



Harav Shaul Israeli zt"l
Founder and President

"All Creation Will Know" – part II

Harav Yosef Carmel

Our prophets taught that the nations of the world will repent and serve Hashem along with *Am Yisrael*, whom Hashem chose with love, gave *Eretz Yisrael*, and made (through King David) its spiritual center Yerushalayim and its Temple. Last week, we saw Yeshayahu's prophecies during the reigns of Uziyahu and Chizkiyahu. We will now bring a prophecy of his from the time of Menashe, which was fulfilled temporarily at the time of Yoshiyahu and will be fulfilled permanently in the future.

"Their actions and thoughts are coming to gather all the nations and cultures, and they will come see My glory ... They will bring all your brothers from among the nations ... It shall be every month and every Shabbat that **all flesh** will come to bow down before Me, said Hashem" (Yeshayahu 66:18-23). Radak explains that "all flesh" includes all the nations. This, then, is what it means at the end of *Ashrei*, "all flesh will bless His holy name" (Tehillim 145:21; see Rashi ad loc.). Yeshayahu was boldly prophesying for Assyrians to hear, that while they exiled much of *Am Yisrael* and were an all-powerful pagan nation, *Am Yisrael* would return to the Land, and all nations would recognize Hashem and serve Him in *Eretz Yisrael*.

When Shlomo inaugurated the *Beit Hamikdash*, his speech highlighted the centrality of the Temple as a place for the service and effective prayers of nations from around the world, who would then be inspired to fully accept Hashem's presence there (Melachim I, 8:41-43). Shortly before the destruction of the first *Beit Hamikdash*, Tzefania (3:20) shared the vision of the eventually returning exiles inspiring the nations to recognize Hashem. Zecharia, who prophesied at the time of the Persian Empire, saw the nations asking to be brought along ("holding on to the cloaks") as Hashem embraced the ingathering Jews (8:20-23).

On the other hand, prophets foretold that there would be nations who would not accept this approach, and their lot would be bitter. Yechezkel (see ch. 38-39), speaking at the time of the destruction of the *Beit Hamikdash*, describes the nations being hit by fierce natural elements and some nations falling on the mountains of Israel as Hashem judged them, as He becomes known and sanctified before the eyes of many nations. Zecharia prophesied that those segments of non-Jewish society who would not come to bow down before Hashem in Yerushalayim, especially on Sukkot, would not receive rain in their lands and would be susceptible to plagues (14:12-18).

During WW II, not only did the cursed Nazis try to annihilate European Jewry, but also to conquer *Eretz Yisrael* and destroy its Jews as well. Rommel attacked from North Africa, and other forces approached from Iran-Persia. Hashem, in His mercy, made them fall at the hands of the Allies (as Chief Rabbi Herzog had guaranteed). Recently as well, the Axis of Evil – China, North Korea, Russia, Iran, and Turkey, and their proxies, have shown their true colors. With Hashem's help, their end will be like that of the Nazis.

The Nation and State of Israel will not rest until every person that Hashem created will know Who brings light to the world. We shall help spread His light by running our nation according to the principles of charity and justice that Hashem taught us. In the meantime, we pray for the success of the IDF and security forces, a full recovery for the wounded, consolation for bereaved families, and return of all the hostages.

Hemdat Yamim is dedicated to the memory of Eretz Hemdah's beloved friends and Members of Eretz Hemdah's Amutah:

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

Ask the Rabbi

by Rav Daniel Mann

How to Tell When Your Tefillin Need Adjustment

[Every few years, we re-issue our discussion on the proper position of tefillin shel rosh. Some people are concerned that the shel rosh is not well centered, which is rarely a problem and do not realize that tefillin extending too far forward is far more likely to be a real problem. In Living the Halachic Process, I:G-1, we develop the halacha that the end of the tefillin must not go beyond the roots of the hair of the hairline.

Upon visiting different shuls, from various elements of society, it pains me to see many fine Jews who are definitely donning their tefillin wrong and many others about whom it is hard to tell, especially when they have receding hairlines. This being said, I sense an improvement over the years, but still even some learned people get it wrong. Presumably, then, they are having problems applying the halacha, not realizing, especially after their hairline receded, where the cutoff point is. We will focus here on tricks to figure this out.]

Explanation: Firstly, an adult who has not adjusted his *tefillin shel rosh*'s knot in several years almost certainly needs an adjustment. *Tefillin* straps stretch slowly as we apply pressure to them (some more than others) when fastening the *tefillin* on our head. If one's hairline has not receded, he can easily check (see above).

Now, a little review of the anatomy of a normal human head. The skull is highest towards the back of the head; it then gradually slopes down. Near the front of the head, the slope increases, and then turns into a "cliff" (i.e., the forehead). The hairline ends at the end of the gradual or in the midst of the increased slope. No hair (except eyebrows) is rooted in the forehead.

Based on the above, the following are signs of misplaced *tefillin*. If the end of the *tefillin* looks like it is "hanging off a cliff," it is certainly much too far forward, as a line drawn down from the end of the *tefillin* would hit the forehead or even the nose. Because of the increased slope, there may be a little space between the bottom of the *tefillin* and the head. However, if there is too much room (i.e., a finger fits in comfortably), it is very likely not in the right place.

Another sign is the *tefillin*'s angle. The angle is determined primarily by where the *tefillin* are fastened to the head by the straps – at the back of the *tefillin*. Generally, *tefillin* in the right place will be upright with only a slight downward slant. If the *tefillin* has a serious downward-facing angle, it is generally (unless one has a rounder head than most) too far forward, so that its rear is where its forward part should be (on the steeper slope). Thus the *tefillin*'s front will be too far forward, unless the *tefillin* are very small.

A final sign is the *kippa*. With average size *kippot* and *tefillin*, there should be little or no room between the two. One with a particularly large *kippa* or who wears it more forward than most will have to move the *kippa* back.

When I look around many of the *shuls* I regularly *daven* in or visit, I see many too many people with apparent (or definite) problems in this regard. Among the older generation, I would estimate that the problems are in well **above 50%** of the people. As I HATE correcting people (and most hate being corrected), I am torn as to when the rectifiable problem is clear enough to halachically/morally require me to do the uncomfortable. The following *limud zechut* decreases the problem. Most people put the *tefillin* at a certain position and push it forward in the process of fastening. Thus, some of those who keep the *tefillin* too far forward had it in the right place for a few moments after the *beracha* (so that it is not *l'vatala*) before the fastening was complete, and thereby may have fulfilled the *mitzva* for that short time.

More people should learn how to shorten the circumference of the head strap, which is necessary for the *tefillin* to stay in the right place. You are invited to visit me or ask a *sofer*. It may be easier to Google search: "youtube tefillin head adjust." Then, you can help yourself and your friends.

"Behind the Scenes" Zoom shiur

Eretz Hemdah is offering the readership to join in [Rabbi Mann's weekly Zoom sessions](#), analyzing with him the sources and thought process behind past and future responses. Email us at info@erezhemdah.org to sign up (free) or for more information on joining the group.

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

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Moreshet Shaul

(from the works of Hagaon Harav Shaul Yisraeli zt"l)

A Crown and its Scepter – part I

Based on Siach Shaul, Pirkei Machshava V'Hadracha p. 293-294

These words come from a draft of Rav Yisraeli's speech at his installation as rabbi of Kfar Haro'eh, which took place on Chanuka 5698 (1938).

We have a double celebration today – a celebration of the past and a celebration in the present. We have a holiday that celebrates the renewed inauguration of the *Beit Hamikdash*, well in the past. Together with that, we have a contemporary celebration of the inauguration of a rabbinic position in a location in the agricultural pioneer settlements that is built on values of purity and sanctity in *Eretz Yisrael*. There are common lines and united content for these two celebrations.

The *mitzva* of Chanuka lights is to place them on the outer side of the entrance of the house (Shabbat 21b). The *mitzva* to inaugurate a rabbinical position is another name for the Torah's *mitzva* of appointing rabbinical judges, which is also done outside ... "in all of your gateways" (Devarim 16:18). The difference is that Chanuka lights are by the entrance to the house and judges are seated near the gateway to the city. The lights of Chanuka take light from within the home and spread it to the outside, down the street and around the neighborhood. It represents the influence of the individual within society. Regarding judges, the light of justice of Israeli society, which finds expression broadly in the city and the settlement, breaks forth from city gates to the whole national, political structure. When the various lights of justice unite from their sources, it creates a special content of a Jewish state.

That is the reason that the *mitzva* of appointing judges in all gateways is specifically in *Eretz Yisrael*. The power of the Jewish judiciary is also only in *Eretz Yisrael*, and ordination for that role can be done only there. The appointment of judges and placing the judiciary's imprint on society are characteristics of independent life in our Land. They place their stamp and set the special content of the gateways of Israel.

The *midrash* says: "Hashem said: From all the nations I created, I love only Israel, as it says, 'For Israel is a youth, and I love it' (Hoshea 11:1). Of all that I created, I love only justice, as it says, 'For I am Hashem, Who loves justice' (Yeshayahu 61:8). Hashem said: I will give that which I love to the nation that I love. That is why it says, 'Judges and officers ...' (Devarim 16:18)" (Devarim Rabba, Shoftim 5:7).

There are many nations in the world, and there are powerful states, which have many cities and gateways, but these are not our gateways. They do not have the clear definitive sign that makes our gateways what they are. They have gateways based on "Whoever is stronger will be victorious," gateways built on corruption of holy justice. Over history we have too often felt on our skin the "justice" of their courts. Only our gateways are set on law and justice. To the same extent that justice is stronger, so too the special character of that locality of the Jewish city or settlement will be stronger.

The installation of a rabbinate in one settlement is not an event that is limited to a specific person or a specific settlement. It is, rather, another step in the building of the Land that is the "house of our lives." It is another rung in the religious settlement movement and another victory for the spirit of traditional Judaism.

If we are joyful that we merited to see the establishment of the cities and settlements of the region of Judea, it is a far greater joy to see the building of settlements that carry the stamp of the holy religion. How awesome is the joy that we have merited to celebrate the founding of the settlement's "gateways," with this appointment that Hashem bestowed upon me through you, in His great kindness.

We will continue next time.

*We daven for a complete and speedy **refuah** for:*

Itamar Chaim ben Tzipora

Nir Rephael ben Rachel Bracha
Ori Leah bat Chaya Temima

Arye Yitzchak ben Geula Miriam
Neta bat Malka

Tal Shaul ben Yaffa
Meira bat Esther

*Together with all **cholei** Yisrael*



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A Used Car with a Tendency Toward Engine Problems

(based on appeal ruling 84034 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl) bought a used car from the defendant (=def) for 24,000 NIS. Months before, def had major engine problems, and instead of doing a major overhaul, did a cheaper repair that his mechanic (=mech1) said would not be optimal and would leave the car needing a lot of added motor oil. Def took mech1's advice to sell the car and quoted to pl what a second mechanic (=mech2) told him, that the car was basically fine except for the oil consumption, and could drive another 100,000 kilometers. Def did not tell pl what he had learned, that this make of car had a tendency toward engine problems. Three months after buying the car, pl had major engine problems, and mech1 recommended changing the engine. Pl demands to return the car for its sales price and be compensated for expenses, because def did not tell him about the car's problems and bad prospects. Def responds that he gave sufficient information specific to this car, and pl could have found out about the make's problems through available information.

Ruling: [In the ruling, which we featured on this past Parashat Emor, there were three different analyses of the dayanim, but the majority agreed that pl had too much access to information prior to the purchase to nullify it. Now we see the judgment of the appeal panel.]

The first question requested to be reconsidered is about the difference between the way def told pl about the problem with the car and the actuality. The *gemara* (Bava Batra 83b) says that if one bought an object with the understanding it was of poor quality and it was of poor quality, he may not back out of the sale. The Ran (accepted by the S'ma 233:4) asks that this is obvious and therefore says that the *gemara* is referring to a case where it is of an even lower quality than he understood, and still the sale is valid. Arguably, that is the case here. However, we believe that an engine that is likely to stop working in a relatively short amount of time is of a different category of problem. Shut Maharil Diskin (166) applied the same idea to a horse suffering from a worse disease than the buyer told about.

Since pl chose to not just describe the symptoms but cite an expert (mech2), it was wrong to not cite mech1. This is strengthened by the fact that def followed mech1's advice (to sell the car) and by the fact that def did not cooperate with the appeal panel's request to provide information for *beit din's* expert to give a third opinion.

Def claimed that he suspects that pl did not add as much oil as he was told to, which caused the engine to be ruined. Considering that the sale was nullified, it turns out that pl became a "watchman" over it, and def claims that he was negligent as such. According to Torah law, he would have to swear that he added as much oil as he should have, and in lieu of that, and in consideration of the fact that pl ended up using a car that was not his, we will reduce 4,000 NIS from what pl should get. Def should now pay 20,000 NIS.

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