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The Higher the Nation, the Harder the Repentance

Harav Shaul Yisraeli – based on Siach Shaul (Yamim Noraim), pg. 213-6

Wisdom is necessary for *teshuva* (repentance), which is why the blessing of wisdom precedes that of *teshuva* in our prayers (Megilla 17b). The Ten Commandments were written on two different *luchot* (tablets), first on divinely prepared *luchot* and later on humanly hewn stones. The first were broken, while the second ones, necessitated by the sin of the Golden Calf, remain. The seven weeks before the giving of the Torah and the first *luchot* are now days of mourning. During the seven weeks preceding the giving of the second *luchot* (Yom Kippur) we read the prophecies of consolation. The stability of the acquisition of Torah came specifically after sin required people to deepen their understanding of their spiritual status. *Teshuva* was created before the world came into existence, and therefore, sin can serve as the basis for spiritual growth.

Yonah was afraid that the people of Ninveh would repent because the nations are “close to *teshuva*” (Tanchuma, Vayikra 8). Wouldn't we think that specifically Bnei Yisrael would be closer to *teshuva*? When a famous *gemara* describes Bnei Yisrael's horrible failure to curb their idolatry, it refers to Bnei Yisrael as “His sons.” In that lower state, shouldn't they instead have been called servants?

Even when Bnei Yisrael act wickedly, they still possess a greatness that makes them worthy of the title “sons.” There are sins that come from lowliness and sins that come from greatness. The sin of the Golden Calf was specifically perpetrated by the ‘Generation of Knowledge,’ for only such a generation of such a nation could have done so. The cause of sins of greatness is the feeling of such internal goodness that one does not feel the need to accept the authority and be a servant of Hashem. In asking for the calf, we see that even with their terrible mistake, they could not picture a situation in which they would not be connected to an ideal. The problem was that they wanted to craft the ideal for themselves, which cannot work because a person consists of coarse physical qualities and not only fine ones.

Tehillim describes that sin as, “they switched their honor with the image of a bull eating grass” (106:20). They got confused between man's exalted spiritual content and his points of resemblance to an animal. While one should not reject his animalistic side, he must realize that a bull eats all that is around him. Where are all the ideals that the people thought they were maintaining?

It is very difficult to fight bad that is intermingled with good, i.e., evil desires cloaked in ideals. That is why the nations are close to *teshuva*, as their sinfulness is much clearer. For us, success in *teshuva* comes only after one can see sin's pitfalls, as we read in the *haftara* (Hoshea 14:2): “Return to Hashem for you have stumbled in your sin.” That is why Hashem waited until the sinning had developed to tell Moshe to descend from Mt. Sinai. Then Moshe was able to break the *luchot* and demonstrate the people's undeniable need for *teshuva*. When not only the high religious concepts were being violated, but people had started trampling the basic principles of human decency, the door to *teshuva* was opened.

If during the first 40 days Moshe was on Mt. Sinai, the people were nervous what decrees he would bring down with him, the last 40 were accompanied by anticipation of the dictates they now understood were needed. This period ended with Yom Kippur, a day that is, with all its solemnity, a festive time.

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Ask the Rabbi

Eating on Erev Yom Kippur

by Rav Daniel Mann

Question: I understand that there is a *mitzva* to eat on *Erev* (the day before) *Yom Kippur*. Considering that I certainly was not planning on fasting two days straight, what practical ramifications are there of this *mitzva*?

Answer: The *gemara* (Berachot 8b) refers to a *mitzva* to eat on *Erev Yom Kippur*, which is either mandated by the Torah or by a rabbinic requirement with a hint in the Torah. It says that one who fulfilled it is like one who fasted for the two days. The Shulchan Aruch (Orach Chayim 604:1) and many others discuss eating more than usual. One indication of the significance of additional eating is that *poskim* (Magen Avraham ad loc., Mishna Berura ad loc. 1) derive from the *gemara* that one should learn less Torah than usual on *Erev Yom Kippur* in order to leave time for it. Regarding the details, we must distinguish between the minimum and the preferred. Even if one eats only at the *seuda hamafseket* (the meal directly preceding the fast), he has minimally fulfilled the *mitzva*, and this is what is suggested for one who wants to fast due to a very ominous dream (Magen Avraham 604:1). However, it is expected that one do much more eating than that.

Let us first look at the main reasons suggested for this halacha, as this will help us find the most appropriate practical approach. The Rosh (Yoma 8:22) and Tur (OC 604) say that we are to eat in order to be able to fast without undue difficulties. Rabbeinu Yona (Shaarei Teshuva 4:9) and the Ritva (Rosh Hashana 9a) mention a different reason: it is appropriate to eat because the proximity to Yom Kippur, the wonderful day of atonement, gives the day a semi-Yom Tov status. Other reasons are given, including kabbalistic ones.

We will present some cases that might depend on which reason is correct and the accepted ruling regarding each one. If the *mitzva* is to facilitate a good fast, then it should not apply the night before, which is too removed from the fast to make a significant difference. If it is because of a *Yom Tov* status, it might apply at night as well. The more accepted opinion is that there is no obligation the night before, but that it might be positive to do so (see a ramification in Mishna Berura 604:2).

At first glance, women should be exempt from the *mitzva* because it is a time-based positive *mitzva*. However, there is logic to apply the *mitzva* to women either due to the style of the derivation from the *pasuk* or because of the logic that anyone who is going to fast needs to eat properly beforehand. The standard assumption is that women are obligated (see Yechaveh Da'at I:58).

Another possible consequence is whether one should eat food that one has a reason to believe will cause him to fast well or whether he should eat food that is festive or otherwise appropriate for a *Yom Tov* (such as meat and bread). The Minchat Chinuch (#313) assumes that there is no need for any specific type of foods, just that one eats. However, there are strong indications that the *minhag* was and is to eat meat (see Magen Avraham 604:1) and have a formal type of meal, one in which there is a feeling of *Yom Tov* or at least imminent *Yom Tov*. There seems to be an emphasis on the quality of the food, along with concern that the food make sense for people who are about to fast (it is hard to know if the latter is on practical or religious grounds).

In most of our circles, the only eating that is done as ritual is the *seuda hamafseket*. Otherwise, it is positive to eat more than usual, but in a format that is convenient. There are significant numbers of people and communities who have a morning or early afternoon meal, which is similar in scope to the *seuda hamafseket*. It is hard to make a claim that this is an obligation or something that one should try to impose upon the mother of the house or others who find it difficult. The impetus for this practice seems to be along the kabbalistic approach and is not obligatory, unless one is part of a community in which this is a clear *minhag*.

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Ein Ayah

(from the writings of Harav Avraham Yitzchak Hakohen Kook, z.t.l.)

Trust and Immunity to Bad

(condensed from Ein Ayah, Berachot 9: 173)

Gemara: Rava said: The following *pasuk* should be learned from the beginning to the end and also from the end to the beginning: "From bad tidings he will not fear, his heart is properly set and he has trust in Hashem" (Tehillim 112:7). He will not be afraid of bad tidings because he trusts in Hashem. If he has trust in Hashem, he will not have to fear bad tidings.

Ein Ayah: If a person has full trust in Hashem, this covers all the paths of righteousness and goodness. When he turns to Hashem for all that he desires, his heart will be pure from all that is bad, and he will be going on the proper path. As such, there will not be a need to refine him by means of frightening things, and he will not be afraid of bad tidings.

However, that which brings a person to this high level of full trust in Hashem is the spiritual bravery to internalize the realization that there is really no reason to fear anything. One should not even fear those matters that seem bad in human eyes, for nothing will occur if Hashem did not decree it. That is the way to read the *pasuk* from the end to the beginning. If one has proper trust in Hashem, then he will not fear bad tidings, including those things that actually came about, because he will know that they are not actually bad. When he is on that level, Hashem will protect him to a higher degree, as the *pasuk* says: "The legs of His righteous people He shall guard" (Shmuel I, 2:9).

The Time and Place for Fear

(condensed from Ein Ayah, Berachot 9:174)

Gemara: A student was following Rabbi Yishmael the son of Rabbi Yossi. Rabbi Yishmael saw that he was afraid, and said to him: "You must be a sinner, for the *pasuk* says: 'Sinners in Zion were afraid' (Yeshaya 33:14)." [The student] responded: "Doesn't the *pasuk* say: 'Praiseworthy is the one who is constantly fearful' (Mishlei 28:14)?" [Rabbi Yishmael answered:] "That is referring to fear in matters of Torah."

Ein Ayah: Fear comes when one is in a state of mind that does not fit in with the world around him, for whoever is in harmony with his surroundings does not fear them. Therefore, one who did not sin and did not lose his connection to the reality of the world around him will not be afraid at all. Only a sinner, who has separated his soul from the world of straightness by choosing paths of crookedness, will be afraid.

In general, pure logic dictates that one should not be afraid. When one is on the right path, he will be connected to logic (of a spiritual nature), and he will not be vulnerable to fear. When he leaves the world of intellect and strays into areas that imagination dictates, there is room for fear, because there are terrible horrors that exist therein. That is why Rabbi Yishmael posited that fear, indicating a connection to the realm of imagination, is a sign of sin.

The lack of fear of someone who is without sin relates only to fear of losing things that are according to his level. However, regarding one who sets his sights to acquire great things that are beyond him, such as a high level of Torah achievement, there is indeed room for fear. Despite his lack of sin, it is still elusively distant and of immense value. This type of fear of loss of Torah does not take away a person's tranquility of the soul. After all, once he shows concern for his Torah, he already deserves his lot in Torah, for Torah is not truly lost unless one wants to lose it. Even when one has difficulty retaining Torah, the Torah is able to shine its way back into his life. Nevertheless, there is room for a light level of fear that encourages a person to be careful.

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Acceptance Committee (part II)

(condensed from Hemdat Mishpat, rulings of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) wants to rent a home in a *yishuv* (a communal settlement) (=def). The *yishuv's* rules state that one must be accepted by the *va'adat kabbala* (=vaka – acceptance committee) in order to do so, and vaka rejected pl. Pl claims that the head of vaka attributed the decision to her age and lack of financial resources and that these reasons are unacceptable. Furthermore, pl argues that no group should have authority to limit who can live on government-owned land, and that the halachic requirements for making such a rule were not met. Def responds that the need for acceptance to the *yishuv* by a committee is the *minhag* of the *yishuv* from its inception, and that private statements of the head of vaka do not have public standing.

Ruling: [Last time we saw that it is possible for the community to decide to require a prospective resident to be accepted by an acceptance committee (vaka). We add that this is so when the owners of the land (Israel Land Authority, the Keren Kayemet, etc.) agree to this practice, which is indeed a very accepted one.]

Beit din cannot replace the vaka or oversee its operation on an ongoing basis when vaka is operating in a reasonable and proper way. However, if vaka violates basic elements of natural ethics, its actions can be questioned. Even in regard to *dina d'malchuta* (the law of the land), laws are not binding if they negate certain basic principles of ethics and fairness.

As far as the running of the committee is concerned, the only flaw we saw is that they did not keep minutes of their session, which we recommend they remedy, but that does not void their decision. The residents have to decide what criteria there are for membership in the *yishuv* and what its atmosphere and style will be, within reason. The extent to which a candidate's age can be a factor depends on whether this is likely to have an impact on the lifestyle of the *yishuv*, which is unlikely regarding someone who is only renting.

Lack of financial resources is certainly an improper criterion, for two reasons. Firstly, people of means are supposed to live a life in which they help poor people and the rule is that the poor people of one's own city come first. How will there be poor people in one's city if residents do not allow poor people in. Our Rabbis tell us to "be careful in your actions with the sons of poor people, for out of them, Torah emerges." Including poor people in one's circle should not be viewed as merely a burden on society, but as a source of *beracha*.

It is not clear though that these were the factors that were responsible for pl's rejection. However, after clarifying some of the matters that may and may not be grounds for rejection, we believe that def should reevaluate their decision. Since the tendency is for people to try to uphold the opinion they put forward, an ad hoc committee should be put together to redo the process. This group can be put together by residents or by the secretariat of the *yishuv*.

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