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DOWN TO EARTH, UP TO HEAVEN:

WRITTEN BY RABBI SHAY TAHAN

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Moshe's Battle with the Angels

Shavuot is a deeply fundamental day for us, as it commemorates the receiving of the Torah at Mount Sinai. The word "receiving" is meant literally—at Sinai, Hashem did not merely share His wisdom; He gave the Torah over to us. In doing so, He entrusted us with its study, interpretation, and transmission, making us the new guardians and interpreters of His word.

However, even at Sinai, we did not receive the mitzvot directly from Hashem—Moshe did, and he transmitted them to us. This established a model that continues to this day: we receive the Torah through our teachers and rabbis. The halachic authority of a rabbi's *pesak* is therefore central in Jewish tradition. We are obligated to follow his interpretation when it is grounded in Torah knowledge and understanding. Yet, if a rabbi

claims that his ruling stems from prophecy or divine revelation, we are not permitted to accept it. This foundational idea is captured in the Gemara with the phrase "**Lo BaShamayim Hi**"—"It is not in Heaven"—teaching that Torah authority now resides within the human realm, through rigorous study and transmission, not through supernatural claims.

Although the idea that the rabbis have full authority to decide halacha is supported explicitly by the Torah, it is especially derived from the following psukim (Devarim 17:8–11):

"If a matter of judgment is hidden from you...matters of dispute in your gates—you shall arise and go up to the place that Hashem will choose. And you shall come to the Kohanim, the Levites, and to the judge who will be in those days, and inquire; and they will tell you the matter of the law. And you shall act according to the word they declare to you from that place which Hashem will choose, and you shall be careful to do all that they instruct you. According to the Torah that they teach you and the judgment they

say to you, shall you do; you shall not turn aside from the word they declare to you, right or left."

These psukim establish the halachic authority of the judges and sages of each generation, obligating us to follow their rulings—even when they differ from our understanding.

Additionally, the commentaries find a hint to this concept in the Midrashic account of Moshe ascending

Har Sinai to receive the Torah. There, the angels objected to Hashem giving the Torah to a human being. This "argument" suggests that the Torah, once given, is no longer in the heavenly realm but belongs to the human domain. This further reinforces the idea that the authority to interpret and apply Torah law rests with people—specifically, the sages—through rigorous earthly analysis, not heavenly interven-



tion.

The story appears in the Gemara (Shabbat 88b):

When Moshe Rabbeinu ascended Har Sinai to receive the Torah, the angels protested before Hashem, saying, "*What is a human being doing among us?*" Hashem responded that Moshe had come to receive the Torah.

The angels objected: "*This precious treasure that was hidden with You for 974 generations before the world was created—You intend to give it to flesh and blood?*"

Hashem told Moshe to answer them. Moshe was afraid, but Hashem said, "*Hold on to My Throne and answer them.*"

Moshe then said: "*Master of the Universe, what is written in this Torah You are giving me? 'I am Hashem your G-d, who took you out of Egypt'—were you ever enslaved in Egypt? Did you go down to Pharaoh? What else is written? 'You shall not have other gods'—do you live among idol-worshippers? What else? 'Honor your father and mother'—do you have parents? 'Do not steal, do not commit adultery, do*

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DOWN TO EARTH, UP TO HEAVEN:

not murder'—do angels have such temptations?"

With that, the angels conceded. They agreed that the Torah rightfully belongs on Earth and even gave Moshe gifts before he descended.

The commentaries explain that the dispute between Moshe and the angels centered on more than just the giving of the Torah—it was about Hashem's intention to entrust Bnei Yisrael not only with the Torah itself but also with the authority to determine halacha based on their understanding. Understandably, the angels objected to this. In their view, a divine, spiritual Torah should not be subject to human interpretation and judgment. Yet Hashem's will was that the Torah be given to humans, along with the responsibility and power to interpret and apply it within the framework of Torah study.

But what was Moshe's response, and how did it win the argument? Moshe pointed out that the commandments in the Torah deal with earthly, human experiences—honoring parents, refraining from theft, murder, jealousy, and immorality. These are entirely irrelevant to the angelic world. Angels have no parents, no physical needs or temptations, and no moral struggles. The Torah is clearly directed at guiding human beings through their unique challenges, choices, and moral growth.

To clarify further: of course, the words of the Torah have profound spiritual meaning and influence the elevated, heavenly worlds. This was the angels' argument—that the Torah is too divine, too lofty,

for flawed humans to possess. But Moshe responded by demonstrating that, although the Torah has cosmic, spiritual power, its *application*—its mitzvot—is deeply rooted in human experience.

This shows that the spiritual effects so highly valued by the angels are activated and realized only through human action. In other words, the holiness of the upper worlds depends on the fulfillment of the Torah in the lower world. By tying the mitzvot to human experience, Hashem was making it clear that the spiritual realm ultimately revolves around the choices and deeds of human beings. Thus, Moshe didn't just refute the angels—he revealed the Torah's full purpose: not to remain in heaven, but to elevate the earth.

One may ask: when Hashem told Moshe to answer the angels, why did Moshe first grasp onto Hashem's Throne?

This may express a profound idea—that by holding onto the Throne, Moshe was demonstrating the spiritual elevation achieved by those who keep the Torah. It teaches that when human beings fulfill the Torah, they gain a *grip*, so to speak, on the Divine Throne itself.

In this symbolic act, Moshe showed that Torah observance enables even mortal, physical humans to connect directly with the highest levels of holiness. The angels objected because they saw humans as limited and physical, but Moshe revealed that the Torah gives human beings the power to ascend spiritually and attach themselves to Hashem's very presence.

BEFORE THE INK DRIED: TRACING THE TORAH'S JOURNEY FROM SPEECH TO SCRIPT

The reading of Parashat Behar comes at a perfect time, just before Shavuot. The first Rashi teaches us how the Torah was given to our nation, offering many insights into what is considered the most important event in Jewish history—the giving of the Torah at Har Sinai.

The parashah deals extensively with the laws of working the land during the seventh year, yet it opens by stating that these laws were given at Har Sinai. Rashi asks: Why is this particular mitzvah singled out as having been given at Sinai?

He answers that just as all the details of the mitzvah of Shemitah were taught at Sinai, so too all the mitzvot—with their general principles and specific laws—were given there.

This teaches us that the Torah was not given merely as broad concepts, but with exact halachic details, all originating at Har Sinai. Thus the Shemitah example is not an exception, but a model for understanding the comprehensive nature of Matan Torah as it reflects on the way all the mitzvot were given.

Rashi's words align with the opinion of Rabbi Akiva, as we find in the Gemara a machloket regarding the nature of the revelation at Sinai (Zvachim 115b). Rabbi Akiva holds that every detail of every mitzvah was given at Sinai. In contrast, Rabbi Yishmael main-

tains that general principles were given at Sinai, and the details were taught later in the Ohel Moed.

Rashi clearly follows Rabbi Akiva's view: that all elements of the Torah, down to the smallest specifics, were given at Har Sinai. This

perspective reinforces the idea that Sinai was not only the moment of receiving the foundational commandments, but the complete transmission of Torah in its totality—written and oral, general and detailed.

While the above discussion relates to how the mitzvot were transmitted, a different Gemara (Gittin 60a) discusses how and when the Written Torah was given. This refers not only to the commandments, but to the narrative portions as well—the

events described in the Torah, such as the creation of the world, the lives of the Avot, the slavery in Mitzrayim, the Exodus, the journey through the desert, and so on.

It is not possible to say that the written Torah was given at Har Sinai, since many of its events took place afterward. For example, Moshe Rabbeinu strikes the rock in a manner that was not acceptable to Hashem. If the entire Torah had already been given to Moshe at Sinai, he should have known in advance not to hit the rock.



BEFORE THE INK DRIED: TRACING THE TORAH'S JOURNEY FROM SPEECH TO SCRIPT

This leads the Sages to two primary understandings. One opinion holds that the Torah was given to Moshe in stages: as events unfolded, Moshe was instructed to write them down, and at the end of his life he compiled all the parts into one complete Torah scroll. Another opinion is that the entire Torah was given to Moshe at the end of the forty years, shortly before his passing.

These views highlight the difference between the giving of the Torah's content as the mitzvot and halachot, which Rashi says were fully revealed at Sinai, and the giving of its form (the written text), which followed a different process.

The first time Moshe started writing the Torah was actually three days before Matan Torah at Har Sinai. Rashi (Shemot 24, 4) tells us that Hashem commanded him to write everything from Bereishit—the story of creation—up until that point, as he was preparing to ascend the mountain. He also wrote the few mitzvot that the nation had received earlier at Marah. This understanding is based on the words of the Mechilta d'Rabbi Shimon bar Yochai on the pasuk: "אלו דברים שקדמו למתן תורה" — "These refer to matters that preceded the giving of the Torah." Moshe wrote all the words of Hashem.

The Mechilta explains: — "אלו דברים שקדמו למתן תורה" — "These refer to matters that preceded the giving of the Torah."

This Rashi appears to follow the opinion that the Torah was written by Moshe gradually, part by part, as events occurred and as Hashem instructed him. There are several verses like this one that indicates Moshe wrote parts of the Torah before his final days. How, then, does this align with the opinion that the Torah was written only at the end of Moshe's life? The Rishonim (see Rashba Gitin 60) explain that while

Moshe compiled and finalized the Torah at the end, he was instructed by Hashem throughout his life to write down specific sections as they occurred. At the same time, he was reviewing and teaching the rest of the Torah orally, without writing it down until the conclusion of his life.

Moreover, there are sources that indicate written scrolls existed even before Moshe Rabbeinu. For example, Shemot Rabbah 5:18 on Parashat Shemot states:

"תכבד העבודה על האנשים ויעשו בה ואל ישעו בדברי שקר" (Shemot 5:9) — "Let the work be heavier upon the men so that they will engage in it and not turn to false words."

A question is asked: What were the "false words" that disturbed Pharaoh? The Midrash explains: "This teaches that they had scrolls passed down through tradition from the forefathers, with which they would delight from one Shabbat to the next, reading that Hashem would ultimately redeem them, since they would rest on Shabbat."

This suggests that even prior to the formal giving of the Torah, there were written traditions preserved and studied among Bnei Yisrael.

Rashi also writes that Yaakov sent Yehudah ahead to Egypt to establish a Beit Midrash, indicating that they were already engaged in Torah study. However, while it's clear they were learning Torah, it was not the written Torah as we have it today. Rather, the Torah itself existed in a different form, having been created even before the creation of the world.

UNPACKING SHAVUOT: THE MULTI-LAYERED TRUTHS OF TORAH

a. When Two Rabbis Disagree on a Halacha, Can Both Be Right?
Answer: Yes. Both can be correct.

When the Torah was given to Moshe Rabbeinu, it wasn't transmitted as a closed, singular legal code. Hashem gave Moshe 49 ways to rule one way and 49 ways to rule the opposite. Chazal even tell us that certain sages could prove an impure creature to be pure in 49 ways—even when the halachic conclusion was otherwise. All of these options were included in the giving of the Torah and are equally valid as expressions of divine wisdom.

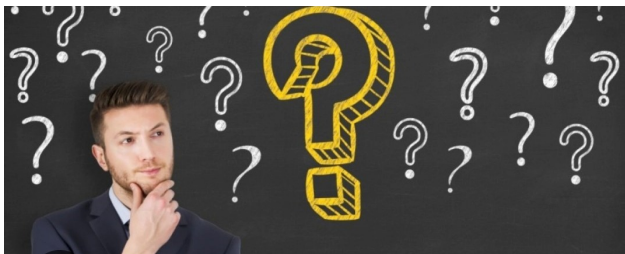
Naturally, the question arises: *If both are valid, what determines the final Halacha?*

The Torah addresses this as well. In the Beit HaMikdash, the Sanhedrin sat in the Lishkat HaGazit and deliberated complex halachic matters. The final ruling followed the majority opinion among the sages, as instructed in the Torah itself.

The Midrash (Shocher Tov, Tehillim 12) states: *Rabbi Yannai said: "The words of Torah were not given as definitive conclusions. For every law, Hashem told Moshe multiple ways of interpretation."*

Moshe asked, 'Until when will we debate each law?' Hashem replied, 'Follow the majority. If they say it is impure, it is impure; if pure, then pure.'"

Similarly, the Ritva (Eruvin 13b) was asked how two rabbis can disagree and both be correct. He explained that Hashem showed Moshe 49 ways to permit and 49 to forbid, and told him to leave the final decision to the sages of each generation. Their conclusions, though differing, all stem from the divine framework.



b. What About Factual Disputes in Torah Stories? Can Multiple Versions Be True?
Answer: Yes. Even narrative disputes reflect multiple layers of truth.

The Gemara (Gittin 6b) records a dialogue between Rabbi Avitar and Eliyahu HaNavi. Rabbi Avitar asked Eliyahu what he was doing, and Eliyahu replied he was studying the story of the concubine in Giv'ah. When Rabbi Avitar asked which version was correct, Eliyahu said, "These and those are the words of the Living God."

Rabbeinu Peretz addressed this directly. He acknowledged that

ANTI-SEMITISM: IT'S NOT WHAT WE'VE DONE WRONG, BUT WHAT WE'VE DONE RIGHT.

while in reality only one event may have occurred, all interpretations that can be supported by the verses and do not contradict Torah principles are considered divinely sanctioned perspectives. He writes that even if one version is factually incorrect, it may still be "the words of the living God" because it reveals a truth embedded in the text's language and message.

Rav Yitzchak Hutner (Pachad Yitzchak, Igrot) added a profound insight: The Torah is not primarily a book of historical facts—it is a book of divine teachings. When a valid interpretation sheds light on the Torah's messages, even if it doesn't align with historical detail, it is meaningful and legitimate.

c. Can a Person Share Their Own Insights in Torah, Even if They Differ From the Rabbis?

Answer: Yes, with certain conditions.

A person is permitted—even encouraged—to offer original insights, provided:

- It is not a halachic ruling (unless the person is qualified). It does not contradict basic Torah principles or veer into heresy. This approach has deep roots in Jewish thought.

Rabbi Chaim ben Attar (Ohr HaChaim on Bereishit 1:1) writes: "We are permitted to interpret the verses, even if our explanation differs from that of the Sages, because there are seventy facets to the Torah. The only prohibition is in matters of Halacha."

Elsewhere (Bereishit 46:8), he repeats this idea, adding that one should not be surprised if his interpretations diverge from the traditional ones, as long as they remain within the bounds of Torah thought.

Rabbi Tzadok HaKohen (Pri Tzaddik, Parashat Shelach) taught that the seventy faces of Torah mean that every individual can reveal a new aspect of divine truth.

The Ben Ish Chai went further and taught that each person has a unique portion of Torah waiting to be discovered—and only that individual can reveal it.

d. Why Do Chazal Sometimes Say the Torah Has 49 Paths, and Other Times Refer to "70 Faces"?

Answer: They refer to different concepts.

The 49 paths refer to halachic methodology—ways to argue both sides of a legal issue. Hashem gave Moshe 49 ways to explain something as pure, and 49 ways to explain it as impure.

The "70 faces of the Torah," however, refer to the multifaceted spiritual and intellectual insights that can be derived from every word and verse. These include deeper levels of interpretation, symbolism, philosophy, and mystical understandings.

Rav Dessler (Michtav MeEliyahu vol. 3, p. 202) explains that these 70 faces represent the diverse spiritual perspectives through which the Torah speaks to each generation, community, and individual.

איזה רב לשאול?

והבבות למינהם שהמון העם נמשך אחריהם ללא שום תמיכה רבנית, וז"ל: "הנה המכובד מהחכמה ויושר הנהגתו הנה תחלת כבודו אצל החכמים האצילים בעם הם היודעים להוקיר חכמתו הם המבקרים הנהגתו הם החודרים בעין חודרת אל מדותיו ומאשר יפליאוהו לשלם אמיתי יתפרסם שמו גם אצל ההמון וחדרת קודש ירעדו ממנו, אולם האיש המכובד מצד פעולותיו הזרות והנפלאות, הוא יהלל תחלה מן ההמון אשר בעינים טוחות יחשבוהו לאלקי ולאמר כי הוא בלתי טבעי ויטפלו עליו שקרים ופליאות זרות בספורים מפליאים עד כי יתפרסם שמו אצל ההמון וגודל הפרסום יעש כנפים גם בלבות הנבונים בעם להטיל ספק בלבם לאמר לא לחנם יתפרסם שמו אצל ההמון עד כי גם הם יכבדוהו והנסיון יוכיח על זה."

ואמת שלבעלי תשובה בתחילת דרכם קשה להבחין בין החילוקים של שאלות קלות ומסובכות, ובין מי שכבר הוחזק כפוסק מוסמך לאלו שלא, ולכן מן הראוי לדבר עם אחרים שיש להם יותר ידע בדבר ולקבל הדרכה מינימלית את מי לשאול מה. בברכת הצלחה רבה בדרכך המבורכת.



שאלה. אני בעלת תשובה טרייה ויש לי הרבה שאלות בהלכה, אבל אני מסופקת אם לשאול את רב בית הכנסת מכיון שלא נראה לי שהוא כל כך בקי בהלכה, אשמח לקבל הדרכה.

שלום לשואלת האמיצה. אכן צודקת את בחששותיך שכן לא כל רב ראוי להוראה, ובכלל השימוש בתואר רב היום ניתן לכל מי שעוסק בעניני קדושה אף שאינו בקי כלל בהלכה, ולכן יש לחלק בין שאלות פשוטות שאז נראה שאפשר לברר אצל רב בית הכנסת, לשאלות שהם יותר מסובכות שאותם יש לשאול דוקא פוסק ומורה הוראות.

הצמח צדק (הובא בפתחי תשובה יו"ד סימן צט) מסביר שהשואל את אחד הלומדים ועושה על פי הוראתו אם עשה שלא כהלכה דיון כמדיד ולא כשווג, אולם אם שאל את אחד הפוסקים המפורסמים ועשה שלא כהלכה אז דיון כשווג.

ובספר משך חכמה (ריש פרשת בא) ביאר איך ידע מי הוא אותו 'פוסק מפורסם' וממי יש להתרחק, וכותב שהפוסקים הבקיאים מתפרסמים תחילה אצל שאר הרבנים ומקבלים מהם את הסכמתם ותמיכתם, מה שאין כן הרבנים המדומים

Shaare Ezra is a one of a kind, multi-faceted organization that's there for the community. Under the leadership of HaRav Shay Tahan שליט"א, Shaare Ezra feels that proper Halachic guidance should be accessible to everyone, therefore we offer the community the opportunity to call, text, WhatsApp, or e-mail any halachic questions they may have, through the Bet Horaah, where qualified, trained and ordained Rabbis are available to answer your questions in English, Hebrew and Russian. Shaare Ezra is from the community—for the community.

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