



HEMDAT YAMIM

המדת ימים

Parashat Hashavua Kedoshim, 29 Nissan 5782

Harav Shaul Israeli zt"l
Founder and President

Overcoming Mazal with Merit
Harav Shaul Yisraeli – from Siach Shaul

The mandate of “You shall be holy” is explained by *Chazal* as: “Be like those who separate themselves [from temptations]” (Sifra, Kedoshim 1). Sanctity requires separation, as sanctity does not come to a person naturally. This is the essence of Judaism, whose goal is to, on the one hand, reach great heights, but on the other, does not deny the true situation. Rather, we strive to “uproot the weeds” before we come to plant worthwhile plants.

The Jewish People declared at Sinai “We will do and hear,” and they also had the mountain held over their head. There is no contradiction between the two. There are two forces in man – the good part of his nature and the destructive part of his nature. Along with the positive action (“We will do and hear”), they had to accept upon themselves the concept of “Remove oneself from evil” (the weeding of the garden). They must not deny or cover up the problems but accept the holding of the mountain over their heads. Only then will the positive be something that one can really be happy with.

Therefore, in every generation it is necessary to really accept the Torah anew. Actually, in every year, we must accept it anew, and every day it should appear to us as new.

It is the way of man to work on refining his nature. The corrections can bring on the repair of all of the natural world, as all of existence depends on mankind. It goes up and goes down along with him. “If not for My covenant day and night, the rules of the Heavens and the earth I would not have placed” (Yirmiyahu 33:25). If they would not have accepted the Torah, the morally destructive elements would grow stronger until, “... this will be your place of burial”

The *mishna* (Kiddushin 4:14) says that neither poverty nor wealth are a product of one’s profession, but everything depends on his merit. Tosafot (Kiddushin 82a) asks from the statement of *Chazal* that livelihood, life, and children depend on *mazal* (ostensibly, rather than merit). On the other hand, Bnei Yisrael are not governed by *mazal* (Shabbat 156a).

The explanation is that *mazal* is not a combination of natural factors. There is a possibility of things that are beyond nature, and this depends on a realization that wealth is not a function of one’s profession. While livelihood, life, and children depend on *mazal*, merit impacts the *mazal*. When nature is repaired, so too, *mazal*, which is a foundation of blind nature in the world, also changes.

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



Eretz Hemdah
Dons: Harav Yosef Carmel, Harav Moshe Ehrenreich
2 Bruriya St. corner of Rav Chiya St.
POB 8178 Jerusalem 91080
Tel: 972-2-5371485 Fax: 972-2-5379626.
amutah number 580120780

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Ask the Rabbi

by Rav Daniel Mann

Mechayei Hameitim after Long Separation

Question: I will soon see my son-in-law after a more than two year Corona-forced separation. We have been in frequent contact and have seen each other often on Zoom. Should I say the *beracha*, "... *mechayei hameitim*" (Who brings the dead to life)?

Answer: The *gemara* (Berachot 58b) says that upon seeing a friend after separation, after thirty days he recites *Shehecheyanu* and after twelve months, "... *mechayei hameitim*". According to most opinions, if one recites the latter, he does not recite the former (Magen Avraham 225:2; Mishna Berura 225:4). The *berachot* are predicated on the assumption of significant joy over the reunion, making it logical that it is only for friends one is fond of (Tosafot 58b), and even very fond of (Shulchan Aruch, OC 225:1).

Shehecheyanu is a common, general *beracha* for a wide variety of happy experiences. *Mechayei Hameitim* is surprising for this context, as its daily usage relates to belief in Hashem literally resurrecting the dead, not reuniting with a live person. The Mishna Berura (ibid.) is among those who explain that since after twelve months, Rosh Hashana has passed, in which a person's fate was decided, one can be happy that his friend survived. There is precedent for a celebratory *beracha* for another's survival (Berachot 54b regarding *Hagomeh*).

Mechayei Hameitim's unique nature may help explain why people do not commonly recite it (as reported by the Ben Ish Chai (I, Eikev 13) and many others) in this context with the full formula, including Hashem's Name, known as *shem u'malchut*. (People often say "*baruch mechayei hameitim*" as a half-joke upon seeing someone after a long absence). The Panim Meiros (I:65) says that since it is borrowed from *Shemoneh Esrei*, where it lacks the full formula, it is recited without Hashem's Name. The Ben Ish Chai explains that it is because not everyone about whom it would be said appreciates the comparison.

Finally, in regard to your question, the Aruch Hashulchan (OC 225:2) says that since the *beracha* relates to resolving the doubt whether a friend is alive, if one communicated with him during the twelve months, he does not recite it. The Mishna Berura (ibid. 2) cites a *machloket Acharonim* about this and says not to make a *beracha* due to *safek* even regarding *Shehecheyanu*. However, Yechaveh Da'at (IV:17) takes issue with him because the logic (see Aruch Hashulchan ibid.) and sources (Halachot Ketanot I:120 gives a different explanation) on the matter apply only to *Mechayei Hameitim*.

Therefore, we cannot recommend reciting *Mechayei Hameitim* in your case. *Shehecheyanu* is a much more plausible option, for the happiness of seeing someone for the first time in [well over] thirty days, as Yechaveh Da'at ibid. and Yaskil Avdi (OC 25:3) recommend. Many *poskim* are against even *Shehecheyanu* and even if the two were not in touch, as not every friendship qualifies for the *beracha*. This approach is augmented by the opinion that such a *Shehecheyanu* is not mandatory (see Yechaveh Da'at ibid.). Although you seem close, Chesed La'alafim (OC 225:15) and Nimukei Orach Chayim (225:1) say that since if the *beracha* were commonplace in this context, people would be embarrassed not to recite *Shehecheyanu* for a friend even if they are not close, the *minhag* developed to stop saying it for friends. Perhaps for a close relative this is not a concern (ibid.). Regarding a child-in-law, the question is interesting. On the one hand, the relationship is often very close. On the other hand, it is not as emotionally intense, and since it varies greatly from family to family, it makes sense to be concerned about embarrassment and opt for a *lo plug* without a *beracha*. Also, while Zoom is not like seeing in person, it might reduce the excitement of subsequently seeing in person and precludes the *beracha* (see ibid.). The stronger claim is that it does not preclude excitement in person, so that the *beracha* is appropriate.

In summary, while *Shehecheyanu* is probably called for, those who opt for halachic caution can thank Hashem (important) informally (see Birkat Habayit 24:1).

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

 **SEND NOW!**



Igrot HaRe'aya - Letters of Rav Kook

The State of Education in Eretz Yisrael - #98 – part II

Date and Place: 13 Marcheshvan 5768 (1907), Yafo

Recipient: The rabbis of the Secretariat of “Mizrachi” of the Western Countries. They had many questions for Rav Kook about the state of education in *Eretz Yisrael*. The ones he answered, we present in numbered form, as he did.

Body: 6. In all of the old [yeshiva] schools of the Ashkenazic community in the Holy Land, the accepted system of translation is into the jargon (Yiddish).

I must point out that a light is starting to shine in the positive direction here in this matter. There is one *cheder* (religious school) that was founded by laymen who possess Torah and fear of G-d, and they want their sons to have an education that fits the needs of the time. Most of them live in the part of the city [of Yafo] that is called “*Achva*.” There the *cheder*'s main language is Hebrew pronounced with an Ashkenazi accent. (Those who follow the new approach to education choose specifically the Sephardi pronunciation even though they are Ashkenazim. This sometimes causes tensions in families and in synagogues.) At this time, things are progressing at a proper pace. An educational supervisor has been selected who has a PhD and is formidable in Torah, fear of Hashem, and secular knowledge. His name is Mr. Zeliger, and he comes from Austria. This *cheder* is merging with the local Sha'arei Torah institution, which has been operating totally with the old curriculum. As time goes on, this unification can grow and provide “proper fruit.” Of course, there will be a need for much to be fixed and renovated. However, we see the rays of hope, that the dedicated Judaism will be established with a foundation of the needs of life as they continue to develop in the Holy Land, may it be strongly established.

Section II [Modern Schools] – 1. There are many schools throughout the Holy Land for secular studies and for learning trades. I cannot list them, for almost every new school opened is a secular school. Here in Yafo, we have begun to establish a department for training in various trades, and it is connected to Sha'arei Torah. The matter is in the early stages of development, and we can use strengthening and a lot of both moral and material support. Then it can be of great help for the situation in the Holy Land and the raising of the value of reliable Judaism.

2. The spoken language is Hebrew (with a Sephardic pronunciation) in several new schools, and teaching Hebrew takes up a significant portion of the school day. Most of the new schools have curricula, written and even published, so that one can see the details of what is being studied. (I do not know if the schools are fully following the curricula.)

4. Among the families who belong to all of the different [religious] political parties, there are those who send their children to the new schools, and only those who are distinguished in their observance of Torah and fear of G-d stay away from them. The latter avoid them because of the new schools' weakness in matters of religion. There are also those who do not send their children to the new schools because they are afraid that the administrators of the *kollelim* (the organizations that many European Jewish communities had to financially support those who lived in *Eretz Yisrael*) will withhold their funds. As lowly a concern as this is, this consideration brings benefit in the problematic situation that exists now. This group of students comes from both the cities and the agricultural settlements.

5. The teachers and principals are the members of the boards of education in these schools, and they are the educational supervisors.

6. Some of the teachers have academic degrees, and some are just clever people who have picked up what it is that they need to know to do their work.

We continue with other elements of Rav Kook's report next time.

We daven for a complete and speedy refuah for:

Nir Rephael ben Rachel Bracha
Yisrael ben Rivka

Arye Yitzchak ben Geula Miriam
Ovadia ben Esther Malka
Together with all *cholei* Yisrael

Neta bat Malka
Meira bat Esther

P'ninat Mishpat

Disappointment with Arba Minim Sales Provisions – part II

(based on ruling 74082 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: [We will deal with this case's two elements of dissatisfaction separately.] The defendants (=def) are, respectively, suppliers of *arba minim* (def2) and the organizer of a "buyer's group" (def1) to rent the courtyard of a public building (=buil) for over a dozen stands for selling *arba minim* for three years. There were four empty locations for Sukkot 5774, and def1 raffled them to others. The plaintiffs (=pl; pl1 & pl2 are friends who made a joint claim) won and rented locations for 3,500 NIS for one buying season plus a 500 NIS fee for advertisements (members of the group were exempt from that fee). Pl lost money on the sales, which they blame on def. Def1 provided a map of the premises with 17 sales points. In fact, there were 18, as "the infiltrator" (=inf) operated #18 and an illegal stand on the sidewalk in front of the courtyard; the latter sold at least 100,000 NIS of merchandise. Pl hold def1 responsible for enabling inf to operate in both locations and not telling buyers about them, as inf received electricity from buil, and def1 did not agree to call the police as pl1 requested. Also, def1 added an extra table to his stand on the last day, which prompted inf to start a "price war" that lowered revenue. The claims, for each pl, are: 1,000 NIS due to #18; 5,800 NIS for the sidewalk location; return of the 500 NIS for advertisement, as it was wrong to charge only the four non-group renters. Pl1 admits that he should have told renters about location 18, but explained that he agreed to prevent inf, who has connections with buil, to obtain the whole area, which would have enabled him to raise stand prices. He claims that for years there has been a sidewalk stand, operated by a criminal, so that pl1 who worked there previous years, should have known. Def1 had no way of knowing that the criminal would rent it to inf, or that inf would make improvements. About the price war, all were invited to bring an extra table for the last day, and he is not responsible for inf's actions.

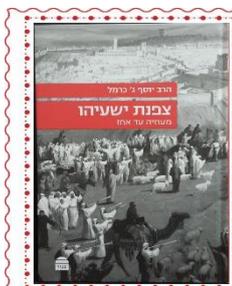
Ruling: [Last time, we saw that pl1 and pl2 should receive 500 NIS back due to misinformation about #18 but not for the sidewalk stand.]

Regarding the price war, we do not hold def1 responsible. It is agreed that there was a phenomenon of adding on a table on the last day (they disagreed about how widespread it was) and that def1 even tried to help pl do so. Therefore, any damage resulting from this is distant *gerama*. There was no way for def1 to know inf's reaction. Even when he saw inf's reaction and did not back down, pl cannot hold def1 responsible for standing up to him, since pl1 called the police on inf, despite possible repercussions.

Regarding the fee for advertisements, we side fully with pl. If one takes a 500 NIS fee for advertisements, including from people who rented for only a year, the money must be used for that purpose, which def1 was unable to show. Rather, he just broadly claimed that it was needed to strengthen operations over time. Therefore, def must return the 500 NIS to each.

Next time we will address the claim that pl did not receive the merchandise as promised.

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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.

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