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HEMDAT YAMIM

Parashat HaShavua

Naso Shavuot, 7 Sivan 5780

Yehuda and Dan – Who Leads and to Where?

Harav Yosef Carmel

The Tribe of Yehuda had 74,600 fighters from the age of 20 (Bamidbar 1:27) and the Tribe of Dan had 62,700 such men (ibid. 39). Yehuda's encampment was the first to travel in the desert, whereas Dan brought up the rear (Bamidbar 1:9 & 10:25). These two tribes were neighbors in *Eretz Yisrael*, and there were two border towns that are attributed to both, meaning that they were shared – Eshtaol and Tzor'ah (see Yehoshua 15:20-21,33; ibid. 19:40-41).

This week's *haftara* deals with Shimshon, who was from the Tribe of Dan and operated in this joint region. In fact, the *midrash* (Bamidbar Rabba, Naso 10) reports that Shimshon's mother and paternal grandmother were from Yehuda. This is an example of geographical proximity causing familial intermingling as well.

We will look now at one of the troubling events in Shimshon's life (Shoftim 15:4-13). Shimshon had caused great damage to the Plishtim, and he went to stay at Sela Eitam. The Plishtim surrounded the nearby Judean city and demanded that they go and tie up Shimshon and give him over to them ... or else. The Judeans begged Shimshon to let them do so, and he agreed on the condition that they themselves would not harm him. How could the people of Yehuda agree to betray their neighbor and relative Shimshon?

The answer is found in the words of the Judeans: "Do you not know that the Plishtim rule over us?" In other words, they really felt that the Plishti dominion was such that they had no choice. It was this same fear of the Plishtim that actually caused a large part of the Tribe of Dan to settle, not in their appointed place, but in the north of Israel (see Shoftim 18). The Plishti dominion also was powerful in the time of Shmuel and Shaul (see Shmuel I, 13 & 23). They also controlled the metal production and did not allow the Jews to produce weapons or even metal agricultural tools.

All of this relates back to the story of Megillat Rut. Once Elimelech, a Judean leader, and his sons failed, the prominence of the Tribe of Yehuda waned. Most of the period of the Judges, Shmuel, and Shaul, the tribe was enslaved by the Plishtim. The blessing of Yaakov, which granted kingdom to Yehuda, began to be fulfilled only when David rose to the kingdom, which is hinted at in the end of Rut (see more in the soon-to-be-published *Tzofnat Shmuel*).

Our generation, which was blessed with independence and freedom from foreign dominion, needs to carefully guard the precious present that we have received. Let us remember this as we prepare for the upcoming holiday of receiving the Torah.

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



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Ask the Rabbi

by Rav Daniel Mann

Reciting *Borei Nefashot* on Food When One Will Still Drink

Question: When I eat a fruit and drink, if I finish the fruit but will continue drinking for quite a while, when should I recite *Borei Nefashot*? If I do it after finishing the fruit, should I make a new *beracha* on the drink?

Answer: Even if you did not eat a fruit, what to do about *Borei Nefashot* on drinking over time is not simple. If you never drink a *revi'it* at one time, you are not obligated (due to doubt) in *Borei Nefashot* (Mishna Berura 210:1). It is inadvisable to go more than a half hour between one drink and another, as that may be enough of a break to detach the drinking from the *beracha acharona* and perhaps the *beracha rishona*. Those who drink large amounts with significant breaks should make a set of *berachot* each time (see Living the Halachic Process, II, B-4).

We proceed to the impact of the fruit. One has at least a half hour and perhaps significantly more (see V'zot Haberacha, p. 50) from the end of eating fruit to recite *Borei Nefashot*; you can also leave a little fruit to eat many minutes later. Therefore, your question can usually be avoided.

Your question pertains if after eating the fruit, you will continue sporadic drinking for a long time (without leaving the vicinity). The first issue is whether *Borei Nefashot*'s efficacy on the fruit is extended by continued drinking without a long break. During a long meal in which 72 minutes pass between eating bread and *bentching*, the food one continues to eat extends the time (Magen Avraham 184:9). There are two ways to explain this *halacha*. The Pri Megadim (ad loc.) suggests that continued eating slows digestion. The Mishna Berura (184:18) says that it is a halachic matter – *Birkat Hamazon* does not expire in the middle of a meal. The Shevet Halevi (VII, 27) posits that if the reason is physical, it applies to any eating/drinking, but if it is halachic, it likely only applies to a meal or other unified eating (see V'zot Haberacha, p. 191). Therefore, it is a *machloket* whether you may wait much more than a half hour after finishing the fruit to make *Borei Nefashot*.

The Har Tzvi (OC I:96) prefers the opinion that we do not extend the time for eating due to drinking, as the *beracha* on one is not covered by the *beracha* of the other. Therefore, it is improper to wait beyond the normal time for making a *beracha* on the fruit. (The Shevet Halevi concurs in practice).

How does reciting *Borei Nefashot* impact on the *beracha* on drinking? The Har Tzvi instructs to have in mind when saying *Borei Nefashot* that it not apply to the drinking, so he can continue drinking based on the original *beracha*. He rules this way despite seeing the ability to affect the matter by intention as a *machloket*. The Pri Megadim (Peticha Kollelet, Berachot) says that for a *beracha acharona* (as opposed to a *beracha rishona*), when one *beracha* can apply to multiple foods, it does even if one did not have that intention. The Har Tzvi disagrees, with aid from the Rav Pe'alim (II, OC 32). Logic suggests that the Pri Megadim might actually agree that here one can limit the *Borei Nefashot*'s reach for the following reasons. The Pri Megadim's apparent logic is that a *beracha acharona* is different because given the standing obligation to make the *beracha*, one cannot detach it from all the foods (see Rav Pe'alim ibid.). However, in our case, the time to make *Borei Nefashot* on the drink has not yet come, and in fact it would cause an unjustified new *beracha*. Therefore, it is illogical that the *Borei Nefashot* on the fruit should be forced onto it. Therefore, when there is reason to make a *Borei Nefashot* on the fruit but not the drink, one should recite it with intention just for the fruit.

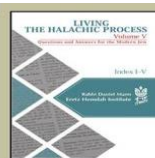
On the other hand, it is often wise to purposely have *Borei Nefashot* on the fruit also "end the round" of drinking for the chance of several cases: 1. he will take too long a break in the drinking; 2. he will unwittingly leave the house;

3. he will forget *Borei Nefashot* at the end; 4. he drank in a way that it is a *safek* whether he requires *Borei Nefashot*.

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Ein Ayah

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

Internal Goodness; External Negativity

(condensed from Ein Ayah, Shabbat 11:17)

Gemara: The attribute of good (i.e., the divine decision to provide something positive to His creation) comes faster than the attribute of harshness (*puranut* - the divine decision to do something harsh to a creation). We know this because the *pasuk* says in regard to calamity, “[Moshe took [his hand] out, and behold his hand was full of leprosy like [the color] of snow” (Shemot 4:6). In contrast, regarding the decree of good, the *pasuk* says: “He removed it from his chest, and indeed it had returned to [normal] flesh” (ibid. 7) – meaning that from the time it was in his chest, it was already like his flesh.

Ein Ayah: Goodness is the foundation of existence. The attribute of good is the goal of existence as a whole, and it is one with the root of life, of the source of life and goodness (i.e., Hashem). Therefore, it stands beyond the limitations of time and place. Even when a good decree is “lowered” into events that pertain to time and place, the impression of their natural state remains, and therefore it comes quickly.

In contrast, regarding harshness, its existence in the world is as a passing necessary evil, and its purpose is to serve to promote the ultimate good. It “polishes” the people’s ability to receive goodness in its fullest force. This being the nature of harshness, all time and place limitations apply to it.

In a similar vein, another distinction is that goodness is itself internally connected to existence and to life, whereas harshness is only external, impacting on the external elements of life. Included in the external are those things that can be seen by people, which is what the recipients are impacted by. So, if a person has gone down in level and is connected to the world of images, he will be impacted on that external level by manifestations of harshness.

Due to the above, a decree of something positive comes more quickly than something harsh. The light of freedom is beyond time. Every matter of value that is limited experiences a phenomenon which the *navi* saw as: “the [heavenly] beasts went this way and that way like a flash of light” (Yechezkel 1:14).

Moshe experienced his gentle and his harsh treatment by Hashem at the time when he was first finding out the truth about the Light of Israel. He learned how awesome the eternal values are, to the point that no external descriptive elements could separate him from these truths. At this time, he received a prophetic message that the external element of harshness is lower than the internal element of goodness, in the following manner. When he received leprosy, there was no need for it to begin before he took out his hand and was able to perceive it. There was not an internal purpose for the leprosy, but an external one [so that he could learn from the need for it]. In contrast, when the leprosy was healed, which was a matter of goodness, there was an innate preference for the healing to come as quickly as possible, even when his hand was in his chest. The innate connection with the root of existence, beyond the pressures of time and place, came quickly.

“The kindness of Hashem is present all day” (Tehillim 48:15). “Like the light of morning the sun will shine” (Shmuel II, 23:4). Avraham displayed the epitome of positive quickness, as “he woke up early in the morning” to bring Yitzchak to the *akeida* (Bereishit 22:3). This is also a trait of Hashem, who looks for the opportunity to bring the ultimate liberation “at its time, quickly” (see Yeshayahu 60:22).



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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P'ninat Mishpat

How Much Acceptable Work Did the Worker Do? – part II

(based on ruling 71071 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl), who led a staff of workers, was hired by the defendant (=def), an organization, to help in the realms of public relations/publications, fund raising, and procuring grants. Pl sent def a contract stating the areas of work and payment and asked them to sign. According to the contract, pl would send itemized reports of the work and get paid by the hour. Def never signed, but pl started working, after further discussion, and got paid the first month according to hours reported. After that month, def stopped paying, arguing that during the time pl claimed his staff worked, they did not do things they were supposed to. Specifically, pl was supposed to send grant requests to a few institutions; instead, they charged for using much of the time for making lists of grant-giving foundations, and this was done for other of pl's clients. Pl claims that def approved this and that it was agreed he would be believed about the work done.

Ruling: [Last time we saw that the unsigned contract does not obligate def to believe pl about how much he worked in a manner that makes him deserve pay but that once def did pay based on pl's report, he cannot ask for it back with the claim of a mistake.]

Can pl ask for pay for work for which he was paid by a different employer? The Rama (Choshen Mishpat 333:5) says that a teacher may not do other work at the same time he is teaching, but the explanation given is that it affects the quality of the work. This implies that otherwise he would be allowed to be paid for two things done at the same time. It should be even clearer in a case like this where the work he did was the same one that is desired by two different people. [Ed. note- one can distinguish between getting paid for the job, where the important thing is whether someone received the service he requested, as opposed to here where he is being paid for putting in time, and he did not put in time for this employer.] See Pitchei Choshen (Sechirut 7:11) who says that unless it takes away from the efficacy, one can get paid twice for saying the same Kaddish for more than one deceased. There is no reason to think that in this case, def suffered from the list being made for others as well. It is even clearer here since def knew that pl worked for other institutions, and he paid without inquiring whether the lists had been prepared for someone else as well.

A claim was raised that pl is only a conduit for payment between def and the workers that pl had doing the work for him, to whom def should actually be directly obligated. However, this is not so, as not all of the per-hour charge that pl was promised did he give to the workers. This demonstrates that there is one obligation that def had with pl and another that pl had with his workers.

The rest of the ruling went through all of the detailed per-hour work description, determining for which hours def owed pl. The final determination is that def owes an additional 4,821 shekels beyond what he already paid.

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