

HAMA`YAN

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Survey of This Issue

The editor's introduction is followed by articles relating to the coming holidays. The first article, regarding Hanukkah, concerns a woman who forgot to kindle Sabbath lights. She must thereafter add to the lights. Does this penalty apply only when the result was that the home remained in darkness, or even when there was other light in the home? Does the penalty apply on the eve of the Sabbath of Hanukkah when the woman herself kindled Hanukkah lights in her home, but forgot to kindle Sabbath lights? Rav Zeev Roness elaborates.

The Fifteenth of Shvat, known as 'the New Year [Rosh HaShana] for trees, seems to merely be a date from which certain *halakhic* calculations are derived. But if that is the case, why is one forbidden to fast on Tu BiShvat? For what reason do we refrain from reciting the penitential prayers [*tahanun*]? And how come we recognize the date with the festive custom of eating choice fruits of the land of Israel? In this article, Rav Arie of Yeshivat HaGolan unearths the day's fundamental and historical import. He also examines its various manifestations throughout the generations in a manner which shows that the day's modern character - which at first glance seems unremarkable and simplistic - may prove to be of profound significance and a central component in a broader spiritual outlook.

The Midrash states that the general command to wipe out Amalek includes the command to destroy his possessions, and a number of early authorities [*rishonim*] wrote similarly, and so we find in the command with which Samuel charged King Saul. However, Maimonides does not cite this, and in King David's war with Amalek spoils were taken. Rav Markowitz offers various possibilities to clarify the topic.

The rebirth of the State of Israel is referred to by the National Orthodox community as the 'beginning of Redemption' and yet those who were active in its establishment arose principally from the secular community and professed secular reasons. Rav Dr. Warhaftig gathers seven approaches presented by later authorities [*aharonim*] resolving this anomaly and expounds in depth upon their remarks.

Another article demonstrates a distinction between two uses of the word 'asui' by Maimonides in his Code [*Mishne Torah*]. In some instances its meaning is "created for the sake of" and in other instances it means "likely". With this distinction Rav Sabato of Ma'ale Adumim resolves an apparent contradiction in Maimonides' rulings.

Rav Moshe Hillel convincingly identifies the creature '*Binata d'bei K'raba*'

as the earthworm, which inhabits the top layer of earth in fields and generally comes out only during the plowing season. This simple, straightforward idea resolves the many linguistic and substantial difficulties in the topic, albeit not in accord with the view of one group of early authorities [*rishonim*].

All *halakhic* decisors [*posqim*] have ruled that 'parchment' refers to the outer side of the pelt of the animal – disagreeing with Maimonides. Even so, out of necessity they have found various reasons to permit use of the inside of the pelt under certain conditions, reasons which we continue to rely upon today. In this article, the reasons given for this "allowance in view of ameliorating circumstances" are clarified, and Rav Uriel of Yeshivat Bet El suggests the possibility of returning to the more ideal practice.

In a well-known Talmudic expression, Abaye derides rabbinic leaders who are beloved of the people of their city. Such high regard, he suggests, is proof that these leaders are derelict in their duties, and do not rebuke the people for their sins. But this preliminary impression of Abaye's dictum runs counter to much of what we find in his name. Rav Roness explains the statement in context, offering a more nuanced understanding.

The next article illuminates a personal aspect of the life of Rav A. I. Kook: the passing of his younger daughter at an early age. A month and a half after meeting with her parents following their separation throughout the First World War, Esther Yael was killed when she fell from a great height in the Rav's home. Rav Gershuni portrays Rav Kook's life against the backdrop of those years, fateful for the world and the nation, from the perspective of a family man.

Finally, remarks on parting from the eminent Rav Yitzchak Dzimitrovsky ZT"l who served as the chief *Ra"m* (teacher) of Yeshivat Shaalvim when it began and has just passed away in Jerusalem.

Rav Yaakov Ariel, Chief Rabbi of Ramat Gan, categorically rejects the possibility discussed in the the previous issue of *HaMa'yan* that in the future autonomous vehicles might be used on the Sabbath, and even objects to the question being raised for discussion. At the same time, Michael Eisenberg, a *talmid hakham* [rabbinic scholar] and senior high-tech person, explains to how great an extent the use of artificial intelligence changes all accepted halakhic definitions, and hopes for *halakhic* clarification of this topic.

A good, healthy and successful winter to our *HaMa'yan* subscribers and readers.