

# HAMA'YAN

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## Greetings on the Occasion of Sha'alvim's Jubilee Anniversary

Representing the Board of Trustees, and the Executive Committee of the American Friends of Yeshivat Sha'alvim, we wish to the Yeshiva and to the **בוגרים וידידים**, **תלמידים**, a hearty **חזק טוב** on the past achievements, and wish **חזק ואמץ** on future endeavors.

Sha'alvim is a unique place that embodies **תורת ישראל עם מדינת ישראל** deeply. It is truly a beacon to World Jewry whose **בוגרים** throughout the world have become vanguards within the global **קהל דתי**. I know the American **בוגרים** the best, and proudly watch as they march forward from their time at Yeshiva to become both religious and lay leaders in the U.S. Beside the **מידות**, **למדנות**, the **מידות** they have acquired are role models for others.

But there is work to do. We view our participation in **שעלבים** as a partnership with our Israeli **שותפים**. We must build this institution together as a partnership whether it involves the **ישיבה גדולה** or the **כולל** or the expansion of the **חוץ לארץ** program in Sha'alvim and the women's program in Jerusalem. All are with the same goal of **להגדיל תורה ולהאדירה**.

We have two major projects underway with which we hope you too will be our **שותפים**. They are the **תורה ספר כתיבת ספר** and the rebuilding and refurbishing of the dormitories.

The **ספר תורה** project is especially dear to my heart. The **ספר תורה** is the bottom line of **יהדות**. Everything flows from it. It represents what we have accomplished, and gives us **חיזוק** for further accomplishments. Only by working together will we succeed. The Rosh Yeshiva **שליט"א** wrote the first word at our last dinner, and we hope to complete it, **אי"ה**, at the 50th Anniversary Dinner. It will alternately go with the **בחורים** when they become soldiers. The cost of the **ס"ת** has already been spoken for and what is to be raised from those who will participate in the **מצוה** will go to the Yeshiva.

Our Yeshiva is fifty years old and rejuvenates itself daily. The dormitories are thirty years old. We are embarking on a \$5 million program to redo them from top to bottom and build new ones to accommodate growth. You, **ידידי הישיבה**, **בוגרים**, should want to seize the opportunity to join the partnership and show your **הכרת הטוב** in a concrete manner.

As a professional economist, I stand in awe of the development of the Israeli economy, particularly in the past two years when the rest of the developed world was in deep depression. **ב"ה** Israel is a developed country. In fact, Morgan Stanley, a highly respected American bank, took Israel out of its developing country index and placed it in the developed country index. That is quite an achievement. The building of the Israeli economy and institutions closely parallels that of **שעלבים** **יהי רצון** that both continue to grow and that we, as **שותפים**, **מחיל לחיל** move.

**David Goldsmith**

Chairman of the Board of American Friends of Yeshivat Sha'alvim

# Abstracts

## **Rav Yoel Catane; Rav Shlomo Moshe Amar; Rav Rafi Peretz; Rav Prof. Daniel Hershkowitz: Opening Greetings**

This issue opens with a preface from the editor, recalling the very successful Jubilee Celebration of Yeshivat Sha'alvim at the beginning of Cheshvan. Included are the inspiring remarks by three of the honored guests at the celebration: Chief Rabbi Rav Shlomo Amar Shalita, Brigadier General Rav Rafi Peretz – Chief Rabbi of IDF, and Minister of Science Rav Professor Daniel Hershkowitz. The editor advises that at the beginning of next year, the 200th Anniversary commemorative issue of Hama'yan will appear in expanded form.

## **Rav Amichai Kinarti: The Laws of Chanukah from the book “Yosef Ometz”**

Rav Yosef Yuzpe Hann was Rav in Frankfurt at the beginning of the 16th century. His book called “Yosef Ometz” describes the Minhagim of his city, which, for all intents and purposes, are the ancient Minhagim of Ashkenaz. The book became a fundamental source of Ashkenazic customs, and was reprinted several times. There also exist original autograph manuscripts. Rabbi Amichai Kinarti, a graduate of Yeshivat Sha'alvim, now a Ram in Yeshivat Itamar in the Shomron and a researcher at Machon Shlomo Aumann, is now preparing this important book for republication. In this issue he presents us with the Laws and customs of Chanukah as found in “Yosef Ometz”, with a short introduction, comments and revisions.

## **Rav Yechezkel Yacobson: Falsifying One's Identity for Saving One's Life**

Rav Yacobson Shlita, Rosh Yeshivat Sha'alvim, discusses a difficult and delicate halakhic issue, in anticipation of Holocaust Memorial Day on the tenth of Tevet: Jews are forbidden by Jewish law to deny their Jewish Identity even when in danger. This Halacha caused serious dilemma during the Holocaust to Jews in hiding. Many relied on more lenient opinions due to extenuating circumstances and succeeded in saving themselves. After reviewing the Halacha and its sources, the Rosh Yeshiva suggests that, during the Holocaust, this Halacha was not relevant, because the concepts 'Jew' and 'Goy' at this time designated only race and origin – and not religion or belief. This is a great Limud Zechut for the Jews who saved their lives posing themselves as non-Jews.

## **Rav Yoel Amital: What is the Status of a Gentile Family which Assimilated with the Jewish People?**

Rav Yoel Amital, Ram at Yeshivat Sha'alvim, raised a difficult question: Does the rule regarding a family with questionable Psul lineage (Mamzer etc.) that is assimilated in Am Yisrael and is considered part of it, apply as well to a Gentile family which is similarly assimilated? This is not only a question of belief, but one which serious consequences regarding our attitude to questionable conversions. Any unjustified leniency in this question could cause many problems. The author provides proof that the great Poskim of the previous generation, including the Chazon Ish,

decided that this law is acceptable even regarding Gentiles whose conversion process was questionable but they are already assimilated among the Jewish People.

**Rav Noam Koenigsberg: Response to Question on Rav Zvi Hirsch Kalisher Regarding the Possibility to offer Sacrifices in our Days when the altar is considered a Bama**

Rav Noam Koenigsberg, an alumnus of Sha'alvim Yeshiva's overseas program and now a Ram at the Yeshiva, answers a major difficulty regarding the opinion of Rav Zvi Hirsch Kalisher, who once tried to convince Gdoley Yisrael to sacrifice Korbanot in our days. Rav Koenigsberg proves that it is possible to reconcile the various approaches to the matter. It remains only to hope that this will soon become a reality...

**Dr. Mordechai Meir: "Mishna Has the Same Letters as Neshama": Implications of this Idea on Mishna Study**

Dr. Mordechai Meir, a alumnus of Yeshivat Sha'alvim, discusses the known expression 'משנה אותיות נשמה', its sources in the writings of the Ari Hakadosh, and its influence on the study of Mishna in recent generations, not only when it refers to the learning of Mishnayot in memory of the deceased.

**Rav Prof. Yehudah (Leo) Levi: 'Gorge Him' Vs. 'Stop Him from Sinning'**

The Torah makes all Jews responsible for one another's morality (Arvut), requiring us to prevent our fellow-Jew from sinning, whenever possible and appropriate. In addition it commands us to admonish potential sinners. On the other hand, there are occasions when halakhah teaches: "gorge the sinner, and he will die" – apparently in total contradiction to the Arvut and admonishment obligations. To resolve this apparent contradiction, Prof. Levi presents a broad survey of halakhic authorities concerning the limitations on these obligations, as well as the interpretations of the expression "gorge the sinner, and he will die".

**Rav Yaakov Zisberg: Continue Living in a Bombarded City**

Rav Yaakov Zisberg, head of the teacher training institute of the Yeshiva of Karney Shomron and resident of Kdumim in the Shomron, raises the question whether it should be forbidden for one to continue to live in a city where there is danger to one's life, as in the case of Sderot. After a deep discussion his answer is in the negative – it is impossible to command one to live there; but one who does live there and remains there, even when there is a danger – does a great Mitzvah. Abandonment of the city would mean that Goyim will settle down in our country and the border will pass in the center of the country. Even the government's negligence does not abolish the commandment of settling in the whole Land of Israel. He shows that throughout all generations Gdoley Yisrael and Am Yisrael settled in various places in Eretz Yisrael, despite the dangers and the violence on the part of the Goyim. There is a big difference, however, in this matter, between an individual and the public: If anyone's dwelling in such a place exposes him and/or his family to fear

and trauma, he may move elsewhere in Israel. Nevertheless one who could lead a reasonable life under these circumstances does fulfill the “public” mitzva of Yishuv Eretz Yisrael. “Ulelefum Tsa’ara Agra”.

### **Uriel Frank: “Torato Umanuto” – From the Language of the Sages to Modern Day Language**

Uriel Frank lives at Mitzpe Yericho in the Judean Desert and is an expert in Leshon Hakodesh. He authors a long and detailed article about the different interpretations, in different generations, of the term ‘Umanut’, and the possible implications that the correct interpretation of this phrase may have on topical issues today. Indirectly it is related even to the true understanding of the expression “Torah Im Derech Eretz”...

### **Memorials**

Two obituaries in this issue: in the first Rav Dr. Yehuda Kuperman, founder of the Michlala, eulogies his friend, the late Rav Shmuel HaCohen, a senior lecturer at the Jerusalem College for Women. He was an expert in the history of the Second Temple period, and a beloved teacher. In the second – Zvi Kasspi, veteran administrator at Yeshivat Sha’alvim, recalls the memory of the outstanding civil servant, R. Shalom Shakhne Rotem (Rothenberg), on his 11th Yahrzeit, and reveals some of his remarkable achievements on behalf of Yeshivat Sha’alvim and other Mosadot of Torah and Chessed. It would seem that there was never a public figure like him, who accomplished so much for the study of Torah in Israel.

### **Responses and Comments**

Many responses and comments in this issue: Rav Perets, Rosh Kolel in Mexico City, reacts to the article “A good thought is linked by G-d to a Deed”; Rav Yisrael Meir Yona, great disciple of Rav Ovadia Yosef Shalita, with important remarks on the meaning of some points in the commentary of Rav Hirsch on Yonah printed in the previous issue of ‘Hama’yan’; Rav Danny Kitov, Ram in Yeshivat Derech Chayim in Sha’alvim and resident of Mevo Horon, commenting on an article by Rav Ganz in the previous issue about the sin of David with Bat Sheva, and Rav Ganz’ reply; and Rav Meir Barely brings more examples of Halachic paradoxes, regarding the article in the previous issue by Rav Dr. Michael Avraham.

### **About Books and Authors**

Shmuel Emanuel, a veteran of kibbutz Sha’alvim, reviews the important book “The Keepers of the Sanctuary”, about the Ashkenazi Rabbis of the Auerbach family, authored by Rav Natan Refael Auerbach, formerly Rav of Kibutz Sha’alvim.

Rav Gershuni describes in a fascinating manner some little known episodes of Yeshivat Merkaz Harav history: Rav Avraham Aharon Burstein ZTL was considered one of the greatest geniuses in Lithuania, and a great future awaited Yeshivat Merkaz Harav when he moved to Jerusalem in 1925 and was appointed head Ram in the Yeshiva. Alas, after less than a year “The Tevriger Rav” died.

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