

Kindly take a moment to study MISHNAS CHAYIM in the merit of
Yehudis *bas* Eliezer *a”h*
a fellow Jew who passed away with no relatives to arrange Torah study on behalf of her *neshamah*

Vows, *Bas Kols*, and the Mishkan

PARSHAS VAYAKHEL PEKUDEI 5777

(The following exposition is based largely on the introductory section to the Amudei Ohr [§ 3], the volume of responsa of R’ Yechiel Heller, Av Beis Din of Suwalk.)

With the reading of this week’s (double) *parshah* of Vayakhel-Pekudei, we conclude a unit granted substantial space and prominence by the Torah: the extensive treatment of the Mishkan (Tabernacle) and its accoutrements. At this point, then, it is worthwhile to reflect on the overall nature of this venerable and sacred institution.

Identity of the Torah

The *medrash* is most enlightening in this regard. It draws upon a parable, comparing Hashem’s issuing the directive to build the Mishkan to a king marrying off his beloved daughter. The king lays out his predicament to his royal son-in-law-to-be: “She is my only daughter, and I cannot part from her. But I cannot withhold her from you either. Therefore, I ask of you one favor. Please construct for me a small chamber amongst your lodgings in which I can stay. This way, wherever you may settle, I shall be able to still be near my daughter.” In a similar fashion, Hashem was set to give His “beloved daughter” – the Torah – to B’nei Yisrael. “I cannot part with the Torah,” He said. “But neither will I withhold the Torah from you. As such, fashion for Me a chamber – the Mishkan – in which My Presence shall rest. Thus, while the Torah will be granted to you, I can also remain nearby” (*Shemos Rabbah* 33:1).

The *medrash* thus reveals that not only is the Torah considered Hashem’s “daughter,” but also the “wife” of Klal Yisrael. However, as we shall see further, it may be that this latter designation is connected to the Sanctuary. If Hashem’s Presence no longer resides with the people, this may indicate that some flaw has affected Yisrael’s relationship with the Torah.

Double Declarations

The notion that our connection to Torah is in need of rectification is expressed by Chazal, who report on a sentiment conveyed by none other than Har Sinai (also known as “Choreiv”) itself. As the Mishnah states (*Avos* 6:2):

בְּכֹל יוֹם יוֹם בֵּית קוֹל יוֹצֵאת מִהַר חוֹרֵב וּמִכְרָזַת וְאוֹמְרַת אוֹי לָהֶם לְבָרִיּוֹת מֵעֶלְבוֹנָה שֶׁל תּוֹרָה.

“Every day, a Heavenly Voice emanates from Har Choreiv, proclaiming the following: ‘Woe is it to people for the insult (directed) at the Torah.’”

Before clarifying the nature and meaning of this lamentation, it is worthwhile to cite another instance of an announcement attributed to this particular mountain. The Gemara (*Bava Basra* 74a) relates the account of Rabbah bar bar Channah, who was shown the location of Har Sinai by a certain Ishmaelite merchant. At the site, Rabbah bar bar Channah heard the mountain

declare: אוי לי שנטבעתי, ועכשיו שנטבעתי מי מפר לי – “Woe is to me that I have taken an oath; but now that I have taken an oath – who may annul it?” Rashi explains the reference to the oath regarding Yisrael’s retribution; as the Torah records in a number of places, the Jewish People are warned and promised that their failure to observe the Torah will result in their exile. Har Sinai was apparently lamenting this state of affairs, regretting that Yisrael was exiled, but feeling powerless to rescind the decree: עכשיו שנטבעתי מי מפר לי – “Now that I have taken an oath, who may annul it for me?”

Hatarah and Hafarah

Now, the commentators (e.g., *Tosfos Yom Tov [Nedarim]*) focus on the wording employed here characterizing the prospect of annulling the vow. There are, in fact, two principal methods for annulling a vow. *Hataras nedarim* entails the effort of judicial sages to procure a plausible pretext for disqualifying the vow. The other method, *hafaras nedarim*, involves a direct cancellation of the vow; this option, however, can only be performed by a husband annulling the vow of his wife. What is noteworthy is that Har Sinai, in lamenting the existence of the vow, used the language of the latter form of annulment: “*Mi meifer li*,” referring to *hafarah*. What is the significance of this selection? Why the preference for this particular method when expressing anguish over Yisrael’s exile?

What this points to, in fact, is that the two declarations of the *bas kol* – from Avos and Bava Basra – are really one and the same. That is, Har Sinai was lamenting the weakened connection between Yisrael and the Torah. In their ideal state, Yisrael was at one with the Torah – to the extent that they were considered “wedded” to each other. As we have seen, this was, to a large extent, a function of the Sanctuary. But with the Temple destroyed and Yisrael in exile, they no longer retain this exalted status. Of course, they are still bound to observe, study, and immerse themselves in Torah. However, what Sinai was bemoaning was the fact that there was no longer a scholar or sage with the level of closeness to be considered the “husband” of the Torah. Thus, the mountain lamented the absence of this closeness to Torah: אוי להם לבריות מעלבונוה של תורה. And it emphasized this lack of a “husband” by declaring that there was no longer anyone capable of being “*meifer*” its vows, a privilege designated to a husband.

This idea, in any event, shines a new light on the prayer with which we conclude each Shemoneh Esrei, as we ask for the Temple’s rebuilding: יהי רצון מלפניך, ה' אלקינו ואלקי יהי רצון מלפניך, ה' אלקינו ואלקי – “May it be Your will, O our G-d and the G-d of our fathers, that the Holy Temple shall be rebuilt speedily in our days; and may You grant our portion in the Torah.” At first glance, the connection is puzzling: what does the rebuilding of the Beis Hamikdash have to do with a portion in Torah? But here is further evidence that the two, in fact, are related. As we have seen above, it is through Hashem’s Presence resting among us that our relationship with His Torah becomes that much stronger.

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