



Harav Shaul Israeli zt"l
Founder and President

A Prophet for the Nations

Harav Shaul Yisraeli – from Siach Shaul p. 425-6

Throughout the chain of events described in the Torah, a spiritual image of Moshe Rabbeinu, the greatest prophet of all time, shines through. In an apparently intentional contrast, we see in this week's *parasha* the image of his bitter counterpart and enemy, the evil Bilam, the sorcerer from Aram.

As far as spiritual power, Bilam was a giant. *Chazal* derive that in prophecy he was on par with Moshe (Bamidbar Rabba 14:20). Yet, there was a huge chasm between them.

Moshe was pure, honest, and, most of all, humble. Bilam was corrupt and hungry for money and honor. His desires were unsatisfiable. These two opposites, filling parallel roles, met up in this *parasha*. Except that they did not literally meet. Moshe remained in the shadows and, we almost do not feel him in the *parasha*. Bilam did not enter a confrontation with Moshe but with the ideals for which Moshe stood in leading the Israelite nation.

From hilltop to hilltop, Bilam went to try see this strange nation, and he saw tent after tent arranged in a proper, orderly manner. He saw the *Mishkan*, "home" to the Divine Presence, in their midst. How beautiful was this encampment, how in synch with the desire of Hashem, and what healthy family lives existed within!

Finally, it was Bilam's opportunity to curse, something for which he had waited for so long. It had been very painful for him to hear of the nation's success in leaving Egypt and since then. How happy he was to receive the request from the Moavites, and he hoped that Hashem would enable him to go. It had been stupid to think that he could outsmart Hashem and spill out some of his venom against Bnei Yisrael.

And then, everything fell apart on Bilam, exposing him to his actual lack of power. He could do nothing in the face of the encampment of the nation of Hashem. For someone who was dedicated to aggrandizing himself and using his spiritual gifts to immorally increase his wealth and fame, he finally felt that his road got him nowhere. Alone and weak, he was forced to bless the nation he so looked forward to cursing.

In an act that hints at thoughts of repentance, Bilam declared: "May my spirit die the death of upright people, and may my end be like theirs" (Bamidbar 23:10). However, he did not get to die the proper death that he suddenly embraced. He was slain by Bnei Yisrael along with the princes of Midian (*ibid.* 31:8).

Distant worlds met in conflict, and the idolatrous elements of mankind were defeated. This was the end of prophecy for the nations of the world. In Israel, prophecy was just beginning, with the foundational principle being that which Micha said in this week's *haftara*: "A man told you that which is good and that which Hashem demands of you, which is doing justice and loving kindness and walking modestly with Hashem" (Micha 6:8).

Hemdat Yamim is dedicated to the memory of:

Eretz Hemdah's beloved friends and Members of Eretz Hemdah's Amutah

Rav Shlomo Merzel z"l Iyar 10, 5771	Rav Reuven & Chaya Leah Aberman z"l Tishrei 9, 5776 / Tishrei 20, 5782	Mr. Shmuel & Esther Shemesh z"l Sivan 17 / Av 20	Mr. Moshe Wasserzug z"l Tishrei 20, 5781
Hemdat Yamim is endowed by Les z"l & Ethel Sutker of Chicago, Illinois, in loving memory of Max and Mary Sutker & Louis and Lillian Klein z"l	R' Yaakov ben Abraham & Aisha and Chana bat Yaish & Simcha Sebag z"l	R' Eliyahu Carmel z"l Rav Carmel's father Iyar 8, 5776	Mr. Zelig & Mrs. Sara Wengrowsky z"l Tevet 25 5782 Tamuz 10 5774
Rav Asher & Susan Wasserteil z"l Kislev 9 / Elul 5780	Rav Yisrael Rozen z"l Cheshvan 13, 5778	R' Abraham & Gitta Klein z"l Iyar 18 / Av 4	R' Benzion Grossman z"l Tamuz 23, 5777
Mrs. Julia Koschitzky z"l Adar II 18, 5782	Rav Moshe Zvi (Milton) Polin z"l Tammuz 19, 5778	Rabbi Dr. Jerry Hochbaum z"l Adar II 17, 5782	In memory of Nina Moinester , z"l Nechama Osna bat Yitzhak Aharon & Doba Av 30, 5781
Mrs. Leah Meyer z"l Nisan 27, 5782		R' Yitzchak Zev Tarshansky z"l Adar 28, 5781	

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



Eretz Hemdah
Deans: Harav Yosef Carmel, Harav Moshe Ehrenreich
2 Brurya St. corner Rav Chaya St.
POB 8178 Jerusalem 91080
Tel: 972-2-5371485 Fax: 972-2-5379626
amutah number 580120780

American Friends
of Eretz Hemdah Institutions
c/o Olympian, 8 South Michigan Ave.,
Ste. 605, Chicago, IL 60603, USA
Our Taxpayer ID #: 36-4265359
www.eretzhemdah.org info@eretzhemdah.org
Donations are tax deductible according to section 46 of the Israeli tax code

Ask the Rabbi

by Rav Daniel Mann

How Much of a *Tzedaka* Preference to Relatives?

Question: I learned that one should prioritize giving *tzedaka* to relatives over others. I give a nice amount of *tzedaka*, almost exclusively out of the family (which also has a few poor people), which I feel is more altruistic. Can you explain this *halacha* and give some halachic guidelines?

Answer: The Sifrei (R'ei 116) derives from the mention of “your brother,” in regard to *tzedaka* recipients (Devarim 15:11), that relatives have precedence over others, and the Shulchan Aruch (Yoreh Deah 251:3) accepts this. Relatives include at least those for whom one may not testify (first cousins) and perhaps beyond (see *Tzedaka U'mishpat* 3:(19)). This preference is binding enough that a *gabbai tzedaka* can refuse to give funds to a poor person with *tzedaka*-capable relatives (Shulchan Aruch, YD 257:8).

Some say that all of the needs of relatives are to be taken care of before moving on to others. However, the accepted approach is more balanced – relatives receive no more than half, especially when their needs are not as basic/extreme as other needy people (see ibid. 3:(20)).

Generally, the closer the relative, the higher they are on the list of recipients. However, two relationships enjoy a qualitatively higher *tzedaka* obligation than others. Although a child deserves repayment from his parents for *kibbutz av va'em* expenses, if they do not have money and the child does, the child can be forced to support them (Shulchan Aruch, YD 240:5). Similarly, a father who is capable can be forced to support his children even after the age of six (Shulchan Aruch, Even Haezer 71:1). Both of these payments are considered *tzedaka* and count toward one's *tzedaka* obligation (Shulchan Aruch, YD 251:3). An indication that this is not a standard *tzedaka* obligation is that, according to the Chatam Sofer (YD 229), the limitation of *tzedaka* to no more than one fifth of one's resources (Shulchan Aruch, YD 249:1) does not apply to supporting parents. Similarly, very many fathers exceed a fifth of their resources on their children's expenses.

Clearly, when one calculates his *ma'aser* (or a fifth, for those who want to give the maximum, optimal amount – ibid.), one does not have to count that money as *tzedaka*. He can view what he gives to parents and kids as a natural present or done for his own purposes, not *tzedaka*. Presumably, we can extend that. One can give his nephews, for example, nice presents without it being *tzedaka*, even if some of them are poor. It need not be *tzedaka* if he gives a particularly expensive present to one nephew, even if he chose him because he is poor. Therefore, *halacha* does not require one who can afford it to detract from the *tzedaka* he would otherwise give to strangers, and this is a beautiful attitude that is altruistic regarding family and other needy people.

However, looking at family as deserving only of presents has a down side that concerned *halacha*. After all, there is a limit to how much a normal person will give a cousin or a nephew as a present, and it is unlikely to suffice to appropriately solve/alleviate serious shortfalls. Therefore, it is important according to the Torah's outlook, for one to make his relatives the foremost recipients of his planned *tzedaka* funds. We have explained (Living the Halachic Process, I, K-5) that *mitzvot* put more focus on what is incumbent upon a person than on what is impressive.

Why do many have trouble keeping this halachic preference of relatives, which seems common for certain “bigger” *chasadim* (up to and including organ donation)? Here are some suggestions: 1. Giving relatives, with whom one wants to interact as peers, raises sensitivities (embarrassment, the donor looks superior to the recipient); 2. Once one starts giving, it is hard to know how the giving will progress and whether he can refuse. 3. The relative often does not ask, whereas others do (this is not a halachically valid distinction when one knows about the need (Ahavat Chesed I, 5:(8))). Overcoming such complications makes giving significantly to relatives not only correct but plenty altruistic.

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



Igrot HaRe'aya - Letters of Rav Kook

Improving New *Yishuv* More Practical than Alternatives - #107

Date and Place: 3 Shevat 5668, Yafo

Recipient: Rav Eliyahu Meir Feivelson. Rav Feivelson had just been appointed rabbi of Kupishok (after having been rabbi of Krok). He was a prominent writer in the Agudos Yisroel movement.

Body: It brought joy to my heart to receive your letter, which mentioned in passing that you moved, for the better, to a new community; may it be very successful. May the light of your Torah and pure fear of Hashem shine with great honor and strength. May we have the merit of seeing each other, together with your flock, when Hashem brings joy, when the liberator will come to Zion, and "those liberated by Hashem will return and will come to Zion with a song of praise" (Yeshayahu 51:11).

The idea to establish a settlement of G-d-fearing people, with a true spirit of Torah and fear of Hashem, is lofty and powerful. Recently one of the Chasidic leaders began to get involved in such a project, and he came here. I provided him support with all the desire of my heart, writing a formal letter to try to build the project's foundation. However, I am doubtful whether the matter will reach fruition, because of the weakness of resolve, in our great iniquity, specifically concerning those who fear Hashem.

The words of the Vilna Gaon are known in this matter (see Even Shleima 8:10), that those who are involved in matters for noble reasons are not as diligent as those who are involved in them for ulterior motives. The reason is that the involvement of physical gain adds impetus. Thank G-d, regarding settlement of *Eretz Yisrael*, there is a "fire" produced by the simple people, even though it is with a low flame. Still, since they place before themselves just immediate benefit, individually or communally, they are more diligent in their work. In contrast, those whose thoughts float through the heaven, unfortunately act with weakness. May Hashem give those who look to Him renewed strength.

Our desire to accomplish great things, such as entirely new communities in *Eretz Yisrael*, should not cause us to give up on smaller but more attainable accomplishments. Specifically, I refer to the strengthening of the religious element of the New *Yishuv*. Thank G-d, there are many Torah scholars and G-d-fearing people in every settlement. The [lacking in religiosity] is not as bad as people exaggerate in the Diaspora, but it still requires improvement.

The best remedy is that when Hashem will help us, we will establish a special, advanced *yeshiva* for the New *Yishuv*. This will affect many people, and it will show them that they have a connection to Torah. Obviously, such a *yeshiva* will need to be supported from a material perspective, on one hand, and receive an influx of fear of Hashem, on the other hand. Then even the New *Yishuv* can be a place in which we will truly be fit to be proud within the settlement of *Eretz Yisrael*. The *mitzva* of settling the Land will be fulfilled properly, and everything will be done with holy purity.

The attacks on a religious lifestyle are strengthened specifically when people shout that in the old-style schools there is no spirit to deal with a livelihood and national reinvigoration. When that problem will be remedied, they will not have what to complain about, and the side of those who fear Hashem will be elevated, and the Jewish community of *Eretz Yisrael* will be eminently fit to deserve divine compassion to hasten the true national redemption.

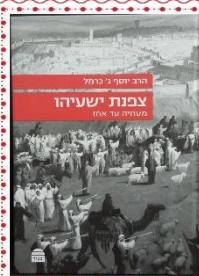
We daven for a complete and speedy *refuah* for:

Nir Raphael ben Rachel Bracha
Yisrael ben Rivka

Arye Yitzchak ben Geula Miriam

Neta bat Malka
Meira bat Esther

Together with all *cholei Yisrael*



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.

Buy Now

P'ninat Mishpat

Granting a House to a Neighbor's Son – part I

(based on ruling 81093 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def) is a *yishuv* in the Shomron, which has only three lots slated for single-family homes. The right to build on them is to be raffled off among residents of *def*. The plaintiff (=pl) rents in the *yishuv*. *Pl*'s widowed mother owns a house adjacent to one of the lots, and *pl* wants to receive rights to it without a raffle because only if he lives there can he arrange things to best serve his mother's needs. This would exercise his mother's *dina d'bar metzra* rights (see below). *Def* counters that if someone receives a lot in such a manner, it will cause public accusations and acrimony.

Ruling: Introduction to land acquisition in Yehuda V'Shomron – Due to various factors, one cannot buy land in these areas, but families can apply to the Jewish Agency Department for Settlement for one *bar reshut* (long-term permission to build and/or live on a certain plot). The Jewish Agency's longstanding policy is to accept the recommendation of a *yishuv*'s administration as to who should receive a *bar reshut*.

Introduction to *dina d'bar metzra* (=ddbm) – *Ddbm* is an extra-judicial Rabbinical institution that gives an adjacent neighbor of land that was sold to an outsider the ability to force the buyer to sell it to him at his purchase price unless the neighbor had waived the right. The logic to give the neighbor that right is that he has a unique opportunity to maximize the land, whereas others lack such an advantage from this land (see *sugya* starting with Bava Metzia 108a).

One question is whether *ddbm* is incumbent upon the seller or just the buyer, upon whom the *gemara* focuses. Rashi (ad loc.) implies that it is only on the buyer, which would explain why if a non-Jew bought it, *ddbm* does not apply (see Perisha, Choshen Mishpat 175:36). The seller has only a moral obligation to prefer the neighbor. The Rama (CM 175:34) writes that if the neighbor is not around, it is best that he ask *beit din* to contact someone to represent the neighbor's needs. The implication is that if he did not, nothing can be done to the seller.

Does *def*, as a public institution, have an obligation to *pl* based on the general moral obligation? There are two reasons that they should: 1. They are representatives of the buyers, who are obligated. 2. A community should be held to higher standards than individuals are. On the other hand, public officials have a responsibility to do what is best for the community as a whole, and that includes the family that has a chance of winning in the raffle instead of *pl*. We cannot ignore the situation that Israeli law does not follow *ddbm*, and it is not something that is in the mindset of even religious people. Other people with connections to officials can "walk in the door left open" by *ddbm*. Therefore, it is acceptable for *def* to not go beyond the letter of the law in applying a *halacha* that is itself beyond the letter of the law, so *def* can follow set procedures (i.e., raffling off the lots).

We will continue next time with *ddbm* from the perspective of the potential buyers.

Comments or questions regarding articles can be sent to: info@eretzhemdah.org

Eretz Hemdah is the premier institution for training young rabbis to take the Israeli Rabbinate's rigorous Yadin Yadin examinations. **Eretz Hemdah**, with its distinctive blend of Religious Zionist philosophy and scholarship combined with community service, ensures that its graduates emerge with the finest training, the noblest motivations resulting in an exceptionally strong connection to Jewish communities worldwide.