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HEMDAT YAMIM

ח'מ'ת'מ'ח'מ'

Parashat HaShavua

Beha'alotcha, 14 Sivan 5780

Humble, Majestic Sounds

Harav Yosef Carmel

The trumpets that are discussed in the *parasha* were intended for three functions: 1. As a symbol of the monarchy/government; 2. As a means of raising an alarm to be saved from trouble. 3. To sound a call of thanks for plenty or salvation.

The Torah writes: "Make two silver trumpets, and they shall be for calling the congregation and moving the encampment ... When a war will come to your land ... you will blow the trumpets, and you will be remembered before Hashem and be saved from your enemies. And on your happy day, your holidays and your new months, you shall blow the trumpets over your sacrifices ... and it will be a remembrance for you before Hashem" (Bamidbar 10:1-10).

Let us take a closer look at the three purposes of the trumpets. The first is a sign of leadership. It is obvious that a political leader needs to use symbols to demonstrate that he is chosen among the people and has many elements of power. Rashi cites *Chazal* that they would blow the trumpets before Moshe like a king. On the other hand, the Midrash says that the trumpets were made of silver, and not gold, because Hashem "wants to spare the money of Israel" (Midrash Aggada, B'ha'alotcha 10). Public funds should indeed be spent carefully even when being spent on a proper cause. The *gemara* (Yoma 3b) says that the silver used had been owned by the leader. Although this opinion is not accepted, it is still telling as to the high moral level desired of the leadership in relation to finances.

We saw also that a *teruah* was blown when there was danger from the enemy. The word *teruah* is taken from the word for broken. Therefore, on Rosh Hashana we also blow both a *shevarim* (big breaks) and *teruah* (smaller breaks). Such broken and up-and-down blasts have always been the sound of a siren, warning of various dangers. The sound that comes out at such times is also there to call out for moral contemplation and warning against arrogance and complacency, which can bring on calamities.

The trumpets were also used to sound the sound of joy at happy and successful times, using it to express gratitude to Hashem. Ibn Ezra says that the "day of joy" refers to "returning from the land of the enemy, or when you defeat the enemy who attacked you, and you set a holiday like Purim and Chanuka."

After 2,000 years of not having the opportunity for such celebrations, our generation had the *z'chut* of experiencing the ingathering of exiles from the lands of the enemy. So many years had gone by since the last military victories, and indeed we witnessed unprecedented victories by the standards of any nation. Let us pray that we will merit leadership, who might deserve the outward signs of its dominion but is careful to minimize them due to concern for the public purse. We should be careful of the dangers of sin and conceit. We should also remember to use the tools we have to thank Hashem for the great miracles with which He has blessed us.

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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

Which Way to Turn at *Bo'i B'shalom*

Question: In what direction should one turn when getting up to "*Bo'i B'shalom*" at the end of *Lecha Dodi*? Many *shuls* seems to have confusion on the matter.

Answer: The practice of welcoming the Shabbat "bride" in a special physical manner has its roots at least a thousand years before Rav Shlomo Alkabetz wrote *Lecha Dodi* (mid sixteenth century, Tzefat). The *gemara* (Bava Kama 32b) tells of *Amoraim* who would "go out" dressed for Shabbat, proclaiming their welcoming of Shabbat, with one saying "*Bo'i kalla*." Rav Alkabetz based his last stanza on this Talmudic account.

What is special about this juncture, and what is the significance of turning around? The Shulchan Aruch (Orach Chayim 261:4) views *Barchu*, which begins the first *tefilla* of Shabbat, as an acceptance of Shabbat; this was true in the time of the *Rishonim*. He then continues: "For us, saying *Mizmor Shir L'yom HaShabbat* is like their answering *Barchu*." While the Magen Avraham (261:13) questions whether people intend to accept Shabbat then, the Mishna Berura (261:31) comments that by his time, people clearly did intend, and that those who say *Lecha Dodi* accept Shabbat with "*bo'i kalla bo'i kalla*." It is likely not an accident that it became the last thing recited before *Mizmor Shir L'yom HaShabbat*.

Acharonim presume turning is a replacement for the aforementioned "going out" to greet Shabbat (although the Kneset Hagedola, Tur 262:3 does recommend leaving *shul* for an open area). Several (including Kaf Hachayim, OC 262:32) cite the Arizal, who did go out to a high place, to say *Bo'i kalla* while facing the setting sun – in the west. The Pri Megadim (EA 262:3) and Mishna Berura (262:10) also mention the west. Some say (see Igrot Moshe, OC III:45) that the significance of the west is due to the idea that the *shechina* is concentrated there (Bava Batra 25a).

The confusion comes about from the fact that in classic Ashkenazi communities there were a few reasons to turn to the west. Two do not change – the sun sets in the west and the *shechina* is to the west. However, if the idea is to welcome Shabbat like an important guest, then to demonstrate this, one could turn to the main entrance of the *shul*, which is usually in the west, opposite the *aron kodesh* (see B'tzel Hachochma III:65). Alternatively, it can show that one has thoughts of going out of the *shul* (Igrot Moshe *ibid.*). One other reason is cited (and rejected – Igrot Moshe *ibid.*) to turn toward the back of the *shul* is that at (approximately, depending on *minhag*) this time, mourners during *shiva* enter *shul*, so this positions people to address them. Since the *aron kodesh* in most communities was to the east, one would turn to the west. If the *Acharonim* mentioned west only because that is where their main entrances were, then in places that do not face east or if the main entrance is not to the west, one would face the entrance rather than the west.

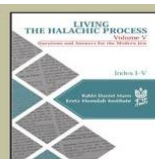
B'tzel Hachochma (III:65), writing in Melbourne, starts with the presumption that turning to the west is what most *poskim* suggest, and yet the *minhag* of the local communities was to turn to the back of the *shul*. He justifies the *minhag* with a few observations. He argues that if the idea is to face the sun, then it makes less sense when one is in a closed room and/or the sun has already set. In those cases, the matter of welcoming the "guest" has more weight than the advantage(s) of the west. To the contrary, for those who *daven* to the west (as they do in Melbourne), the worst thing is not to turn at all. Rav Moshe Feinstein (*ibid.*) prefers the west but says that the main thing is that something is done in honor of the entering Shabbat.

It is proper that in such a public matter that a *shul* has a unified approach, as different people facing different directions is not very *mechubad*. If one has the *minhag* to do one way and he is in a *shul* where they do another, he must realize that *lo titgodedu* (not doing things that contradict local practice) is a real *halacha*, and the preferred way to turn is a *minhag* that can be fulfilled reasonably in different ways.

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Ein Ayah

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

Individual and General Exceptions to Nature

(condensed from Ein Ayah, Shabbat 11:18)

Gemara: Aharon's staff swallowed the [Egyptians'] staffs. Rabbi Elazar said: It was a miracle within a miracle.

Ein Ayah: The appearance of miracles comes from the higher revelation of godliness that shines onto the world of rules, which is arranged based on the divine wisdom and the secrets of His desires. The miracle is well above any matter of natural order that exists in the world of limitations that we can experience with our senses. In the world of nature, there are general matters and specific matters. Sometimes something appears in a manner that enables skipping over a rule of nature on an individual basis whereas the basic foundation of nature remains generally unaltered. However, sometimes a very special, holy light needs to be revealed, so that the Creator's glory and greatness in the world can be perceived and it can be demonstrated that all the ways that the world runs are according to His desire. Then the exceptions to the rules of nature do not have to be limited to individual divergences but can be general, including a miracle within a miracle. It is then not enough for there to be a miracle that is a "free jump within the circle" of nature, but there must be a *ness l'hitnosos* (a miracle that is like a banner), which uproots the limitations of nature and demonstrates that "there is no one but Him" (Devarim 4:35). That is what happened when Aharon's staff swallowed those of the Egyptians. "Your testimonies are very trustworthy" (Tehillim 93:5).

Subtle Melachot Performed According to Form

(condensed from Ein Ayah, Shabbat 11:20)

Gemara: [In a certain case,] if one passes an object from domain to domain, he is guilty of *chillul Shabbat*, but if he throws it, he is exempt.

Ein Ayah: Carrying is a preparatory action for other *melachot* (work that is forbidden on Shabbat). It has the potential of *melacha*, but carrying is not an active *melacha*. Nature did not place the imprint of a *melacha* on it. It brings no strengthening of an object or change to it in any form, just that the object moves to a different place. However, it is only from a human perspective that movement is not considered a *melacha* as long as the object stays the same from a physical perspective. However, from the true perspective, all physical changes are only the "equivalent" of movements from place to place. Therefore, carrying is also considered a *melacha* like others. It is just that when one describes it, it must be connected to an application connected to the divine will. It is this connection that makes it considered a *melacha*.

Therefore, the carrying has to be done in the manner that it was in the *Mishkan* in order for it to be *melacha*. The imprint of the *melacha*, after all, comes from the fact that the Leviim performed it in that way. If the work is done in a different manner (i.e., by throwing), then one has to return to the realm of normal human activity. In that realm, a *melacha* has to change the object, and therefore if one passes it, he is guilty and if he throws it he is exempt. Since the realm of divine activity is not involved in the action of throwing, it must be viewed as a natural action evaluated according to human conceptions of *melacha*, so that carrying is not included.



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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A Defendant Continuing Adjudication after the Plaintiff Halted it

(based on ruling 77007 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) sued the defendants (=def), a rabbi and the organization he runs, for 126,360 shekels. During the *beit din* hearing, pl became agitated about def's alleged lies and stormed out while saying that he was pulling his claim. After the hearing, def submitted a counterclaim against pl and other defendants (=otdef) to be held at our *beit din*, but otdef refuse to come to *beit din*. Def asked *beit din* for permission to sue pl and otdef in secular court, to confirm that pl had withdrawn his claim, to return to them the *beit din* fee of 9,825 shekels for their countersuit, and to receive compensation for the wasted time in *beit din* due to pl. Pl responded that he left *beit din* in anger and did not mean to pull his claim, nor is he willing to adjudicate in secular court. Def says that it is not fair for him to have to adjudicate on one issue in different places with different litigants. Pl also expressed disdain for def for not coming to the hearing but sending the organization's lawyer to represent him instead, claiming that *beit din* was favoring def because he is a rabbi.

Ruling: On the one hand, pl was *mochel* (relinquished) his claim with several statements, and he did not contact *beit din* with a retraction of the *mechilla* when he had a chance to calm down. However, he did not know at that time that he would have to continue the legal process because of the countersuit, and therefore the *mechilla* is not valid in the case that def wants to continue the adjudication.

Def have *beit din*'s permission to sue otdef in secular court. While we understand the desire to hold all related adjudication in one place, this does not override pl's basic right to go to *beit din*. Therefore, it is def's decision to choose between countersuing pl in *beit din* while defending themselves against pl's claim or dropping their countersuit against pl.

Regarding the *beit din* fee, if they drop the countersuit, they will be reimbursed in full. If they want to lower their claim, they will get an incremental refund. In any case, we are charging pl for the *beit din* hearing which he halted by his unauthorized leaving. He is to pay 800 shekels to def and 600 shekels to *beit din* for expenses.

To the extent that def would like to continue with the suit, pl can demand that def will himself come to *beit din* to represent himself in relation to matters about which he has specific knowledge. The fact that def was allowed to not be present at the first hearing is legitimate in this case on its merits, and pl does not have grounds to disparage def or *beit din*.

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

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Yair Menachem ben Yehudit Chana
Netanel Ilan ben Sheina Tzipora / Netanel ben Sarah Zehava
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