

Insights from the Meshech Chochma

רב מאיר שמחה הכהן מדוינסק זצ"ל

פרק ש' יתרו תשפ"א

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...במישר הובל הימה יעלן באה. (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."

דבר שבעמינו צריך מניין אחר, is used as the source for the rule, במשך הובל המקה יעל בחרoso, 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? It must be because להתיירן? במשך הובל

Rav Meir Simcha questions the שקלא וטריא of the Gemara by introducing us to a series of other דברי חז"ל, the first one, in מגילה בו: תשמיש קדושה, i.e., items that serve an article that has Hashem's name written on it. 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 קדושה. If so, asks Rav Meir Simcha, *Har Sinai*, which served as the ultimate תשמיש קדושה, 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- במשך הזמן. How can we say that this verse is extra to learn from it? *דבר שבעתנו...* Rav Meir Simcha continues: One might say that the Shechina's presence there was never meant to be permanent, קבועה, and therefore the transient intention of this *special guest* would prevent the mountain from becoming a תשמיש קדושה, 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* תחומם and R' Huna tells us that residents who dwell in huts, are not considered inhabitants of the city. Therefore, one measures their תחומם 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 *amos* תחומם. 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, *על פיו ה' יחנו ועל פיו ה' יסעו*, */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 to *Har Sinai*, and once again it becomes a **תשミニש קדושה קבועה סברא**, and his question then returns i.e., we do not have a superfluous verse to learn ... **דבר שבמני ...** from?

Rav Meir Simcha does provide us with an answer to his question. In, 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 מוחבר i.e., whatever is naturally part of or attached to the ground. Would we also apply this rule with regards to קדושה i.e., just as something מוחבר cannot become an עבודה זרה, can we also say that a מוחבר cannot be permanently sanctified? If yes, then *Har Sinai*, after the *Shechina* departed, as a מוחבר, would lose its קדושה status, and then once again, עבודה זרה is free to learn from! For this, he takes us to (יעין שם בז' **ה'ישיב** ב. מעילה ב.) where Rav tells us that one who bows down to his house renders it prohibited as עבודה זרה. Although the ground and things attached to it do not become prohibited for benefit as עבודה זרה, since the building materials were originally detached, they are subject to becoming prohibited as even עבודה זרה 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 מעילה, a stone or beam of קדש remains subject to even after having been built into a house. By equating מעילה ב. with עבודה זרה we can then also say that a מוחבר is קדושה which is מוחבר cannot be permanently sanctified! However, Rav Meir Simcha has one more “issue” to clarify. In, the Mishna tells us that from the verse, *וְהַשְׁמֹתִי אֶת מִקְדְּשֵיכֶם* /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 מיקדשיכם appears after the word desolation indicates that their sanctity remains upon them even when they are desolate. This includes the *היכל* and *עזרה* grounds even after the *Beis HaMikdash* was destroyed. But just as *Har Sinai* lost its קדושה after the *Shechina* moved on, shouldn’t these also lose their קדושה once the *Bayis* was destroyed? He tells us that in R’ Yochanan said that even though ל “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, Rav Meir Simcha applies this to the *Beis HaMikdash*. In its grounds were built structures to facilitate the קדש and so it forever retains its קדושה! *Har Sinai*, which had no מעשה done to it, is considered a transient קדושה and therefore loses its קדושה after the *Shechina* left. The *drasha* in is ביצה ה: *דבר שבמנין אריך מנין אחר להתיירן* unscathed and our verse remains extra to derive from it the rule!

לזכר נשמת אבי מורי ר' ישראל מנחם בן ר' שלום ז"ל
לזכר נשמת אמי מורתוי רחל בת ר' אלחנן אביגדור ע"ה
לזכר נשמת חממי מורי ר' יעקב נתן בן ר' ישראל שלמה ז"ל
ולזכר נשמת הרב יהודה בן ר' אברהם שמחה (קופרמן) זצ"ל
מחבר הגדות על ספר משך חכמה