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Founder and President

HEMDAT YAMIM

Parashat HaShavua

Vayakhel, 25 Adar I 5779

Partial Understanding of Half

Rav Daniel Mann

The six *p'sukim* of our *maftir*, known as *Parashat Shekalim* (Shemot 30:11-16), combine so many separate concepts that at first appear as referring to the same thing that it is difficult to keep things straight. At the center of it all, though, is the half-*shekel* coin. Let us see what it is apparently connected to.

If one wants to count the people, he does so by having them each give a half-*shekel* coin. If it is done improperly, it could cause a plague (ibid. 12-13). There are different opinions among the commentaries as to whether this is a *halacha* or a life-protecting idea (see Abarbanel ad loc.). It is also a question whether the practice of giving a half-*shekel* is always the way to go as part of a count, or whether this was a special method employed at the time when they were also accumulating materials for the building of the *Mishkan* (see ibid. and Ramban ad loc.).

Everyone of the age to be counted was to give a half-*shekel* as a "*teruma laHashem*" (donation to Hashem) (ibid. 14). It mentions "*teruma laHashem*" another two times in these *p'sukim*, which prompted Rashi to say that there were three donations at that time (see also Megilla 29b, which comes to the same conclusion). One was for the *adanim* (the bases) of the *Mishkan*; one was for other uses in the construction of the *Mishkan*; one, which was given after the *Mishkan* was complete, at the time of yet another counting, was used for public *korbanot*. That which the Torah says that people must give no more and no less than a half-*shekel* each (ibid. 15) is in regard to the third donation.

What is also notable about the third donation is that while the first ones were related to one-time events (counting and/or construction of the *Mishkan*), the one for public sacrifices is a *mitzva* from the Torah to do every year (Sefer Hachinuch, *mitzva* 105), as long as the *Beit Hamikdash* is functioning (Rambam, Shekalim 1:8) (even by those outside Israel). It is in commemoration of that *mitzva*, which we are not able to fulfill (at the time these words are being written), that we read in *shul* this week the *Parashat Shekalim*. At the time the *mitzva* existed, the word to do so was spread on the 1st of Adar (ibid. 9).

Why is a half-*shekel* the currency of choice for all of these various purposes? Rav Hirsch explains beautifully. On the one hand, the donation is to be the donation of the individual. On the other hand, each individual is to realize that his contribution is only a part; it is not complete on its own. We can add that while it begins as an individual donation, it does not remain so, as they are gathered together and jointly become the donation of the whole congregation. They were put in *shofar*-shaped receptacles (Rambam, Shekalim 2:1), and from that point on they were jointly the *korbanot* of everyone together. It was never that one group of people sponsored (with or without a plaque) the *korban* on one day and others did so on another day. The halves formed wholes in the most complete manner.

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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

Moving *Kugel* into a *Cholent* Pot – Revisited

Question: May I take a potato *kugel* that was on a hot plate on Shabbat and put it into a *cholent* that is in a crock pot?

Answer: [In discussing the matter weeks ago (Bo 5779), we neglected to discuss (as pointed out by a reader) a topic that we will develop below. We also note that a discussion of the general use of a crock pot on Shabbat can be found on Eretz Hemdah's website in Hemdat Yamim archives – Teruma 5772 or by searching in the Ask the Rabbi section with the keyword: crock pot. We already saw that the permissibility of chazara from a hot plate depends on the *machloket* on a hot plate's status and that there are ways to ensure that *hatmana* will not be a problem.]

Although we made the whole discussion contingent on all the food involved being fully cooked before making the move, we must see if there is a problem that the *kugel* was baked and now is going into a pot in which food is being cooked. There is a broad rule that *ein bishul achar bishul* (see 145b) – once a food has been (fully) cooked, further cooking is permitted, but this rule may have exceptions. There is a *machloket* whether this is true if one wants to reheat a liquid that has cooled down (see Shulchan Aruch and Rama, Orach Chayim 318:4). Another *machloket* is whether a baked food can be put into a hot liquid, in which it can become cooked (ibid. 5). Why should added cooking be forbidden if the food is already halachically cooked (note that the *melacha* listed among the 39 *melachot* is *ofeh* (baking) – Shabbat 73a)?

The *gemara* (Berachot 38b) cites a *machloket Tannaim* whether *matza* that was subsequently cooked can be used for the *mitzva* of *matza* and surmises that those who say that cooking changes the *matza*'s status would also say that it changes its *beracha* status. However, the *gemara* concludes that *matza* is special in that it requires "the taste of *matza*." This implies that later cooking does not change a baked good's halachic statuses. Similarly, a *gemara* (Pesachim 41a) says that a *Korban Pesach* that was properly roasted could be ruined by a subsequent cooking, but concludes again that this is an exception due to the nature of *Korban Pesach*. Nevertheless, the Yerei'im (274) posits that the change caused by cooking a baked food is prohibited on Shabbat, probably even on the level of Torah law. The Shulchan Aruch and Rama (OC 318:5) cite both the Yerei'im and those who argue with him. Their conclusions are not fully clear, but the practice, at least of Ashkenazim, is to be stringent.

Many *Acharonim* are troubled how the Shulchan Aruch (ibid. 15) allows placing cooked food opposite a fireplace, since this is, in effect, an act of roasting (see *Bir Halacha* ad loc.). The Chazon Ish (OC 37:14) answers that if the fire just heats and slightly dries up cooked food but does not give the taste of roasting, it is permissible. The Shemirat Shabbat K'hilchata (1:60) forbids putting cooked (as opposed to baked/roasted) foods on the top of a pot on the flame, even though he cites several who are lenient. The Orchot Shabbat accepts the lenient position, and this is the prevalent *minhag*.

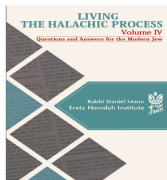
Thus, putting a food that was cooked in a roasting/baking situation but without impactful change, and probably vice versa, are permitted. What happens to potato *kugel* in a crock pot with *cholent*? The answer may depend on various factors: how liquidy the *cholent* is; whether there are big holes in the aluminum foil; where the *kugel* is situated; the level of interaction, etc. In most cases, the taste changes due to the interaction, but for our purposes the texture change is the real issue. It is hard to know exactly where to draw the line, and again the answer can change from kitchen to kitchen.

When considering all the questions that have arisen, many of which depend on the specifics of each case, it is hard to encourage putting the *kugel* in the crock pot on Shabbat, even while it is not correct to outright forbid it. Therefore, we recommend that if one wants to have potato *kugel* sit in the *cholent* pot overnight, put it in before Shabbat.

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.)

The Corruptive Element of a Fly in a Pocket

(condensed from Ein Ayah, Shabbat 9:3)

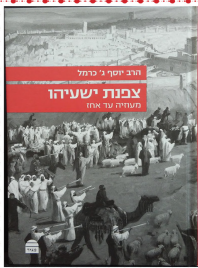
Gemara: [We know that there are idols that are treated as such even though they are smaller than the size of an olive, as we have learned in a *baraita*: The *pasuk* (Shoftim 8:33) that says, “They made for themselves a *ba'al brit* as a god” is referring to a *zevuv* (image of a fly) which was the *ba'al* idol of the people of Ekron. This teaches us that every one of them made the image of the deity he followed and would put it in his pocket. When he would think about it, he would take it out of his pocket and kiss it.

Ein Ayah: When thoughts of the divine are connected properly to purity of the intellect and of morality, it continually increases and ever more draws closer to the eternal light of this world and all of the worlds. However, when purity is missing and when ignorance is prevalent, the coarse materialistic characteristics pollute all of the heart and the spirit. Then, the thought of sanctity and recognition of Hashem is turned into a small idea that does not go beyond his individual understanding of the divine. It contains no more aspiration than the little that he himself presently possesses. It has only a small amount of ability to spiritually fly; some amount must exist because a thought of the divine has at least some measure of spirituality. This is the flying of a fly, which is small and despised. It also resembles the *yetzer hara*, which is like a fly that sits between the openings of the heart (based on High Holiday prayers).

This lacking form of fear of Hashem, which is unique in regard to scope and form, is a result of the lowliness and coarseness of this type of lowly thought. It is especially connected to the imagination of personal benefit, which can be described as an individual's pocket. The feelings of longing toward Hashem are capable of elevating the intellect and feeling, the power of both the spirit and the physicality, to an eternal lofty blessing. However, lowly thoughts can turn them into vehicles of despicable idolatry, which lowers a man to the level of an insignificant living thing such as a fly. It can cause him to wallow in waste-like materials, along with his originally positive feelings of spiritual longings. They became like a fly in a pocket, which, in a warped manner, becomes the subject of intense affection, so that people take it out to kiss and hug upon thinking about it.

This *ba'al brit* (possessor of a covenant) does not so connect with one who has aspiration and an idealistic thought of unification, but rather relates to the low level of prayers for his own personal needs. This occurs when one's intellect and morality are destroyed.

On the other hand, these problematic feelings, even after they were lowered and defiled, are still destined to be purified and return to their source at the height of the divine embrace of that which is lofty and all-inclusive. This is due to the ability of the Jewish spirit to repent out of a feeling of love, as we are promised. See Zecharia 9:7, which talks about the return of Ekron (possessors of the lowly idol) to be like Yevusi, which is another name for Jerusalem. This is the place where the recognition of Hashem is on the highest and most eternal level. By contrast, we can see how lowly the thought was before it was purified, when it was connected to the form of a fly and found in the very individualistic part of a person, represented by his pocket. When everyone cares about “his pocket,” it blinds his spiritual side to the extent that he is lowly enough to take it out of his pocket to kiss it and hug it when he just thinks about it.



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

Mold Damage to a Rented Apartment

(based on ruling 77072 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendants (=def) rented out an unfurnished apartment to the plaintiffs (=pl) for around a year. Pl left after paying all bills. During the winter, pl suffered through significant mold, which they claim made one of the rooms unlivable, and caused pl's beds and mattresses to need to be thrown out. Pl is suing for the damage of their property and to retroactively reduce their rent based on the value of the unusable room relative to the apartment. Soon after the mold began, pl complained to def, who sent experts to solve the problem. The first expert recommended airing out the apartment regularly. When pl continued to complain (it is unclear if they aired out thoroughly), a second expert recommended doing insulation work, which def refused to do since pl was the first tenant to complain. (It turns out that previous tenants experienced significant mold but decided not to complain.) Def claim that they are not responsible for indirect damage, which pl could have avoided with additional ventilation and also demand that pl pay 4,500 shekels to paint the apartment upon leaving in the special way needed to remove mold.

Ruling: [The following is the opinion of the majority of the panel.]

The rental contract requires def to fix everything in the apartment that needs fixing. Extreme mold is under that category. Since the previous tenants report they had experienced significant mold, it is unreasonable to blame pl for insufficient ventilation. While the experts did not say emphatically that more insulation was the solution, it is clear that def had to figure out something to solve the problem. Def also did not instruct pl from the outset that they needed an unusual amount of opening windows.

Since pl is not to be blamed for the mold, they are required to pay only the price of normal painting (1,000 shekels). While the damage to pl's property was indirect, when one rents an apartment, he assures the renter that he has a safe place for his property, and when one makes a promise that he does not live up to, there is a financial obligation based on *histamchut* (reliance). Even if def failed in this regard without fault (because previous tenants had not informed him), he still is guilty of damage without intention. While it is only damage by *gerama* (indirect), which one cannot force such a damager to pay, our *beit din* arbitration agreement enables us to obligate him. Therefore, we are obligating def for damages that occurred from the time the second expert gave his unheeded instructions. Although usually a person who is damaged over time should make efforts to avoid damage, pl explained why it was difficult to do so.

Regarding reducing rent for not using one room, there is a *machloket* whether one who did not demand an end to a rental due to flaws is entitled to a reduction in rent. Since pl had a right to demand that the problem be fixed, we will give them a rental discount up to the cost (500 shekels) of special painting, which could have been carried out to alleviate the problem.

.....
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