



Harav Shaul Israeli zt"l
Founder and President

Men of Names
Harav Yosef Carmel

What is so special about names that the second *sefer* of the *Chumash* begins with it?

A *midrash* on this opening (Midrash Aggada, Shemot 1:1) teaches that a person has three names: The one Hashem gave him from the outset, the one his parents call him, and the one he acquires through his actions. We also know that one of the merits that justified Bnei Yisrael's liberation from Egypt was in not changing their names (Shemot Rabba 1). The centrality of one's name also finds expression in a *minhag* that many follow at the end of *Shemoneh Esrei* – to recite a *pasuk* that either includes his name or that begins and ends with the first and last letters of his name, respectively. This is connected to the tradition that one of the first questions a person is asked at his Heavenly inquiry is "What is your name?"

We find that the name of Shem (Noach's son, whose name means "name") has a special place in the Torah. When Noach woke up from his drunkenness and realized the difference between his sons, he mainly blessed Shem: "Blessed is Hashem, the G-d of Shem ... and He shall dwell in the house of Shem" (Bereishit 9:26-27).

We will suggest a thesis that combines these various ideas about names.

A person's names distinguish him from others and enable him to reveal his uniqueness in the world. The first name he receives is from Hashem, and there are two points about it: 1. It connects him to his Creator. 2. It gives him the opportunity to turn his physical life into a part of lofty, spiritual worlds.

A person's second name comes from his parents. Through the name they give, they express their prayers and hopes for their child, which accompany him wherever he goes. When a person recites or hints at this name at the end of *Shemoneh Esrei*, he reminds himself of the goal he is supposed to reach during his life on this earth.

The third name is the one a person acquires through his actions. The poet Zelda (Mishkovsky) added to our appreciation of this idea with her beautiful poem, "For Every Man There is a Name."

We suggest that this third name comes from one's interactions with his friends and is impacted strongly by social elements, i.e., "*bein adam l'chaveiro*" (between man and his fellow man). This raises an important idea. A person who wants to define himself based on how he tries to live and serve Hashem by "the name Hashem gave him" becomes an ambassador for those who strive to increase the presence of the divine and strengthen the connection with Hashem. This actually makes it doubly important to be connected to society, add to it, and sanctify Hashem's Name with his actions, in the realm of *bein adam l'chaveiro*. If one excels in his "religious" obligations without excellence in human interactions, he can make a *chillul Hashem* and thereby impact in the opposite way from the positive one he intended. That is why one is asked in his divine trial what his name is. In other words, did you live your life in proper accordance with all three names.

Sefer Shemot, which deals with the liberation of Bnei Yisrael from Egypt and their emergence as a nation, reminds us of the important matter for every Jew – his fulfillment of *mitzvot* in service of Hashem and between him and his fellow people. Only with success in both can one really connect to Hashem.

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



Ask the Rabbi

by Rav Daniel Mann

Davening Ma'ariv "Early" on Motzaei Shabbat

Question: My neighborhood has a *minyan* that begins *Ma'ariv* of *Motzaei Shabbat* (=MS) 15 minutes before the time for the end of Shabbat in standard calendars. Considering I don't remember seeing such *minyanim*, is it permitted to *daven* so early? Is it okay for me to join?

Answer: We will start our discussion with the fundamental *halachic* principles.

One halachic component of *Ma'ariv* on *MS* is the *tefilla* of *Ma'ariv*, like every night. There are legitimate opinions that one can *daven Ma'ariv* from *plag haMincha* (long **before** sunset – Berachot 27a). However, the more accepted practice (*Erev Shabbat* may be different) is to wait until the day is over. For some (especially Sephardim), this is from sunset, but it is better to wait until *tzeit hakochavim* (see Mishna Berura 293:9), which is at least around 14 minutes after sunset, but most communities who wait for *tzeit* during the week assume it is between 18 and 25 minutes after sunset (not the 35+ minutes for the end of Shabbat). From a *tefilla* perspective, this is true also on *MS*.

The issue is the Shabbat element. The need for *tosefet Shabbat* is not only in the beginning of Shabbat but also at its end (see Beit Yosef, Orach Chayim 293; Mishna Berura 293:5). However, it is a short time, and the main reason for the significantly later time than "weekday *tzeit hakochavim*" on our calendars is out of concern, in such a serious matter, that our assumed *tzeit hakochavim* is too early. Fundamentally, both *tosefet* and special concern do not apply to *Ma'ariv* (see Mishna Berura 293:1), and therefore it is permitted according to basic Halacha to *daven Ma'ariv* a little early.

Does *Havdala* (*Ata Chonantanu*) in *Shemoneh Esrei* complicate matters? The Shulchan Aruch (OC 293:3, based on Berachot 27b) allows *davening Ma'ariv* toward the end of Shabbat if there is sufficient need. This includes *Havdala* in *Shemoneh Esrei* and likely even *Havdala* over wine (without making the *beracha* on light or doing *melacha*). The Maharshal, accepted by many *poskim* (see Mishna Berura 293:9) objected to *davening* so early because it looks strange to *daven Ma'ariv* of *MS* on Shabbat and because it could confuse people into doing *melacha* too early. However, we do not find that type of concern to *Ma'ariv* at a normal *Ma'ariv* time and when Shabbat is likely over *me'ikar hadin*. It does not look strange, and the concern for doing *melacha* is much less of a problem, at least if *Shemoneh Esrei* is over only after *melacha* is permitted.

In practice, though, the codified *minhag* (Shulchan Aruch ibid. 1; see Mishna Berura 1) is not to *daven Ma'ariv* before Shabbat is considered out. The Beit Yosef (ad loc.) connects the idea to the *gemara* (Shabbat 118b) that praises those who extend Shabbat longer than necessary. Let us put the connection in perspective. *Davening Ma'ariv* is one of the strongest ways to usher in a new day (see Shulchan Aruch, OC 261:4 regarding accepting Shabbat and Mishna Berura 188:32 regarding precluding saying *R'tzei* at Shabbat's end). Therefore, besides *Ata Chonantanu*, *davening Ma'ariv* ends Shabbat to the extent possible, which somewhat negates *tosefet Shabbat*. The Pri Megadim (MZ 293:1) presents the same basic idea in other terms: we don't want it to look as if Shabbat is a burden. There are also *minhagim* such as stretching out *V'hu Rachum* (Rama, OC 293:3) and the halachic discussions of perhaps doing Chanuka lights before *Havdala* (see Mishna Berura 681:3) to extend elements of Shabbat a little longer.

Therefore, the *minyan* you refer to is not forbidden, but standard practice and sources view it as against the *minhag* and distasteful under normal circumstances. When one has a pressing need, it is legitimate to **end** *Ma'ariv* at the time one can do *melacha*, and it is then a good question whether to *daven* at home or whether a large community should provide a "side *minyan*" due to the likelihood that there will be enough people with special needs. We do not pass judgment on an individual who takes part or a community that has such a *minyan*, but it would be unusual for a proper *shul* to have its main *minyan* early.

"Behind the Scenes" Zoom shiur

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Igrot HaRe'aya - Letters of Rav Kook

The Importance of Vocational Training – #289

Date and Place: 6 Nisan 5670 (1910), Yafo

Recipient and Background: Rav Yonatan Binyamin Horowitz. Rav Horowitz was a product of the Chatam Sofer community, and originally served as a rabbi in Slovakia. After moving to *Eretz Yisrael*, he served as an administrator of communal funds (Kollels) and as a representative of Agudat Yisrael. He was, mainly later, a confidante of Rav Kook, who had a major part in organizing and documenting the trip of rabbis, including Rav Kook and Rav Sonnenfeld, through the New Yishuv.

Body: I have received your dear letter and impressive pamphlet (apparently about a vocational project with which he was involved). You, my friend, deserve a *yasher koach* for the contribution you are making for those who live in Zion. May it be His will that all will soon realize and know that we must follow the path of life with truth and leave the path of darkness (opposition to people working for a living). That path is the opposite of the path that Hashem commanded us to follow, which is to choose a life of honor and [vocational] skills.

Who is influential enough [in the eyes of Heaven] (see Moed Katan 28a) that he can create a prohibition against this great *mitzva* [of teaching a trade]?! After all, it is permitted to speak, due to this *mitzva*, about financial arrangements [for vocational training] on Shabbat (Shabbat 150a). [Let us look at] the simple language of the Talmudic passage. Rav Shmuel ben Nachmani says that it is permitted to go to a variety of mundane, public venues to inspect communal activities on Shabbat. The *gemara* then brings a *Baraita* that one can make *shidduchim* for his child on Shabbat and can arrange his learning a craft. It would seem that the former opinion agrees with the latter (that it is permitted to arrange vocational training on Shabbat). The Yerushalmi (Shabbat 15:3) brings in the former's name that Shabbat is specifically for eating and drinking, and because the mouth may start to smell, they allowed him to take part in Torah study. We see that even though he was so strict about speaking on Shabbat, to the extent he felt a need to find special justification to allow speaking *divrei Torah* on Shabbat, still he said that one can make monetary arrangements regarding vocations. We see that it is equivalent to Torah. Certainly, we cannot compare many involved in Torah to individuals doing so (apparently, group vocational training). Therefore, how is it possible to create prohibitions [against vocational training]? This is especially true in a time like this when it is necessary to take steps on Hashem's behalf, to strengthen those who believe in Hashem in all ways they can be strengthened, such as in creating power in the ways of life.

I also wrote a few ideas about *Shemitta*; because of my preoccupation with various matters, I was compelled to be brief, and I ask your forgiveness. [*In the coming installments we will bring those words on Shemitta.*]

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

Itamar Chaim ben Tzipora

Nir Refphael ben Rachel Bracha
Ori Leah bat Chaya Temima

Arye Yitzchak ben Geula Miriam
Tal Shaul ben Yaffa

Neta bat Malka
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Together with all *cholei Yisrael*

P'ninat Mishpat

Counter Claims – part I (Laundry)

(based on ruling 81059 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: [Last time we discussed a dispute over rights to a courtyard. Now we deal with counter claims.] *Def* countersued *pl* to close the laundry business they run from their house, at which they operate large machines throughout the day and night, including at times that prevent *def* from sleeping (they are not well people). They also are suing for 50,000 NIS for six years of sleep deprivation due to the noise. *Def* also complain about sacks of clothes that crowd the stairwell and the shaking of the building due to the large washing machines. *Pl* respond that they have been making a little money on the side from operating two large but not huge machines for eleven years, and the only reason *def* is complaining is due to the recent conflicts between them.

Ruling: The question of *chazaka* (acquired rights by the silence of the affected person) is relevant in cases where the one who is operating questionably does so in an area which he does not own or when he operates in his own area but in a manner that damages his neighbors. Our case is a matter of the latter.

The Rambam (to Bava Batra ch. 3) rules that *chazaka* applies to allow one to continue damaging to the extent he had been before without complaint except in the cases of specific damages that are deemed too severe for one to be assumed to have truly accepted. The Shulchan Aruch (Choshen Mishpat 154:7) rules like the Rambam on *chazaka* for damage even after a short period of acceptance. There are differing ways to understand the Rama (see S'ma 153:32), but in the case where the damager is working within his own property, all agree that simple *mechila* works (see Netivot Hamishpat 153:13). Therefore, even if operating the washing machine is disturbing, *pl* can generally continue as they did in the past, but they cannot expand the operation.

However, based on the Rivash (196), accepted by the Rama (CM 155:15), when a new situation arises in that a neighbor is now sick and his necessary sleep is compromised, this is like a case of what the *gemara* (Bava Batra 23a) calls "his arrows." The Pitchei Teshuva (CM 156:1) says that disturbance of sleep for a sick person is not only significant at night, but even when it disturbs the sick person during the day. Additionally, Israeli law sets sleep time as 14:00-16:00 and 23:00 to the next 7:00. This limitation will apply now to *pl* even if in the past, they operated the machines beyond those hours.

We can assume that the permission granted, explicitly or implicitly, was for a minor operation, which should not be clogging the joint staircase. During one of the hearings, *pl* offered to not have bundles of clothing in the joint area for more than a half hour a day. *Beit din* is adopting that limitation as a binding ruling.

The claim of major shaking of the building has not been proven and is difficult to accept. However, if within 14 days of this ruling, *def* provides an expert's report that the vibrations significantly exceed normal standards, *beit din* will revisit the matter.

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