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HEMDAT YAMIM

Parashat HaShavua

Vayikra, 3 Nisan 5780

Why Them?

Rabbi Daniel Mann

We now embark on the journey into a *sefer* (Vayikra) whose first half is primarily to introduce the main *korbanot* that were to be brought for a variety of purposes and how this was to be done. This follows a *sefer* (Shemot) whose second half is focused on the building of the *Mishkan* and its vessels, in which and with which these *korbanot* were brought. There are many basic questions about the relationship between the different *mitzvot*: To what extent is there independent importance in having a *Mishkan* or is it only the setting for these *korbanot* (see Rambam, Beit Habechira 1:1; Sefer Hachinuch #95)? Is a structure necessary in order to have *avoda* (or some of it)? The *p'sukim* in Ezra (see Ezra 3:3 & 6:15) indicate that *avoda* returned to the place of the *Beit Hamikdash*, with the erection of an altar, years before the full structure was complete.

The most prominent *korbanot* are those that come from animals. They come from three different species (not including birds): *par* (bulls), *keves/ayil* (sheep/rams), and *ez* (goats). Why were these species chosen?

The Abarbanel (introduction to *Sefer Vayikra*) makes several suggestions, on different planes. First, on a spiritual innate plane, the Abarbanel posits that these animals are presumably special animals in regard to their constitution, essence, and/or diet. Undoubtedly, "special" is not in some scientific measure but in spiritual ways. (We note that none of these are predators, although many other animals are also not.)

He also points out that these are the most common domesticated animals. He suggests that Hashem would not want to obligate the bringing of a *korban* from an animal that one has to hunt down and see if he can catch (without seriously wounding). That certainly is a practical reason.

The Abarbanel makes two other suggestions, both on the symbolic plane. These animals can be representative of the forefathers. Avraham, the greatest forefather, is represented by the bull, which is the largest of these animals. Avraham also ran to bring a young bull to feed his visitors. The ram represents Yitzchak, as it was the second biggest species of the group. Historically, when Yitzchak was spared and not brought as a human sacrifice, he was replaced as a *korban* by an *ayil*. The goat, the least of these animals, represents Yaakov, the youngest of the forefathers. When he was disguising himself from his father, he applied the hides of goats to his arms.

The final idea the Abarbanel presents is that all three of these animals are used as metaphors for Bnei Yisrael. He cites as support *p'sukim* throughout *Tanach* (Amos 4:1; Yirmiyahu 50:17; Yechezkel 34:22, respectively). The difference between the two symbolic explanations appears to be as follows. The reminder of the forefathers seems intended to arouse their merit in the eyes of Hashem. The fact that Bnei Yisrael are represented by these animals seems connected to the idea of acting as if we were giving our lives to sanctify Hashem's Name. This follows the Ramban's idea (Vayikra 1:9) that when bringing a *korban*, he should view it as if he were giving up his own life to Hashem.

While it is hard to know for sure what secrets (or practicalities) are behind such holy *mitzvot* as *korbanot*, their general principles and details contain room for both simple and deep lessons.

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by Rav Daniel Mann

Siyum for Taanit Bechorot via Live Streaming

Question: On *Erev Pesach*, I will be in a small Jewish community that will not have a *siyum*. Is it permitted for me – a *bechor*¹ – to break the *ta'anit bechorot*² based on a *siyum*³ in which I “participate” via Skype?

Answer: In the context of the *halacha* not to fast throughout the month of Nisan, *Massechet Sofrim*⁴ states that an exception is that *bechorot* fast on *Erev Pesach*. The *Tur*⁵ and *Shulchan Aruch*⁶ cite this practice as normative, and the *Tur* explains that it is in commemoration of the miracle that the Jewish firstborns were saved in Egypt.

The idea that one may eat at a *seudat mitzva* and thereby cancel the fast is debated among the *Acharonim*. The *Magen Avraham*⁷ does not allow firstborns to eat even at a *brit mila* on *Erev Pesach*. The *Mishna Berura*⁸ reports, however, that the *minhag* in his time was to allow eating at *seudot mitzva*, including the meal at a *siyum*. The idea that a *siyum* meal can serve this role as a *seudat mitzva* is found in the *Rama*⁹ regarding the permissibility of eating meat and drinking wine at a *seudat mitzva* during the Nine Days.

In these contexts, there is room to distinguish between those people who are the main individuals involved in the *seudat mitzva*, for whom the day is like a *Yom Tov*, and the other participants. For example, one who is a *sandek* on the day of his parent's *yahrtzeit* may eat on that day, even if he ordinarily follows the *minhag* of fasting on that day, whereas a simple participant in the *brit* may not.¹⁰ Similarly, even those who do not allow firstborns to eat at another's *seudat mitzva* are lenient regarding a firstborn who serves as the *mohel* or *sandek*, as well as the father of the circumcised baby.¹¹ In any event, the *minhag* is to allow all participants at a *siyum* to eat at the *siyum*'s meal, and as a result, to continue eating the rest of *Erev Pesach*.

The simple logic for this leniency is that each individual's participation makes the celebration more special, thus heightening the *ba'al simcha*'s¹² event. Therefore, participation in the *ba'al simcha*'s meal is what is crucial regarding our discussion. Indeed, some allow even a firstborn who missed the *siyum* itself to take part in the *seudat mitzva*.¹³ Following the logic that it is the enhancement of the *ba'al simcha*'s event that matters, the *Minchat Yitzchak*¹⁴ says that even the *Chavot Yair*,¹⁵ who rules that a meal held the day after the *siyum* was made is still considered a *seudat mitzva*, is discussing only a *seuda* in which the one who made the *siyum* participates.

The *gemara*¹⁶ relates that Abaye was especially emotionally involved in the Torah successes of others, to the extent that he would make a party for the rabbis when a young scholar finished a *massechet*. Some¹⁷ understand that the halachic status of such a party extends even to one who is not present at all at the celebration of the one who finished the Torah section; the vicarious joy of all those who are happy about the *siyum* is equivalent to their participation in the *seudat mitzva*. The *Minchat Yitzchak*¹⁸ writes that according to this approach (which he discourages relying upon but considers legitimate), one can be considered a “participant” in the *seudat mitzva* even if he does not actually eat together with the main party.

In most cases, it would not seem logical to consider one who “takes part” in a *seudat mitzva* via Skype as being a halachic participant, certainly in regards to increasing the *simcha* of the one who made the *siyum*. However, according to the approach that anyone connected to the *siyum* is entitled to celebrate his happiness due to the occasion, it is at least somewhat plausible to say that witnessing the event via Skype is sufficiently significant.

A number of authorities take a surprisingly lenient approach about *siyum* standards for *ta'anit bechorot*,¹⁹ relying heavily on the following two factors: 1) The fast is only a *minhag*. 2) For many people, fasting would have a significantly negative impact on the *Seder*. While not actually cancelling the *minhag*, some seem to lower the bar of who is included in the *siyum*, such that they enable almost anyone to eat. If one feels a need to be lenient, Skype participation can indeed be contemplated. If so, it is best to watch the *siyum* and celebrate it as a group, and/or to witness a *siyum* that brings one true *simcha* (e.g., based on one's connection to the person or to the level of accomplishment).

We now apply our past response to those under Coronavirus quarantine or limitation on gatherings if the present situation (as of the time of this writing) persists. There are important factors that indicate that it is fully permissible, even as a single participant, to eat based on remote participation in a *siyum* via live streaming. In the area of need, many people will be unable to take part in a *siyum* in person, which creates a *she'at hadechak*, as above. This is combined with the fact that doctors have raised reservations about the advisability of fasting during the time of a serious infectious outbreak.

On a more positive note, such remote participation in a *siyum* has much more power than usual. While normally, such participation is abnormal, which detracts from its efficacy, this is presently the “new (temporary) normal.” Furthermore, the one who makes the *siyum* will be fully aware of his remote participants, and he will be honored and touched to share his personal *simcha* with many others, instead of being limited to a small group where he is. The remote participants will also feel part of the *simcha*, as the light of Torah, which unites us at happy times, like the recent *siyum hashas*, unites us as well in difficult times.

Undoubtedly then, taking part in such a *siyum* at this time is absolutely fine. In contrast, if one would have to break or even bend the instructions or advice of medical authorities and/or one's rabbi, *chas v'shalom*, to take part in a *siyum* in person, that is unacceptable.

¹ Firstborn.

² The fast of the firstborn.

³ The completion of a significant section of Torah.

⁴ 21:1.

⁵ *Orach Chayim* 470.

⁶ *Orach Chayim* 470:1.

⁷ Ad loc. in the introduction to the *siman*.

⁸ Ad loc. 10.

⁹ *Orach Chayim* 551:10.

¹⁰ *Mishna Berura* 568:46.

¹¹ Ibid. 470:10.

¹² The person to whom the happy event is directly related.

¹³ See *Teshuvot V'Hanhagot* II:210.

¹⁴ VIII:45.

¹⁵ *Shut Chavot Yair* 70.

¹⁶ *Shabbat* 118b-119a.

¹⁷ See *Az Nidberu* XII:58.

¹⁸ IX:45.

¹⁹ Including *Az Nidberu* and *Teshuvot V'Hanhagot* op. cit.; *Yabia Omer*, I, *Orach Chayim* 26, is quite stringent.

Ein Ayah

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

Ready in All Ways to “Host” Hashem

(condensed from Ein Ayah, Shabbat 10:8)

Gemara: The Divine Presence (*shechina*) dwells only on someone who is bright, powerful, wealthy, and tall [like Moshe].

Ein Ayah: The dwelling of the *shechina* is a higher level than any display of intellectual sanctity. It is a divine revelation from the source of all life in the universe for the most ideal purpose that Hashem desired in the universe. The Divine Presence meets the light of a person’s soul, not at a point of the person’s individual being, but in an all-encompassing way that prepares a wonderful high level. In this way, Hashem prepares every element necessary to bring the divine goal to its highest level of preparation. Before having His *shechina* dwell on a person, Hashem prepares him with all the abilities and characteristics appropriate for this distinction. This includes practical skills and the ability to influence the public, so that the divine light he receives will be revealed to everyone and elevate them all through him.

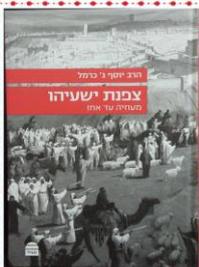
The light of Hashem is greater than any wisdom and logic, but all the warehouses of wisdom serve that light. The images that wisdom creates are the basis for accepting the light. Therefore, in order to be one who receives the radiance of the *shechina*, that person must be bright.

It is not enough to have the characteristic of understanding when one seeks to come in contact with Hashem, Who acts to make all of existence function. Therefore, such a person needs to have power to act concretely as a condition to being able to connect to Hashem. It is necessary to remove all that holds back the great divine steps to fix and improve all of creation through strong actions. That is the reason that the host of the *shechina* must be powerful.

Such a person must also not act for his own improvement alone or seclude himself among like-minded people. He must appear before society as a whole with the glory of the light he received from Hashem. Therefore, he should be a wealthy person. Every tool used for impact on others should be available to him in order to realize the desires of sanctity that churn in his divinely touched soul. That is why he needs to be rich.

All of these ideal qualities, which strengthen the inner goal of a person’s spirituality, need to exist in the one who is chosen to host the *shechina* to not contradict the loftiness of his soul but rather help it and expand its boundaries. Therefore, his body must also expand in a manner that corresponds to his wonderful soul. The lofty light should find expression in physical size, so that he is a tall person whose body mirrors his spiritual greatness. That way, the divine light exists and is revealed through the person’s unique personality in a manner that he can stand as a symbol and a source of life and inspiration for generations to come.

In summary, the choice creation, who is fit to appear as a representative of the concept of the kingdom of sanctity in the world with all its glory, should be bright, powerful, wealthy, and tall.



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 seeked 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

Return of “Borrowed” Pre-School Items – part III

(based on ruling 71104 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def) runs a religious pre-school program in an Israeli town and started employing the plaintiff's (=pl) daughter-in-law (=dil) a few years ago. Shortly thereafter, pl gave several thousand shekels worth of pre-school accessories (tables, books, toys, etc.) in a few installments. A year ago, dil stopped working at the pre-school, of her own accord. Pl demanded the items back, claiming that she had stated it was a loan. Def refused but wrote a letter acknowledging the items belong to pl with the promise to return them to her if a relative of pl opens a pre-school program. Months later, pl told def that pl's daughter is doing so, and def sent her some of the items. Pl claimed that it was too little, too late (because of the lack of materials, her daughter stopped her plans) and that many of the items had been seriously damaged. Pl now wants 30,000 shekels rather than a return of the materials. Def contends that pl did not stipulate that she might want the materials back; if she would have, def would not have taken them because it caused her to throw out old, still usable, materials. She had every reason to believe it was a donation to an altruistic religious organization close to pl's heart. The letter admitting the items were pl's was due to a threat, right before the beginning of the school year, that pl would come to take them.

Ruling: We saw that pl's claim that she originally stated the items were on loan is not convincing enough to extract money. Def's letter of admission is binding but only from the time that pl needed the materials for her daughter.

Regarding an object that one lent to another, the items are normally to be returned in the place where it was lent (Shulchan Aruch, Choshen Mishpat 293:1). Since pl brought the items to def's pre-school, the expenses of transport to where pl wants them are on pl. Def is required, after a few days' notice, to prepare the items for pick up.

Pl vacillated as to whether she was willing to take the materials or was demanding their value. According to Halacha, a lender of objects cannot force a borrower to pay instead of returning them because that is like forcing him to buy them. However, in this case, since, at this point, pl has little to do with the materials and def, who has been using them, does not lose by keeping them, based on compromise, def will have to pay most of the value.

Regarding pl's request for depreciation due to use, she is entitled only from the time her daughter needed them (six months ago). Once a borrowing period is over, a borrower is obligated as a *shomer sachar*, and if she uses it after that point, she is either like a thief or obligated to pay as a renter. We assume def would rather not be a thief by using it, even if she did not know the *halacha* and *beit din* was in the midst of adjudication. Although pl did not demand payment as rental, when we estimate the depreciation (which is difficult), we will “round up” in the case of doubt. We therefore estimate the depreciation in the last six months as 10% of its present value.

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We daven for a complete and speedy *refuah* for:

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Yair Menachem ben Yehudit Chana
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