



### Parashat Hashavua

Emor, Iyar 19, 5785

Harav Shaul Israeli zt"l  
Founder and President

### The Way to Prepare to Build the *Beit Hamikdash*

Harav Yosef Carmel

*Parashat Emor* deals mainly with the laws that are specific to *kohanim*, who served in the *Mishkan* and the *Beit Hamikdash*. Even the holidays, which are presented in the *parasha*, find special expression when they are celebrated in the nation's spiritual center.

Our generations have new holidays – that are connected to Israeli independence – that fall between Pesach and Shavuot. These join Lag Ba'omer, which also can be connected, through Rabbi Akiva and his students, to Bar Kochva's attempt for a return to independence, after the Second Temple's destruction.

What is the connection between the aspirations for independence and to build a spiritual center for *Am Yisrael* in Yerushalayim? Understanding the connection between the establishment of the State of Israel and the liberation of Yerushalayim helps us appreciate our *parasha*.

Until the time of David, the people sufficed with the *Mishkan* in Shilo, which was brought from the desert. After Shilo was destroyed, public service moved to a "great altar" in Nov, which was not called a *Mishkan* because the Ark of Covenant was absent. After Nov's destruction, it moved to Givon. Only under the reign of David, did preparations begin for a permanent *Beit Hamikdash*, more than 400 years after Bnei Yisrael left Egypt. Why? The reason for the delay will help us focus our efforts on building a *Beit Hamikdash* in the future.

As a pre-condition for establishing "the place that Hashem will choose to have His Presence dwell" (Devarim 12:11), it was necessary to fulfill "He will give you respite from all of your enemies around you, and you will live with confidence" (ibid. 10). The *navi* announces the attainment of that state of security, followed by David's expression to the prophet Natan of his desire to build a Temple (Shmuel II, 7:1-2). Considering that most of the descriptions of David's wars are in *perakim* 8 & 10, why is it that in *perek* 7, it already announces that David was secure from all enemies?

*Perek* 5 tells of David's coronation by all the tribes of Israel, giving him a status as accepted and independent, and of his double defeat of the *Plishtim*, a nation that had subjugated Bnei Yisrael at various times. This is the first time in history that the nation was independent, even if it was still small and had enemies on its borders. For this reason, in *Perek* 5, Yerushalayim is presented as David's capital over a united nation. In *Perek* 6, David brought the ark to Yerushalayim and thereby turned it into the nation's spiritual capital for all generations. It became the place to build a *Beit Hamikdash* even if there would be wars after this point.

The two keys to paving a path toward the ultimate redemption are: independence and unity! 77 years ago, we were privileged to found an independent Jewish state, of which we dreamed for thousands of years. We have seen an incredible ingathering of Jews from every part of the world. And 58 years ago, we were blessed with the unification of Yerushalayim. The greatest challenge on the path to further stages of redemption is the need to guard the state and help it prosper. All need to take part in the privilege to defend it! All of this can succeed only if we continue to stand up united to our enemies, like one man with one heart, despite the differences between us. Only so will we graduate from a "temporary tent" to a completely built Jerusalem, to a unification between earthly Jerusalem and Jerusalem on high, a city that spreads light to the whole world.

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# Ask the Rabbi

by Rav Daniel Mann

## Finishing to Eat but Continuing to Drink

**Question:** During the course of my work day, I drink many times. I was taught to make one *Shehakol* for all the drinking. How is this system impacted by lunch or snacks I may have?

**Answer:** The key to your fine system is that when one plans to eat intermittently, a *beracha* can continue even for a whole day (Rambam, Berachot 4:7), if he does not leave his place (Shulchan Aruch, Orach Chayim 178:1). If one takes breaks of more than several minutes, this system faces some challenges: A. After no more than 72 minutes, but for drinking, more like a half hour (see Living the Halachic Process, II, B-4), the ability to fulfill the obligation of a *beracha acharona* (= *br ach*) lapses, when the food is considered “digested.” B. After the above amount of time, there is a *machloket* whether the efficacy of the *beracha rishona* (= *br rsh*) also ceases (Magen Avraham 184:9) or whether it remains as long as one plans to continue eating/drinking (Even Ha’ozar ad loc.).

Due to a lack of consensus of *poskim* (see Mishna Berura 184:17), we recommend that if one drinks a *revi’it* (approx. 90 ml. or 3 fl. oz.) at one time (slower is a *machloket* – see below) and is likely to break for at least half an hour, that he recite *Borei Nefashot* on the previous drinking. This solves problem A (missing the *br ach*). This situation brings us to another *machloket* – does a *br ach* end the first eating period in regards to needing a new *br rsh* before the next eating in a case that at the time of the *br ach* he was planning to continue relatively soon (see Be’ur Halacha to 190:2). We posit that one should make a new *br rsh* (see Minchat Yitzchak V:102), but that before starting the original drinking, should intend that the *br rsh*’s efficacy end with the *br ach* (see V’zot Haberacha p. 52, fnt. 6).

Whether you sip frequently or follow different halachic guidance (both are fine), since you do not make a new *br rsh* on the new drinks, you raise a good question. You cannot avoid a *br ach* on the **food** you eat (see Har Tzvi, OC I:96, that continuing drinking does not allow for an indefinite stay of the *ber ach* at the end of the snack). The situation depends on the *br ach* you recite. If it is *Birkat Hamazon*, you can assume the entire eating/drinking experience is completed, and you require a new *br rsh* when eating/drinking again (see Magen Avraham 190:1; V’zot Haberacha, Birur Halacha 37). If you eat something whose *br ach* is *Me’ein Shalosh* (e.g., *Al Hamichya*), that *br ach* will not impact the unrelated *berachot* on drinks.

The question is if the *br ach* you need to make is *Borei Nefashot*. Do we say that the *Borei Nefashot* will apply to the drinks as well as the *Borei Nefashot* foods? If it does apply to the drinks, the situation will be as above, for one who needs to make a *br ach* before too long goes by. The Har Tzvi (ibid.) recommends that when making the *br ach*, he should intend that it should **not** relate to the drinks, and then he will not need a new *br rsh*. However, some argue that it is not possible to exclude foods that could be included in the *br ach* (Pri Megadim, intro. to Hilchot Berachot). While one can exclude some foods from a *br rsh*, this is because **before eating** them, there is no existing obligation to make a *beracha*, so the *beracha* can be focused on what one wants. In contrast, when one has eaten and has an existing *Borei Nefashot* obligation, some say that it will apply to everything that it can.

An alternative suggestion is to make the *br ach* on both the food and drink. This has an added advantage in cases in which that which is drunk may not be covered by any *ber ach*, which is regrettable especially because according to some (see Mishna Berura 210:1), moderately paced drinking of a *revi’it* requires a *br ach*. To make the new *beracha* on drinking more clearly justified, there are a few ideas: 1. Limit the scope of the intention during the first *beracha* (see above). 2. Step outside before resuming drinking (see above). 3. Wait a half hour before resumption (V’zot Haberacha, p. 53). We recommend the second approach for people who will remember when to do what.

### “Behind the Scenes” Zoom shiur

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# Igrot HaRe'aya - Letters of Rav Kook

## Efforts to Buy Land – #315

**Date and Place:** 28 Sivan 5670 (1910), Yafo

**Recipient and Background:** The Organization for Purchasing Land in *Eretz Yisrael* in Bialystok. We have seen a few earlier letters Rav Kook sent helping them decide about where and how to acquire land.

**Body:** I received your respected letter a few weeks ago. I did not respond quickly because at that time rumors emerged that the Ottoman government started to raise difficulties for Jews who want to buy land in *Eretz Yisrael*, even if the buyers are Ottoman citizens. Of course, we decided on a hands-off approach, until we were recently able to investigate the matter and determine that the rumors have no basis. Apparently, the whole matter was a creation of enemies of the Jewish People, who look unfavorably on the development of the community of our brethren returning from exile. We now are optimistic that Hashem will show His nation a countenance of light and that there will not be major obstacles to acquiring land, beyond what has existed until now.

From my perspective, I am ready to do whatever I can, with Hashem's help, on behalf of the acquisition. Now that the fear of new obstacles has waned, I hope to have conversations with activists and try to achieve favorable treatment for your respected organization. I look hopefully to Hashem, who chooses Zion and shows us early signs of flowering salvation for His nation as it returns to its holy land. May the words that come from my heart enter the hearts [of government officials], so your organization will be able to take steps with quiet confidence.

I cannot give details at this time, as I am preoccupied with an important trip. I hope to find out soon more concerning your efforts. I will share with you promptly whatever I can.

## Enlisting Help that Jews Buy Jewish Produce – #316

**Date and Place:** 28 Sivan 5670 (1910), Yafo

**Recipient and Background:** Rav Chaim Berlin, Chief Rabbi of Jerusalem. We have seen recent letters between the two on the topic of *Shemitta* produce.

**Body:** My pen shakes as I write about the despicable act that has now been perpetuated against our brothers, residents of the *moshavot*. Until now, it has been accepted not to give *kashrut* certification to non-Jewish produce, so as to not oppress Jews who are afflicted by poverty, whose hopes are to survive by selling their grapes. Now, after we have completed dealing with the dispute over the question of *Shemitta*, all of which was done to help our brethren from the *moshavot*, people arose surreptitiously to advise people to buy specifically from non-Jews. This uplifts the stature of our enemies, who enjoy our misfortune, and see how we ourselves aim to hurt our brethren and co-religionists. How can this be?!

The magnitude of the disgrace and desecration of the Divine Name is inestimable, as is the very wickedness of the act. The blood of my heart boils as if it were in a pot, and my pain reaches the Heavens, from this horrible situation, from the fall from true Torah and fear of Heaven that is engendered by it. I ask you, honorable Torah giant, to remedy the perverse situation to the best of your ability.

I caution that there is a high possibility that the produce of non-Jews is forbidden due to *orla* (fruit from trees that are less than three years old) and *kilay hakerem* (crops grown in proximity to other species), more now than in the past. We can be trusted to supervise our brethren's crops very reliably. How can things be turned on their head – that people should prefer to buy unsupervised produce from non-Jews, just to harm our own flesh and blood?

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

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## A Used Car with a Tendency for Engine Problems

(based on ruling 84034 of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** The plaintiff (=pl) bought a used car from the defendant (=def) for 24,000 NIS. Months before, *def* had major engine problems, and instead of doing a major overhaul, did a cheaper repair that his mechanic said would not be optimal and would leave the car needing a lot of added motor oil. *Def* decided to sell the car and told *pl* that after its problems were fixed, the car was almost fine except for the oil consumption, and accurately quoted a second mechanic who said the car could drive another 100,000 kilometers. *Def* did not tell *pl* what he had learned, that this make of car had a tendency toward engine problems. Three months after buying the car, *pl* had major engine problems, and *def's* mechanic recommended changing the engine. *Pl* demands to return the car for its sales price and to be compensated for expenses, because *def* did not tell him about the car's problems and bad prospects. *Def* responds that he gave sufficient information specific to this car, and *pl* could have found out about the make's problems through available information.

**Ruling:** The *dayanim* disagreed on the ruling.

*Dayan 1:* It appears and is not disproven that *def* told enough about the specific car. *Pl* knew that he had to be careful about oil, which is a clear sign of a car at risk. The article that *def* but not *pl* had seen discouraged buying this type of car, due to high risk of great expense, but *def* did not necessarily know the extent of his car's problem. It is true that *mekach ta'ut* (null sale due to unknown problems) applies even if the seller also did not know the problem (Shulchan Aruch, Choshen Mishpat 232:11). The *gemara* (Ketubot 75b) posits that if the buyer could readily have found out about the blemish, he is not able to nullify the sale, and the Maggid Mishneh (Mechira 15:3) rules this way. The Shvut Yaakov (III:169) claims that although one can back out of a *mekach ta'ut* even if time goes by after discovering the problem, if he could have known about the problem **before** the sale, he cannot nullify the sale. The Aruch Hashulchan (CM 232:5) disagrees in practice because the buyer does not have to suspect the seller of tricking him. However, in this case, *pl* had further impetus to look into problems with this car because *def* had told him about the oil consumption and a check of the meaning of this problem would not have been difficult or expensive. Therefore, *pl* cannot extract money from *def*. While *def* could have given a more pessimistic picture, which is likely more accurate, he is not required to be generous with information.

*Dayan 2* – Since the head mechanic had clearly given *def* a very pessimistic picture, and *def* chose to share with *pl* only the optimistic statement-in-passing of a junior mechanic, *def* misinformed *pl*. Therefore, *def* must return the sales price minus 2,000 NIS which reflects the use *pl* got from the car until the severe problems arose.

*Dayan 3* – *Def* did not act properly, but based on *dayan 1's* reasoning, *pl* still cannot claim *mekach ta'ut*. Under those circumstances, I would have preferred to make a compromise, but since my colleagues thought it is right in this case to rule based on straight Halacha, I agree with *dayan 1* not to nullify the sale.

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