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HEMDAT YAMIM

Parashat HaShavua

Pinchas, 23 Tamuz 5781

Tirtza – The Story of a Forgotten Capital City

Harav Yosef Carmel

The daughters of Tzlofchad, discussed in the *parasha*, are symbols of righteous women, in whose merit Bnei Yisrael left Egypt and arrived in *Eretz Yisrael*. They had the privilege of being the impetus to setting Halacha for all times (regarding inheritance), and their request of a portion in *Eretz Yisrael* is an example of love of *Eretz Yisrael*. *Chazal* praised them in other areas as well, including intelligence (see Bava Batra 119b).

One of the five daughters was Tirtza (Bamidbar 27:1). Tirtza was also the name of the capital city of the northern Kingdom of Israel, during the course of many years, from the time of Yerovam (founder of the break-off kingdom) until the days of Omri, Achav's father.

The city is first mentioned in *Tanach* in an inconspicuous manner: "The wife of Yerovam got up and went to Tirtza; as she entered the threshold of the house, the lad died" (Melachim I, 14:17). Let us review the context. Aviya, the son of Yerovam, fell seriously ill. Yerovam knew that the prophet Achiya Hashiloni, who had supported his rebellion against Shlomo and his son Rechavam was very angry at him. Therefore he tried to use subterfuge to obtain information from him. He sent his disguised wife to Achiya for advice about her sick son. Hashem informed Achiya of the royal visit, and Achiya gave a harsh prophecy about the boy – he would die by the time she made it back to the royal palace in Tirtza. Furthermore, Yerovam's family would be destroyed in the near future (see *ibid.* 1-20). Despite the general anti-Yerovam approach, the *navi* does say something positive ("*davar tov*") about his rule (*ibid.* 13).

Let us try to identify the positive element of Yerovam and connect it to the development of Tirtza as the capital of the kingdom. Yerovam, after breaking from Rechavam, set up his kingdom in the historical center of the northern region – Shechem – and also built up Penuel (*ibid.* 12:25). If Yerovam made Shechem his capital, why did he go to the eastern side of the Jordan (see Bereishit 32:32; Shoftim 8:8) to build Penuel?

In the fifth year since the splitting of the kingdom, Shishak, the King of Egypt, marched on Yerushalayim and forced Rechavam to surrender and give him the contents of his treasure houses (Melachim I, 14:25-26). Unearthed tablets that chronicle Shishak's exploits tell that he conquered some 150 cities in Israel, and most of these were in the kingdom of Yerovam.

Professor Yehuda Elitzur presented a logical, fascinating explanation. We know that Yerovam fled from Shlomo and went to Egypt. Paroh became a patron of his and promised him support if he rebelled after the death of Shlomo. The plan was that when Shishak would attack Judea from the south, Yerovam would do so from the north. Yerovam indeed set up his separate kingdom and set Shechem as capital, but when Shishak attacked, Yerovam did not keep his word, as he could not bring himself to attack his brethren. In retaliation, Shishak attacked Yerovam's kingdom and destroyed Shechem. At first Yerovam escaped to the east and set up his kingdom in Penuel, but when it became possible, he returned to Samaria. Instead of immediately rebuilding Shechem, he made Tirtza his capital. Therefore, Tirtza, named after the daughter of Tzelofchad, was a reminder of Yerovam's good deed, the willingness to pay the price of not attacking his brethren.

That is a positive lesson we can learn and hopefully apply from Yerovam.

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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

When to Top the Bagel?

Question: At a *brit*, I said *Hamotzi* on a bagel, and after taking a bite, put on cream cheese and lox. A friend corrected me, claiming that Halacha requires that the first bite, which connects to the *beracha*, should be done when it is in its optimal form, so that after the *beracha*, one should cut open the bagel, put on the toppings, and then eat. Could that be?

Answer: We attribute great religious significance to *berachot* (see Bava Kama 30a), and therefore try to do things the best way, even though almost no “mistake” here would be a real problem. The competing values involved here make it necessary to appraise net gains and losses. Your system (not putting toppings until after eating) maximizes two values: 1. Making *Hamotzi* on a complete “loaf” (Berachot 39b; Shulchan Aruch, Orach Chayim 167:1). 2. Minimizing any break between the *beracha* and the eating (Shulchan Aruch *ibid.*). Your friend’s system prioritizes #1 and: 3. The bread should be in an optimal form when taking the first bite (*ibid.* 5). Let us look at each rule and the interaction between them.

When one chooses on what bread to make a *beracha*, its being “whole” is one of the most important factors (Shulchan Aruch, OC 168:1). Prioritizing this versus minimizing the break between the *beracha* and eating may be a *machloket of Amoraim*. Rabbi Chiya (Berachot 39a) says that one should break off from the loaf the piece of bread he will eat as he finishes the *beracha* to minimize the time lapse (Tzelach *ad loc.*), even though the *beracha* does not finish with a whole loaf. We *pasken* like Rava (*ibid.*), who instructs keeping it whole until the *beracha* is complete even though this requires a small break to sever the piece after the *beracha*. It is a worthwhile delay to put some salt or spread on the bread before eating (Shulchan Aruch, OC 167:5). If the bread is of low quality or seasoning, one should put on salt; if it is of a high level, this is unnecessary, but it is permitted (Mishna Berura 167:29) despite the short, food-related break.

This does not mean that we do not care about such breaks between the *beracha* and eating. Actually, the Shulchan Aruch (*ibid.* 1) instructs to cut the loaf partially before the *beracha* to save the extra time (I estimate 3-4 seconds) to cut the loaf to that point (Mishna Berura 167:4). In order to not lose the wholeness, semi-cut sections must be such that if one lifts the bread from the smaller part, the weight of the heavier part will not cause it to sever. This still somewhat compromises the completeness of the unit, as we see that on Shabbat, where the wholeness is a requirement of *lechem mishneh*, we do not cut to that extent (Rama, OC 167:1). Still this time-saving technique is deemed worthwhile. While these few seconds would not invalidate the *beracha*, it is best to avoid them.

While we have seen that improving the taste of the bread can justify a break, your friend expanded the rule in two ways: 1. By not sufficing with a little salt or sauce but adding all the bagel’s toppings you are planning to eat during the meal. 2. By extending the 3-4 second break to add salt to 20-30 seconds for cutting and spreading cream cheese and lox all over the bagel. I have not found a source nor see compelling logic to make these extensions at the expense of waiting. The Mishna Berura (167:27, 29) also implies not to allow such a break, as he mentions allowing a longer break only between *netilat yadayim* and the *beracha*. We thus reject your friend’s approach and see yours as the straightforward one.

One benefit that your friend’s approach offers relates to the preference to eat a reasonable amount of bread soon after the *beracha* (Mishna Berura 167:15). Some people initially have a tiny piece of bagel and then go to get lox and perhaps strike up a conversation before eating “for real.” But in this case, the solution with the benefits and no serious drawbacks is to top your bagel with it cut partially (see above) before the *beracha*. Then, the *beracha* is on a whole bagel, at its tastiest, and there is no break. But your way is fine too.

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



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Igrot HaRe'aya – Letters of Rav Kook

Three Short Letters to the Council of Rechovot – #33, 34, 36

Date and Place: Adar 5666 (1906), Yafo

Recipient: The Council of Rechovot

Letter #33: I have received a complaint about *behemot dakot* (sheep and goats) that are being raised in the *moshava* (agricultural settlement), which are causing damage to the young orchards, especially the almond orchards. I am hereby requesting of the honorable council to warn the owners of the animals that they should not allow damage. If two or three warnings do not get the owners to comply, you have an obligation to penalize them as you see fit. It would be best if you fix the general situation of raising such herds in *Eretz Yisrael*, and have them done only in a permitted manner (see Bava Kama 79b).

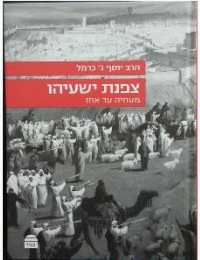
Letter #34: I have a heavy heart, and I hope that if I speak about it briefly, I will have respite. I have received information about a theatre production that will be held in Rechovot on Purim. The truth is, dear brothers, that the news hit my mind and heart like thunder in a drum, and it is hard for me to believe that it is literally true. Is it possible for it to take place in a *moshava* in *Eretz Yisrael*, the place from which we must show the pulse and sensitive life force at the heart of the Jewish nation? Would there be a Jew who would not be embarrassed to contemplate such an event at this time, before the blood of our beloved brothers who were slaughtered in the streets was even rinsed away (reference to pogroms in the Russian Empire)? Our cheeks have still not lost their redness from the embarrassment and agitation of hearing of our gentle sisters' defilement at the hands of a primitive nation, who have the flesh of donkeys and the heart of a tiger. There are tens of thousands of our dear brethren who are still in harm's way, and our hearts are churning for them, and we do not know how long this will last and what will be. It would be so embarrassing to appear to be crueler than ostriches in the desert – that with a feeling of calm we would get together and have a good time at the theater. My pen cannot express my spirit's anger.

My one consolation is that I cannot believe that this will actually transpire. I know my distinguished brothers in Rechovot well; I know their elevated souls and gentle feelings. Perhaps it was a confusing idea, a suspicious shadow that overtook a few individuals, and hopefully they too will change their minds and not upset the hearts of our brothers who are deep in national sorrow. The sound of joyous revelry would wound the heart like a sword, as it is not in the spirit of Israel or in accordance with the Torah.

I turn to you, dear distinguished council members – please inform our brothers who are involved in planning this idea, that it would be honorable to cease. I hope that they will refrain with a feeling of satisfaction and pride.

The Rock of Israel should give us courage and glory, and return our light and salvation from the Judean Hills. May we, the inhabitants of the Desired Land, be beacons of peace and redemption for our dispersed nation, who are afflicted in the lands of their enemies. With the help of Hashem's lofty hand may Israel be successful.

Letter #36: Regarding the letter requesting that I come to Rechovot, which said that if I fail to do so, it might come to pass, Heaven forbid, that the *beit kneset* will close, I immediately agreed to come. In the meantime, it came to my attention that the situation is no longer so frightening. Considering that my health is not complete and the many things I must take care of, I would ask to let me know if an alternative can be found, as the trip is not easy for me (some 30 kilometers today, but in those time, an arduous trip by carriage). That would be better. But if there is no alternative, I will keep my promise *bli neder*, *b'ezrat Hashem*.



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

Payments for Leaving Apartment in Disrepair

(based on ruling 79025 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) rented out his apartment to the defendant (=def) for two years. At the end of the rental, pl had the following claims against def for damaging the apartment and leaving it in disrepair: 1) Replacement of 4 doors damaged by def and family – 6,400 NIS; def – his family caused damage, but the doors do not need replacement. 2) 4 doors missing knobs – 400 NIS; def – responsible for the knobs. 3) Tiles – were stained badly by def – 11,200 NIS to replace; def – not sure if they were not stained when received. 4) Painting/plaster – 5,499 NIS with receipt from painter; def – needed painting but too expensive. 5) Various damages – 1,100 NIS; def – agree to some, not all. 6) *Mezuza* was found on counter, soaked with water and unusable; def – does not know, perhaps it was knocked down when moving out, as pl did not allow proper attachment to the wall. 7) Cleaning up garbage in apartment – 2,000 NIS; def – necessary but 1,200 NIS should suffice. 8) Creating a bad reputation that caused lack of rental for 4 months – 11,600 NIS; def – not responsible for such a long time.

Ruling: By element – 1) Doors - Def already paid for pl's worker to fix the doors. Upon inspection, there is no need to change the doors; one door still looks damaged, and def is responsible to pay 400 NIS for depreciation.

2. Door knobs – After the worker returned knobs, there is minimal damage, estimated based on compromise at 100 NIS.

3. Tiles – this is a case where def who was responsible to guard the home should have to swear that he was not responsible for the damage and is unable to do so because he does not know what happened, which should make him obligated to pay (Shulchan Aruch, Choshen Mishpat 298:1). Although since the question has to do with real estate, there should be no oath, par. 13 of the contract states that def will be obligated regarding the apartment as one is obligated for movable items. However, by the time *beit din* inspected the apartment, most of the stains had already been rubbed off and there was only a lost shine to the tiles. The situation is not one in which a homeowner would switch the tiles; therefore, *beit din* is obligating only 1,000 NIS for depreciation.

4. Painting – The cost, which includes work on damages def admits to is reasonable, and since he has receipts, we do not have sufficient grounds to doubt their legitimacy; def must pay in full.

5. Various damages – since def admits some, based on compromise we obligate 520 NIS.

6. *Mezuza* – even if knocked off accidentally, it should not have been left in a place which gets wet. Def is obligated to pay.

7. Pl did the cleaning himself and claimed to have lost work time for it. The rate at which he is charging is slightly higher than his salary, which is legitimate given that it is less pleasant work. We obligate most of the claim – 1,800 NIS.

8. We can understand that the apartment was not ready to attract tenants right away. But after a while, since pl was working on it and is being paid for that, it did not need more than a month to make it ready. Therefore, a month's rent and municipal taxes is sufficient – 2,917 NIS.

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