



HaRav Shaul Israeli zt"l  
Founder and President

# HEMDAT YAMIM

## Parashat HaShavua

Teruma, 6 Adar 5777

### The *Milo* – What, Where, and Why?

Harav Yosef Carmel

What was the goal of the building of the *Mishkan* and the means of reaching it? We see clearly from the crucial *pasuk* (Shemot 25:8) that the means is “You shall make for Me a sanctuary” and the goal is “and I shall dwell in their midst,” with the stress on their midst and not just the midst of the sanctuary.

We propose the assertion that the *Mikdash* serves to unite the nation, especially those who came thrice annually to visit it. One could argue that the reason for visiting Yerushalayim is just to take part in the goings-on in the *Mikdash*. However, we posit that the unity reached is that which made it possible to have the Divine Presence dwell on the people. Unity is an ends and not just a means.

David understood this, and therefore when he brought the ark to Yerushalayim the second time, he invited the entire nation (see *Divrei Hayamim* I, 15:3). This also found expression in David’s building of an area that was called the *Milo* (*Shmuel* II:5:9). *Chazal* tell us that this referred to an area in the city that David left open as camping grounds for those who came to visit the *Mikdash*. One generation later, this area was the subject of a bitter disagreement that caused a horrible split in the nation between the descendants of David and what became the Kingdom of Judea and Yeravam ben Nevat and the Kingdom of Israel.

The *navi* mentions the tax that Shlomo levied to build the *Milo* as well as the wall of Yerushalayim and other cities (*Melachim* I, 9:15). But then it mentions the area in the context of the palace he built for his wife, the daughter of Paroh (*ibid.* 24). The *navi* relates the criticism of Yeravam, one of Shlomo’s regional leaders, against Shlomo regarding the *milo* (*ibid.* 11:26-28). The *gemara* (*Sanhedrin* 101b) credits Yeravam’s rebuke as the matter through which he merited kingship. But what was the importance of this *Milo*?

Our suggestion is that it was an area between the City of David and Mt. Moriah, the site of the *Beit Hamikdash*. When David extended the city wall, it became part of the City of David, but he left it open in order to encourage *aliya laregel* by providing a place for tents. The area served as a great sign welcoming the pilgrims. By building Bat Paroh’s palace there, Shlomo was in effect declaring a welcome to the nations of the world, whom she represented, instead of the national command to go up to the place that Hashem chose (*Devarim* 17:8). By turning to the whole world, Shlomo was in essence claiming the arrival of the final redemption, as that is the time when all nations will come to visit the house of Hashem and its mountain (see famous prophecy of Yeshayahu (2:2-3)). It turns out that this was premature. There was still a need to strengthen the Jewish people around the messages that surround the *Mikdash*. Only afterward, could the other nations be invited to take part in their way. Yeravam, who wanted to take Shlomo’s place, called him out on this mistake, and when he did not receive the kingdom of a united Israel, broke the country and nation into two. Once disunity prevailed, success in maintaining the Divine Presence was doomed.

May the successful regaining of national unity bring about the return of the Divine Presence to dwell in our midst.

#### Hemdat Yamim is dedicated to the memory of:

Eretz Hemdah's beloved friends and Members of Eretz Hemdah's Amutah

Rav <b>Shlomo Merzel</b> z"l whose yahrtzeit is Iyar 10, 5771	Rav <b>Reuven Aberman</b> z"l who passed away on Tishrei 9, 5776	Mr. <b>Shmuel Shemesh</b> z"l who passed away on Sivan 17, 5774	Rav <b>Asher Wasserteil</b> z"l who passed away on Kislev 9, 5769	Mrs. <b>Sara Wengrowsky</b> bat R' Moshe Zev a"h, who passed away on 10 Tamuz, 5774	
<b>Hemdat Yamim is endowed by</b> Les & Ethel Sutker of Chicago, Illinois, in loving memory of <b>Max and Mary Sutker &amp; Louis and Lillian Klein</b> , z"l		R' <b>Yaakov</b> ben Abraham & Aisha and <b>Chana</b> bat Yaish & Simcha <b>Sebbag</b> , z"l	R' <b>Meir</b> ben Yechezkel Shraga <b>Brachfeld</b> o.b.m	R' <b>Eliyahu Carmel</b> Rav Carmel's father who passed away on Iyar 8, 5776	<b>Yechezkel Tzadik</b> Yaffa's father who passed away on Iyar 11, 5776
<b>Yehudah ben Naftali Hertz Cohen</b> (Kamofsky) o.b.m. <b>Gershon (George) ben Chayim HaCohen Kaplan</b> o.b.m.					

Those who fell in wars for our homeland. May Hashem avenge their blood!



**Eretz Hemdah**  
Deans: Harav Yosef Carmel, Harav Moshe Ehrenreich  
2 Bruriya St. corner of Rav Chiya St.  
POB 8178 Jerusalem 91080  
Tel: 972-2-5371485 Fax: 972-2-5379626.  
amutah number 580120780

**American Friends  
of Eretz Hemdah Institutions**  
c/o Olympian, 8 South Michigan Ave.,  
Ste. 605, Chicago, IL 60603, USA  
Our Taxpayer ID #: 36-4265359

[www.erezhemdah.org](http://www.erezhemdah.org) [info@erezhemdah.org](mailto:info@erezhemdah.org)

Donations are tax deductible according to section 46 of the Israeli tax code

# Ask the Rabbi

by Rav Daniel Mann

## Husband Accepting Shabbat with his Wife

**Question:** My wife generally lights candles 15 minutes before sunset, in keeping with our community's practice. I generally cease *melacha* then, as do she and our two little children. Sometimes, due to work, I can make it home only by sunset, not candle lighting time. May my wife light at the usual time or should she wait for me? I am afraid that my small children, who are used to my not doing *melacha* after my wife lights, will be confused.

**Answer:** A community's candle lighting time is not the time that all community members are expected to accept Shabbat but is the first formal action done towards that end. The Behag (cited in the Tur and Shulchan Aruch, Orach Chayim 263:10) posits that a woman accepts Shabbat with this lighting. This is true at least for Ashkenazi women (see Rama, ad loc.), who for this reason recite the *beracha* only after completing lighting (see Darchei Moshe, OC 263:2). (The ruling for Sephardi women is more complicated – see Yabia Omer, IX, OC 24).

However, lighting candles is not a home's absolute acceptance of Shabbat. For one thing, the Rama (ibid.) allows a woman to not accept Shabbat by lighting by means of even a mental condition. After all, lighting is innately a preparatory act before Shabbat, not an act of Shabbat, such as *davening Maariv* or making *Kiddush*. In fact, men do not accept Shabbat when they light candles (Mishna Berura 263:42).


On the other hand, there are several indications that candle lighting it is not merely a technical preparatory act. First, we must light Shabbat candles even if we are happy with the existing light situation and this *mitzva* is accompanied by a special *beracha*. Additionally, not everyone allows a woman to make a condition to light candles without accepting Shabbat. We rule it requires a real need (Magen Avraham 263:20; Mishna Berura 263:44; see Shemirat Shabbat K'hilchata 43:24).

Regarding your question, the Rama states clearly that members of the household other than the woman who lights do not accept Shabbat with that lighting. Most men do not want to accept because they want to *daven Mincha* in *shul*, which is usually after candle lighting time (women should *daven Mincha* before (Mishna Berura 263:43)) and often will drive there. In some households, daughters generally accept Shabbat when their mother lights, which has a certain appropriateness to it. However, it is not halacha and in many households, after lighting candles, there may still be work to do. Therefore, it is not always healthy to expect the whole family to be ready or for the mother to feel the pressure that she must be sure everything is taken care of before she lights.

Do not teach your children that their father must cease work after their mother lights candles. Your assumption that it is confusing is based on your assumption that this is proper. To the contrary, it is confusing to see you being careful not to do *melacha* while neighbors are driving to *shul*.

Certainly there are many advantages to a father being home well before Shabbat, but life is not always that obliging. There is some question whether there is a minimum time before sunset to stop doing *melacha* for *tosefet* (early acceptance of) *Shabbat* (see Rosh, Berachot 4:6), and we usually assume a few minutes is enough. Of course, the closer to Shabbat, the more preferable it is to not do *melacha*. Forgetting the rejected opinion that *bein hashemashot* begins several minutes before sunset, according to some opinions, the time of sunset is affected a few minutes due to mountains in the area. On practical grounds, one's watch can be off, he can forget the exact time, or he could lose track of time under the pressure of last minute delays. Therefore, it is prudent although halachically not required to leave at least, say, five minutes before sunset to be finished with all traveling and other *melacha*.

In short, your wife need not wait for you and should not wait more than a few minutes. Her correct time and yours are not linked.



We are happy to present our third volume of "**Living the Halachic Process**". The book offers a compilation of the questions and answers from our "Ask the Rabbi" project. A companion CD containing source sheets for the questions is also available. The volumes can be purchased through our office at the special rate of \$24. **Special offer: buy two out of three for \$37 or, buy all three volumes for \$54**

# Ein Ayah

(from the writings of Harav Avraham Yitzchak Hakohen Kook, z.t.l.)

## Building Up to Higher Levels

(condensed from Ein Ayah, Shabbat 4:1)

**Gemara:** Rabbi Yannai said: *Tefillin* require a clean body, like Elisha *Ba'al Kenafayim* (the possessor of wings) ... Why is he called *Ba'al Kenafayim*? Once the Roman's decreed that whoever put on *tefillin* would have his brain pierced. Elisha wore them and went out to the marketplace. An official saw him. Elisha ran away, pursued by the official. When the official caught him, Elisha took the *tefillin* off his head and held them in his hand. He asked: "What is in your hand?" He answered: "The wings of a dove." He opened his hand, and there were dove wings.

**Ein Ayah:** There is a broad rule that matters of a lesser level that are part of the process of human development precede matters that are of a greater level. The idea is that the lower level is the base for the higher one and, therefore, must precede it.

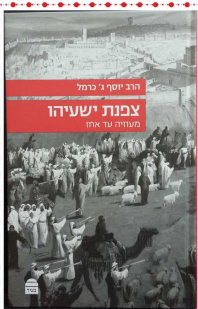
*Tefillin* are a special covenant with Israel, a testament to their distinctiveness as a "kingdom of priests and a holy nation," as singled out by the Master of All. Therefore, the path they are to follow and the morality required of them are loftier than that which is required of all other nations and cultures. "He did not do so for all nations, and He did not inform them of the statutes" (Tehillim 147:20).

There is a level of proper behavior in the realm of human dignity and purity of characteristics, which every nation should strive for. This includes a person favoring cleanliness and rectitude in that which can be sensed and felt and in openly hating evil and iniquity. Thus, the seven Noahide Laws are geared toward that aim. In order to achieve natural morality, one does not have to have lofty spiritual aspirations. However, his body should be clean from the filth of evil that can specifically affect predators and wild pigs (a hint at the Romans).

Therefore, in order for one to ascend to the mountain of Hashem to connect to the lofty morality that relates to the elevated sanctity that is possessed in *tefillin*, one has to have a clean body. In other words, he is building on a base of natural morality, not polluted by bad actions and attributes, which are an abomination to a person in terms of his human image.

Once the natural physical morality is taken care of, a member of Bnei Yisrael who wants Hashem's name to be called upon him, needs to elevate himself through the depth of lofty sanctity that is revealed by the sanctity and uniqueness of Israel. To "go up to the mountain" of lofty morality, one uses wings, which elevate the spirit of the member of the Jewish nation who already acquired physical correctness. He cannot reach a lofty spiritual level while he is significantly deficient in matters of his natural status. Rather, his ability to withstand difficulties in trying times depends on the connection between his nature and the sacred things for which he strives. The stronger and more connected his spiritual efforts are, the more he will be able to withstand the stormy sea of troubles.

Who is able to fully recognize the impact that *tefillin* have over him? After all, it can take us far beyond simple levels of morality and have us fly among lofty levels of spirituality. It takes someone who has completed his natural morality and then discerns that despite the good that this entails, the spirit is still waiting for so much more, namely, spiritual morality that emanates from the Torah. Such a person has a clean body and he is an owner of *tefillin* who also possesses wings. His physical side will not drag him down, and he will find himself to be full of strength even in dangerous times. When he comes face to face with the Roman regime, he is rightly called a possessor of wings, which are a sign of his body's purity and cleanliness.



### Tzofnat Yeshayahu- Rabbi Yosef Carmel

The Prophet Yeshayahu performed in one of the most stormy and dramatic periods of the Israeli nation's life, a period of anticipation for the Messiah that was broken by a terrible earthquake, and also caused a spiritual and political upheaval. The light at the end of the tunnel shone again only in the days of Chizkiyahu.

"Tzofnat Yeshayahu – from Uziya to Ahaz" introduces us to three kings who stood at this crossroad in our nation's history: Uziya, a king who sought God but was stricken with leprosy because of his sin; Yotam, the most righteous king in the history of our people; And Ahaz, the king who knew God but did not believe in His providence.

In his commentary on the prophecies of Yeshayahu, Rabbi Yosef Carmel, Head of the Eretz Hemdah-Gazit rabbinical court and a disciple of Rabbi Shaul Israeli zt"l, clings to the words of Hazal, our sages, and to the commentaries of the Rishonim, the great Jewish scholars of the middle ages, and offers a fascinating way to study Tanach. This reading attempts to explain the Divine Plan in this difficult period and to clarify fundamental issues in faith. Tzofnat Yeshayahu reveals to the reader the meaning of the prophecies in the context of the prophet's generation and their relevance to our generation.

[Buy Now](#)

## Backing Out of Joint Building Plans – part I

(based on ruling 75013 of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** The plaintiff (=pl) and the defendant (=def) both wanted to extend their apartments, which were one on top of the other, and decided to do so cooperatively, sharing an architect (=a#1) and preparing and paying for the various elements of obtaining a municipal building permit. In the midst of the process, pl convinced def to discard a#1's plans and hire a new architect (=a#2). Pl decided to extend his addition with a balcony. Later in the process, def became concerned that this would compromise his apartment's privacy. When the two sides failed to agree on how to solve the privacy problems, def appealed to the municipality to disallow the extension. Pl is suing def for the expenses, over 24,000 shekels, which are now wasted (especially both architect plans and fees for various stages of applying for a building permit).

**Ruling:** There is no question that def is not obligated to pay for the money spent on a#1. It was pl who initiated the change from a#1 to a#2 with the loss of money this caused. It can be demonstrated (beyond our scope) that the work done by a#1 did not save time or expenses for a#2 to follow up, and therefore, the expenses of a#1 were lost before def's decision.

One of pl's halachic claims is that def should be obligated as a partner who caused losses to the partnership (see Shulchan Aruch (Choshen Mishpat 176:10), where such a payment is discussed). The classic cases of partnership are when the two invest together to pursue profit. Our case is different in that the two paid money to third parties for a joint purpose. The Shulchan Aruch (CM 77:1) says that if two lend money to someone together or bought something together, each is an *arev* (guarantor) for the money owed. While an *arev* has to pay if the lender is unable to, a partner is responsible even if the other partner is capable of paying. Thus, we see that not every two people who make parallel deals with a third person become partners.

Can we learn from the above halacha regarding a case where two people hire together a third person to do work for them? The Erech Shai (Even Haezer 50) concludes that two families who hire a *shadchan* are obligated to him like partners because each one gains from the work that the *shadchan* did even in relation to the other side. In our case, though, while the two hired architects together, the plans of the extension of each apartment are for separate benefits, and so the two are not obligated for each other. Furthermore, a *beit din* ruling (Piskei Din Rabbaniim XI, pg. 119) makes the following observation about creating a partnership. The sources discuss what makes a partnership binding, but in order for there to be a possibility of a partnership existing, there must be an actual agreement of the sides to have such an interconnected financial relationship.

Therefore, one cannot obligate def due to the possibility of partnership. [Next time we will explore whether there can be an obligation based on causing damage.]

When you shop at AmazonSmile, Amazon donates 0.5% of the purchase price to  
American Friends of Eretz Hemdah Inc.

Bookmark the link <http://smile.amazon.com/ch/36-4265359> and support us every time you shop.

Please spread the word to your friends as well.

We daven for a complete and speedy refuah for  
**Ro'i Moshe Elchanan ben Gina Devra**  
Together with all cholei yisrael



**NEW BOOK!!**

### A Glimpse at Greatness

A Study in the Works of Giants of Lomdus (Halachic Analysis).  
Including Short Biographies of the Featured Authors  
and "An Introduction to Lomdus"  
by **Rabbi Daniel Mann**, Dayan at Beit Din "Eretz Hemdah - Gazit"

**Buy Now**

**Eretz Hemdah** is the premier institution for training young rabbis to take the Israeli Rabbinates' rigorous Yadin Yadin examinations. **Eretz Hemdah**, with its distinctive blend of Religious Zionist philosophy and scholarship combined with community service, ensures that its graduates emerge with the finest training, the noblest motivations resulting in an exceptionally strong connection to Jewish communities worldwide.