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HEMDAT YAMIM

PARASHAT HASHAVUA

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The King's Clothes

Harav Yosef Carmel

Our *parasha* recounts Aharon's transfer of his lofty position to his son Elazar. This was symbolized by Aharon taking off his clothes and dressing Elazar with them before his death (Bamidbar 20:25-28). While the Torah does not write explicitly which clothes were involved, *Chazal* understood that it must be referring to the holy vestments of the *kohen gadol*, which could symbolize the transfer of the status of *kohen gadol*.

Let us look at other examples in *Tanach* where occurrences involving clothes indicate a crucial event. After Shmuel informed Shaul that Hashem had become disgusted by Shaul's reign and turned to go, Shaul grabbed for Shmuel's cloak, which tore as a result. Shmuel commented metaphorically: "Hashem has torn the Kingdom of Israel from you and given it to your counterpart who is better than you" (Shmuel I 15:26-28). We see in that context that the ripping of a garment was a sign of the removal of King Shaul from his reign.

A second case is when Shaul dressed the young David with his battle uniform so that David could fight Goliath (Shmuel I, 17:38). *Chazal* explain that Shaul understood that in the course of this action he had unwittingly appointed David as his replacement. David also had such an understanding, which would explain that David's removal of the uniform was to not accept that distinction (see Rashi, ad loc.).

Eliyahu approached Elisha and threw him his mantle (*aderet*) (Melachim I, 19:19) as a sign that Elisha should follow him. Later on, Elisha lifted up Eliyahu's *aderet*, which had fallen as Eliyahu was taken to the heavens, and used it to cause the Jordan to split and allow him to pass (ibid. II, 2:13-14). This transfer symbolized the student's inheritance of his master's prophetic leadership.

The famous story of Haman suggesting that Achashveirosh allow him to wear the king's clothes (Esther 6:7-9) is another example of the symbolic significance of wearing a leader's special clothes.

This thesis gives added meaning to the episode at the end of David's life when his clothes failed to provide him with warmth (Melachim I, 1:1). The *gemara* (Berachot 62a) explains that whoever disgraces clothes will at some point lose the ability to benefit from them. The Radak describes this idea as an extreme one. However, we will explain it in a way that the Radak might be able to accept. We already discussed one case of David's contact with Shaul's clothes as a sign of his impending claim to the throne. When Shaul approached David while he was hiding in a cave, David ripped the corner of his cloak. This, too, represented a compromising of Shaul's position. At the last stage of David's life, he had to deal with the question of who would succeed him as king. Some of the people closest to David tried to usurp his right to make that decision. This situation finds expression in the idea of David's clothes no longer being useful to him. The first section of *Sefer Melachim* describes how David dealt with that challenge (beyond our present scope). Let us pray that we will be able to find the right way to identify the correct candidates for positions of spiritual leadership and to "clothe" them in the appropriate way for the task.

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by Rav Daniel Mann

Permissibility of a Personal Beracha

Question: I am often overjoyed that Hashem granted me the *zechut* to live in Israel for many years, causing me to make a “spontaneous” *beracha*. A friend told me it is forbidden to compose my own *berachot*, as one can only use those *Chazal* composed. Is Judaism not all about thanking Hashem for all the wonders of creations and providence? Would I be precluded from thanking Hashem for something important to me?

Answer: Your assumption that one’s relationship with Hashem should be personal and overflowing is poignantly and refreshingly correct. On the other hand, one does not have free reign to serve Hashem as he desires, as evident from such *halachot* as *bal tosif* (not adding on to the *mitzvot*) and *beracha l’vatala* (unwarranted *beracha*). Let us seek perspective and guidelines.

The *gemara* (Berachot 33a) says that one who fulfilled a *beracha* requirement and then made an unnecessary one violated the prohibition of saying Hashem’s Name in vain. Tosafot (Rosh Hashana 33a) argues that uttering Hashem’s Name to praise Him cannot be in vain, but that it is a Rabbinic prohibition that “leans” on the *pasuk*. The Rambam (Berachot 1:15) seems to hold that *beracha l’vatala* is a Torah prohibition (Magen Avraham 215:6).

All agree that uttering Hashem’s Name without any purpose is an *isur aseh* (low-level Torah prohibition – Temura 4a). Yet, using Hashem’s Name in the context of praising Him is positive and permitted. In fact, the Rambam (Shvuot 12:11) says that if one mistakenly uttered the Name, he should immediately turn it into an appropriate praise of Hashem, and one of his suggested texts of spontaneous praise begins with “*baruch*.”

Where do we draw the line between appropriate praise and a *beracha l’vatala*? One approach is that the crucial factor is intention and context. If one intends to recite a required *beracha* when he is actually not required or if a mistake disqualifies the *beracha*, it is a *beracha l’vatala*. If the same words are said as an expression of personal gratitude, it is permitted (Chavat Da’at 110, Beit Hasafek 20; see Minchat Shlomo II:3). The Chavat Da’at cites a precedent for the distinction: one is allowed to repeat *Shemoneh Esrei* (which is comprised of *berachot*) with the intention it is voluntary, but not with an intention for an obligation (see Rosh, Berachot 3:15).

Others distinguish based on the text used, which is most severe when one utters a classic name of Hashem. Some say that if one recites the *beracha* in a language other than Hebrew so that the Name is equivalent only to a *kinuy* (a descriptive reference) of Hashem, it has the benefits of a *beracha* without the fear of *beracha l’vatala* (see opinions cited in Shut R. Akiva Eiger I:25, Pitchei Teshuva, YD 328:1, Piskei Teshuvot 209:7). R. Akiva Eiger (ibid.) and the Netziv (Ha’amek She’ala 53:2) argue that in the recognized, sensitive context of a *beracha*, even a *kinuy* or foreign language Name can be forbidden, as we find regarding an oath. The Netziv says that the problem is a Rabbinic issue of appearing to recite a *beracha l’vatala*. Therefore, the closer the text (and/or the context) is to that of a *beracha*, the more likely it is to be forbidden. The Minchat Shlomo (ibid.) explains that one should not act in a way that challenges the rules the Rabbis set. However, those rules were not set to forbid expression of personal thanks to Hashem.

We summarize as follows. Your desire to praise Hashem is commendable. Paradoxically, the more creative the text and style are, the clearer it is that it is permitted. Convention is that an individual should generally refrain from using Hashem’s main Names, which we leave primarily to *Chazal* and to great rabbis who have composed prayers and praises throughout history. Saying “*Hashem*,” “*Hakadosh Baruch Hu*,” “*Ribbono Shel Olam*,” or a Name not in Hebrew is safer and as profound. It is at least preferable not to recite anything that resembles a *beracha* of *Chazal* by content, by context (e.g., in *Birkot Hashachar*) and/or by regularity. That still leaves you with room for much self-expression.



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Ein Ayah

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

The Impact of the Characteristic of the Land on People's Daily Conduct

(condensed from Ein Ayah, Shabbat 1:3)

Gemara: [The *mishna* lists various activities, including eating, that one should not start soon before the time to *daven Mincha* and states that if one had already started, he may continue.] What is considered the beginning of eating? Rav said: from the time he washed his hands. Rabbi Chanina said: from the time he loosens his belt. And they are not arguing: this is for us; this is for them (Rashi – the people of Bavel would fasten the belt firmly and loosen it before eating; the people of *Eretz Yisrael* did not have the practice of loosening the belt before washing their hands).

Ein Ayah: The practices of etiquette have a connection to the nature of a nation, which is related, albeit to varying degrees, to the nature of the land.

It is possible that the tight fastening of a belt demonstrates a situation in which the body is prepared for very hard work. In contrast, for one who is connected to the use of intellect, the situation of girding one's loins is not the proper one, as he must remove anything constricting from the body so that he can be free like the spirit of logic that elevates him. The Land of Darkness (i.e., Bavel – see Pesachim 34b) is not blessed with an affinity for high-level intellectual inquiry, and therefore its people are more drawn toward a situation that is connected to preparations for physical activities. One such situation is having one's belt fastened firmly, which shows physical diligence. *Eretz Yisrael* is different. Its air wisens its inhabitants, and their expected goal is to be learned in the ways of Hashem and to be steeped in intellectual/philosophical inquiry. Only at times, when there is a need, do they enter into physically rigorous activity.

It is true that laziness is the enemy of wisdom and that it is proper for the study of Torah to be accompanied by work (Avot 2:2). Still, though, the lifestyle in *Eretz Yisrael* is one that draws one into a situation that is more appropriate for the work of the spirit than physical work. This is in line with the *pasuk*: "This nation I created for Myself; My praises they will tell" (Yeshaya 43:21). The *navi* speaks positively about a situation in which "foreigners will stand up and will graze your flock, and the sons of strangers will be the farmers, and you will be called the priests of Hashem, the servants of our G-d" (ibid. 61:5-6).

Not only in the times of *Mashiach* but even in the past, at the time of Shlomo, much of the hard physical work was handed over to non-Jews, who were more naturally inclined toward it. The Israelites, in contrast, were doing great things in the realm of the spirit, in Torah study, ethics, and pursuits of wisdom, whether in the field of practical leadership or purely intellectual matters of Torah and philosophy. This is the special characteristic that Israel has among the nations, as the *pasuk* says, "His nation belongs to the portion of Hashem" (Devarim 32:9).

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Mechila that May Be Lacking

(condensed from *Shut Hamaharit* 118)

[*Reuven rented a house to Shimon for a year. Reuven swore he would not remove Shimon from the house during that time, and Shimon swore he would not leave it unoccupied. The two got into an argument, in whose course Reuven told Shimon to vacate the house. Now Shimon wants to end the lease, and Reuven has retracted his statement, which he claims was not said seriously.*]


First we must analyze Reuven's statement (literally, "empty the house"). Vacating the house would seemingly indicate an exemption from paying rent, and an oral *mechila* (relinquishing rights) is binding. (See Sanhedrin 24a, regarding one who was obligated to swear to be exempt and his counterpart lowered the severity of the required oath). On the other hand, Reuven did not explicitly relinquish rights to rent. It is possible that he demanded that Shimon move out and yet continue to pay [even if this sounds like an unreasonable demand].

We find cases where one party makes a demand which seems to imply exemption and yet an explicit expression of exemption is needed. For example, when a lender tells his borrower to throw him the money he owes, the borrower is responsible for subsequent loss of the money unless the lender states he will be exempt as a result (Gittin 78a). In order to reconcile this with a *mishna* (Bava Metzia 98b), which says that when one returns money per instructions he is exempt, we must distinguish between repaying a loan and returning one's object. A loan creates a monetary obligation that must be actually paid or relinquished. In contrast, when one is watching an object, as long as he follows the object's owner's instructions, there is nothing to obligate him. Another *sugya* where we see that *mechila* of payment must be explicit is Bava Kama 93a, where it says that it is not enough to tell someone, "Rip my garment," but he has to say, "Rip my garment on condition that you are exempt."

Furthermore, even if Reuven intended that if Shimon vacates he will be exempt from rent, that would only take effect if Shimon would have vacated before Reuven rescinded his statement. If this is not so, then Shimon would have been able to decide whether he wanted to continue the lease or break it, and it is unlikely that Reuven would allow Shimon to decide what he prefers.

Another factor is that when one does *mechila* that can be explained in different ways, we accept it as *mechila* only regarding lesser matters (see Ketubot 83a). In this case, the oath implied that Shimon originally was not permitted to vacate the house even if he were to continue to pay rent. Therefore, in the face of lack of proof, we will understand that the *mechila* was to allow him to move out but only if he is willing to pay.

Yet another factor is that binding decisions can be made without an act of *kinyan*, but at times there are reason to suspect that they do not represent the thought out decision of the one who uttered the statement and require confirmation (see Rambam, Mechira 5:13). The case of *mechila* made in anger is an example of something that is not binding without making sure that it represents his rational position.



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