

HAMA'YAN

Table of Contents

Why Parashat Pinhas is Always Read Around the Period of the Three Weeks? / Rav Yissachar Shlomo Teichtal ZT"l	3
Interruption of the Recital of <i>Shema</i> and <i>Hallel</i> / Rav Yehuda Amital ZT"l	12
Erecting a Monument 66 Years after the Shoah / Shmuel Emanuel	17
Words upon Unveiling the Monument: Baruch Emanuel	20
Words at the Cemetery in the Tiergarten: Rav Zeev Weitman	22
The Shabbat Evening Trial	26
Three <i>Halakhic</i> Comments Regarding Operational Activity on Shabbat / Rav Mordechai Emanuel	27
Manuscript Variants of a Responsum of Rabbeinu Peretz of Corbeil, and their Ramifications for the Law of Artificial Insemination / Prof. Simcha Emanuel	31
The Third Redemption of Israel / Rav Yaakov haLevi Filber	39
On the Prohibition of Creating Light on Shabbat in the Teaching of Rav S. Z. Auerbach ZT"l / Rav Zalman Menachem Koren	45
<i>Hafifa</i> (Cleansing) for the Immersion of a Convert / Rav Eliezer Ben-Porat	62
<i>Mishnayot</i> Order 'Mo'ed', 'Mo'adim' or 'Zemanim'? / Dr. Mordechai Meir	67
Rav Kook's Relationship to the Keren haYesod (the United Israel Appeal) / Rav Eitam Henkin	75
Responses and Comments	
Including Communal Rabbis in Emergency Planning Teams / Moshe Oren	91
Further in the Matter of a Not Fully Observant Convert / Rav Eliezer Weil	92
Resolving <i>Halakhic</i> Paradoxes / David ben Rav Haim Sabato	93
On the Method of Editing <i>Torani</i> Works / Rav Eliyahu Morgenstern	96
The Torah Prohibition of Completing an Electric Circuit on Shabbat / Rav Yedidia Menat; Rav Dr. Dror Fixler	98
Concerning the Words of the Hazon Ish 'About Our Land' at the Beginning of the Previous Issue; Correction / Rav Yoel Catane	100
Editorial Review of recent <i>Torani</i> Publications / Rav Yoel Catane	103



Abstracts

Rav Yissachar Shlomo Teichtal: Why Parashat Pinhas is always Read Around the Period of the Three Weeks?

Rav Yissachar Shlomo Teichtal was born in 1885 in Hungary, studied in the Pressburg Yeshiva and served as a Rav and *Rosh Yeshiva* (Principal) in Slovakia. He was close to the Munkacser Rebbe (*Minhat Elazar*) who was quite extreme in his views against Zionism. In the course of the Shoah (Holocaust) he hid in Budapest, where he immersed himself in the topics of exile and redemption and settling the Land of Israel, as a result of which he wrote his work *Em haBanim Semechah* in which he claimed that 'settling the Land of Israel' has great importance and blamed the troubles besetting the Jewish People on their neglect of this directive. Rav Teichtal was murdered on the way to Auschwitz in 1944. After the Shoah many editions of *Em haBanim Semechah* were published, and of his responsa *Mishneh Sakhir*, as well as other works, from his surviving writings. Here we publish an address out of a manuscript in possession of the family, which the Rav presented to members of his community in the winter of 1941. In this address, many lines of which are written in Yiddish, he explains the connection between the reading of Pinhas, which speaks of the behavior of the Jewish People, and the Three Weeks ['between the straits' – a period of mourning for the Temple], the importance of choosing erudite rabbis to lead communities, the relative wealth of prior years which allowed a decline in observance, and the need to strengthen the study of Torah in the community. He concludes with a call to return to the former way of life, to the '*cheder*' and the study hall, and in the merit of Torah Study the Jewish People will be rescued from its current travails.

Rav Yehuda Amital ZT"l: Interruption of the Recital of *Shema* and *Hallel*

On the first anniversary of the passing of the head of Yeshivat Har Etzion, Rav Yehuda Amital ZT"l, we publish here a chapter of his book of lectures and novellae, which his son Rav Yoel Amital, Ra"m at Yeshivat Shaalvim, is currently editing. The chapter deals with whether the rule that one does not interrupt the recital of shema except for 'fear' and 'honor' stems from the intrinsic importance of the recital of *shema* or does this rule rather result from the fact that the speaking [which interrupts] creates a separation between the blessings of the recital of shema and the paragraphs of the *shema*. Rav Amital ZT"l clarifies the import of the blessings of the recital of *shema* according to the views of the Talmud Bavli and the Yerushalmi, Maimonides, Rabbeinu Tam, and many more, and advances the idea that given that blessings were instituted before and after the recital of *shema* it is evident that the paragraphs recited constitute a unit, so much so that it is possible that even if we recite the *shema* without blessings it is forbidden to interrupt with speech. With his answer, the Rav resolves all the difficulties in the topic. תנצב"ה

Shmuel Emanuel: Erecting a Monument 66 Years After the Shoah

Sixty-six years after the Shoah, it became known to the Emanuel family that their Mother/Grandmother Mrs. Chana Martha Emanuel, who perished on a train due to

starvation and illness in the final weeks of the Second World War, and of whom they were sure that she was never buried – was in fact buried among others who died on the ‘Lost Train to Tröbitz’ in a cemetery next to Lunenburg, East Germany. After on-site clarifications and halakhic enquiries, they decided not to exhume her from her grave, but rather to erect a monument in that cemetery with an official ceremony. In this issue of *HaMa’yan*, we present the stirring words declaimed and written by the sons Shmuel and Baruch, and the words spoken at the ceremony by Rav Zeev Weitman, the Rav of the Tenuva Cooperative, who is married to a granddaughter of Mrs. Emanuel Z”L. To these words are appended a passage published in Yona Emanuel Z”L’s book *Dignity to Survive* relating the story of the Sabbath Evening Trial at Bergen Belsen, which demonstrates in a most palpable fashion how Mrs. Emanuel Z”L preserved her Jewish halakhic principles even in a moment of pressure, starvation and danger. Unbelievable!

Rav Mordechai Emanuel: Three *Halakhic* Comments Regarding Operational Activity on Shabbat

Rav Mordechai, son of Shmuel Emanuel, writes (in memory of his above-mentioned Grandmother) three *halakhic* comments involving military activity on Shabbat, which he began writing in the wake of his reserve duty in 1984. Rav Emanuel, in his day, performed his military service in the framework of *yeshivot hesder*, and of course also performed reserve duty for many years. He currently researches and writes on various topics in *halakhah*, principally specializing in matters of *kashrut*.

Prof. Simcha Emanuel: Manuscript Variants of a Responsum of Rabbeinu Peretz of Corbeil, and their Ramifications for the Law of Artificial Insemination

The modern ability to become pregnant by means of artificial insemination without sexual relations places difficult questions at the doorstep of the *poskim* (*halakhic* decisors): Is it permissible for a married woman to accept into her body the semen of a man other than her husband? Is it permissible to inject the semen of the husband on days when he would be prohibited from having relations with her? These questions hinge upon one central question, which for many centuries was considered purely theoretical – and now has suddenly become eminently practical and indeed pivotal: are the sexual prohibitions stated in the Torah predicated upon natural intercourse? The cornerstone of all these deliberations is a responsum penned by Rabbeinu Peretz of Corbeil, among the last of the ‘*baalei hatosafot*’ (glossators) in France. Until now, the *poskim* had before them three different versions of this responsum, while in this article, Prof. Emanuel – he as well is a grandson of the above-mentioned Mrs. Emanuel – presents a number of additional versions of the responsum from manuscript. The variations among these versions are extremely important, and according to one of the readings it is even possible to decide a question which divided the major *poskim* of the previous generation, Rav Moshe Feinstein and the Satmar Rebbe – a question which remains at the center of a most difficult *halakhic* and practical debate.

Rav Yaakov haLevi Filber: The Third Redemption of Israel

In the previous issue, Rav Gorfinkle wrote that there is no guarantee that there will not occur, God forbid, a decline in the situation of the Jewish People in our generation, and that the widely-known saying that the Third Temple will not be destroyed – attributed to Rav Herzog – cannot be depended upon as an unequivocal Divine promise. Rav Filber, among the rabbis of Yeshivat Mercaz HaRav, comes out against this position, and demonstrates from the words of our Sages and the great figures throughout the ages that there is no doubt that the ingathering of the exiles and the reconstruction of the land which we see now before our very eyes is part of an irreversible part of a Divine plan. Although it is possible to foresee ups and downs on our way to complete redemption, the overall direction cannot be reversed. May we merit to see with our own eyes the complete fulfillment of the prophecies of redemption!

Rav Zalman Menachem Koren: On the Prohibition of Creating Light on Shabbat in the Teaching of Rav S. Z. Auerbach ZT”L

In the foregoing issue of *HaMa'yan*, Dr. Dror Fixler's article appeared, in which he established that the prohibition of turning on LED lights on Shabbat is solely because of *uvdin d'chol* (weekday practices), and that indeed there is no complete prohibition to kindle light on Shabbat if no heat results. Rav Koren, who recently finished editing the writings of the Gaon Rav Shlomo Zalman Auerbach dealing with electricity on Shabbat, demonstrates in an extensive monograph that there exists a prohibition of *molid* (generating) in creating light on Shabbat, even if no heat is produced. He explains the debate of Rav Auerbach with the *Hazon Ish*, and cites correspondence which Rav Auerbach authored, and which other great figures of his generation wrote to him, from the time he began to deal with the issue as a young man in 1935 through his later years. His conclusion is clear: just as perfuming a garment (causing it to have a good aroma) is prohibited on Shabbat due to *molid*, so causing an object to give light is forbidden to the same extent and even more, as opposed to heating (in such fashion as is not prohibited on Shabbat) which entails no intrinsic prohibition. Rav Koren also disagrees with the head of Yeshivat Birkat Moshe in Maale Adumim, Rav Nahum Eliezer Rabinovich, that it is permissible on Shabbat to use 'glow sticks' ('sticklights') – light created as a result of chemical reaction without heat – and establishes that this as well is rabbinically prohibited on Shabbat.

Rav Eliezer Ben-Porat: *Hafifa* (Cleansing) for the Immersion of a Convert

Rav Eliezer Ben-Porat, a rabbi in Ottawa, Canada, deals with a very intriguing and practical question: does the familiar rule that before immersion one requires '*hafifa*' – thorough cleansing of body and hair, rather than depending upon the body usually being clean – exist as well for the immersion of a convert, or only for the immersion of a woman? This rule is based upon an ordinance of Ezra the Scribe, and the question is how 'broad' it is. Rav Ben-Porat demonstrates that it is a point of debate among the *rishonim*, and that in practice there are many facets allowing leniency 'after the fact' (*bedi`avad*), so that even a convert who did not cleanse before immersing would be considered to have undergone a fitting immersion. He also includes the consideration that hygiene in our day differs from that which once was,

and that everyone washes regularly, this being an additional consideration allowing us to assume after the fact that there was no soil causing a separation which would invalidate the immersion.

Dr. Mordechai Meir: *Mishnayot* Order ‘*Mo’ed*’, ‘*Mo’adim*’ or ‘*Zemanim*’?

Dr. Mordechai Meir, alumnus of Yeshivat Shaalvim, has for many years conducted extremely fundamental research into the Mishnah and its commentaries, and has published many important articles on the topic (a number of them in *HaMa’yan*). In this piece, he writes on a minor point, yet very intriguing: why is the title of the order ‘*Mo’ed*’ (Appointed Season) in the singular form, while all the other orders are designated in the plural (*Zeraim* – Seeds, *Nashim* – Women, *Kodashim* – Holy Things, *et al*)? He shows that the question was already asked four centuries ago, and cites many sources which deal with the topic in various contexts.

Rav Eitam Henkin: Rav Kook’s Relationship to the Keren haYesod (the United Israel Appeal)

One of the complaints of the Ultra-Orthodox community against Rav Kook stems from the determination made at the time by Rav Elchanan Wasserman, that Rav Kook supported the Keren haYesod (UIA) despite its financial support of secular, ‘antireligious’, education. Rav Eitam Henkin, a rising star in the firmament of *Torani* research, demonstrates that the information available to Rav Wasserman was faulty, and that just the reverse was true – Rav Kook supported the Jewish National Fund (KKL) and other causes as well, but was careful to require of them ‘minimal standards’ in matters Jewish and to insist on their fulfillment – and specifically regarding the Keren haYesod he never issued a statement of support. In fact, in one of Rav Kook’s open letters of support for those who settled the land, at a time of dire straits, a falsification crept into the wording published in Polish newspapers: the phrase “the Zionist Leadership” was replaced by “the Leadership of the Keren haYesod”, and it seems to have been this which gave rise to the misunderstanding of Rav Wasserman. Rav Henkin shows that Rav Kook was much more exacting than other rabbis in not supporting the Keren haYesod and similar causes, and that this accusation is only one of the many calumnies which Rav Kook suffered – both during his lifetime and after his passing.

Responses and Comments

Moshe Oren, a senior member of Kibbutz Sha’alvim, reacts to the article “Intervention and Assistance on Shabbat in the Event of an Attack on a Settlement” which the editor wrote in the previous issue of *HaMa’yan*. He adds that a portion of the preparations for emergency situations such as these must include the rav not only in deciding the *halakhah* in real-time, but also in preparing the settlement and the community for tragedy, in establishing halakhically and ethically proper procedures in emergency situations, and the like. It is his opinion that in every settlement, the rav must be a member of the emergency team.

Rav Weil, Rav in the settlement of Shadmot Mehola in the Jordan Valley and

member of the Court for Conversions of the Chief Rabbinate, establishes as incorrect that which Rav Yitzchaki wrote in the previous issue, that a non-Jew who underwent an Orthodox conversion but does not observe all *mitsvot* (directives) is not a convert; in Rav Weil's estimation, the vast majority of converts are truly converts according to *halakhah*, even if their observance is wanting, and their conversion takes effect at least 'after the fact'. He claims that only rabbis who are responsible to the entire community can issue opinions in communal affairs, and in this case we must proceed according to the decisions of the Chief Rabbis throughout the generations.

In previous issues of *HaMa'yan*, a number of scholars have discussed various *halakhic* paradoxes. David Sabato, son of the Rav and writer Haim Sabato of Maale Adumim, himself a student of the yeshiva there, proposes a logical and *halakhic* approach through which it is possible to resolve a good portion of these paradoxes, depending principally on the work of Rav Amiel (in his time, the Rav of Antwerp, Belgium and later of Tel-Aviv) which dealt with logical underpinnings of *halakhah*. He demonstrates models of his solutions in a number of areas.

In the previous issue a great debate arose regarding the proper method of editing 'Torani' works, and the question of whether there exists a 'Yeshivish' way of editing books in which it is unnecessary to be careful to bring out the correct text of the work, and in which there is room to append copious sources and disparate views in the margins even when they bear no connection to the work itself. Rav Eliyahu Morgenstern, veteran student of the Mirrer Yeshiva in Jerusalem, rejects the words offered in defense of the editorial method of the *Sefer HaTruma* on account of which the entire debate arose; in his opinion, even 'Yeshivish' editing must be professionally executed, and there is no good reason or justification to dispense with the attempt to discover the original wording of a text and to point out its sources.

In the previous issue, Rav Dr. Fixler dealt with clarifying the prohibition of turning on 'cold' (LED) light on Shabbat, and in the course of discussion wrote that the custom is not in accordance with the view of the Hazon Ish that any completing of an electric circuit incurs a Torah prohibition. Rav Yedidia Menat, a Jerusalem *talmid hakham*, comes out against this assertion: in his view, the argument remains and is not decided upon, and there is no possibility of ignoring the position of the Hazon Ish, so that closing any electronic circuit or connecting any electrical appliance carries with it the possibility of a Torah prohibition. Rav Fixler takes issue with him on this point.

In the previous issue, the editor printed – in accordance with a retrieved manuscript – a passage written in a letter by the Hazon Ish in which he expresses already in 1922 his doubts and hesitations in connection with the situation in the Holy Land, where it seems as if the process of the ingathering of the exiles and the redemption is beginning. In the internet forum of the Otzar haHochma database of Judaic books, there were those who suspected that this passage was a forgery of the editor of *HaMa'yan* or of those who provided the material. The editor proves that this sentence is in the original, and even presents more precise wording which the moderator of the abovementioned forum found in an as-yet-unpublished collection of manuscripts of the Hazon Ish.

The issue concludes, as usual, with a review of recent Judaica received by *HaMa'yan*, By the editor Rav Catane.