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HEMDAT YAMIM

חיים תמידים

PARASHAT HASHAVUAH

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Spies and Their Helpers

Harav Yosef Carmel

Certainly the sins of the spies that Moshe sent capture the main attention in this week's *parasha*, prompting the *haftara* to dwell on spies, who were, *baruch Hashem*, more successful (see Yehoshua 2). The two righteous men sent to Yericho were discovered by the local sentries but were saved by Rachav, a local woman, who covered them with stalks on her rooftop, allowing them to escape to safety. In addition to the *navi's* account that she and her family were spared during the Israelite conquest, *Chazal* tell us that she merited marrying Yehoshua and that from their offspring came the prophet, Yirmiyahu (Sifrei, B'ha'alotcha 78).

Let us deal with a lesser known story of spies, which shares an interesting parallel to that of Yehoshua's spies. When Avshalom's rebellion broke out, David took a strategic step. He decided not to fight for his throne within Yerushalayim, which would cause the city to be harmed at Avshalom's hands. He explained his decision, saying that if Hashem wanted him, he would return to his beloved city, and if Hashem did not want David to continue, let Hashem do to him as He sees fit (Shmuel II, 15:25-26).

However, David, while accepting Hashem as the decider of his fate, did his fair share of *hishtadlut* (human efforts to bring success). He left a whole infrastructure of agents and gave out different roles to loyal friends and servants. Chushai Ha'archi was to win Avshalom's confidence and undo Achitofel's plot against David. He was to use Tzadok and Evyatar, the *Kohanim*, to pass information to David through their sons, Achima'atz and Yehonatan (ibid. 34-36).

Everything was working according to David's plan until Avshalom's officers discovered the aforementioned *Kohanim* passing information between them and trying to bring it to David's camp, near Yericho. A chase developed, and Achima'atz and Yehonatan went to hide in the house of a man from Bachurim. His wife told them to hide in a well, which she covered, and, in a manner reminiscent of Rachav, told the pursuers that they had returned to Yerushalayim (ibid. 17: 18-20).

Who was this man from Bachurim, whose wife saved David's helpers and through them, helped David? The *midrash* tells us that it was none other than Shimi ben Geira, the man from Shaul's family who came out toward the retreating David and cursed him so harshly. This finds support in that the *navi* (ibid. 16:5) calls him, "the man from Bachurim."

When did this woman receive her reward? *Megillat Esther* introduces Mordechai (and thus, his cousin Esther as well) as a descendant of Shimi from the tribe of Binyamin. Indeed, this couple from Bachurim, merited to be the antecedents of the hero and heroin who saved the Jewish Nation hundreds of years later. This was deserved due to the righteous woman's efforts to preserve the kingdom of David, who could have been her bitter rival.

May the merit of our righteous matriarchs help us remain in good stead in present and future generations.

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by Rav Daniel Mann

Question: What is the preferable way to recite *Shema*: in the regular *davening* sing-song or with *trop* (Torah-reading cantillation)?

Answer: Let us start our discussion from the main sources before moving on to practical considerations.

The *gemara* (Pesachim 56a) mentions a number of practices of the people of Yericho. One which was criticized is that they would not pause properly during the recitation of *Shema*. Rabbeinu Yona (Berachot, 8b of the Rif's pages) explains that they did not read it calmly "with its *te'amim*," which the Tur (Orach Chayim 61) understood as its *trop*, thus indicating that it is proper to do *Kri'at Shema* with *trop*. The Beit Yosef (ad loc.) questions whether the Tur understood Rabbeinu Yona correctly, considering also that few people in his time read *Kri'at Shema* with *trop*, and suggests that it just means to be careful to pause at the right places so that the text is properly comprehensible. Nevertheless, in his Shulchan Aruch (OC 61:24), he accepts the Tur/ Rabbeinu Yona's idea of using the Torah *trop* as a requirement. It is clear that *b'dieved* one fulfills the *mitzva* without it. (It is interesting to note that it is a matter of *machloket* whether *trop* is of Torah origin or whether it was added at some later time (Nedarim 37b)).

On the Ashkenazi side, the Rama also discusses the matter with slight differences between his two major works. In the Darkei Moshe (OC 61:8) he says that reciting *Kri'at Shema* with *trop* is liable, for many people who try to do so, to take away from their concentration. He also reports that the *minhag* anyway is not to use *trop*. He is supportive of the practice only for those who are confident that they are able to concentrate at the same time on the content and the *trop*. In his glosses on the Shulchan Aruch, he is a little bit less selective, saying: "In our countries this is not the *minhag*. However, those who are exacting are stringent on the matter."

Is there anything other than concentration that one may lose by using the *trop*? The *Ishei Yisrael* (21:(2)) implies that if one makes a mistake in *trop* then it is liable to change the meaning of the *pasuk*, which requires one to go back and do it correctly, just like regarding *Kri'at Hatorah* (see Shulchan Aruch, OC 142:1 and Bi'ur Halacha, ad loc.). Whether this concern applies equally without *trop* seems to depend on the person. If one reads *Shema* at a totally uniform pace, then while not stressing the correct meaning, one is also not reinforcing the wrong meaning, unless one does not pause at all at major stopping places (classically, where there is a *sof pasuk* or an *atnachta*). Reasonably accurate *leining* is likely to improve much of the comprehensibility, but mistakes could sometimes make things worse than a uniform pace.

Other issues emerge when one is audible when reading with the *trop*. One issue is *yohara*, i.e., that one's community will view it as haughty if an individual reads in a manner that he considers a "better way" than the local *minhag*. The other is that *leining* has a tendency of disturbing the concentration of people around the *leiner*. While the major application of this issue of disturbing others is during *Shemoneh Esrei* (see Shulchan Aruch, OC 101:2), when people are silent and need total concentration, the issue could apply here (as Michtam L'David, OC 10 says regarding those who sing *Kri'at Shema* on Shabbat).

Some have a reasonable practice of using *trop* for some of *Kri'at Shema* but not for all. There is some logic to be more careful for the first *parasha*, which according to some is the only part whose obligation is from the Torah (see Beit Yosef, OC 63). On the other hand, the first *pasuk*, which in some ways may be most important (see *ibid.*; Shulchan Aruch, OC 60:5), may not be the place to use *trop*, as its pace is meant to be uneven (Shulchan Aruch, OC 61:6) and it is sometimes done at a slow speed or great intensity (*ibid.* 4) that do not fit naturally with *trop*.

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Eating as a Group

(condensed from Ein Ayah, Berachot 7:1)

Gemara: Three who ate together must do *zimun* (recite *Birkat Hamazon* jointly).

Ein Ayah: Since eating is one of the major physical enjoyments that the masses are drawn to it makes sense to eat separately. Indeed, philosophers believed eating is an embarrassment that should not be done in a social setting. However, using one's senses to straighten his path has an elevating benefit, which, when achieved, makes it not degrading but an honor.

Three people eating together are the minimum to be called a group or gathering and to clarify the gains of joining together. Specifically, it is possible to significantly refine one's characteristics and broaden the way he seeks out the ways of Hashem by observing other ways of righteousness. Thereby, Hashem's Name will be glorified in His world. When the intellect is developed and spiritual benefits are elevated, then as more people join together, things improve innately. Each person brings his successes in arriving at *shleimut*, true ways of looking at things, and straight ways of living.

From the perspective of food's physical pleasures, though, the more people are present, the less food is available for every individual. One benefits from people joining together only if it has pragmatic value. Otherwise, he has no gain from his friend, and there is little reason for camaraderie. In contrast, when the intellectual foundation of knowledge of Hashem in the world will be set, people will be emotionally drawn to love all that Hashem does for us with love in the truest sense. At that point, friendship will have its most positive effect. In order to strengthen friendship that accompanies using physical experiences for spiritual growth, people should be brought together to thank Hashem. Then they can experience the full advantage of togetherness. That is why three who eat together must do *Birkat Hamazon* together, as well.

Proper Health Habits for a Talmid Chacham

(condensed from Ein Ayah, Berachot 7:5)

Gemara: Rabbi Zeira became weak, and Rabbi Avahu went to visit him. Rabbi Avahu accepted upon himself that if "the small one with burnt thighs" [a nickname explained in Bava Metzia] would recover, he would make a day of festivity for the rabbis.

Ein Ayah: Rabbi Zeira chose a path of extreme humility, treating himself as one who is far from proper *shleimut* in service of Hashem and pure characteristics. That is why he accepted upon himself a life of asceticism, as described in Bava Metzia 85a. This is hinted at in his nickname of "burnt thighs," for the body can be compared to a leg in comparison to the godly soul. The idea behind the burnt thighs is that if one deprives his body of what it needs, the spirit will also lack the status it deserves. Rabbi Zeira needed to know that he did not need any more self-affliction, such as multiple fasts, which weakened his body. The reason they called him small is that he saw himself as lacking due to his extreme humility, as *Chazal* said about the biblical Yoktan (Bereishit Rabba 6:4). Although the humility is basically good, cases of excess, such as the story in which his legs were burnt, were unfortunate.

Rabbi Avahu suspected that Rabbi Zeira's illness might have to do with his traditional self-deprivation. To stress that this is not proper for those who learn Torah (see Ta'anit 11b), he pledged specifically to make festivities for the rabbis if Rabbi Avahu recovered to show that some indulging is good, as the rabbis should avoid deprivation. It stresses that he made the meal for all of the rabbis to show that the path of healthy living is a mainstream one for them. Extreme behavior is appropriate only for extreme cases or people.

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Taking Money for Child Support When the Father Is Not Present

(based on Shurat Hadin, vol. IV, pp. 58-65)

Case: A man (=def) left his wife (=pl) and child to go abroad without contact information. Originally, *beit din* ruled in his absence that support can be paid on def's responsibility without his cooperation until the child is six. Now pl wants the support extended beyond that point.

Ruling: The Beit Shmuel rules that one cannot take a man's property in his absence even to feed his children, even if he is a man of means. However, in present-day Israel, the situation may be different, as Bituach Leumi puts out the money. While they demand it from him upon his return, def can appeal then.

Another factor is that nowadays children are not allowed to earn money before the age of fourteen. Can they, therefore, be considered like very small children who have special rights? The *gemara* (Ketubot 65b) says that a father is forced to support his children until age six, and from then until they grow up, he is supposed to support them, but we may only scold him if he does not. The Rambam (Ishut 21:17) mentions the age of six clearly. However the Rashba (Shut II, 391) talks about various categories of children, concerning their ability to earn, without mentioning six as an absolute. When it is difficult for a child to support himself, his father is pressured to pay. When he is totally incapable of supporting himself, the father is forced. According to this approach, when the *gemara* asks "Until what age?" it was to receive a picture, not to fix a set cut-off point. It is possible that even the Rambam did not mean the age of six as an absolute, but brought it as an assumption, as the *gemara* had. Rav Hai Gaon compares the status of children regarding receiving support to their status regarding the ability to perform basic commercial transactions. In that context, there is some flexibility in age according to the child's intellect, and so too would the case be regarding support. The Avnei Miluim (71:2) uses this approach to exempt the father early if the child is particularly advanced even under the age of six, but the logic should work to obligate over six as well. There are also strong indications that it depends on the age of total reliance on his mother (based on Ketubot 65a; see Ohr Zarua, Eruvin 186; Avnei Miluim op. cit.).

If one takes the need-based approach as opposed to the approach that there is a set institution of when a child is to be supported, then logic dictates that if the child has funds through inheritance, he does not deserve to have his father forced to support him. The Rashba, indeed, says that this is the case. However, the Shulchan Aruch (Even Haezer 71:1) rules like the Rosh that there is an across-the-board institution that under the age of six, the lack of the child's needs does not exempt the father. Still, though, it makes sense that when there is an absolute need, then even above the age of six, the father can be forced to pay.

Thus, in this case, def should be obligated in his absence to support his child, with the money being taken from Bituach Leumi, and the father having to pay or appeal the ruling when he returns.

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