



HEMDAT YAMIM

המדת ימים

Parashat Hashavua

Tzav, 20 Adar II 5784

Harav Shaul Israeli zt"l
Founder and President

Mikdash and Jewish State Go Together – part II

Harav Yosef Carmel

An independent Jewish entity is an inseparable part of the appearance of Hashem's kingdom in the world, as Rav Kook taught us. We will try to demonstrate this idea by means of the structure of the *perakim* in *Tanach* (specifically, Melachim I).

Perakim 1-2 deal with who would sit on King David's throne, which David called, "the seat of Hashem's Kingdom over Israel" (Divrei Hayamim I, 28:5).

Perakim 3-5 discuss the building of King Shlomo's kingdom, politically and socially. This includes diplomatic connections, the judicial system, the political "cabinet," the division of the country into administrative regions, cultural connections with the scholars of the world, and economic connections with the nations.

Perakim 6-8 (except for 11 *p'sukim* in *Perek* 7, explained below) describe the Holy Temple's construction and inauguration. This includes the Temple's dimensions, its halls, attics, and roofs, and the Holy of Holies and hall, where most of the service took place. It details the vessels used in this service, whether the movable ones or those built into the structure, e.g., the altar and the pool. There also is discussion of the great party held in the month of Tishrei (apparently after 20 years of work). At the height of the celebration, the Holy Ark was finally brought into the Temple, followed by the prayers and blessings of King Shlomo.

Perakim 9-10 return to the building of the kingdom, physically, including many cities. It discusses diplomatic relations with even distant lands and Shlomo's dominion over global commerce, which provided tremendous profits.

The order of the *perakim* is: political, spiritual, and again political. This illustrates the spiritual outlook that the State is intended to envelope the spiritual center. The nation needs to pour significance and deep values into the framework of the State; this transforms the Jewish Nation into a light unto the nations that teaches the world about a life of benevolence and justice. This shows us that one cannot separate between mundane and holy.

Let us return to the apparently misplaced *p'sukim* in *Perek* 7, describing the building of the governmental campus in King Shlomo's Yerushalayim. The fact that it is brought in juxtaposition to the building of the Temple reinforces the idea that one cannot separate between the two matters. Seven years were dedicated to building the Temple and thirteen years to building the governmental buildings, especially the ministries of defense, foreign affairs, and justice. Finally, the whole nation was brought under the "shade of a tabernacle" that could contain everyone.

The interaction between the different parts of the glorious city of Yerushalayim is most beautifully described by the psalm we recite on Mondays (Tehillim 48). It praises the beauty of the City of Hashem, "the Great King." The palaces and towers refer to both the Temple (the House of Hashem), as well as the other impressive edifices that served the human king, and thereby glorified the Divine King. This is how the "Sons of Korach" (the psalmists of Tehillim 48) saw the city's greatness, as the government of the Jewish king represented Hashem in this world.

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Mr. Gershon (George) ben Chayim HaCohen Kaplan Adar II 6



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Ask the Rabbi

by Rav Daniel Mann

Hamotzi and Birkat Hamazon on Mezonot Foods

Question: I understand that if one eats a sufficient amount of food whose *beracha* is *Mezonot* (=mezonot), he recites *Hamotzi* and *Birkat Hamazon* (=BHM) on it. Do bread and *mezonot* combine to comprise the required amount when each separately lacks a *shiur*? How about different types of *mezonot*, e.g., cake and oatmeal?

Answer: The *gemara* (Berachot 42a) says that for *pat haba'ah b'kisnin* (=phbbk), food that shares qualities with bread but is not normal bread, whether one recites *Hamotzi* or *Mezonot* on it depends on whether one is *koveia seuda* (sets a meal) on it. When *phbbk* gets *Hamotzi*, one also recites *BHM* on it (Shulchan Aruch, Orach Chayim 168:6) and washes on it (ibid. 158:1).

To be a candidate for bread status, food must be made from “the five grains” and be baked or look like bread. (Spaghetti is not *phbbk* or treated like bread no matter how much of it one eats – see ibid. 168:10). Various characteristics determine whether foods that pass these tests are bread or *phbbk* (ibid. 7).

A *k'zayit* of bread suffices to require *BHM*, (ibid. 9), but if one eats less, *phbbk* cannot take it over that threshold, because objects with different *shiurim* do not join together to reach the *shiur* (see Shabbat 76a). However, if one was slightly short of the *shiur* needed for *phbbk*, the bread, with its smaller *shiur*, can complete the bigger *shiur* needed for *phbbk* (ibid.). Different types of bread combine for a *k'zayit* and types of *phbbk* combine for *kevi'at seuda*. (Arguably, elevating *phbbk* to bread status must focus on one food, but I have not found sufficient basis for this in the sources.)

The Magen Avraham (=MA) went much further in combining things, claiming that it is enough that the meal with *phbbk* is a real meal. He writes: “If he set his meal on [*phbbk*], even though he ate with it meat and other things and if he had eaten [that amount he had of] it by itself he would not have been satiated from it, he still recites *Hamotzi* and *BHM*.” His approach emanates from the *gemara* (ibid.) and *Rishonim* who describe eating of these semi-breads as that which is done at a normal meal. After all, a normal meal includes foods other than bread. So while no amount of cooked or fried grain-based food could get *Hamotzi*, oatmeal that you mentioned and many other things one has as part of a meal with, say, a *boreka*, can, according to the MA, change the *boreka*'s *beracha* to *Hamotzi*.

I must warn you, though, that it is very difficult to apply the matter of being *koveia seuda* on *phbbk*. First, there is a *machloket* whether the amount of *kevi'at seuda* to eat depends on the individual's satiation or how much most people eat (see opinions in Rosh, Berachot 6:30). Another regarded approach sets the amount at the size (weight/volume?) of three or four eggs. This is a cutoff point regarding certain *halachot* of serious eating, even though it does not satiate most people (see Mishna Berura 168:24).

There is also a *machloket* whether we accept the MA to include other foods eaten at the meal to reach *kevi'at seuda* – the Mishna Berura (ibid.) accepts him; the Birkei Yosef (OC 168:6) and Aruch Hashulchan (OC 168:17) disagree. There are also several permutations and opinions about how broadly to apply the MA. Is it only for foods that are **eaten with the mezonot**, e.g., crackers and cheese, a sandwich on a “*mezonot* roll” (see discussions in V'zot Haberacha 4:3; Netivot Haberacha 57)? Is it only when the *mezonot* and other foods are eaten at the same time (Shemirat Shabbat K'hilchata 54:(132) in the name of Rav Auerbach)? Rav Moshe Feinstein (Igrot Moshe, OC II, 32) has an expansive approach. While the MA assumes the *phbbk* must play a major part of the meal, Rav Moshe reasons that today's trend to eat less bread at meals than was once standard lowers the amount of *phbbk* needed as well.

Many *poskim* assume there is a difference between *l'chatchila* and *b'di'aved*, i.e., avoid meals with significant *phbbk* and no bread due to the huge gray area. Nevertheless, common practice is to eat non-bread meals without *Hamotzi*/*BHM* (see Avnei Yashfeh II, OC 20; Teshuvot V'hanhagot I:182).

“Behind the Scenes” Zoom shiur

Eretz Hemdah is offering the readership to join in [Rabbi Mann's weekly Zoom sessions](#), analyzing with him the sources and thought process behind past and future responses. Email us at info@eretzhemdah.org to sign up (free) or for more information on joining the group.

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



Igrot HaRe'aya - Letters of Rav Kook

Religious Schools in Petach Tikva – #203

Date and Place: 27 Iyar 5669, Yafo

Recipient: Rav Yitzchak Isaac Halevi.

Body: I received your treasured letter about the religious school in Petach Tikva. I will tell you, great Torah scholar, that at this point, they have accepted enough teachers for all of the children, so that there will not be a loss of Torah study time for the dear children.

However, we are very sorry about the delay that has developed in regard to the impressive administration of the school, the expert and cultured, truly G-d-fearing man. This is the most important thing in our defensive war against those who want to cause destruction from “the right and the left.” He who creates healing should send quickly a full recovery to the dear Dr. Auerbach. May he no longer know suffering, and may he merit to return to his holy work at the first possible opportunity. Then he can supervise with the correct balance of spirit and make sure [the education of the children] will be elevated with the light of Torah and pure fear of Hashem, in the Holy Land.

Good News about the Expansion of the Yishuv – #205

Date and Place: 17 Sivan 5669, Yafo


Recipient: Mr. Dov Lubman

Body: I want to express to your honor my deepest thanks for the enjoyment and happiness that you showered upon me by sending me the charter of the establishment of the organization, The Agricultural Assembly of the Moshavot of Judea.

I experienced many emotions of happiness, and hopes for a bright future were awoken in my heart, when I saw the serious guidelines that were set. They highlight nicely the plan of the organization and its robust spirit.

I view in what I have seen the “outstretched arm of Hashem” in a favorable manner for His nation and His lot, as I see in all of the steps [of development] of the honorable and holy Yishuv. It is the beginning of the reestablishment of our ruins and the return of a positive spirit for our captives, to return the days of old. My spirit is churning within me with the churnings of a warm and complete love. I want to hug with the arms of true friendship all of those who are gathering together with good counsel and bravery, to expand the boundaries of Israel and to elevate the stature of our Desired Land, along the lines of all the new elements of life that have begun to be revealed.

I wish that your dear organization will accept happily my feelings of blessing and prayers for your success. May your endeavors give very blessed fruit, for the benefit of our nation and our Land, for now and for generations to come.



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 z”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

Back Pay for a Junior Lawyer – part II

(based on ruling 81064 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) worked for the defendant's (=def) law firm, first as an intern and then as a lawyer, from 2014-2020, for a very low salary. After leave due to the pandemic, pl's employment ceased. Pl is suing for being paid less than the minimum wage for full-time work, for insufficient and delayed pension and other entitlements, and for an improper firing. Def counters that pl was a part-time worker and thus was paid sufficiently. Def also denies firing pl. Rather, pl refused to take on new cases, to which def commented that those who do not work cannot stay on, prompting pl to leave.

Ruling: [Last time we saw the compromise ruling crediting pl with working 28 hours a week, which enable the determination of minimum wages and other benefits.]

Although def did not say, "You are fired," several things he said, at the time and since, indicate that he indeed fired pl. Among them, was that def lamented what he told pl. Def also said that he would give pl a month's salary. These make sense only if def was firing him. If def's statements were not meant to be final, he could have contacted pl and worked things out over the next period. Since Halacha recognizes the law that there is a responsibility to compensate financially for firing, def must do so.

Pl demanded that def give him significant bonuses for specific cases in which he succeeded nicely, as is customary and as def promised. Pl admitted that he was never promised a specific amount, and the bonuses were not part of the salary he was promised, but something he had a feeling he would receive. Therefore, any words of planning to give bonuses, which were also never proved, express only the intention to "give a present," which is not binding for a large present (Bava Metzia 49a). The bonuses that were given are enough to fulfill the moral obligation.

Pl presented many small claims, many based on labor laws, which we will survey briefly. The law requires that an employer give a worker a written description of the job and the compensation. Pl asked for 15,000 NIS for the failure to do so. While def claimed that pl knew what the conditions were, this adjudication proves how important such a document would have been. This is one of the elements that serve as the basis of a general obligation *beit din* levied.

Def did not give salary stubs as required. While this did not cause much damage, this is part of the general obligation. Def did not give pl a letter of the ending of employment, up to the time of this ruling's writing. This apparently did not cause damage, but this too is included. Pl also deserves compensation for not having a hearing before firing. Some other similar claims were rejected. For all of these infractions, def must pay pl 14,000 NIS.

Pl claims that it is clear from some of the checks received that there were partially unpaid salaries. However, pl admits that at times he was paid partially in cash and he had previously said that he had been paid his salaries. Therefore, this late claim is rejected

Comments or questions regarding articles can be sent to: info@erezhemdah.org

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

Nir Rephael ben Rachel Bracha
Ori Leah bat Chaya Temima

Arye Yitzchak ben Geula Miriam
Yerachmiel ben Zlotta Rivka
Tal Shaul ben Yaffa

Neta bat Malka
Meira bat Esther

Together with all *cholei* Yisrael

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