

HAMA'YAN

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Abstracts

Rav Avraham Yitzhak Hakohen Kook ZTL: Ahavat Torah

This issue opens with an heretofore unpublished poem, written by Rav A.I. Hakohen Kook ZTL in his youth. It is a love song to the holy Torah, found among other manuscripts in the archives of his late nephew, Rav Raphael Kook ZTL of Tveria, and now in the possession of his son, Rav Simcha Kook Shlita of Rehovot. We present it here in commemoration of Rav Kook's 75th Yahrzeit. More works from these archives will soon be published under the authority of Rav Simcha Kook.

Rav Samson Raphael Hirsch ZTL: Commentary on the Book of Yonah

We also present for the first time a commentary on Sefer Yonah by Rav Samson Raphael Hirsch ZTL, which was copied from a manuscript, written by one of his disciples, and found in the manuscripts department of the National Library in Yerushalayim. This is a Hebrew summary of lessons given by Rav Hirsch probably in German. Dr. Shimon Bollag copied the manuscript, and provides us with comments, important additions and a short introduction. He includes parallel explanations from the commentary of the author's son, Dr. Mendel Hirsch ZTL, on the Haftarat.

Dr. Yesha'yahu Bar'or: Removal of Environmental Hazards

Dr. Yesha'yahu Bar'or, Chief Scientist at the Ministry of Environment and a resident of Shiloh in Binyamin, writes about concrete examples of contemporary environmental pollution, and deals with them from a Jewish legal viewpoint. He emphasizes that just as it is forbidden to hurt another human being so should one take measures to avoid damage to the environment (i.e. water, air, land etc.). The obligation to prevent environmental pollution depends on the nature of the pollutant, the likelihood of its affecting the near and far environment, its necessity (how vital and important is it to society and progress), and the cost involved in its removal.

Rav Moshe Ganz: More about the Sin of David and Batsheva

There is great reluctance to imply that David, the founder of Jewish Royal dynasty and the author of Psalms, committed adultery with Batsheva. This is not just an emotional approach, but it is based on verses and upon views of Chazal. The notion that each soldier in David's armies wrote a Get to his wife before going to war, may solve the issue of Batsheva's adultery, but does not eradicate the distasteful aspect of this episode. Rav Nebenzahl Shlita, in his Sichot on Sefer Bereshit, writes that it was an 'Avera Lishma', because David knew that Batsheva was destined to be his wife. Rav Ganz, a senior Ram in Yeshivat Sha'alvim, writes that this answer does not resolve the problem, and that Chazal only meant to say that Shlomo was worthy of royalty, despite the problems involved in David and Batsheva's relationship. Rav Ganz opines that according to the Midrash, David indeed failed this test of faith, but did "real Tshuva" and subsequently resisted further temptations. He is referred to as a Tzadik – but not to the same degree as the three forefathers.

Rav Meir Barely: The Blessing ‘Matziv Gvoul Almanah’ on houses of the wicked

Rav Meir Bareli, Ram in Yeshivat Sderot, discusses the Takana of Anshey Kneset Hagedola that one who sees newly established homes of Jews should say the Bracha “Matziv Gvul Almanah”. The Poskim disagree on whether this Bracha has to be said on all new houses, or only on synagogues. It must be determined whether the opinion is to bless on all houses belonging to Jews, including the homes of the wicked too? It is quoted In the name of the Ponovezer Rav that one should say the Bracha on new houses of the wicked, as well, and there are, indeed, some stories that support this opinion. According to some Poskim, however, one is to refrain from doing so. According to the opinion that this Bracha is said only in Eretz Yisrael, it would seem that it is possible to make a blessing on the houses of the wicked, as well, because the Mitzva of Yishuv Ha’aretz is fulfilled also by the “wicked”.

Prof. Zohar Amar and Rav Dr. Ari Z. Zivotofsky: More about the Kashrut of the Muscovy Duck

In light of the recent debate surrounding the kashrut of the muscovy duck, Prof. Amar and Rav Dr. Zivotofsky present an accurate history and the true characteristics of the non-predatory muscovy. The identification of kosher birds is a complex issue that relies on both tradition and ruling out that the bird is a predator (‘Dores’). The Muscovy Duck (*Cairina moschata*) is a New World bird that is similar to the Old World ducks, but differs in possibly significant ways. Over 100 years ago its kashrut status was debated and it was accepted in Eretz Yisrael and rejected in the United States due to the lack of a tradition. This past year the debate was rekindled when some muscovy were accidentally slaughtered in the US, and this time certain rabbis ruled that it was definitely non-kosher, presenting a distorted view of the historical debate and claiming that it is a predator. In this article the authors clarify the history and nature of the muscovy.

Rav Dr. Michael Avraham: Paradox and Anti paradox in an Halachic Decision

In this article, Rav Dr. Michael Avraham, from the Kolel of Bar Ilan University, discusses the examples of problems in Halachic decisions, known in logical terms as Paradox and Anti-Paradox. The first refers to a statement whose truths cannot be defined, while the second refers to a statement which contains more than one truth. In the latter case (Anti-Paradox) the solution comes with the involvement of a Bat Kol, while in the case of the Paradox the decision is left in the hands of the sages of Halacha themselves, without reference to the logical aspect of the problem.

Rav Yosef Gavriel Bechhofer: Explanations of Different Nusachs in Mousaf of Shabbat

Rav Bechhofer, an alumnus of Yeshivat Sha’alvim and now rav in the U.S., writes about the difference between Nusach Sfarad and Nusach Ashkenaz at the beginning of Musaf of Shabbat: אז מסיני נצטוו עליה פועליה כראוי ותצוונו — אז מסיני נצטוו עליה... ותצוונו. Rav Bechhofer claims that the difference is very significant: Nusach Sfarad concerns itself with the completion of the Shabbat *commandments*, and Nusach

Ashkenaz – ‘עליה’ – on the sanctity of the Shabbat that was given at Sinai, even though most of the Mitzvot of Shabbat were already given at Marah and after ירידת המן. The article focuses on the levels of the sanctity of the Shabbat under various circumstances and about the gradual giving of this Mitzva to Am Yisrael, bringing the opinions of great from all generations: Maimonides’ Commentary on the Mishnah and Hayad Hachazaka, the Maharal of Prague, Rabbi Chaim of Volozhin, Rabbi Pinchas Horowitz (the Hafla’a), Rabbi Zadok Hakohen from Lublin, the Natziv of Volozhin, Aruch Hashulchan and many more, and some nice things from the book “Mitzvat Hashabbat” of Rav Elchanan Adler, Ram in YU.

Rav Yaakov Yisrael Stal: Combs made from Rams’ Horns for the Removal of Nits

According to Chazal, Hashem cares for all creatures on earth, ‘from the horns of rams to nits’. This prompted Rav Yehuda Hachasid to conclude that there is an allusion to the use of combs made from horns to remove nits from the head. The author of this article, Rav Stal, Talmid Chacham and scholar from Yerushalayim, provides numerous sacred and secular sources, and paints a vivid picture of human life from the time of the Rishonim, and it’s reflection in the sacred and secular literature of the period.

Memorials

Rav Kinarti, a graduate of Yeshivat Sha’alvim and Ram in the Yeshiva of Itamar, Shomron, eulogizes Rav Mordechai Eliyahou ZTL, whom we miss so sorely.

We present here the Hespod of Rav Yoel Amital Shlita, Ram In Yeshivat Sha’alvim, at the funeral of his late father, Rav Yehuda Amital ZTL, Rosh Yeshiva of Yeshivat Har Etzion, and that of Rav Meir Schlesinger, founder and former Rosh Yeshiva of Yeshivat Sha’alvim, for his close friend, Rav Amital, which was delivered on the last day of the Shiv’a in Yeshivat Har Etzion.

About Books and Authors

Three books are reviewed in this issue: a new Geonic book about the Halachot of divorce, reviewed by Rav Dr. Itamar Warhaftig, a Talmid Chacham and jurist from Bar Ilan University; a new edition of the famous book ‘Sefer Hatruma’ of Rav Baruch, one of the Tosafists, reviewed by Rav Yoel Friedman of Machon Hatorah Vehaaretz; and a new edition of Rashbam commentary on the Torah, reviewed by Rav Avraham Meir Glanzer from Antwerp, Belgium. Rav Friedman congratulates Rav David Avraham on his new edition of Sefer Hatruma, but presents two criticisms: 1. Rav Avraham chose to reprint the text of the printed editions with corrections from MS Vatican 145, instead of basing the text on one of the earlier and more accurate manuscripts. 2. Rav Avraham wrote extensive notes, referring to the entire world of Halacha, rather than concentrating on the Tosafists’ opinions.

The issue concludes with a review of recent Judaica received by Hama’yan. HAMA’YAN Editorial Board wishes its subscribers, readers and all “Am Yisrael”, a good year blessed with Parnasa, redemption, the love of Torah and Yirat Shamayim.

כתיבה וחתימה טובה