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HEMDAT YAMIM

Parashat HaShavua

Tzav Erev Pesach, 14 Nisan 5781

At this Point, the Son Asks

Harav Yosef Carmel

[Rav Carmel wrote this at the beginning of Corona. Let us hope that we are close to the end of it, but certainly some readers are still under restrictions.]

At this difficult time, the preparations for the Seder night are a little different. We will try to reach an understanding that will connect the beginning and end of the Seder.

Bnei Yisrael's spiritual status before leaving Egypt was horrible. The prophet Yechezkel rebuked the people of his generation. He demanded them to cast off idol worship, comparing the situation to the idolatry in Egypt, which caused Hashem to contemplate the perpetrators' destruction (Yechezkel 20:5-8). This connection between sinners and Bnei Yisrael in Egypt prompted Rabbi Akiva to declare that the generation that left Egypt did not have a part in the World-to-Come (Sanhedrin 10:3).

The *midrash* (Vayikra Rabba 23) makes a point of the *pasuk*, "Did a god ever try to take out a nation from the midst of another nation" ... like Hashem did for us? – "nation" is referred to with the word "goy" instead of "am," hinting that Bnei Yisrael were like the nations of the world ("goy" often refers to non-Jews). They had the same problematic behaviors and violated the same prohibitions as the Egyptians.

So why did Hashem liberate them? The answer is: because they were his sons; children are treated differently. They are always excellent, charming, beloved, and sweet. Hashem always treats them "like a father who has mercy on his children," as they are the "apple of his eye."

There was a difference in approach between the prophet Eliyahu and his disciples, Yona and Elisha: For whose honor should a *tzaddik* stick up stronger? Eliyahu stood up for the father's (Hashem) honor. Yona and Elisha stood up for the son's (Bnei Yisrael) honor.

There is a clear conclusion to this question at the Seder. Prominent among the *mitzvot* of the day is to tell the story of liberation to your son. When the *matzot* are before us, we turn to the children. Our motto is: "At this point, the son asks." The authors of the *Haggada* did not suffice with one son, but four. They are all invited to the Seder table to discuss the liberation of Israel at that time and throughout history. The wise, the wicked, the simple, and the one who does not know to ask are all beloved to their father, their Father, and their forefathers. Hashem criticized prophets such as Hoshea when they did not sufficiently stand up for Bnei Yisrael's rights even regarding their failings toward Hashem (see Pesachim 87a). The author of the *Haggada* did not quote the aforementioned *p'sukim* in Yechezkel, but those about Bnei Yisrael as a baby who lives through its blood, hinting at *brit mila*. This covenant is not based on proper actions alone, but is innate and unbreakable, even if Bnei Yisrael fall to the lowest spiritual level.

Along with four sons there are four cups of wine, followed by a fifth at the Seder's end – the cup of Eliyahu, at which time we ask for Hashem's vengeance against our enemies. Eliyahu, representing our Father, accused his nation of breaking the covenant (Melachim I, 19). We invite Eliyahu so that he can see that the whole nation is there, each one telling the story in his style.

This year (again) not everyone will be at an intergenerational Seder, not because of a lack of familial harmony, but to protect each other. In that way, we will declare that we are all sons of Hashem. In that merit, may He once again liberate us from darkness to great light!

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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

White Wine for the Seder

Question: Is it permissible to use white wine for the *arba kosot* (four cups at the Seder)?

Answer: We dealt previously (Living the Halachic Process, II:C-7) with the question of white wine for *Kiddush*, which is pertinent because *poskim* generally equate between the requirements of the two (compare Orach Chayim 272 and 472). The *gemara* (Bava Batra 97a-b) posits that wine that is unfit for libations even *b'di'eved* may not be used for *Kiddush*, but that which is nominally fit can be used for *Kiddush*. The *gemara* cites a *pasuk* (Mishlei 23:31) that wine is expected to be red. According to most *Rishonim*, this was not meant to disqualify white wine for *Kiddush*, but the Ramban (ad loc.) understands that white wine without any red-leaning tint is unfit even for *Kiddush*. The Shulchan Aruch (OC 272:4) cites both opinions but sides with the lenient one. The Mishna Berura (272:12) adds that regarding very white wine (many assume this is now rare) one should defer to the Ramban's concern unless there are extenuating circumstances, including that the available red wine is of poor quality.

Regarding the *arba kosot*, the Shulchan Aruch (OC 472:11) paraphrases the Yerushalmi (Pesachim 10:1) that one should prefer red wine. The Rama (ad loc.) excludes cases in which the white wine is of higher quality. The Ramban's opinion is not mentioned, even though *arba kosot* should not be less demanding than *Kiddush* (and the first cup is for *Kiddush*), likely because the Ramban was already mentioned and basically rejected. There seems to be, then, an additional preference.

The Taz (ad loc. 9) and Magen Avraham (ad loc. 13) are among those who say we desire that the color red serve as a remembrance of the blood of the Pesach story. The Taz says that it reminds us of the Jewish blood spilled by Paroh. Chazon Ovadia (Haggada, Kadesh (10)) finds that strange, considering that drinking the wine (during which we lean) is a festive action, and so he prefers those who say that it relates to the blood of the *Korban Pesach*, of *mila*, and/or of the first plague.

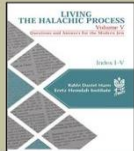
Both the language and the logic point to the remembrance constituting only a preference. On the other hand, those who are lenient regarding "white" wine that is not fully white for *Kiddush* likely should still prefer something that is actually in the red family as a proper remembrance. That is because while the potential *Kiddush* problem is likely because such an abnormal wine color is treated as deficient (see Tashbetz I:85), even the finest wine may not remind us of blood.

Ultimately, the Rama says that the opportunity to use a finer white wine justifies preferring it to a simpler red wine. Rav Ovadia Yosef (Chazon Ovadia *ibid.* 12) says that Sephardi practice (not all Sephardi *poskim* agree – see Mikraei Kodesh (Harari), Leil Haseder 4:15) is to defer to the Ramban's opinion unless the white wine is both better and not too white.

Several *Acharonim* suggest to "upgrade" white wine by mixing in a little red wine, so that the mixture has some redness. This makes good sense if the issue is the remembrance (see opinions cited by Piskei Teshuvot 472:10), as one can see some redness (while blood is redder, red wine does not really look like blood either). Surprisingly, the Shemirat Shabbat K'hilchata (47:(89)) suggests mixing a little red for *Kiddush* during the year. Ostensibly, if the Ramban is right, then the white wine is invalid wine, and why would a little red (i.e., kosher) wine help?! Apparently the Shemirat Shabbat K'hilchata views the color not just as a sign of proper wine but that the color provided by the wine combination is a necessary characteristic of the wine use, as can be read into the *gemara* in Pesachim (108b).

Since we hold that there is no prohibition of coloring with foods, putting red wine into white wine is permitted (Mishna Berura 320:56). Yet, due to the opinion that it is forbidden if one intends for the color (Nishmat Adam II:24:3), the stringent can put in the red wine first and "dilute" the color with the majority white wine (Shevet Halevi X:56).

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



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Igrot HaRe'aya – Letters of Rav Kook

The Need to Be Connected to our Past – Letter #18 – part III

Date and Place: Adar 5665 (1905), the holy city of Yafo

Recipient: An open letter

Summary of previous parts: We are in the midst of Rav Kook's public rebuke of the editor of the Hashkafa periodical. He had written that the Zionists for Zion who accused the Ugandists of turning their back on their pasts were hypocrites because all Jews, except the extreme religious, turned their backs on their past, and he is proud of that.

Body: The words of the member of the editorial board of "HaZman" (*The Time*) found favor in the eyes of the publisher of "Hashkafa," and he "answered them with 'amen,'" i.e., they are true. Indeed, the words of the former consist of degrading and besmirching our Torah, our nation, our history, and our wisdom. These are words that are fit to be said only by the worst anti-Semites amongst the evil of the nations of the world. However, I did not feel a need to respond to them, because they were written as an expression of the personal opinion of the writer. Were we to respond to the ideas of every individual, whether he be Jewish or non-Jewish, who does not understand the essence of the Jewish people and therefore he finds fault in them, we would not have time to get to all of them.

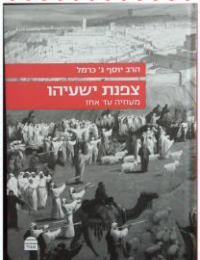
We are confident that any person with a wise heart, whose inclinations bring him to deal with Jewish scholarship, will not be intimidated by the scorn of those who are disrespectful of our heritage, and he will continue to search for the truth concerning the teachings we have received from our ancestors. He will know properly that most of the words of wisdom and ethics [which we cherish] can be found in the writings of our Jewish texts. The fine expressions of emotion that elevate the spirit are much more accessible in our teachings than in the idle talk of the new "advisors," who turn their back on the past.

Our wisdom and history are not limited to one area of study or one historical period but can be found from the beginning of our historical scholarship until its most recent times. The inextinguishable hidden light is seen in the whole of our literature, which touches on all of the detailed points of wisdom. The wonderful power of life connects to the highest philosophical points and the purest characteristics, which have always been a part of our legacy. These remained constant in the Jewish mind thanks to the operative obligations, and the great love of Torah study, which causes one to act properly. This causes the character promoted by these ideas to remain forever as part of our national culture.

Our practical and intellectual powers develop in different ways, whether through wisdom that comes from Jewish sources or those that were "grafted onto us" from the wisdom of the refined nations with which we have contact. These can all impact us positively based on our true character, which when we have been true to it, we have built onto the base of our befitting nature. These are known to all except those who are addicted to the idea of trying to destroy us.

You, my dear brothers, the youth of Zionists of Zion, are yourselves aware that those who have given up hope are not worth much. They include many people who are coarse in their beings, whose ears have absorbed too much cheap and disgraceful heresy. However, these are not the thoughts of the choicest thinkers of the various nations, who are truly the pride of mankind. They know the value of the [authentic Jewish] enterprise, which is the greatest spiritual contribution to the world, and our adorned internal life, which was not spoiled even by the worst times of persecution. The most pious non-Jewish thinker of our time, Vladimir Solovyov (Russian philosopher and proponent of the Jews, died 1900), correctly said that the question about the Jews does not exist; rather, it is a question about Christians, who have not yet reached the moral level to know how to act toward such a special and talented nation as the Jews.

We continue next time from this point.



**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

Rent for a Shul Closed due to Corona

(based on ruling 80076 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) owns an apartment, which he rented out to the defendant (=def) to use as a *shul*. Due to the regulations of the Ministry of Health, the *shul* was closed for two months due to the Coronavirus. The two sides arrived, with *beit din's* assistance, at an agreement about how to handle payment going forward and asked *beit din* to rule on what should be done about the two months of rent during the time that the *shul* was already closed.

Ruling: Following is the agreement between the sides: If there will be another Coronavirus closure affecting the *shul*, then *def* will be entitled to an 80% discount on the rent during the time the *shul* is closed. This discount will pertain to no more than 30 days during the course of a year, whether that is over a consecutive period or the 30 days are scattered. If, in the face of closings, *def* decides to close the *shul* permanently, they must give 20 days' warning, during which time they will pay full rent.

Following is the decision based on compromise that the sides asked *beit din* to make regarding the two months of closure prior to the adjudication. The governmental regulations due to the pandemic are categorized as a *makkat medina* (something that afflicts a whole "state"), as is posited by Shut Maharam Padova (86) and the Rama (Choshen Mishpat 321:1). There is a major disagreement between the *poskim* about payment for a rental that became unfeasible due to a *makkat medina* (see presentation in Eretz Hemdah-Gazit ruling 80047; Rav Shlomo Ishon in Emunat Itecha 128, pg. 143-150).

Some of the factors that impact how to rule are: 1. From which side did the inability to make use of the rental come – since part of the time it was permitted to *daven* outside, it is a matter of the apartment, which is *pl's*; 2. Who is *muchzak* (in control of) in the money – since *def* paid for one of the two months, each side is *muchzak* in one month; 3. Is it possible/feasible for the landlord to undo the agreement – here, the landlord could back out of the rental, if the renter is not willing to pay, and rent it out to someone to live in.

According to the basic halacha, as presented by the Rama (CM 312:17), *def* is exempt from paying during the time that he cannot use the apartment as a *shul*. However, *beit din* feels that it is proper to consider that the sides have reached a compromise agreement whereby *pl* protects *def's* ability to continue to operate long-term and in that way protects *def's* major investment in setting up the apartment to serve as a *shul*. Therefore, *beit din* rules based on compromise that *def* should pay *pl* two thirds of the normal rent due for the two months.

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

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