



HEMDAT YAMIM

חֵמְדָּה יָמִימִים

Parashat Hashavua

Metzora, 12 Nissan 5784

Harav Shaul Israeli zt"l
Founder and President

The Content of Kingliness and Servitude

Based on Harav Shaul Yisraeli – from Shirat Hageula pp. 22-25

We are to create an atmosphere of freedom, greatness, and *malchut* (kingliness) around our celebration of the Seder of Pesach. Indeed we are told generally that *Am Yisrael* are “the sons of kings” (Shabbat 67a) and “fit for kingdom” (Horayot 13a).

Usually we think of *malchut* as dominion, which requires someone to dominate. Is that a value, though? Also, if all are fit for *malchut*, who can they rule over? Answering that dominion will be over other nations does not fit with the messianic vision of cooperation among the nations in the service of Hashem!

Rather, *malchut* is a lofty characteristic of the spirit, which does not require anyone to subjugate. What is it, though, and what does the opposite term of *avdut* (servitude) mean?

Avraham had an *eved* named Eliezer. Eliezer wanted Yitzchak to marry his daughter, but Avraham told him that “one who is cursed cannot cling to one who is blessed” (Bereishit Rabba 59). If the curse was that she was from a family of slaves, then Avraham could have solved the problem by freeing them! The curse started with C’na’an, who was cursed and decreed to be a slave to his brothers (see Bereishit 9:25). The order is that C’na’an was cursed, and as a result was decreed to be a slave, not vice versa. Servitude, it seems, is also not dependent on having a master over him; it is a lowly state of spirit. Usually this standing invites one to “acquire” a master for himself.

Before fine-tuning the characteristics of *malchut* and *avdut*, let us take another look at Eliezer. The *midrash* (ibid.) complains that Eliezer was deceitful in scheming to have Yitzchak marry his daughter instead of carrying out his mission the way Avraham envisioned. This approach is surprising considering the great regard *Chazal* had for him (see Bereishit Rabba 59-60; Yoma 25b), including the fact that some people confused him with Avraham!

We actually find that, eventually, Eliezer was referred to as the “blessed of Hashem,” by Rivka’s family as he initiated the attempt to make Rivka Yitzchak’s wife. The *midrash* (ibid. 60) says that when he had served his master faithfully, he left the status of the cursed for the blessed. Thus, as long as he was harboring thoughts of arranging things for his personal favor, instead of for Avraham/Yitzchak’s well-being, he was, despite all his positive, included in the cursed. Indeed, the *eved* is the one who is ruled by the desire to put the stress on himself.

Avraham epitomized putting others first. He ignored pain to prepare a serious feast for three individuals he did not know and whom he assumed were idol worshippers. This gave him the status of *malchut*, who is one who is missing nothing (Sanhedrin 7b). That is why his neighbors referred to him as a king and a prince (Bereishit 23:6).

Our nation attained the proclivity to want to give more than to receive through the subjugation of slavery and exile in Egypt. It is this that we celebrate at the Seder and by dedicating our lives to following Hashem’s laws and precepts. That is a type of *malchut* that does not require having anyone beneath us, but to elevate ourselves to a level at which we imitate our Maker.

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Ask the Rabbi

by Rav Daniel Mann

How Many K'zeitim and Why?

Question: I have heard that the *mitzva* of eating *matza* was supposed to be to eat one *k'zayit* but that it became a *mitzva* to eat five *k'zeitim*. Is that true, and if so, how and why is that?

Answer: There is no individual *mitzva* to eat five *k'zeitim* of *matza*. Rather, the fact that *matza* “wears different hats” makes it necessary to eat multiple *k'zeitim* – between three and five to be “less exact.”

The first two “hats” come at what we call “*motzi, matza*.” The *Seder* is a *Yom Tov* meal, which, Rabbinically, requires bread, which must be *matza* rather than *chametz*. At this time (according to most *Rishonim* – see below), we also want to fulfill the *mitzva* from the Torah to eat *matza* (Pesachim 120a). The interaction between the two requirements causes complication. We usually have two full loaves (*lechem mishneh*) for Shabbat/*Yom Tov* meals (Berachot 39b). On Pesach, we use a broken “loaf” of *matza*, based on the idea of *lechem oni* (ibid.). One *machloket Rishonim* is whether we need *lechem mishneh* plus a broken *matza* or that one of the two loaves should be broken (see Rosh, Pesachim 10:30). We *asken* the former approach (Shulchan Aruch, Orach Chayim 475:1).

Another *machloket Rishonim* (see Tosafot, Berachot 39b) is whether the same *matza* can be used for the two elements. One approach is that if one uses one *matza* despite the two *berachot* (and elements), it violates the rule to not do “*mitzvot* in bunches.” A second approach is that it is enough to eat from one *matza* because there is one classic *mitzva* (eating *matza*). The *beracha* of *Hamotzi* is just a regular *beracha* on food, not a separate act of *mitzva* or a sign of one. The Shulchan Aruch (OC 475:1) rules that we must eat from separate *matzot* and adds that one requires a *k'zayit* from each. This is the “second *k'zayit*.”

Some question why we would need a full *k'zayit* from the “*matza* of *Hamotzi*,” considering that we make *Hamotzi* on any amount of bread. The Pri Chadash (ad loc., cited by the Mishna Berura 475:9) says it is because of a *machloket* whether the whole *matza* is for *Hamotzi* and the broken one is for the *mitzva* of *matza*, or vice versa. This causes us to treat each *matza* as if it is the one for the *mitzva* of *matza*, so that we need a *k'zayit* of each. Some say that this *chumra* is anachronistic. Since nowadays participants only receive a small amount from the “whole” and “broken” *matzot* held by the leader of the *Seder*, there is little purpose for more than a second full *k'zayit* (see Dirshu 474:8; Halichot Shlomo, Moadim I:9:40). Others try to uphold the *minhag* of two *k'zeitim* on various grounds (see Piskei Teshuvot 475:5). In any case, all major requirements are fulfilled by eating one *k'zayit* from any *matza* (Mishna Berura 575:11).

The next *k'zayit* is for *korech*, which is a remembrance of the way Hillel instructed people to eat *matza* and *maror* together when having a *Seder* with a *Korban Pesach*. For this, all agree that one *k'zayit* suffices.

The final eating is the *afikoman*. The Shulchan Aruch (OC 477:1) suffices with one *k'zayit*, but *Acharonim* bring a *minhag* to have two *k'zeitim*. Some *Rishonim* (see Rashi, Pesachim 119b) say *afikoman* is intended to be the main fulfillment of eating *matza*, but that does not explain two *k'zeitim* since there is no new *beracha* of *Hamotzi* on it. The Magen Avraham (477:1) says that since the *afikoman* is a remembrance of the *Korban Pesach*, (Rosh, Pesachim 10:34), we have one *k'zayit* to represent the *korban* and one representing the *matza* eaten with it. The Taz (477:1) says that we eat an especially big amount because the *mitzva* is dear to us. Either way, this *minhag* is a *chumra*, which is no more than preferable (Mishna Berura 477:1; Yalkut Yosef, Tzafun 1).

The stakes between the different opinions are small. *Poskim* agree that for the “second *k'zayit*” each time, one can follow a lenient opinion on the size of a *k'zayit*, and most of us will eat a much bigger *shiur* if we assume only *k'zayit* (see Ohr L'tzioon III:15:12). So our big *k'zayit* will come at least close to covering a basic two *k'zeitim*.

“Behind the Scenes” Zoom shiur

Eretz Hemdah is offering the readership to join in Rabbi Mann's weekly Zoom sessions, analyzing with him the sources and thought process behind past and future responses. Email us at info@erezhemdah.org to sign up (free) or for more information on joining the group.

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



Igrot HaRe'aya - Letters of Rav Kook

Update to a Brother– #208 – part II

Date and Place: 19 Tamuz 5669, Rechovot

Recipient: Rav Dov Ber Hakohen Kook, Rav Kook's brother. He would later be the first rabbi of Afula and start the Harry Fischel Institute, but at this point, he was still in Eastern Europe.

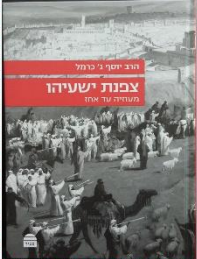
Body: [The letter begins with Rav Kook's request of forgiveness for not writing as much as he wanted to. Then Rav Kook describes the beauty of and positive changes at the moshava of Rechovot, where he was visiting.]

Of course, here too I do not have free time. Even when I am far away from the great activity of the city, I am surrounded by very overwhelming responsibilities. This is especially true this year, as the very impactful preparations for *Shemitta* are upon us. They are challenging in practice, but much more than that, in the thought of the heart and of the spirit, in the need to delve deeply into the halachic details, and to elevate the thought to the principles of the matter. After all, on the one hand, our eyes see and our ears hear with great intention, the great desire of the soul to adorn the *mitzva* with all its many *halachot*. On the other hand, we see the weakness of the situation and how unprepared we are for it, to the extent that we are compelled into adopting severe leniencies based on great need and the obviation of the *mitzva*.

Nevertheless, the rest of the Land is coming and spreading its wings on the holy soil. It approaches the heart of the nation of Hashem, which lives in the Land with a silent wind. On the one hand, we are dealing with the authorization forms that are needed to obviate *Shemitta*. On the other hand, we are leaving many areas of work that are performed most years, because the world is ready for it. We are being careful to ask about the most minute details from the many good, hard-working farmers who work our Land with an idealism and the pleasure of internal sanctity that is unprecedented in the world. They are all proclaiming: "The holy year is coming!" The holy feelings of the holy nation on holy soil are taking form silently, even among souls that have not revealed their own depths. Fortunate is the nation that Hashem is their G-d!

I will not keep from you, dear brother, that I have recently begun to put into actions my plans for a "Central Yeshiva for the New Yishuv." I cannot succinctly explain the great necessity and the expected benefit from bringing such a holy, lofty undertaking to fruition. The goal and spiritual form of such a yeshiva is loftier and much more distant than the humble practical form it will be forced to adopt at its inception. We will place our trust in He Who bequeaths Israel with power, that He will provide the blossoming of righteousness. We shall start with a few good young men, with reasonable abilities, whom I have taken from Yerushalayim, and I have found another few to join them from Yafo. I hope that we will establish proper and good study systems, and that they will include my heart's desire, to educate Torah scholars, who will be outstanding students on the spiritual side of the Torah of truth, as I have always desired from the time I was young. By expanding and developing this nucleus, and establishing it with a good form, with wisdom and a pure spirit, there will be much blossoming of salvation and redemption.

The hard work in this matter is the practical side, including the financial elements, which I am totally not an expert in. On the spiritual side, it requires order, which is also against my nature. After all, I love to influence and inculcate every youngster in the marketplace and young man on the street, if it were possible. Still, I hope to succeed with the help of a group of friends and supporters, although it is difficult for me to find people to whom I can hand over the thoughts of my spirit in their full purity. After all, we are living in the air that is full of the sound of hope and beams of light of the life of loftiness. I hope that the merit of *Eretz Yisrael* will enable us to set a strong base for this project, which is one of the major, practical, spiritual foundations of my life plan.



**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

Veto Power of Special Stockholders – part III

(based on ruling 82120 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: Reuven owns a company (both =*pl*) that holds the majority of special shares in the defendant company (=def) and sits on def's board of directors (=bod). The body of special shares holders (=A-1) has veto power over major changes at def, as detailed in def's charter. Def owns 100% of a subsidiary (=sbsd), which has signed a huge contract with a government agency to provide infrastructure for an area. Pl opposes the deal and wants it paused (leaving time to get the job done if applicable) at least until it can be determined if sbsd can finance the project without def providing the banks with collateral. If sbsd cannot manage without def, then pl can veto the deal through A-1. Def claims that breaking the contract with the government would be damaging both directly (500,000 NIS deposit) and indirectly (possible fines, loss of reputation, etc.), so that there is insufficient justification to freeze the project.

Ruling: [We saw last time that pl and A-1 do not have a direct right to veto sbsd's decisions but that they did have the ability to prevent def from agreeing to the project. The remaining question is whether pl has lost that right.]

The Shulchan Aruch and Rama (Even Ha'ezer 38:10) disagree if when one a man marries a woman on condition someone will not protest, and that person first agreed to the marriage and later protested, whether the marriage is valid. In the case that the condition was that the person be silent, the marriage is valid after initial silence. The Mishneh Lamelech (Shluchin 5:1) brings three opinions about a partner who acted without authority and the second partner found out later, whether the latter waives the ability to complain by silence, by agreement, or not even with agreement. Ashdot Hapisga (Choshen Mishpat 8) says it depends on the opinions whether silence relinquishes a monetary debt. Mishkenot Haro'im claims that if the silence comes before the questionable action was taken, all agree that it is subsequently too late to protest.

Our case should be equivalent to "on condition of silence," as it is illogical that one can be quiet on matters that effect third parties and protest later. If not, when would the limit to their protest power end?! This is relevant because, as discussed previously, there was no need for a positive decision in favor by A-1. The *dayanim* disagreed as to what the final moment for protest would have been. One *dayan* said it was at the time sbsd took part in the tender for the project, as backing out thereafter had consequences. The other *dayanim* said protest was still possible then, because there were several important unanswered questions at that point, so that there were another three months for A-1 to protest.

The two sides disagreed if during those three months, pl had acted in a way that left open the right to protest (the *dayanim* analyzed various correspondences), and no one brought valid proof. Therefore, we are to follow the status quo. In this case, pl is trying to change the status quo and prevent sbsd from carrying out its commitment. Therefore, pl cannot stop or even pause the project.

Comments or questions regarding articles can be sent to: info@erezhemdah.org

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