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HEMDAT YAMIM

Parashat HaShavua

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Who Were the Tower Builders? – part III

Harav Yosef Carmel

We discussed in the past two weeks two tower builders, Nimrod and Nevuchadnetzar. Now it is time to discuss the third, Sargon II, King of Assyria (Ashur). Sargon II seized power during the time of the Assyrian siege on Samaria. He is mentioned by name in *Tanach* only once, at the end of the prophecies of Yeshayahu about various regional nations, as the one who ordered the capture of Ashdod (Yeshayahu 20:1).

The timing connects Sargon II to the period of Chizkiyahu, King of Yehuda. Melachim (II, 18:9-11) tells that during the fourth year of Chizkiyahu, Shalmenesar was the king of Ashur who put Samaria under siege and eventually conquered it and exiled the people. The *pasuk* starts writing about the conquest, attributing it to the king in singular. However, the Massorites taught us that the vowels at the end of the *pasuk* refer to the conqueror in the plural. Modern archeology has clarified that our tradition was hinting that at that time, Shalmenesar died, and Sargon II finished the conquest and exiled the Israelites to distant lands. His name was apparently withheld due to the concept of “the names of the wicked will rot.”

At the time of the *navi* Yeshyahau, the most powerful enemy was the Neo-Assyrian empire. At this time they returned to the “glory” of Nimrod, the ancient leader seated in Ninveh. Their military prowess was augmented by their infamous cruelty, which intimidated rivals. It is puzzling that in the whole section in which Yeshayahu prophesizes about several nations, Assyria, the most prominent nation of the time, who had a huge impact on Bnei Yisrael, was left out. On the other hand, there are two prophecies (one long, one short) about Bavel! Bavel, at that time, was part of the Assyrian empire, not independent. They were certainly not a power, which occurred only at the time of King Yoshiyahu.

There are actually several indications that the prophecy about Bavel really refers to Assyria. The *navi* warns about deserved punishment corresponding to the nation’s cruelty (Yeshayahu 13:9-19). It speaks also specifically about the cruelty of its king and the punishment he would receive, including the famous *pasuk*: “I will rise up on the stage of clouds, I will be like a deity” (ibid. 14:4-20). Right afterward, the *pasuk* (ibid. 24-25) says that “I will break Assyria in My land, and on My mountains, I will pummel it.” This is what happened to Assyria, in the time of Chizkiyahu.

The haughty and cruel Sargon II was killed in battle in a distant land and was not even brought to grave. He who built a tower and wanted to “replace Hashem” laid like an animal carcass in the field, delighting his many enemies.

So why was the prophecy about Assyria attributed to Bavel? In Ninveh, they attributed Sargon II’s fall to the fact that he did not sufficiently follow the idols of Assyria but had a preference toward Babylonian idols. Yeshayahu followed his ancestor Avraham by calling out that Hashem is Ruler of the world and taught that Sargon II, who would not admit it, would be reduced to a lowly mortal. He was punished not for preferring Babylonian idols but for his arrogance and cruelty. Again, a descendant of Avraham taught the world the truth.

While the ego of world leaders makes big news, we should focus on humility and unity, as befitting the children of Avraham.

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



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Ask the Rabbi

The Son of a Convert Feeling Looked Down Upon

Question: My father converted (his mother was not Jewish). I have struggled with my identity due to what I have read in the Kuzari, Maharal and Kabbalistic and Chassidic works, which seem to view *gerim* as lesser than born Jews. Does Judaism view someone like me as somewhat defective?

Answer: You are wise to seek information and perspective to overcome natural feelings, which the *gemara* (Sanhedrin 94a) foresaw for some descendants of *gerim* to have about their identity for generations. (Mentors should ensure that conversion candidates consider such things). However, objectively, this ignores the 98+% "full part of the cup."

The Torah commands 36 times to treat a *ger* with love and not harm him (Bava Metzia 59b). This is partly because the average *ger* has social obstacles to overcome, after leaving family and needing to "learn the ropes." It is also an expression of Hashem's affection for one who chooses to embrace a challenging path to serving Him to the fullest. A *midrash* (Shochar Tov 146:9) describes it beautifully with a *mashal* of a king who had special love for a deer that would follow his flock to their pen even though it is naturally undomesticated.

Potentially offensive sources are centered in two areas. Rav Yehuda Halevi (The Kuzari) speaks of certain special spiritual qualities that come from a Jew's lineage, as a descendant of the forefathers. Not all agree. Some (Rav Soloveitchik, Al Hateshuva, p. 136; Rav Kook) posit that a *ger* receives all he needs, including connection to the forefathers, by joining the Jewish people through conversion (see Shulchan Aruch, Orach Chayim 53:19). Some posit that *gerim* have Jewish-typical "*neshamot*," just that they entered the world in a manner that required them to find their way back (Maharal, Tiferet Yisrael 1). The *gemara* (Shabbat 146a) indeed says that converts' souls were present at Sinai and were thus awarded the relevant spiritual gains. (It is unnecessary to be as genetically Jewish as you, but it does not hurt.)

The Kuzari (I:115) says that while a *ger* draws close to Hashem, he will not be a prophet (the Rambam disagrees; the *gemara*, Sanhedrin 39b, says the prophet Ovadia was a *ger*). The Kuzari posits that a *ger* cannot make it to the highest pinnacle. But we do not even have prophets now, and there have only been a few handfuls of prophets! Should I feel lacking that I can never have the *kedusha* of a *kohen*?! By exceeding expectations, a sincere, observant convert likely reaches a higher level than a (clear) majority of born-Jews. (Of course, the whole premise of the Kuzari is highly pro-*geirut*!)

A *ger* has limitations on positions of power (especially, being king – Kiddushin 76b). While one could attribute this *halacha* to the Kuzari approach, there are indications of other reasons (see Yevamot 102a): Given a percentage of insincere converts (see Rambam, Issurei Biah 13:18), we are to protect ourselves from giving too much power before we can confirm a newcomer's loyalty (note, the US Constitution disallows a naturalized citizen to be president; the Jews suffered from such kings in the Second Temple). Also, there is likely, due to poor *middot*, to be fall-out from a convert exerting dominion over a born-Jew (see Sota 43a). This is not only hurtful, but can also include aspersions on the *ger's* motives (see Yevamot 24b).

In all regards, when a *ger* marries into Jewish society, no limitations apply to his offspring (Kiddushin 76b). Actually, King David did not come from the *goyoret* Ruth by chance; this was a crucial part of the divine plan (see Bava Kama 38b; Assufot Ma'arachot, Bereishit I, p. 204.) Unkelos was a *ger*; Shmaya and Avtalion came from *gerim*, ... (Gittin 57b). A sincere convert's expectation should be: Hashem and upstanding Jews will love and revere you greatly – you deserve it. But expect time for adjustment in some aspects of life. Members of the next generation should and usually do feel on equal footing with their peers. This is the mainstream Torah approach, consistent with Halacha and basic sources.

Do not hesitate to ask any question about Jewish life, Jewish tradition or Jewish law.





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Ein Ayah

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

Needing a Contribution from Everyone

(based on Ein Ayah, Shabbat 13:10)

Gemara: If one of the brothers dies, all of the brothers should worry. If one of the members of the *chabura* (social group) dies, the whole *chabura* should be worried. Some say that this is said when the most prominent in the group dies; some say it is when the least prominent in the group dies.

Ein Ayah: The influence that gives life to the whole universe goes and sets out its path in two manners that are revealed to us in the course of life:

One is in the natural connection within a group of people, most fundamentally found in a family. Just like there is an order of life and a continuity of vitality within a living thing, where the individual person and his persona has a special standing, so too on a broader level, there is a flow of life within the family connection. The members of the family have a special legacy that connects them into one defined group, whose value and purpose finds expression in the manner of their joint lives.

The second manner of connection is an artificial one. People join together on a practical level, as they form a group for the purpose of acting together in order promote a certain cause, which they set based on their own initiatives and inclinations. This type of connection is also profoundly impactful, as the members of the group receive the “influence of life” from a source of life in a general manner.

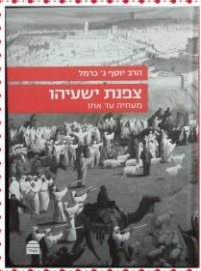
The thing that keeps the groups of different types together comes in two areas. One is connected to the foundations of the thought process and general desires. This can be found either in the family unit or in the artificially founded social groups. This is the highest-level element because it marks the character of the natural or artificial group. However, this desire has to find expression in practical life by means of all of the members of the group. The group goals can be most fully reached only when all its constituents and the power they provide contribute to the group as designed.

Therefore, when one of the brothers dies, it is fitting for all of the close family to feel the lacking that now exists in their natural group. They should see it as a hint from Heaven to fix their ways and their way of thinking. By returning to Hashem, they can remedy the vacuum that threatened their group by the death of one of their members.

A similar thing is true of a *chabura*. When a member dies, the others should look for a way to fix things and shore up the basis of unity, whereby all forces are joined together, as this was threatened when one died.

But this outlook can come about in two ways. If this applies when the most prominent member dies, then one is dealing with a case in which the basic foundation of the unification is compromised. This is because he represents the soul of the group, which holds the active powers that the unification is formed upon. This can happen both in the group constructed around family or that around like-minded friends.

Some say the concern is referring to a case in which the least prominent member dies. This indicates that the group can succeed only when all of the forces that make it up are intact, including every level, including the lowest one. Anyone who has a role can be the one who completes the effort. Thus there is cause for concern even when the least prominent dies, whether in the family or the social group. This is the idea of the concern when a prominent or not prominent member dies.



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 seeked 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

Compensating for a Governmentally Destroyed House – part I

(based on ruling 75040 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) built a private house in a *yishuv* (=def), with def's financial assistance. Due to political considerations, authorities indicated they planned to destroy this and some other homes. Pl argues that def must compensate them (3,000 NIS per square meter plus a new plot to build on) for the following reasons: def committed to paying all of the families whose houses would be destroyed; def forced pl to not publicly protest the demolition, which prevented pl from obtaining broad support. Def counters that they never promised but only hoped that they would be able to compensate; it has proven beyond def's means. Also, since pl openly threatened fighting the enforcement of the court order, which settlement experts said would jeopardize support for def, and def had to take pl to *beit din* and thereafter still complicated matters with some level of protest, they do not deserve compensation. Even if their peers, who followed the rules, get some compensation (mainly from a donor), pl should not.

Ruling: If def, as a community, had obligated themselves, that would be binding (Shut Harashbash 564). However, after hearing several testimonies, no proof was presented that def obligated themselves, just that they expressed a desire to help as possible; key witnesses testified there was no outright obligation. Even pl never claimed to have received a first-hand assurance, claiming that it was rumored that one had been made. This then is not grounds to make def pay.

Regarding the claim that pl were prevented from fundraising (by means of public protest), there is much discussion around the Yerushalmi's (Bava Metzia 5:3) ruling that one who prevents another from getting access to his money cannot be forced to pay. While the Rama (Choshen Mishpat 292:7) rules this way, the Netivot Hamishpat (292:13) rules that if the one who held the money benefitted from it, he must pay according to that benefit. This is on condition that the owner would have clearly been able to benefit from the money at the time (see Machaneh Ephrayim, Ribbit 41; Aruch Hashulchan, CM 292:20).

In this case, pl did not prove that they would have been able to raise money had they not complied with def's approach. More importantly, in our case, as opposed to the Yerushalmi's, def did not do anything unreasonable. Without getting into political calculations of what steps were most appropriate, it is fundamentally normal for a community to do what their experts believe is in the community's best interests and force individuals to go along with it (see Shut Harashba VII:340). In this case, the members of def voted after hearing the recommendations of experts who support settlement growth, as to how to deal with the situation. If an unfortunate consequence of that is that an individual like pl loses the opportunity to gain financially, that does not obligate def to compensate. Therefore, even those who rule that in certain cases of preventing gain there is at least a moral obligation to pay, here there would not be.

We will continue next time with other elements of the case.

We daven for a complete and speedy refuah for:

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