



HaRav Shaul Israeli zt"l  
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# HEMDAT YAMIM

## Parashat HaShavua

Teruma, 4 Adar I 5779

### Shlomo's Wisdom and the Wisdom of His Gentile Friends

Harav Yosef Carmel

Our *haftara* begins with the statement that Hashem gave wisdom to Shlomo as he had promised (Melachim I, 5:26). The *navi* actually mentions Shlomo's wisdom in several *p'sukim* in this section, stating that he was wiser than other famous wise men and that his wisdom was well-known throughout the world (ibid. 9-11). The wisdom being discussed is "universal" wisdom (the word being connected to the institution of a university), which was studied in the leading academic centers throughout the Middle East.

The *navi* also tells of the correspondence between Shlomo and Chiram the king of Tzor (Tyre), who had been a friend of David (ibid. 15-21). Shlomo told Chiram of his plans to build the *Beit Hamikdash* and of his request that Chiram help by cutting down cedar trees and sending them to Shlomo. Shlomo confided in Chiram that he was aware that no one knows how to cut trees like the people of Tzor.

These *p'sukim* illustrate the exchange of scientific/technological information between the leaders of these two friendly nations. This helped facilitate the great engineering accomplishment of building the *Beit Hamikdash*, a project that excited people throughout the world. We see elsewhere that the people of Tzor were known for their wisdom, as Yechezkel spelled out clearly in his lamentation over them (Yechezkel 28:2-5). Therefore, it is natural that Shlomo sought out their assistance. This is in line with what *Chazal* tell us: "If you are told that there is wisdom among the nations, believe them; ... there is Torah among the nations, do not believe them" (Eicha Rabba 2:13).

Scientific and technological cooperation with the nations of the world can bring great advantages and can sanctify Hashem's Name throughout the world. Every Nobel laureate who is Jewish and especially who is Israeli, promotes such gains. Every Israeli innovation that advances the world is a valuable blessed matter, and we applaud the State of Israel's steps to encourage such accomplishments.

Let us pray to see Hashem's return to Zion, whereby Jerusalem will be the center of the world for Torah and spirituality for the whole world.

(As we complete the topic, let us just state for the record that the wisdom of Shlomo that we have been discussing is not that which Shlomo prayed for in Givon (Melachim I, 3). There he asked for wisdom that he could use to properly judge his people. That is why it is followed by the story of Shlomo's famous court case. We will continue with a discussion of the different types of wisdom in the near future.)

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# Ask the Rabbi

by Rav Daniel Mann

## Restrictions on a Former Employee

**Question:** A long-time *rebbe* at *Yeshiva A* left his job and now teaches at *Yeshiva B*, which caters to a similar population. May he approach *Yeshiva A* alumni, with whom he developed a relationship at *Yeshiva A* for assistance (money, ideas) in promoting his work at *Yeshiva B*? May he raise money for an NPO he formed personally? Do note that the *rebbe* had been unwilling to raise money for *Yeshiva A* when he worked for them. (The question is not intended to be used in deciding a dispute between the sides.)

**Answer:** We are unsure if the question is coming from the concerns of *Yeshiva A*'s administration, the laudable conscience of the *rebbe*, or a third party. We will give a general approach to the topic, while stressing that we do not know how it relates to the specifics of a case we know little about.

Most of the answer is based on logical analysis of the morality of the situation, but we will start with a source. Jewish workers/employers are not allowed to build relationships that resemble slavery (we are servants only to Hashem – see Bava Metzia 10a). Included in this halacha is that a worker may quit his job without being financially penalized (ibid. 77a – see Rashi ad loc.).

Therefore, a worker (including a dedicated teacher) may quit his job, and under normal circumstances is fully permitted to take a job with a rival of the first employer. If someone could not work in the same type of field and region, this would be restricting his livelihood and thus penalizing him significantly.

What about using “resources” he acquired in the first job? Part of the fringe benefits of many jobs are the skills, experience, and contacts acquired. Your question focuses on using the contacts. There is nothing wrong with doing so in a normal fashion. One does not steal anything from the first job. Everyone develops friends and contacts over the years, and one does not have to “erase” them upon leaving a job where some were cultivated.

In some ways, the matter is even clearer for *rabbeim*, for the following reason. Part of a *rebbe*'s job is to develop real, lasting relationships with his students. Real relationships are real relationships. Let's say that ten years after teaching a student, the student sought out guidance or emotional support from his *rebbe* due to a life crisis. Imagine if the *rebbe* said: “I don't work anymore in the *yeshiva* where I taught you; I have no time for you.” Imagine if his new employer said: “You may not help students from your past; they are a drain on your allegiance to us.” My words of criticism for one who would utter either statement are best to remain unwritten. (We are referring to cases in which time spent with old *talmidim* does not prevent the *rebbe* from fulfilling his present responsibilities competently.) A *rebbe*'s responsibility for life stems not from his employment by a *yeshiva* but from Hashem who entrusted him to teach His Torah to children and students (=children; see Rambam, Talmud Torah 1:2; Shulchan Aruch, Yoreh Deah 245).

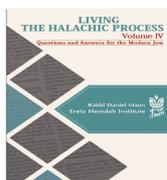
*Talmidim* also have responsibilities toward their teachers (see Shulchan Aruch, YD 242). While a *rebbe* should consider carefully how to “use” their respect and gratitude, others do not have a right to intervene. This is more so when the help is requested for a good cause. All have a responsibility to help good causes and those to whom they owe a debt of gratitude, whether monetarily or with their time, talents and energy. A *tzedaka* recipient cannot prevent another from asking for *tzedaka* from his benefactor because it may cause him to receive less. The donor makes his own choices. Similarly, if the *rebbe* asks his students for help in new projects, they can be trusted to decide how much to help *Yeshiva B* and *Yeshiva A*, and hopefully many other good causes.

A former employee should be particularly careful not to bad-mouth his former employer. He should also not take private information which he was privy to as an employee, (e.g., a detailed donor list of *Yeshiva A*). Working on a future job while still employed at the old one raises many questions and gray areas.

**Do not hesitate to ask any question about Jewish life, Jewish tradition or Jewish law.**

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# Ein Ayah

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

## Smoothness, Youthfulness, and Purity

(condensed from Ein Ayah, Shabbat 8:42)

**Gemara:** *Anpikinon* is olive oil that did not grow to a third of its mature size. Why do women rub it on their skin? Because it removes hair and smoothens the skin.

**Ein Ayah:** An early state of development in the vegetable world has its impact even on the human body, because they share the characteristic of growth and therefore the former can give a style of youth to the latter. That is the reason that smearing premature olive oil on a woman's skin will bring back youthfulness or reverse premature aging.

The purity of youth and the balance of their constitution along with the lack of "strong heat" cause hair not to grow [throughout the body]. This lack of hair is an element of true beauty, whose inner characteristic is of aesthetic adornment, which indicates proper qualities. It is proper that when one strives for such a standing, it should make its imprint in such a manner that all will sense the beauty. The internal purity of the characteristics is that which causes the skin to be smooth, including possessing a charm of spiritual fineness. This is an attribute that is well beyond the coarseness of animalism, which gives the skin a sign of moral ugliness, which is the opposite of smoothness.

## The Crucial Importance of Patience in Growth

(condensed from Ein Ayah, Shabbat 8:43)

**Gemara:** Rav Bibi applied lime to his daughter [to remove hair] one limb at a time [and she became very attractive]. A gentile in his neighborhood applied lime to his daughter over the whole body at one time, and she died. Her father said: "Rav Bibi killed my daughter."

**Ein Ayah:** The moral attribute of patience has to find its way into every element of a person's personality. It applies to the proper pursuit of purity and making the soul unpoluted. This spiritual process of improvement resembles the acts to beautify the body and its limbs, by using special techniques.

It is the Jewish way to build purity onto purity by practical education, specifically through the performance of common *mitzvot* on a daily basis. These sanctify the limbs of the body, as the 248 positive *mitzvot* correspond to the 248 limbs of the body. Through these *mitzvot*, the body becomes holy and beautiful one step at a time. This progression, "one limb at a time," was the approach of Rav Bibi and indeed is the way Jews in general are expected to go about the path of their life.

The gentile, when he decides to copy the Jew, goes about it in a different manner, when the grandeur of a life of morality and loftiness of the spirit appeals to him. He jumps in one step into a life of outright rejection of the physical world. This is because he is missing the education that teaches that steps should be taken methodically, and going for too much too fast can bring about death. Indeed the body can die when one is not ready to withstand such a level of purity and did not move toward it in a gradual manner – "one limb at a time." They actually will come to be disgusted by the positive and will act diametrically opposed to purity.

The failure to properly imitate physical and moral beauty, which is at the root of Judaism, can bring gentiles to hatred of Israel. This can reach the extent that he blames Jews for his educational failure. The example of this idea is Rav Bibi's neighbor who blamed him for the tragedy that came about when he tried to copy Rav Bibi, but with a lack of patience.



### 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 Chizkiyah.

"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.

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# P'ninat Mishpat

## Fallout from Underground Encroachment – part I

(based on ruling 71018 of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** Defendant #1 (=def1) built a house next to the lot owned by defendant #2 (=def2). His sewer pipe went partially under def2's property. In 1998, def1 and def2 signed an agreement whereby they would exchange property so that def1 would get the land over the pipe, but the agreement was never taken to the land authority for implementation. The plaintiff (=p1) bought def2's plot and built a house on it not along the lines of the property exchange. As p1's house was being built, in 2004, the parties made a basic agreement by which p1 would do landscaping as they like on top of the most of the pipe. P1 claims that the presence of the pipe raised the cost of their development. Additionally, the sewer is faulty and has more than once gotten clogged and leaked, giving off horrible smells; this causes his property to devalue. P1 demands the removal of the pipe and/or compensation for various elements of more than 200,000 shekels. Def1 claims that the land exchange was binding and that def2 asked as a favor not to report it right away to the authorities and that p1 was told about the situation before buying the lot. Def2 says that he changed his mind on the land transfer the day after signing that agreement and that it is probably not possible to carry it out legally. He told p1 about the problem and demands that p1 finish payment for the house and adjudicate with def1. P1 responds that since the contract states that the property is free of the existence of any other parties in it, def2 is in breach of contract and does not yet deserve the final payment.

**Ruling:** The first question to decide is whether the land swap agreement took effect. Its language is: "We agree to a transfer of land..." This is not the language we find in the sources (see Shulchan Aruch, Choshen Mishpat 191:1) for documents of transfer, but rather "is sold to you," "is given to you," etc., which describe the transfer in the present. The S'ma (191:6) says that if an actual language of transfer is used, it can effect a *kinyan* even in past tense. However "agree to a transfer" is not a language of effecting a *kinyan*. The logic of writing a document which does not have "teeth" exists in a case like this, where there is a need to start an unclear process of registering the land changes by the authorities. This first requires an agreement, but it was not necessarily supposed to be final at that point, before it became clear how things would develop. In any case, Halacha recognizes the possibility of an agreement that is declarative and not operative (see Bava Batra 3a). We also accept the opinion that land sales (and, likewise, swaps) are not final until they are registered in the Tabu or the equivalent.

Although there is a *machloket* (K'tzot Hachoshen and Netivot Mishpat in CM 203) on the matter, we accept the opinion that our standard land sales contracts are obligations to sell an object. However, here the agreement is not written as an obligation. Even if it had been, the agreement of 2004 replaced the land exchange arrangement with a different one. Therefore, there is presently no valid agreement to swap pieces of land.

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