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HEMDAT YAMIM

Parashat HaShavua

Tetzaveh, 9 Adar 5778

What is Special About the Aron? (part II)

Harav Yosef Carmel

According to the Ramban, the commandment to build the *Mishkan* came right after the giving of the Torah and before the sin of the Golden Calf. The point of its being built was to have the Divine Presence dwell among the nation. This turned the one-time event of the revelation of the Divine Presence at *Har Sinai* into a permanent one that took place in the *Mishkan* and the *Beit Hamikdash*. The *aron* was the part of the *Mishkan/Mikdash* that was the setting for the revelation, as the mountain had been previously.

We will now quote sections of the Ramban (Shemot 25:2): "Hashem spoke the Ten Commandments face to face to Israel ... they were fit to have a sanctuary with the Divine Presence among them. That is the reason that Hashem commanded about the *Mishkan* from the outset ... there Hashem would speak to Moshe and command Bnei Yisrael. The main reason for the *Mishkan* is for there to be a place for the *aron* (ark) to dwell ... so that the Divine Presence, which was at Sinai, could dwell in a hidden manner ... when Moshe would come, the divine speech would come to him as it had at Sinai... The *pasuk* repeats 'And He would speak to him' to teach that which we know based on tradition – that the voice would come from the Heaven to Moshe from above the *kaporet* (the cover of the *aron*)."

The Ramban's thesis adds flavor to two other sources. The Yerushalmi (Megilla 1:12) says that whenever the *aron* was in the *Mikdash* it was forbidden to bring sacrifices on *bamot* (local altars). As soon as the *aron* was removed from the *Mikdash*, it became permitted to sacrifice on *bamot*. This statement of *Chazal* lends tremendous importance to the *aron*. It follows that the *Mishkan/Mikdash* loses a great degree of its significance without the *aron*. Thus, when the *Plishtim* captured the *aron* and it was out of the *Mishkan* for 57 years, it was permitted to sacrifice outside the *Mishkan*. Once the *Mikdash* was built with the *aron* in its midst, the prohibition of sacrificing on *bamot* became permanent.

What happened when the first *Beit Hamikdash* was destroyed? What would happen if the *aron* were taken out of the *Mikdash*? Would the Divine Presence leave as well? *Chazal* hinted at the following answer. The *gemara* (Yoma 52a) tells that King Yoshiyahu hid the *aron* under the ground of the *Mikdash* because he foresaw the nearing destruction of the *Mikdash*. Realize that Yoshiyahu was the first and only king to effectively stamp out the sacrifices on *bamot*. In order to ensure that the prohibition on *bamot* would not fall by the wayside, he made sure that the *aron* would stay on the premises of the *Mikdash*.

Next week, we will look at another element that illustrates the special spiritual power of the *aron*. Let us pray that we will soon merit a full Divine revelation, as it was at the time of the giving of the Torah and at the time that the *Mikdash* stood, complete with its vessels. This will be a *tikkun* (a way to fix) for the sin of the Jews of Shushan, who, by using vessels of the *Mikdash*, declared that the Divine Presence no longer dwelled on the *Mikdash* and its vessels.

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Ask the Rabbi

by Rav Daniel Mann

Joining a Shushan Purim Seuda

Question: At my Purim *seuda* this year (Friday, in Yerushalayim), I will be hosting my children from outside the city. Are there any limitations on their participation considering that it is *Erev Shabbat*?

Answer: While the main *halacha* of refraining from serious eating before a holy day is before Pesach (Shulchan Aruch, Orach Chayim 471:1), it is proper to refrain from even a moderate meal during the last quarter of Friday day (ibid. 249:2). It is also prohibited to make, anytime on Friday, an especially big meal. However, this is permitted for *seudot mitzva* that fall specifically on this day (Rama ad loc.), including a Purim *seuda* (Rama, OC 695:2).

At first glance, since the Purim *seuda* does not apply, halachically, to your visiting family, they do not have an excuse to do that which is normally forbidden. However, one can argue cogently to the contrary. One who makes a *brit* or *pidyon haben* on Friday makes a *seuda* (Rama ad loc.), and standard sources do not limit whom he can invite. It follows that whoever joins the *seuda* is properly contributing to the occasion's festiveness. Similarly, we cite for those for whom it is not intuitively obvious, that important sources (including Eliya Rabba 695:4; Aruch Hashulchan, OC 696:3) write that Purim is properly celebrated in the context of a **broad** gathering of family and friends.

We would not, though, say that this is a **proof** that your out-of-town guests have no more restrictions than you. Consider that the **nature** of a *seudat brit* is that the *ba'alei simcha* invite and rely on guests who are not *ba'alei simcha*. In contrast, it is plausible that since one's whole community is celebrating Purim, participation is a *mitzva* only for such people. On the other hand, some festivity is appropriate for all Jews on both Adar 14 and Adar 15 (Rama, OC 695:2).

It is even likely that the "prohibition" on eating a big meal in the morning is not a problem at all for your guests. The source to refrain from it is a *gemara* (Gittin 38b), which tells that a family that set a meal on "*Erev Shabbat*" was punished. Rashi (ad loc.) explains that their main Shabbat meal was Friday night, but most say it is referring to a *seuda* on Friday day. However, some say it is a problem only if it is on a regular basis (Ramban, Gittin 38b); some say any occurrence of a big meal even in the morning can ruin one's appetite (Shulchan Aruch, OC 249:2); others (Rashba in name of Rach; Pri Megadim, EA 249:4) say that is to not take away from Shabbat preparations (here, the *seuda* and Shabbat organizers are Shushan Purim people). Thus, only according to one approach (albeit, the Shulchan Aruch's) should it be a real problem for the guests in the first place.

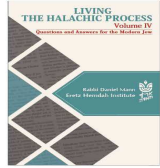
In the final analysis, based on multiple grounds, we posit that it is appropriate to include your children in the *seuda*. The question remains whether any limitations are appropriate.

While most years, the Purim *seuda* is preferably held in the afternoon, on Friday it is preferable to start it in the morning so that one will have enough time to recover his appetite by Shabbat (ibid.). (There is an opinion that it is enough to start before the last quarter of the day (Shut Maharil 56, cited as a secondary source in Mishna Berura 695:10).) There is a serious albeit minority approach to hold the *seuda* at the end of the day and have it turn into a Shabbat meal (contact our office for guidelines). The involvement of out-of-town guests is an added reason to prefer an earlier meal, as serious eating close to Shabbat is clearly problematic, and the advantages of enhancement of Purim by eating later do not apply directly to them. Therefore, having the meal in the morning (starting is enough - Shemirat Shabbat K'hilchata 42:(96)) is significantly preferable for the guests.

If the guests want to be stringent, there is logic for them to eat less than they might have. It is not justified for them to get drunk or even drink a lot of wine. (Any year, it is hard to justify getting drunk when it is not his Purim, nor do we ever favor drunkenness on Purim.)

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





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Ein Ayah

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

Yud – the Transition from Quantity to Quality

(condensed from Ein Ayah, Shabbat 6:21)

Gemara: Abaye said: The letter *yud* of the *tefillin* (formed by the straps of the *tefillin shel yad*) are a *halacha l'Moshe miSinai* (it was handed down orally by Hashem to Moshe at Sinai).

Ein Ayah: Life and everything that can be observed in the world can be divided between quality and quantity. The hard work that people put themselves through and the complications within society can be attributed to the fact that people do not know how to look at riches in the world from its qualitative perspective, but only from its quantitative perspective. In truth, the quantitative outlook is blinding and deceiving.

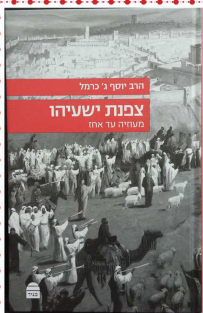
It is only if a nation accesses lofty divine light that it can elevate itself to the point that they can look only at the qualitative fortune and not care if the quantitative fortune appears very paltry. At the end, though, the “honor will eventually come,” as the qualitative riches will have an impact on the quantity as well. However, when will the riches be acquired in a proper way? It will be when the nation clings to the qualitative in a deep and internal manner, even under conditions to which one who is interested in physical plenty will vehemently object.

This special relationship is Hashem’s present to Israel, as the *pasuk* says: “For Yaakov has been chosen by Hashem, Israel, to be His special nation” (Tehillim 135:4). Israel also chose the one Hashem to cleave to with love and scorned the many false gods because Israel realized their nothingness and emptiness, and this will elevate them forever.

In the beginning of the cognitive process, when the nation was on a lower level, the heart stood surprised and disappointed with the small quantity of material gain. However, that turns into great wealth, when they possess everything they could want. “The portion of Israel is not like that of the others, for He is the Creator of everything” (Yirmiyahu 10:16).

The above principles are symbolically connected to the letter *yud*. It is the smallest letter, but, numerically, having a *gematria* of 10, represents the first jump into greater quantity by starting the next digit, which then leads to the possibility of other digits being added. This is the characteristic that completes one’s level and stops the spiritual contamination of the snake, which follows the coarse desires of what it sees with its eyes.

Now let us connect all the lessons of the letters of the *tefillin* that are *halacha l'Moshe miSinai* (see the previous two pieces in Ein Ayah), which show us a balanced outlook at life that shows true unity. The *shin* shows that even those lines that come from different directions lead to one point. The *dalet* shows a tendency toward the right, toward the optimal way of doing things. The *yud* represents the internal decision to love quality over the accumulation of a multitude of objects that increase one’s material collection. These three ideas prepare a person to exist in the “shade of Hashem,” (using His Name that is spelled *shin-yud-dalet*) who has enough (a play on the word “*she-dai*”) in His ability as the Lord to provide for all live beings and who told His world that it has expanded sufficiently. In contrast to the limitations imposed by operating in a world of quantity, one can be embraced by a limitless flow of light of the world, which constantly increases its share of divine dew that gives life to spirits. This provides the light of life to the entire universe, granting salvation, wisdom, and justice, which flow from the knowledge of Hashem and the true ways of His goodness. This crowns Israel in glory, in a path that finds expression in the laws of the Torah that were passed down to Israel by Moshe at Sinai.



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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P'ninat Mishpat

Backing Out of a Rental for a Good Reason – part I

(based on ruling 73045 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def), who was engaged, with a wedding scheduled for 13.01.13, signed a rental contract with the plaintiff (=pl) for a year at 1,900 shekels a month, starting from 01.01.13. The two sides were to meet to arrange an early transfer of control on 15.12.12, but a few hours before the meeting, def's engagement was broken. Def informed pl that he would not be taking the apartment. Def was not involved in finding a replacement renter. Pl finally found one as of 01.03.13 for 2,100 shekels a month. Pl is suing for payment of rent until the time the new renter receives the apartment. Def feels that he is exempt, as clearly no one who rents an apartment to live in with his wife is willing to pay if he is not getting married.

Ruling: [The dayanim presented a long survey on the general topic of backing out of a transaction for a good reason. We will bring some highlights, and apply them to our case.]

There are ostensibly differing *gemarot* on the question of, when one does a transaction because he had a certain need and the need then disappears, whether he can back out of the transaction. Tosafot (Ketubot 97a) reconciles the *gemarot* based on the following distinction: if the intention of the transaction is obvious, the transaction is cancelled by the change without any previous statement; if his intention is apparent but not obvious, he needs to have expressed his intention; if his intention is not even apparent, a formal, valid condition is necessary. At first glance regarding our case, since it is apparent that def is renting due to his upcoming wedding and he mentioned it, a condition should not be necessary. The *poskim* distinguish between purchases of different types of objects, as for some a person may be willing to accept the transaction even if his main intention did not come to fruition. In this case, there is no reason one would willingly accept an apartment if he does not need it if he does not get married.

Tosafot (Ketubot 47b) points out that we must distinguish between a case of one giving a present and one involved in a two-sided agreement, for each side would like to make his own conditions on the agreement to which the other side would not agree. Therefore, the question becomes whether we can determine on objective grounds which side is expected to be adamant and which side flexible. This occurs when the risk of assuming or not assuming a condition is greater for one side than for the other. Let us give one example from the sources. When one sells a personal item because of need for money and he no longer needs the money, the seller would not agree to part with what was his, whereas the buyer could buy something similar elsewhere (see Mishneh Lamelech, Zechiya 6:1; Minchat Shlomo II-III, 134 argues). In our case, the loss to pl and def are similar. It is just a monetary question of who should lose the money for a rental apartment remaining unoccupied, due to the fact that it was reserved for def, who no longer needs it. Therefore, def cannot back out of the rental.

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