



Parashat Hashavua

Bo, Shevat 3, 5785

Harav Shaul Israeli zt"l
Founder and President

A Look Beyond Time and Space

Harav Yosef Carmel

The material world in which we live operates within very set boundaries. However, our *parasha* (Bo, the Exodus) stresses the ability to go **beyond** these normal boundaries.

The first boundary is place. One cannot live without a place, and one can be in only one place at a time. These limitations are not only true for individuals but also on the national level. A nation needs a land to serve as its homeland; without one, it is difficult to view it as a nation.

Time is also a boundary, which is significant on two planes. A person moves on a timeline. He exists in the present, which is like the batting of an eye. On either side of him, there is the past and the future. There would seem to be no way to break free from this limitation. An individual has his time from birth "to 120." This applies slightly differently for a nation. If a nation has no past, it has no future, and in general, it cannot last forever, as history teaches us. (You can assemble a long list of nations and empires that have disappeared.) We will now focus on two examples in the national realm that show how the Exodus from Egypt went beyond the normal limitations of time and place.

Parashat Bo begins with Bnei Yisrael still enslaved in Egypt, and Paroh continuing his intransigence despite the several plagues with which Hashem had hit the Egyptians. *Am Yisrael* still had next-to-no signs of nationhood, certainly not a significant time and place. Egypt was a place from which it was virtually impossible to escape to go to one's own place, and slaves are people who lack control over their own time.

When Moshe commanded the people to sacrifice the *Korban Pesach*, he stressed their ability to breach both roadblocks. "You shall observe this matter as a statute for you and your offspring **until eternity**" (Shemot 12:24) – beyond the boundaries of time. "It will be when you come to the Land, which Hashem will give you as He said, you shall observe this service" (ibid. 25) – beyond the limitation on place, as existed at that time. This is a promise of the eternity of the nation with the gift of a Land that seemed beyond belief at that time.

Additionally, in the introduction to the commandment of *Korban Pesach*, Hashem instructed Bnei Yisrael to adopt a (lunar) calendar, even while they were slaves in a foreign land, even though a calendar is basically only feasible for independent people in their land. A calendar is a means to unite a nation in a manner that remembers the past and strives toward a better future. This commandment thus is a sign of the greatness that laid ahead.

Throughout our national history, often dispersed in exile, we clung to that calendar while being forced to live daily life under the realities of the local nation and its calendar. The *p'sukim* also prophesized an improbable phenomenon – non-Jews would want to join Bnei Yisrael (see ibid. 48-49). Who would want to convert to join a nation of lowly slaves? Yet they too would bring a *Korban Pesach* (see ibid.) and would enjoy full civil rights (see ibid. 22:20).

The first Rashi on *Chumash* made a point to look ahead to better times. During times when Christians and Muslims vied for control of the Holy Land, Rashi wrote about the rationale for Jewish sovereignty over it!

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 Yisrael Rozen z"l Cheshvan 13, 5778	Mr. Moshe Wasserzug z"l Tishrei 20, 5781	Rav Reuven & Chaya Leah Aberman z"l Tishrei 9, 5776 / Tishrei 20, 5782	Prof. Yisrael Aharoni z"l Kislev 14, 5773
R' Yaakov ben Abraham & Aisha and Chana bat Yaish & Simcha Sebbag z"l	R' Yitzchak Zev & Naomi Tarshansky z"l Adar 28, 5781/ Adar II 14, 5784	Mr. Shmuel & Rivka Brandman z"l Tevet 16 5783/ Iyar 8, 5781	R' Meir ben Yechezkel Shraga Brachfeld z"l & Mrs. Sara Brachfeld z"l Tevet 16, 5780	
Rabbi Dr. Jerry Hochbaum z"l Adar II 17, 5782	Rav Asher & Susan Wasserteil z"l Kislev 9 / Elul 5780	R' Abraham & Gitta Klein z"l Iyar 18 / Av 4	R' Benzion Grossman z"l Tamuz 23, 5777	
R' Eliyahu Carmel z"l Rav Carmel's father Iyar 8, 5776	Mr. Shmuel & Esther Shemesh z"l Sivan 17 / Av 20	Mrs. Leah Meyer z"l Nisan 27, 5782	Mrs. Julia Koschitzky z"l Adar II 18, 5782	Rav Moshe Zvi (Milton) Polin z"l Tammuz 19, 5778
Mr. Zelig & Mrs. Sara Wengrowsky z"l Tevet 25 5782 / Tamuz 10 5774	Mrs. Rina Bat Yaakov Pushett a"n. Her smile and warmth are sorely missed	Nina Moinester , z"l, Nechama Osna bat Yitzhak Aharon & Doba z"l Av 30, 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

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



Eretz Hemdah
Deans: Harav Yosef Carmel, Harav Moshe Ehrenreich
2 Bruriya St. corner of Rav Chiya 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.erezhemdah.org info@erezhemdah.org

Donations are tax deductible according to section 46 of the Israeli tax code

Ask the Rabbi

by Rav Daniel Mann

Beracha upon Returning Tzitzit

Question: I take off my *tzitzit* to play ball. When I put my *tzitzit* back on (still daytime) should I make a *beracha*?

Answer: Two *gemarot* regarding similar *mitzvot* are instructive. One (Menachot 43a) asks about Rav Yehuda's consistency regarding *tzitzit*. He had his wife wear *tzitzit* because he saw it as a non-time-based *mitzva* (i.e., it applies 24/7), but he made a *beracha* on them every morning, as if each day were a **new mitzva**! The *gemara* answers that he posited that one who takes a break in an ongoing *mitzvot* makes a new *beracha* when resuming it. The source is Rabbi's opinion (Sukka 46a) that one makes a *beracha* on *tefillin* each time he puts them on. The latter *gemara* tells of Rava making a *beracha* on *tefillin* every time he left the bathroom and those who made a *beracha* each time they "handled" them.

The Tur (Orach Chayim 8) understands the *gemara* about making a *beracha* upon handling *tefillin* as referring to a case where it slipped totally out of place, which made a *beracha* necessary upon its return. At first, he equated that case to one removing his *tallit* and returning it. However, he concludes that when one **purposely removes** *tzitzit* or *tefillin* with the plan to promptly return it relatively soon, he does not make a new *beracha*. The Beit Yosef (OC 8) argued based on the *gemara* about making a *beracha* on *tefillin* after the bathroom, despite the intention to return them soon, showing that after any break in the performance of *tefillin* or *tzitzit*, we need a new *beracha* (see Shulchan Aruch, OC 8:14; OC 25:12).

For Ashkenazim, the ruling is more complicated. The Rama (Darchei Moshe, OC 8:6) dismisses the proof from the *beracha* on *tefillin* after the bathroom, because the fact that it is forbidden to wear *tefillin* in the bathroom magnifies the break in the *mitzva*. In contrast, since one may wear *tzitzit* in the bathroom, and fundamentally even a *tallit*, the break for a bathroom visit does not require a new *beracha*. The Rama (OC 8:14) accepts a different distinction. If one takes his *tallit* off but keeps his *tzitzit* on, the *mitzva* continues sufficiently to make a new *beracha* unnecessary; if he takes both off, he needs a *beracha*. According to this, if one takes off his *tzitzit* (with no *tallit* on), then even if he returns it relatively quickly, he would seem to need a new *beracha*. Many have difficulty with this distinction, considering that the *beracha* on each garment is independent and that regarding *tefillin* the Rama (OC 25:12) does not require a *beracha* even though no *tefillin* remain on (see Nachalat Tzvi 8:14).

Despite the positions of the Shulchan Aruch and Rama, most Sephardi and Ashkenazi *Acharonim* (see Mishna Berura 8:37; Aruch Hashulchan, OC 8:21; Yalkut Yoself, OC 8:52) say that if one is planning to put *tzitzit* back on relatively soon, he need **not** make a new *beracha*. This is to a great extent because, given that there are respected opinions not to make a *beracha*, we say *safek berachot l'hakel* (in a doubt whether to make a *beracha*, we refrain from it).

The remaining question is at which point the break is so long that a new *beracha* is needed. (If the plan was for a long break, it does not help if he ended it faster, and if the break was long, it does not help that he planned for shorter – Mishna Berura *ibid.*). The Beit Yosef (*ibid.*) posits that the time between Shacharit and Mincha is definitely too long but does not say what the cutoff is. The Shulchan Aruch Harav (8:23) also says that a few hours is too long, without giving a clear cutoff. Yalkut Yosef (*ibid.*) says the cutoff is half an hour. Most Ashkenazim assume it is longer, and while an exact cutoff is elusive (see Dirshu 8:52), something like two hours seems to be around right. The Be'ur Halacha (to 8:14) suggests that one can make a new *beracha* clearly appropriate by intending when originally putting on the *tzitzit* that the *beracha*'s efficacy will end with a sizable break, but people rarely remember to do so. You could (not required to) **aid** the approach of not making a *beracha* by putting the *tzitzit* on for a short time in the midst of the break.

"Behind the Scenes" Zoom shiur

Eretz Hemdah is offering the readership to join in [Rabbi Mann's weekly Zoom sessions](#), analyzing with him the sources and thought process behind past and future responses. Email us at info@eretzhemdah.org to sign up (free) or for more information on joining the group.

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

► [SEND NOW!](#)



Igrot HaRe'aya - Letters of Rav Kook

Excerpts of Letter on *Shemitta* – #289 – part II

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

Recipient and Background: Rav Yonatan Binyamin Horowitz, who served as an administrator of *kollels* and a representative of Agudat Yisrael, who was later a confidante of Rav Kook. We continue the discussion of *Shemitta*.

Body: To avoid difficult leniencies that include work with the potential of Torah-level violation (done by Jews during *Shemitta*), we should create a fund to support [Jewish] agricultural workers, as they will have less work for their livelihood, since non-Jews will need to do some of it. The fund can also help poor farmers who generally do all of their own work and now will need to hire non-Jewish workers for actions that are forbidden by the Torah on *Shemitta*.

There are also, thank G-d, complete, G-d-fearing people who want to keep the *mitzva* as it was given and refrain from all work according to the laws of *Shemitta*. They deserve a special fund or to have a set part for them from within the general fund [that helps people observe *Shemitta*].

The above relates to this year, but we must also be concerned with the permanent status of *Shemitta*. If Hashem will have mercy on us and bring *Mashiach* quickly in our days, and we will not need these steps, we still will not have lost the reward for the *mitzva* of trying to uphold the sanctity of the Land, in case it will take longer [for *Mashiach* to come]. In order to be able to set the sanctity of the Land for generations, we must first establish a large institution that will suffice to support all of the owners of fields that grow grains and vegetables etc. that do not have an issue with maintaining commercial relationships. They will be able to cease work during *Shemitta* if they are supported during the year. The fund must be significant enough to also assist workers. Ideally, such an organization would initiate halachically non-problematic building and industry, who can employ these workers throughout the year of *Shemitta*.

When the organization will engage an abundance of diligent workers who are involved in this holy work with great vigor, then we can extend the idea so that even in vineyards and orchards, where there is no choice but to sell or rent to a non-Jew, because of the need to continuous commercial connections, it would still be possible to remove the land's sanctity by renting to a non-Jew **along with** non-problematic things. Then, non-Jewish workers can work in the fields and Jewish laborers can work on building and in all elements of the economy with which the organization will be involved. This will make up for the lack of work during *Shemitta*.

If we calmly plan our steps as explained, we can hope to succeed with Hashem's help. When the calculations of needs and the organization's resources will indicate that we are capable of completing, at least most of what is missing, we can agree not to use the system of uprooting the land's sanctity, and Jews will not do any agricultural work. Then, even non-Jews will work only in vineyards and orchards that they have rented, and the "rest of the Land" will practice most of *Shemitta's* principles and details on holy soil. This is what we should aim for, and it is not unrealistic. If we cannot succeed in everything in one *Shemitta* year, we will be happy with what we already achieved and hope that each *Shemitta* will see the organization getting stronger, bringing praise to Hashem with the sanctity of the *Shemitta* year in the Holy Land.

Regarding commerce, this year, when we need to uproot the sanctity, using an element of "trickery," it is proper to also include non-problematic elements to "swallow up" the problematic ones. The contracts should say that the money is not for the fruit but for the work and equipment. When orchards will be rented out to non-Jews, it will be improper to be stringent regarding non-Jewishly owned fruit, as was decided in the times of the Beit Yosef.

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

Itamar Chaim ben Tzipora

Nir Rephael ben Rachel Bracha

Arye Yitzchak ben Geula Miriam

Neta bat Malka

Ori Leah bat Chaya Temima

Tal Shaul ben Yaffa

Meira bat Esther

Together with all *cholei* Yisrael

P'ninat Mishpat

Counter Claims – part III (Child Care, Foundations)

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

Case: [We continue with repercussions (additional counter claims) of a dispute over rights to a courtyard.] The defendants (=def) complain that the plaintiffs' (=pl) children look into def's courtyard for extended periods and throw objects. Also, while pl were given rights to build on the roof, def complain they were not given permission to build a housing unit, which adds people to the building. Def also complain of two pipes that cause damage when they reach def's property and demand that they be redirected. Finally, def claim that when pl were given permission to build a temporary storage area in the courtyard, pl promised to move def's arava tree that had been there, and pay 400 NIS a year if it died (which it did) until it is replaced.

Ruling: Privacy: Pl cannot be made to seal the window through which their children allegedly disturb def because they have a *chazaka* on the use of that window (see Shulchan Aruch, Choshen Mishpat 154:7) after years of it being used even after def had exclusive rights. On the other hand, the Rama (ibid.) points out that when there is *chazaka* for the window, that means that the window can exist even though one **could** look, but it is forbidden to look at his neighbors' property in a manner that is personally damaging. Therefore, pl are to firmly instruct their children not to look (or obviously to throw things down). If def want, they can erect a fence at the edge of the courtyard to protect their privacy.

Housing Unit: In general, it is problematic to add additional residents into a joint property (see Shulchan Aruch, CM 154:1). However, def also built an extra housing unit on their extension, and the rule is that one cannot object to a change a neighbor made if he did the same thing himself.

Pipes: Neither side proved whether water coming from pl's property causes damage to def's property (they were asked to film where water goes during a period of rain and neither did). However, based on what we know, there is likelihood that water falling can cause problems. Therefore, pl must extend the pipes so that they do not fall in the proximity of def's property. We will not levy payments for the unproven claim of damage in the past.

Aravot: The demand for pl to pay 400 NIS a year for the arava tree that was displaced is rejected. The claim that pl agreed to such a thing was not proven, and the nature of the 400 NIS is not a matter of loss but of unrealized profit, which halachically is viewed very differently.

Comments or questions regarding articles can be sent to:

info@erezhemdah.org

Eretz Hemdah is the premier institution for training young rabbis to take the Israeli Rabbinates' 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.