

# Insights from the Meshech Chochma

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## פְּרִשְׁתַּי יִתְרוֹ תִּשָּׁפ"ו

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...בְּמִשְׁךְ הַיָּבֵל הָמָּה יַעֲלוּ בָהָר. (פרק יט' יג)

*...upon an extended blast of the shofar, (the Bnei Yisrael) may ascend the mountain.*

The Artscroll Stone Edition Chumash editors expertly place this phrase for us in its proper context: "The restrictions against being on the mountain applied only as long as G-d's presence was there. After the Ten Commandments were given, an extended shofar blast was the signal that the Presence, and therefore the holiness, had left the mountain, and the restrictions had ceased. Thus, *Har Sinai* had no intrinsic holiness, nor has it any today; Holiness exists where G-d and the Torah are present."

דָּבָר שֶׁבְּמִנְיָן צָרִיךְ מִנֵּן אַחֵר, בְּמִשְׁךְ הַיָּבֵל הָמָּה יַעֲלוּ בָהָר, our ביצה ה': In i.e., any law passed by ballot at an assembly of sages requires another ballot to repeal it. Tosafos explains that since the ban on approaching *Har Sinai* was in effect while the *Shechina* dwelled upon it, it would be understood that once It departed, ascent was permitted. Why then did Hashem have to give them an explicit "ok" i.e., that they may touch the mountain only *after* בְּמִשְׁךְ הַיָּבֵל? It must be because דָּבָר שֶׁבְּמִנְיָן צָרִיךְ מִנֵּן אַחֵר לְהִתִּירוֹ!

Rav Meir Simcha questions the שְׁקֵלָא וְטָרְיָא of the Gemara by introducing us to a series of other דְּבָרֵי חֻז"ל, the first one, in מגילה כו': which discusses the rules of קְדוּשָׁה, i.e., items that serve an article that has Hashem's name written on it-קְדֻשָּׁה. Most of the examples involve containers for a Torah scroll and these items, even after they are not being used anymore for this holy purpose, must be interred in a respectful way as they retain their קְדוּשָׁה. If so, asks Rav Meir Simcha, *Har Sinai*, which served as the ultimate קְדוּשָׁה, as it was the dwelling for the *Shechina* when Klal Yisrael received the Torah, should have remained sanctified even *after* the *Shechina* left it. They therefore needed special permission to be able to use it again-בְּמִשְׁךְ הַיָּבֵל. How can we say that this verse is extra to learn from it... דָּבָר שֶׁבְּמִנְיָן...? Rav Meir Simcha continues: One might say that the *Shechina's* presence there was never meant to be permanent, קְבועָה, and therefore the transient intention of this *special guest* would prevent the mountain from becoming a קְדוּשָׁה, and so once again, Klal Yisrael did not need special permission to approach the mountain-to this he takes us to: עירובין נה': where we find a discussion regarding the rules of the *Shabbos* תְּחִינִים and R' Huna tells us that residents who dwell in huts, are not considered inhabitants of the city. Therefore, one measures their תְּחִינִים only from the entrance to their homes; the huts are not combined and considered a city. R' Chisda questions this by proving that when the Bnei Yisrael were in the *Midbar*, the latrines were behind the Camp and so on *Shabbos*, if they had to relieve themselves, they would walk the entire length of the Camp, considerably longer than the allotted two thousand תְּחִינִים. Obviously, the Camp was considered a city even though it was composed of tents alone. If so, how can R' Huna say that those who live in huts are *not* considered city dwellers? Rava answered that regarding the Camp it is written, וַיִּחַנוּ וַיַּעַל פִּי ה' יִסְעוּ/By the word of Hashem they would camp, and by the word

of Hashem they would travel; so that since Hashem determined the encampments directly, they were considered significant enough to be treated as permanent dwellings. Rav Meir Simcha feels that we can also apply this סִבָּרָא to *Har Sinai*, and once again it becomes a קְדוּשָׁה קְבוּעָה, and his question then returns i.e., we do not have a superfluous verse to learn ... דָּבָר שֶׁבִּמְנַן?

Rav Meir Simcha does provide us with an answer to his question. In עבודה זרה מה, the Mishna discusses the status of mountains and hills that are worshipped as gods by Jews or non-Jews and tells us that unlike an idol itself, Jews *may* benefit from the mountains and hills i.e., they may quarry its stones and cultivate the land. This law is Scripturally derived and is not limited to mountains but includes anything that resembles a mountain insofar as it is מְחוּבָּר i.e., whatever is naturally part of or attached to the ground. Would we also apply this rule with regards to קְדוּשָׁה i.e., just as something מְחוּבָּר cannot become an עֲבוֹדָה זָרָה, can we also say that a מְחוּבָּר cannot be permanently sanctified? If yes, then *Har Sinai*, after the *Shechina* departed, as a מְחוּבָּר, would lose its קְדוּשָׁה status, and then once again, בְּמִשְׁכַּן הַיְבֵל is free to learn ... דָּבָר שֶׁבִּמְנַן! For this, he takes us to (ועיון נֶשֶׁם בְּזֶה הַיִּסּוּב) where Rav tells us that one who bows down to his house renders it prohibited as עֲבוֹדָה זָרָה. Although the ground and things attached to it do not become prohibited for benefit as עֲבוֹדָה זָרָה, since the building materials were originally detached, they are subject to becoming prohibited as עֲבוֹדָה זָרָה even after they are attached to the ground. The Mishna there supports this idea, for it rules that although items attached to the ground are excluded from the prohibition of מַעֲוֵלָה, a stone or beam of הַקֶּדֶשׁ remains subject to מַעֲוֵלָה even after having been built into a house. By equating הַקֶּדֶשׁ with עֲבוֹדָה זָרָה we can then also say that a קְדוּשָׁה which is מְחוּבָּר cannot be permanently sanctified! However, Rav Meir Simcha has one more “issue” to clarify. In מגילה כח, the Mishna tells us that from the verse, וְהָשַׁמּוֹתִי אֶת מִקְדָּשֵׁיכֶם / *And I will bring desolation to your sanctuaries* we learn that a shul in disrepair still may not be used for mundane purposes. The fact that the word מִקְדָּשֵׁיכֶם appears after the word desolation indicates that their sanctity remains upon them even when they are desolate. This includes the הֵיכָל and עֲזָרָה grounds even after the Beis HaMikdash was destroyed. But just as *Har Sinai* lost its קְדוּשָׁה after the *Shechina* moved on, shouldn't these מְחוּבָּרִים also lose their קְדוּשָׁה once the Bayis was destroyed? He tells us that in עבודה זרה נד: R' Yochanan said that even though הַזֵּי"ל said that one who bows to the ground does not prohibit it, if he dug in it pits, ditches, and caves as part of the deity service, the entire mountain becomes prohibited. Once again, based on מגילה כח, Rav Meir Simcha applies this to the Beis HaMikdash. In its grounds were built structures to facilitate the הַקֶּדֶשׁ and so it forever retains its קְדוּשָׁה! *Har Sinai*, which had no מַעֲשֶׂה done to it, is considered a transient קְדוּשָׁה and therefore loses its קְדוּשָׁה after the *Shechina* left. The *drasha* in ביצה ה: is unscathed and our verse remains extra to derive from it the rule לְהַתִּירוֹ אַחֲרָיו מִנֵּן אַחֲרָיו לְהַתִּירוֹ!

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 לזכר נשמת אמי מורתי רחל בת ר' אלחנן אביגדור ע"ה  
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