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## Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

### The Torah of Ha-Rav Shlomo Aviner

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Parashat Behar 5768 - #36

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Would you like to ask Rav Aviner a question? E-mail [mororly@bezeqint.net](mailto:mororly@bezeqint.net) and the question will be brought to Ha-Rav and I will e-mail you the answer.

## Redeeming Houses in Yerushalayim

[Part 1 of 3]

Sefer Le-Mikdashech Tuv, pp. 223-228

1. The question regarding the halachic obligation to redeem houses and land in Yerushalayim can be divided into two parts: A. Is there a mitzvah of redeeming land and building settlements in the entire breadth of the Land of Israel? B. Is there special merit in redeeming houses in Yerushalayim?

2. The Ramban explains that the mitzvah of settling the Land is divided into three parts: A. Dwelling in the Land, i.e. to live in it and not outside of the Land. B. Settling the Land, i.e. "do not abandon it to desolation." C. Inheritance of the Land, i.e. "do not abandon it into the hand of another one of the nations," but establish our State in it and our authority over it (Sefer Ha-Mitzvot of the Ramban, additions of the Ramban, positive mitzvah #4). It is thus incumbent upon us to settle the Land by establishing settlements and settling Jews in every place.

3. This issue is so important that our Rabbis stated: "On what account did Omri merit the Kingship? Because he added one city in the Land of Israel (Sanhedrin 112b), as it says: 'And he bought Mt. Shomron from Shemer for two talents of silver, and built on the mountain, and called the name of the city which he built after the name of Shemer, owner of Mt. Shomron'" (Melachim 1 16:24). And in greater depth: "It was taught from the school of Eliyahu: I was once sitting in the house of study, and I asked them: My Masters, why was Omri different from all of the other kings who did not have their son replace them? Omri came and three kings in a row from his offspring replaced him on his throne. They said to me: We have not heard. I said to them: My Masters, it is because he added one large city in Israel. And this is what Omri thought; he said: Just as Yerushalayim is for the Kings of Yehudah, so too will Shomron be for the Kings of Israel" (Yalkut Shimoni vol. 2 #207). Even though Omri was wicked and built Shomron with the evil intention of being a rival city to Yerushalayim, his merit in settling the Land of Israel nevertheless stood for him.

4. Because of this important mitzvah, the Rabbis even permit one who buys a field in the Land of Israel to have a title of possession written for him on Shabbat (Gittin 8b and Baba Kamma 80b). This means that he can tell a non-Jew to write a document of the sale on Shabbat, even though the act is a forbidden labor from the Torah, and asking a non-Jew to perform it is a rabbinic prohibition. The Tosafot emphasize that the Rabbis did not permit asking a non-Jew for help for the sake of any other mitzvah, even the severe mitzvah of Brit Milah, but only for the sake of the mitzvah of settling the Land of Israel (Tosafot to Gittin 8a d.h. Af al gav and also Ramban, Rashba and Ritba). The Rivash explains the reason: "Settling the Land of Israel is not a temporary mitzvah but a mitzvah which exists for eternity, and a mitzvah and a benefit for all of Israel" (Shut Ha-Rivash #387). This is an eternal mitzvah for the entirety of Israel and its results are eternal.

[B"H to be continued]



### **Text Message Responsa**



Ha-Rav answers hundreds of text message questions a week. Some appear in the parashah sheets "Ma'ayanei Ha-Yeshu'ah" and "Olam Ha-Katan." Here's a sample:

Q: Is it proper to have a hunger strike for Jonathan Pollard?

A: Yes, it is a mitzvah.

Q: Should we recite Hallel with a blessing on Yom Ha-Atzmaut at night and during the day?

A: We do not recite it at night and we do recite it during the day with a blessing. This was the decision of our Rabbi, Ha-Rav Tzvi Yehudah Kook.

Q: Why don't we recite "Yaaleh Ve-yavo" or "Al Ha-Nisim" on Yom Ha-Atzmaut?

A: Our Sages decreed in the Gemara that "Yaaleh Ve-yavo" is recited on Torah holidays, "Al Ha-Nisim" is recited on rabbinic holidays and Hallel is recited on future miraculous salvations.

Q: This year when the 5<sup>th</sup> of Iyar falls on Shabbat, how do we commemorate Yom Ha-Atzmaut on Shabbat?

A: Everything is moved to the previous Thursday.

Q: Is it preferable to stand silently during the siren on Remembrance Day for Fallen Soldiers or to learn Torah?

A: One should be silent as a remembrance of the fallen. If he is unable to think about the fallen, he should recite Tehillim (Psalms) quietly.

Q: Is standing silently during the siren a non-Jew custom? What does it have to do with Remembrance Day?

A: It is not a non-Jew custom, hardly any countries have such a practice. One should connect to the remembrance of the deceased and cry. One who is unable should recite Tehillim.

Q: Is it permissible to go to the beach during Sefirat Ha-Omer?

A: It is permissible. The Mishnah Berurah (493:2) says that one should not be overly joyous during the period of Sefirat Ha-Omer, but this does not cause such joy.

Q: Is it permissible for me to play a musical instrument for my enjoyment on the days of Rosh Chodesh during Sefirat Ha-Omer?

A: No, Rosh Chodesh is the same as the other days.

Q: Is it permissible to attend a play during Sefirat Ha-Omer?

A: Yes, if it is kosher, modest and serious as should be the case during the entire year.

Q: Is it permissible to cut one's nails during Sefirat Ha-Omer?

A: Yes.

Q: After flying in an airplane should one recite "Ha-Gomel"?

A: Yes, flying is dangerous.

Q: If I am still davening the Shemoneh Esrei and the person repeating it arrives at the Kedushah, what should I do?

A: During the Kedushah, you should stop davening and listen, based on the principle that one who hears is as if he recited it (Shome'a Ke-Oneh).

## Stories of Rabbenu – Our Rabbi

### Ha-Rav Tzvi Yehudah Ha-Cohain Kook

#### Fear of flesh and blood

It once happened that our Rabbi went to daven in a shul in Meah Shearim with one of his students. After the davening, the student said to our Rabbi: "Did Ha-Rav notice that they did not count us in the minyan?" Our Rabbi responded to him: "I noticed. Some people once requested that I suggest to Abba Ha-Rav z"l (Rav Kook) to omit the section discussing exercise from his book Orot. Abba Ha-Rav z"l explained to me that this is not fear of Hashem, but fear of flesh and blood. From that moment, I stopped fearing flesh and blood" [In chapter 34 of Orot Ha-Techiyah, Rav Kook wrote that the merits of physical exercise by the young pioneers in the Land of Israel are similar to the merits of reciting Tehillim and the mystical unifications of the Kabbalists. The religious Jews of the Old Yishuv in Israel waged war with Rav Kook over this idea]. (Ha-Rav Oded Valensky – Iturei Cohanim #262)

#### Get yourself a teacher (Pirkei Avot 1:6)

Our Rabbi said that "get yourself a teacher" requires more toil than "acquire a friend for yourself." (Ha-Rav Yechezkel Greenwald – Iturei Cohanim #266)

#### The Pope

In the year 5723, the Pope was about to arrive in Israel and requested that the Chief Rabbi of Israel, Ha-Gaon Ha-Rav Yitzchak Nissim, come to greet him in Megido. He refused and said: He should come to me in Jerusalem. Rav Nissim stood firm against all of the pressure and our Rabbi strongly supported his position. (Ha-Rav Tzvi Kostiner – Iturei Cohanim #246)

### The pain of Exile

After our Rabbi's surgery, the doctor came and saw that he was in pain. He asked our Rabbi: What is bothering you? He responded: That the majority of the Nation of Israel is in Exile. (Ha-Rav Tzvi Kostner – Iturei Cohanim #246)

### Sayings

Our Rabbi said that the phrase in the Gemara, "People say" – frequently used sayings (see Baba Kamma 92-93) are not simply popular sayings, but what Klal Yisrael (the entire Jewish People) says has meaning (see there). (Ha-Rav Tzvi Kostner – Iturei Cohanim #246)

### Shabbat Lunch

When our Rabbi did not have bread for Shabbat lunch, he would use two pieces of cake (for the two loaves). (Ha-Rav Eliyahu Mali – Iturei Cohanim #262)



## **Shut She'eilat Shlomo - Questions of Jewish Law**

### 5<sup>th</sup> of Iyar on Shabbat

Q: When the 5<sup>th</sup> of Iyar falls on Shabbat and Yom Ha-Atzmaut is celebrated on Thursday, should the prayers of "Av Ha-Rachamim" and "Tzidkatcha" be recited on Shabbat?

A: Yes, they should be recited.



**Family Matters** - Ha-Rav writes weekly for the parashah sheet

"Rosh Yehudi" on family relationships

### Your Wife – She is You!

When a young man who was about to get married asked Rav Aryeh Levin how he should treat his wife, the Tzadik of Jerusalem was surprised by the question: "She is you!? Treat her as you treat yourself." It once happened that Reb Aryeh went with his wife to the doctor and said: "Doctor, my wife's foot hurts us."

A quarreling couple once came to Reb Aryeh. He sat with them for a long time until he made peace between them. The next day, the husband sent a donation to Reb Aryeh's yeshiva in gratitude. Reb Aryeh returned it with a note: It is better to buy a present for your wife with this money. This is more important than tzedakah.

It once happened on Purim that Reb Aryeh's guests saw a picture of a young woman on his table. They said to him: "This is a beautiful picture of your granddaughter!" "This is a picture of my wife. Her soul is in Heaven," he responded, "Today is Purim and everyone is joyous, when I look at her picture, a small amount of joy also enters my heart."

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