראה בפר"ח ביו"ד (סי' י"ג סק"ה) שג"כ נקט כנ"ל שהר"ן הוה ס"ל גם בשחיטה כזו שאין לברך והרשב"א הוה ס"ל גם בנ"ח דבעי ברוכי. ומה שניסה בשו"ת מכתם לדוד (או"ח כ"ג) להשוות השיטות ולומר דאף הר"ן לא קאמר אלא כיון שכבר בירך על הראשונה על כן לא יברך שנית על הפתח הב', אין בזה טעם, דבכה"ג דין הוא שלא יברך על השניה גם בלי טעמא דאינו אלא משום חשדא, ופשוט. אמנם בפלתי כתב ג"כ שאין מחלוקת בין הרשב"א והר"ן דשם משום חשדא, והכא משום מראית עין, ומי מדמה זה לזה, עכ"ל.

ג] התבואות שור (בכו"ש שבת כ) נתקשה בזה, וכתב ליישב בב' פנים, א' דשאני יחיד ורבים, דרק ליחיד הוה תפלת שוא להתפלל על הנס דמאן יימר דחזי לנס משא"כ במבקש בעד רבים, ב' דנסיים בדרכי טבע ע"ד מלחמת חשמונאים מותר להתפלל עליהן, משא"כ שיתחלף זכר ונקיבה הוה נס שלא כדרך הטבע והר"ז תפלת שוא. ובספר ישועות יעקב כתב ליישב שזה שאין מתפללים הוא רק על נס נסתר שאז מנקים מהזכויות, אבל על נס גלוי יש נגד זה קדוש שם שמים ברבים וכמו"ש לאברהם שכרך הרבה מאוד, ולזה אנו מתפללים שיעשה לנו נסים ונפלאות גלויים לעין כל כבימים ההם ע"ש.

ד] כבר עמד בזה בחכם צבי סימן פ"ח, וראה במור וקציעה סו"ס תרע"ב שהוכיח גם מהא דמברכין במקום ספק, ששאני ברכת המצוה שעל הדלקנ"ח מכל ברכות המצות, כי בנ"ח הרי הברכה חלק מחלקי המצוה ולא סגי בלעדיה.

ה] התם בשופר איירי שכבר קיבלו כולם את השבת, וממילא יש סברא שאדעתא דהכי לא קיבלו את השבת אולי אף לא יכלו לקבל את השבת, משא"כ בנ"ח שיש להאיש הזה בני בית שיכולים להדליק עבורו, שוב אין סברא שאינו יכול או רשאי לקבל את השבת, ואה"נ שבודאי יודה הט"ז שאם אין לו מי שידליק בעבורו, בודאי חייב להדליק נ"ח אף אחרי שהדליק נ"ש, וכמו הסברא שכתב לענין תקיעת שופר.

דוד צבי הלוי גליק

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Hi.

Some answers to the riddles of the week (apologies for the brevity and late response):

1) There is a difference between lulav and ner Chanukah: in the case of lulav, the mitzva hasn't changed at all and so once it's missed on the first day it's already been done in full and no Shehechyanu can be said. In the case of Chanukah, there is an additional candle each night and so it's "different" in some sense and a shehechyanu can be made on the mitzva of lighting two (or more) candles. (Ner Chava, p. 263)

ונראה לומר, דהנה גבי לולב הרי שהמצוה ביום השני הינה בדיוק אותה המצוה שהיתה ביום הראשון, דביום הראשון היה עליו ליטול ארבעת המינים, ואף ביום השני מצווה ליטול את אותם ארבעת המינים שנטל ביום הראשון.

אך בחנוכה אינו כן, שהרי בנרות חנוכה "מוסיף והולך" היינו שכל יום מדליק יותר מאשר היום הקודם, נמצא, דבכל יום יש "תוספת" ליום הקודם.

ולפי"ז יש לומר דגבי לולב מכיון דאין כל הבדל בין היום הראשון לשאר הימים ומכיון שכבר עשה את המצוה שוב אינו מברך כשעושה אותה שוב ביום השני.

אך גבי חנוכה אינו כן, שהרי גם אם הדליק ביום הראשון, אבל מכיון דביום הראשון הדליק רק נר אחד, ואילו ביום השני מדליק שני נרות א"כ הרי שההדלקה ביום השני שונה מהיום הראשון ומשום הכי שייך לברך שהחיינו על הדלקת שני הנרות.

Alternatively, perhaps the shehechyanu on ner Chanukah is actually on the zman, not the mitzva, and so it can be done any time, while the shehechyanu on lulav is on the mitzva. (Shalmei Toda - Chanukah, Siman 24)

**וארלי יש מקום לחלק מהך דהכא, דאם**  
נפרש דברכת שהחיינו דחנוכה הוה  
ברכה על הזמן, אלא דתיקנוהו לאמרו בשעת  
הדלקה, [עי' בשעה"צ שם סק"ג, ובמש"כ  
בזה לעיל סי' כ"ב אות ג' ולהלן סי' כ"ה אות  
ב'], א"כ ברכת שהחיינו דחנוכה דמיא  
לשהחיינו של רגל דמדינא אומרו אפי' בשוק,  
ומשו"ה לא הפסיד במה שלא בירך מתחלה  
בשעת קיום המצוה, דלענין ברכה על הרגל  
הוי הכל רגל אחת ועדיין לא בירך עליה,  
אבל בשהחיינו שהיא על התחדשות של מצוה  
כמו גבי לולב, שהרי על הזמן כבר בירך  
בלילה ועתה אינו מברך אלא על המצוה,  
אפשר דאם לא בירך בפעם ראשונה שוב אין  
כאן התחדשות המצוה ואינו מברך. ומ"מ

2) A number of answers, each brought down in the sefer Shalmei Moshe (page 194):

a) There are two different kinds of chashad: In the case of ben pakua, the act of eating without shechita is strange and invites suspicion, so the shechita is necessary and gets a bracha; in the case of lighting a second menorah, the lighting is a normal thing to do, and you just don't want anyone on the second side to think nothing was lit, so no bracha is necessary. In other words, a "kum v'asay" chashad vs. a "shev v'al taase" chashad.

**אלא** ע"כ צ"ל דחלוקים בן פקועה ועיסת  
ארנונא מנ"ח ופאה, דבבן פקועה  
אכילת הבהמה בלי שחיטה היא פעולה  
שמעוררת חשד, שנראה שאוכל נבלה, וכיון  
שעושה פעולה מחשידה שנראה שעובר  
עבירה לכך חייב שחיטה וכן בעיסת ארנונא  
שנראה שאוכל ללא חלה חייב בהפרשה,  
משא"כ דנ"ח בב' פתחים ובהנחת פאה אינו  
עושה דבר המחשיד אלא שמקים המצוה  
כתיקונה רק שאנשים לא יודעים שקים  
המצוה ובכה"ג לא אשכחן שחייב לצאת ידי  
החשד אלא בזמן המצוה וזהו דין אחר של

b) In the case of ner Chanukah, the bracha on the first door is the "ikar" and obviates the need for a second bracha on the "tafel" second door. In the case of ben pakua, no such ikar/tafel situation exists; it's just the one shechita.

**ובברכי** יוסף אות י' כתב לחלק באופן  
אחר דבב' פתחים דנ"ח "איירי  
שכבר בההיא שעתא בירך על הפתח העיקרי  
ולהכי כיון דצריך להדליק בפתח השני משום  
חשדא בדין הוא שלא יברך פעם שנית ע"ז,  
**כי ברכת העיקר פוטרת הטפילה**, ובהא גם  
הרשב"א יודה דלא יברך, אבל בדין בן פקועה  
איירי ששחטו לבדו ולהכי בהא גם הר"ן יודה  
דיברך" עכ"ד.

c) The chashad on ben pakua is from a mishnaic source, while the chashad of ner Chanukah is amoraic in origin.

**א.** דבבן פקועה שתקנת מראית העין בו  
(וכן כל תקנת מראית עין כגון עיסת  
ארנונא) כתובה במשנה או בברייתא,  
מברכים עליהם, שהרי אלו מתקנת ב"ד  
הגדול שבארץ ישראל שגזרתם קימת על  
כל ישראל, משא"כ בנ"ח דרב הונא אמר  
להא מסברא דנפשיה אין צריך ברכה (עיין  
ר"ן תענית י"ב ב' בשם הרמב"ן).

d) The chiyuv of shechita is d'oraysa while the chiyuv of bracha on ner Chanukah is d'rabbanan.

**ב.** בשו"ת רבי עזריאל הילדסהיימר (הובא  
בסוף השו"ע מכוון ירושלים) כתב לחלק  
דבשחיטת ב"פ אם לא יברך יחדו בו  
שחושש לחשד רק לגבי השחיטה שהיא  
חיוב דאוריתא, ולא לגבי הברכה שחיובה  
אינו אלא מדרבנן. אך בנ"ח, בעצם הדלקתו  
מוכח שחושש למילי דרבנן, ומה שאינו  
מברך - משום שלא תקנו ברכה על החשד.

**ג.** דבבן פקועה הוי הרחקה לדאוריתא  
שהרי תקנות חכמים הסמיכום על  
האמור ושמתם את משמרתו עשו משמרת  
למשמרתו (יבמות כ"א א') ושפיר שייך לומר  
"וציונו" משא"כ שהמצוה עצמה אינה אלא  
מדרבנן, וכגון נ"ח, הרי זו כעין גזירה לגזירה,  
ואינה מצוה, אלא היא בגדר חשש בעלמא,  
ואינה חשובה לברך עליה.

e) There is a difference between a "maris ayin", where the rabbanan made the act itself assur (and avoiding doing it gets a bracha), and a "chashad", where the rabbanan merely required the act to be done in a manner that doesn't invite suspicion (and doing it in that manner doesn't get a bracha).

ה. בתפארת ישראל מביא לחלק בין תקנה שהיא מפני "מראית עין" לבין תקנה שהיא מפני "החשד", שבתקנה שהיא מפני "מראית עין" הכוונה היא שחכמים חידשו איסור בעצם, והיינו שאסרו את עצם הדבר, ואשר על כן "כל מה שאסרו חכמים מפני מראית עין - אפילו בחדרי חדרים אסור" (שבת קמ"ו ע"ב). משא"כ בתקנה שהיא מפני החשד, בזה אין הכוונה לאיסור בעצם - אלא שצריך לעשות באופן של יהא חשד, ומעתה נמצא, שב"בן פקועה", שאיסורו משום מראית העין - הרי שישנו איסור בעצם לאוכלו בלא שחיטה, וע"כ מברך שפיר על שחיטתו, משא"כ בנ"ח בשני פתחים - אין חיוב גמור להדליק בשניהם, אלא שחייב לעשות באופן שלא יהיה חשד, ואמנם אם שני הפתחים יהיו בצד א' אינו מחויב שני הפתחים יהיו בצד א' אינו מחויב להדליק בשניהם, וע"כ אין מברך על ההדלקה - דהא המצוה אינה להדליק אלא למנוע חשד (ועיין תבואות שור סי' י"ג סק"ט).

3) Two answers from the Shita Mekubetzes (Brachos 61a): a) asking for a miracle as a yachid is no good (who says they merit it), but asking for a communal miracle is acceptable; b) asking for a miracle done b'derech ha'teva, as in the case of the Chashmonaim, is acceptable, but asking for an unnatural miracle like changing a baby's gender in the womb is not.

Perhaps there are other differences as well: nistar vs. mefursam, general vs. specific etc.

נס הרי זה תפלת שוא. ואפשר לחלק דוודאי יחיד לא  
יתפלל על הנס דמאן יימר דחזי לזה, אבל אם מתפלל  
שארבים יעשה נסים כנוסח הרחמן יעשה לנו נסים  
שפיר דמי, וכן נוסחאות שבפיוטים שנוכר שמתפללים  
על הנס בלשון רבים אמורים על נסים דלעתיד כמ"ש  
כימי צאתם וגו' אראנו נפלאות, וכן ביה"ד שאומרים  
אחר נשיאת כפים מנוסחת האר"י ז"ל לא יאמר  
ותעשה לי נסים ונפלאות רק יאמר ותעשה לנו. עוד  
יש לחלק בין נסים של טבע עולם שמלחמת  
החשמונאים משמע שהי' נסים דרך טבע העולם, מה  
שאין כן להחליף נקבה שתעשה זכר הוא נס שלא  
כדרך הטבע העולם כלל וכיוצא בזה הוה תפלת שוא

4) A number of answers to this question from the Chacham Tzvi, each brought down in the peirush Evan Chai on the Ben Ish Chai (Hilchos Chanuka):

a) The bracha on ner Chanuka is for pirsumei nisa (as noted by the Shulchan Aruch), so it's different than Hallel on Rosh Chodesh which is not.

אולם האחרונים כתבו לחלק בין מנהג למנהג,  
לגבי נר חנוכה שיש בו משום פרסומי ניסא מברכין,  
והראיה מהלל בליל פסח שמברכין עליו משום  
פרסומי ניסא כמבואר בבאורי הגר"א (סי' תרע"א) מה  
שאין כן בהלל כר"ח שהוא רק מנהג בעלמא לכן אין  
מברכין עליו, כמבואר בתשובת רש"י שהובאה  
במחזור ויטרי (עמ' קצ"ג) והרמב"ם (פר' י"א מה'

b) Along similar lines, we don't say safek brachos l'hakel in cases of pirsumei nisa.

ועוד אפשר לישב המנהג שמברכין בבהכ"נ ע"פ  
מה שכתב לחדש הגאון יעב"ץ במור וקציעה, שאין  
אומרים ספק ברכות להקל בנר חנוכה כיון שהיא  
בכלל פרסומי ניסא. (עי' אבן חי או' יא) וכן דייק  
בערוך השלחן מדברי הש"ע שכתב "מדליקין ומברכין  
בבהכנ"ס משום פרסומי ניסא". דהיינו שהברכה  
וההדלקה יחד יש בהם משום פרסומי ניסא. ועו"ע  
במועדים וזמנים ח"ו (סי' פט) טעם נוסף להדלקה  
בבהכנ"ס.

I'm sure many others bring more answers. Perhaps one additional difference is that in the case of ner Chanukah, the act itself is not a minhag, only the location, versus in the case of hallel on Rosh Chodesh the entire act is only a minhag.

5) Rav Shomo Kluger asks this question (Orach Chaim 600) and answers that in the case of ner Chanukah, although the person accepted Shabbos upon himself, he could still use a shaliach to light for him. Therefore, he wouldn't have excepted the mitzva of lighting the ner Chanukah when he accepted Shabbos upon himself and now cannot light.

אך נראה דיש לדחות ראייה זו, די"ל כיון דבכל  
התורה שלוחו של אדם כמותו א"כ אף נר חנוכה יכול  
להדליק על ידי שלוחו, רק דלכתחלה הוא מצוה זו יותר  
מבשלוחו וצריך להדליק בעצמו, אך אם קיבל עליו שבת  
ונאסר במלאכה נאסר אף להדליק נר חנוכה, ולא הוא נשבע  
לנטל את המצוה כיון דאפשר לקיים שניהם להדליק נר  
חנוכה ע"י אחר וכל דאפשר לקיים שניהם חל הקבלה,  
ובעבור דמצוה זו יותר מבשלוחו בעבור הידור זה ודאי חל  
הקבלה או השבועה, ולכך הצריכו להדליק נר חנוכה תחילה  
כדי שיוכל לקיים המצוה בעצמו דבאמת מצוה זו יותר  
מבשלוחו.

Best,

David Birnbaum

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Reb Dovid,

Here are some answers to your excellent Chanukah riddles:

1. The *bracha* of *Shehechyanu* said on *Lulav* goes on the *mitzvah* of *Netilas Lulav*, not on the arrival of the *Yom Tov* of *Sukkos*. (The *Shehechyanu* on the *Yom Tov* was already made during *Kiddush* or *Hadlakas Neiros Yom Tov*.) Therefore, if one misses the *bracha* of *Shehechyanu* said on the *Lulav* on the first day, he can longer say it the other days of *Sukkos* because the *mitzvah* of *Lulav* is no longer a new *mitzvah* for him since he just did fulfilled the *mitzvah* on the first day of *Sukkos*.

The *Shehechyanu* said by *Hadlakas Neiros Chanukah*, however, is not said exclusively for the *mitzvah* of *Hadlakas Neiros* but also for the arrival of the *Yom Tov* of *Chaunukah*. As such, even if one misses the *Shehechyanu* on the first night, he can still make it up on the other nights because can still make a *bracha* on the *Yom Tov* which is ongoing.

2. *Rishonim* ask, why do we make a *bracha* on *Shechitah* if the *mitzvah* of not eating *Neveila* is a *Lo Saaseh* and we don't make a *Birchas Hamitzvos* on a *mitzvas lo saaseh*. They answer that the *bracha* on *Shechita* is not a regular *Birchas Hamitzvos*, but rather a *bracha* on the *matir* – on the action which permits eating the food.

So when an animal cannot be eaten because of *Maris Ayin*, a *bracha* on the *Shechita* is warranted because the *Shechita* is being *matir* the animal to be eaten.

The *bracha* on *Chaunukah Neiros* is a proper *Birchas Hamitzvos*. In the case of lighting to avoid *Maris Ayin*, since no *mitzvahs aaseh* is being performed, the *bracha* should not be said.

3. Several answers are given to this question:

1.) The *Bechor Shor* (*Shabbos*, 21b) answers that the rule that one should not ask for a *neis* applies only when asking that a *neis* be done for an individual. However, it is permitted to ask that *nissim* be done for the *tzibur* at large. This is because the reason one should not *daven* for a *neis* (according to the *Bechor Shor*) is that a person is presumably not worthy of the *neis* being done for him, rendering the *tefillah* a *tefillas shav*. On the other hand, when *davening* for the *tzibur* there is reason to assume that

the collective merits of the *tzibur* will deem them worthy of a *neis*, and the *tefillah* is not considered in vain.

II.) The *Bechor Shor* offers a second answer to this question as well. He says the request in this *Ha'Rachaman* – as indicated in its wording – is that Hashem perform for us the same type of *nissim* in the days of the *Chashmonaim*. Those *nissim* (i.e. the victories over the *Yevanim*) were miracles within the realm of the natural (the miracle of the oil is not mentioned in the *Ha'Rachaman* for Chanukah); similarly, the *nissim* we are asking for are *nissim* within the laws of nature, which is permitted.

III.) The *Yeshuos Yaakov* (682:2) draws a distinction between a *neis b'nistar* – one which no one will be aware of – and a *neis mefursam* – one which will be publicized to all:

A *neis b'nistar* causes one's *zechuyos* to be deducted, for this reason it is something one should not *daven* for. A *neis mefursam*, on the other hand, does not cause one's *zechuyos* to be deducted – the public *Kiddush Hashem* resulting from a *neis mefursam* brings additional *zechuyos* to the *neis* recipient, offsetting any deduction caused from the actual performance of the *neis*. Since one does not stand to lose from a *neis mefursam*, one may *daven* for such a *neis*. The *nissim* we ask for in the *Ha'Rachaman* are ones similar to the ones found in the story of Chanukah – ie. *nissim mefursamim* – as such, it is an acceptable *tefillah*.

IV.) The *Einayim L'Mishpat* answers by explaining that this *Ha'Rachaman* is a *tefillah* asking Hashem to fulfill the promise that He will do *nissim* for us in the end of days. Since the *tefillah* merely asks Hashem to fulfill His promise, it is permitted to ask for a *neis*.

V.) Another answer I once heard: Since *Chanukah* is a *zman* of *nissim*, it is permitted to *daven* for *nissim* on Chanukah (miracles occurring on *Chanukah* are considered within the realm of nature).

4. Rav Shlomo Zalman Aurbach, *zt"l* (*Halichos Shlomo Moadim*, Vol. 2, 17:4:4) suggested that the rule of the *Shulchan Aruch* that one cannot make a *brachah* on a *minhag* is limited to a *minhag* similar to reciting *Hallel* on *Rosh Chodesh*. That is, on

*Rosh Chodesh* there is no obligation whatsoever to recite *Hallel*; as such, the *minhag* to say *Hallel* is not connected to any *mitzvah* and one cannot say “*v’tzivanu*” on such a *minhag*.

The *minhag* of lighting *Chanukah neiros* in shul, however, is connected to a *mitzvah*: On *Chanukah* there is a *mitzvah* to light *Chanukah neiros* in the home and the *minhag* of lighting in *shul* was accepted as an *extension* of this *mitzvah*. As such, even the *Shulchan Aruch* agrees that it is appropriate to say “*v’tzivanu*” on this *minhag* – as this *minhag* was accepted as a part of the *mitzvah* in which we are commanded in doing.

A second possible answer I would like to suggest: The *Beis Yosef* says in the name of the *Kol Bo* that the *minhag* to light in *shul* began for the purpose of being *motzie* the guests residing in the *shul* in their *mitzvah* of *hadlakas neir Chanukah* – similar to the *minhag* of reciting *kiddush* in *shul* Friday night to be *motzie* the guests eating their *seudah* in the *shul*.

According to this, we can say that since the *minhag* to light in *shul* started as a *chiyuv* when it definitely was appropriate to say a *bracha*, one can continue saying a *bracha* on the *minhag* since the “*v’tzivanu*” in the *bracha* can be understood as referring to the original way the *minhag* was performed – which was as a formal *mitzvah*.

(Tangentially, I heard in the name of Rav Shlomo Zalman Aurbach z”l that one is allowed to make a *bracha* on *Neiros Shabbos* even when the lights in the room are on and one does not fulfill the *mitzvah* in this way because it is still nevertheless a *minhag* to light *Neiros Shabbos* in this way and you can make a *bracha* on a *minhag*. According to the answers given above, even *Sefardim* would be allowed to make a *bracha* for this reason.)

5. By *Shofar*, the *mitzvah* was *chal* on Friday, the *Hadlakas Neiros Shabbos* cannot be *mafkia* that *mitzvah*. By *Chanukah*, however, the *mitzvah* is only *chal* on *Shabbos* – the lighting on Friday is merely a *hechsher mitzvah* to fulfill the *mitzvah* on *Shabbos* (*Terumas Hadeshen*). Since the *mitzvah* has not been *chal*, the *Hadlakas Neiros Shabbos* is a valid *Kabalas Shabbos*.

*Bechavod Rav,*

Daniel Handwerger

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A lichtige chanuka R' Dovid Lichtenstein thanks for shining light on Chanukah! Thank you! You made me learn the entire hilchos Chanukah!! Some answers to the riddles. Riddle 1: I think that since every day is a new nes and especially for the mehadrin where we're mechadesh each day of course we can say shechayanu. B. Many poskim say that even if someone's wife lights for him he can make brachos roah since these brachos are on the yom the meiri says you can even say it bashuk, so here you have more reason to make but on sukkos he already made on the yom.

Riddle 2: the Pleisi famously answers that chashad and Maris ayin are different. I think the difference is here we're not scared that he'll be mevatel the mitzvah just that people will think bad. If he can take mirrors to reflect he won't have to light but by Ben pickua we're scared he'll come to an issur there's a real chiyuv of shechting even if you would tell everyone. Similarly in siman 244 (see mishna achrona 10) we find such a chiluk if the whole town builds bekablones.

Riddle 3: A. The chochmas Shloma answers that for a rabbim is different and you can ask for nissim. B. there's the famous kedushes Levi that explains l'shono acheres only after the chachamim saw the nissim come down each year b'zman hazeh they made a yom tov. with this we understand that chanuka we actually know there's nissim playing over each year!!

Riddle 4: the Gra is metzain on the mechaber that adds "persuma Nissa" not the Rivosh but the Yerushalmi that you say halel pesach night in shul and again at home because of persuma Nissa. The mechaber there also paskins to make bracha since it's not just a minhag like halel Rosh Chosedesh but a minhag that has a kiyum mitzvah of pirsum you should make a bracha!

Riddle 5: The Taz says someone should light for him why by shofar doesn't he say that someone that wasn't mekabel should blow? (The m"b does say it) I think the answer is that the Taz holds if your mekabel shmuni atzeres early you're patur from sukka, once it's the next day you can't do the mitzvah like sukka and a shliach wouldn't help by

shofar. Chanukah on the other hand the mitzvah is it should burn on Shabbos not Friday (shitas hataz is on Friday kovsa you have to relight because it's not zman mitzvah yet) so it's no stirah to his kabbalah so now make a shliach! But even if he doesn't find one we possibly don't say the mitzvah makes it a kabbala betois since it's still shayach now even though technically he can't similarly if he didn't buy wine Friday we wouldn't say the Kabala was betois!

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Hi my name is Sruly Modes and I would like to offer some possible answers to the Chanukah riddles.1. A) Shechianu of Lulav is on the mitzva, if it was done once already the opportunity is lost. Shechianu here is really on the yom (see shrt"z), this can be said as long as it's still Chanukah.

B) Lulav is the exact same Mitzva all 7 days, here were each night's lightening has an addition Shechianu can still be said.

C) Lulav is 1 mechayev to shake for a duration of 7 days, here as each day commemorates an extra night of the neis, every night essentially has its own mechayev.

2. A). The Tevuas shor explains the Takana of Ben Pokua was made by B"D hagodal who had the power to institute new full fledged Mitzvos, hence although their reasoning may have been because of Cheshad, nevertheless once a chiyuv shechita is established a Brocha is said. However the Cheshad of hadlaka which came about bzman hagemora when they lacked the power to establish real Takonas, remains no more than an independent din to remove Cheshad, therefore a brocha is not said.

B) Although by Ben Pokua chazal established a full-fledged mitzva on what would otherwise be putor, by hadlaka of someone who was already mekayim the mitzva, it remains an independent din to remove Cheshad.

C) Although By Ben Pokua chazal established a new independent mitzva which requires a brocha, however by hadlaka were there already is a mitzvah, the takana just adds conditions to the original mitzva by saying he isn't Yotzai the iykur chiyuv without

2 menorahs. Since this lighting is just an addition in being mekayim the iykur mitzvah, it's automatically included in the original bracho.

3. A) The bechor shor explains we only don't ask for a personal nes here we say "lanu" blashon Rabim.

B) he adds we only don't ask for a change in nature's laws, here we ask for what they experienced then which was within the parameters of nature.

C) The Shoel umaishev explains although year-round we don't ask that a nes occur in our merit, we ask on Chanukah which is designated for nissim that the hashpoah continues.

D) We never ask for a specific nes, a tefila for nissim in general isn't considered shoav for on the contrary it happens constantly "Bechol Yom imonu".

E) This isn't in the context of a bakasha for a nes rather hallel v'hadah to the source of all nissim.

4. A) R' Yaakov Emdin says since the brocha when lighting is part of the mitzvas Perumei Nisah itself, it remains part of the actual Minog.

B) The menog is only a guide how to do the ikur mitzvah, as the Ragochover explains although the chiyuv hadlaka itself is "ish ubayso", the independent chiyuv Perumei Nisah can be done by lighting in shul.

C) The Brisker Rav explains a brocha isn't said by chatzie hallel as the entire act is merely a hanhago, here based on minog a full maysa hadlako is done.

D) the Chacham tzvi says based on the kol bo that we light in shul so that the brochas make a kiddush hashem, the brocha isn't on the minog rather the minog itself.

5. A) R Shloma Kluger explains Shabbos is only a stirah when it's accepted by the entire kal like the taz's case of Shofar, however when a yachid is mekabel its not a stirah to his mitzvas hayom which can still be done with a Shiliach.

B) The taz is only by an oral kabala, not when the shabbos candles are already lit (see B"Y by kabala betoas).

C) Shabbos is only a Stirah to Shofar which on Shabbos isn't considered a maysah mitzvah at all (see rak"e), however here Shabbos is only a technical problem as it's ussur to light, not an actual stirah to this hadlaka, for on the contrary this lighting is coming for yom shabbos.

D) a person can't accept shabbos on himself as long as a chiyuv of today lays on his shoulders, however menorah may very well be a mere chovas habayis (see achronim).

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Thank you for your unique and informative podcast.

I would like to answer your first shaila in regards to the pri megadim's differentiation between Lulav and Menorah, specifically the ability to be able to make a shehechyanu on the second day in the event of neglecting to make the bracha on day one. The pri megadim says by Lulav that you cannot make a shehechyanu on the second day, however in regards to Menorah the mechaber says you can make a bracha on a later night.

I think this can potentially be answered as follows: The basic structure of the mitzvah is entirely different between lulav and menorah. The mitzvah of Lulav (outside the bais hamikdash) is really only the first day. And as a takanas chazal, we only shake the next seven days as a zecher limikdash. Therefore the second day isn't at all part of the main mitzvah of the first day, and would no longer be eligible for a shehechyanu. Menorah however is the same mitzvah on every day, with no reason to suggest one day is greater than the other. In fact, according to the mechaber's shaila, the first day might actually be less related to the mitzvah of menorah than the subsequent 7 days. Therefore, if you neglected to make a shehechyanu the first night of chanukah, it would seem intuitive that you would be able to make it on any of the following seven nights.

Thank you for taking the time to read my response. Ah frielichin Chanukah,

Eli Levin

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1- שחנוכה בכל יום שדלק הנרות בביהמ"ק נתגדל הנס מאתמול שעוד יום זה דולק, אפשר דמשו"ה בכל יום מברכין שהחחינו שבכל יום נתגדל הנס משא"כ בסוכות שבכל יום הוא אותו מצוה. או אפשר משום דבכל יום מדליקין יותר נרות אפשר לברך שהחיינו שעושה יותר מעד עכשיו משא"כ בסוכות שעושה אותו דבר בכל יום

2- אפשר משום דבחנוכה מברך כבר פעם אחד על הדלת שמחויב לא צריך לברך שני פעמים שסגי בברכה אחד לשניהם

3- החכמת שלמה מתרץ שדוקא בניסים דיחיד לא יבקש אבל על ניסים דרבים אפשר לבקש

4- הערוך השלחן מתרץ שאפשר לברך על הנרות בביה"כ או משום אורחים ורווקים שיוצאין שם או משום פרסומי ניסא

5-אפשר דבחנוכה יכול לבקש מאחר להדליק לא אומרים שאדעתא דהכי לא קיבל שבת כיון שיכול לבקש מאחר שידליק משא"כ בר"ה שכל הקהל כבר קיבל שבת

יישר כח!

Abraham Goldberger

THE CHALLENGES AND BLESSINGS OF THE  
INTERNET: TECHNOLOGY FROM AN HISTORICAL  
PERSPECTIVE

by

JACOB J. SCHACTER\*

### A. The Internet

The existence of the internet has wrought a revolution in the world in general and in the Jewish world as well. It has done so in several ways, both as a blessing and as a challenge.

The internet has made it possible for Jewish learning to flourish on a scale hitherto unimaginable. The number of websites and apps with Jewish content available at, literally, one's fingertips is staggering. The easy access that they provide to primary texts and secondary literature, *divrei Torah* and *pisqei Halakhah*, rabbis and teachers, and more, has revolutionized the study of Torah and has significantly broadened the community of learners. The internet has brought Jewish study and practice to many who would otherwise have had difficulty accessing the tradition, and it has expanded the knowledge of those who already live their lives within it.

In addition, social networking via the internet has been a real benefit to those in the Jewish community, like those in the general community, who seek human connection, medical information, professional advice, funds for worthwhile projects, and more—much more. There is no doubt that the existence of the internet has enhanced Jewish life in myriads of ways.

With the advent of the internet, a number of new halakhic questions were raised that required attention: Must a business shut down access to its website on Shabbat and *yom tov*? Can one effect ownership over an object via the internet? Can one sell *hametz* over the internet? What is the legal responsibility one assumes for spreading a virus over the internet? What issues need to be considered when downloading material—books, articles, songs—from the internet? Must one install a filter on one's computer? Is it permitted to utilize another's wireless internet connection without permission? Can one erase God's name that appears on one's computer screen? Can one fulfill the mitzvah of listening to *Havdalah* on Motzaei Shabbat, or *Megillat Esther* on Purim, by hearing them recited via Skype? Can one be counted to a minyan if connected via Skype? Can one fulfill the mitzvah of visiting the sick or comforting a mourner via Skype? Can a man betroth a woman via Skype? What if the witnesses view the betrothal via Skype? Can someone be released from a vow via Skype? Is it appropriate to adjudicate halakhic matters over the internet or via SMS? And there are more. Many, many, more.<sup>1</sup>

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<sup>1</sup> There is a large and growing body of literature raising—and addressing—these questions. See, for example, D. Lichtenstein, *Quntres ha'Internet baHalakhah* (Monsey, 2012); N. Aviv, *Ma'aseh Reshet: ha'Internet baHalakhah* (Jerusalem, 2013); A. Maimon, *Derekh ha'Atarim* (Jerusalem, 2014); A. Brueckheimer, "Halacha and Technology: Erasing G-d's Name from a Computer", *The Journal of Halacha and Contemporary Society* 45 (2003), 50-64; Y. Amsel, "Im Yotz' im Tanhumim beEmayl", *Hama'or* 71:6 (2018), 76-78; C.A. Zakutinsky, *UMeqarev beYemin* (New York, 2018), 82-86. Some of these issues are addressed in various volumes of *Tehumin* (vv.18, 20, 22, 27, 29, 31). For the debate surrounding SMS response, see A. Katz, "Darkhei Shu"t Hadashot (Telefon, Internet uMesronim)—Yitronot, Hesronot uMaskanot", *Hama'ayan* 55:2 (Tevet, 5775), 56-62; M. Zion, "'Od al Shu"t Mesronim", *Hama'ayan* 55:4 (Tammuz,

In addition, the advent of the internet has posed many challenges that are not necessarily specifically Jewish in nature but certainly are of great particular concern to the Jewish community as well.

*First, the inability to ensure the quality of posted material.* Once upon a time, manuscripts had been expensive to produce, requiring substantial financial means and great professional expertise. They, therefore, had been commissioned only if the necessary significant investment of time and money could be justified by the clear worthiness of the project being undertaken. Books, however, were different. Anyone with access to money could print whatever they wanted. As Edgar Allen Poe wrote in 1845: “The enormous multiplication of books in every branch of knowledge is one of the greatest evils of this age; since it presents one of the most serious obstacles to the acquisition of correct information by throwing in the reader’s way piles of lumber in which he must painfully grope for scraps of useful lumber.”<sup>2</sup>

And, if this was true of printing, then a fortiori, *qal vaḥomer, ben beno shel qal vaḥomer*, it is true with the internet. One can write and disseminate literally whatever one wants. Neither financial capability nor even the tiniest measure of professional or scholarly expertise is necessary. This quote from Poe is cited by Clay Shirky in his *Cognitive Surplus*, and he went on to add, “The easier it is for the average person to publish, the more average what gets published becomes.”<sup>3</sup> Shirky also notes that even printing came with costs that precluded merely mediocre books from being published in the interest of insuring economic benefit, but this consideration is simply absent in the world of the internet.<sup>4</sup> We are “being drowned in the data deluge.”<sup>5</sup>

*Second, the proliferation of error due to the permanence of postings, including even those posted innocently and inadvertently.* Errors made will be perpetuated forever and the truth about an event, a person or a text can thus be lost forever.

*Third, the ease with which one is able to embarrass others and destroy another’s reputation.* In 2010, Jeffrey Rosen published an article entitled, “The End of Forgetting”. The superscript of the article is, “Legal scholars, technologists and cyberthinkers are wrestling with the first great existential crisis of the digital age: the impossibility of erasing your posted past, starting over, moving on.” The article begins by describing an innocent posting by a graduate student which was discovered by her university’s administrators who deemed it inappropriate, resulting in very severe consequences for her. Once something is posted, it remains, somewhere, in cyberspace. “The internet records everything and forgets nothing...Every online photo, status update, Twitter post and blog entry by and about us can be stored forever.”<sup>6</sup> Anything posted lives on for all time and can come to haunt the one who posted it in multiple severe ways. The hitherto transient has now become permanent.<sup>7</sup>

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5775), 75-77. My thanks to Mr. Lawrence A. Kobrin for bringing this last source, among other ones relevant to the theme of this article, to my attention.

<sup>2</sup> See C. Shirky, *Cognitive Surplus: Creativity and Generosity in a Connected Age* (New York: Penguin Press, 2010), 47.

<sup>3</sup> C. Shirky, *Cognitive Surplus*, 47. Already at the turn of the sixteenth century, Erasmus complained about the multiplicity of books. See E. Eisenstein, *The Printing Press as an Agent of Change: Communications and Cultural Transformation in Early Modern Europe*, vol. 1 (Cambridge: Cambridge University Press, 1979), 18, n.44.

<sup>4</sup> C. Shirky, *Cognitive Surplus*, 60; idem, *Here Comes Everybody: The Power of Organizing Without Organizations* (New York: Penguin Books, 2008), 97-98.

<sup>5</sup> A. Smith Rumsey, *When We Are No More: How Digital Memory is Shaping our Future* (New York: Bloomsbury, 2016), 7.

<sup>6</sup> J. Rosen, “The End of Forgetting”, *The New York Times Magazine* (July 25, 2010), 12.

<sup>7</sup> D. Coupland, “Transience is Now Permanence,” in J. Brockman (ed.) *Is the Internet Changing the Way You Think?* (New York: Harper Perennial, 2011), 160-61. Coupland goes on to write, “At the same time, things that were supposed to be around forever (newspapers) are now transient. This is an astonishing inversion of

What is true for oneself is certainly true for others. The enormous damage caused by speaking ill of someone else, *lashon hara'*, is well known and has received much attention in general and Jewish ethical literature. Words have always been recognized as having enormous power and, when used to defame, can be deadly. Once they are uttered, they can never be recalled and the damage they can do is potentially irreparable. This is more so the case with books which reach a much larger audience and, a fortiori, *kal vahomer*, *ben beno shel kal vahomer*, it is true with the internet. Bloggers hiding behind anonymity can destroy a reputation with a click of a finger or the press of a button, and the consequences can be highly destructive. What used to be a “proximate” or geographical community has become “a virtual community”; “word of mouth” has become “word of link.” Virtually an entire world can be reached, with potentially devastating results.<sup>8</sup>

*Fourth, a waste of time.* There is much evidence that points to how exposure to the internet is distracting, drawing significant attention towards frivolous pursuits and away from more valuable and meaningful activities. Low culture predominates at the expense of exposure to socially redeeming beneficial and worthwhile information.

*Fifth, diminution of authority.* Thankfully, the old “paternalistic model”—where the client or patient passively accepts with respect whatever the expert says—is, in many cases, a reality of the past.<sup>9</sup> However, the propensity of some to go to the opposite extreme—to assert an inappropriate level of knowledge without evincing due respect for the position of a real expert—is now common. After all, people can post anything on the web and present themselves as experts on any given subject. Clients routinely walk into the office of a lawyer, or patients into the office of a doctor, and claim expertise on any given legal or medical situation as a result of research done on the internet. This argument has recently been sharply formulated in a Jewish context as follows: “Who needs a rabbi or rebbe to deliver a judgement about laws... Anyone who studied in a yeshiva can deliver a judgement or adjudicate on the basis of his own reasoning. This is especially [true] in our times where it is possible to search for and find everything on the internet, in *Otzar Online*, the Bar-Ilan Responsa Project and similar places. It is possible for everyone to consider himself a scholar and halakhic adjudicator and arbiter even on weighty matters as if he knows all of the sources and all the opinions on his own, [but, really, only] with the assistance of all the above.”<sup>10</sup>

*Sixth, the easy accessibility of inappropriate material.* Everything—pornography, heresy, and more—is easily available with no effort at all, just with the flick of a finger. This ubiquitous reality is reflected in a “Prayer for the Surfers of the Internet” that someone sent me a few years ago. While it was probably composed in jest, it contains more than a small element of truth:

תפילת הדרך לגולשים באינטרנט

May it be your will to connect us in peace,

יהי רצון מלפניך שתחברנו בשלום

time perception that I've yet to fully absorb.” See also J. Enriquez, “Immortality”, in J. Brockman (ed.) *Is the Internet Changing the Way You Think?*, 311-12; D. Halber, “Up for Grabs: The Meaning of Privacy in the Digital Age”, *Colloquy* (Harvard University Graduate School of Arts and Sciences; Summer, 2017), 20-25.

<sup>8</sup> Chapter 4 of C. Shirky's book, *Here Comes Everybody* (81-108), is entitled, “Publish, Then Filter”.

<sup>9</sup> See, for example, E.J. Emanuel and L.L. Emanuel, “Four Models of the Physician-Patient Relationship”, *Journal of the American Medical Association* 267:16 (April 22/29, 1992), 2221-26.

<sup>10</sup> R. Z. Schachter, “Kol ha'Eidah Kulam Qedoshim”, *Beit Yitzhaq* 45 (2014), 59-60. See, too, R. Schank, “Everyone is an Expert”, in J. Brockman (ed.) *Is the Internet Changing the Way You Think?*, 355-56. Tom Nichols has drawn attention to the general irrelevance of expertise in contemporary American culture. See his *The Death of Expertise: The Campaign Against Established Knowledge and Why it Matters* (New York: Oxford University Press, 2017). See also, in this volume, Yishai Ofran and Amos Israel-Vleeschhouwer, “Authority Crisis in the Era of Information Flood: A Challenge Shared by Rabbis and Physicians”.

To enable us to surf in peace and to reach the site of our desire in peace.	ותגלשנו בשלום ותגיענו לאתר הפצנו בשלום
Connect us in peace and with little expense.	ותנתקנו בשלום ובזול.
Save us from the hand of every virus and falling on the way,	ותצילנו מכף כל וירוס ונפילה בדרך
and from all sorts of sites of garbage, licentiousness and idolatry that are wont to exist in the world of the virtual.	ומכל מיני אתרי זבל פריצות ועבודה זרה המתרגשים לבוא בעולם הוירטואלי.
Send a blessing in every act of our mouse and grant us grace and mercy in the eyes of every screen.	ותשלח ברכה בכל מעשה עכברנו ותתננו לחן ולרחמים בעיני כל מסך.
Hearken unto the voice of our wallet.	ותשמע קול ארנקנו
For You are one who hears prayer and supplication.	כי שומע תפילה ותחנון אתה
And protect us from the wasting of time.	ומגננו מביטול זמן.

This multiplicity of challenges posed by the internet have resulted in a series of reactions in both the general as well as Jewish communities. These range from outright rejection and banning of the internet to various compromises such as instituting filters, as well as other attempts to limit full exposure to inappropriate online material, to begrudging acceptance of what has become a ubiquitous reality (“All my children’s friends have one. What can I do?”).<sup>11</sup>

## B. The Early Years of Printing

In thinking about the internet, I have come to realize that none of the factors I have mentioned—both the blessings and challenges—is new. In fact, they are but the latest iteration of a set of considerations that were explicitly expressed in the Jewish community beginning more than four hundred years ago, with the invention of printing or, more precisely, moveable type. Although it is manifestly obvious that there are vast differences between printing and the internet, it is nevertheless instructive to note that, at their core, the current realities pertaining to the internet have much in common with those that surfaced regarding printing over four centuries ago.<sup>12</sup>

<sup>11</sup> This issue of concern about exposure to inappropriate material is discussed in a number of articles in *Klal Perspectives* 3:1 (Fall, 2015) devoted to “Technology and the 21st Century Orthodox Community”. For other articles on the impact of the internet on the Orthodox community, with specific focus on this concern, see “Confronting the Dangers of the Internet”, *The Jewish Observer* 36:9 (November, 2003), 8-27; “The Social Media Revolution: What Does it Mean for Our Children”, *Jewish Action* 73:1 (Fall, 2012), 24-41; the articles in various volumes of *Zohar* (vv. 27, 33). See also the remarkably balanced position on this subject by Rabbi Barukh Meir Ya’aqov Shochet, the Karlin-Stolin Rebbe, available at [gye.org.il/ksbook](http://gye.org.il/ksbook). My thanks to Rabbi Moshe Shapoff and Rabbi Ronald Schwarzberg for bringing this remarkable document to my attention. See also [www.thedigitalcitizenship.com](http://www.thedigitalcitizenship.com), a resource spearheaded by Dr. Eli Shapiro.

<sup>12</sup> I have found the following articles and books particularly helpful: Y.Z. Kahana, *HaDefus baHalakhah* (Jerusalem: Mossad HaRav Kook, 1945); repr. in idem, *Mehqarim beSafrut haTeshuvot* (Jerusalem: Mossad HaRav Kook, 1973), 272-305; A. Berliner, “Hashpa’at Sifrei haDefus haRishonim al Tarbut haYehudim,” in idem, *Ketavim Nivharim*, v.2 (Jerusalem: Mossad HaRav Kook, 1949), 113-43; S. Assaf, “Am haSeifer v’haSeifer,” in idem, *Be’Oholei Ya’aqov* (Jerusalem: Mossad HaRav Kook, 1965), 1-26; E. Eisenstein, *The Printing Press as an Agent of Change: Communications and Cultural Transformation in Early Modern Europe*, 2 vols. (Cambridge: Cambridge University Press, 1979); idem, *The Printing Revolution in Early Modern Europe* (Cambridge: Cambridge University Press, 2005); M. Beit-Arié, “The Relationship Between Early Hebrew Printing and Handwritten Books: Attachment or Detachment?,” in D. Schidorsky (ed.) *Library Archives and Information Studies* (=Scripta Hierosolymitana 29) (Jerusalem, 1989), 1-2; idem, “Transmission of Texts by Scribes and Copyists: Unconscious and Critical Interferences”, *Bulletin of the John Rylands University Library of Manchester* 75:3 (1993), 35-51; Z. Gries, *The Book in the Jewish World 1700-1900* (Oxford: Littman Library of Jewish Civilization, 2007); idem, *HaSeifer keSokhen Tarbut* (Tel Aviv: Haqibbutz Hameuhad Publishing House, 2002); Z. Eleff, “Digital Discourse and the Democratization

Here, too, the advent of printing raised new halakhic questions that required attention. The key underlying issue was: Does the printed word enjoy the same level of sanctity as words written on parchment? In the technical language of the halakhic decisors, the question was—and is—Does printing have a legal status of *ketivah*, or writing, or it considered *haqiqah*, or engraving? The range of issues raised in this context were many. For example: Can one print the Divine Name, the *shem Hashem*? What are the implications of erasing a printed Divine Name? Does a printed Hebrew text require placement into “*shemot*?” Can a printed Hebrew text be brought into the bathroom? Can a printed document be used for a *seifer Torah*, for *tefillin*, for a *mezuzah*, for *Megillat Esther*, for a bill of divorce, etc.? Is there a difference between the old method of printing done by hand and the more recent electronic photo-offset method of printing? Can one use discarded printed galleys as part of the binding of books? Can one have sexual relations in a room containing printed Hebrew books? How far do copyright claims extend for a printed book? Does printing something on Shabbat or *Hol haMo'ed* violate the prohibition of “writing,” or “*ketivah*?” Can one use a siddur or other Hebrew book printed on Shabbat? Does it matter if the printer is a Gentile? Does printing a Hebrew Bible fulfill the mitzvah of writing a *seifer Torah*? What is the status of a Hebrew book printed by an apostate? Indeed, beginning shortly after the advent of printing and through today, these questions were—and are—being addressed.<sup>13</sup>

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of Jewish Learning,” <https://www.thelehrhaus.com/commentary/digital-discourse-and-the-democratization-of-jewish-learning/>; B. Kohen, “Sofo shel Aron haSefarim?”, in “HaHevrah haHareidit veba’Internet”, *Tzarikh Iyyun* (online journal) (Sivan, 5778), <https://iyun.org.il/article/תורכים-ברשת>; C. Murphy, “Before Zuckerberg, Gutenberg”, *The Atlantic* 325:1 (January-February, 2020), 22-24. Adrian Johns disputed some of Eisenstein’s central theses in his *The Nature of the Book: Print and Knowledge in the Making* (Chicago: University of Chicago Press, 1998). Also relevant is his spirited exchange with Eisenstein, introduced by Anthony Grafton, in the pages of the *American Historical Review* 107 (2002), 84-128. I am pleased to express my deep thanks to Rabbi Ari Rockoff who, in 2011, first challenged me to think about this issue. For an essay utilizing this same methodology but with an entirely different focus, see J.A. Dewar, “The Information Age and the Printing Press: Looking Backward to See Ahead”, (Santa Monica: RAND Corporation, 1998), <http://www.rand.org/pubs/papers/P8014.html>.

<sup>13</sup> See, for example, R. David Halevi, *Ta’z*, *Yoreh Dei’ah* 271:8, end; R. Binyamin Aharon Slonik, *Seifer Mas’at Binyamin* #99; R. Menahem Azaryah miFano, *She’eilot uTeshuvot Bei’urim uPeirushim* #93; *She’eilot uTeshuvot Rabbeinu Moshe Provenzalo* zz”l 1:73 (discussed in V.B. Mann and D.D. Chazin, “Printing, Patronage and Prayer: Art Historical Issues in Three Responsa”, *Images* 1 [2007], 91-97); R. Issakhar Ber Eilenberg, *She’eilot uTeshuvot Be’er Sheva* #43; R. Yair Hayyim Bakhrakh, *She’eilot uTeshuvot Hayot Ya’ir* #184; R. Yehezqel Kazenellenbogen, *She’eilot uTeshuvot Knesset Yehezqel* #37; R. Ya’aqov Reischer, *She’eilot uTeshuvot Shevut Ya’aqov* 3:10, 11; R. Ya’aqov Emden, *Mor uQezi’ah* #154, s.v. *katav bemagen avraham*; R. Zvi Hirsch Chajes, *She’eilot uTeshuvot Mohara’z (Hayot)* #11; R. Hayyim Yoseif David Azulai, *Yoseif Omez: She’eilot uTeshuvot* #16:5; R. Eliezer Flekeles, *Teshuvah Mei’Ahavah* #1:9; R. Yishmael HaKohen, *She’eilot uTeshuvot Zera Emet* #2:117; R. Yehiel Mikhel Epstein, *Arukh haShulhan, Yoreh Dei’ah* 271:39; R. Naphtali Zevi Yehudah Berlin, *She’eilot uTeshuvot Meishiv Davar* #1:80; R. David Zvi Hoffmann, *Melamed leHo’il* #2:89; R. Shalom Mordechai Schwadron, *She’eilot uTeshuvot Maharashda”m* #3:39; R. Moshe Feinstein, *Iggerot Moshe, Orach Hayyim* #2:17; R. Moshe Sternbuch, *She’eilot uTeshuvot Teshuvot veHanagot* #3:326; R. Eliezer Waldenberg, *She’eilot uTeshuvot Tzitz Eliezer* #15:7:1; 18:80; R. Ovadyah Yoseif, *She’eilot uTeshuvot Yehaveh Da’at* #6:57; idem, *She’eilot uTeshuvot Yabi’a Omer* 4 (Yoreh Dei’ah), #20, 21; R. Ya’aqov Epstein, *Hevel Nahalato*, vol. 10 (2001), 227-47; N.W. Netanel, *From Maimonides to Microsoft: The Jewish Law of Copyright since the Birth of Print* (Oxford: Oxford University Press, 2016). For a responsum on the status of a book that was photocopied, see R. Binyamin Aryeh Hakohen Weiss, *She’eilot uTeshuvot Even Yeqarah*, Mahadura Tinyana #33. It would also be, parenthetically, interesting to examine how the phenomenon of photography was dealt with by halakhists when it was first introduced. See, for example, R. Shalom Mordechai Schwadron, *She’eilot uTeshuvot Maharashda”m* #3:192, 256; #7:40, 89; J.D. Bleich, “Survey of Recent Halakhic Periodical Literature”, *Tradition* 45:2 (2012), 83-84. For background, see D. de Font-Réaulx, *Painting and Photography, 1839-1914* (Paris: Flammarion, 2012). For information about the invention and impact of the telegraph, also relevant in this context, see T. Standage, *The Victorian Internet: The Remarkable Story of the Telegraph and the Nineteenth Century’s On-line Pioneers* (New York: Bloomsbury, 1998).

But of special interest here are the issues which anticipate the kinds of questions or challenges that we have seen raised in the context of the internet.

I begin with the positive. In the colophon of the first printed tractate of the Talmud, *Berakhot*, printed in 1483-1484, R. Gabriel b. Aaron of Strasbourg referred to the invention of printing as “the work of Heaven.”<sup>14</sup> R. David Gans (1541-1613), author of the historical work *Tzemaḥ David*, took note of Johannes Gutenberg’s invention of printing in the entry for the year 1440 in the second volume of his book, and went so far as to write that “nothing as valuable as it is found in all the wisdoms and clever devices from the day that God created man on the earth.” He considered printing to be the most significant discovery ever made from the day the first human being was created!<sup>15</sup> R. Yair Ḥayyim Bakhrakh (1638-1702) noted, with satisfaction, that the advent of printing made it possible for all—“even women and minors”—to have access to the texts of the prayers.<sup>16</sup> In the nineteenth century, R. Eliezer Papo (1785-1826) waxed eloquently about the great value of printing, encouraging wealthy Jews to contribute to the publication of books because “every expenditure for a mitzvah is for a limited time, one begins the mitzvah and completes it, but one who contributes towards printing ‘his righteousness remains forever’ (*Ps.* 112:9) for generation after generation.”<sup>17</sup> There are other even more strongly positive statements asserting the great importance of printing, such as, “Were it not for printing, God forbid Torah would have been forgotten from Israel.”<sup>18</sup> To borrow from the work of Benedict

<sup>14</sup> See M.J. Heller, “And the Work, the Work of Heaven, was Performed on Shabbat”, *The Torah u-Madda Journal* 11 (2002-2003), 174; Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hadar haMeḥaber* (Jerusalem, 2017), 105-10.

<sup>15</sup> R. David Gans, *Tzemaḥ David*, vol. 2 (Warsaw, 1878), 150. This passage is cited in R. Yair Ḥayyim Bakhrakh, *She'eilot uTeshuvot Ḥavot Ya'ir* #184. See too Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hadar haMeḥaber*, 133; S.Y. Agnon, *Seifer Sofer veSippur* (Jerusalem: Schocken Press, 2000), 158; “Printing,” in G. Khan (ed.) *Encyclopedia of Hebrew Language and Linguistics*, vol. 3 (Boston: Leiden, 2013), 234; David Sclar, “History for Religious Purposes: The Writing, Publication, and Renewal of *Tzemaḥ David*”, *Zutot* 12 (2015), 20-21; R.L. Greenblatt, “‘Asot Sefarim Ein Qeitz Ḥibber’: Defus, Zikkaron, Ketivah Otobiografit uMahara’! miPrag”, in E. Reiner (ed.) *Mahara’! Aqdamot* (Jerusalem: Merkaz Zalman Shazar, 2015), 75. My thanks to Dr. Zev Eleff for bringing Agnon’s book to my attention. This is one of a handful of passages in Gans’s book considered significant enough to have been translated into English in André Neher, *Jewish Thought and the Scientific Revolution of the Sixteenth Century: David Gans (1541-1613) and his Times* (Oxford: Oxford University Press, 1986), 56. See also G. Sarton, *Six Wings: Men of Science in the Renaissance* (Cleveland: The World Publishing Company, 1996), 3, “The discovery of printing was one of the great turning-points in the history of mankind”; A. Johns, “The Coming of Print to Europe”, in L. Howsam (ed.), *The Cambridge Companion to the History of the Book* (Cambridge: Cambridge University Press, 2015), 107, “Johann Gutenberg’s innovation was the most important turning point in human history.” Johns writes that making this point was the purpose of Lucien Febvre and Henri-Jean Martin’s *l’Apparition du Livre* published in 1958. For the most recent English translation of this important book, with much relevance to issues discussed in this article, see L. Febvre and H.-J. Martin, *The Coming of the Book: The Impact of Printing, 1450-1800* (London and New York: Verso, 2010).

<sup>16</sup> *She'eilot uTeshuvot Ḥavot Ya'ir* #238.

<sup>17</sup> R. Eliezer Papo, *Pele Yo'eiz*, vol. 1 (Jerusalem, 1903), 38b-39a.

<sup>18</sup> R. Yoseif Teomim, *Pri Megadim*, introduction. See also, for example, R. Yisrael Lifshitz, *Tiferet Yisrael, M.Avot* 3:1, and the many sources cited in Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hagahot uMaghim*, 2nd ed. (Ramat Gan: Bar Ilan University Press, 2005), 217-21; idem, *Amudim beToledot haSeifer ha'Ivri: Hadar haMeḥaber*, 122, 155-59, 163-64. There are also many such comments in general literature as well. Martin Luther described printing as “God’s highest and extremist act of grace, whereby the business of the Gospel is driven forward.” This is cited in E. Eisenstein, *The Printing Press as an Agent of Change*, vol. 1, 304 (see too *ibid.*, 317, 377). In addition, see, for example, the words of Johannes Kepler written in 1606: “All by itself the art of printing alone provides ample proof that in those days men were efficient to a degree that cannot be expressed in words...Do we not today by the art of printing bring to light all the ancient writers, as many as are extant?...For my part, I believe that now at last the world is alive, and indeed is in a state of intense excitement.” This quote is cited in E. Rosen, “In Defense of Kepler”, in A.R. Lewis (ed.), *Aspects of the Renaissance: A Symposium* (Austin: University of Texas Press, 1967), 142-43. See also Johan Sleidan’s remarks in 1542, cited in E. Eisenstein, *The Printing Press as an Agent of Change*, vol. 1, 305. For a comment from 1641, see *idem*, 378.

Anderson, printing created an “imagined community,” not in the context of nationalism in which he uses the term, but in the context of a broad community of learning or wisdom.<sup>19</sup> A new community of learners was created. More people were able to learn, and learn more deeply, than ever before in Jewish history.

But many voices were raised expressing great concern about the ramifications of the “move from the copyist’s desk to the printer’s workshop”, the “shift from pen to press” or “from script to print.”<sup>20</sup> These were the same concerns that we have seen raised centuries later in connection with the internet.

*First, the inability to ensure the quality of printed material.* Already in the middle of the sixteenth century voices in the Jewish community bemoaned the fact that, since the advent of printing, “every person arrogates unto himself the authority (lit. “assumes the crown for himself, *notel atarah leatzmo*”) to compose books...saying...that my name should be inscribed with an iron stylus and lead” (*Job 19:24*)” and some described such individuals as “the rabble who cultivated a craving (*Num. 11:4*) to make for themselves a name (cf. *Gen. 11:4*).”<sup>21</sup> In 1587, the rabbinic leadership in Ferrara, Italy, expressed concern over the fact that “we have already seen people from our generation who composed and printed books that need to be discarded or thrown into fire, the books and their authors, because they are not proper (*delo kehilkheta ninhu*). Not everyone who wishes to assume a [good] name may take it (*Ber. 16b*), unless he is acknowledged as being able to grant rulings in Israel.”<sup>22</sup>

The most well-known and oft cited source for this sentiment is a statement made by R. Yoseif Shlomoh Delmedigo (1591-1655). He noted that, in earlier times, manuscripts were extremely costly to write and, as a result, only those with worthwhile content were produced and those deemed to be unworthy simply disappeared. But now printing changed this. In a play on words in a verse in the *Esther* (8:17), “*rabim mei’amei haaretz mityahadim*, many of the people of the land professed to be Jews”, he wrote, “*rabim mei’amei haaretz mityaharim*, many ignorant people become boastful”. And, he continued, in a desire to become famous, they “make crooked that which is straight” by publishing books that feature introductions in which they are described by exaggerated and undeserved honorific titles. He even went so far as to write that “the business of printing perverted Torah (*melekhet hadefus qilqeil haTorah*).”<sup>23</sup> Later, in 1786, a proclamation was

<sup>19</sup> B.R.O’G. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983; rev. ed., 1991). My thanks to Dr. Mark Lichbach for bringing this work to my attention.

<sup>20</sup> For these formulations, see E. Eisenstein, *The Printing Press as an Agent of Change*, vol. 1, 3, 317, 325, 327, 389, 431, 433.

<sup>21</sup> See R. Eliyahu Menahem Halfon’s introduction to the *Beit Yoseif* of R. Yoseif Qaro, printed in the Venice, 1551 edition of that work, cited in M. Benayahu, *Haskamah uReshut biDefusei Venetzyah* (Jerusalem: Makhon Ben Zvi and Mossad HaRav Kook, 1971), 83 n.2. My thanks to Dr. Jeremy Brown for bringing this book to my attention. See also Y.S. Spiegel, *Amudim beToledot haSeifer ha’Ivri: Hadar haMehaber*, 126-27.

<sup>22</sup> This is cited in M. Benayahu, *Haskamah uReshut biDefusei Venetzyah*, 94. For more on this enactment, see below. For other examples, see *ibid.*, 95 n.2 (from Amsterdam, 1662) and 125 n.3 (from Frankfurt, 1681).

<sup>23</sup> See R. Y.S. Delmedigo, *Novelot Hokhmah* (Basilea, 1631; repr. Brooklyn, 1993), introduction, n.p., 13. R. Delmedigo’s harsh negative assessment was cited by R. Yonah Landsofer, *She’eilot uTeshuvot Me’il Tzedaqah* (Prague, 1757), introduction n.p., 5, s.v. “*umah yashru*”; R. Eliezer Flekeles, *Teshuvah mei’Ahavah #2:259*, beginning. Delmedigo’s assessment was so influential that R. Flekeles elsewhere felt the need to argue that Delmedigo only meant to demean the publications of those authors who were unlearned but did mean it as a general indictment against any printed books. See R. E. Flekeles, *Teshuvah mei’Ahavah*, vol. 1, “*Haqdamah Sheniyah*,” beginning. See also S.Y. Agnon, *Seifer Sofer veSippur*, p. 158; M. Benayahu, *Haskamah uReshut biDefusei Venetzyah*, 96 n.1; Y.S. Spiegel, *Amudim beToledot haSeifer ha’Ivri: Hagahot uMagihim*, 300; *idem*, *Amudim beToledot haSeifer ha’Ivri: Hadar haMehaber*, 138-39, 155-56; J. Teplitsky, *Prince of the Press* (New Haven: Yale University Press, 2019), 133. This sentiment is reminiscent of that expressed by Martin Luther who was cited earlier (*Supra* n.19) as praising printing. In 1569 he observed,

issued in Prague at the behest of its then Chief Rabbi, R. Yehezqel Landau, who viewed with grave concern the proliferation of what he considered to be unworthy and misleading books. In his proclamation, he banned anyone under the age of forty from publishing commentaries on the Talmud or their own halakhic rulings.<sup>24</sup>

*Second, the proliferation of error due to the permanence of print.* R. Menahem b. Aaron Ibn Zerah (d. 1385) noted that, originally—prior to R. Judah the Prince's redaction of the *Mishnah*—teachings were deliberately not committed to writing to insure that people not be able to copy these texts erroneously.<sup>25</sup> And the problem he described regarding written manuscripts was only magnified many times over with the advent of printing. The challenge became particularly acute when prohibitions were established against hiring Jewish typesetters. Under this new arrangement, non-Jews set the type and then Jewish “correctors” would review their work for accuracy. It often occurred, however, that the non-Jews did their work late Friday afternoon or on Shabbat and the book went to press without the benefit of Jewish oversight, often resulting in errors that were too late to be corrected. There is evidence that this, indeed, occurred dozens of times in the sixteenth century.<sup>26</sup>

Worse, as R. Shmuel Eidels (Maharsha; 1555-1631) noted, individuals' incorrect and irresponsible emendation of texts were now becoming entrenched by being replicated many times in printed works. Before printing, an individual who did not understand a given passage in the Talmud, Rashi or Tosafot might assume that the text must be corrupt and would go ahead and “correct” it in the margin of the text he was using. Now, a printer will see the “correction” and, thinking that it is authoritative, will substitute it for the original version. However, the reality is that the first reader erred and the original text was correct. But, because the passage was now committed to print, it will be corrupted forever.<sup>27</sup> True, the opposition on the part of a number of scholars to making any corrections in a text began already in the days of the manuscript, but those voices only became stronger after the advent of printing.<sup>28</sup>

*Third, the ease with which one is able to embarrass others and destroy another's reputation.* In 1619, the responsa collection of R. Meir of Lublin (1558-1616) was published in Venice. One responsum addressed an Italian matter that was brought to R. Meir's attention. A bitter controversy in the community of Mantua between a R. Asher Grasio and a R. Raphael Zividal had resulted in personal besmirching and slandering.

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“The multitude of books is a great evil. There is no measure of limit to this fever for writing: everyone must be an author; some out of vanity, to acquire celebrity and raise up a name; others for the sake of mere gain.” See C. Shirky, *Cognitive Surplus*, p. 47.

<sup>24</sup> His ruling is cited by his student, Rabbi Eliezer Flekeles, in his *Teshuvah mei'Ahavah* #3:375 (Prague, 1821, 50a). My thanks to R. Ari Zivitsky for bringing this source to my attention. See also R. Ovadya Yoseif, *She'eilot uTeshuvot Yabi'a Omer*, vol. 4 (*Hoshen Mishpat*), #1, for an extensive analysis of this issue. In the course of his discussion there, he cites this proclamation. See 467. See too N. Abrahams, “Ma'amar Darkhei haHora'ah”, *Hama'or* 72:5 (2019), 147-50; *idem*, “Ma'amar Darkhei haHora'ah, Heleq Bet”, 82-83.

<sup>25</sup> R. Menahem Ibn Zerah, *Tzeidah laDerekh* (Warsaw, 1880), introduction, 2b.

<sup>26</sup> See M.J. Heller, “And the Work, the Work of Heaven, was Performed on Shabbat”, 174-85, and the references noted there, 183 n.5. See also Shmuel ibn Dysus, editor of *Sefer Keter Shem Tov* by R. Shem Tov Melamed (Venice, 1596), 136b; S.H. Kook, *Iyunim uMehqarim*, vol. 2 (Jerusalem, 1963), 374.

<sup>27</sup> R. Shmuel Eidels, Introduction to *Hiddushei Aggadot* of Maharsha, *Berakhot*. R. Hayyim Yoseif David Azulai referred to this passage of the Maharsha in his *Birkei Yoseif*, *Yoreh Dei'ah* 279:3. See also Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hagahot uMagihim*, 322. For other sources, see Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hadar haMehaber*, 147-52.

<sup>28</sup> See the sources cited in Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hagahot uMagihim*, 249-83. At the beginning of the sixteenth century, Fernando de Rojas complained that printers consciously made changes in the text of his work, against his will. See R. Chartier, “Texts, Printing, Readings”, in L. Hunt (ed.), *The New Cultural History* (Berkeley: University of California Press, 1989), 160-61. For another example, from 1515, see E. Eisenstein, *The Printing Press as an Agent of Change*, vol. 1, 347.

When rabbis from Venice sided with R. Zividal, R. Grasio disparaged them. A group of prominent rabbis ruled that he be stripped of his rabbinic title until he pacifies his opponent as well as their Venetian colleagues. They were joined by R. Meir who expressed in this responsum harsh words against R. Grasio and ruled that he be punished until he admits his wrongdoing.<sup>29</sup> Shortly after the publication of R. Meir's responsa, R. Grasio's children appealed to Venice's rabbinic authorities to remove these negative words from the book. They argued that R. Meir's perspective was one sided and did not include other, more favorable, assessments of their father and, moreover, why perpetuate a controversy when both protagonists are no longer alive? The Venetian authorities ruled in their favor. They tried to correct the damage by requiring that the volume including the offending page be reprinted without it and that owners of the current version of the book replace their copies of the offending page with a new one. They added that if, in the future, someone was to discover that he had a copy of the original version of the book with the offensive passage, that page was to be burnt.<sup>30</sup>

R. Ya'ir Hayyim Bakhrakh adopted a proactive solution to this problem of potential public embarrassment. In the introduction to his collection of responsa, *Havot Ya'ir*, he explained why he tended to omit identifying names or places of residence of contemporary scholars with whom he disagreed. He noted that if such an individual were still alive, "may God lengthen his days and years", he might be embarrassed by everyone finding out that "a lion" like him turned to R. Bakhrakh, only "a fox", for guidance. In addition, that individual might be upset by R. Bakhrakh's clear refutation of his position. The public nature of committing something to print could potentially be embarrassing and, therefore, he wrote, should be avoided. The dangerous power of the printed word was recognized and acknowledged.<sup>31</sup>

Furthermore, R. Moses Isserles noted in one of his responsa that putting *lashon hara'* in writing is more egregious than verbally stating it.<sup>32</sup> Reputations are more likely to be ruined the greater the number of people exposed to pejorative information about that person. And if this is true about writing, it is surely true when the damaging information is published in the more authoritative and lasting medium of print.<sup>33</sup>

*Fourth, a waste of time.* The 1587 Ferrara enactment cited earlier bemoaned the fact that the easy accessibility of mediocre books pushed more meaningful, substantive and worthwhile works, "full of wisdom and knowledge", to the margins. People spent their

<sup>29</sup> See *Seifer She'eilot uTeshuvot Maharam Lublin* #13. For a description of this responsum, and the event that precipitated this controversy, see D. Fränkel, "Diquduqei Sefarim", *Alim leBibliografiah veQorot Yisrael* 4 (1935), 112-14; I. Rivkind, "Diquduqei-Sefarim", in *Seifer HaYovel Likhvod Aleksander Marx* (New York: The Jewish Theological Seminary of America, 1950), 427-28. See there for a facsimile of these few lines.

<sup>30</sup> See J.A. Modena, *She'eilot uTeshuvot Ziqnei Yehudah*, S. Simonsohn (ed.) (Jerusalem: Mossad HaRav Kook, 1956), 44-45, #28; Y. Boksenboim (ed.), *Iggerot Rabi Yehudah Aryeh MiModena* (Tel Aviv: Daf Hhen Press, 1984), 255-60 (see 33 for the background of this controversy). In fact, in subsequent printed editions of his responsa (I examined those printed in Warsaw, 1881; in Brooklyn, 1961; and in Jerusalem, 1997) this responsum appears without this passage. In each of these cases, the type was reset to allow for the original pagination to remain intact and unchanged. See too M. Benayahu, *Haskamah uReshut biDefusei Veneziyah*, 79 n.3.

<sup>31</sup> R. Ya'ir Hayyim Bakhrakh, *She'eilot uTeshuvot Havot Ya'ir*, introduction; cited in Y.S. Spiegel, *Amudim beToledot haSeifer halvri: Hadar haMehaber*, 153-54. Spiegel there notes other examples where this consideration is expressed by some after the fact, either themselves regretting having printed the names of individuals about whom they were critical or finding fault with others for having done so.

<sup>32</sup> R. Moshe Isserles, *She'eilot uTeshuvot Ram"i* #11 (A. Ziv, [ed.] [Jerusalem, 1971], 55). This ruling is cited by R. Shalom Mordechai Schwadron, *She'eilot uTeshuvot Maharashda"m* #7:93.

<sup>33</sup> See R. N. Hoffner, *Taharat haLashon vohaNefesh* (Tel Aviv: Mossad Eliezer Hoffner, 1992), 47. My thanks to Rabbi Joshua Flug for bringing this reference to my attention.

time with frivolous pursuits rather than with books that could bring them much benefit.<sup>34</sup>

*Fifth, diminution of authority.* Until the invention of printing, the learned elite enjoyed a virtually exclusive monopoly on knowledge and its dissemination. Now, the relatively easy accessibility and availability of the printed text undermined their hitherto exalted status. Social and intellectual hierarchies were disrupted by new forms of access to knowledge now available to many.

Admittedly, this kind of a complaint has a long history. In early rabbinic Jewish culture, primacy of place was reserved for knowledge transmitted orally (*Torah shebe' al peh*), so much so that one was enjoined from committing it to writing (*Gitt.* 60b). Even after the oral tradition was written, the preferred mode of imparting wisdom was still to do so in a direct unmediated way, from teacher to student. In fact, this mode of instruction characterized the practice in the Babylonian academies headed by the geonim. Such a personal encounter between master and disciple became unsustainable, however, with the dispersion of Jews across areas of the Middle East, North Africa and the Iberian Peninsula in the aftermath of the Muslim conquests and with the later emergence of Ashkenazi Jewry in Germany. The text now replaced the teacher as the source of knowledge; anyone with access to the text could now claim the mantle of rabbinic authority that hitherto had been the sole prerogative of a limited rabbinic elite.<sup>35</sup>

This shift—from knowledge gained through close proximity to a teacher to knowledge gained from a text—became highly intensified with the advent of printing. By making it possible for the book to become the primary source of Torah knowledge on an unprecedented level, the primary role of the teacher became seriously undermined and threatened. The printed book, now relatively easily available to large numbers of people, could—and did—take the place of the teacher or head of the yeshivah, who had, until that point, still enjoyed prominence in the process of the transmission of Torah wisdom. Traditional categories of appropriate sources of Torah knowledge (personal study in the yeshivah and learning from its head) collapsed as a new community of learners was created consisting of those who now had unfettered access to the knowledge contained in newly printed books, independent of a teacher and outside the framework of any traditional Torah institution.

Moshe Rosman described this well:

Groups formerly unassociated with book culture, such as artisans, merchants, women, and children, constituted new audiences. Rather than acquire only such knowledge as the clergy or the teachers decided to impart, they could now study on their own and believed that they had the right to do so. Many were threatened by the fact that the elitist nature hitherto inherent in the oral transmission of Torah knowledge was being undermined and threatened by the written text.

As Rosman went on to describe, this new reality carried implications:

This new state of affairs altered the relationship between knowledge and authority. Formerly, the transmitter of knowledge had nearly complete control over it. Only he had the book; he conveyed its contents by way of an oral interpretation that was automatically authoritative to his listeners... Yet once people could read the books for themselves, they could

<sup>34</sup> See M. Benayahu, *Haskamah uReshut biDefusei Venetzyah*, 95-96.

<sup>35</sup> This was addressed by Elli Fischer at the paper he delivered at the conference that served as the basis for the essays in this volume.

listen to interpretation critically. The authority of the teacher was no longer guaranteed. In fact, the necessity for a teacher was reduced. A person's encounter with the wisdom of the past could be direct, without an intermediary. Knowledge would not be reserved by an elite for itself. People could choose whether to learn, what they wanted to learn, and how they wanted to learn it.<sup>36</sup>

Johannes Pederson noted that the Muslims solved this problem by simply outlawing printing, pointing to the fact that the earliest books in Arabic were not printed in Muslim countries but in Italy.<sup>37</sup> But Jews, however, did not outlaw printing and, therefore, had to confront this issue.

A clear example of a work that threatened the special status of the rabbinic elite was the *Shulḥan Arukh* written by R. Joseph Qaro and first published in Venice in 1564-1565. R. Qaro's earlier work, his *Beit Yoseif* commentary on the *Turim* of R. Jacob b. R. Asher first published in 1550, to wide acclaim, had already aroused criticism. R. Shlomoh Luria had complained that "through it, small (*qetanim*) and large (*gedolim*), young (*ne'arim*) and elderly (*zeqenim*) were equalized."<sup>38</sup> The criticism was raised to a new level, however, with the publication of the *Shulḥan Arukh* in 1564-1565 and with the joint publication of both the text of the *Shulḥan Arukh* and the comments of R. Moshe Isserles in 1570-1571. While both versions of the text merited almost immediate widespread acceptance,<sup>39</sup> they also engendered much opposition. In his introduction, R. Qaro stated that he composed the *Shulḥan Arukh* "so that 'the perfect Torah of the Lord' (*Ps. 19:8*) should be fluent in the mouth of every Jew (*shegurah befi kol ish yisrael*)," which led some to believe that he was clearly indicating that his intended audience was laymen and not the rabbinic elite.<sup>40</sup> Indeed, the *Shulḥan Arukh*, with the comments of R. Moses Isserles, was widely adopted by laymen to circumvent extensive study and to obviate the need to consult with the rabbinic elite. R. Shmuel Eidels, among others, sharply disapproved of this work because it enabled non-scholars to base their rulings on it "and, behold, they do not know the reason for every matter." He condemned them as "evildoers (*mevalei olam*)" and concluded that "one should scold them (*veyeish lig'or bahen*)."<sup>41</sup> R. Judah Aryeh Modena

<sup>36</sup> M. Rosman, "Innovative Tradition: Jewish Culture in the Polish-Lithuanian Commonwealth", in D. Biale (ed.) *Cultures of the Jews: A New History* (New York: Schocken Books, 2002), 530-32.

<sup>37</sup> J. Pederson, *The Arabic Book* (Princeton: Princeton University Press, 1984), 131-34. See also M. Eliav-Feldon, *Mahapekhat haDefus* (Jerusalem, Misrad haBitahon, 2000), 66-67. For a comprehensive analysis of this issue, see K.A. Schwartz, "Did Ottoman Sultans Ban Print?", *Book History* 20 (2017), 1-39.

<sup>38</sup> R. Shlomoh Luria, second introduction, *Yam shel Shlomoh, Hullin* (Offenbach, 1718). For further evidence for the acceptance of, as well as opposition to, this work on a number of different grounds, see B. Landau, "LeToledot Maran Rabi Yoseif Qaro," in Y. Refael (ed.), *Rabi Yoseif Qaro* (Jerusalem: Mossad HaRav Kook, 1969), 32-34.

<sup>39</sup> Within a very short period of time, the *Shulḥan Arukh* was printed nine times in Venice (from 1564-1565 to 1597-1598) and once in Salonika (1567-1568), the first four in the lifetime of its author. Additionally, it was printed eight times together with Rabbi Isserles's comments between 1570-1571 and 1632, seven times in Cracow and once in Venice. See N. Ben-Menaḥem, "HaDefusim haRishonim shel ha'Shulḥan Arukh'," in Y. Refael (ed.), *Rabi Yoseif Qaro*, 101.

<sup>40</sup> R. Mal'akhi b. Ya'aqov haKohen, *Yad Mal'akhi*, "Kelalei haShulḥan Arukh", #2 (Jerusalem, 1976), 196b, cites this position in the name of Rabbi Yom Tov Tzahalon (*She'eilot uTeshuvot Yom Tov Tzahalon* #67) and disagrees, claiming that it was also written for scholars. See also R. Ḥayyim Yoseif David Azulai, *Sheim haGedolim, Ma'arekhet Sefarim*, "Shulḥan Arukh." On this, see H. Tchernowitz, *Toledot HaPoseqim*, vol. 3 (New York: The Shoulson Press, 1947), 25-28; M. Fogelman, "Piskei Halakhot ad le'Shulḥan Arukh'", in Y. Refael (ed.), *Rabi Yoseif Qaro*, 126. One should note that the very next words after those cited here are, "for when one asks a scholar (*talmid hakam*) [regarding] a matter of Jewish law he will not hesitate." There is an ambiguity here; the sentence begins with "*kol ish yisrael*" and continues with "*talmid hakam*."

<sup>41</sup> R. Shmuel Eidels, *Maharsha, Hiddushei Halakhot, Sotah* 22a, s.v. *yeira*. For a response to this critique of the Maharsha, see *Pithei Teshuvah, Yoreh Dei'ah* 242:8.

recorded even more glaringly that, “After the printing of the *Shulhan Arukh*, my ears heard an ignoramus (*am ha'aretz*) . . . say: ‘When I have the *Shulhan Arukh* under my arms I do not need any one of you rabbis.’”<sup>42</sup>

Elchanan Reiner has also drawn repeated attention to R. Hayyim b. Betzalel’s introduction to his *Vikuah Mayyim Hayyim* where that author levels this critique overtly at the *Torat Hatat* of R. Moshe Isserles and, more obliquely but quite clearly, at the entire enterprise of codification itself.<sup>43</sup>

Less confrontationally, customs of public study from a community’s scholar were significantly curtailed. For example, in the course of discussing the dual obligation to study the laws of a holiday starting thirty days before its arrival as well as on the holiday itself, R. Shneur Zalman of Lyady (1745-1812) noted, twice, that the scholar no longer expounds upon those laws either prior to or on the holiday itself “because everything is written in a book.”<sup>44</sup> The scholar has lost his special status. The text, and not the teacher, is now the ultimate authority. Knowledge has become “democratized” and anyone now could become a rabbinic decisor; “The householder [has been transformed] into a priest.”<sup>45</sup>

In short, before the spread of printed codes, the recognized rabbinic decisor enjoyed an exclusive status as a member of the small rabbinic elite. Only he and his colleagues had

<sup>42</sup> R. Yehudah Aryeh Modena, *Ari Noheim* (Jerusalem: Eretz Yisrael, 1929), 51. For this statement in the context of Modena’s thought, see Y. Dweck, *The Scandal of Kabbalah* (Princeton: Princeton University Press, 2011), 55-56. Dweck notes there that no fewer than eighteen editions of the *Shulhan Arukh* were in print by the time these words were written. For this sentiment, see also R. Ya’aqov Emden, *Mor uQetzi’ah* #178. For more on the impact of the *Shulhan Arukh*, see Y.M. Toledano, “Matay uveEilu Meqomot Nitqabel ha-Sh”A leHalakha Pesuqah?”, in Y. Refael (ed.), *Rabi Yosief Qaro*, 184-88; Y. Faur, “Yahas Hakhmei haSefardim leSamkhat Maran kePoseiq,” in Y. Refael (ed.), *Rabi Yoseif Qaro*, 181-97; Joseph Davis, “The Reception of the Shulhan ‘Arukh and the Formation of Ashkenazic Jewish Identity”, *AJS Review* 26:2 (2002), 251-76. The entire volume three of H. Tchernowitz, *Toledot HaPoseqim*, is devoted to this issue. For a later, nineteenth century example, see the comment reported in the name of Rabbi Hayyim of Volozhin who is said to have refused to provide an approbation to the code entitled *Hayei Adam* because the book would result in the diminution of honor due Torah scholars due to the fact that everyone will fancy themselves an expert in Jewish law. See M.S. Shmukler (Shapira), *Toledot Rabbeinu Hayyim miVolozhin* (Jerusalem, 1968), 60.

<sup>43</sup> E. Reiner, “Temurot veYeshivot Polin veAshkenaz beMei’ot ha-16 ha-17 vebaVikuah al haPilpul,” in Yisrael Bartal et al. (eds.), *KeMinhag Ashkenaz uPolin: Seifer Yoveil leHone Shmeruk* (Jerusalem: Merkaz Zalman Shazar, 1993), 46; *idem*, “The Ashkenazi Élite”; *idem*, “Aliyat ‘haQehillah haGedolah,” esp. 17-23. For other references to R. Hayyim b. Betzalel’s critique, see H. Tchernowitz, *Toledot HaPoseqim*, vol. 3, 91-100 (Tchernowitz attributes the fact that the book was only republished twice, and each time minus the introduction, to the fact that R. Hayyim’s critique was considered to be too harsh); I. (E.) Zimmer, *Rabi Hayyim beR. Betzaleil miFridberg* (Jerusalem: Mossad haRav Kook, 1987), 82-83; *idem*, *Gahalatan shel Hakhamim* (Jerusalem: Ben Gurion University Press, 1999), 210-13, 307-17. See also Joseph Davis, “The Reception of the Shulhan ‘Arukh”, 264.

<sup>44</sup> R. Shnayer Zalman of Lyady, *Shulhan Arukh HaRav, Hil. Pesah* 429:3, 4. Similarly, R. Moshe Shternbuch notes that for the same reason people tended to be lenient in fulfilling the obligation to visit their teacher on a holiday. He would, in any case, not be expounding on the laws of the holiday, wrote Rabbi Shternbuch, “because there are many books.” See his *She’eilot uTeshuvot Teshuvot veHanahagot*, vol. 2 (Jerusalem, 1994), 272, #322. See too R.P. Zevihi, *She’eilot uTeshuvot Ateret Paz*, part 1, vol. 3 (Jerusalem, 1998), 612-13; repr. in *idem*, *Qintres Mizvat Qabbalat Penei Rabo baRegel* (Jerusalem, 2001), 61.

<sup>45</sup> For this last phrase, see E. Eisenstein, *The Printing Press as an Agent of Change*, vol. 1, 427. See also S. Yahalom, “Historical Background to Nahmanides’ Acre Sermon for Rosh Hashanah: The Strengthening of the Catalonian Center”, *Sefarad* 68:2 (2008), 9; T. Turán, “Terse Analogical Reasoning in Responsa Literature: Four Medieval Examples”, in V. Bányai and S.R. Komoróczy (eds.), *Studies in Responsa Literature* (Budapest: Center of Jewish Studies, 2011), 37-38. See also R. Moshe Isserles, *She’eilot uTeshuvot Ram”a* #24, end; D.B. Ruderman, *Early Modern Jewry: A New Cultural History* (Princeton: Princeton University Press, 2010), 99-105. For this phenomenon in Christian culture, see E. Eisenstein, *The Printing Press as an Agent of Change*, vol. 1, 305; C. Shirky, *Cognitive Surplus*, 189; E. Reiner, “‘Ein Tzarikh Shum Yehudi Lilmod Davar Raq haTalmud Levado’: Al Limud veTokhnei Limud beAshkenaz Bimei haSeifer haRishonim”, in A.(R.) Reiner et al. (eds.), *Ta Shema: Mehqarim beMada’ei haYahadut leZikhro shel Yisrael M’ Ta-Shema*, vol. 2 (Alon Shevut: Hotza’at Tevunot, 2012), 738.

the authority to determine Jewish law. With the spread of the printed book, however, this exclusivity was undermined and destroyed.

There is one specific context where this challenge had practical consequences. In premodern times, a special category of scholars who were distinguished by their deep and wide-ranging knowledge gained by a lifetime of study (“*talmidei hakhamim*”) were granted certain privileges like exemption from taxes.<sup>46</sup> Now, however, with the advent of printing, R. Yehezqeil Katzenellenbogen (d. 1749) ruled that this special category of scholar had disappeared because, now, many—even mediocre scholars—had the ability to read a book and demonstrate knowledge and expertise. As a result, the practice became that only universally acknowledged scholars whose wisdom was recognized by all could, from here on, benefit from this prerogative.<sup>47</sup>

*Sixth, the easy accessibility of inappropriate material.* Rabbis recognized early on this serious danger posed by the new development of printing. Already in Salonika in 1529, some thirty years after the establishment of the first printing press in that city, the rabbinic leadership there took steps to curb what they had already begun to experience as a challenge to traditional Jewish life. Having seen that the printers “published a number of things that were not appropriate to print”, they resolved not to allow any Jew to print anything at all without the permission of six rabbis (*talmidei hakhamim marbitzei Torah*), and placed whoever would transgress their enactment—both printer and purchaser—under the ban.<sup>48</sup> Although it does not appear that this rabbinic ordinance had an impact, it indicates that this matter was of deep concern to rabbinic authorities. This concern is also further indicated by the fact that similar ordinances were repeatedly promulgated by the authorities in Ferrara (1554 and 1587), by the Council of the Four Lands (1594), and by the leadership of the Frankfurt community and the nearby cities of Worms, Mainz, Fulda, and Friedberg, among others (1603).<sup>49</sup> For our discussion of the challenges of the internet, it is parenthetically worthwhile to note that, unlike the Salonika ordinance, the first Ferrara ordinance did not explicitly include books that had already been printed. It appears that they acknowledged that once a book had been published and circulated, the chance that it

<sup>46</sup> See *Shulhan Arukh, Yoreh Dei'ah* #243. This exemption has a long history. See, for example, Y. Ta-Shema, “*Al Petur Talmidei Hakhamim miMisim be-Yemei haBeinayim*”, *Iyyunim beSifrut Hazal beMiqra ubeToledot Yisrael Muqdash leProfesor Ezra Tzion Melamed* (Ramat Gan: Bar Ilan University Press, 1982), 312-22; Y. Hacker, “*Petur Talmidei Hakhamim miMisim beMei'ah haShesh Esreh*”, *Shalem* 4 (1984), 63-117; R. Bonfil, *HaRabbanut beTalyah beTequfat haRenisans* (Jerusalem: Magnes Press, 1979), 55-56, 229-34; B. Septimus, “*Kings, Angels or Beggars: Tax Law and Spirituality in a Hispano-Jewish Responsum*”, *Studies in Medieval Jewish Literature* 2 (1984), 309-35; B. Rosensweig, “*Taxation in the Late Middle Ages in Germany and Austria*”, *Diné Israel* 12 (1984-1985), 87-89; H. Gefen, “*Ha'im Yeish 'Talmid Hakham' beZmaneinu?*”, *Shma'atin* 172-173 (2008), 101-02.

<sup>47</sup> R. Y. Katzenellenbogen, *She'eilot uTeshuvot Knesset Yehezqeil* #95. This responsum is cited in *Pithei Teshuvah, Yoreh Dei'ah* #343:3.

<sup>48</sup> A. Danon, “*Les Communauté Juive de Salonique au XVI<sup>e</sup> Siècle*”, *REJ* 41 (1900), 264, no.23; M. Benayahu, *Haskamah uReshut biDefusei Venetzyah*, 72-73; Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hadar haMehaber*, 138.

<sup>49</sup> For the Ferrara 1554 enactment, see L. Finkelstein, *Jewish Self-Government in the Middle Ages* (New York: The Jewish Theological Seminary of America, 1924; repr. New York: Phillip Feldheim, Inc., 1964), 300-01, 304; M. Benayahu, *Haskamah uReshut biDefusei Venetzyah*, 80-81. For the Ferrara 1587 enactment, see M. Benayahu, *Haskamah uReshut biDefusei Venetzyah*, 92-95. For the 1594 enactment by the Council of the Four Lands, see I. Halperin, *Pinqas Va'ad Arba Aratzot*, vol. 1, I. Bartal (ed.) (Jerusalem: Mossad Bialik, 1990), 7, nos.16-17. For the 1603 Frankfurt enactment, see M. Horowitz, *Frankfurter Rabbinen* (repr. Kfar Haroeh: Ahuva Co-op Press, 1969), 40-42, 277-78; idem., *Rabbanei Frankfurt* (Jerusalem: Mossad HaRav Kook, 1972), 29-31, 196; L. Finkelstein, *Jewish Self-Government in the Middle Ages*, 80, 263; M. Benayahu, *Haskamah uReshut biDefusei Venetzyah*, 125; B.E. Klein, “*The 1603 Assembly in Frankfurt: Prehistory, Ordinances, Effects*”, *Jewish Culture and History* 10:2-3 (2008), 111-24; J. Teplitsky, *Prince of the Press*, 164. For a discussion of all of these enactments, see J.R. Hacker, “*Sixteenth-Century Jewish Internal Censorship of Hebrew Books*,” in J.R. Hacker and A. Shear (eds.), *The Hebrew Book in Early Modern Italy* (Philadelphia: University of Pennsylvania Press, 2011), 110-14.

could be recalled was minimal. Finally, it is also interesting to note that the Ferrara 1587 enactment was the first one to explicitly include women among those who would be enjoined from purchasing these books.

There are many more references to the concern that printing was making inappropriate material more accessible. A famous example is the controversy that raged around the printing of Azariah de Rossi's *Me'or Einayim* which was completed in 1575. Some of the most prominent rabbinic authorities of that time were deeply upset by what they considered to be de Rossi's unacceptable non-literal interpretations of various talmudic and midrashic stories (*aggadot*) and by his challenging the validity of the traditional rabbinic chronology for dating the creation of the world. As a result, a series of *herem* proclamations were promulgated against the book in a number of Italian cities and even as far afield as Safed.<sup>50</sup>

Elchanan Reiner has pointed out that printing raised the possibility that even worthwhile books would be rendered inappropriate when made too widely available. He drew attention to books that were printed primarily in Italy in the first half of the sixteenth century which began to appear in the Ashkenazi world a few decades later. This expanded the kinds of texts that had hitherto constituted the traditional canon of study in the Ashkenazi *yeshivot*. This new reality aroused great consternation and concern among parts of the then rabbinic elite. Some welcomed the exposure to this new material, like Maimonides's *Guide for the Perplexed* which was first printed in Venice in 1551, and other philosophical works. But others were deeply disturbed by, and railed against, their easy accessibility.<sup>51</sup> In their eyes, the boundaries of the traditional rabbinic canon were being inappropriately and dangerously broadened.

This matter was addressed most comprehensively in the context of the first printing and resultant dissemination of the *Zohar* and other esoteric works in Italy in 1558-1560.<sup>52</sup> A huge controversy erupted with many, at that time and later, expressing grave concerns that material best left private was being brought indiscriminately, and inappropriately, into the public domain.<sup>53</sup> This objection was later extended, in the middle of the seventeenth

<sup>50</sup> For descriptions of this controversy, see M. Benayahu, "*Ha-Polmus 'al Seifer Me'or Einayim le-Rabi Azariah min ha'Adumim*", *Asufot* 5 (1991), 223-37; R. Bonfil, "Some Reflections on the Place of Azariah de Rossi's *Meor Enayim* in the Cultural Milieu of Italian Renaissance Jewry", in B.D. Cooperman (ed.), *Jewish Thought in the Sixteenth Century* (Cambridge: Harvard University Press, 1983), 25-31; *idem*, "Mavo", *Kitvei Azariah min ha'Adumim* (Jerusalem: Mossad Bialik, 1991), 96-119; J. Weinberg, *The Light of the Eyes: Azariah de' Rossi* (New Haven: Yale University Press, 2001), xlii-xliv. See too J.R. Hacker, "Sixteenth-Century Jewish Internal Censorship of Hebrew Books", 116-17; Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hadar haMehaber*, 143.

<sup>51</sup> See, especially E. Reiner, "*Ein Tzarikh Shum Yehudi*", esp. 709, 711, 713-16, 718-24, 731, 741. The classical article that began the discussion of this issue is P. Bloch, "Der Streit um den Moreh des Maimonides in der Gemeinde Posen um die Mitte des 16. Jahrhunderts", *MGWJ* 47 (1903), 153-69, 263-79, 346-56. It is dealt with at length in E. Reiner, "*Ein Tzarikh Shum Yehudi*", 705-46; *idem*, "*Yashan Mipnei Hadash: Al Temurot beTokhnei Limud beYeshivot Polin beMei'ah ha-16 veYeshivato shel Ram" a beKrakov*", in S. Glick (ed.), *Zekhor Davar leAvdekh: Asufot Ma'amarim leZeikher Dov Rappel* (Jerusalem: HaMerkaz leHagut beHinuakh haYehudi al sheim Dov Rappel, 2007), 189-93. See also Y.S. Spiegel, *Amudim beToledot haSeifer ha'Ivri: Hadar haMehaber*, 141-42.

<sup>52</sup> For a chronology of the first printings of the *Zohar*, see M. Benayahu, *HaDefus Ha'Ivri biKremona* (Jerusalem: Makhon Ben Zvi and Mossad HaRav Kook, 1971), 121-37.

<sup>53</sup> For many examples of this argument, see S. Assaf, "*LePolmus al Hadpasat Sifrei Qabbalah*", in *idem*, *Meqorot uMehqarim beToledot Yisrael* (Jerusalem: Mossad HaRav Kook, 1946), 238-46; Y. Tishby, "*HaPolmus al Seifer haZohar beMei'ah haSheish Esrei be'Italyah*", *Peraqim* 1 (1967), 131-82; repr. in *idem*, *Hiqrei Qabbalah uSheluhotehah: Mehqarim uMeqorot*, vol. 1 (Jerusalem: Magnes Press, 1982), 131-82; Y. Hacker, "*Iggeret Hadashah min haPolmus al Hadpasat haZohar be'Italyah*", in M. Oron and A. Goldreich (eds.), *Masu'ot: Mehqarim beSifrut haQabbalah ubeMahshevet Yisrael Muqdashim leZikhro shel Prof. Ephraim Gottlieb z"l* (Jerusalem: Mossad Bialik, 1994), 120-30, and the additional references cited there in n.1; M. Benayahu, *Haskamah uReshut biDefusei Venetzyah*, 82 n.1. See, also, B. Huss, *KeZohar haRaqi'a* (Jerusalem: Makhon Ben Zvi and Mossad Bialik, 2008), 227-42; D.B. Ruderman, *Early Modern Jewry*, 103-

century, to the printing of other esoteric works. It was formulated on three levels: First, the easy availability of printing caused respected classics of the kabbalistic tradition to lose their special status. Second, it enabled authors to popularize their own esoteric kabbalistic views in an inappropriate fashion, a further example of the complaint about a lack of proper quality control already discussed above.<sup>54</sup> Third, it enabled people to study these works without proper preparation thereby leading them to misunderstand and distort what they were reading.

One final example. In his *Shulhan Arukh*, R. Yoseif Karo ruled that one should avoid reading certain fables or riddles and works that describe battles or arouse desire. And he went on to write that, “One who composes them, and one who copies them, and certainly one who prints them causes the public to sin.”<sup>55</sup> Writing and copying inappropriate material is wrong, but publishing them, thereby making them accessible to a much larger number of people, raises the egregiousness of the act to a new level.<sup>56</sup>

### C. Contemporary Implications

Looking back, there is no doubt that the advent of printing irrevocably altered Jewish learning and the nature of rabbinic authority. Jay R. Berkovitz wrote that “the social and intellectual foundations of medieval Judaism were shaken by the invention of printing.”<sup>57</sup> This new mode of transmitting knowledge definitely had a significant impact. But, despite the challenges it posed, the printing of Jewish works flourished. And it did so because many in the Jewish community recognized how important and useful it would be for their own scholarly and communal agendas.

I already noted how the *Shulhan Arukh* was widely acclaimed. Moreover, it was precisely R. Yoseif Qaro and R. Moshe Isserles—the most respected representatives of the rabbinic elite in the sixteenth century when printing began to influence Jewish life—who recognized printing’s significant power and utility.<sup>58</sup> Furthermore, as Professor Reiner has

05; J.H. Chajes, “‘Too Holy to Print’: Taboo Anxiety and the Publishing of Practical Hebrew Esoterica”, *Jewish History* 26 (2012), 247-62. For the centrality of this issue in the Hayon Controversy in the second decade of the eighteenth century, see Paweł Maciejko, *Sabbatian Heresy* (Waltham: Brandeis University Press, 2017), 88-89.

<sup>54</sup> See, for example, R. Berekhiah Berakh b. Yizhak Eizik, *Zera’ Berakh* (Amsterdam, 1662), introduction; cited in E. Reiner, “*Yashan Mipnei Hadash*”, 198 n.30. See also G.D. Hundert, *Jews in Poland-Lithuania in the Eighteenth Century* (Berkeley: University of California Press, 2004), 119; Y. Dweck, *The Scandal of Kabbalah*, 56-57, 70-74; Y.S. Spiegel, *Amudim beToledot haSeifer ha’Ivri: Hadar haMehaber*, 139-41. For an example of those who welcomed the opportunity to disseminate this material, see E. Reiner, “*Yashan Mipnei Hadash*”, 197-98.

<sup>55</sup> R. Yoseif Qaro, *Shulhan Arukh, Oraḥ Hayyim* 307:16. On this, see Y.Z. Kahana, *HaDefus beHalakhah* (1945), 32; (1973), 298.

<sup>56</sup> Many more expressions of each of the five concerns outlined here are forthcoming in a variety of other sources but, strikingly, almost all of them are found in one source, a responsum of Rabbi Moses Sofer, See *She’eilot uTeshuvot Hatam Sofer*, Liqutim, #6:61. This responsum is cited in R. Barukh Halevi Epstein, *Meqor Barukh*, vol. 3 (Vilna: Rom Publishing, 1928), 1266. See Y.S. Spiegel, *Amudim beToledot haSeifer ha’Ivri: Hadar haMehaber*, 146-47. For Hatam Sofer and printing, see D. Nimmer, “In the Shadow of the Emperor: The Hatam Sofer’s Copyright Rulings”, *The Torah u-Madda Journal* 15 (2008-2009), 24-67. For examples of this in the Christian tradition, see N.Z. Davis, *Society and Culture in Early Modern France* (Palo Alto: Stanford University Press, 1975), 220-23; C.S. Clegg, “The Authority and Subversiveness of Print in Early-Modern Europe”, in L. Howsam (ed.), *The Cambridge Companion to the History of the Book*, 125-42.

<sup>57</sup> J.R. Berkovitz, “Rabbinic Culture and the Historical Development of Halakhah”, in J. Karp and A. Sutcliffe (eds.) *The Cambridge History of Judaism*, vol. 7, “The Early Modern World” (New York: Cambridge University Press, 2017), 349.

<sup>58</sup> For Rabbi Qaro, see A. Raz-Krokotzkin, “*Haqiqah, Meshihiyut veTzenzurah: Hadfasat ha-Shulhan Arukh keReishit ha-Modernityut*”, in E. Baumgarten, R. Weinstein, and A. Raz-Krokotzkin (eds.), *Tuv ‘Elem: Zikkaron, Qehillah uMigdar beHevrot Yehudiyot biYemei haBeinayim ubeReishit ha’Eit haHadashah: Ma’amarim Likhvodo shel Reuvein Bonfil* (Jerusalem: Mossad Bialik, 2011), 306-35. For Rabbi Isserles, see the articles by E. Reiner referenced supra n.44; Y.S. Spiegel, *Amudim beToledot haSeifer ha’Ivri*:

demonstrated, these two figures did not stand alone. The use of printing was also championed by some who he characterized as members of the secondary rabbinic elite. These included R. Eliezer Altschul of Prague at the end of the sixteenth and beginning of the seventeenth century, and R. Avraham ben Binyamin Ze'eiv of Brisk in the second half of the seventeenth century.<sup>59</sup> They too saw in printing an opportunity to advance their interests.<sup>60</sup>

Furthermore, David ben Menashe Darshan—born in Cracow in 1527—wrote in the introduction to his *Shir haMa'alot leDavid* (Cracow, 1571) that he wanted to establish a *bet midrash* (study hall) open to all, not only the scholarly elite, a kind of popular learning center similar to a public library. He proposed creating a space where the more than four hundred of his personal books that he would make available there would serve at the heart of his educational enterprise, rather than the traditional teacher. This remarkable new and forward-looking institution of learning was never established, but it demonstrates the new forms of learning made possible by the advent of printing.<sup>61</sup>

This raises the possibility that new forms of learning will also be made possible by the advent of the internet. Some are already taking place. But who knows? Perhaps the internet's impact will be far more dramatic, far-reaching, and much more fundamentally disruptive of how Jewish learning and rabbinic authority are understood. Although we have handily adapted to print, it is still too early to tell what the full impact of the internet will be. What can be said, however, is that a review of the challenges and impact of printing can help us better make sense of the new challenges and upcoming changes that are being wrought by the internet even as it may in the future develop in ways that we cannot yet fully appreciate.<sup>62</sup>

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*Hagahot uMagihim*, 302-08. For information about Erasmus and Calvin who both appreciated the power of the press, see E. Eisenstein, *The Printing Press as an Agent of Change*, vol. 1, 401-02.

<sup>59</sup> E. Reiner, "A Biography of an Agent of Culture: Eleazar Altschul of Prague and his Literary Activity", in M. Graetz (ed.), *Schöpferische Momente des Europäischen Judentums in der Frühen Neuzeit* (Heidelberg: Winter, 2000), 229-47; *idem*, "Darshan Nodeid Madfis et Sefarav: Pereq Alum beToledot haTarbut ha'Ivrit be'Eiropah beMei'ah haSheva' Esrei", in I. Bartal, G. Chazan-Rokem, et. al. (eds.), *Hut shel Hessed: Shai leHavah Turniansky* (Jerusalem: Merkaz Zalman Shazar, 2013), 123-56.

<sup>60</sup> E. Reiner, "The Ashkenazi Élite at the Beginning of the Modern Era: Manuscript versus Printed Book", *Polin* 10 (1997), 85-98; *idem*, "Aliyat 'haQehillah haGedolah': Al Shoroshei haQehillah haYehudit ha'Ironit bePolin be-'Eit haHadashah haMuqdemet", *Gal Eid* 20 (2006), 13-37; *idem*, "Ein Tzarikh Shum Yehudi", 705-46; his articles cited below, nn.44, 46, 60.

<sup>61</sup> E. Reiner, "Ein Tzarikh Shum Yehudi", 717 n.22. See also H.H. Ben-Sasson, *Hagut veHanhagah* (Jerusalem: Mossad Bialik, 1959), 254-56; M. Rosman, "Innovative Tradition", 532-38; A. Bar-Levav, "Mah Efsar La'asot be-400 Sefarim? Haza'ah leSifriyah Yehudit, Krakov, Shnat 1571", *Zemanim* 112 (2010), 42-49. For an English translation and annotation of this work, see H.G. Perelmuter, *Shir Hama'alot l'David (Song of the Steps) and Ktav Hitnatzzelut leDarshanim (In Defense of Preachers) by David Darshan* (Cincinnati: Hebrew Union College Press, 1984). See, especially, 39.

<sup>62</sup> My thanks to Dr. Neil W. Netanel for helping me formulate this conclusion and to an anonymous reviewer of my article for her or his suggestions. I also want to express my gratitude to Dr. Elisha Ancselovits for his many insightful comments. And, finally, thanks to Laurence J. Rabinovich and Dr. Phillip Lieberman for their many kindnesses in seeing this article through to publication.

## בראשית רבה פרשת בראשית פרשה ג סימן ז

א"ר"י בר סימון יהי ערב אין כתיב כאן, אלא ויהי ערב, מכאן שהיה סדר זמנים קודם לכן, א"ר אבהו מלמד שהיה בורא עולמות ומחריבן, עד שברא את אלו, אמר דין הניין לי, יתהון לא הניין לי, א"ר פנחס טעמיה דר' אבהו וירא אלהים את כל אשר עשה והנה טוב מאד דין הניין לי, יתהון לא הניין לי.

## בראשית רבה פרשת בראשית פרשה ט סימן א

וירא אלהים את כל אשר עשה וגו', רבי לוי פתח (משלי כה) כבוד אלהים הסתר דבר וכבוד מלכים חקור דבר, רבי לוי בשם רבי חמא בר חנינא אמר מתחלת הספר ועד כאן כבוד אלהים הוא הסתר דבר מכאן ואילך כבוד מלכים חקור דבר, כבוד דברי תורה שנמשלו במלכים שנאמר (משלי ח) בי מלכים ימלוכו לחקור דבר.

## רמב"ן פרשת בראשית פרק א פסוק א

עתה שמע פירוש המקרא על פשוטו נכון וברור. הקדוש ברוך הוא ברא כל הנבראים מאפיסה מוחלטת. ואין אצלנו בלשון הקדש בהוצאת היש מאין אלא לשון "ברא". ואין כל הנעשה תחת השמש או למעלה, הווה מן האין התחלה ראשונה. אבל הוציא מן האפס הגמור המוחלט יסוד דק מאד, אין בו ממש, אבל הוא כח ממציא, מוכן לקבל הצורה, ולצאת מן הכח אל הפועל, והוא החומר הראשון, נקרא ליונים "היולי". ואחר ההיולי לא ברא דבר, אבל יצר ועשה, כי ממנו המציא הכל והלביש הצורות ותקן אותן: ודע, כי השמים וכל אשר בהם חומר אחד, והארץ וכל אשר בה חומר אחד. והקב"ה ברא אלו שניהם מאין, ושניהם לבדם נבראים, והכל נעשים מהם:

והחומר הזה, שקראו היולי, נקרא בלשון הקדש "תוהו", והמלה נגזרה מלשונם (קדושין מ ב) בתוהו על הראשונות, מפני שאם בא אדם לגזור בו שם, תוהו ונמלך לקוראו בשם אחר, כי לא לבש צורה שיתפש בה השם כלל. והצורה הנלבשת לחומר הזה נקראת בלשון הקדש "בהו", והמלה מורכבת, כלומר בו הוא, כמלת לא תוכל "עשהו" (שמות יח יח) שמחוסר הו"ו והאל"ף, עשו הוא:

וזוהו שאמר הכתוב (ישעיה לד יא) ונטה עליה קו תהו ואבני בהו, כי הוא הקו אשר בו יתחם האומן מחשבת בנינו ומה שיקוה לעשות, נגזר מן קוה אל ה' (תהלים כז יד), והאבנים הם צורות בבנין. וכן כתוב מאפס ותהו נחשבו לו (ישעיה מ יז), כי התוהו אחר האפס, ואינו דבר. וכך אמרו בספר יצירה (ב ו) יצר מתהו ממש ועשה אינו ישנו:

## תלמוד בבלי מסכת חגיגה דף יב עמוד א

ואמר רב יהודה אמר רב: בשעה שברא הקדוש ברוך הוא את העולם היה מרחיב והולך כשתי פקעיות של שתי, עד שגער בו הקדוש ברוך הוא והעמידו, שנאמר עמודי שמים ירופפו ויתמהו מגערתו.