

HAMA`YAN

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Survey of This Issue

Rav Yitzhak Devir, a Rav in Elon Moreh and among the rabbinic staff the *kashrut* organisation Kosharot, attempts to demonstrate that one should expand upon matters of the Exodus precisely during and after the *seder* meal, and not before, to keep the children awake and also in accordance with the principle that 'the zealous perform their obligations with alacrity'. In his opinion one should focus on recounting the story of the servitude in Egypt and the miracles of the Exodus and not on any other topics. According to many approaches, one does not fulfill this obligation by involving oneself in halakhic topics during the *seder*.

Many years ago Prof. Aumann published a paper explaining Rabbi Nathan's opinion in the Mishnah in Ketubot, which dealt with the division of an inheritance between three women whose husband died. Rav Sheriki from Bet El suggests that Prof. Aumann's explanation of Rabbi Nathan's opinion corresponds to the explanation of Rav Hai Gaon Z"l, who explains the opinion of Rabbi Nathan in the Mishnah "in the same way as *Shenayim Ohazin* [Contested Garment Rule]". Although the Ri"ף [Rav Isaac Alfasi] explained the opinion of Rav Hai Gaon according to the *halakhic* principle of "*Shenayim Ohazin*" and rejected it, we will see that another possibility of explaining the opinion of Rav Hai Gaon, which corresponds to Prof. Aumann's explanation, that Rabbi Nathan's words in the Mishnah are to be taken literally and based upon the principle of division "corresponding to (or in the same way as) *Shenayim Ohazin*", also cannot be accepted for several reasons.

Prof. Aumann responds that Rav Sheriki argues that Rav Hai Gaon's explanation "cannot be accepted" citing later authorities. But Rav Hai Gaon is a towering figure in his own right; his explanation should be understood, not dismissed. Specifically, Rav Hai Gaon may disagree with Rabbi Sheriki's reasoning, and/or with the later authorities he cites. To illustrate, he briefly discusses and analyzes a few central issues.

A cryptic Talmudic passage (Ketubot 93ab) discusses the division of a deceased man's estate among his wives, relating it to the division of a partnership's proceeds among the partners. Rav Hai Gaon suggests an explanation in terms of the division of a contested garment among

the claimants (Bava Metzia 2a). Prof. Aumann shows that, unlike all other commentaries, Rav Hai Gaon provides a unified explanation of the passage in terms of the plain meaning of the words, inter alia ascribing the same division procedure to the partners as to the wives. Rav Back, *Ra"m* [teacher] at the *yeshivat hesder* in Rishon leTzion, discusses blessings on various types of pastries, and takes note of the gap existing in many instances between the legal calculation according to which the correct blessing should be determined, and intuitive perception or accepted practice. In intermediate cases he advises depending upon intuition in distinguishing between pastry which requires the '*mezonot*' blessing and 'plain' food which receives a less specific blessing.

Prof. Amar presents the realia, the *halakha*, the biological and the historical background of the ancient custom of neutering animals in order to augment their size, their flavor and the ease of maintaining them.

Rav Reichman, formerly a senior military Rav and now a farmer and resident of Nof Ayalon, rejects the view of Rav Ben-Meir published in *HaMa'ayan* that it is possible to conclude from the act of harvesting lettuce for the Hazon Ish [Rav Avraham Yesha`ya Karelitz] that in extreme situations the Hazon Ish also relied upon the *Heter Mechira* [sale to ameliorate restrictions on working the Land during *Shemittah*], and Rav Ben-Meir endeavors to explain his opinion, and Rav Dr. Warhaftig continues to clarify the question why the beginning of our redemption was built by the secular community.

Two important works dealing with matters of family purity are reviewed in depth by two outstanding young *talmidei hakhamim*. Rav Redman, head of a *kollel* in Petah Tiqvah, surveys the various editions of the well-known work *Darkhei Tahara* on the rules of *niddah* by the eminent Rav Mordecai Eliahu, praising its virtues while suggesting improvements for the coming edition; and Rav Aryeh Katz, on the rabbinical staff of the Puah Institute, sharply critiques the new work of Rabbis Stav, father and son, which deals with various issues related to modesty and the Jewish home.

חג כשר ושמח, Yoel Catane