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HEMDAT YAMIM

Parashat HaShavua

Yitro, 24 Shevat 5781

What Does the “Thickness of the Cloud” Mean?

Harav Yosef Carmel

According to the *midrash*, special clouds accompanied our ancestors already from the time of Avraham and Sarah. In the Exodus from Egypt, the accompaniment of the cloud takes on national significance, and in our *parasha*, the matter is specifically stressed.

The one-time event of the giving of the Torah was designed to take place in the “*av he’anan*” (thickness of the cloud). Hashem will “appear” to Bnei Yisrael in the thickness of the cloud so that they will hear when Hashem speaks to Moshe (Shemot 19:9). Rashi (ad loc.) identifies this *av he’anan* as *arafel* (fog), as the Torah refers to it as the place where Moshe went to join Hashem (ibid. 20:18).

There are parallel *p’sukim* using similar descriptions to those of the events at Sinai to describe David’s view of the Hand of Hashem in his famous song (Tehillim 18:10-14). It describes Hashem descending from/with the Heavens along with an *arafel*. There is darkness around Him, along with clouds, and yet there are bursts of fire and thunderous sounds. This is how Hashem “appears” when fighting the battles of one who is close to Him. In this context, what is the meaning of fog and clouds?

Targum Yonatan refers to *arafel* as a cloud that darkens, along the lines that he explains the “*alata*” of the setting sun that brought great darkness that set the stage for the *Brit Bein Habetarim*. Ralbag explained this as a show of the Divine Presence which, so to speak, joined David in the physical world. Because this physical world is one of darkness, that is the way Hashem’s appearance within it is described. The Radak says that the darkness does not refer to the appearance of Hashem but to the state of the enemies of David, from whom Hashem came to protect him. So, in summary, the fog either is there to “hide” the Divine Presence, express the nature of the physical world, or cause darkness to the enemies.

We can extrapolate from there to the role of the clouds/fog at the giving of the Torah. According to Targum Yonatan, the clouds hid the Divine Presence. According to the Ralbag, Bnei Yisrael who received the Torah, did so as human beings in the human, physical world. The big miracle is that within such a world, it is possible for a nation of humans to serve as a “kingdom of priests and a holy nation” (Shemot 19:6). According to the Radak, even if the enemies of David experienced darkness, representing difficult times, the revelation at Sinai was able to provide light even though there was darkness around.

After Tu B’Shevat, when we celebrated the produce of the Land, which is the clearest sign of the emerging of the Era of Mashiach (see Sanhedrin 98a), we start thinking about Purim, which is like a mini-giving of the Torah. “For the Jews there was light” (Esther 8:16) – this is Torah, which was revealed through the hidden Hand of Hashem. As Yeshayahu said (60:2): “For the darkness will cover the land, and the fog will cover nations, but on you will Hashem shine His light, and His glory will be seen upon you.”

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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

Challot on the Table for Kiddush

Question: We like to keep our *challot* in a warm place until bringing them to the table after *netilat yadayim* so they taste their best. Must they be on the table during *Kiddush*?

Answer: The question to start with is: why do we (Shulchan Aruch, Orach Chayim 271:9) cover the *challot*?

The *gemara* (Pesachim 100a-b) mentions “spreading out a cloth and making *Kiddush*” regarding *Kiddush* when a meal is in progress. The Yerushalmi (as cited by the Rosh, Pesachim 10:3) discusses covering *challa* to avoid “embarrassment” that we use “lower-level” wine over bread for *Kiddush*. The *gemara* (ibid.) actually says that we do not usually “bring out the table” until after *Kiddush*. Tosafot (ad loc.) raises a contradiction with a *gemara* (Shabbat 119b) that the angels who escort a *ba'al habayit* from *shul* only bless him if they find the table set. Tosafot answers that in Talmudic times, mini-tables were brought for each person after *Kiddush* but were set elsewhere previously. It is harder to bring in today’s bigger tables, so they are set at the place of *Kiddush*, and therefore (at least the *challot*) need to be covered. The She’iltot explained that it is clearer that the food is to honor Shabbat if it is brought after *Kiddush*. Being covered is enough for this effect. The Tur (OC 271) cites another reason – the covering reminds us of the *man* from the desert, as it was covered with layers of dew. The Mishna Berura (271:41) summarizes three distinct reasons to cover *challa* – 1. Honoring Shabbat by properly timing its arrival; 2. Not embarrassing bread; 3. Reenacting the *man*. Many discuss possible *nafka minot* between them, including whether a covering is needed if one makes *Kiddush* over *challa* rather than wine.

According to the simple reading of the *gemara*/Tosafot, accepted in practice by the Gra (Ma’aseh Rav 118), and the matter of embarrassment, it seems better if the *challot* (and perhaps other food – Nefesh Harav p. 158) are not present. Covering is permitted, not required. Nevertheless, the Shemirat Shabbat K’hilchata (47:24) says that the *minhag* is to specifically put the covered *challot* on the table before *Kiddush*. There are at least three ways to explain this.

1) The Shulchan Aruch (OC 262:1) learns from the story of the angels that one should prepare his table and beds before Shabbat. While this refers to a table cloth, others (including Tosafot ibid.) apply it also to *challot*. According to some, this should be done even before Shabbat enters.

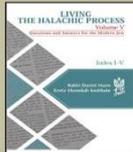
2) The Aruch Hashulchan (OC 271:22) says that since *Kiddush* must be at the place of a meal, it is respectful to have the *challot* present at *Kiddush*. This seems to contradict the *gemara* that prefers the food being brought later. However, it is possible that since our system of a covered *challa* replaced that of prepared mini-tables, this is the desired manner of preparedness and timing.

3) Regarding the idea of the *man* (which the Shulchan Aruch, OC 271:9, adopts, as he writes about a covering below and above), it is unclear whether it needs to be covered at the time of *Hamotzi* (see Mishna Berura 271:41). Some assume the reminder can be done in a short time (Pri Megadim, 271, MZ 12), and perhaps not specifically at *Kiddush*. Az Nidberu (II:2) argues that it has to be at a significant time. According to those who keep the *challot* uncovered at the time of *Hamotzi*, it might, then, need to be *man*-like during *Kiddush*.

There are a variety of opinions on which reason is the main reason for covering. There is logic to say we should strive to accomplish all elements (Minchat David I:2). In any case, the *minhag*, recognized by Shemirat Shabbat K’hilchata, could very well have value. One can question whether the fact that the great majority of Shabbat tables have *challot* on the table is the sign of a full *minhag*, since for most people, there is no reason not to, whereas you have a *k’vod Shabbat* reason. However, proper planning (including avoiding *hatmana*) can allow you to have warm *challot* even if you bring them to the table a little “early.”

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





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Igrot HaRe'aya – Letters of Rav Kook

A Small but Crucial Amount of *Mussar* Study – Vol. I, #9

Date and Place: Thursday, 2 Sivan 5659 (1899), Boisk

Recipient: Rav Kook's younger brother, Shmuel Kook.

Greeting: Shalom and blessing and a joyous *chag* (the upcoming Shavuot) and success in the Torah of Hashem, may He be blessed, and everything is included, to my dear brother, the young man who is outstanding, sharp, and of a dear spirit, Master Shmuel Hakohen Kook. May there be peace to you and to those who assist you.

Body: Your letter arrived, which brought joy to my heart, as I have awaited it for a while, and I was surprised that you had not written in a while. Now too you wrote too short, and you did not tell me what *massechet* you are studying, and whether you are able to spend great amounts of time by the doorways of our holy Torah, as our hopes are for you with Hashem's help.

On the matter of our brother, the honorable rabbi, Rav Dov Bear, may he live, it is not my opinion that we need to pay attention to those who criticize, especially about the matter of placing his hat on the *aron kodesh* from the outside. After all, according to the letter of the law, our brother, may he live, is correct, as I have clarified the matter for myself with Hashem's help, based on clear proofs from the *gemara*, *poskim*, and clear logic. However, it is worthwhile to distance oneself from these type of things in places where there are many ignorant people. Also, it might be worthwhile to distance oneself from something that is similar to something that is similar to something that is unseemly in the eyes of the masses. I place my hope in Hashem, may He be blessed, that our brother, may he live, will constantly occupy himself with Torah and service of Hashem, and he will realize the fulfillment of the *pasuk* (Mishlei 4:8): "Be lovingly involved in it (Torah), and it will elevate you."

I am adding in encouragement to one who is already diligent, as you are, that you should be constantly involved in Torah study and review intensively that which you studied, for this is the main fruit of your studies. [In a letter to another brother, which we skipped over (#6), he urged him to stop reviewing only three times, but to review each *perek* of *gemara* at least ten times before going on to the next *perek*.] Be careful to study *mussar* (ethics) and fear of Hashem, according to the amount of time you have for it, for that is the main point of everything. Although it is true that it is only possible to dedicate a small amount of one's study time to such matters, it contains the fruit of the blessing of all of the other actions and studies that one is involved in. This is similar to the brain, which takes up a relatively small part of the body, but yet it determines the type of person one is.

Sign Off: I am your brother, who is interested in your welfare and looks forward to seeing your success with the blessed Hashem's help, Avraham Yitzchak Hakohen Kook



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

Who Caused the Renovations to Stop? – part III

(based on ruling 79110 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def) hired the plaintiff (=pl) to do renovations, based on general guidelines, in a house she wants to sell or rent out. They signed a contract for 115,000 NIS not including VAT. In a later addendum, there are itemized additions with line values adding up to another 39,600 NIS. After starting, def stopped the work for a couple of weeks so that an interior designer could draw up exact plans. Disagreements, mainly about finances, arose after a few weeks, and the work ended, close to complete, with 135,000 NIS paid. Pl is unwilling to finish the work because def has indicated she will not pay any more. Def is unwilling to pay because she denies the validity of the additional fees for various reasons. Pl is suing for the remainder promised to him, with some adjustments if he does not finish, plus 2,000 NIS a day for the work stoppage in the middle, with the claim that his workers could not be reassigned to other projects. Def demands a return of money because of a list of uncompleted elements, faulty construction, and damage from the delay in completion, and because def had agreed to forgo VAT.

Ruling: We have seen that the agreements were binding and that it was def's doing that pl did not finish the work.

Regarding the question of reducing VAT, there are indeed strong indications from the sides' joint calculations that at least for the main payment, a 50% reduction in VAT was planned, although in a recording we hear pl say that he is in favor of the government getting its share. However, this concession is irrelevant. When contractors talk about a reduction in VAT, they do not mean that they will pay in place of the customer, but that they will do part of the payment "off the books" so that no one will pay. We refuse to take part in such illegal actions. Therefore, def will pay VAT, and pl will provide receipts for the full amount received.

Theoretically, pl has the right to finish the job and receive full payment (in this case, minus minor reductions due to accepting some of def's claims). In a case that he cannot complete the job, when that is not his fault, the accepted opinion is that he receives a reduction in full pay only by the amount of the value of not having to complete the job (see Shulchan Aruch, Choshen Mishpat 333:2,4). In our final hearing, pl agreed to take a reduction of 4,000 NIS for everything not done. That is a sufficient reduction.

Regarding pl's claim of 2,000 NIS a day for delay in the work, beit din rejects that claim. The contract gives a projected amount of work time for pl to finish the time. Def did not obligate herself to not take any breaks, especially a reasonable one like to bring in a designer due to the sides' difficulty in planning jointly. In a discussion that was recorded, there was no hint of monetary demand for the stoppage (just general frustration). There are also no indications that pl had to pay workers or subcontractors for the delay (lack of predictability is a hallmark of construction work).

In total, def must pay pl 37,364 NIS including VAT due to incomplete payment.

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Yisrael ben Rivka
Rivka Reena bat Gruna Natna
Meira bat Esther

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