



HEMDAT YAMIM

יְמֵי חַיֵּינוּ

Parashat Hashavua Toldot, Cheshvan 29, 5785

Harav Shaul Israeli zt"l
Founder and President

Reddish! Is that Good?
Harav Yosef Carmel

When the Torah describes Eisav's birth, it stresses that he was *admoni* (Bereishit 25:25). (Popularly, people think that this means that he had red hair, but it is more likely that it means that he had a reddish complexion.) Redness comes up again with Eisav a second time (ibid. 30), in the episode of the selling of the firstborn status to Yaakov. He pleaded of Yaakov to give him "from this red, red [food], for I am tired. Due to this, he called his name *Edom* (roughly, the red one)."

Midrashim connect the motif of redness in regard to Eisav to other contexts in *Tanach*. One *midrash* (see Midrash Shocher Tov 52) connects Eisav, the spiller of blood, to Doeg the Edomite, who tried and almost succeeded in having David's blood spilled.

If we look at *Tanach*, we will find that King David himself, the pleasant poet/singer of Israel and the architect of the *Beit Hamikdash*, was twice described in terms of redness. When Shmuel went to Yishai's home to look for a future king to anoint and David was eventually presented to him, he is described as "*admoni* with pretty eyes and good to the sight" (Shmuel I, 16:12). The second time is when Goliath saw David and belittled him (as a warrior) for being young, *admoni*, and good looking (ibid. 17:42).

Despite this one striking similarity between Eisav and David, *Chazal* explain to us the great difference between them. When Shmuel saw that David was ruddy, he was afraid that he might be a spiller of blood like Eisav. Hashem pointed out to Shmuel that he had nice eyes, and then added that Eisav killed because he decided to kill, whereas David would kill when he was acting on the instructions of the Sanhedrin (Bereishit Rabba 63:8). The connection between David's nice eyes and the instructions of Sanhedrin is based on the fact that they are called the "eyes of the congregation" (see Bamidbar 15:24).

Our mentor, Rav Shaul Yisraeli zt"l, who was one of the greatest experts on the *halachot* of a Jewish state, posited that decisions do not require Sanhedrin per se. Rather, whoever expresses the desire of the nation and received the nation's authorization to run the affairs of state has the equivalent status. While an actual Sanhedrin is more ideal, representatives who are chosen by means of election are also valid, and their decisions are considered the "law of the land" (Amud Hayemini 1:9:10).

Over the past year plus (in addition to many previous "rounds"), we have been fighting groups of blood-thirsty murderers, who are students of Eisav the *Admoni*, the grandfather of Amalek, with whom there is always a *mitzva* to fight until their destruction. The difference between Hamas fighters and the IDF is that the latter are the successors of David Hamelech, who was an *admoni* with pretty eyes, who act in the name of a law-abiding state and fight the wars of Hashem with clean and pure hands. They can be called holy, righteous, and brave in their lifetimes and if it is, Heaven forbid, so decreed, then in their deaths.

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Ask the Rabbi

by Rav Daniel Mann

Loaf Status of Pull-Apart *Challot*

Question: I like to make “pull-apart *challot*” (baked from unbraided balls of dough that stick together during baking) and assume that they count as a *kikar* (loaf) of *lechem* toward *lechem mishneh*. Can such a *challa* count as at least two loaves? If not, will it help to pull it apart before *Hamotzi*?

Answer: Fundamentally, a pull-apart *challa* is at least one *lechem*. However, whether even a standard *challa* with a weak connection between different parts of it is considered complete depends on whether when you lift it by its smaller part, the weight of the heavier part does not cause it to break (Mishna Berura 167:11). Even though “a *challa* is only as strong as its weakest link” (and here there are many), usually if the *challa* is not very big, it will pass the test. If it does not, then you will need it to be considered multiple complete *lechamim*, which we will now discuss.

The Shoel U'Meishiv (I,1:167), discussing a baker whose *challot* come out stuck together, rules that even if one leaves them connected, they count as multiple *challot* because the **norm** is to separate them well before consumption. Orchof Chayim (Spinka, 274:1) brings those who disagree, and the Shemirat Shabbat K'hilchata (55:6) does not clearly decide between the opinions. The Shoel U'meishiv apparently did not apply his leniency to one baking special *challot* whose purpose is to be separated only after making *Hamotzi*. Therefore, if you want to count this *challa* as multiple *lechamim*, you should separate the sections before the *beracha* (see Chazon Ovadia, Shabbat II, p. 176). Even if one could consider them multiple *challot* while connected, it is unclear why one would not follow the recommended procedure of having one on top of the other, which is not so feasible when connected (see Shulchan Aruch, Orach Chayim 274:1).

The remaining question is: if we consider the pull-apart *challa* one loaf, then if we pull it apart, does it become multiple **incomplete** loaves? This point is a *machloket* dating back a couple hundred years. The Machatzit Hashekel (274:1) says it depends on intention. If one did not intend that they should connect during baking but they did, they are separate, complete *challot*. Presumably, even if they definitely will stick together to some degree, if that is as a matter of circumstance and not desired, it is not a problem. If the intention was that they bake connected and separate them later, he leaves it as an unsolved question whether after separation they are considered complete. Rav Meir Arik (Minchat Pitim, OC 274:1) posits that they are complete even if they were purposely stuck together.

A related application arose with the advent of machine *matzot*. The *matzot* were baked as sheets of multiple *matzot*, perforated before baking to make it easier to cut after the baking. (The contemporary production lines I saw are different.) There is a big *machloket* as to whether each *matza* is valid for *lechem mishneh* or whether the sheet was one *lechem* and the individual *matzot* are incomplete pieces (see opinions in Lechem Ish 3:19). In some ways our case is more lenient because each section was at one point a separate piece of dough, which were joined together and will be separated back to the original pieces. On the other hand, the *matza* is more likely to look fully complete in its final stage.

In summary, if the sections were separated relatively cleanly from each other before *Hamotzi*, most *poskim* assume that each (group of) section(s) is a *kikar* of *lechem* (see Shemirat Shabbat K'hilchata ibid.; Chazon Ovadia ibid.; this is the apparent implication of Shulchan Aruch, OC 168:3). If they separated in a way that one section is complete plus some of its neighboring piece is stuck to it and the latter piece is incomplete, then only the former is a *kikar* (it is preferable to remove the extra *challa* to make it look more complete (see ibid.)).

If all pieces have something missing or if one wants to be *machmir*, one can, before Shabbat, return them to the oven to start re-crusting, thereby forming a new loaf unit (see Shemirat Shabbat K'hilchata 55:10).

“Behind the Scenes” Zoom shiur

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



Igrot HaRe'aya - Letters of Rav Kook

What Requires Protest? – #279

Date and Place: 15 Adar I 5670 (1910), Yafo

Recipient and Background: The secretariat of the Mizrahi Center of Frankfurt.

Body: I received your letter from 8 Adar I.

[I refer now to] the claim that the official Zionist institutions are going against our holy religion in formal affairs. Realize that if we will believe everything that the masses say, there would be many such instances. However, we must obviously not build, based on [such reports], a fundamental approach to protest publicly against them.

That which indeed does exceed any doubt is that which the administration of the Gymnasium allowed themselves to do – to join the two genders together, young men and young women, in one school and the same classes, without any semblance of modesty or the way of Judaism. This is also the cultural approach of most of the enlightened countries, and the beginning of this sin [in *Eretz Yisrael*] started in the schools of the *moshavot* (agriculture settlements). Hashem knows what ethical deterioration will result from these behaviors. On this matter we should protest with all of our strength. It also seems that whenever they hold balls with large groups on Saturday night, they desecrate Shabbat without embarrassment while doing the preparatory work. Be strong, brothers with pure hearts. Let us work diligently to “fence off” [as much forbidden activity] as we can succeed in doing, and may Hashem be of assistance to us.

[Now we will turn to the public announcements about the Tachkemoni school, which the Mizrahi organization sponsored.] Rav Shlesinger has still not sent me [the text]. Certainly he will tell me soon. However, the matter is difficult for me in the short term, for I am entrenched in the position of leading the “Shaarei Torah” school. This is also a respected educational system, and even though it has a different approach and spirit from Tachkemoni, it still “goes to one place.” That is, to erect on a strong foundation an institution that spreads the light of Hashem and the sanctity of the holy Torah on holy soil. I cannot touch anything that that Shaarei Torah is nourished from. Maybe it would be correct to connect this institution with [funds] that come from Russia by the encouragement generated by my public announcement. We will take this up again in future letters so that we can clarify the matter,

P.S. – Everything that I described about the negative elements of the institutions mentioned addresses only actions taken. There is so much to protest in regard to philosophical positions. It is well known that [there are problematic] teachers, especially those in the Gymnasium, and especially one who teaches the Holy Scriptures, who removes the soul of Judaism from the hearts of their students, with his extreme ideas and his disgusting adherence to the worst of the biblical critics. I do not want to disgust my pen by presenting the lowly ideas about the worth of the Torah and the Prophets in its entirety, which is presented before our youngsters by these distorting teachers. How could we be quiet about that?! Devise plans, beloved, respected brothers. Devise plans and speak up, and He who provides strength for Israel will help us find the power we need to help His Nation and His lot.

We daven for a complete and speedy refuah for:

Nir Rephael ben Rachel Bracha
Ori Leah bat Chaya Temima

Itamar Chaim ben Tzipora
Arye Yitzchak ben Geula Miriam
Tal Shaul ben Yaffa
Together with all *cholei* Yisrael

Neta bat Malka
Meira bat Esther

P'ninat Mishpat

Hezek Re'iya in Our Times

(based on ruling 83126 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) and the defendant (=def) built houses on adjoining lots. Pl's lot is 1.25 meters higher than def's, and the front of pl's lot is 1.5 meters higher than its back. The municipal plans were for pl's lot to be two-leveled, but pl requested of the municipal planning board to raise the lot – the front by .5 meters and the back by 2 meters. Def protested the changes, and the board decided to allow the back to be raised to the level of the front but not to allow the extra raising. The change required a higher retaining wall between the lots, and there were financial questions about who pays how much for the wall, which *beit din* dealt with. [We will not address that here]. Def complained that raising pl's lot affected their privacy in his *chatzerot* (courtyards/ garden areas) in front and in back of the property and demand an arrangement to prevent pl from seeing into def's property.

Ruling: The *gemara* (Bava Batra 2b) discusses whether *hezek re'iya* (damage of lack of privacy) is an enforceable issue; the *halacha* is that it is considered real damage (Shulchan Aruch, Choshen Mishpat 157:1), which can require a party to build a fence so that he cannot see into his neighbor's property. Clearly, contemporary society does not care about *hezek re'iya* as much as people did in *Chazal's* times. Rabbeinu Yona and the Rosh (stringent) disagree whether a *minhag* to not take a certain step due to *hezek re'iya* changes the *halacha*, and the Rama (CM 157:1) rules that it does not.

The usage of *chatzerot* is somewhat different than in the times of the *gemara*, as they used to be used for functionality (see Rashi, Bava Batra 2b), often including activities that called for privacy. Such things are a rarity nowadays, and it is much more common for living quarters to not have a *chatzer*. Still, in our times, some gardens are used for intimate meals or the like. There is also room to distinguish between different situations, such as between *chatzerot* that are anyway visible from public thoroughfares and those are not (the *gemara* (ibid.) implies that this distinction is pertinent but limited). We can learn from the *gemara* (Bava Batra 6b) that steps taken to remove *hezek re'iya* should be moderate and balanced. In our case, then, the changes have little effect on the front *chatzer* but mainly to the back one, which faces a *wadi* and its height difference is greater.

Should the planning board decision impact on the matter? While the board rejected the *hezek re'iya* claims, that does not mean that *halacha* must agree (notably, the courts can also reject them). However, after *def* decided not to appeal that decision, they cannot now demand of *pl* to undo building that he did based on the permits he received, or require the continuation of the building of the wall, which they demanded only after *pl* made monetary claims against them. This is in line with the Shulchan Aruch's (CM 154:7-8) ruling that when one took action without a neighbor's opposition, the neighbor can no longer oppose him based on *hezek re'iya*.

Therefore, *beit din* rules that a fence of reeds should be installed on top of the retaining wall in the back of the property.

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