



HEMDAT YAMIM

Parashat Hashavua

R'ei, 29 Av 5781

Harav Shaul Israeli zt"l
Founder and President

The Parasha's Insights on Dealing with Societal Crisis
Harav Yosef Carmel

[This was written a year ago, but the topic is still relevant, albeit not as acutely. The language has been changed slightly to more closely reflect the current situation.]

The Coronavirus pandemic is certainly a health issue; it is important to avoid contracting or transmitting it, which are Torah obligations. But the period has been challenging for us in two other ways.

Financial crisis – Many families lost their livelihoods. Our non-profit enterprises, whether *tzedaka* or Torah organizations, have had a harder time raising money from their communities and from the government.

Social crisis – Many people suffered emotionally because of pressure, whether financially related or due to social distancing and difficulty in international travel. The long period of curtailed physical contact with family left scars on those in need of it.

Parashat R'ei addresses these two areas of human concern, as we will now explain. The Torah (Devarim 14:22-23) describes the *mitzva* of *ma'aser sheni*. 9% of the overall agricultural produce is set aside to eat when the family goes to Yerushalayim for the *regalim*. The Ramban explains that the purpose is, as stated, "So that he should learn to fear Hashem," because the national teachers are prevalent there to teach him. The Hadar Z'keinim continues that the hope was that people might even stay after the *chagim* to learn more. So going to Yerushalayim is not just about bringing *korbanot* but also about taking a break in the daily activities to grow from spiritual and emotional perspectives in a holy place with holy people. This is a wise use of the significant tithe of the produce. Today as well, one of the important jobs of "Torah professionals" is to be concerned with the emotional health of their students/congregants.

The section on tithes uses the language of "*aser te'aser*" (you must certainly tithe), but *Chazal* point out that it can be read homiletically as give tithes to enrich yourself or so that you should not be missing anything (Tanchuma, R'ei 18). Indeed one who gives gains more than what he gives, as he is promised divine blessing. Especially in difficult financial times, we must encourage acting on the value of being there to help those who are in (greater) need. When giving *tzedaka*, one is even allowed to test Hashem to see if he will get the blessing, even though such an exercise is usually forbidden (Ta'anit 9a).

The Rabbis expanded the idea of tithing from agricultural produce in *Eretz Yisrael* to profits from the world of commerce wherever one is. It is a great honor to support those in need, especially when they are those who are toiling in Torah study, as these are people who are or will be strengthening the spiritual and emotional health of the nation and serving as role models for serving Hashem.

Let us pray that we will be among those who have the privilege to give and help provide for not only the physical but also the spiritual/emotional needs of our brethren, both on an individual and on a national level, and all of this in the "ways of pleasantness."

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Those who fell in wars for our homeland. May Hashem avenge their blood!



Eretz Hemdah
Duns: Harav Yosef Carmel, Harav Moshe Ehrenreich
2 Bruria St. corner of Rav Chiya St.
POB 8178 Jerusalem 91080
Tel: 972-2-5371485 Fax: 972-2-5379626
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Ask the Rabbi

by Rav Daniel Mann

Playing Darts on Shabbat

Question: Can we play darts on Shabbat? (Additional information requested – the darts are classic ones that pierce the board's surface; the board hangs loosely from a nail in the wall; in between uses, the darts often stay on the board.)

Answer: There are several possible problems to resolve before we can permit this.

Tofer (sewing) – It is forbidden to attach two objects or two parts of an object to each other by stitching or the equivalent (see Mishna Berura 340:27). One can claim that connecting darts to the board is considered *tofer*. A full violation requires at least two stitches (Shabbat 73a) and here every dart is connected in only one place, but it could still be a Rabbinic prohibition. On the other hand, certain types of connections are permitted because they are for temporary opening/closing, e.g., buttons, zippers (Orchot Shabbat 11:7-8). One can argue that likewise the nature of the darts game is to connect them just long enough to see how many you placed where. Regarding the very similar case of using one thumbtack to attach a note to a bulletin board, Piskei Teshuvot (313:(157)) distinguishes between setups based on how long they are likely to stay pinned. In this case, the game would not be a problem, but leaving the darts on the board or removing them when starting to play could be. However, it is not clear that this is so for a flimsy, single connection. Also, the fact that the dart is not connecting two things but connecting itself flimsily may preclude it from being *tofer* (Orchot Shabbat 11:(14)).

Boneh (Building) – 1) The dart being attached to the board changes the board. However, having darts in the board in no way improves the board; it is just a fleeting situation of the game or a meaningless one during storage. Furthermore, since the dart board is only hanging from a nail and not itself attached to the wall, we are dealing with the more lenient matter of building utensils. Therefore, if one connects them lightly (e.g., a dart in its board), and especially if it is by nature a weak connection, this is not a violation of building a utensil (Shulchan Aruch, Orach Chayim 313:6).

2) It is forbidden to attach a nail to a structure (Shabbat 103a). This applies not just to a building/something attached to the ground, but even to a movable object (Mishna Berura 314:8). However, the K'tzot Hashulchan (119:(4)) says that if one attaches something not to use there but just for it to remain until it is removed later, it is permitted. One can prove that connecting one object to another just to hold the former for later use elsewhere is not intrinsically forbidden, from the *gemara* (Shabbat 50b) that one may return firmly to a wall a knife that had been held there previously.

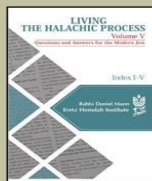
Making or expanding a hole – It is forbidden to make or widen a hole in an object such as a barrel (Shulchan Aruch, OC 314:1). In playing darts, every successful throw makes a small hole in the board. However, the prohibition is when the hole is the type that is or could be useful (see Mishna Berura ad loc. 8). In this case, though, the holes are incidental and unhelpful.

Destroying – Holes created hasten making the board usable. Destroying utensils except flimsy ones to remove their contents on Shabbat is forbidden Rabbinically (Shulchan Aruch ibid. and Mishna Berura ad loc. 7). Yet, piercing a cork with a cork screw is permitted (Mishna Berura 314:17; Shemirat Shabbat K'hilchata 9:20). The cork's hole is neither a problem of being constructive or destructive and, practically, each hole the dart makes in the board is even less significant. Forbidding it because continuous dart throwing will eventually wear out the board is like forbidding walking in shoes because they will eventually get worn out. We also find that it is permitted to make a hole in a piece of paper (Mishna Berura 323:20), with the possible exception of when the hole is made in a place that communicates information (see Magen Avraham 323:5).

In all, you can play darts; you might want, as a *chumra*, to avoid storing the darts on the board.

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

The Reason to Write Philosophical Pamphlets – Letter #43

Date and Place: 12 Kislev 5666 (1906), Yafo

Recipient: Rabbi Yeshaya Orenstein, Rosh Yeshiva and one of the heads of the Chabad community of Yerushalayim

Body: [This a response to an apparently critical letter to Rav Kook by Rav Orenstein.]

I was not sure whether to respond because I was concerned it might upset you, and why should I upset such a venerable rabbi? I decided to write in brief, and maybe Hashem will enable my words to enter your ears and you will not have as much pain from the existence of the pamphlets. Saving you from pain and concern would be rewarding to me.

Realize that my main intention with these pamphlets and all that I write is to awaken the hearts of Torah scholars, old and young, to delve into the inner teachings of the Torah. This can be with the study of *mussar* (ethics) in all the works of the holiest men, with *mechkar* (research or critical works) in which the giants of *mechkar* are presented, or with Kabala, in all the ways we have received as a legacy. It can be based on the approach of *Rishonim* or *Acharonim*, based on *Chasidut*, the Vilna Gaon, or Rav Moshe Chaim Luzzato.

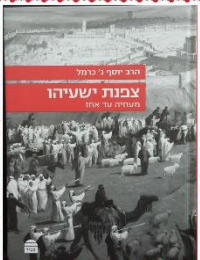
It requires great diligence to study all the works along with the Zohar and the *Midrashim* of *Chazal* in breadth and in depth, to the same extent as it takes to learn Talmud and halachic works seriously. Not everyone is naturally ready for such study, and one who is not but has a sharp heart should spend his time on the intricacies of the Talmud with the standard commentaries and the halachic works. But one who is fit to learn the philosophical and kabbalistic works in depth should do so in shorter study sessions than he sets aside for innovative study of Talmudic works. In any case he should not neglect study of halachic analysis, which makes Hashem happy, while the main study should be to learn of his Maker.

Unfortunately, in our times, many youngsters are tempted by the smooth, non-traditional language of those in our nation who are disloyal to the Torah. It is therefore necessary to show the whole world that Torah scholars who deal in sanctity with the teachings of truth also know how to use linguistic effects. This was the intention of the holy Rav Luzzato when he wrote books with metaphors and catch phrases. I try to follow his lead, albeit with much less ability and success.

To have complete mastery in Torah, one also needs some types of secular knowledge, especially when having to answer the challenges of heretics, which is critical these days, as many of our great rabbis have taught. One should be careful to do this after studying Torah diligently and developing pure attributes and actions, especially avoiding anger, arrogance, and sadness (the root causes of bad characteristics) as well as learning the inner teachings of the Torah daily. After all these preparations, experience shows that he will not be harmed by secular knowledge, when it is acquired in measured amounts and for the sake of Heaven. To the contrary, it adds vigor to one's service of Hashem, bringing him joy and a broader perspective.

If some people misunderstand and misapply my writings, it is still not sufficient for me to withhold them from those for whom they are fit, as the Rambam writes about "the ways of Hashem are straight." When one studies the inner meanings of the Torah for the right reasons, it adds light, lofty love, and spiritual joy similar to the World to Come, and makes it unnecessary to frequently employ a negative type of fear of Hashem, as it provides one with light.

This is approximately what I meant in the quote you referred to. It is wonderful to be able to view the other favorably, which elevates the honor of Hashem, the Holy Land, and its Torah scholars. I, thank G-d, do not enjoy being praised and do not get angry when I am insulted, which is a result of my study of the inner teachings of the Torah. Therefore, I feel no need to be apologetic to you and am just writing to soothe your agitation, as my goal in life is to make people happy. May Hashem bless you with a productive advanced age. May we see in the joy of Zion, ...



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

When Does the Designer Finish her Job?

(based on ruling 80071 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def) hired the plaintiff (=pl) to do the interior design of his new house. The contract provides a base price of 19,890 NIS including VAT with a payment schedule based on progress, including 20% after choosing materials and 15% at the end of the job. It also calls for a 1,000 NIS extra charge for each “day of choosing materials,” of which both agree there was one normal day. Def asked for an additional, especially long day of choosing materials (8 hours in the north of the country), for which pl demanded 2,500 NIS and def paid 2,300 NIS. All agree that pl did a lot of work, including some level of plans for all relevant parts of the house, inspection services, and involvement in choosing materials. After some disagreement over how much was already due to pl and after 15,800 NIS had been paid, the two parted ways, and def did the last part of choosing materials himself. Pl claims she completed her responsibilities and demands remaining pay of 7,390 NIS (she agreed during the hearings to a reduction of 500 NIS in recognition of two matters she did not do). Def claims that pl did only around 45% of her job, as several of the plans she drew up were incomplete, especially in regard to carpentry, and because she did not help in choosing materials for several parts of the house (as extra pay is only when she comes along to choose, whereas oral advice was required for free). Def demands a return of 3,580 NIS including for overpaying by 300 NIS for the long material-choosing day.

Ruling: The contract is not clear as to pl's required level of involvement in picking materials, or whether she could refuse to help in it other than taking part in the special choosing-material days for an extra charge. It is also not clear if plans that a carpenter could use for his work but did not provide “facades” or specify “finishing materials” are sufficient.

Therefore, we will employ the rule that the one who wants to use the contract to extract money has to provide proof that the contract supports his claims. In this case, that means that pl has to prove that she fulfilled her obligations sufficiently, which she did not do. On the other hand, def's claims that pl fulfilled only 3-4% of her responsibilities in picking materials is clearly false. Pl did come to a regular and an extended day of choosing, and there are WhatsApp messages of her answering extensive questions on the matter.

In order to quantify the matter, it would be necessary to employ an expert, but for the size of the suit it does not make sense to spend the required money on a *beit-din*-appointed expert. The two sides agreed that *beit din* could share the details of the case (without names of litigants) with an interior decorator to receive an informal, pro bono appraisal. With that help, *beit din* decided that 15% should be taken off pl's claimed wages.

Regarding the proper compensation for the extra-long day of choosing materials, the claims of both sides contain significant logic. Therefore, we will not alter the amount of 2,300 NIS, which def already gave to pl (albeit under protest).

We daven for a complete and speedy *refuah* for:

Nir Rephael ben Rachel Bracha
Yisrael ben Rivka
Rivka Reena bat Gruna Natna
Arye Yitzchak ben Geula Miriam
Neta bat Malka
Meira bat Esther

Together with all *cholei* Yisrael

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