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# HEMDAT YAMIM

## Parashat HaShavua

Vayeleich, 6 Tishrei 5779

### The Time of Kingdom Recognition – part II

Harav Yosef Carmel

Specifically during Tishrei, one of the questions to explore is: who is the king? Last week we looked into one of the examples of that question playing out in Tishrei.

Shlomo Hamelech decided to celebrate the inauguration of the *Beit Hamikdash* specifically during the month of Tishrei (known as *Chodesh Ha'eitanim* – Melachim I, 8, 1-2). This was the most important event during the reign of Shlomo and served as a watershed point within it. The importance had to do with the fact that it was a test for Shlomo's entire enterprise. After seven years of building the main halls of the *Beit Hamikdash* and another thirteen years of building the governmental infrastructure in the city, Yerushalayim was finally built in full splendor. This is described in the following manner in Tehillim (48:1-4): "... Hashem is great and exalted in the city of the Lord, His mountain of sanctity. It has beautiful views and is the joy of the Land – Mt. Zion, at the northern side of the city of the Great King. The Lord is known for strength in its great halls (i.e., the governmental buildings)." The psalmist continues to describe the amazement of other monarchs who came to visit (ibid. 5-7).

The big test was what would happen when Shlomo would try to bring the ark to the Holy of Holies, an event that would turn the Temple into an operative sanctum. In fact, until the ark is inside, the laws of a *Mikdash*, which preclude sacrifices elsewhere, did not yet apply (Yerushalmi, Megilla 1:12). If Shlomo would not have succeeded, there would not have been significance to David's pronouncement that the building of the *Beit Hamikdash* specifically in Yerushalayim would introduce a new spiritual situation in Israel, with a central address for the service of Hashem.

There were a few complications in bringing the ark in. First, when David first moved the ark to Yerushalayim, those who were in charge of moving it were killed by Hashem. In order to move it by carrying it, a miracle was necessary, as it was too heavy for two humans to carry it. This miracle was described as, "the ark carried those who carried it" (Sota 35a). Also, the ark's dimensions, including the attached cherubim, were bigger than those of the Holy of Holies that held it (see Megilla 10b).

As things transpired, another miracle of sorts became necessary. The *gemara* (Shabbat 30a) relates that when Shlomo was trying to bring the *aron* to its place, the gates of the *Beit Hamikdash* became sealed and "refused" to open. He recited the famous *p'sukim* in Tehillim 24 about the gates opening up and allowing the Divine Presence, the "King of honor," in. The *midrash* (Shemot Rabba 8) says that if not for that request, the gates would have killed Shlomo. If not for the clear proclamation of the powerful King Shlomo that Hashem is the true King of honor (Tehillim 24:8), it would not have been possible to complete the grand project of David and Shlomo.

May we sincerely and successfully coronate Hashem as King over the kings and the world. "Hashem is king; Hashem has become king; Hashem will rule for all of eternity."

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# Ask the Rabbi

by Rav Daniel Mann

## White and Nice Clothes and Gold on Yom Kippur

**Question:** Is it indeed proper to wear white clothes and not wear gold on Yom Kippur? Is there a difference between men and women? Should one wear or avoid nice clothes on Yom Kippur?

**Answer:** The Rama (Orach Chayim 610:4) cites two *minhagim* found in *Rishonim*, regarding white clothes. The Mordechai (Yoma 723) says one should wear clean clothes to resemble angels. The Rama extends this to white clothing for the same reason. He then cites the *minhag* to wear a *kittel*, which not only fulfills these two elements, but since it is a major component of burial shrouds, reminds one of the day of death, which helps feel the urgency to do *teshuva*. The Magen Avraham (610:5) says that the idea of “imitating” angels does not apply to women, but says that the idea of a *kittel* to remind of death does. We do not seem to have such a practice these days, and whatever the reason for that, we would not suggest it. It is not uncommon, though, for women to wear white. Some say that in lieu of a *kittel*, white clothes for women can serve at least as a reminder of purity and the whitening of sins (see Minchat Elazar II:63). In any case, there is no reason a woman should avoid white.

The matter of gold has later sources. Rabbi Akiva Eiger (on Shulchan Aruch *ibid.*) cites a *minhag* to avoid wearing gold on Yom Kippur because it is reminiscent of the sin of the Golden Calf. Interestingly, he says that it does not apply to women (or *levi'im*) because they did not participate in that sin. The Mateh Ephrayim (an important work on the laws of *Yamim Nora'im*, 610:9) reports a *minhag* to put an *atara* on the *kittel*, but says that it should not be of gold, apparently for the same reason. He also says that it applies to women, as while women did not sin, they are still part of Bnei Yisrael who do not want reminders of that sin. On the other hand, he limits the matter of gold to attaching them to things that are related to atonement (see the idea of *ein kateigor na'aseh saneigor* in Rosh Hashana 26a). He posits that the *kittel* is related to atonement because the white is reminiscent of the whitening of the sins. The B'tzel Hachochma (VI:3) thereby rules that it is not a problem to wear a gold watch on these grounds. We certainly assume that the issue is not the color gold but the actual substance (see *Kinyan Torah Ba'halacha VI:36*).

B'tzel Hachochma says that there could be a different problem with a gold watch, based on a concept mentioned by the Mateh Ephrayim and the Mishna Berura (610:16). This is that one should not wear adornments that he or she wears only on Shabbat and Yom Tov because we are supposed to be under the influence of *eimat hadin* (fear of the impending judgment). This point raises the complex general issue about Yom Kippur – are we supposed to be in a good, happy mood or not? We cannot resolve that issue clearly in this forum, but the short answer is: “Yes and no.” Some point out that *Tosafot* (Megilla 31a) says that women do wear special adornments on Yom Kippur. In any case, it would seem that the question is about special types of adornments that one wears only on Shabbat. It is likely that there is not an issue with wearing a suit or dress usually worn on Shabbat.

There are many different practices, and we have seen sources and logic to justify many of them. The stakes on this matter are presumably low. There does not seem to be too much conformity on these matters, and it is fine to remain that way. We would say as follows. One's outward appearance has some effect on his own frame of mind, and for an individual or family to have a special Yom Kippur dress code (besides the matter of no shoes) is healthy, as it is for different people to have different *minhagim* in this regard. If one woman feels “Yom Kippur-dik” by wearing more white than usual and another feels that way by not wearing her regular jewelry, that is fine. Only the matter of a *kittel* for a married man is something which has become standard and should remain that way under normal circumstances.

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# Ein Ayah

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

## Joined Elements that Separated in the Spiritual Fall

(condensed from Ein Ayah, Shabbat 9:72)

**Gemara:** At the time that Israel said “*na’aseh* (we will do)” before “*nishmah* (we will hear),” 600,000 angels of service came, one to each member of Israel, and tied two crowns, one corresponding to *na’aseh* and one corresponding to *nishmah*. Once they sinned, 1,200,000 angels of destruction came down and removed [the crowns], as the *pasuk* says, “Bnei Yisrael divested themselves of their jewelry from Mt. Horeb” (Shemot 33:6).

**Ein Ayah:** When a person’s high light of his soul’s divine-like nature is displayed to its fullest, it “meets” the clear characteristics of an angel of service on two planes. One is with the spiritual nature of the character of the soul, which finds expression in great desire and the strength to act in all activities of sanctity to fulfill the Divine Will. The second way is that the natural completeness and desire for sanctity create a treasure house of intellect and blessed thought.

These levels were achieved when Bnei Yisrael said “*na’aseh*” before “*nishmah*.” Then the angels did not need to lower themselves to interact with such lofty people, but met them on a straight path (explaining why in the first section, the *gemara* says that the angels “came,” not “came down.”) When man reaches that level, there is already a clear distinction between the natural sanctity and the flow of spiritual intellectuality, which comes from the former. They become two “crowns,” corresponding to *na’aseh* and *nishmah*, respectively.

However, when the flame of sanctity dims and the level of life goes down, the full power of the soul’s divine nature is not revealed and the intellectuality does not flow from it as in the good days of old. If there are any leftover impressions from those times in the depths of one’s life, they are separate and contradictory. In the depths of his soul, there are longings for sanctity that cannot be actualized. A bitter nature makes the person circle the hidden point of sanctity, which abandons him. The intellect, which had a connection to sanctity, is flooded with dark, crooked thoughts that leave the person to whom it had been connected. The drop becomes ever deeper.

Many spiritual elements, which used to elevate, damage the spiritually depleted being. Natural and intellectual spirituality grow apart, even before the greatest fall. The angels, who now need to destroy, cannot deal with both elements together, because they have become far apart. Thus twice the number of angels are needed. The damage in each realm has its own nature. The removed crowns are no longer connected but were taken away disjointed.

## Backtracking with the Same Concepts

(condensed from Ein Ayah, Shabbat 9:73)

**Gemara:** [The crowns] were placed on them in Horeb and were removed in Horeb. They were placed, as we have said; they were removed, as the *pasuk* says: “Bnei Yisrael divested themselves of their jewelry from Mt. Horeb” (Shemot 33:6).

**Ein Ayah:** When darkness increases, after there had been spiritual light in one’s soul, the matters that darken are not different concepts. Rather, the same concepts that, at better times when a person was ready for them, played a great positive role, giving light, honor, and sanctity, turn into fearful objects at the time of spiritual weakness. Their elements of sanctity are defiled and their spiritual glow is removed internally.

At Horeb, these things were raised to the highest level man has known. “I said, ‘you are heavenly’” (Tehillim 82:6). At Horeb they were removed, with the same elements causing emptiness. The abilities turned into dark liabilities. It will remain so until the light of repentance that is “behind the wall” will come forth and heal all of mankind’s ills.



### 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

## Extent of Guarantee

(condensed from ruling 76033 of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** The plaintiff (=pl) is a money changer, who over years changed large dollar checks for a yeshiva (=ye) in Israel whose main funding came from America. Pl advanced funds to def before the checks cleared on a limited basis. At some point, in order to allow greater credit to def, pl demanded a 100,000 shekel personal check from the head of the yeshiva (=bor), which was to be cosigned by bor's brother (=def). The guarantee is usually done by a signature inside a framed area on the check's back. Def demanded to write an explanation next to his signature, saying that it is for dollar checks "shenitanim ... (that are given? – see below)." After many months of subsequent use of pl's services, a \$28,000 check, for which the yeshiva received shekels, bounced. It turned out that ye ran out of funds and is now bankrupt. Since bor does not have money to pay, pl wants to receive payment from def. Def responds that he agreed to guarantee only the checks given at the time he obligated himself and not for the future. Pl says that it does not make sense that def would not know that the arrangement continued to be used into the future and that pl was relying partially on def's guarantee when advancing money. Def denies knowing, saying he thought there was a specific issue at the time.

**Ruling:** If pl and bor thought that def had obligated himself in an open-ended manner and def did not have that in mind, would def be obligated? Arvut (being a guarantor) is something which one becomes obligated in only based on his intention (as he does not naturally receive any benefit). Therefore, it is impossible to be obligated without intention, irrespective of what the other parties thought.

The language of def's commitment can be understood either as being obligated for those that are "being given" or "have been given." When a written obligation can be understood in an expansive or limited way, we say that the one who needs the document to provide him rights has the burden of proof (Ketubot 83b). This is based on the idea of not extracting money based on doubt, which works here against pl.

There are some circumstantial indications that def is not telling the truth about not knowing. However, it is not conclusive, in which case, we do not obligate an arev based on doubt (see Maharik 133; Aruch Hashulchan, Choshen Mishpat 131:6). One of the dayanim sees another reason for def not to be obligated broadly. That is the concept that an arev who accepts arvut in such a way that he was not responsible for the giving of the money by the lender, is not bound (Tur, CM 131, based on the Rambam, Malveh 25:7). The other dayanim reason that over time, def's understood obligation was likely a factor in pl's continued advancing of money.

It is unclear whether pl claimed in a definite way that def knew that his guarantee was for future payments as well. If there were a definite claim, def would be required to take an oath, and in our days, that is replaced by a compromise. However, since there is one witness who claims that the arvut was explicitly limited, that testimony undoes the need for an oath (Rama, CM 87:6).

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