



HaRav Shaul Israeli zt"l
Founder and President

HEMDAT YAMIM

המדת ימים

PARASHAT HASHAVUAH

Balak 7 Tamuz 5771

The Curse of the Blessing

Harav Shaul Yisraeli - from Siach Shaul, pg. 423-424

Our *parasha* introduces a classic and most dangerous Jew-hater, *Bilam Harasha*. Anti-Semitism is as old as our nation. The Rambam (in Iggeret Teiman) explains its source with great insight. Since Hashem selected us to receive the Torah's laws and precepts, through which our higher level became clear, idol worshippers became very jealous and pressured their leaders to fight us. He says that they actually would like to fight with Hashem, if they could.

While anti-Semitism is very old, it has different faces and tactics at different times in history. Its primitive form comes with murderous hands. This is the coarse, uncloaked version, which we found first when Amalek attacked. The more venomous and deeper form is "cultured anti-Semitism," whose weapon is not the "hands of Eisav" but the mouth. Instead of physical battle, there are proclamations and defamations, scorning and haughtiness. Who was more talented in this area than Bilam, who composed poetry and knew how to determine when Hashem became angry? He had a history of using his mouth to bite in a manner for which there was no remedy.

Hashem prevented Bilam from cursing as he desired, and the curses froze on his lips and churned out of his mouth as blessings. Instead of putting us down, he sang our praises: "From the head of cliffs I see them... they are a nation that lives in solitude and is not counted among the nations" (Bamidbar 23:21).

If only we could finish the story there; it actually ended quite badly. How strongly does the outcome pierce the heart! Specifically the pleasant tones of Bilam's blessings, a result of his failed curses, ended up being most dangerous. The Torah conveys to us, in pieces, the plot Bilam taught Balak. "Israel camped in Shitim, and the nation began to be promiscuous with the daughters of Moav" (ibid. 25:1). The result: a plague in which 24,000 died (ibid. 9). As long as we are separate from the nations, as Balak praised us, we are able to block out their influence. However, he implied, once we become close with them, we became vulnerable, and Balak exploited the matter. They beckoned us: "We are not so distant, and we can come to an understanding, mutually beneficial relationship." They succeeded by sending their young women, who awoke interest first in them and then in their idols.

This phenomenon repeated itself in history in different forms. We always had more to fear from their blessings than from their curses. Hashem turned many attempts to undo our religion and label us with blood libels into a means of widening the gap between the nations and strengthening our resolve and belief in Hashem. However, their sweet overtures of friendship toward us caused the greatest dangers, making us think that we may blur our differences and try to be like other nations. This has been our greatest vulnerability. Who can count the number of people who have died in subsequent plagues, literal and figurative?

Let us learn from the *navi* in the *haftara*: "The remnant of Israel will be amongst the many nations as dew from Hashem, like rain upon grass, which will not hope for man and not wait for people" (Micha 5:6).

Hemdat Yamim
is endowed by
Les & Ethel Sutker
of Chicago, Illinois
in loving memory of
Max and Mary Sutker and
Louis and Lillian Klein, z"l

This edition of
Hemdat Yamim
is dedicated to the memory of
Rabbi Shlomo Marzel o.b.m.,
who passed away
on Iyar 10th, 5771

This edition of
Hemdat Yamim
is dedicated
to the memory of
**R' Meir
ben Yechezkel
Shraga Brachfeld** o.b.m

Eretz Hemdah

Deans: **Harav Yosef Carmel, Harav Moshe Ehrenreich**
2 Bruriya St. corner of Rav Chiya St. POB 8178 Jerusalem 91080
Tel: 972-2-5371485 Fax: 972-2-5379626
Email: info@eretzhemdah.org web-site: www.eretzhemdah.org

Donations are tax deductible according to section 46 of the Israeli tax code

American Friends of Eretz Hemdah Institutions
c/o Olympian, 8 South Michigan Ave., Ste. 605, Chicago, IL 60603, USA
Our Taxpayer ID #: 36-4265359

by Rav Daniel Mann

Question: May one spray whipped cream from a canister on Shabbat?

Answer: First, let us understand what happens. When gas goes into a fatty substance (like whipping cream), the fat traps much of it, causing it to fluff up and coalesce. Whipped cream canisters contain pressurized nitrous oxide. Pressing their button does two things more or less at the same instant: forces gas into the fatty liquid; forces the contents out of the canister. There are several possible grounds, some stronger than others, upon which to base a prohibition. After a quick review, we will present a practical answer.

Arguably, combining two substances so that they form a mixture that is different in texture than each one separately is *lisha* (kneading) (see Shemirat Shabbat K'hilchata 11:(124)). However, trapping a gas (even if in unnoticeably small pockets) inside a liquid so that it turns into foam is different enough from classic *lisha* for it to be difficult to forbid without classical sources.

The Shemirat Shabbat K'hilchata (11:31) prohibits hand-whipping cream for a few reasons. One is related to the scrambling of eggs, which is forbidden because it is usually a step in the cooking process. While one can argue whether or not this applies to whipping cream, the process is totally different when done by pressing the button on a canister.

Recent *poskim* discuss creating seltzer/soda on Shabbat, where a somewhat significant change occurs to a liquid by inserting a gas. While some *poskim* object to it for creating something new (see Maharsham I, 140), the most realistic problem is *uvdin d'chol* (weekday-like activities, in this case, of producing things). While this might apply to the process of inserting a gas canister and fastening a machine to make soda (or the similar device for cream), it is hard to apply it to using a pre-prepared canister, which the average user sees as simply dispensing.

The most serious issue is *molid*, creating a new reality by changing the phase of an object. The *baraita* (Shabbat 51b) forbids crushing ice and snow. Rashi explains that it is like a *melacha*, in that one creates something new, i.e., a liquid from a solid. Some say that, similarly, one may not turn a liquid into a solid, e.g., freeze water to make ice cubes (see Doveiv Meisharim I, 55). We dealt with this issue in Hemdat Yamim (Miketz 5767), and cited strong grounds for leniency. Orchot Shabbat (15:(45)) says that even those who forbid making ice cubes could permit spraying whipped cream from a canister because the only purpose of the cream in the canister is to be turned into whipped cream. On the other hand, here one actively and directly, with the press of the button, creates the foam, as opposed to putting water in a freezer, which only provides a cold setting for the slow process of freezing to begin (see Shemirat Shabbat K'hilchata 10:(14)). However, Rav Mordechai Willig told me another reason for leniency: the change, from a thick liquid to a foam, is not enough to be considered *molid*.

While one can make the argument that it is forbidden to spray whipped cream from its canister, common practice is to permit it. Since we have shown the halachic basis for the practice, we do not feel it is necessary to change it. (We have not dealt with the issue of using the cream to write words or make likenesses of specific objects.)

“Living the Halachic Process”

We proudly announce the publication of our second book in English.

“Living the Halachic Process volume II” a selection of answers to questions from our Ask the Rabbi project. A companion CD containing source sheets for the questions is also available.

In honor of the book's debut, we offer it at the special rate of \$25

Special offer: buy both volumes for the price of \$40.

Contact us at info@eretzhemdah.org

Have a question?..... e-mail us at

info@eretzhemdah.org

[This is a continuation of the piece we shared a few weeks ago. Rabbi Avahu hinted criticism of Rabbi Zeira's asceticism, saying that if Rabbi Zeira recovered, he would make a party for rabbis, in which they would enjoy worldly benefits.]

Ascetism – For and Against, Round II

(condensed from Ein Ayah, Berachot 7:6)

Gemara: Rabbi Zeira became weak, and Rabbi Avahu went to visit him. Rabbi Avahu accepted upon himself that if “the small one with burnt thighs” [a nickname for Rabbi Zeira, explained in Bava Metzia] would recover, he would make a day of festivity for the rabbis. [Rabbi Zeira] recuperated and [Rabbi Avahu] made a festive meal. When it was time to begin the meal, [Rabbi Avahu] asked Rabbi Zeira to be *botzeia* (break bread). He responded: Don't you agree with Rabbi Yochanan, who said that the host is *botzeia*? So [Rabbi Avahu] was *botzeia*. When it was time for *Birkat Hamazon*, [Rabbi Avahu] asked [Rabbi Zeira] to lead. He responded: Don't you agree with Rabbi Huna of Bavel, who said that the *botzeia* leads *Birkat Hamazon*? [Rabbi Avahu], for his part, held like Rabbi Yochanan that the host is *botzeia*, but the guest leads *Birkat Hamazon*.

Ein Ayah: Although a life of asceticism, even if embarked upon for noble reasons, is not the desired path for the masses, there will always be some people with high spiritual goals and discipline who feel it is right for them, specifically. Rabbi Zeira was such a person, and, therefore, he disagreed with the message Rabbi Avahu was trying to send by making a festive meal, i.e., that no one should see extreme self-deprivation as a goal. Rabbi Zeira believed that asceticism could still be important for individuals, as the desired paths of religious life can be broad and disparate, according to the individual's level and characteristics.

Rabbi Zeira did not totally disagree with Rabbi Avahu's message, as he agreed that asceticism is not the path of choice for the masses, and he also did not want to show disrespect to Rabbi Avahu by boycotting his feast. On the other hand, Rabbi Zeira did not want to give the impression that he had retracted his approach and now wished the world be without asceticism. Therefore, Rabbi Zeira did not want to take an active role in the meal, by either being *botzeia* or by leading *Birkat Hamazon* but saw himself as a mere guest, even though it was in his honor.

There is a philosophical disagreement with some practical ramifications between great thinkers as to the proper outlook on the place of physical enjoyment. One approach finds independent value for physical pleasures and benefits, beyond their being needed to enable spiritual gain. The other approach sees it as a burden and liability for those who have a bright and sensitive spiritual/intellectual side. Rather, it should only be seen as a tool to enable the body to lead the person on a path of straightness and pursuit of wisdom, which is a foundation of his completeness. One who takes the second approach would want to connect breaking bread to *Birkat Hamazon*, as the latter focuses not on the experience of eating but on its practical benefits. By having the same person do both (as Rabbi Zeira proposed, one shows that the value is not in breaking bread alone, but only in what it facilitates.

In contrast, Rabbi Avahu felt that if one approaches the enjoyments of the world in a balanced, thought-out manner, it can be a good thing in and of itself. In fact, it is a means of accepting Hashem's kindness and goodness that He desires to bestow upon His creations. This follows the approach that one should partake of every species Hashem created (Yerushalmi, Kiddushin 4:12), as one must take advantage of all permitted enjoyment Hashem prepared for us. According to Rabbi Avahu, it is an honor to be *botzeia* even if he will not also lead *Birkat Hamazon*, and the host can be *botzeia* while the guest leads *Birkat Hamazon*.

[Responsa B'mareh Habazak, Volumes I, II, III, IV, V and now VII:](#)

Answers to questions from Diaspora rabbis. The questions give expression to the unique situation that Jewish communities around the world are presently undergoing. The answers deal with a developing modern world in the way of “*deracheha, darchei noam*”. The books deal with the four sections of the Shulchan Aruch, while aiming to also take into consideration the “fifth section” which makes the Torah a “Torah of life.”

Special Price: 15\$ for one book or
7 volumes of Responsa Bemareh Habazak for \$90 (does not including shipping).

Allowing Yibum for Sephardim in Israel

(condensed from Shurat Hadin, vol. IV, pp. 225-230)

Case: A childless widow and her brother-in-law, who were also cousins and came from the Iranian Jewish community, approached *beit din* with the request to do *yibum*. In 5710, the two Chief Rabbis instituted that in Israel, even Sephardim, who traditionally did *yibum*, would not do so, "so that it not look like there are two Torahs." Only in special cases where the Chief Rabbis give special permission would it be permitted.

Ruling: The classical *machloket* between Jewish communities over *yibum* stems from the *machloket* between Rabbanan and Abba Shaul (Yevamot 39b). Abba Shaul says that *chalitza* has precedence over *yibum* because if the brother-in-law intends for worldly interests, as opposed to the *mitzva* of *yibum*, it is as if there is a violation of incest. Rabbanan say that even with improper intentions, *yibum* is permitted. The Rif, Rambam, and Shulchan Aruch (Even Haezer 165) rule like Rabbanan that *yibum* has precedence, whereas Rabbeinu Tam and the Rama rule like Abba Shaul.

The Nimukei Yosef says that even according to Abba Shaul, the prohibition of improper intentions is only rabbinic. The Noda B'Yehuda (II, EH 54) says that there is not a need for a positive intention for a *mitzva*, just that it should not be specifically for an ulterior motive, such as the woman's beauty. Regarding a case of one who has in mind both for the *mitzva* and for her beauty, there is a *machloket*. The stronger opinion is that of the Aruch Hashulchan (EH 164:8) and Shvut Yaakov (III, 135), who say it is permitted when one has intention for both. For that reason, it is a somewhat distant concern that one will have in mind only for ulterior motives. *Acharonim* make comparisons to various parallel topics, including that of one who does a *brit mila* in a manner that removes *tzara'at* (which is usually forbidden to remove) along with the *mitzva*, and the *gemara* (Shabbat 133) permits it.

In any case, Sephardim follow the Shulchan Aruch that *yibum* is permitted regardless of the intention. Even though some Sephardi *poskim* allow being stringent against the Shulchan Aruch, that is only when there is not a clear *minhag* to follow the specific halacha. In this case, though, there was a clear practice to do *yibum* (including in many Ashkenazi communities).

It is therefore strange that Sephardi *rabbanim* accepted the injunction against *yibum* in Israel. The claim that otherwise it would look like there are two Torahs is difficult because in many areas of halacha (including *shechita*) there are two different practices. There is not a problem of *lo titgodedu* because there are two separate communities in Israel.

Therefore, *beit din* ruled by majority to approve the proposed *yibum*. Chief Rabbi Mordechai Eliyahu signed the permission. [We do not know whether Chief Rabbi Shapira was also required to sign and whether he did.]

Mishpetei Shaul

Unpublished rulings by our mentor, Maran Hagaon HaRav Shaul Yisraeli zt"l
in his capacity as dayan at the Israeli Supreme Rabbinical Court.

The book includes halachic discourse with some of our generation's greatest poskim.

The special price in honor of the new publication is \$20.

Do you want to sign your contract according to Halacha?

The Rabbinical Court, "[Eretz Hemdah - Gazit](#)"

Tel: (077) 215-8-215 beitdin@eretzhemdah.org Fax: (02) 537-9626

Eretz Hemdah - Gazit serves the public in the matter of dispute resolution according to the Halacha in a manner that is accepted by the law of the land.

While drawing up a contract, one can include a provision which assigns the court jurisdiction to serve as an agreed upon arbitrator.

Eretz Hemdah is the premier institution for training young rabbis to take the Israeli Rabbinates' rigorous Yadin Yadin examinations. **Eretz Hemdah**, with its distinctive blend of Religious Zionist philosophy and scholarship combined with community service, ensures that its graduates emerge with the finest training, the noblest motivations resulting in an exceptionally strong connection to Jewish communities worldwide.