



HaRav Shaul Israeli zt"l
Founder and President

HEMDAT YAMIM

Parashat HaShavua

Tzav, 12 Nisan 5777

Three Introductions to the Festival of Geula

Harav Shaul Yisraeli – based on Shirat Hageula, pp. 3-4

We have three introductions to the *chag* of Pesach. *Parashat Parah*, *Parashat Hachodesh* and *Shabbat Hagadol*.

Parashat Para – it is about *tahara* (spiritual purity). If our Sages said that a person has to spiritually cleanse himself for the festival (Rosh Hashana 15b), regarding the festival of Pesach this has special importance due to the *Korban Pesach*. The first message the Torah is telling us is that the *geula* (liberation) will take place when we have spiritual cleanliness.

If we were to see freedom and independence as a goal unto themselves, and even as an expression of our national identity, this entire *parasha* would be redundant. However we are building and want to build further a life based on *something*, founded on a certain model, with a godly vision and goal. Here we need to constantly assess our actions and strive for *tahara*.

Parashat Hachodesh – the Jewish people base their calendar on the moon, which has built within its essence, the aspect of rejuvenation, specifically at its lowest and darkest point.

Shabbat Hagadol- Shabbat has two main themes. Commemorating the creation of the world, and commemorating *Yetziat Mitzrayim* (the Exodus). These two commemorations are represented by "*zachor*" and "*shamor*". *Zachor* remembers the creation of the world and *shamor* commemorates the exodus. The "*shamor*" aspect creates a social obligation and is the basis for a just and moral society. However it draws its strength from *zachor*, of Hashem being the creator of the world. Similarly the *zachor* aspect, which shows all mankind as being creations of Hashem, gives new meaning to "for you were a slave in Egypt".

All of these "introductions" come to show us the true essence of what Jewish nationalism is all about, as expressed in the Festival of Freedom. It is to create the godly mission as the guiding factor within our national life, be it on a political or social level.

It obligates us to have a clear plan, which every so often needs to be reassessed to evaluate whether we are achieving these goals. For this we need to "purify ourselves" every festival.

It obligates us to lead our lives adapting to the conditions of the time while guarding the inner content even though there might be external changes, based on the needs of the generation. This is Parashat Hachodesh.

"G-d, in His whirlwind and storm, is His way –in His whirlwind refers to Moshe, and in His storm refers to Eliyahu" (Devarim Raba 3).

Moshe Rabbeinu and *Eliyahu Hanavi* show us the way of the Israeli nation. In the *haftara*, we read "Remember the Torah of Moshe"...and at the end "I will bring you *Eliyahu Hanavi*". We know where we are and yet we also know towards where we are moving. We have an end goal by which we plan out our journey. When looking at where we are, it helps to remember that we have been travelling on a long journey, and if we feel a sense of despair, we can draw strength from the fact that we have been through travails before. We can also draw strength from seeing the future goal, by not acquiescing to temporary solutions by "selling our birthright for a bowl of legumes," for we know what we are striving for and where we are ultimately going.

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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

Language in Which to Recite the Haggada

Question: At our *seder*, there will be a wide range in Hebrew proficiency and understanding of the *Haggada's* texts. What language should we use to read the *Haggada*?

Answer: The *mishna* (Sota 32a) lists texts that may be recited in any language, including Kri'at Shema, *tefilla*, *Birkat Hamazon*. While the *Haggada* is not mentioned, it is obviously permitted. There are no required Torah texts, and most of it is not even formally Rabbinically-instituted (except for the *Kiddush*, the *berachot*, *Hallel* and *Birkat Hamazon*). The *Maggid* and *Nirtza* sections are a compilation of passages from different periods that were bound together post-Talmud. The Rama (Orach Chayim 473:6) confirms that one can fulfill the *mitzva* of telling about the Exodus in any language one understands.

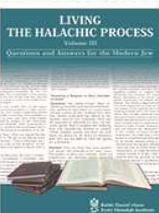
Acharonim who rail against *tefilla* in another language (despite the aforementioned *mishna*) raise no reservation regarding the *Haggada*. Why? The Mishna Berura (101:13) summarizes objections to *tefilla* in other languages as follows. 1. Maybe it is permitted only on an occasional basis. 2. It is hard to translate exactly and in a manner that captures the many secrets included in the words (Be'ur Halacha ad loc.). 3. It is capitulation to the dangerous changes the Reform have tried to insert into Jewish life.

Reviewing each issue, we can conjecture about the calmness behind reciting the *Haggada* in translation. The *seder* comes once a year, and the group dynamics in this regard may change often. The texts of the *Haggada*, which were composed/compiled centuries after *tefilla* likely contain fewer secrets. Families' private *sedarim* were not a flashpoint of the struggle against Reform.

There is a further reason, which explains why the Rama sometimes **requires** translation (earlier sources only **permit** it for *tefilla*). One can fulfill the *mitzva* of *tefilla* in Hebrew even if one does not understand the words (see Orach Chayim 101:1), whereas the Rama indicates that participants in the *seder* are required to understand the *Maggid* section to fulfill the *mitzva*. To how much of *Maggid* does this apply? Generally all of it should be recited (Shulchan Aruch, OC 473:7), as it is a basic Jewish text, even if written later than most. However, the base obligation is the three statements of Rabban Gamilel (see Mishna Berura 473:6). Other pieces of prominent importance include "*Avadim hayinu...*" and *Ma Nishtana*. These passages should be translated or explained for those who do not understand the language in which it is recited. If this is done, it is halachically valid to read all of the *Haggada* in Hebrew.

Let us now discuss basic strategies (there are too many permutations of factors to cover in this forum). The Rama cites a *Rishon* who would read the whole *Haggada* in the local language, and this is a fully legitimate option when called for, but we have a luxury he presumably lacked. It is easy to provide a *Haggada* with a clear translation for everyone at the *seder*. Thus, the majority can be read in the original, and those who cannot read or understand can read along in the translation, with there being frequent stops to discuss the past or upcoming texts. Reading along with the eyes is insufficient for the critical sections (see Chazon Ovadia Pesach II, p. 48), so those participants should either read with their lips or hear that which someone else is reading aloud in a language they understand (see *ibid.*). When appropriate, participants can be given homework to prepare sections in which they will understand the Hebrew.

Personally, I, like many, have loved the original *Haggada* text from a young age and believe it is a big part of a Jew's heritage. Growing up as a *frum* American Jewish kid, key *Haggada* passages and phrases were as familiar as "the land of the free and the home of the brave." In order for this to exist, a normal observant home that is open to Jews of different levels of Jewish knowledge should find a healthy balance between a classical *seder* and using vernacular to meet the needs of those who need it. (Unique situations deserve unique consideration).



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Ein Ayah

(from the writings of Harav Avraham Yitzchak Hakohen Kook, z.t.l.)

Matza

(condensed from Olat Reiyah, Rav Kook's Commentary on the *Haggada*)

It is a poor man's bread, and it is made in haste (*chipazon*). These are the two main aspects of *matza*. The decision to take *Am Yisrael* out in haste was done by the divine will and planning, in order to raise the nation up in an unnatural way, leaving out the usual developments of a nation in an orderly fashion. For every nation develops and is shaped slowly until it reaches its physical and spiritual pinnacle.

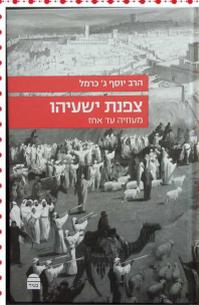
However *Am Yisrael*, whose prodigious strengths and greatness were dormant in Egypt due to repression and the immorality of the place, were taken out in a rushed manner. This brought their latent potential into reality, whereby they were transformed from a slave nation into a nation with a lofty and godly culture, into a holy nation fitting for divine stewardship, for greater light ... for the Torah of truth.

Here the nation was born, and Hashem did so in such a manner to create a strong nation. For in this way there would not be any mingling of different cultures, and all of the impressions that they experienced in Egypt would no longer affect them. And for those who were spiritually influenced by Egypt, by the time the *Korban Pesach* was slaughtered, they had renounced this culture completely. In this way, Hashem was able to impress His own form on the nation and create an unadulterated foundation of the nation.

Hashem alone will guide us, and no strange god will be with Him. If *Am Yisrael* would have developed only through Hashem's stimulus without being influenced by the surrounding cultures, there would not have been a need to take us out in haste. We would have developed, stage by stage, going from one level to the next until we were able and ready to receive the Torah. However, since every other culture would have negatively impacted our ability to develop in a holy manner, it was never possible that we would have been able to develop in a step-by-step manner. Therefore we were similar to *matza*, which has no flavor or shape of its own, in order that we could receive all the "flavors" that Hashem would heap upon us. Therefore, this is the meaning of "Hashem taking us out (*motzi*)," removing us from the other nations of the world.

It was an absolute dependence that caused the *matza* – the lack of step-by-step development and an utter removal of any foreign impressions in the nature of the nation. Hashem is our King; Hashem is the one who formed us; and Hashem is our savior!

We daven for a complete and speedy refuah for
Yehoshafat Yechezkel ben Milka
Ro'i Moshe Elchanan ben Gina Devra and
Emanuel ben Rachel Tamar
Together with all *cholei yisrael*



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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Returning Money of an Iska Loan – part II

(based on ruling 76003 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl), his uncle the defendant (=def), and other family members decided to jointly, with different roles and shares, purchase and develop a plot of land that cost 2.9 million shekels. Pl and another uncle founded a company to develop the property and made the first payment of 1.9 million shekels. At a later stage, def gave pl 1 million shekels, with the following conditions. The money was to accrue a 7% annual return (while no heter iska was written, the parties apparently agreed to follow the terms of the Chochmat Adam's heter iska). Def would receive one of the apartments to be built, which would ensure the money due him. Subsequently, a municipal planning issue arose, which caused a serious delay in the project and made the money def gave unneeded at that time. Pl wants to return the money and exempt himself from the 7% return. Def refuses to receive the payment, demanding that their deal continue.

Ruling: [Last time we saw that pl may return the investment to def. Several smaller questions must be addressed in the aftermath of that conclusion.]

The 1,000,000 shekel investment was under pl's control for five months before he requested to return it. Even though the main purpose of their desire for the money was not realized, it was still in pl's control at a time that there were likely profits from the project (e.g., increased value of the property). Therefore, it is still appropriate to pay the "compromise money," which comes to 29,166 shekels for that period.

The above applies only until the time that pl wanted to return the money, even before def received it. The Taz (Yoreh Deah 177) says that if the time of an iska investment has passed but the money stays in the "borrower's" hands for longer, he has to continue paying the envisioned returns beyond that. The Pitchei Teshuva (177:2) cites the Levushei Srad who says that while it would not be ribbit to pay, the borrower does not have a monetary obligation to pay and suggests that the iska agreement should state what will happen if the investment goes longer than envisioned. It is likely that the Taz would agree in a case like ours in which there were not clearly visible profits during the interim.

There were two reasons for def to receive rights to one of the apartments: 1. To ensure payment; 2. As an investment privilege. Although the first one does not apply, the second one does, and therefore it is still def's right to acquire an apartment if he pays for it in one form or another.

Although the sides had agreed on a compromise – that the investment would continue at a lower rate of return – this was done when pl was unaware of the mechanism of a heter iska and that it was possible for him to return the money. Since the compromise was agreed upon by mistake, it is not binding (see Rambam, Sanhedrin 6:5). If the sides will agree to continue the investment at this time, pl will not be able to force def to accept a reduction in the rate of return.

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