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HEMDAT YAMIM

Parashat HaShavua

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Humility – A Basic Character Trait of a Jewish Leader

Harav Yosef Carmel

Moshe Rabbeinu, who grew up as a prince in Paroh's house, as the adopted son of the king's daughter, and engaged in negotiations with Paroh, reached a new high in our *parasha*. The Torah describes him as having a lofty perch, both among his Jewish brethren and among the Egyptian nobility (see Shemot 11:3). Despite this, Moshe remained the most humble of men, as the following *gemara* highlights: "The *pasuk* says: 'Not due to your great numbers amongst the nations did Hashem desire you...' – Hashem said to Israel: 'I have desired you because even when I bestow greatness upon you, you make yourselves small before Me; I gave greatness to Moshe and Aharon, and they said "What are we?"' (Chulin 89a). Moshe did not consider himself a "*gadol*."

Let us compare Moshe to another great man, one with tremendous potential, who received an unusually bold compliment from the prophet: "The counsel of Achitofel which he gave in those days was like one who would ask for the word of Hashem" (Shmuel II, 16:23). Despite this distinction, Achitofel finished his life in a tragic manner (see *ibid.* 17:23), and he did not have a significant impact on Bnei Yisrael. Let us try to understand why this is so.

Achitofel gave Avshalom two pieces of advice: 1. To have relations with his father's concubines, to finalize the break from David (*ibid.* 16:21). The Radak explains that this good idea (practically, obviously not morally) gave confidence to Avshalom's supporters that he would not return to David at their expense. 2. To choose an elite force under Achitofel to immediately pursue and kill David (*ibid.* 17:1-3). The Radak says that this too was good advice, which would have worked had there not been intervention. If so, the question is why did Achitofel commit suicide after the advice was not accepted, if he had served Avshalom well?

Let us suggest the following. The *gemara* (Sanhedrin 101b) relates that Achitofel saw in his future that kings would come from him and assumed that this would come by means of his becoming king first. Achitofel figured that Avshalom would weaken David, and he would ultimately take over. Achitofel figured that Avshalom would cause the damage to David but would not succeed in taking over the crown because he would lose the respect of the people because of his relations with David's concubines. Immorality would do him in as it had to Amnon. Achitofel offered to attack David with the elite forces and that would have given him an inner track to the crown.

The root of Achitofel's problem was his lack of humility as we see from the use of "I" many times in his speech. We now understand why he committed suicide. Once he saw he would not be king, he realized that his vision would not be fulfilled, and he would be exposed as a fraud.

What a huge difference in humility (or lack thereof, respectively) between Moshe and Achitofel. May we merit leaders like Moshe.

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Ask the Rabbi

by Rav Daniel Mann

Moving *Kugel* into a *Cholent Pot*

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

Answer: In addition to making sure the *kugel* and *cholent* are fully cooked before the transfer, two issues need to be addressed.

One issue is *chazara* – the prohibition on putting, on Shabbat, a food that was off a heat source onto one unless factors exist that make it considered an innocuous return to its place (see Shulchan Aruch, Orach Chayim 253:2). The main factors are: the heat source must be in a state that raising the heat is unlikely; the food was removed from a heat source with the intention of returning it; one did not put it down (ibid.). When these conditions are met, one may transfer the food from one heat source to another, even if the latter is hotter (Rama, OC 253:2 and Mishna Berura 253:62). Thus, it would seem okay to take food from a hot plate to a crock pot assuming the steps were taken to reduce the chance of raising the crock pot setting (which is a separate discussion).

However, the matter depends on an important *machloket*: Is it permitted to move food from a refrigerator on Shabbat morning to a hot plate? Let us briefly explain the opinions and the connection. There are two Rabbinic concerns about returning food to a heat source: one may “stoke the coals” (i.e., raise the setting); placing the food looks like cooking. “Shabbat hot plates” have only one setting, eliminating the concern of adjusting. Regarding looking like cooking, some (Halachos of Shabbos (Eider), p. 313; Am Mordechai, Shabbat 7) argue that since hot plates are made only for reheating, no one will make a mistake. Rav Ovadia Yosef adds that the fact that a hot plate is known to be used only for reheating on Shabbat improves the situation, as does the fact that there is space between the heating element and the metal upon which the pot sits (Yechaveh Da’at II:45). They, thus, posit that the hot plate is not halachically considered “on the fire.” The Orchot Shabbat (2:(117)) argues cogently that if someplace is considered “on the fire” enough to forbid taking food from the refrigerator onto it, then one may move food from there to anywhere “on the fire.” However, if a place is categorized as “off the fire,” such that one may put food from the refrigerator onto it, then it is forbidden to move from that place to a full heat source. It is difficult to argue with this thesis, for if it is wrong, one could take food from the refrigerator to even a stove top with a *blech* in two steps. First, put it on a weak heat source, and from there move it to a full heat source.

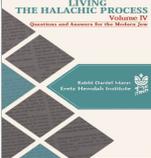
Thus, if you follow the lenient opinions above, regarding the hot plate, you could not move the *kugel* from there to a crock pot, for the latter is a full heat source, as it is used for cooking food from scratch. If you follow the stringent opinions regarding placing food on a hot plate on Shabbat (such as Shemirat Shabbat K’hilchata 1:25), the laws of *chazara* would not preclude your moving a *kugel* from a hot plate to a crock pot. (If one is stringent for a hot plate only out of doubt/*chumra*, then it would be a problem to treat as a real heat source in order to allow moving from there to a crock pot.)

Another issue is *hatmana* – insulating something to keep it hot, which is forbidden on Shabbat and sometimes even before Shabbat (see details in Shulchan Aruch, OC 257-8). If the *kugel* is wrapped in aluminum foil or the like and put in the *cholent*, with the latter keeping it warm, it seems a candidate for this prohibition. (Food directly within other food is not a problem (Shemirat Shabbat K’hilchata 1:72).) However, there are at least two ways to solve all problems. First, if the *kugel* is not fully submerged, it is not *hatmana* (see Mishna Berura 258:2). Second, if one makes holes in the aluminum foil, so that taste of *cholent* is expected to enter the *kugel*, the *cholent* and *kugel* are considered united enough for *hatmana* not to apply (Orchot Shabbat 1:93). (Additional grounds for leniency regarding *hatmana* are beyond our present scope.)

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Ein Ayah

[The *gemara* continues to look at Aramaic words, looking at similarities to other words.]

The Main Purpose of Clothes

(condensed from Ein Ayah, Shabbat 8:30)

Gemara: *Levusha* (clothing) represents *lo busha* (no embarrassment).

Ein Ayah: Man has spiritual characteristics that are prevalent in him due to his special divine image. These characteristics indeed rule over the internal content of the way he leads his life. Due to this fact, when a person has a need which fulfills both a physical and a spiritual need, the spiritual need that is related to his spiritual stature is more impactful than the physical one because it is in regard to the spiritual that man is significantly different from animals.

There are multiple reasons for wearing clothes. It helps prevent the discomfort of exposure to excessive heat or excessive cold. However the *gemara's* play on words stresses the important part about clothes. The internal emotional need of avoiding embarrassment is the most significant of the reasons for them. Embarrassment is, after all, a very important emotion, and it is related to the moral spirit of a person. That inclination is more important than the other factors, and they are subservient to this reason. For this reason, there is a connection between the word *levusha* and the words *lo busha*.

Beauty in Lack of Detail

(condensed from Ein Ayah, Shabbat 8:31)

Gemara: *Gelima* (a cloak) is related to the idea of making one like a *golam* (a chunk of clay).

Ein Ayah: Spiritual grandeur is not realized when each part of the whole of a matter that contains beauty, is stressed individually. It is possible that the special small parts of the matter add to its general beauty, when each part contains some specific grace. However, the main appearance of beauty relates to the general appearance, which overpowers the specific lines of the pieces of the whole.

All of a person's limbs, and indeed all of the elements that act to accentuate the general picture of the body as a whole, join together in one appearance of unity. Therefore, the cloak, which is a wide article of clothing that covers all the other articles of clothing, envelops a person as a whole and gives him an overall picture of grandeur. This completes the appearance of overall beauty, which stems from a spiritual beauty, which itself emanates from the inclination toward good in spirit. Only certain parts of the overall being can have their specific elements viewed. But the main thing is the general element, which embraces the various individual elements that make up the whole. That is what is special about a cloak that does not allow the various shapes of the limbs to be seen. In that way, it makes a person like a *golam*, in the positive sense.



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 Chizkiyahu.

"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

Removing a Less than Honest Rabbi – part I

(based on ruling 70064 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def) has served as the rabbi of a *shul* for twenty years. He is paid 5,300 shekels a month and has the right to perform *mechirat chametz*; he is responsible for certain rabbinic functions, such as giving *shiurim* and answering questions. After the death of a prominent member of the community (=pmc), his family asked def to lobby for a room in the *shul* to be named after him. Def agreed but demanded \$5,000 for his lobbying efforts. After the *shul* accepted the proposal, pmc's family was told that the decision had been unanimous and obvious to board members, prompting them to refuse to pay def, who had claimed that it was a difficult task. The *shul* used to give *tzedaka* funds to an NPO run by pmc's family and around this time, the NPO stopped receiving money from the *shul*. It turned out that def managed to detour the money to himself in lieu of payment due to him by the family. Pmc's family sued def in a *beit din*, which ruled that def should keep \$2,000 and return \$3,000. The *shul's* board (=pl) demand that, considering def's moral failings, def should be removed as the *shul's* rabbi. Def defended his right to the payment, partly by saying that he was poor enough to deserve the support of the family's NPO and apologized for part of the way he went about it.

Ruling: [First we will look at the propriety of def's actions or the lack thereof.]

The request for \$5,000 for lobbying, especially when it proved to be largely unnecessary, is exaggerated. Although it is hard to put a set price tag on such an action, it certainly is forbidden to receive money based on a misrepresentation of the situation. Similarly, even if def might have deserved the support of pmc's family's NPO, this must not be accomplished through deceit. While pl claims that this makes def a thief, who is unfit to serve as a witness, as a *beit din* ruled that he did not deserve \$5,000, that categorization is exaggerated. We do not have evidence that def did not think he deserved the money, which is plausible even if wrong.

While def admits to have diverted funds to himself, he argues that it is permitted to seize funds due to him, based on the right to take the law into one's hands (see Choshen Mishpat 4). The *gemara* (Moed Katan 17a) does say that a *talmid chacham* can take such action when he knows that he is owed money. However, many commentaries explain that this does not increase the rights to seizure for a *talmid chacham*, but only allows a *talmid chacham* to the same rights in this regard as others. In the case of a *tzedaka* fund that withheld its fundraiser's salary, the Mishneh Halachot (XVII, 116) allows him to keep some of the money he collected, but makes it conditional on informing them that he is doing so, so that it not appear that he is stealing.

In this case, def misused the right to seizure for several reasons: 1. It was unclear that he deserved the money; 2. The money was due not to pmc's family but to an NPO they run, which definitely did not owe money to def. 3. It involved forging checks, which is illegal and therefore an invalid act even if seizure were permitted.

[We continue next time with consequence for def.]

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