



HEMDAT YAMIM

Parashat Hashavua

Pinchas, 17 Tamuz 5782

Harav Shaul Israeli zt"l
Founder and President

How to Mend Tears to Reach Unity

Harav Yosef Carmel

Two families that appear in the listing of families in our *parasha* positively impacted *Am Yisrael's* unity. The families are those of Peretz (Bamidbar 26:2-21) and Machir (ibid. 29). All of those listed were of the generations that saw Yaakov Avinu.

A harsh conflict, which reached its apex with the sale of Yosef, split the family of Yaakov. Between the two leaders of their respective mothers' parts of the family, Yehuda (from Leah and connected to Zilpa) and Yosef (from Rachel and connected to Bilha), we see tension that continues from *Parashat Vayeishev* until *Parashat Vayechi*.

The overall leadership, from the perspective of *Sefer Bereishit*, lands unequivocally in the hands of Yosef the son of Rachel. He was, after all, Paroh's viceroy, and arguably the most powerful person in the world, and his brothers and their families needed to be "under his wings." This fulfilled Yosef's dream about his brothers and actually the whole world bowing down to him.

How were the tears in the fabric of the nation mended? This is not divulged in *Sefer Bereishit*. However, there are strong indications on the matter in *Divrei Hayamim*, which tells of Chetzron, son of Peretz and grandson of Yehuda, marrying the daughter of Machir (I, 2:21), the son of Menashe and grandson of Yosef. Menashe, as the firstborn son of Yosef and thus the equivalent of a prince in Egypt, took an army and captured significant land east of the Jordan, which the Torah calls Gilad (the name of Machir's son). So already relatively early in the time that Bnei Yisrael were in Egypt, there was at least this prominent connection through marriage between the rival tribes.

The son of this important union, Seguv, who halachically and normally would be considered from the tribe of Yehuda, bore a son named Yair, who "had twenty three cities in the Land of Gilad" (*Divrei Hayamim* ibid. 22). In other words, he lived among the tribe of his maternal grandfather, Menashe. In this way, members of the tribe of Yehuda, from Leah, lived as noblemen among the descendants of Yosef and Rachel. This is the best glue to stick the pieces of the nation together.

These bonds find expression hundreds of years later, during the development of the reign of David. David was originally king only over his tribe, Yehuda. After Shaul died, he turned to the people of Yavesh Gilad, in the section of Menashe on the east bank, in which the transplanted Judeans lived. David offered them partnership in forming a united kingdom, after Shaul's death (*Shmuel* II, 2:5-7). This was a strategic opportunity to continue the process of reuniting the factions within the nation. (We will develop this theme at length in the upcoming *sefer*, *Tzofnat Shmuel*.)

Let us pray that we too will merit having unity in our nation, whether those who live in *Eretz Yisrael* or those who live abroad.

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and members of her family who perished in the shoah Al Kiddush Hashem

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



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Ask the Rabbi

by Rav Daniel Mann

Visiting Egypt

Question: I am considering sightseeing in Egypt. Need I be concerned with the Torah's prohibition of returning to Egypt?

Answer: We will not address the safety and national considerations of such a trip. We discussed when it is proper to leave *Eretz Yisrael* for any destination in Living the Halachic Process VI, G-2. (Not every place in present-day Egypt is in halachic Egypt (see Rambam Melachim 5:7)).

There is much classical discussion of the phenomenon of big Jewish communities in Egypt and great rabbis who lived there, including the Rambam. Distinctions found there are helpful regarding our less discussed question of sightseeing. The Torah mentions three times that Bnei Yisrael should cease contact with Egypt. Only one is in a clear halachic context, the prohibition of the king having too many horses because it draws people to Egypt (Devarim 17:16). Yet the Mechilta (Beshalach 1:2) refers to three warnings and three communities who violated it and were harshly punished. The *gemara* (Sukka 51b) also speaks of the impressive community of Alexandria, attributing its demise to this prohibition. The Rambam (ibid. 7-8) codifies the prohibition.

The one explicit limitation on the prohibition in *Chazal* appears in the Yerushalmi (Sanhedrin 10:8). It is forbidden to go to settle in Egypt, but it is permitted to go for commerce. Although the Torah (Devarim 17:16) refers to acquiring horses (i.e., commerce), the Ramban (ad loc.) explains that extensive trade for the king causes representatives to move to Egypt. The Rambam (ibid. 8) says broadly that it is forbidden only to go to be *mishtakeia* (in the Haggada, it means a long stay).

Why did the Rambam, Radbaz, and others live in Egypt for many years? The Radbaz (ad loc.) says that if one goes without intention to stay permanently, it is not a full violation to stay, and the Sultan would not let the Rambam go. The Radbaz justified his own long stay as done to teach Torah and noted that he eventually left. Thus, the Radbaz stretched the Yerushalmi's leniency to the maximum, so that the Rambam was covered but the Talmudic community of Alexandria was not.

Rabbeinu Bachyei (Devarim 17:16) suggests that the prohibition was based on the fact that the Egyptians of Moshe's times were particularly corrupt (see Rambam's Sefer Hamitzvot, *Lav* 46), and the prohibition was not designed to continue after that period. Along similar but more halachic lines, the Semag (*Lav* 227) suggests that it was forbidden only as long as Egypt was inhabited by the Egyptian nation, which was exiled in later biblical times. Indeed, the nation is the apparent focus of one of the *p'sukim* (Shemot 14:13). The historic account of Egyptian exile is the subject of *machloket*, but the Rambam (Issurei Biah 12:25) accepts it. However, the *gemara* and the Rambam assume that the prohibition applies after that point.

The Yereim (309) suggests that the prohibition only applies to those who come from *Eretz Yisrael* to Egypt, and not if they come from other countries. This distinction has basis in the main *pasuk*, which says "not to return on this path again," and distinguishes nicely between the Rambam and the community the *gemara* discussed, but its logic is unclear. The Ritva (Yoma 38a) continues this direction, saying that the prohibition applies only when Jews are able to live in a strong community in *Eretz Yisrael*, as opposed to when the people are anyway forced to be scattered throughout the world (see Yeshayahu 27:13).

Which leniencies apply to contemporary sightseeing? The S'mag (different nation) applies. The Yereim (leaving from Israel?) applies to some Jews. The Ritva (anyway in exile) does not apply (see Tzitz Eliezer XIV:87). While the post-Talmudic distinctions are more difficult to rely upon, the Yerushalmi's idea, that only settling, not commercial trips, is forbidden, is a strong one. Rav Ovadia Yosef permitted Israeli reporters to go to Egypt (Yechaveh Da'at III:81). Therefore, it should be fine, unless one says that you need a good reason, equivalent to commerce, for it to be permitted.

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



Igrot HaRe'aya - Letters of Rav Kook

Supporting an Israeli Winery - #106

Date and Place: 29 Tevet 5668 (1908), Yafo

Recipient: Rabbi Naftail Hakohen Adler, the Chief Rabbi of London and the nations (British Empire)

Body: On behalf of the love of the desired land (*Eretz Yisrael*) and the dear *mitzva* to support its builders and those who work the holy land with great toil, I have come to make a request of you, great scholar.

In the agricultural village of Rehovot, which is near here, the farmers met and founded a guild of vineyard owners and a few years ago built a winery. Everything is handled according to the highest standards of *kashrut*, as the Torah requires, as they fulfill the land-based *mitzvot* and all the details of *kashrut* for all year long and for Pesach.

These people have gone to great lengths [to do things properly], and their undertaking is fit to be well-known and lauded, for they have helped build and improve *Eretz Yisrael*. They do this not through donations and philanthropic support but with their strength and power in a proper and distinguished manner.

Therefore, I believe that the love of the sanctity of *Eretz Yisrael* is fit to prepare the leaders of the nation to lend their moral support to these people. In one of the great cities of the world (London), one of the members of the guild, Mr. Moshe Weinschreiber opened a business to sell the wine of the guild. I saw it as a personal obligation to lend my help by turning to the Chief Rabbi, that he [i.e., you] should show them kindness and present them a shining face, with your holy help in whatever way your excellency and pure heart and love for *Eretz Yisrael* sees fit.

May the merit of the *mitzva* to settle the Holy Land stand by you to lengthen your life in pleasantries, and may you merit to see when Hashem returns the remnant of His nation to His holy mountain.

Choice of Profession - #108

Date and Place: 18 Shevat 5668 (1908), Yafo

Recipient: Moshe Zeidel, a young student of Rav Kook from his days in Boisk, and a frequent correspondent of his.

Body: ... I will now respond to your inquiry as to a choice of a profession for you. If I had enough time to investigate more exactly the results of those who graduated from different courses of study and the way they chose their life path, I would be very happy to share my opinion, which would of course focus on the spiritual element of the choice. Since it is difficult for me to clarify the matter, I cannot give you practical advice.

I will just share with you my inclination, that there are three professions that someone as special as you, full of wisdom and pure fear of Hashem, might choose to bring spiritual gains to our nation, in addition to any personal gain. I believe that the fields are philosophy, Semitic languages and literature, and national economics.

My logic is that our generation is very confused, and the confusion finds its way to the field of economic theory, and this is influenced by philosophy. These matters find their way to the Jewish people as national and racial tendencies. All of this is connected to Semitic literature, as this is the quarry from which our nation was hewn.

My hope is that if we can produce students who are full of talent and earnestness in these fields, they will be able to increase light through their personal work, which will channel the world properly in these fields of study, uncover fundamental truths, and help heal the confusion of the generation. Of course, one cannot complete a scientific course of study without knowledge of hidden treasures in other sciences, but I think the fields I raised are the most important fields.

We daven for a complete and speedy refuah for:

Nir Rephael ben Rachel Bracha
Yisrael ben Rivka

Arye Yitzchak ben Geula Miriam

Neta bat Malka
Meira bat Esther

Together with all *cholei Yisrael*

P'ninat Mishpat

Granting a House to a Neighbor's Son – part II

(based on ruling 81093 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def) is a *yishuv* in the Shomron, which has only three lots slated for single-family homes. The right to build on them is to be raffled off among residents of *def*. The plaintiff (=pl) rents in the *yishuv*. Pl's widowed mother owns a house adjacent to one of the lots, and *pl* wants to receive rights to it without a raffle because only if he lives there can he arrange things to best serve his mother's needs. This would exercise his mother's *dina d'bar metzra* (=ddb) rights (see below). *Def* counters that if someone receives a lot in such a manner, it will cause public accusations and acrimony.

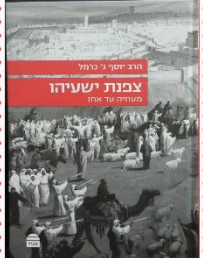
Ruling: [We saw last time that *ddb* does not apply, according to strict law, to *def*, as a seller and that they are not required to go beyond the letter of the law when it causes damage (mainly, quarreling). We now look at the question of whether, if *pl* will sue the eventual buyer based on *ddb*, he would be right.]

One reason that *ddb* might not apply is that the two properties are on different levels so that it is not possible to combine the houses (the gardens can be joined). The *gemara* (Bava Metzia 108b) says that if the two fields in question are separated by a boulder, *ddb* does not apply. Based on this, Rabbeinu Tam says that *ddb* applies only to fields, which lend themselves to being connected, and not to adjacent houses. The fact that it is nice to have two adjacent homes does not suffice for the special institution of *ddb*. The Ramah holds that *ddb* applies even to houses but only if they are already attached at the time of the sale. The Rashba (Shut II, 145) says it applies even to houses that have the potential to be connected in the future, but on the other hand, this is only if the plan is to put family members in the second house. The Rid (Shut 38) posits that the logic of *ddb* is stronger for homes than for fields, and it is even enough that the neighbor wants to ensure he will approve of his new neighbor. The Shulchan Aruch and Rama (Choshen Mishpat 175:53) follow the opinions that *ddb* applies to homes. In the Beit Yosef, he posits that the houses do not need to be connected if they can serve one family unit (e.g., one is for living, and one is for relevant storage; a fence can be put around the two).

In this case, *pl* and his mother will operate separate households, and therefore *ddb* would appear not to apply. The Aruch Hashulchan (CM 175:60), regarding *ddb* for seats in *shul*, says that it applies even though each person has his own seat because he wants to have close family members next to him. Again, it is unclear if this will apply to our case if they will live separately. While *pl* explains how important his help is for his mother, it is likely that the help he is talking about could be done in the same manner if he lived several houses away. The joining of the gardens probably does not make a difference because the use of the gardens is ancillary to that of the home. So, on this point, it is unclear whether *pl* would have *ddb* through his mother.

We continue next time with other elements of ddb in regard to an eventual buyer.

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**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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