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# HEMDAT YAMIM

## Parashat HaShavua

Pesach, 15 Nisan 5779

### The Content of Slavery and the Content of Kingdom – part II

Harav Shaul Yisraeli – Shirat Hageula, pp. 22-25

Last time, we saw that *malchut* (kingship) is not about rulership but about a personal characteristic, and the same is true in the negative about *avdut* (servitude). We were left wondering how as great a man as Avraham's servant Eliezer could have had a characteristic of *avdut*.

Let us see how Eliezer lost his status of being cursed. After he found Yitzchak's match, Rivka, her family said to him, "Come, the blessed of Hashem" (Bereishit 24:31). The *midrash* (Bereishit Rabba 60) explains that once he served Avraham faithfully, he went from cursed to blessed. In other words, as long as he was looking out for his own welfare, in regard to his daughter marrying Yitzchak, even if it was subconsciously, he remained cursed, because he was bolstering his ego. Once he faithfully went about doing what Avraham had requested, he straightened out and became blessed. He needed to be able to conquer his inclinations and self-interests before he could fully be on the side of Avraham, as Avraham was on the other side from the rest of the world.

This was the way of Avraham. The Torah and the Rabbis detail how hard he toiled when he was in pain to prepare a meal fit for kings for three unknown guests, whom he even suspected were idol worshippers. But we have no idea what Avraham would eat himself; it sounds like it was nothing special. To act like a real king is to be concerned more about others; for himself, he is not in need (Sanhedrin 7b). The real master is one who can give his only pillow to someone else. That is the reason that Avraham's Chitite neighbors treated him like a king (Bereishit Rabba 58).

The soul of a Jew is connected to the idea of *malchut*, of not being in need. The first things the Torah refers to as rulers are the sun and the moon, which give light to others. They give without withholding for themselves. If one is thinking about himself, he will always be hungry, as Eisav demanded to be fed (Bereishit 25:30). Yaakov and his descendants think about removing the hunger of others. We reach the height of this in the midst of our festive Pesach Seder when we declare that we look for those who are hungry. This is real *malchut*.

This is why there is and can be *malchut* in every Jew. We can, in this way, be a king even if we have only a walking stick and a pouch. Whether or not we have much means we can help others in need. That ability is why it is worthwhile to be free. We need laws and statutes of different types to purify our beings and thereby reveal the content that is in our souls. This is the type of greatness and *malchut* that we strive for.

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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

## The Way to Make *Charoset*

**Question:** Are there *halachot* of how to make *charoset*, or is the (approximate) final product the important thing?

**Answer:** There are prominent sources mentioning certain ingredients and procedures for making *charoset*, but before analyzing their role, let us start with background.

There are two opinions in the  *Mishna* (Pesachim 114a) if *charoset* is a *mitzva*. If it is not, we have it due to fear of *kappa*. Rashi says that *kappa* is a venom-like substance in sharp vegetables, which is neutralized by the special taste or, perhaps, smell of *charoset* (see Pesachim 115b). Rabbeinu Chananel says that it is a potentially dangerous worm that grows on the *maror/chazeret*; *charoset* kills it.

If *charoset* is a *mitzva*, it is a remembrance, either of the *tapuach* tree (unclear if it is an apple or what type of apple) or of mortar, each having historical significance regarding Bnei Yisrael's stay in Egypt (ibid. 116a). Both may be true, as Abaye says that *charoset* should have both *kiyucha* (sharpness? acidity?) because of the *tapuach* and thickness because of the mortar. The Yerushalmi (Pesachim 10:3) says that some require it to be thick to remember mortar and some require it to be loose to remember blood. The Tur (Orach Chayim 473) cites Rabbeinu Yechiel as saying that we actually fulfill both, by starting it thick and then adding vinegar to make it looser.

Adding vinegar addresses another two issues. The *gemara* (ibid. 115a) says that dipping the *maror* into *charoset* is an example of dipping into a liquid, which makes *netilat yadayim* necessary. It also provides sharpness to address the *kappa*. The Rama (OC 473:5) adds red wine as a possibility to provide the above (it also has the color of blood).

Regarding base ingredients, Tosafot (Pesachim 116a, accepted by the Rama ibid.) instructs to include the fruit used in Shir Hashirim to refer to Bnei Yisrael – *tapuach*, figs, nuts, pomegranates, and almonds. The Rambam (Chametz U'matza 7:11) mentions dates, figs, and raisins. In addition to the spiritual elements that Tosafot mentions, these fruits seem to combine nicely to give a reasonable color and texture for our purposes.

The *gemara* (ibid.) says to put in *tavlin* (spices) to make the *charoset* like mortar; the Rama (ibid.) mentions cinnamon and ginger as examples. Many people today use at least one, but likely not in the way intended. Classical *poskim* (see Beit Yosef, OC 473 and Mishna Berura 473:50) discuss putting in long strands of *tavlin*, to resemble the straw used in making bricks (see Shemot 5:16), not cinnamon in powder form.

Are the instructions *halacha*? There are opinions among *Acharonim* on whether they are or just good ideas (see discussion in Mikraei Kodesh (Harari), Pesach p. 451-2). In any case, it is quite clear that there is not a need to use all of the mentioned ingredients, and it does not seem problematic to include something that is not on any list as one of several ingredients. Thus, there seems to be little difficulty to choose from among the things mentioned to use as the basis. What does seem relatively important is to add red wine (if one chooses vinegar, some say it must be grape vinegar). There are then different *minhagim* as to whether to put it in the liquid at the end of making the *charoset* or at the Seder, soon before using it. This brings us to our final point.

When the *seder* falls out on Shabbat, adding the wine could be a problem of *lash* (kneading). Therefore, the Mishna Berura (321:68) says to put in the wine before Shabbat. If he forgot to do so, one has to add the wine in a manner that is permitted. One possibility is to change the order of mixing, by putting the wine on the bottom, adding the *charoset* on top, and mixing them together either by finger or by shaking the utensil that holds them. The Mishna Berura points out this might be permitted only if the mixture is watery. This raises issues considering we want the *charoset* to be thick like mortar (see Sha'ar Hatziyun 321:86). This is another reason to avoid the issue and prepare the *charoset* before Shabbat.

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# Ein Ayah

(from the writings of Harav Avraham Yitzchak Hakohen Kook, z.t.l.)

## Hallel and Nirtza

(condensed from Olat Re'iya, Rav Kook's Commentary on the Haggada)

**Hallel:** When the state of life follows a straight path and all stay on the beaten path, then matters are set so that especially enlightening times will enable great spiritual elevation. This is a time at which one can go beyond the framework of normal life, to praise the Name of Hashem with a special power of an abnormally uplifted spirit.

However, exceptional uplifting of the soul should not accompany man on a regular basis. This is because the proper balance between the physical and the spiritual is the most precious blessing of peace that man has. For this reason, one who reads the psalms of Hallel every day is considered a blasphemer (Shabbat 118b).

It is unpleasant to note that recognizing Hashem naturally takes a person out of his spiritual comfort zone, which is not good even if it is with the intention to raise himself above the standard of spirituality in his life. Staying indefinitely in a situation of abnormality, even if it is in a good situation, will turn into a nuisance and even a type of sickly situation, which creates an opposite effect to that which is created when there is proper elevation of the soul.

In contrast, when elevation comes from time to time, after one properly lived his normal life in sanctity, as even normal life is by nature pure, then it is inestimably beautiful when one sings special songs of praise. It enlightens one's life beyond the moment of the praise and serves as a pillar of light that gives off a special aura even after the moment is over. This impression lasts until the time comes for a new impression that elevates the spirit, one which complements the indulging and restfulness of the special time. Then one will enjoy his contact with Hashem, through thanks and songs of praise.

**Nirtza** (having the Seder accepted in good will): The accumulation of matters that make an impression – the general and the specific, the natural and the intellectual, the critical and those that relate to broader matters – has a pleasant and holy effect on the nation and all its constituents. It sets a desirable nature, in which one does not require further steps to strengthen himself. Rather, it already becomes part of one's gentle nature so that all of his senses and strength go in the direction of the loftiest goal. Then, the recognition of the actions of the Creator of all, Who stands behind Israel, brings one to the point that he does not only choose to follow the way of Hashem. Rather, he is actually *nirtza* – he acts in the desired manner without having to put inordinate effort into it.

One should understand the depth of the character of the soul of a Jew, and understand how the Torah leads those who follow it in the most complete manner, so that his soul is the result of the universal and individual natural spirit. The nature of the soul is to desire to be free to be tied and connected to the tendencies of universal inclinations. It strives to be exposed to the divine light and Hashem's goodness to His nation and all that He created in His mercy for goodness and blessing. This is the goal of freedom, which is an eternal pillar, based on Hashem's promise that lasts forever. The fruit of Hashem's connection to His nation is that He desires it and adorns its righteous people with His salvation.



### 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

## What Type of Option?

(based on ruling 77046 of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** The sellers (*sel*) decided to provisionally move from the *yishuv* in which they owned a house to a neighboring one and rented out their house to the renters (*ren*) for at least a year for 2800 shekels a month. Due to a sensitive family background, it was important for *ren* to have a mix of flexibility and stability, and so they paid higher rent than usual to include a clause in the contract that gives them “the privilege to be first” regarding a rental extension of 2 years, should they inform *sel* by a certain time. During the year, *sel* decided to stay in their new *yishuv* and buy there, and therefore decided to sell the house to a buyer (*buy*). *Buy*'s present rental contract is finishing soon, and they need the house to live in at the end of *ren*'s year of rental. *Ren* do not want to leave the house for another two years, which they may do according to their interpretation of the rental contract. *Sel* are willing to return 300 shekels a month, which, they admit, the rental was overpriced (*ren* claims that they “overpaid” by 500 shekels a month), but *sel* say that *buy* have the right to move in after the year. *Sel* contradicted themselves regarding if *ren*'s privilege was only if both sides agreed or if they had an outright option but only if *sel* rent out, not if *sel* want to return to live there or sell it to someone who wants to live there.

**Ruling:** It is implausible that *sel* needs to agree to a rental extension because it turns the privilege into meaningless and it would make no sense for *ren* to pay extra for the house. However, the simple reading of the contract clause, which speaks about being “first” and not giving *ren* an option implies that they are only first among renters. That is a significant privilege that can be worth paying for.

It is pretty clear based on context that *ren*'s intent was for maximum security, and when there is a contradiction between the language of a contract and its intent, we follow intent (Shulchan Aruch, Choshen Mishpat 61:16). However, we follow intent only when the intent is clear (see Rama, Yoreh Deah 218:1). In this case, while *ren* expressed (as we see from Whatsapps) their desire for a full option, we see *sel* wanting to have leeway as well (he was, like *ren*, trying out a new community). In a case of doubt about how to interpret a contract, we put the burden of proof on the one who wants to use it to change the status quo (Shulchan Aruch, Choshen Mishpat 42:5), which puts the burden of proof here on *ren*.

If *sel* wanted to, they could have claimed that they did not have to return the extra 300 shekels of rent for stability because they can claim that they did give security, just not in a way that that helped *ren* in this case. It is even clearer that *sel* does not have to pay the extra 200 shekels that *ren* claimed they paid above the original agreement, as they do not have proof that 2500 shekels would be overpaying.

.....  
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