



Weekly Shiur from Maran HaRishon
LeTzion HaGaon HaGadol Rabbi David
Yosef shlit"a, Motzaei Shabbat Parashat
Bereshit 5787, Shiur #371

English

Parashat Noach

The Rulings of Maran the Shulchan Aruch Versus the Arizal

Topics of the Shiur:

Giving One's Soul for Bringing Merit to the Public | We Have Accepted the Rulings of Maran | The Windings of the Arm-Tefillin Strap | The Windings of the Tzitzit | The Form of the Letters | The Custom of Kapparot on Erev Yom Kippur | Saying LeShem Yichud | LeShem Yichud Before the Mitzvot of Tefillin and Sukkah | Tefillin of Rabbenu Tam

From the Opening Remarks of HaGaon Rabbi Ovadia Yosef shlit"a, Rosh Bet HaMidrash Yechaveh Daat:

...May the words said this evening be for the elevation of the pure soul of Maran zt"l, Rabbenu Ovadia Yosef ben Gorgia. May we merit to cleave, little by little, to his ways, to walk in his paths and to continue them.

I merited to hear from his holy mouth a tiny bit of his own life. He did not tell me these things for no reason; he told me because he wanted me to cleave to him, to learn. He told me how at the age of six he discovered the Gemara, and he said to me: "From then on I did not leave it until I knew everything by heart." You have already heard from my father, Maran shlit"a, how he began to learn, but he told me in these very words: "I discovered the Gemara at the age of six, and from then on I did not leave it until I knew everything by heart."

He told me how he would walk along the way. He had almost no *chavrutot*, because he was always sitting and moving ahead, but on the way he needed someone to review with, so he would walk to the yeshiva with his close friend, Chacham Ben Tzion Abba Shaul. He told me: "We would walk along, I would say one passage of *Tosafot* and he would say one, I would say one and he would say one." That is how they reviewed all their learning. He was entirely immersed in Torah.

There is a story you heard from my father shlit"a, who told how he would learn with Grandfather every night for fifteen years. Once the Rabbanit, Grandmother a"h, came over and said to Grandfather, "Listen, I prepared food." He said to her, "Look, I just started learning. Do me a favor, give me a few minutes." She said to him, "Listen, but the food is hot now, I don't want it to get cold." So Grandfather said to her, "Five minutes." The Rabbanit answered, "But Rav Ovadia, five minutes! I'm going to sleep and I'm relying on you..."

At five in the morning she walked into the room and said to him, "Rav Ovadia!" Grandfather roused himself and said, "What do you want? I said I'd come eat in another five minutes!" The Rabbanit said to him, "Yes, five minutes, not five hours!..."

From these stories you understand that my father shlit"a sat and learned with him, and for him too five minutes passed like five hours. The immersion in learning that Grandfather gave and passed on to my father—we see it to this day. My father continues to learn and to write books, and *Baruch Hashem*—the public does not know yet—this week we merited the release of a new volume of *Halachah Berurah*, volume 23, which completes the laws of *muktzeh*. May *HaKadosh Baruch Hu* give my father more strength to continue, to write, and to give shiurim. This week, on Thursday, I traveled with my father to the north. My father gave shiurim there in several places. By nightfall I was exhausted, and I had not given any shiurim... I said to him, "Abba, how do you do it?!" I don't know!

My father told us—everyone knows that Rav Ovadia would travel to the gatherings in the month of Elul by helicopter. That was my father's idea; that way you reach more places and get there faster. But my father would go ahead of him by car. He had a driver—may he be remembered for good, and with Hashem's help may he have length of days—Rabbi Yitzchak Pribert, who would take him and drive as fast as a helicopter... My father would reach every place and speak before Grandfather, and when Grandfather arrived and began to speak, my father would get into the car and drive on to the next place.

My father continues the path of Grandfather with all his strength, and that is what all of us must do: continue the path of Grandfather, continue Torah, continue mitzvot, continue *chesed*, continue shiurim, continue in *ahavat Yisrael*. With Hashem's help, may we merit my father's leadership until the coming of the righteous redeemer, speedily in our days, amen.

Shiur of Maran HaRishon LeTzion shlit"a:

Giving One's Soul for Bringing Merit to the Public

Yashar koach to my dear son, HaRav HaGaon Rabbi Ovadia Yosef shlit"a, who, *Baruch Hashem*, merited a special love from my father, Maran zt"l. When my father passed away, he was about thirty, and for years he was my father's *ba'al koreh*. My father was extremely exacting about the Torah reading; he did not let just anyone read. He was meticulous about every *dagesh*, every cantillation note, every tip of a *yud*. He agreed that my son Rav Ovadia would read the Torah for him, he was very happy with his reading, and he praised him very, very highly. He was very close to him, merited to pour water on his hands in the most literal sense, and heard much Torah from him.

I think the special thing he took from my father, Maran zt"l, in conduct is to do everything possible to bring merit to the public. I see it in him, *bli*

ayin hara. Two years ago, when I could no longer carry the burden of the Bet Midrash “Yechaveh Daat” because of the new position I received, he took it on his shoulders. Since then, *Baruch Hashem*, he has doubled the number of *avrechim* in Yechaveh Daat; he is thriving and succeeding. *Baruch Hashem*, he has also established a network of kollelim called “Birkat Avraham” throughout the country. We have hundreds of *avrechim* there, many branches, and in each and every branch at least ten to twenty *avrechim* sit, learn and spread Torah. He takes care of everything together with my other sons, Rabbi Yaakov Avichai and Rabbi Yitzchak Elchanan, who continue and do everything according to the will of my father, Maran zt”l.

That was his wish: to work for bringing merit to the public, to give one’s soul for bringing merit to the public. My son Rabbi Ovadia, *Baruch Hashem*, travels abroad, wearing out his feet going from place to place in order to expand and develop the spreading of Torah, just as my father, Maran zt”l, wanted.

We Have Accepted the Rulings of Maran

I want to say some words in memory of my father, Maran zt”l, and I want to address one very important topic and explain it as fully as possible: the topic of our Rabbis the *poskim* versus our Rabbis the *mekubalim* (Kabbalists).

On one hand, we have Maran the *Shulchan Aruch*, and as everyone knows, *kibalnu hora’ot Maran*—we have accepted the rulings of Maran. Here I want to emphasize: this matter of “we have accepted the rulings of Maran”—today we all see it as self-evident. But unfortunately, it was not always self-evident. Anyone who knows the state of Sephardic Jewry sixty or seventy years ago knows that the situation was very bad.

My older brothers all learned in the Talmud Torah “Bnei Tzion,” the only Sephardic Talmud Torah in Yerushalayim. I no longer learned there, because that Talmud Torah had already become very weak, and there was no Sephardic Talmud Torah at all in Yerushalayim. I went to the Ashkenazi Talmud Torah “Yavneh,” a private school with a very high level in Torah studies, and afterward to yeshiva *ketanah* and yeshiva *gedolah*. All my days I learned among the Ashkenazim, because there were truly very few Sephardic yeshivot. In Yerushalayim there was “Porat Yosef,” in Bnei Brak there was Yeshivat “Or HaTorah,” Yeshivat “She’erit Yosef”—all of these yeshivot together had perhaps 300 *bachurim*.

Even when I got married, I remember the state of the kollelim throughout the country: in all of Yerushalayim there were perhaps a few hundred *avrechim*, no more. When the Shas movement arose at the time, my father, Maran zt”l, demanded the founding of “El HaMa’ayan,” an organization whose role was to spread Torah as widely as possible, and they began to organize Torah shiurim throughout the country. There were no *avrechim* to give the shiurim. Today, for every shiur that opens, you can bring two or three rabbis to give it. Back then there simply were no rabbis to give shiurim, especially in the periphery.

My father, Maran zt”l, then instructed me to prepare booklets of halachah, and I composed 13 booklets on all kinds of halachic topics, some on the festivals and some on everyday matters: *tzitzit*, *tefillin*, Shabbat and the like. My father, Maran zt”l, would go over these booklets before they were printed; they would be vocalized and distributed. I remember that we distributed over half a million booklets then, and people would simply sit in shiurim throughout the country and learn the halachot from these booklets.

I remember the days when I was still a child, when my father would go around speaking about “we have accepted the rulings of Maran”—it was not simple. The few Sephardim who belonged to the yeshiva world followed the Ashkenazim, and there were some great rabbis among them who said, “Since we raised you, and because of us you merited to come close and become *bnei Torah*, you must follow our customs.” It went that far. My father, Maran zt”l, restored the crown to its former glory.

I can say that today, when we look at the Sephardic Torah world and at the whole world of Torah-observant Jews from the *Edot HaMizrach*—one can say they are the great majority of the religious public in Eretz Yisrael, the great majority of those who keep Torah and mitzvot in Eretz Yisrael. Even in the yeshiva world there are already those who claim that the Sephardic yeshiva world is the majority, but we are certainly a very substantial percentage. When you look at how this began, where it came from—that Talmud Torahs

and yeshivot arose!

Today, every year dozens of yeshivot are founded. We simply don’t look around us, but every year dozens of yeshivot are founded. And all the threats—“We won’t give you money”—when someone stands and shouts all the time, “If you don’t learn the studies we set for you, you won’t get a single shekel!” Those are the words, no less and no more! As if it were his mother’s money... But nobody talks about the fact that billions are given to all those who don’t know how to say the verse “*Shema Yisrael*”! Nobody talks about that—that they receive the State’s money—and in what way are they Jews?! They have no concept of Judaism at all! On the other hand, with us they learn Judaism, and *Baruch Hashem*, people grow up God-fearing and wholehearted.

When we look today at the situation, which keeps improving—*ken yirbeh ve’chen yifrotz*, may it continue to grow and spread—we can say that the one who began this great enterprise, whose whole life was devoted to restoring the crown to its former glory, was my father, Maran zt”l. In quantity—an enormous quantity—but also very much in quality. He handed down to us a path in learning.

The Sephardim and the Mekubalim

Therefore, today I want to devote my words to the line he took on the dispute between the *poskim* and the *mekubalim*. As I said earlier, we have accepted the rulings of Maran the *Shulchan Aruch*. But in the era of Maran the *Shulchan Aruch*, about five hundred years ago, there also lived Rabbenu HaArizal, who passed away very young, at the age of thirty-eight. In his last years—his last two or three years—he taught a great deal of Torah to his disciple Rabbenu Chayim Vital, who recorded everything he heard from him. From this came *Sha’ar HaKavanot* and all the *She’arim* of Rabbenu HaArizal, and the book *Etz Chayim*. The entire Kabbalah according to Rabbenu HaArizal was published in those days and spread throughout *Klal Yisrael*, especially among the Sephardim.

There is no doubt that among those who follow the Zohar and the *mekubalim*, the Sephardim do so more than anyone. After them come the Chassidim, and then also the Lithuanian public, who also follow Kabbalah in many things—especially in matters that the *Magen Avraham*, the greatest of the *Acharonim*, brings in the name of the *Ktavim*, the writings of Rabbenu HaArizal—and all of *Am Yisrael* follows them.

When you look at the influence of Rabbenu HaArizal, it is indescribable. How much Rabbenu HaArizal instilled his Torah, the plain meaning of Kabbalah that every Jew connects to—Rabbenu HaArizal did that. There are things that *Klal Yisrael* does like Rabbenu HaArizal, and in those things, even if it is against the *Shulchan Aruch*, we do like Rabbenu HaArizal. There are many such things. I once spoke about this at length with my father, Maran zt”l, and we sat and analyzed a number of things we do like Rabbenu HaArizal, a large part of which are also against the *Shulchan Aruch*. But all the Sephardim followed this custom in some of these matters.

The Windings of the Tefillin Strap on the Arm

I will give several examples of things in which the custom follows the *mekubalim*. For example, according to Maran the *Shulchan Aruch*, one must put the arm-tefillin onto the arm, and before tightening, recite the blessing “*Lehaniach tefillin*,” then tighten, and immediately afterward put on the head-tefillin. This is the view of many *poskim*, since the windings on the arm are not the essence of the mitzvah of putting on tefillin; the mitzvah of putting on is the tightening of the tefillin onto the arm. Consequently, since the blessing “*Lehaniach tefillin*” also applies to the head-tefillin—this is so even according to the Ashkenazi custom of reciting “*Al mitzvat tefillin*” on the head-tefillin, but “*Lehaniach*” applies according to all views, both to the arm-tefillin and to the head-tefillin.

Today, there is not a single Jew in *Am Yisrael* who follows the *Shulchan Aruch* on this. Sephardim, Ashkenazim—everyone first winds the windings on the arm. The reason: this is what Rabbenu HaArizal established. He truly made it part of the mitzvah to wind the windings on the arm, and only afterward to put on the head-tefillin. Some reconcile the custom with the *Shulchan Aruch* as well: if we only tighten and then put on the head-tefillin, the tightening might come loose in the meantime. Therefore, to secure it, we wind and only

then put on the head-*tefillin*, since only that way will the tightening hold.

In truth, there were also *poskim* in the time of the Arizal, and even before, who said that one should wind the windings immediately after the blessing. But the one who truly brought it from potential into practice was Rabbenu HaArizal.

Maran the *Shulchan Aruch* writes that one should wind six or seven windings. Then Rabbenu HaArizal came and wrote that the first winding is only half, so it does not count, and one needs seven complete windings. That is what the Sephardim do, like Rabbenu HaArizal.

The Windings of the Tzitzit

Similarly with *tzitzit*, Maran the *Shulchan Aruch* writes that one should make windings in the *tzitzit*: seven, nine, eleven, thirteen—forty altogether. He also explains why it should be the number forty. Rabbenu HaArizal, on the other hand, writes: seven, eight, eleven, thirteen—the numerical value of *tal* (39). According to Kabbalah this is a very important number. Today all of *Am Yisrael* follows the view of Rabbenu HaArizal. Some have the custom to make them according to the numerical value of the Name *Havayah*: ten, five, six, five. The Chida writes that this is the custom of most people, and several *poskim* wrote so; however, my father, Maran zt”l, writes that it is preferable to make seven, eight, eleven, thirteen, the numerical value of *tal*.

The *Tosafot Yom Tov*, who lived in the generation after the *Shulchan Aruch*, brings the words of the Arizal and writes: “I saw the *tzitzit* of the holy Rabbi Shlomo Molcho, which had *Havayah*.” This is truly remarkable—the *Tosafot Yom Tov* brings Rabbi Shlomo Molcho as a counterweight, as if this were a very weighty opinion. Rabbi Shlomo Molcho was a righteous convert who lived in the time of Maran the *Bet Yosef*. He lived in Portugal and came from a very prominent family; he was the royal secretary. He was very wise and had a great soul, and when he converted he learned a great deal of Kabbalah. He traveled all over the world, arousing the Jews to look forward to the redemption, to await the coming of Mashiach.

Then someone persuaded him to travel to Spain. He traveled to Spain together with David HaReuveni, and there King Charles V—who was also the emperor of Germany and the king of Spain, a hater of Israel without equal—seized him and said to him, “You converted?!” He threw him into prison, they tortured him with terrible tortures, and they burned him alive! He was killed *al kiddush Hashem*.

There were different opinions about how to regard him. Some claimed it was wrong that he spoke too much about the redemption and stirred up the Jewish people, living among the gentiles, to provoke the gentiles. But in the end we see that the great Torah leaders of that period revered him. Maran the *Bet Yosef* writes in his book *Maggid Mesharim* that the angel who spoke with the *Bet Yosef* told him: “May you merit to be in the presence of Rabbi Shlomo Molcho”—that far! Likewise, as I said, the *Tosafot Yom Tov* brings him as a counterweight to the Arizal’s view, making the windings according to the numerical value of *Havayah*.

So, one who makes the windings of the *tzitzit* according to the numerical value of *Havayah* has what to rely on. But if someone comes to ask us what is preferable—and indeed today we see that almost all of *Am Yisrael* follows the view of Rabbenu HaArizal: seven, eight, eleven, thirteen, the numerical value of *tal*. Once again, we see how the matter spread according to Rabbenu HaArizal.

The Form of the Letters – Tzurat Ha’Otiyot

There is another very important matter, perhaps more important than all the other topics, and that is the form of the letters. Here there is the Arizal’s approach, while Maran the *Bet Yosef* had an entirely different approach. Today, we Sephardim all follow only the approach of the Arizal. True, there are the *Gurei HaArizal*—the disciples of the Arizal—who added all kinds of things regarding the *tzurat ha’otiyot*, and there are things we also accept from what they said based on the Arizal, but some things are disputed. In general, though, we follow the view of Rabbenu HaArizal.

Maran the *Bet Yosef* (*siman* 36) wrote at great length on the *tzurat ha’otiyot*. The book on which Maran the *Bet Yosef* based the laws of the *tzurat ha’otiyot* is *Alfa Beta*, composed by Rabbi Yom Tov Lipmann—a great *mekubal* among our Rabbis the *Rishonim*. It was republished a few decades ago by a

certain *talmid chacham*, Rabbi Meshi-Zahav, in a very beautiful edition with very fine notes.

The author of *Alfa Beta* wrote the laws of *tzurat ha’otiyot* in several orders—a first order, a second order—and in the second order he adds all kinds of details and halachot. There is also an entire order in which he explains each and every letter according to Kabbalah. I say that whoever reads it—how he explains each letter according to Kabbalah—I promise him in advance that it is a waste of his time; nobody will understand anything. These are very deep matters according to Kabbalah.

Maran the *Bet Yosef* took the first part that he wrote and copied it word for word, and afterward Maran adds remarks on several letters. From the fact that Maran remarks, we learn that on these points he does not agree with him. There are certain things where he brings other opinions and does not agree with him. But wherever Maran the *Bet Yosef* does not remark—which is the overwhelming majority of what the author of *Alfa Beta* wrote—Maran agrees.

If we were to write a Sefer Torah like Maran the *Bet Yosef*, it would be completely different from a Sefer Torah according to the approach of Rabbenu HaArizal. Today, we Sephardim all follow the view of Rabbenu HaArizal in *Sifrei Torah*, *tefillin* and *mezuzot*. Here you see the power that Rabbenu HaArizal had.

The Correct Method of Writing

I remember that when I wrote *Halachah Berurah* volumes 2 and 3 and finished writing them—in these volumes I wrote at length all the laws of writing and also the *tzurat ha’otiyot*—I met with Maran HaGaon Rabbi Yosef Shalom Elyashiv zt”l, and he said to me: “Look, I saw what you wrote. I want to ask you—tell me the truth, what do you think? Who is right in this, the Sephardim or the Ashkenazim?”

I answered him that there are things I can say and the Rav cannot say. Certainly, if we go according to our Gemara and the early *poskim*, the Ashkenazim are certainly right. They follow the Gemara; there are several things for which there are proofs from our Gemara against the Arizal’s form of the letters. True, there are things we can reconcile, but there are things that are very difficult to reconcile. Still, the Ashkenazi tradition follows the *poskim*, and we follow the Arizal, and each one follows his own custom. Then we had a long conversation about the form of several letters according to the Arizal, and what the proofs are for this side and for that side. We had a very interesting conversation on this topic.

But once again we see the power of Rabbenu HaArizal. If we search through very ancient books, we will not find a Sefer Torah from 700 or 800 years ago that is written entirely like Rabbenu HaArizal. But from the time of the Arizal onward, over the generations, among the Sephardim the writing spread only according to Rabbenu HaArizal.

The Custom of Kapparot with a Chicken on Erev Yom Kippur

Maran the *Bet Yosef* (*siman* 605) writes, and he also ruled so in the *Shulchan Aruch* (605:1), that one may not perform *kapparot* with fowl—it is *darkei ha’Emori* (the ways of the Amorites), a very severe Torah prohibition. Rabbenu HaArizal, however (cited in the *Magen Avraham* there, 605:1), writes that one should indeed keep this custom, and so does the *Rama*. In practice, we see that all of *Am Yisrael* followed Rabbenu HaArizal on this matter.

My father, Maran zt”l, himself, until his last years, was careful to perform *kapparot* with fowl. I remember, too, when we were children, Mother a”h would go and buy fowl already in the middle of the month of Elul and prepare them, and he would perform *kapparot* himself for each member of the household. He would invite a *shochet* to the house, and he would check his knife properly. My father, Maran zt”l, was an expert in *shechitah* and *tereifot*, in all these subjects.

For *kapparot*, my father would invite an expert *shochet*. When he was in Tel Aviv, there was a *shochet* named Rabbi Roshgold, a Gerrer Chassid, who would come every year on Erev Kippur with his knife. My father, Maran zt”l, would check the knife. We would go down to the yard, to a place with earth, and they would slaughter the fowl. Afterward my father, Maran zt”l, would

check the knife again, and then they would perform the mitzvah of *kisui hadam* (covering the blood) with a blessing. Every time, my father, Maran zt"l, would call me to take part in this mitzvah as well. That is how it was over the years.

We see that the *Rama* in practice also rules like Rabbenu HaArizal to perform *kapparot*, and *Am Yisrael* followed Rabbenu HaArizal and not Maran the *Shulchan Aruch*.

Expertise in Shechitah and Terefot

I remember when I was a little boy, he would go to give a shiur every night at the Shaul Tzedakah synagogue, a shiur of an hour and a half. He completed teaching the entire Orach Chayim there, and he would give them exams—something extraordinary. But when he came home at ten or ten-thirty at night, there was a long line by the house of people bringing their chickens to the Rav to ask whether it was teref or not. In those days it was not like today, when from the moment a chicken hatches from the egg until it is slaughtered takes at most five weeks—today all the chickens die short of days and years... Back then they raised chickens properly; people would buy a chicken, take it to the shochet, and afterward open it up.

Every woman was an expert in all the laws of salting, every detail down to the finest details. In our home, Mother a"h always salted the chickens, and later, when there was beef too, she would salt it. Today all these things have been forgotten, because everything is bought already koshered.

In those days, when people bought a slaughtered chicken, for example, they would pluck the feathers and open it up, and if they found all kinds of problems, they would go ask the Rav. So there was a long line by our house—people would stand and wait—and my father would take the gizzard or the liver of the chicken and so on and examine them. His hands would get dirty, and every few minutes he had to wash his hands. Meanwhile he would look into the *sefarim* and tell them: kosher or *teref*, and he would bring proofs for this side and proofs for that side. In the past there was no such thing as a great Torah leader in Israel not being expert in this subject, because it was very much needed in everyday life.

The Revealing of the Taz

There is a famous story about the *Taz*, a story with a great moral lesson. The *Taz* was the son-in-law of the *Bach*. He was an indescribably great *gaon*, and he wrote *sefarim*, his greatest work being on *Orach Chayim* and *Yoreh De'ah*. In that period there were many pogroms against the Jews, and the *Taz* went into exile and wandered. He was in great distress and fell into terrible poverty. At the same time, he had resolved that he did not want to be a rabbi; he wanted to conceal himself, to sit and write and learn. So he looked for some livelihood, as long as it was not being a rabbi. He came to a certain city, went to the rabbi and said to him, "I have learned *shechitah*; I ask whether it is possible to appoint me as the city's *shochet*."

The rabbi asked him his name, and he told him, "David." The rabbi then began to test him. He checked his knife, saw how he slaughtered, saw that he really was an expert *shochet*, and appointed him *shochet* of the city.

In that city the practice was that after the slaughtering, when it came to checking the lungs and the like, if there was even the smallest problem, the rabbi would come every day, examine all the problems, and decide whether it was kosher or *teref*. One day the rabbi was delayed a bit and came late. The people had no patience to wait, so the *Taz* checked and told them: "This is kosher, this is *teref*," and so on. When the rabbi arrived, they told him that the new *shochet* had already said this was kosher and that was not, and so on. The rabbi went over to the *Taz* and said to him: "You are a *shochet*! Nobody appointed you to be an examiner and a posek here as well! I am the *mara de'atra* (local rabbinic authority) here, and you have no permission to rule!"

A short time passed, and once again a case occurred and a question arose. The *Taz* could not restrain himself and ruled that it was kosher. The rabbi came and was very angry with him, and warned him that if he did so another time, he would punish him. True, the rabbi agreed that he was right in what he had ruled, but it was unthinkable that he should appoint himself as a posek.

After some time it happened a third time, and the rabbi decided: that's enough. He gave him a punishment. The punishment was that in the

community, in the courtyard of the synagogue, there was a kind of cage called "the *kuneh*"—a cage into which anyone who violated the community's regulations was put, and everyone who passed by would scorn and curse him. Of course there were also those who were "*mehadrin* in mitzvot" and would spit on him... They took the *Taz* and put him into this cage. People passed by, everyone mocking and laughing at him, and he stood there—what could he do?!

Then he saw a little girl arrive with a package. She went into the rabbi's room and came out crying. He called the girl over and asked her what had happened. She told him that her mother had sent her with a chicken to ask the rabbi whether the chicken was kosher or not, and the rabbi had said the chicken was *teref*. "And now we have nothing to eat at home—this chicken was all we had!" When the *Taz* heard this, he asked to see the chicken, and then he said to the girl: "Go to the rabbi and tell him to look in the book *Turei Zahav*—the *Taz*—in such-and-such a *siman*, such-and-such a *se'if*, and he will see that it is permitted and that he made a mistake..."

The girl went and told this to the rabbi. The rabbi was indeed very great in Torah, but the *Taz* was the *gadol hador*, and he saw that the *Taz* had indeed ruled that it was kosher. So first of all, he immediately retracted and told the girl that the chicken was kosher. Then he immediately ordered that the *Taz* be taken out of there, and said to him: "Tell me the truth, who are you?" The *Taz* answered him vaguely: "My name is David."

But the rabbi did not give up and pressed him to find out who he really was, until it became clear to him that this was the *Taz* himself.

When the rabbi heard that he had offended the honor of the *Taz*, he was so very frightened. He immediately called the *gabbaim* of the city and said to them: "You have here in the city the *gadol hador*, the *Taz*. I am resigning. I do not want to be rabbi when there is such a great man in this city." The *Taz* would not agree under any circumstances, but in the end he agreed to take on the position of *rosh yeshiva* in the city.

Some time later, when the rabbi passed away, they appointed the *Taz* to serve in his place as rabbi of the city. They then asked the *Taz*: "You came here and concealed yourself. So why, in the story with the girl, did you suddenly stand up and bring this about? By saying the chicken was kosher, you caused them to discover who you really were."

The *Taz* answered them: "I truly wanted to conceal myself. But when this poor girl came before me, from a poor family, I saw the great poverty—that for nothing, for no reason, they would have nothing to eat—and I could not bear it. I took into account that because of this they might find out who I am, but the main thing was that I could not accept that this poor family should suffer the loss."

The Versions of the Prayer

There are many more things—for example, the versions of the prayer. Our entire *nusach*, that of the Sephardim, is according to Rabbenu HaArizal. Among the Chassidim it is almost like Rabbenu HaArizal, but not completely. They do not have "*Barechenu*" in the summer and "*Barech Alenu*" in the winter, except for a few of them. Rabbenu HaArizal writes that this is how it should be done, and we follow Rabbenu HaArizal.

Likewise, Rabbenu HaArizal instituted saying "*Shir HaMa'alot Mima'amakim Keraticha*" between *Yishtabach* and *Yotzer* during the Ten Days of Repentance, as well as "*Oseh HaShalom Bimromav*," and many more such enactments that we follow according to Rabbenu HaArizal.

Saying LeShem Yichud

Rabbenu HaArizal established the saying of *LeShem Yichud*, and that is how we Sephardim conduct ourselves today. My father, Maran zt"l, was not particular about saying *LeShem Yichud* for every mitzvah, but there were mitzvot where he was particular about it. After all, the argument of the opponents—for example the *Noda BiYehudah* (*Kama*, Y.D. 93; *Tinyana*, O.C. 107) argued that when one says "*asher kideshanu bemitzvotav vetzivanu*," these words themselves express the intention for the mitzvah, and no addition is needed to arouse the intention, because the intention is already there.

But when all the Chassidim began to say *LeShem Yichud*—among the

Sephardim they had been saying *LeShem Yichud* for hundreds of years already, perhaps two hundred years before the Chassidim began to say it—there was a great battle over it, because there were rabbis who feared changes. You start with a change like this, and who knows what will come afterward. But in practice it is not a change; we say *LeShem Yichud* because we want to further arouse the preparation for fulfilling the mitzvah.

The Positive Mitzvah of Sefirat HaOmer

My father, Maran zt"l, would say *LeShem Yichud* for several mitzvot. For example, for *Sefirat HaOmer* he was careful to say *LeShem Yichud* every day, because there are versions in which it is written, "We are hereby coming to fulfill the positive mitzvah from the Torah, as it is said," whereas in practice, halachically, the view of the *Shulchan Aruch* is that it is Rabbinic. Therefore he would say, "*LeShem Yichud*, we are hereby coming to fulfill the mitzvah of *Sefirat HaOmer*, to bring satisfaction to our Creator." He wanted to say the *LeShem Yichud* in order to emphasize that it is Rabbinic and not from the Torah.

LeShem Yichud Before Putting on Tefillin and Before Tefillah

He would also say *LeShem Yichud* before putting on *tefillin*, since there a special intention is required, as brought in the *Shulchan Aruch*. Likewise, on the night of the festival of Sukkot a special intention is required, also brought in the *Shulchan Aruch* (O.C. 639:1): one should have in mind that the sukkah is a remembrance of the Clouds of Glory. In such places he would say *LeShem Yichud*, and so too for several other mitzvot. But ordinarily, for example before the *Minchah* and *Arvit* prayers, he would not say *LeShem Yichud*, only the verse "*Vihy No'am*." Among the Sephardim, however, the custom spread to say *LeShem Yichud*, and certainly blessing will come upon them.

Tefillin of Rabbenu Tam

On one hand, we see how far the Torah of Rabbenu HaArizal spread. On the other hand, when there are all kinds of disputes in halachah—sometimes it is with the *Shulchan Aruch*, sometimes with the *mekubalim* in general—in this my father, Maran zt"l, always followed the *Shulchan Aruch*. As an example, I will take the topic of putting on *tefillin* of Rabbenu Tam.

My father, Maran zt"l, held putting on *tefillin* of Rabbenu Tam in very high regard. He would influence every person he could to put on Rabbenu Tam as well. This is very important, since there are several *Rishonim* who hold like the view of Rabbenu Tam, and the *Shulchan Aruch* writes that a God-fearing person should fulfill both.

On the other hand, he was very careful to follow the view of the *Shulchan Aruch*—to have in mind that one is true and the other is mere straps—because otherwise there is a concern of *bal tosif* (adding to the mitzvot). Therefore, the *tefillin* we put on with a blessing are *tefillin* of *Rashi*, since the *Rambam* and the *Shulchan Aruch* rule like *Rashi*; but on the other hand, as a stringency, we also put on *tefillin* of *Rabbenu Tam* without a blessing. This is not like the view of the *mekubalim*, who hold that both are true. There is a very lengthy discussion of this topic in *Yabia Omer* (1:3).

Furthermore, my father, Maran zt"l, was careful not to put them on together. In practice, there is no halachic obstacle to putting them on together if you have in mind that one is true and the other is mere straps, but there are two major problems here. First, the place of the *tefillin*: there is a concern that one of the two *batim* of the *tefillin* will be out of its place. If the *tefillin* are outside their place, whether the arm-*tefillin* or the head-*tefillin*, then one has not put on *tefillin*—it is worth nothing at all. I wrote about this at length in *Halachah Berurah* (*siman* 34) and brought all kinds of arguments against it, and this is not the place to elaborate. Second, and far more problematic: if one puts both on together, they must be made very small, so that the *titura* and the *ma'avarta* together—the length of the *tefillin*—are no more than four centimeters, and then the *parshiyot* must be written in very small letters. When writing in small letters, it is not easy to be precise with every letter and to make sure the letters are completely whole.

Once a Jew came to me who had two pairs of *tefillin* together, and I told him it would be worthwhile to have them checked. When he brought me the *parshiyot*, I told him, "First of all, this is not beautiful writing." Apparently, because it is so small, it is hard to write beautifully. Then I said to him, let's

try an experiment. We put the *parshiyot* in a photocopier and enlarged them greatly, and to our astonishment we saw that there were breaks, there were letters whose heads were not right—real halachic problems in these *parshiyot*.

Of course, today there are excellent *soferei stam* who know how to make even tiny *parshiyot* very, very beautifully. But when you insert them into the *batim*, you have to compress them a great deal. Sometimes, while inserting them into the *batim*, a single letter can break. If one letter breaks—it has a crack, it is not whole, it has turned into something like two letters—even if it is as thin as a hair, the *tefillin* are invalid. Therefore my father, Maran zt"l, was very much in favor of putting them on one after the other.

Sefatayim Yishak

I remember that in 5753, I traveled abroad with my father, Maran zt"l. I accompanied him to a number of countries, but mainly we were in Panama. We traveled there together with Maran HaGaon Rabbi Ben Tzion Abba Shaul zt"l, and when they were together they spoke a great deal of Torah—it was very interesting. I have many stories about that week.

At *Shacharit*, Chacham Ben Tzion's custom was to put on *Rashi* and *Rabbenu Tam* together. In 5753 this was already after he had, to our sorrow, become partially paralyzed; he could not put them on by himself, and someone had to put the *tefillin* on him. I arrived at the synagogue a few minutes before my father, Maran zt"l, and he arrived as well. Chacham Ben Tzion then announced to his son, HaGaon Rabbi Eliyahu Abba Shaul zt"l, who passed away a few years ago: "Today I am putting on the *tefillin* one after the other." When his son asked him why, Chacham Ben Tzion answered: "Because Chacham Ovadia is here, and it is not *derech erez* to put on two pairs of *tefillin* together in front of him."

Then I stepped in and said to him: "Excuse me, Rav, my father does not object to your putting on two together. If it is very small and it is written properly, if everything is in order, then it is fine—what is the problem?"

But he answered me: "True, I know. Nevertheless, since your father does not put them on together, if I am next to him and put them on together, it is not *derech erez*!" See how much respect he had for my father, Maran zt"l. It was not *derech erez*—he would not agree to put them on together.

My father, Maran zt"l, told me that when *Yabia Omer* came out, when he wrote on the whole topic of together or one after the other, and whether, like the *mekubalim*, both are true or not, there were many *mekubalim* who were pained by it; they did not like what he wrote. Then he met in the street HaGaon Rabbi Ephraim Cohen zt"l, the Rosh Yeshiva of the *mekubalim* yeshiva "Bet El," the greatest of the *mekubalim*, and the father of HaGaon Rabbi Shalom Cohen zt"l. Rabbi Ephraim Cohen said to him: "I read everything you wrote on the matter of *tefillin* of *Rashi* and *Rabbenu Tam*." My father, Maran zt"l, asked him: "And am I right or not right?"

Rav Ephraim laughed and said to him: "*Sefatayim yishak meshiv devarim nechochim*—lips shall kiss the one who gives a right answer" (*Mishlei* 24:26). Those were the words he said to him.

We see how my father, Maran zt"l, on one hand—when he saw that there were concerns, or a halachic dispute with the *mekubalim*—there were times he went against them, and there are many more examples. We no longer have time to say everything.

May it be Hashem's will that the merit of my father, Maran zt"l, protect us and all of *Am Yisrael*. He loved *Am Yisrael* without equal; he drew everyone close. We will ask of him that he continue—as my son Rav Ovadia said at the beginning—that my father, Maran zt"l, continue to be the advocate and *melitz yosher* of *Am Yisrael* in Heaven. With Hashem's help, may he continue to be a *melitz yosher*, may his merit protect us, and may we walk in his light, learn his Torah, and merit, with Hashem's help, the complete redemption and the resurrection of the dead soon.

I want to thank Radio "Kol Berama" for broadcasting this shiur today. Today's shiur, with Hashem's help, will strengthen the following of the Torah of my father, Maran zt"l, and his rulings. With Hashem's help, may we merit to hear and be informed of good tidings, salvations and consolations, Amen, *ken yehi ratzon*.