



HaRav Shaul Israeli zt"l  
Founder and President

# HEMDAT YAMIM

## PARASHAT HASHAVUAH

Nitzavim, Elul 28, 5772

### The Freedom of Divine Dominion

Harav Shaul Yisraeli – based on Siach Shaul (Yamim Noraim), pg. 106-7

One of the central prayers on Rosh Hashana is “rule over the entire world...” At first glance, why do we pray and have such longings for a situation wherein there is dominion upon us? Aren't we better off without the extra yoke? Isn't freedom one of the most pleasant and even uplifting feelings that exist?

The answer is apparently included in the following statement of *Chazal*: “Do not read the *pasuk* as saying [that the writing of the Ten Commandments is] *charut* (engraved) on the tablets, but rather that there is *cheirut* (freedom) on the tablets, for the only one who is free is one who is involved in Torah study” (Bamidbar Rabba 10:8). The question is still how it can be that accepting the yoke of Heavenly Kingdom and realizing that Hashem knows all and forgets nothing creates freedom for a person.

We know that fixing that which is wrong about us and regretting sins that we have committed is called *teshuva*. [We translate the word as repentance, but] the word literally means return. To where are we returning?

As *Shlomo Hamelech* said (see *Kohelet* 7:29), the Creator made man straight, which is so because Hashem is righteous and straight. The entire creation is divine kindness, and all comes from Him. Hashem is the essence of good, and when we achieve a palpable kingdom of Hashem upon Earth, we receive the dominion of good. Accepting the yoke of the Heavenly Kingdom means that we are overcoming the powers that oppose good. It is an attempt to purge the world of evil. This is actually what we say in prayers: “... and all the evil will cease like a cloud, as You will remove the evil kingdom from the land.”

We must start purging the world of evil by starting within ourselves, where opposing forces battle for control. While Hashem made us straight, there are also forces that raise difficulties in keeping us so. *Chazal* have taught us that the point of these forces is not to overcome us. Rather, they exist so that we can take part in creation by creating ourselves in our complete form and thereby creating a better world.

How do we accomplish this lofty goal? “A person's evil inclination gets stronger and stronger all day long, and were Hashem not to help us, we could not overcome it” (*Sukka* 52b). By declaring Hashem king, we form a connection with Him whereby He will help us; that is part and parcel of our request for help. By succeeding with Hashem's help in the *teshuva* process, we are able to return to our natural status, as we are naturally truthful and straight.

What is a world without belief in a Creator? We saw the answer when human beings acted like the most brutal beasts during the Nazi period. What is a world without belief in a Creator? We see it in the monster known as the Soviet regime. What is a world without belief in a Creator? We can see it in the actions of corruption, murder, etc. that have spread throughout modern society.

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# Ask the Rabbi

## Why Can't Women Blow the Shofar for Men?

by Rav Daniel Mann

**Question:** I don't understand why a woman cannot blow shofar on behalf of a man, if he personally hears the shofar being blown?

**Answer:** Firstly, let us confirm that your assumption is not only correct but is unanimously agreed upon. Indeed the *mishna* (Rosh Hashana 29a) says that one who is not obligated in the *mitzva* of shofar is unable to blow on behalf of one who is obligated to fulfill their *mitzva*, and all agree that women are exempt from the *mitzva* of shofar because it is a time-linked *mitzva* (see Kiddushin 29a and Shulchan Aruch, Orach Chayim 589:3).

Your question is an excellent one, according to an understanding that many but not all authorities have. You seem to assume that the *mitzva* is to hear shofar blowing, not to blow the shofar. The Rambam writes in this vein in several places (see Shofar 1:1). The Tur (OC 585) provides two indications that the *mitzva* is to hear: 1) the language of the *beracha* is: "... He commanded us to hear the sound of the *shofar*." The halacha is that if one blew the shofar into a pit in a manner that he was not able to hear his own blowing, he does not fulfill the *mitzva* (see Rosh Hashana 28a). According to this approach, your question is logical: if one heard an authentic shofar sound, what difference does it make who produced it?

On the other hand, there are dissenters to this approach to different degrees. The Rosh (Rosh Hashana 4:10) cites Rabbeinu Tam as saying that the *mitzva* is to blow. He is not bothered by the language of the *beracha*, as Rabbeinu Tam's version of the *beracha* was indeed "... on the blowing of the shofar." One can explain the need to hear the blowing by saying that while the essence of the *mitzva* is to blow the shofar, there is also a condition in the *mitzva*'s fulfillment that one hears it. Another simple question Rabbeinu Tam has to deal with is: if the *mitzva* is to blow, why don't we all have to blow? One cannot answer that the *ba'al tokeiah* is our *shaliach* (agent) for the fulfillment of the *mitzva* because if agency was effective, then one could have someone blow for him without even being present to hear the blowing. In fact, the *mitzva* of shofar is a *mitzva shebegufo*, a *mitzva* that one must perform personally, just that we can apply the rule of *shomeiah k'oneh* (he who hears is like one who recites), which we find in contexts such as the reading of the Megilla. In other words, one who hears the sound of the shofar being blown is like one who produces the sound. *Shomeiah k'oneh* requires the reciter to be obligated in the *mitzva*, and thus according to Rabbeinu Tam we understand why a woman cannot blow shofar for a man. In contrast, the Rambam does not need to employ *shomeiah k'oneh*, as the hearing each person does himself suffices.

Yet your question does not disprove the Rambam's approach. The *mitzva* can be to hear the sound, but not any shofar sound, but specifically a '*mitzva*-connected' sound, which can be produced only by someone who is obligated in the *mitzva*. It is similar to *tefillin*. While the *mitzva* is to wear *tefillin*, not write them, only one who has the *mitzva* to wear *tefillin* can write them. What is very difficult for the Rambam is why the person blowing must have in mind that his blowing can be used by others in order for them fulfill the *mitzva* (Rosh Hashana 29a). After all, the sound is *mitzva*-connected because he is using it for his own *mitzva* or that of his friends, so why doesn't everyone who hears that *mitzva* sound with his own correct intentions fulfill the *mitzva* by hearing it? (The Chazon Ish's (OC 29:4) answer is beyond our scope).

According to a third approach, the essential *mitzva* is both blowing and hearing (see Minchat Chinuch #405). Therefore a man who hears from a woman is missing at least one element of the *mitzva*, being connected to the blowing of one who is obligated in shofar.

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# Ein Ayah

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

## Parameters of Prayer

(condensed from Ein Ayah, Berachot 9:167)

**Gemara:** If one calls out in prayer over something in the past (i.e., that is already determined) this is a worthless prayer. For example, if one whose wife is pregnant prays: “May it be His will that my wife will give birth to a boy,” this is a worthless prayer. Or, if one was on the road and hears cries of anguish in the city, and he prays: “May it be His will that it is not from my home,” this is a worthless prayer.

**Ein Ayah:** Although prayer is based on emotion, it also has to be influenced by logic, to the degree that the emotion needs to be attached to reality. It is true that the goal and the workings of prayer are to improve a person spiritually. [This is a thesis that Rav Kook discusses in many places – sometimes Hashem allows a person to receive that which He has destined for him only by means of his praying for it, in order for this experience to attach the person to Him]. This is why the ultimate wisdom arranged in advance that as everything has a correct time, so too will matters arise that will motivate a person to pray for certain needs. The moral lift for a person’s personality that he will receive through prayer will thereby fit the general reason that Hashem created the phenomena related to prayer and will justify the person’s specific request being accepted in the desired manner.

For this process of prayer to be of proper value, two conditions must be fulfilled in regard to the nature of the request. One is that the request must be accomplishable by natural means with which the world functions. If this is fulfilled, then prayer becomes a link in the chain that joins the existence of the world along the lines of wonderful order and divine wisdom. The other condition is that the prayer has to follow lines of healthy logic. In such a way the prayer itself improves the internal spirit and at times creates a situation where it is appropriate for his specific request to be accepted by Hashem. When a prayer is either missing conforming to the nature of the world or is an illogical request, it will not bring the desired closeness to Hashem.

The two worthless prayers spelled out by the *mishna* are lacking in the two aspects that we have described, respectively. The prayer that the pregnant woman will give birth to a boy is against nature. [This is because it would be of value only if the fetus was a girl and was changed due to the prayer into a boy, which would of course be against the rules of nature]. The prayer about the source of the cries of anguish is not even logical, as it about something in the past. The fact is that the cries emanated from one place or another, and the prayer cannot change that which already happened. Such prayers that do not follow the mode of proper requests not only will not be answered, but do not even provide a person with the experience of prayer in which his spiritual being can be improved. That is why they are called worthless prayers.

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## Acceptance Committee (part I)

(condensed from Hemdat Mishpat, rulings of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** The plaintiff (=pl) wants to rent a home in a *yishuv* (a communal settlement) (=def). The *yishuv's* rules state that one must be accepted by the *va'adat kabbala* (=vaka; acceptance committee) in order to do so, and vaka rejected pl. She claims that the head of vaka attributed the decision to her age and lack of financial resources and that these reasons are unacceptable. Furthermore, pl argues that no group should have authority to limit who can live on government-owned land, and that the halachic requirements for such a rule were not met. Def responds that the need for acceptance to the *yishuv* by vaka is the *minhag* of the *yishuv* from its inception and that private statements of the head of vaka do not have public standing.

**Ruling:** *Beit din* will not express an opinion on the legality of a vaka according to the law of the land. If it is against the law, it should not be used.

A community of people, which can take various forms (municipal, professional, etc.) may decide on rules that govern their dealings. However, the *gemara* says that their decisions must be approved by an *adam chashuv* (important person) (Bava Batra 9a). The context in the *gemara* is a group of *shochtim* who assigned specific days to different *shochtim* and penalized those who did not conform. Rava disallowed their rule because it had not been approved by an *adam chashuv*. There is a *machloket* among the *poskim* whether this requirement applies only to groups with special interests (e.g., professional societies) in order to prevent abuses of individuals' rights, or whether cities are thus limited (see Rama, Choshen Mishpat 221:28). The opinions may depend on different approaches to the reason the *adam chashuv's* approval is needed: for his honor or to ensure that the decisions are proper (see Ritva and Ran, Bava Batra 9a). The matter of honor may apply to all settings, whereas concern about bad decisions is greater in the professional context. It is also possible that all agree that the *adam chashuv* is needed to prevent bad decisions and the disagreement is where that concern is sufficiently significant.

The Chatam Sofer (CM 116) says that the need for an *adam chashuv's* approval of municipal rules is a *minhag* that is not halachically binding. Perhaps for this reason people cannot void decisions of the Knesset, which lack such approval. If we assume the *adam chashuv* in the community is its rabbi (which is not necessarily the case), we should point out that the rule to require approval of vaka was created well before the *yishuv* had a rabbi. The requirement is certainly only for creating a rule, not for each time one is implemented. Otherwise, no municipality would be able to function normally, and overuse would actually be disrespectful to the *adam chashuv*.

Therefore, def is allowed to reject a potential resident based on vaka's rejection. The *yishuv* should have an apparatus for handling complaints of vaka's fundamentally flawed use of their authority, and if this is not being done, the complainant can turn to *beit din*.

[Next issue will deal with the correctness of vaka's considerations.]

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