

HaRav Shaul Israeli zt" Founder and President

# EMDAT YAMIM Parashat HaShavua

## Vayeitzei, 10 Kislev 5777

## Learning and Dreaming

Harav Shaul Yisraeli – based on Siach Shaul, p. 95-97

Yaakov had two preparations for his life with Lavan – 14 years of study in the *yeshiva* of Shem and Ever, and the dream of the ladder. These helped him survive the period successfully.

Although Yaakov already obtained the *berachot* that ensured his ultimate success, including financially, he was not satisfied. After all, fortune can cause its owner's downfall (Kohelet 5:12). For a meaningful life of activity, he needed to be a *talmid chacham*, who could study in his free time in a significant way. He entered a life of intensive study in the ancient yeshiva. The *beracha* Yaakov received from his father was literally, "from the dew of the heaven and the fats of the land, and a multitude of grain and wine." However, he understood it like the *midrash* – referring, respectively, to *Tanach*, *Mishna*, *Talmud*, and *aggada* (Bereishit Rabba 66:3). When Yaakov put in long hours on Lavan's flock (see Bereishit 31:40), he contemplated Torah ideas while at work.

Even this was not enough to deal with such a long stay in a struggle with deception that his father-in-law forced him to enter (see Rashi, Bereishit 29:12). Although everything Yaakov did was after determining it was morally proper, thinking in terms of "outsmarting the rival" can corrupt. That is why Yaakov prayed that he would "return in peace – free of sin" (ibid. 28:21). Should he turn into a conniver, all the Torah he learned could be wasted and even turned into a source of *chillul Hashem*.

To help in this regard, Hashem sent him a special dream – a ladder upon which angels travelled to and from the heaven. Yaakov saw himself as one who was *kav'yachol* to support the Divine Presence (Bereishit Rabba 69:3). Yaakov realized the greatness of his role in the world, to coronate Hashem through his actions. This helped him succeed in keeping 613 *mitzvot* while in Lavan's home (Rashi, Bereishit 32:5). His involvement with Lavan and his tricks turned into a side point that did not overly impact him. Yaakov knew his purpose and saw the light that guided him, as the material world is just a guise that allows Hashem's blessing to take hold.

Our patriarch Yaakov set the example for his descendants. We, like him, went through three stages in our history. This started with a yeshiva-learning stage before exile, with the development of Talmud Bavli, which stays with us wherever our nation travels.

Yaakov was in an open isolated place, exposed to wild animals, just as our nation has been exposed to dangerous nations. While possessing just a stick, he went to sleep protected by some stones, and merited his dream. Instead of focusing on dangers, he focused on the beauty of the spiritual world, and the dream gave him long-lasting strength.

Then he came to Lavan, who was so warm, but also demanded that Yaakov enter his world. We have found such treatment in our exiles as well. And we have to remember that the most rewarding approach is that of truth. We had to draw strength from the years of yeshiva learning and the dream that shows us that the world is a stage upon which the spiritual ministers of the world go up and down. We have always awaited the great day "when Hashem returns the returners to Zion" (Tehillim 126:1) We remain, due to the power of the dream, and because we prepared ourselves in the "the study halls of Shem and Ever."

### **Refuah Sheleymah to Orit bat Miriam**



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by Rav Daniel Mann

## Double Wrapping Food in a Treif Oven

**Question**: I know that sometimes when warming something in a not kosher oven or a *milchig* food in a *fleishig* oven, he double wraps the food. When is this necessary and why?

<u>Answer</u>: A proper job of double wrapping solves virtually any issue of heating things up in ovens. Sometimes, less is needed, and sometimes double wrapping is only a stringency. We will summarize the issue but will not be able to cover every circumstance.

The classic and surest way for a non-kosher food to transfer *ta'am* (a sufficient amount of particles to give off taste), and thereby make a kosher food forbidden is for them to make direct contact when they are hot. Yet, two other possible ways are discussed in the sources: 1. They are heated up in close proximity so that *reicha* (vapor) from one is liable to reach the other. When the vapor is strong/wet enough, it is called *zeiah*, and the chance of significant transfer is greater. Which factors must be present for this to actually forbid the food, *l'chatchila* or *b'dieved*, is detailed, complicated, and includes *machlokot*, so it is beyond our scope (see Shulchan Aruch, Yoreh Deah 108:1). We will relate to scenarios in which the transfer is significant. 2. Heat and/or other factors cause particles to go from the food into utensils, from which they may go and "contaminate" other food that comes in contact with that utensil.

Now let's analyze what can possibly happen in a *treif* oven. If one heats up kosher food at the same time with *treif* food, the vapor from the *treif* food can enter the kosher food. Here, there is a clear requirement for double wrapping for the following reason. With a single wrap, the *treif* food will make the wrapping *treif*. The hot kosher food on the inside of the single wrapping would then extract the *ta'am* from the wrapping and make the food forbidden. When working properly, the double wrapping ensures that there is nothing in between the two wrappings. Under those conditions, we say that *ta'am* is not transferred from one utensil directly into another one without the medium of a food or liquid (Rama, YD 92:8).

If the oven is "empty," then even if is there is edible non-kosher residue on the walls and *ta'am* within the walls, it is unlikely that it will produce enough vapor to cause a problem. The problem is that the vapor of the kosher food could provide the medium to transfer the *treif* particles to the kosher food. However, to prevent this, it suffices to have a single cover to keep the vapor in (see Rama, YD 108:1).

Another problem can occur if the kosher utensil is placed directly on non-kosher residue. Then, the non-kosher *ta'am* can go straight into the utensil and from there into the kosher food. To prevent this one does not require a full wrapping, but a simple sheet of something to separate between the utensil and the possible residue suffices.

If *milchig* and *fleishig* foods are being cooked or heated at the same time, wrapping only one of them with a single wrapping is not enough. The vapors of each can reach the wrapping, thus making it at that moment, both a *milchig* and a *fleishig* utensil, which is a problem (see Rama, YD 95:3). If it is only a *milchig* food in an empty *fleishig* oven, then the situation is similar (and perhaps a little more lenient – beyond our scope) to the case of an empty *treif* oven.

In the case of *pareve* food in an oven that is also baking *fleishig*, it is questionable whether one covering is enough to keep the food *pareve*. It is no better than the level of *pareve* which people call "meat (or dairy) equipment," which has certain *halachot* of *pareve* and certain halachot of *fleishig*. Some say it is worse because the *fleishig* and *pareve* interact within the medium of the utensil that separates them at one and the same time (Chavot Daat 95:1). If the meat oven were empty, then as mentioned before, a sufficiently effective single wrapping would certainly succeed in preventing the oven's meat element from affecting the *pareve* food. Again, one must ensure that no meat residue comes in direct contact with the utensil/wrapping.



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**Gemara:** [After all these events, Rabbi Shimon said:] since a miracle occurred, let me institute something helpful, as the *pasuk* says, "Yaakov came in a complete manner" (Bereishit 33:18, after being saved from Eisav - Rashi). Rav said [about this *pasuk*]: complete in his body; complete in his wealth; complete in his Torah.

#### Sharing a Big Event with a Big Group

(condensed from Ein Ayah, Shabbat 2:283)

**Ein Ayah**: One should always recognize the greatness of the community. This finds expression in that major events in his life will have greater significance if he can connect them to something that links the event to the community.

Therefore, if someone is saved in a special way that has a major impact on his life, he should not limit his reaction only to the people around him. As the event is momentous, it should be seen as connected to something big. That is done by doing something that is of use to many people. That is why Rabbi Shimon looked to institute something useful.

#### **Avoiding Conflict between Different Successes**

(condensed from Ein Ayah, Shabbat 2:284)

**Ein Ayah:** When one matter of fulfillment emerges from another such matter, there is a natural expectation that the former turns into an independent entity to the extent that it infringes on the latter. As a point in case, when the body is developed, it brings with it a need for money to sustain it. At the end, the pursuit of money itself pushes away the pursuit of a healthy body. That is because one's imagination leads him to the wrong impression that money is an independent value. As a result its pursuit can put a person under such stress that it weakens him.

Both a healthy body and a strong financial situation can be good foundations for a good spiritual level, which includes the ability to focus on Torah with a developed mind and an ethical state. Nevertheless, it is not uncommon for each of these elements to act as an enemy of the other. Ethics can flounder when one does not sufficiently understand the desire to strengthen the body and expand one's society, which is built on the presence of enough resources for life's necessities.

Yaakov Avinu's central goal was to show all that there is no element of completeness, whether the lofty or the corporal, that does not contribute to the whole when it is understood well. Certainly, they need not contradict each other. That is why Hashem blessed him with success so that he arrived in a complete manner, in body and in money. The two together aided him to have the internal goodness of being complete in his Torah. This was a great demonstration of how, using a path of justice and truth, all the positive levels can join together. Completeness in one area ruins completeness in a different area only when one lacks understanding of the value and purpose of each.

"Not like these is the portion of Yaakov, for He is the Creator of all, and Israel is the tribe of His portion; Hashem, Lord of Hosts is His Name" (Yirmiya 10:16). Hashem created so many types of celestial beings in His world, and they all do His wishes. From the joining together of all goodness, the broadest truth, which is a completely unblemished nature, is grasped. "Yaakov was an unblemished man, who sat in tents" (Bereishit 25:27). He looked with an eye of generosity and love on every element of goodness that he saw.



#### 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

"I zotnat Yeshayanu – from Uziya to Anaz" 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"I, 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.





## **Switching Accountants Due to Slow Results**

(based on ruling 74051 of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** The plaintiff (=*pl*) provides tax refund services, and the defendant (=*def*) used him originally to his satisfaction. For tax year 2009, he requested a major refund, due to receiving severance pay from three sources and becoming selfemployed. The tax authorities' (=*mas hach*) ruling was greatly delayed. Finally, the refund was rejected, *mas hach* demanded payment, and they froze *defs* bank accounts when he did not pay. *Def* turned to his new accountant for his business, and several months later received a refund of 18,000 shekels. According to *pl*, the new accountant complicated his ability to expedite the request because *pl* no longer was able to communicate with *mas hach* as the legal representative and receive needed materials. That, along with the request's complexity, explained *mas hach*'s delay. *Pl* claims that based on their old signed contract, *def* owes him 25% of the discount (4,410 shekels) plus penalties for late payment as stipulated in the contract), even if *def* asked someone else to continue the work. The fee is justified because *pl* receives nothing if there is no refund. *Def* claims that he is not contractually obligated because he did not sign on a contract for 2009, and his accountant could have done it for much less money. He had asked to end *pl's* work, and he agreed to continue only because of *pl's* pleas and promises until he could wait no more. *Defs* accountant explained that *pl* acted ineffectively, including that he did not physically visit *mas hach*.

**<u>Ruling</u>**: *Def* signed a contract in 2007 that included the conditions *pl* claimed. Therefore, when *def* asked *pl* to work on the 2009 taxes and he started working, it made their agreement binding, including that he cannot back out in the middle of a refund request for a given year.

Beit din went over the correspondences between the sides and *p*/s seemingly authentic log of activity on *def*'s file. Clearly, *pl* put in significant effort over time on the request. We also have not seen signs that *pl*, who is an established professional, did not fill out the forms correctly. *Def*'s accountant corroborates that the request was a complicated one, in which case, initial failure does not prove that there was mishandling. However, despite imperfect communication between *def* and *pl*, *pl*'s lack of proper guidance after the request's initial rejection contributed to the fact that *def*'s bank account was frozen. In order to determine clearly the effectiveness of *pl*'s efforts, we would have to hire an expert, but the expense is illogical for a claim of this size.

We conclude that while *def* has not provided sufficient grounds to deny paying *pl*'s fee, there are sufficient grounds for dissatisfaction to employ a *peshara hakerova ladin*. We note also that *pl* agreed to some sort of lowering of her fee in this case. Certainly we will not award *pl* fines for *def*'s failure to pay to this point.

According to one of the *dayanim* there is another reason to reduce the fee. *Pl* claimed that matters were hindered by the presence of two accountants for the same client. However, *pl* did not inform *def* in advance of this fact, and therefore there are grounds to claim that employing *pl* in 2009 was a *mekach taut*.

Def is obligated to pay pl 3,500 shekels.

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