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# HEMDAT YAMIM

## Parashat HaShavua

Yitro, 20 Shevat 5779

### More Things to Say about "Devarim"

Harav Yosef Carmel

The *p'sukim* that introduce the presentation of the Ten Commandments at Sinai (Shemot 19:3-9) caused the commentaries to work very hard. The order is as follows: Moshe went up the mountain, where Hashem told him the significance of Bnei Yisrael accepting the Torah and becoming a special nation. Moshe told the elders the words (*devarim*) of Hashem. The nation accepted the matter and Moshe informed Hashem (*pasuk* 8). Hashem told Moshe that He would be coming to speak to him in front of the people so that the people would believe in Moshe. It ends off: "Moshe told (*vayaged*) the words of the nation to Hashem" (*pasuk* 9).

The difficulty we will deal with is that it says in *pasuk* 8 that Moshe told Hashem of the nation's acceptance, and in *pasuk* 9 the nation does not speak again, but Moshe only received further information. Why then does it say again at the end of *pasuk* 9 that Moshe told Hashem the *devarim* of the nation?

Rashi says that the people had responded to the content of Hashem's declaration that He would speak to Moshe, and they told Moshe that they wanted to "see Hashem," i.e., have Hashem speak to them directly. Indeed, we see that Hashem respected this request, although it proved to be more difficult than they imagined.

Ibn Ezra goes in a totally different direction. He says that the *p'sukim* are out of order and that *vayaged* preceded the *pasuk* about Hashem speaking to Moshe through the cloud. What the people had said is that they did not believe that Hashem could speak to a person and he would survive. In fact, because of this belief, there were people in Egypt who did not believe that Hashem had spoken to Moshe. *Pasuk* 9 comes as a response to this problem. The people would see Hashem speak to Moshe. They would thus believe it was presently happening and also that it happened previously in Egypt.

The Ramban disputes the Ibn Ezra's thesis strongly. He argues that Bnei Yisrael would not have doubted the concept of prophecy because they had a tradition about its existence from their recent ancestors, several of whom were themselves prophets. The Ramban understands this *pasuk* as Hashem's desire that the people should not only have believed in prophecy but should experience being prophets themselves, even if only during *ma'amad Har Sinai*. He connects this to the repetition of the portrayal of these events in Devarim (4:10) in which it stresses that this would teach the people to fear Hashem "in all generations."

The Ramban is based on the thesis that we have recently discussed that "*devarim*" refers to prophecy. The hearing of *devarim* was a once-in-history event in which a whole nation reached the level of prophecy. This enabled the phenomenon of prophecy to continue in the nation for hundreds of years, during which the prophets enriched the whole world with words of inspiration and a desire to reach spiritual peaks. Therefore, it is not surprising that the central root word in this section is "*davar*."

Let us pray that we will soon witness the return to prophecy, so that our nation and humanity as a whole will rise up to the summits of the revelation at Sinai.

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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

## Davening in Front of a Mirror

**Question:** Is the prohibition against *davening* in front of a mirror or reflective glass a *chumra* or a serious halacha?

**Answer:** The matter of not *davening* in front of a mirror is not a Talmudically mandated halacha, but it is modeled after, an extension, or perhaps even an application of one or more *halachot* of *Chazal*.

The Radbaz (IV,107), in discussing *davening* facing the image of a lion, says that since we forbid *davening* in front of a mirror because it looks like he is bowing to himself, it is certainly forbidden to *daven* in front of an image of a lion (which is found in the *kisei hakavod*). He connects this to the halacha of not davening behind one's *rebbe* (Berachot 27b), which, he posits, is in order not to look like he is bowing to him (as one suggestion in Tosafot ad loc. has it). Although he mentions looking like "bowing," which we do only during *Shemoneh Esrei*, it likely applies throughout *davening* (see Machatzit Hashekel 90:37).

Others connect this practice to a different halacha. The *gemara* (Berachot 5b) says that one should not have a break between himself and the wall when he is *davening*. The *poskim* understand that it has to do with creating a distraction (see Beit Yosef, Orach Chayim 90) and posit that it is likewise improper to have colorful pictures or wall hangings in front of him (Shulchan Aruch, OC 90:23). The Machatzit Hashekel (ibid.) says that this is an additional reason not to *daven* in front of a mirror. (Da'at Torah, OC 90 suggests that only the latter concern is correct.) This problem can be solved by closing one's eyes or looking only at one's *siddur* (Mishna Berura 90:63), which will not work for looking like bowing (Mishna Berura 90:71).

There is some logic for a reason that combines the two (admittedly, this does not seem to be the Radbaz's intention). When one looks at himself when *davening*, we view this self-absorption as antithetical to the mindset one should have in *davening*. While this is not literally bowing to himself, there is an element of it, figuratively.

This "prohibition" is not mentioned in the Shulchan Aruch (Rav Yosef Karo met the Radbaz late in life (in Safed) but apparently did not have access to his scholarship when writing his *sefarim*). However, many of the classical commentaries on the Shulchan Aruch and related works cite it as a halachic fact (see Mishna Berura ibid.). Therefore, while it may not have the full force of a formal Rabbinical prohibition, it is an accepted *minhag* related to full *halachot*, which we do not consider a *chumra*.

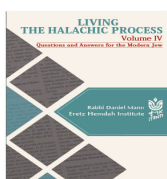
This status makes it more reasonable to look for leniency in cases that are close but not identical to the classic case, when logic so dictates. Several *Acharonim* are lenient when one can see his image but not in a mirror per se. The Shevet Halevi (IX, 21) justifies the *minhag* to *daven* before reflective objects when that is not the object's purpose (he discusses a "*Shiviti Hashem l'negdi tamid*" sign situated in front of the *chazan*). Ohr L'tzion (II, 7:11) says that it is permitted to *daven* in front of a window, even if the lighting makes his image clearly visible, as long as he closes his eyes or angles himself so he does not see it. The apparent logic is that fear of looking like *davening* to himself only applies when he puts himself in front of a mirror, which makes him look interested in looking at himself as he *davens*. However, when the ability to see is incidental, no one will think that one is *davening* to himself. Admittedly, some *poskim* are *machmir* even in the case of *davening* before a window at night (see Ishei Yisrael 9:(66)).

It would seem that one difference of this not being a full-out Talmudic prohibition could be in a rare case where the only way to *daven* is opposite a mirror. If it were a full-fledged prohibition based on the first reason, it might be better not to *daven* at all. Although I did not find sources on the matter, it would seem that indeed it would be better to *daven* (although he should certainly not look) than not to *daven* at all, if this is his only option.

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

## The Clothes of a Thought

(condensed from Ein Ayah, Shabbat 8:35)

**Gemara:** *Sudra* (a cloth to cover the head) hints at *sod Hashem liyre'av* (the secret of Hashem is [known] to those who fear him).

**Ein Ayah:** Thoughts are always covered up. Whatever we can figure out based on the person's speech or action is but the dressing up of the thought, and not the thought itself. The thought, which is the spirit of the related speech and actions, is the foundation of the secret and light behind the thought's source. A thought of divine origin comes when one has fear of Hashem in such a manner that he can recognize the divine truth, and his actions and speech also are consistent with their thoughts. Although the "clothes" of the thoughts cannot express its full extent, they can at least express their essence to the maximum that can come out.

For this reason, the name used for the head covering of a *talmid chacham* expresses the point that they have a special honorable head dressing hinting that inside there dwells a hidden soul of deep thoughts. There are great secrets, and there is a delicate expression of the light of holy fear of Hashem, which the *sudra* hints at.

## Frequently Ideal Entranceways

(condensed from Ein Ayah, Shabbat 8:36)

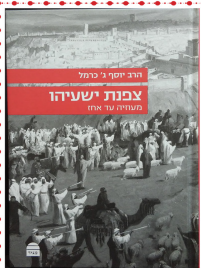
**Gemara:** *Afadna* (a hallway before a palace) represents *apitcha dein* (to this opening)

**Ein Ayah:** There are various lofty concepts that are pillars of the proper life of man, including: justice, wisdom, sanctity, riches, and bravery. Man can and sometimes does strive to excel in these areas. However, a person should never think that he has reached the depth and breadth of these areas, for they are too vast. The distinction is between those who have not even made it into the sanctums of these concepts and do not even have a glimpse of their greatness and those who have entered and have begun to draw closer to these goals.

The honor of every great building is defined by the goal of the activity that is held within. This can be the castle of a king, the halls of justice, or the *Beit Hamikdash*. Each represents a sphere of a lofty ideal upon which the lives of man seek support and elevation. The more a person realizes the value of the ideal the more he will strive to enter its halls and proceed forward within it. In general, we are only able to stand in the proximity of the doorway. But the recognition that it is worth it to cling to the ideal is itself a matter of wisdom and justice, which effectively pushes a person toward greatness. This leads to images of honor to which the spirit of man strives, and it causes mankind to want to build impressive edifices to express their regard for the ideals related to the place.

If people's view of what is noble extends beyond the proper bounds and they start praising that which is disgraceful and call "god" to that which is not, then there is a problem. They will at the same time not give proper regard to lofty ideals and think that they have already reached as much fulfillment in these areas as they have interest. Such silliness will not allow them to maintain any semblance of spiritual success.

That is why an *afadna* is a place at which all should want to be at the entranceway. "Fortunate is one who listens to Me and frequents my doorways day by day, guarding the posts of the gateway; for those who find Me have found life, and will emit good will from Hashem" (Mishlei 8:34-35).



### 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

## Removing a Less than Honest Rabbi – part III

(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 he deemed 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:** [After background discussion, we get to the practical decision.]

The general approach of the *poskim* is that an individual sin that was committed privately and does not directly affect the ability of the rabbi to function is not grounds for dismissal. The Divrei Malkiel (III,172), talking about a *shamash* who broke a rule in officiating a wedding, stressed the matter of a failing being a one-time event, as opposed to a trend. The Mishneh Halachot (IX,317) validates the possibility of a candidate for *rabbanut* repenting for a sin. There are thus times that a rabbi can even be sanctioned but not removed permanently from a position for which he has been proven to perform capably overall.

On one hand, we do not believe that def should be removed from his position. On the other hand, *beit din* concludes that def was never given the post of THE rav of the *shul*, but of A rav who functioned within the *shul*. Therefore, now that the *beit kneset* has grown to include populations that are not native Hebrew speakers, a rabbi to deal with that population can be hired (based on Rama, Yoreh Deah 245:22). While some disagree (see Meishiv Davar II:9), this seems so only when the new appointment reduces the first rabbi's livelihood (see Shut Chatam Sofer, YD 230).

Def can continue to sell *chametz*, as he had done, but he must not handle the moneys involved. In general, he should not be involved in any collection or dispersion of money, as this is not an essential part of his job. The officers of the *beit kneset* should review the rules of proper handling of funds by an NPO and restore the members' confidence in their scrupulousness in this area. Both sides must immediately cease speaking negatively one about the other, which undermines the mainly successful efforts to enhance the religious communal life of the *beit kneset*.

.....  
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