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HEMDAT YAMIM

חֵמְדַת יָמִימִים

Parashat HaShavua

Beshalach, 11 Shevet 5778

What's in a Number – part II

Harav Yosef Carmel

Last time we started discussion of the apparent contradiction between the depictions of the exile in Egypt as 400 or 430 years and the indications that it was only 210 years. This condensed piece finishes our discussion.

The Rashbam understands the *pasuk* (Shemot 12:40) as referring to the inhabitation of Bnei Yisrael in Egypt finishing a period of 430 years that began with *Brit Bein Habetarim*. It did not mean that the whole period had to do with Egypt. The Alshich arrives at a novel explanation based on the fact that the *pasuk* refers to *Mitzrayim* and not *Eretz Mitzrayim*. He says that *Mitzrayim* does not refer only to Egypt but to all different types of difficulties, based on the etymological associations of the word. The Malbim picked up on the fact the *pasuk* refers to the exodus of “all the bands of Hashem” and says that since there were heavenly beings that were with Bnei Yisrael in Egypt and since Bnei Yisrael were worked day and night, the time that they needed to stay in Egypt only needed to be, from a calendar perspective, half of the 430 mentioned by the *pasuk*.

We prefer two *p'shat* approaches that the Ibn Ezra provides. In his long commentary, he champions, based on several occurrences in *Tanach*, the thesis that biblical chronology is not limited to historical accuracy and often is presented with deep philosophical or mystical content in mind instead. This is an approach that we find in *Chazal* as well – see our discussion in *Tzofnat Yeshayahu*, p. 18 of the preface.

In his short commentary, Ibn Ezra presents another thesis, one which actually has a lot of support in recent archeological finds. The Land of Canaan was in many ways considered an extension of Egypt. Thus, once Avraham came to the Land, and until Bnei Yisrael extricated themselves from under Egyptian rule at the time of Moshe, they could be referred to as living in Egypt. The matter of 210 years in Egypt was the time they spent in the limited geographical country known to us as Egypt.

There have been many letters and seals found throughout crucial cities in Israel that indicate that the local leadership served as vassals to the Pharaohs in Egypt. This includes digs in Dor, near Haifa, and in Gezer. This phenomenon continued actually for hundreds of years (see *Melachim I*, 9:16) and underwent an interesting twist when Shlomo married Paroh's daughter.

Let us pray that we will merit to live safely throughout our Land and will use our political independence to further our spiritual development in all areas.

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Those who fell in wars for our homeland. May Hashem avenge their blood!



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Ask the Rabbi

by Rav Daniel Mann

Use of Salad Slicers on Shabbat

Question: May I use a salad slicer (approximately, a hand-operated food processor) on Shabbat?

Answer: The *gemara* (Shabbat 74b) states, according to the explanation of several *Rishonim*, that cutting certain vegetables into small pieces is a Torah-level violation of *tochen* (grinding).

There are several lenient opinions that limit the scope of this prohibition on cutting. Some say (see Tosafot ad loc.) that it applies only to foods that are not edible whole, which makes cutting them into small, edible pieces a significant and thus forbidden change. The Rambam (Shabbat 21:18) implies that it is only when it is cut up in preparation for its being cooked. These two possibilities, and especially when one connects them, logically make cutting comparable to grinding grains to be used for baking bread. A further leniency is cited by many, including the Rama (Orach Chayim 321:12), in the name of the Rashba (Shut IV:75). The Rashba says that cutting done soon before consumption is considered part of the eating process and not a forbidden *melacha*, similar to the distinction regarding *borer* (selecting).

If one makes a standard salad right before the Shabbat meal it would thus seem that there should be several grounds to permit the matter. However, there are a few difficulties in allowing use of a salad slicer on Shabbat. First, the Shulchan Aruch (OC 321:12) considers the cutting into small pieces of all vegetables, even not for the purpose of cooking, as a full-fledged violation of *tochen*. Furthermore, the Magen Avraham (321:15) is among those who are unhappy with the leniency of cutting soon before eating (see Mishna Berura 321:45), at least when the vegetables are cut very small.

In this regard, a simple compromise is to indeed turn the device only enough for the vegetables to, by and large, be cut into relatively large pieces. Many *poskim* point out that there are no exact dimensions for what is considered small, and that the matter is relative to the normal preparation of the salad (see Dirshu 321:59). There is also a *machloket* about when a vegetable is cut thin in one dimension but remains larger in the other two dimensions (and thus, for example, the pieces still need to be chewed before swallowing). Igrot Moshe (OC IV, 74) is lenient on the matter, while some others say that cutting thin in any dimension is a problem (see Orchot Shabbat 5:(12)).

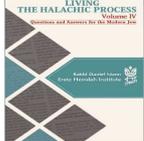
However, it is still a problem to use a salad slicer because it is a utensil that is made for the purpose of cutting into small enough pieces to be considered *tochen*. The Biur Halacha (to 321:12) follows the comparison that the Rashba made to *borer*. For *borer*, it is not enough that the selecting is done for short-term use, but it also must not use a utensil because that makes it more work-like. Using a regular knife that is used for cutting of all shapes and sizes does not impact the permissibility because that is the way that permitted cutting is done as well. However, when one uses a special set of blades which is made for making salads of small pieces, it is forbidden even if he limits the use so that it does not, in this case, produce small pieces (ibid.). This is on two possible grounds. One is that it turns the action into one which is closer to classic *tochen*. The other is that use of such a special preparing machine is a violation of *uvdin d'chol*, weekday-like activity, even in cases when the *melacha* of *tochen* does not apply to the object being cut (Shulchan Aruch, OC 321:10).

There are some types of salad preparation gadgets that always leave the pieces quite large. In that case, it is possible (some require that the pieces be bigger than usual) that there is neither a direct prohibition of *tochen* nor a problem of *uvdin d'chol* (see Shemirat Shabbat K'hilchata 6:3). We cannot give you an opinion without seeing the operation of the specific appliance. In general, it is a good idea to either prepare the salad before Shabbat or use a regular knife.

Do not hesitate to ask any question about Jewish life, Jewish tradition or Jewish law.

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Ein Ayah

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

The Time to Join the Masses

(condensed from Ein Ayah, Shabbat 6:5)

Gemara: Rav was told: A great and tall man, who limps and teaches that it is permitted to wear a crown, has come. Rav said: Who is a great and tall man who limps? Levi. It is clear, then, that Rabbi Affes has died, Rav Chanina has taken on the role of the head of the central rabbinical academy, so that Levi had no one to study with and came here. Maybe Rav Chanina died, Rabbi Affes remained as he was, and Levi had no one to sit with, and therefore he came here? If Rav Chanina would have died, Levi would have made himself subservient to Rabbi Affes.

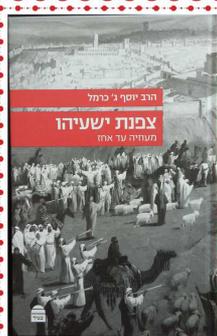
Ein Ayah: There is a “measure and weight” for everything. There is a special value for spiritual actions when an individual stands by himself and is able to make himself recognizable as a unique spiritual force. There is also a value for a great individual to be included and subsumed within a community. Even though that will cause him to somewhat lessen his unique characteristics, there are advantages to this lessening, as it allows him to join a larger whole. This allows the elevated spirituality of the lofty soul to enter inside the soul of the community and give it life and energy.

The critical determination of which of these approaches, the growth as an individual or the joining of a group, that a great person is to take requires connection to the secrets of the world. One determining factor is whether there are facilitators within the community to enable the inclusion of the great individual. Another is whether there is anything that stands up as an obstacle to the individual growth of the great individual, which can potentially be equal to a full world.

Levi was able to use the partnership with Rav Chanina to elevate himself in the bright light of wisdom and great and holy peaks of holy emotions. When Rav Chanina became unavailable to him, this changed his plans. Rabbi Affes was of a very high level, so much so that even if he had to lower himself when he took responsibility for the broader community so that lower-level people could relate to him, he was still able to greatly elevate those around him with the great light that flowed from him.

Levi decided that if he had the opportunity to connect himself to the great Rav Chanina, this would justify his staying out of the circle of leadership of the broad community, which allowed him to be on a high level. The joining together of the two would allow them to be a unit that remained separate from the general society. However, if staying out would require being alone, then it would have been worthwhile to join the leadership – while it was led by Rabbi Affes.

However, since this was not possible, Levi came to Bavel in search of joining with the highest level of spiritual/intellectual partnership. With Rav, he could join in a manner that would elevate the community. Fortunate was the generation that had such bright lights illuminating it, who were able to influence their surroundings even more by their special characteristics than by their actions.



Tzofnat Yeshayahu- Rabbi Yosef Carmel

The Prophet Yeshayahu performed in one of the most stormy and dramatic periods of the Israeli nation's life, a period of anticipation for the Messiah that was broken by a terrible earthquake, and also caused a spiritual and political upheaval. The light at the end of the tunnel shone again only in the days of Chizkiyah.

"Tzofnat Yeshayahu – from Uziya to Ahaz" introduces us to three kings who stood at this crossroad in our nation's history: Uziya, a king who sought God but was stricken with leprosy because of his sin; Yotam, the most righteous king in the history of our people; And Ahaz, the king who knew God but did not believe in His providence.

In his commentary on the prophecies of Yeshayahu, Rabbi Yosef Carmel, Head of the Eretz Hemdah-Gazit rabbinical court and a disciple of Rabbi Shaul Israeli zt"l, clings to the words of Hazal, our sages, and to the commentaries of the Rishonim, the great Jewish scholars of the middle ages, and offers a fascinating way to study Tanach. This reading attempts to explain the Divine Plan in this difficult period and to clarify fundamental issues in faith. Tzofnat Yeshayahu reveals to the reader the meaning of the prophecies in the context of the prophet's generation and their relevance to our generation.

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P'ninat Mishpat

Replacing a Lost Check

(based on ruling 76063 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) sold his house. The final payment consisted of four checks, including a transferable one for 21,000 shekels that the buyer had received from the defendant (=def), a construction-related company. Pl lost the checks, reported it to the police, and called all those who wrote the checks to tell them to cancel them. Def does not accuse pl of lying, and the check was not cashed in the bank. However, sometimes def pays cash to those who hold their checks, and it is therefore possible that they already gave money to someone who presented the check. (There was disagreement as to whether def found out the check was lost within a day or more than a week after it was lost.) Therefore, even though pl is willing to provide guarantees in case someone who finds the check will cash it, def still does not want to pay pl the 21,000 shekels.

Ruling: There is a *machloket* among *poskim* whether a check is just an instruction to the bank to give money on the check-owner's behalf or whether it is his self-obligation to pay money to the check holder. We agree with the consensus that the latter is correct, and in the case of a transferable check, he obligates himself to whoever legally possesses it. According to the Law of Documents, the recipient of the check must have received it in good faith and in return for something of value, a fact to which the buyer has attested without being questioned by def. According to the law, to which we assume the check writer intended to be held to, even if pl does not presently have the check in his possession, the obligation continues.

According to Halacha, there is a *mitzva* to return a lost check to the person who gives signs that it was in his possession, just like for any other object (what constitutes a sign can depend on the circumstances). The intended recipient of the check can be expected to know how much money will be written even if the time did not come to hand it over to him, so that information is not proof. However, if the person to whom a check is transferred by its recipient knows what is written in it, this should be a sign he received it. In our case, pl was specific enough in his knowledge of the check's particulars to convince us that the check had been in his possession.

Usually, when a defendant is unsure whether he returned money that he was once obligated to pay, he must pay (Shulchan Aruch, Choshen Mishpat 75:9). However, if there was a document for a loan and it was lost, we have reason to suspect the loan is no longer intact (ibid. 65:6). However, in our case, there is no reason to suspect that there is a problem with the obligation. It must have taken place in the first place or def would not know its details, and if it were paid, we expect regarding a modern check that the debtor would have ripped it up if he paid in cash or the bank would have stamped it if it were redeemed through them (see Hashek Bahalacha 10:8:(223)).

Regarding the possibility that someone will find the check and use it, pl has offered guarantees, and the sides should decide what system they should use to do so. Therefore, def should pay the 21,000 shekels that pl demands.

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Yafa bat Rachel Yente

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