LIVING IN HIS IMAGE • BOOK ONE

BEIN ADAM LECHAVEIRO

Mitzvos Between Man and Others: Kindness, Justice, and Stewardship

ENCOMPASSING SEDER 1 (CHESED) • SEDER 2 (MISHPATIM) • SEDER 3 (PEKUDIM)

LIVING IN HIS IMAGE

BOOK ONE • BEIN ADAM LECHAVEIRO

Living in His Image • The Chavrusa Edition
A Comprehensive Curriculum of Halachah, Hashkafah, and Character Refinement

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PRIMARY RABBINIC SOURCES & HALACHIC FOUNDATIONS

Primary halachic rulings and moral dilemma analyses drawn from the works of *Rav Yitzchak Zilberstein shlit"a* (including *Chashukei Chemed*, *Veharev Na*, and *Shiurei Torah L'Rof'im*), alongside the classical commentators: the *Rambam*, *Ramban*, *Sefer HaChinuch*, *Tur*, *Shulchan Aruch*, *Mishnah Berurah*, and the *Sfas Emes*.

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MISSION STATEMENT & CURRICULUM GUIDE

MISSION STATEMENT

This Sefer has five goals. They are:

I. A COMPREHENSIVE CURRICULUM OF ALL HALACHAH AND HASHKAFAH

To create a comprehensive curriculum for teachers and mentors that teaches both the philosophy and practice of all of Judaism through the prism of all the mitzvos, both d'Oraisa and d'Rabbanan, that are practiced today

II. HOW EACH MITZVAH PERFECTS OUR CHARACTER TO RESEMBLE AND DRAW CLOSE TO HASHEM

To demonstrate how the goal of all of the mitzvos is to help us perfect our character so that we become similar and close to Hashem. This sefer studies each mitzvah and teaches how it helps to either perfect our character or inspires us to perfect our character so that we can come close to Hashem.

III. THE HALACHOS AND HASHKAFAH OF EACH MITZVAH

To briefly teach the basic halachos of each mitzvah and the philosophy that is taught by each mitzvah

IV. THE INTERRELATION BETWEEN THE MITZVOS

Chazal teach that each mitzvah is connected to all of the rest. (Taryag mitzvos hateluim bo). This sefer demonstrates the interrelation between each mitzvah, and how they are unified towards the goal of perfecting our character and perfecting the world in order to resemble and come close to Hashem. This teaches that the mitzvos are not disjointed, but all work together synergistically to achieve the goals of the Torah.

V. THE SYSTEMATIC STRUCTURE OF THE MITZVAH SYSTEM

To teach the systematic structure and categories of the mitzvah system. This teaches that the Torah is an organized and systematic system.

TARGET AUDIENCE

This book is primarily made for mentors who are studying with someone who is growing in their observance, or as a resource for teachers to teach this course.

WHAT IS THIS CURRICULUM?

Many of us know that the purpose of the mitzvos is to bring us closer to Hashem, but it is not clear how each mitzvah help us achieve that. There often seems to be a disconnect between what we know is the goal of the mitzvah system, and the mitzvos themselves. In addition, Mitzvos are often perceived as disjointed, unrelated to each other, and not part of a cohesive whole. Each of the mitzvos, as well any specific point of Jewish philosophy are often mistakenly seen as part of a jumble of disparate and separate items, and don't relate to each other in an organized system with a single defined purpose.

This curriculum, based on the works of Rav Samson Raphael Hirsch, attempts to demonstrate how the goals of the mitzvah system are connected to the mitzvos themselves. It demonstrates how every mitzvah is part of an integrated system to perfect our middos (character) to make us similar and consequently close to Hashem. It shows how every single mitzvah, even the mitzvos that are bein adam lemakom, have their purpose in helping us achieve shleimus, or character perfection.

The program uses the classic works of the Sefer Hamitzvos of the Chofetz Chaim and the Sefer Chareidim as its primary texts. The mitzvos are taught using Rav S.R. Hirsch's structure as he has outlined in his books The Nineteen Letters, and Chorev. This structure beautifully illustrates how all of the Mitzvos lead toward the single goal of shleimus, which is to resemble Hashem's perfection.

There are five goals of this Halachah and Hashkafah program:

1. To create a comprehensive curriculum for teachers and mentors that teaches both the philosophy and practice of Judaism through the prism of all the mitzvos, both d'Oraisa and d'Rabbanan, that are practiced today

2. To demonstrate the interrelation between each mitzvah, and how they are unified towards the goal of perfecting our character to resemble Hashem and to perfect the world

3. To teach the systematic structure the mitzvah system

4. To briefly teach the basic halachos of each mitzvah and the philosophy that is taught by each mitzvah

5. To study each mitzvah and teach how it helps to either perfect our character or inspire us to perfect our character

This curriculum is also attempting to fill a current void. Many people who begin learning with someone who is looking to learn more about Judaism are faced with the dilemma of what to learn. Some begin to learn Jewish philosophy, like Derech Hashem or Strive for Truth. But as they progress, they feel that while they are teaching fundamental ideas of Jewish thought, they aren't presenting any concrete Yiddishkeit. It seems abstract, theoretical, and "airy-fairy". They may begin to feel that they are not learning how to live as a Jew. On the other extreme, others begin with Halachah like Kitzur Shulchan Aruch, but for a beginner that can be dry, technical and very intimidating.

This program offers one solution to that problem by presenting the student with a wholesome balance of both Halachah and Hashkafah; to teach all of the mitzvos and their basic halachos, and use those mitzvos as a springboard to teach important principles of Hashkafah (Jewish thought)

This book is divided into several sections. The first section is entitled "All of Torah on One Foot". It is an explanation of the structure of the mitzvah system, based on the teachings of Rav Hirsch and Rav Moshe Chaim Luzatto. It is the philosophical introduction and underpinning of the program.

The next section is the actual curriculum that you use to learn with. It includes a comprehensive listing of all the mitzvos, based (with slight modifications for clarification) on the structure of Rav Hirsch's Chorev.

The mitzvos are presented in the following format.

This book divides all of the mitzvos into nine categories of mitzvos, called Chesed, Mishpatim, Pekudim, Limud, Chukim, Moadim, Edus, Toros, and Avodah.

At the beginning of each mitzvah category, there is a basic overview of the purpose of the mitzvos in that category, and how it fits within the general framework of all of the mitzvos. All of the mitzvos in that category are broken down further into smaller mitzvah "clusters". Before each mitzvah cluster there is a brief overview of the mitzvos in the section, and how it helps to make us similar to Hashem.

Within each cluster, you will find each individual mitzvah. Each mitzvah is composed of up to six parts.

1. First, the scriptural source for each mitzvah is listed.

2. That is followed by a list of questions that the halachah addresses. These questions can be read to the student before you learn the halachah. It is often helpful to discuss the questions with the student before the halachah is read. These questions engage the student, and make it more interactive, interesting and memorable. They can be used to create an interactive discussion about the mitzvah before the text is studied together.

3. After the questions, you will find a quotation of the sefer Hamitzvos HaKatzar written by the Chofetz Chaim, based on the Rambam's Sefer Hamitzvos. I have chosen this text because it is a brief description of the fundamental halachos from that mitzvah. I believe it is worthwhile to study the text of a classical book, rather reading a list of selected halachos. For the mitzvos that the Sefer Hamitzvos Hakatzar does not quote, I have used the short text from the Sefer Chareidim. I have chosen to use the Sefer Chareidim as well is because the Sefer Chareidim is a comprehensive list of all of the mitzvos that the Rishonim count. It has many mitzvos d'Oraisa that the Sefer Hamitzvos leaves out. (They were left out by the Rambam because he held that they were details of other broader mitzvos, or because they were so fundamental and broad that they were the axioms of the other mitzvos) Additionally the Sefer Chareidim lists the mitzvos d'Rabbanan and mitzvos Medivrei Kaballa that are not listed by the Sefer Hamitzvos.

4. After the halachah, you will find a paragraph describing how that mitzvah works in tandem with the rest of the mitzvos to help perfect our character, to make us similar to Hashem, and therefore how it can make us close to Hashem.

5. Next you will find a listing of additional ideas, lessons, and explanations behind the mitzvah. These explanations are in addition to the central concept of the mitzvah being either an emulation of Hashem, or an inspiration to emulate Hashem.

6. Finally you will find a list of suggested Hashkafah topics that relate to the mitzvah. Rav Hirsch taught that the entire worldview and hashkafah of the Torah, can be seen through the prism of the mitzvos themselves. I therefore have added a list of suggested fundamental hashkafah topics that relate to each mitzvah. The teacher is of course

welcome and encouraged to add any hashkafah that he or she thinks is appropriate.

On the top of each page, you will find a short description of the purpose of the mitzvos in that section. This also serves to remind the student where the specific mitzvah fits within the broader framework of all of the mitzvos.

May it be Hashem's will that we all succeed in being marbitz Torah, and succeed in bringing many people closer to Him.

HOW TO USE THIS CURRICULUM

As we mentioned earlier, the goal of this curriculum is to teach the basic halachos of all the mitzvos, their philosophical ideas, and how all of the mitzvos work together to help perfect our character to make us similar to Hashem.

This program is designed to be an engaging dialogue rather than simply a unilateral and didactic lecture.

You begin with the introduction called "All of Torah on one foot". This can either be taught by having the student read it independently ahead of time, it can be read together, or the teacher can teach it in his own words. This section gives the general overview of the program.

After that is complete, you begin to learn the mitzvos. The book is divided into nine sections. Before each section there is an introduction of the mitzvos in the section. This should be read together

Next within each section, the mitzvos are clumped together in clusters. Before each mitzvah cluster, there is short a description of how these mitzvos help to make us more similar to Hashem. This should also be read together.

You are now ready to begin the individual mitzvah. Begin by reviewing where this mitzvah fits within the mitzvah chart. You can use the headings at the top of the page to review where it fits.

Next, read the description of the mitzvah and its scriptural source. You can now ask your student their opinion to some of the question that will be addressed in the Halachos of the mitzvah. These questions should lead you into an engaging discussion. Ask their opinions, and what they intuitively feel the answer should be. Next read the text of the halachos. This will either be the text of the Sefer Hamitzvos Hakatzar or the text of the Sefer Chareidim.

Then read the description of how that mitzvah helps to perfect our character to make us similar and so close to Hashem.

Next, share some of the additional reasons and insights given by the other commentaries. After you finish the reasons, you can move on to discuss the related Hashkafah topics.

After the student feels satisfied, you are ready to move on to the next mitzvah. In an average session of an hour you can usually complete 2 or 3 mitzvos.



SEDER ONE • SECTION ONE: EMULATING HASHEM

CHESED: LOVE & KINDNESS

Mitzvos of Emulating Hashem's Character Traits and Divine Kindness

OVERVIEW

The first category of mitzvos are the commandments of emulating Hashem's love and kindness. Hashem's most basic quality is the quality of kindness. Our scriptures teach, Olam Chesed Yibaneh, the world was created as an expression of Hashem's kindness. As we have discussed earlier, the entire universe was created simply as an expression of Hashem's kindness and love, because He wanted to give humanity the greatest pleasure possible.

Therefore, in our quest to resemble the Almighty we need to emulate the Almighty with incredible kindness and compassion. Here are a few examples of G-dly kindness: To love your fellow man. To provide shelter for the homeless. To care for the sick. To promote peace. To give people a greeting. To greet people with a smile. To lend people money. In short, anything that you would possibly want to be done to you, do to others. This category of mitzvos also includes the mitzvos that relate to the kindness involved in raising a family, and the spiritual kindness of helping others to perfect their character.

All of the following mitzvos are mitzvos that require us to act in a loving and kind way toward our fellow men. But it is important to keep in mind that the intent behind all of these mitzvos is not simply for us to give benefit to other people. It is deeper. The intent is for us to become refined, compassionate and G-dly people by performing these acts of kindness. It is not enough for us to do good, but we are to try to become good through them.

G-DLY CHARACTER TRAITS

SECTION OVERVIEW

The mitzvos in this section are all mitzvos that ask us to emulate Hashem's character traits

1. To emulate Hashem

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 6

As the Torah says, and you shall walk in His ways (Devarim 28:9 Parshas Ki Savo).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What does it mean to walk in G-d's ways?
- Is there a Torah command to have good middos, good character?

SEFER HAMITZVOS HAKATZAR

Chazal taught (Sifrei, Devarim 11:22) regarding this commandment: Just as the Holy One, blessed is He, is called gracious, so too must you be gracious; just as He is called compassionate, so too must you be compassionate; and just as He is called kind and devoted (chasid), so too must you act with lovingkindness. This principle applies to all the attributes by which the Holy One, blessed is He, is described: a person is obligated to model himself after Him and walk in His ways.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

The goal of the entire Torah is to perfect our character to help us resemble Hashem. This mitzvah directly challenges us to resemble Hashem's middos, character.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMCHAL — DERECH HASHEM (PART 1, 2:3)

By resembling Hashem, we come close to Him.

RALBAG (DEVARIM 11:22)

Performing this mitzvah will lead a person to develop every positive character trait.

In addition, this mitzvah will bring one to the greatest comprehension of Hashem, because he or she will be constantly learning about Hashem's ways in order to properly fulfill the mitzvah to emulate Him.

IBN EZRA

Walking in Hashem's ways means doing an action. Faith alone is not sufficient, Hashem wants us to actively participate in the perfection of the world.

RAMCHAL — DERECH HASHEM (4:6)

The Thirteen Middos cause Hashem to act with rachamim and with His sovereignty (shlita). So Hashem should forgive the pesha and grant us favor (chen) even when we lack personal merit (zechus).

RAMCHAL — MESILAS YESHARIM (CHAPTER 11 & HAKDAMA)

It is far more demanding to refine character traits (midos) than to perform external actions (ma'asim), because one's innate temperament constantly pulls him toward natural impulses. In addition to personal ethical refinement, whatever strengthens the Torah and deepens brotherhood within the community (achvus hamedinah) is included in the overarching commandment of Vehalachta Bidrachav.

SFAS EMES

• How can a mortal human being cleave to the infinite, invisible Creator? The Sfas Emes answers that Hashem deliberately built our world with an accessible spiritual bridge. In His ultimate essence (atzmus), Hashem is beyond all boundaries and human comprehension. Direct attachment to His boundless light would instantly overwhelm a finite mind. However, when Hashem created our universe, He stepped down His life-force into manageable proportions. He placed an illumination of His life-force into every created thing, given in precise measure and boundary: "Yeish b'chol nivra v'ne'etzal or chiyuso Yisborach b'gevul u'maddah." We are invited to do the exact same thing. Walking in His ways means taking an ordinary physical act and turning it into a holy vessel for Hashem's loving presence (Sfas Emes, Vayikra, Kedoshim 5631).

• In Parshas Eikev, the Torah gives us a heartfelt command: "L'ahavah es Hashem Elokechem" — "To love Hashem your God" (Devarim 11:13). This command often puzzles thoughtful readers. How can love be commanded? Can the human heart produce warm affection on demand? The Sfas Emes resolves this puzzle with an insight from Rabbeinu Tam in Sefer HaYashar. He writes: "Shoresh ha-ahavah: hisdamus ha-ohev el ha-ne'ehav" — the true root of love is the resemblance of the lover to the beloved. The command to walk in Hashem's ways is not a random rule. It is the practical tuning fork that trains our hearts so that genuine love of Hashem can awaken within us (Sfas Emes, Devarim, Eikev 5658).

• In a moving teaching on the hospitality of Avraham Avinu in Parshas Vayera, the Sfas Emes explains the verse: "Magid devarav l'Yaakov" — "He declares His words to Jacob." The Rebbe writes: "Lihyos nimshachin achar hanhagah pnimes shel Ha-Kadosh Baruch Hu" — we are called to follow the hidden, interior way of Hashem's providence. In our daily lives, we often react to the loud, abrasive surface of things. When someone insults us, cuts us off in traffic, or speaks harshly, our defensive ego shouts: Stand up for yourself! The Sfas Emes reminds us that beneath this noisy surface lies a quiet Divine reality. Hashem patiently sustains a world that often ignores Him. He causes the sun to rise upon the ungrateful as well as the righteous. It means taking a deep breath, looking past the unpleasant behavior of a difficult person, and choosing the quiet forbearance of our Creator. When we choose patience over rage and forgiveness over resentment, we bring our lives into harmony with the gentle heartbeat of Creation (Sfas Emes, Bereishis, Vayeira 5654).

• A basic rule of spiritual life teaches us that heavenly blessings need a corresponding vessel (keli) in our world. Can a person pray for divine compassion while his own heart remains hard, cold, and closed to the needs of his neighbors? Such a prayer asks for the impossible. It asks the river of Hashem's mercy to pour into a tightly clenched fist. In the 5654 Vayera teaching, the Sfas Emes writes: "chesed l'matah na'aseh keli l'chesed elyon" — kindness practiced down below becomes the living vessel that receives the supreme kindness of heaven. This principle raises human generosity into a sacred partnership with Hashem. It widens the vessel of blessing in our world. Our earthly compassion provides the container through which Hashem's abundant goodness can flow to everyone around us (Sfas Emes, Bereishis, Vayeira 5654).

• In Parshas Lech Lecha, the Sfas Emes examines the thirteen covenants (shelosh-esrei berisos) sealed through circumcision (Bris Milah). The Sfas Emes explains that reciting the Thirteen Attributes with our lips during prayer is only the first step. The true fulfillment happens when we embody these qualities in our daily conduct: "Yecholin ba-zeh l'orer ha-Yud-Gimmel Middos shel Rachamim ba-Shamayim" — through living these traits in actual deed, we have the power to awaken the Thirteen Attributes of Mercy in Heaven. Hashem declares: "If this creature of dust can conquer his resentment and show compassion, how can I not pour out My boundless mercy upon My children?!" Walking in Hashem's ways is our greatest advocate. Our everyday forgiveness below opens the gates of heavenly salvation above (Sfas Emes, Bereishis, Lech Lecha 5658).

RELATED HASHKAFAH TOPICS:

- Discuss other examples of emulating Hashem. This can include Humility, Modesty, Truthfulness
- Discuss the idea of coming close to Hashem by emulating Him
- Discuss the Rambam's formulation that the middle path is the path of Hashem. For example between the extremes of anger, and silliness, is simchah, joy. Between the extremes of miserliness and profligacy, is generosity

STORIES FROM OUR SAGES:

❖ Emperor Hadrian was once riding along the paths of Tiberias when he saw a hundred-year-old man standing and digging trenches to plant young fig saplings. Hadrian stopped and asked him: 'Old man, old man! Why are you working so hard in your old age to plant fig trees for others?' The old man replied: 'My lord the King, I am planting! If I merit to eat from the fruit of my labor, I will eat; and if not, just as my forefathers toiled for me, so I toil for my children!' Hadrian said to him: 'By your life, if you live to see these trees bear fruit, be sure to let me know!' Three years later, the fig trees bore ripe, delicious figs. The old man filled a basket with the first figs, came before Hadrian, and said: 'My lord the King, I am that hundred-year-old man to whom you spoke three years ago, and the Holy One has granted me life to bring you the fruit of the trees you saw me plant!' Hadrian was delighted and ordered his servants: 'Empty his basket of figs and fill it to the brim with gold dinars!' When his greedy neighbor's wife saw this, she told her husband to fill a huge sack with figs and take them to the emperor to get a sack of gold—only for the guards to pelt him with his own figs when they saw he had come out of greed rather than sincerity!

Vayikra Rabbah 25:5

INSPIRATIONAL STORIES:

❖ Howard Schultz, chairman and former chief global strategist of Starbucks was awarded the Botwinick Prize in Business Ethics by the Columbia Business School in September, 2011. He revealed in his acceptance speech how he — among others — had been educated by Reb Nosson Zvi: 'When I was in Israel, I went to Meah Shearim, the ultra-Orthodox area within Jerusalem. Along with a group of businessmen I was with, I had the opportunity to have an audience with Rabbi Finkel, the

head of a yeshivah there. I had never heard of him and didn't know anything about him. We went into his study and waited ten to fifteen minutes for him. Finally, the doors opened. What we did not know was that Rabbi Finkel was severely afflicted with Parkinson's disease. He sat down at the head of the table, and naturally our inclination was to look away. We didn't want to embarrass him. We were all looking away, and we heard this big bang on the table; "Gentlemen, look at me, and look at me right now." Now his speech affliction was worse than his physical shaking. It was really hard to listen to him and watch him. He said, "I have only a few minutes for you because I know you're all busy American businessmen." You know, just a little dig there. Then he asked, "Who can tell me what the lesson of the Holocaust is?" He called on one guy, who didn't know what to do — it was like being called on in the fifth grade without the answer. And the guy said something benign like, "We will never, ever forget," And the rabbi completely dismissed him. I felt terrible for the guy until I realized the rabbi was getting ready to call on someone else. All of us were sort of under the table, looking away you know: "Please, not me." He did not call me. I was sweating. He called on another guy, who had such a fantastic answer: "We will never, ever again be a victim or bystander." But the rabbi said, "You guys just don't get it. Okay, gentlemen, let me tell you about the essence of the human spirit. As you know, during the Holocaust, the people were transported in the worst possible, inhumane way by railcar. They thought they were going to a work camp. We all know they were going to a death camp. After hours and hours in this inhumane corral with no light, no bathroom, cold, they arrived at the camps. The doors were swung wide open, and they were blinded by the light. Men were separated from women, mothers from daughters, fathers from sons. They went off to the bunkers to sleep. As they went into the area to sleep, only one person was given a blanket for every six. The person who received the blanket, when he went to bed, had to decide, 'Am I going to push the blanket to the five other people who did not get one, or am I going to pull it toward myself to stay warm?" And then Rabbi Finkel said, "It was during this defining moment that we learned the power of the human spirit, because we pushed the blanket to five others. And with that, he stood up and said, "Take your blanket. Take it back to America and push it to five other people."

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 282

❖ Even in Rav Yosef Shalom Elyashiv's later years — when he was considered the undisputed Posek Hador — when questioners would pose their halachic queries to him, he would listen until the questioner finished asking, even if he understood what the question was before the person finished speaking, and even if the questioner was repeating himself needlessly. He would listen attentively to every questioner, whether it was an unlearned person or a great talmid chacham, a Rosh Yeshivah or a prime minister. Everyone received the same few minutes of undivided attention.

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 205

❖ Two weeks to live." That was the prognosis given to Harav Chaim Friedlander, zt"l, by his doctors. Harav Shach, zt"l, came to visit him in the hospital. "What should I work on during the time I have left?" Rav Chaim asked him. "Middos. Work on your middos," Rav Shach told him.

Impact, Vol. 4, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ A man passed away and was sent to Gehinom, where he saw a table set with many delicacies. All the people sitting around the table, however, looked depressed. When he went closer, he noticed that they were sad because they had no elbows and therefore could not bring the food to their mouths. He then went to Gan Eden, and saw a similar sight, except that all the people were happy. They too had no elbows, but each one reached across the table and fed the person opposite until they were all satisfied. Gehinnom is full of people who never thought of others. When they come there, their middos will not change and thus they will still not think to help the person across from them. People who have done chesed during their lifetimes and were always concerned about others, will bring their good middos to Gan Eden, and as a result all will benefit.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 304

❖ Rav Tendler told his son Eliyahu that if one wants to find out about a student's middos, it is most important to observe the way he acts when getting his food, when he thinks that nobody is noticing him. He would quote Mrs. Fishman, the legendary cook of Yeshivas Ner Yisrael, who would say, "I don't know why people call the Rosh Yeshivah to ask about a boy for shidduchim. They should call me. I know the way the boys eat, and if they act toward one another and to me with derech eretz.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 384

❖ Rav Nota Greenblatt's quick witticisms were laden with meaning. "To be an adam gadol, a great person," he commented, "you first have to be an adam, a person."

From Rav Nota, by R' Shmuel Botnick, published by ArtScroll Mesorah

A. TO EMULATE HASHEM'S 13 ATTRIBUTES OF COMPASSION:

TOMER DEVORAH (RAMAK, CHAPTER 1) • THE THIRTEEN ATTRIBUTES OF COMPASSION

• To act kindly even to one who has insulted you (Tomer Devorah, Chapter 1)

• To forgive harm done to you (Tomer Devorah, Chapter 2)

• To help people correct the result of their misdeeds (Tomer Devorah, Chapter 3)

• To love a fellow Jew as if they were yourself (Tomer Devorah, Chapter 4)

• To overcome anger even when anger is justified and try to correct the person with love (Tomer Devorah, Chapter 5)

• To find the good in people and have positive feelings for them because of that good quality (Tomer Devorah, Chapter 6)

• After a person reconciles with you, you should love him even more than before (Tomer Devorah, Chapter 7)

• To be grateful for people's kindness, even if they later hurt you (Tomer Devorah, Chapter 8)

• After a person gets punished for his crimes, one should forget it as if it never happened (Tomer Devorah, Chapter 9)

• To be just and kind to all people (Tomer Devorah, Chapter 10)

• To treat the righteous Lefnim Meshuras Hadin, beyond the requirements of the law and to esteem them very much and be close to them (Tomer Devorah, Chapter 11)

• Not to be cruel or disgrace even wicked people. Love them because they are children of Avraham and manifest that by trying to bring them close to the Torah (Tomer Devorah, Chapter 12)

• Even when one can't find any reason to love someone, love and help them because at some point in their life they must have been good. (Tomer Devorah, Chapter 13)

STORIES FROM OUR SAGES:

❖ Rava taught: Whoever overlooks his personal grievances and waives his strict due has all his own transgressions overlooked by Heaven, as it is written in the Thirteen Attributes of Mercy (Micah 7:18): "He pardons iniquity and passes over transgression." For whom does God pardon iniquity? For the person who himself passes over transgression committed against him! Rav Huna the son of Rav Yehoshua once fell critically ill. Rav Pappa entered to visit him and saw that his life was slipping away, so he quietly instructed those around him: "Prepare burial shrouds for him." Yet in the end, Rav Huna

miraculously recovered! Rav Pappa felt deeply ashamed to face him for having given up hope. When they asked Rav Huna what he had experienced while hovering between life and death, he answered them: "Yes, my decree had indeed been sealed just as Rav Pappa saw; but then the Holy One, blessed be He, instructed the Heavenly Court: 'Since Rav Huna never insists on his strict rights or holds a grudge against others, do not insist on strict judgment against him!'—as it is written: 'He pardons iniquity and passes over transgression.'"

Talmud Bavli, Rosh Hashanah 17a

INSPIRATIONAL STORIES:

❖ A man once came to a tzaddik and complained that he had not been able to find peace of mind. Many years earlier he had committed a sin, and although he had fasted and prayed for forgiveness, and several Yom Kippurs had passed, he still was unable to divest himself of a feeling of guilt. The tzaddik asked, "Have you forgiven others who offended you?" "Of course, " the man answered. "And your forgiveness was so complete that not a speck of resentment remains with you?" the tzaddik asked. The man's eyes turned downward, and in a soft undertone he said, "I cannot truthfully say that." "That is where the problem lies, my son," the tzaddik said. "You must have an experience of total forgiveness to be able to accept the concept. If you have not been able to feel total forgiveness toward others, you cannot relate it toward yourself either. You must devote yourself to perfecting your forgiveness of others. "I now understand a very difficult passage of the Talmud, " the tzaddik said. "The Torah states that on Rosh Chodesh, the Jews are to bring a sin offering for G-d' (Bamidbar 28:15). "The Talmud quotes G-d as saying, Bring a sin offering for Me, for My having reduced the size of the moon' (Chullin 60b). How are we to understand this? G-d can do no wrong, and He cannot possibly sin. In what way could He need forgiveness? "But we frequently find that the Torah refers to G-d in anthropomorphic terms that help us understand His relationship to us, as when it speaks about the mercy of G-d or His compassion. Clearly we cannot ascribe emotions to G-d, but these terms are used so that we can have some notion of how He relates to us. "So it is with the concept of G-d asking for forgiveness. Forgiveness is a two-way affair. One can only forgive oneself if one forgives others, and conversely, one can only forgive others if one can thoroughly forgive oneself. Inasmuch as G-d wishes us to know that He forgives us when we have done proper teshuvah, He tells us that He has experienced forgiveness Himself, so that we can feel reassured of His forgiveness of our transgressions. " '.

Not Just Stories By Rabbi Dr. Avraham Twersky

❖ One of the wealthy citizens, a man named Raphael, who had once been one of Rabbi Heller's supporters but now turned against him, sought to retaliate against the Rabbi, and tried to use his influence to unseat him from the rabbinate. When this failed, he had someone translate one of Rabbi Heller's writings, and intentionally distort what Rabbi Heller said to constitute revolutionary, anti-government rhetoric; He then submitted this to the authorities, accusing Rabbi Heller of inciting revolution. The government, always sensitive to revolutionary rhetoric and not being great lovers of Jews, promptly arrested Rabbi Heller. Raphael's intention had only been to rid Prague of the principled Rabbi, assuming that the government would depose or deport him, but he had not considered the possibility that an accusation of treason could lead to the death penalty. - Fortunately, Rabbi Heller's son had been instrumental in saving the child of the French ambassador from a near fatal accident, and had come into the good graces of this French official. He was therefore able to exert political influence to get his father's sentence commuted to a fine, and obtain his release from prison. Not too long after this, Raphael fell gravely ill. Rabbi Heller wished to visit him, but was concerned that Raphael would misinterpret the visit as the Rabbi's gloating over his misery. The Rabbi was therefore delighted when Raphael sent a messenger requesting the Rabbi to visit him. Upon entering the sick room, Rabbi Heller found Raphael to be in severe distress. "Holy Rabbi," Raphael wept, "have mercy on me and pray, for me. I was guilty in accusing you falsely. I admit my guilt, but even when I sought to depose you, I never thought it would lead to such grave consequences. "I know that my illness is a Divine punishment for my having harmed you. I am ready to accept death for my sin, but I wish to ask your forgiveness. " 'Rabbi

Heller wept along with Raphael. "I forgive you with my whole heart. Not only do I forgive you now, but even when I was imprisoned I forgave you. I remembered your friendship of yore, and I knew that it was only the yetzer hara that had incited you to act so foolishly. I will pray intensely for your recovery." Rabbi Heller's prayers were not turned away, and Raphael recovered.

Not Just Stories By Rabbi Dr. Avraham Twersky

❖ The Steipler once made a surprise appearance at a bar mitzvah seudah to which he had not been invited. He wished the father "Mazel tov," then sat down next to the bar mitzvah boy, spoke with him for a very short while, and left. After the Steipler left, the bar mitzvah boy explained that several years earlier, the Steipler had seen him enter the Lederman's Shul on Yom Kippur carrying a large sefer, which the Steipler assumed was a Gemara. He told the boy, "Yinge'le (young boy), now we are to daven; learning is for later." The boy then showed the Steipler that he was carrying not a Gemara, but an oversized machzor. The mechilah (forgiveness) of a kattan (boy under bar mitzvah) is not valid, so the Steipler made sure to find out when and where the boy's bar mitzvah celebration would be held, so that he could ask forgiveness at the first opportunity.

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Reb Elyah Lopian himself recounted a story that beautifully illustrates his carefully honed trait of forgiveness and the extent of his sincerity. A stranger once approached him in London and asked Reb Elyah's forgiveness for having spoken lashon hara about him. Reb Elyah insisted on knowing specifically what the man had said before he could forgive him. The man stipulated that Reb Elyah should first forgive him, after which he would disclose it to him. When Reb Elyah agreed to his condition, the stranger reneged, refusing to reveal to Reb Elyah what he had said. - After much discussion, Reb Elyah informed the man that if he would not tell him the truth, Reb Elyah would never forgive him. Finally, the stranger did break down and he told Reb Elyah the whole shocking story. Having heard the details, Reb Elyah told him, "The truth is that it would be very, easy for me to tell you that I forgive you; but I want to forgive you with all my heart. The thing that you have done to me is, in fact, very serious, and if I am honest with myself, I know that my forgiveness at this time will not be wholehearted. My advice to you is that you leave now and return to me to ask my forgiveness again in about two weeks. In the meantime, I will do my best to learn a great deal of mussur on the subject, with the objective of being able to forgive you completely." True to his word, Reb Elyah worked on himself, and by the time the man returned, Reb Elyah's forgiveness of him was a great deal more sincere than it would have been the first time the man approached him.

Reb Elya, By David J. Schlossberg, published by ArtScroll Mesorah

❖ One fellow composed a sefer, containing chapter after chapter of refutations to various responsa found in Igros Moshe. Not content with the legitimate course of trying to show flaws in Reb Moshe Feinstein's reasoning, the author filled his work with scornful and derogatory statements. Ridiculous as it may seem, the man somehow thought his efforts would help to undermine Reb Moshe's position as the foremost posek of the generation. For publication, he brought his manuscript to the very same typesetter/printer who produced Reb Moshe's sefarim. Seeing the sefer's contents, the printer immediately called Reb Moshe, gave him a quick outline of the situation, and asked him how to proceed. "Well," Reb Moshe replied, "one who writes a sefer quite often needs it to supplement his income and achieve renown. One is obligated to do another Jew a favor. You, too, depend on printing to earn your livelihood. Go ahead with the sefer's publication."

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ This letter was written a few years after Joseph had a disagreement with a travel agent (Saul Tawil) about the price of a ticket. Here is the letter: Dear Saul, A long time ago we had a conflict. It went something like this: I said you owed me $4,000.00. You said it was only $2,000.00. After much talk and hostility... and nonsense, you sent me a check for $4,000.00. You were the man I wasn't. Afterwards, I told you that I would make it up to you in travel, which I never did. That fact has always bothered me. Enclosed is my check made out to you for $2,000.00 which is what we really should have decided upon.

I have long ago forgotten any hard feelings for you. In fact, when I think of you I only think of good works, kind words and a true gentleman... I hope you feel the same. My best to you and your family for the new year and I wish you all success and happiness.

. (Joseph: How One Man Can Make a Difference, by Jack Doueck, Sephardic Press, p. 333)

B. TO BE GRATEFUL

(Scripturally Mandated Mitzvah), Sefer Chareidim 35-23 Divrei Kivushin of Sefer Chareidim 153

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Would the trait of ingratitude affect a person's relationship with Hashem?

SEFER CHAREIDIM

A person must show heartfelt gratitude to anyone who performs a favor for him; even if the favor appears modest, he should view it as immense. One must guard vigilantly against ingratitude, as Scripture states: 'A borrower is a servant to the lender' (Mishlei 22:7). If one is indebted to a lender who merely provides a loan that must be repaid, how much more indebted must one feel toward someone who gives an outright gift. Chazal teach that whoever denies the kindness of his fellow will ultimately come to deny the favors of the Almighty.

MORAL DILEMMAS:

During the holocaust a man named Yosef was rounded up along with many others in his city, and locked in a cattle car. In the cattle car Yosef decided that he was going to try to jump off and escape. He managed to break a hole through the wooden panel and was about to jump. Before he jumped he encouraged the others in the train to join him. But they all told him that he was going to kill himself if he would jump off of the speeding train. Yosef decided to take the risk. He jumped off the train. Yosef hit the ground hard, and felt a very sharp pain in his arm, but he was very much alive. Nursing his badly hurt arm, Yosef made is way to the woods. He eventually joined up with partisans in the forest and he was able to survive the war. Yosef's arm was broken when he jumped. Because it was never set properly, it didn't heal properly. His arm had an angulation (it was bent) and he could not flex it very well. It was also very stiff. It did not cause him any pain but it looked strange and he lost some functionality of his hand. Eventually Yosef made his way to Eretz Yisrael. He got married, started a family, and started a business. He lived a comfortable life. Every day when he looked at his still crooked arm, he thanked Hashem for the blessing of allowing him to escape. His stiff crooked arm was a constant reminder of how he survived when all of the others in his cattle car did not. Every day that he looked at his broken arm he felt gratitude to Hashem for his blessings. One day Yosef went to the doctor and he was told that there was a surgery called an osteotomy which could heal his arm and restore its original functionality. Yosef felt torn, on the one hand he would love to have his arm function like it used to. It would no longer look different, and he would regain the flexibility in his arm. He also knew that it was important to maintain his heath. But on the other hand his crooked arm was a source of such a sense of closeness to Hashem, He was nervous about losing that perpetual reminder. Yosef asked his Rav which would be preferred, to heal his arm, or to leave it, as a reminder to feel grateful to Hashem. What do you think?

Answer: HaGaon Rav Yitzchak Zilberstein (Veharev Na, Vol. 3, p. 122) ruled that since the crooked arm causes Yosef no pain and serves as a tangible, daily reminder of Hashem's miracle in saving his life from the Nazi cattle car, there is a special value (inyan) in not undergoing the surgery to straighten it, so that he preserves this constant reminder of the miracle (zecher la-

> nes) and continues to feel daily gratitude to Hashem.
>
> *— Source: HaGaon Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 122*

STORIES FROM OUR SAGES:

❖ Rabbi Akiva was a shepherd for Ben Kalba Savua. Ben Kalba Savua's daughter (Rachel) saw that he was modest and noble in character, and she said to him: 'If I become betrothed to you, will you go away to the Study Hall to learn Torah?' He replied: 'Yes!' She secretly betrothed herself to him and sent him off to study. When her wealthy father heard, he drove her from his house and vowed to forbid her from deriving any benefit from his estate. Rabbi Akiva went and spent twelve years at the Study Hall. When he returned, he brought twelve thousand disciples with him. As he approached the threshold of his home, he overheard an old man say to his wife: 'How much longer will you live like a widow of a living husband?' She answered him: 'If he would listen to me, he would sit and study for another twelve years!' Rabbi Akiva said to himself: 'Wait —I am acting with her full permission!' He turned right around, went back, and sat another twelve years in the Study Hall. When he returned with twenty-four thousand disciples, his wife heard and came out to greet him. Her neighbors urged her: 'Borrow some fine garments and dress yourself!' She replied with the verse (Proverbs 12:10): 'A righteous man knows the soul of his beast.' When she reached him, she fell on her face and kissed his feet. Rabbi Akiva's attendants moved to push her aside, but he cried out to them: 'Leave her be! What is mine and what is yours is hers!' Her father, not realizing who the great sage was, came to ask him to annul his vow. Rabbi Akiva asked him: 'Had you known he would become a great man—even someone who knows a single chapter or a single halachah—would you have made your vow?' Ben Kalba Savua replied: 'Even if he knew one chapter or one halachah, I would never have vowed!' Rabbi Akiva said to him: 'I am he!' Ben Kalba Savua fell upon his face, kissed Rabbi Akiva's feet, and gave him half of all his wealth.

Talmud Bavli, Kesubos 62b–63a

INSPIRATIONAL STORIES:

❖ R' Gavriel Banok was a young American man who settled in Israel. He had a beautiful family. Unfortunately two of his children were diagnosed with two debilitating illnesses, and his insurance wouldn't cover tens of thousands of dollars in expenses. He was forced to travel to America to try to raise money to perform the procedures. It was in the summer, so after going to Brooklyn, he decided that he would travel to the Catskills on Thursday and stay there for Shabbos. He was recommended to visit the Weinberg family, who were known as very kind and generous. After knocking on the bungalow, the Weinbergs warmly invited him in, offered him cold drinks and listened empathetically to his sad story. After talking to each other for a minute they both graciously said they would love to help. They handed him a check. He thanked them and left. He usually received checks of 18 or 36 and expected a similar amount. When he later looked at the check, he was shocked to see that it was a check of 1800 dollars. That Shabbos he was walking near the bungalow colony and saw the Weinbergs. He spoke to them and thanked them from the bottom of his heart. They said they were happy to help. Then they introduced him to their father, Mr. Kleinman. They walked ahead and Gavriel began talking to Mr. Kleinman. He said a Hebrew expression but Mr. Kleinman said "you can talk to me in galicianish or Yiddish but I don't understand Hebrew. Gavriel said "funny my family is also from Galicia. "From where?" Mr Kleinman responded. "From Pshevorske". Really? Mine is also. What is your last name? Banok. Mr. Kleinman asked "are you related to Alexander Banok"? Yes that is my great grandfather. Mr. Kleinman calls out. "Amazing, this man is family". He calls the Weinbergs. "Yochved, this man's great grandfather was my grandmother's brother and that man saved all of our lives. Let me tell you a story. Alexander Banok moved to America and became very wealthy. Before the war he saw that there was no future for the Jews in Europe. Over the next two years he brought seventeen members of our family over to America. He found all of them jobs, found them apartments and gave them money. We owe all of our lives to his kindness. Mrs. Weinberg said to Gavriel, "When you came to us Thursday night we had a funny sense that somehow you were related to us, but now we find out that it is true. Please

stay with us for the rest of Shabbos. He stayed with them and they reminisced and shared family stories. After Shabbos, they gave him another check. It was for $10,000. He said I can't take this it is too much. They said to the contrary, it's the least we can do for all that your grandfather has done for our family. Our gratitude can never end.

Visions of Greatness, Vol. 2, By Rabbi Yosef Weiss, Published by CIS Publishers, p. 101

❖ Although Rav Shach paid rent for his living quarters, he nonetheless felt a measure of gratitude towards the Shub family for conferring" this benefit on him, and he considered it his duty to treat them exceptionally well, extending this treatment even to the family's offspring. Years after he moved to Bnei Brak, it happened that some of Reb Alter Shub's grandchildren found themselves in that city late one evening, without means of transportation available to take them home to Jerusalem. Rav Shach was overjoyed to put them up in his home for the night as a way of expressing his gratitude to his "landlord," as he referred to Reb Alter. Rebbetzin Guttel quietly told the guests that Rav Shach had been planning to go out somewhere that night, but because of the mitzvah of hospitality that had come his way, he had stayed at home.

Path to Greatness by Rabbi Asher Bergman, Published by Feldheim, p. 486

❖ Once, while Rav Elya Lopian was making his way back to his house after he stopped to talk to a bachur, he placed his tallis on an adjacent bench and folded it while the conversed. Noticing that the bench was dirty, he hurried back to the yeshivah to bring a towel with which to clean the bench. I wanted to run ahead and bring him a towel to clean the bench, the talmid related, but he told me, "No, I need to do this myself — I must show gratitude to the bench on which I folded my tallis."

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ In 1980, the Ponovezher Rosh Yeshivah, Rabbi Eliezer Menachem Shach, attended the funeral of an elderly man in Bnei Brak. The funeral was held in pouring rain. Nevertheless, the aged Rosh Yeshivah accompanied the coffin to the cemetery on foot and he returned to yeshivah by foot as well. A talmid asked the Rosh Yeshivah why he had found it necessary to go all the way to the cemetery, and, given the weather conditions, why he had not gone by car. R' Shach replied: In Europe, when he was a young student during World War I, he did not study in a yeshivah; there was no opportunity. He studied in a small shul from morning to night, and slept there, too. He was away from home and often there was no food. Occasionally, he would be invited by one of the local families for a meal. The rest of the time, he felt fortunate to obtain bread to still his hunger. But worst of all was the frigid cold. During the day, he was so involved in his studies that he did not notice the cold, but at night it was awful. The cold wooden bench on which he sat all day served as his bed. There was a small oven in the shul but it did not emit much heat. The poverty was extreme and blankets were a luxury that he could not afford. One night, a man brought him a jacket. He could wrap himself in it and keep warm as he slept. The jacket provided him with a small measure of comfort and he was able to study with greater concentration during the day. It was this man who had brought him the coat whose funeral R' Shach had just attended, he wanted to experience the cold in order to increase his feelings of gratitude.

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ As a rule, Rav Pam did not accept gifts and he strove to avoid accepting favors from others. He usually made his own arrangements for transportation to simchas, saying that he found it easier this way. If he needed to go somewhere for personal reasons, he preferred the bus or subway rather than having someone drive him. At age seventy-five, he traveled by subway to the Lower East Side to fulfill the mitzvah of nichum aveilim (comforting mourners). He would not allow anyone to drive him there. For many years, Mrs. Miller was the woman behind the counter at the corner grocery, serving the talmidim of Torah Vodaath and other neighborhood customers. Whenever she noticed Rav Pam on line waiting to be served, she would call out, "Please, Rav Pam, come to the front of the line!" He would always politely refuse, saying that he would wait his turn." While illness forced him to rely on others more than ever before, he still had his limits. After he underwent major surgery in 1997, a recliner was delivered to his house as a surprise gift. Both Rav Pam and his rebbetzin

adamantly insisted that it be returned. It was. When, on occasion, Rav Pam did accept a favor, he felt indebted to the person. He therefore had a special notebook in which he would record information about his benefactor which he could use to "return the favor." "So-and-so gave me a ride today. He has a twenty-one-year-old daughter in need of a shidduch."

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ One of Rabbi Dessler's first questions for his son was: Who had helped him during the many years that he had been all alone in America? Reb Nachum Velvel mentioned Reb Shraga Feivel Mendlowitz, the menahel of Mesivta Torah Vodaath, where he had learned upon arriving in America, and Rabbi Shlomo Heiman, the late Rosh Yeshivah. He also told his father that Rabbi Eliezer Silver, rav of Cincinnati and head of both Agudath Israel of America and Agudas HaRabbonim, had extended himself on his behalf. Rabbi Silver had been a close talmid of Rabbi Chaim Ozer Grodzenski, and when he heard that a great-nephew of Reb Chaim Ozer was in America, he did everything he could for the young man. Rabbi Dessler immediately told his son, "We must thank him." Hearing that, Reb Nachum Velvel took his address book from his pocket and gave his father Rabbi Silver's address and telephone number. Rabbi Dessler, however, would consider nothing less than a personal expression of hakaros hatov, and insisted that Reb Nachum Velvel accompany him by train to Cincinnati, a trip of approximately nine hours. The Desslers arrived in Cincinnati around 5 a.m. in the morning and went straight to Rabbi Silver's house. They sat patiently on the front porch until Rabbi Silver came out on his way to davening. Reb Nochum Velvel introduced his father, and the three proceeded to shul. After davening, Rabbi Silver invited his guests back to his house for breakfast. "So, Rabbi Dessler, what brings you to Cincinnati?" Rabbi Silver asked his guest. Rabbi Dessler told him that he had come for no other reason than to express his great appreciation for all the kindness that Rabbi Silver had shown his son. Rabbi Silver mulled over this response for a few more minutes before asking again, "Nu, Rabbi Dessler what really brings you to Cincinnati?" Again Rabbi Dessler insisted that he knew nothing of Cincinnati and had come for only one purpose: to express his hakaras hatov in person. For several minutes the conversation went off in other directions, until Rabbi Silver could no longer contain himself and asked again, "Rabbi Dessler, what can I do for you?" When Rabbi Dessler repeated for the third time that he had not come to seek anything from Rabbi Silver, but only to convey his gratitude in person, Reb Leizer finally gave up and muttered, "This must be mussar."

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 267

❖ Rav Avigdor Miller's grandson walked into his grandfather's house just in time to see Rav Miller with his face submerged in the kitchen sink. After pulling his head out of the water, Rav Miller, in answer to his grandson's startled look, explained, "I was outside and a man complained that the air was smoggy. I didn't want the complaint against Hashem's world to have an effect on me. So I came into the house and put my head under water to gain an appreciation of how good air is, even if it's smoggy. When your head is under water, any air will do."

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ An American tourist named Sheila Leviton walked into Sbarro's Restaurant in Yerushalayim. All the tables were packed. A woman named Nechama Fried noticed her searching look, waved to her to get her attention, and told her she would be done with her table in fifteen minutes and would save it for Sheila. Sheila thanked her and walked out of the restaurant. Five minutes later, a bomb exploded in Sbarro's. Nechama was badly hurt and spent a long time in the hospital. Sheila, feeling a debt of hakaras hatov to Nechama for the role she played in her life being spared, visited her at the hospital. "If there is anything I can ever do for you, let me know," Sheila pleaded. The doctors told Nechama that she needed skin grafts, and they sent her to a hospital in New York. Upon her arrival in New York, Nechama called Sheila and told her about her situation. Sheila offered to drive her daily to the hospital. As a result of her devotion to her friend, Sheila was with her on the morning of September 11 instead of being at her job on the eightieth floor of the World Trade Center.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ A man once spent a week with the Chofetz Chaim in order to observe all of his actions in order to learn from him. He asked the Chofetz Chaim why his Shemoneh Esrei was so long. I also think of all of the kavanos in the shemona esra, and mine is still a shorter one. The Chofetz Chaim said it is long because my Modim is extremely long. There is so much that I have to be thankful to Hashem for, that it takes a very long time.

Heard from Rav Binyamin Halpern

❖ Sam Neuman was an American soldier stationed in Germany during World War I. He often spent Shabbos with Chaim and Bella Weinstein, who made him feel like part of the family. Sam returned to the United States when his tour of duty was over and lost track of the Weinsteins. When World War II broke out over twenty years later, Chaim and Bella had already passed away, but their children, still living in Germany, were desperate to get out of the country and go to America. They could not leave without affidavits, but they knew nobody in the United States who could provide them. One day, Baruch Weinstein was searching through a box of his parents' correspondence and found a thank-you note to his parents from an American soldier they had hosted for Shabbos. The return address was Duluth, Minnesota. The Weinsteins wrote to Sam requesting affidavits, even though they were sure he had forgotten them. When Sam received their request in the mail, it brought back all the memories of the kindness that the Weinsteins had showed him. He brought all the Weinsteins over to the United States without hesitation.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ The car pulled up to the pump at the gas station, the passengers, one of whom was Harav Chaim Kreiswirth, zt"l, took the opportunity to use the restrooms. Harav Kreiswirth then went into the little shop and bought a Coke. The others were somewhat puzzled by his uncharacteristic behavior. "I have hakaras hatov to them for allowing use of the facilities," he explained. "The least I can do is provide them with some financial benefit."

Impact, Vol. 4, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ In his later years, Reb Dovid Feinstein asked Rabbi Ginzberg to drive him to a bar mitzvah of one of the boys in the cheder. This was long after he had stopped attending bar mitzvahs, and Reb Yissocher asked why this one was an exception. "The bar mitzvah boy holds the door to the beis medrash open for me every morning," Reb Dovid explained. "I have to show hakaras hatov to him.

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

C. TO HAVE A LEV TOV, A G-DLY HEART

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-32

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How would you define a good heart?
- How does someone with a good heart act?

SEFER CHAREIDIM

Chazal instructed that a person must cling tenaciously to the good path,' which they identified above all as cultivating a good heart (lev tov). A good heart encompasses all noble traits: possessing a generous eye (ayin tovah), being a loyal and devoted friend, acting as a considerate neighbor, and foreseeing the ultimate consequences of one's actions before acting and of one's words before speaking.

STORIES FROM OUR SAGES:

❖ Once Rabbi Eliezer, Rabbi Yehoshua, and Rabbi Akiva traveled to the region of Antioch to collect charity for Torah scholars. There lived a man named Abba Yudan who used to give charity with a generous hand, but he had lost his wealth and was left with only a single small field. When he saw the three great Sages approaching, he was heartbroken that he had nothing to give them and came home with a fallen face. His wise wife asked him, 'Why is your face so sad?' He told her, 'Our masters are here for the charity collection, and I do not know what to give them!' His wife said to him, 'We have one field left—go sell half of it and give the money to them!' He did so, and the Sages blessed him: 'May the Omnipresent fill all that you lack!' Soon after, as Abba Yudan was plowing the remaining half of his field, his ox stepped into a hole and broke its leg. When Abba Yudan climbed down into the hole to lift up his ox, the Holy One enlightened his eyes and he discovered a vast buried treasure beneath the ground! He exclaimed: 'For my good was my ox's leg broken!' When the three Sages returned on their next trip and asked how Abba Yudan was faring, townspeople answered: 'Who can even approach Abba Yudan now—his flocks of sheep, his herds of cattle, and his camels are beyond count!' Abba Yudan ran out to greet the Sages and said, 'Your prayer has borne fruit, and fruit of fruit!' And the Sages seated him at the very head of the charity roster, fulfilling the verse (Proverbs 18:16): 'A man's gift makes room for him, and leads him before great men!'

Vayikra Rabbah 5:4

INSPIRATIONAL STORIES:

❖ Rabbi Avigdor Miller always looked for opportunities to bless people. He explained that in addition to being a method of developing Ahavas Yisrael, blessing others was of personal benefit since Hashem repays the one giving a brachah, (blessing) as Hashem told Avraham, "I will bless those who bless you". To Rabbi Miller, saying good morning to someone was not just protocol or being polite, but an opportunity to say it consciously and bestow sincere blessing to someone. He once said that the word "hello" should be "thrown out of the dictionary" because it doesn't mean anything. Saying 'good morning', however, is giving a brachah. Rav Miller would say that when wishing "Good morning" one should include in his thoughts detailed blessings such as that the recipient should have a good breakfast, learn well, be healthy and merit every good thing. Rav Avigdor Miller was once in the car on the way home from yeshivah. A talmid (student) noticed that Rav Miller was mumbling while they drove. When Rav Miller realized that the talmid next to him noticed, he explained his behavior to him. "I'm seeing blocks upon blocks of homes without TV antennas and I am giving them all brachos!"

From Rav Avigdor Miller, His Life and Revolution, By Yaakov Y. Hamburger, Published by Judaica Press

❖ An eye specialist came to receive the Gerer Rebbe's blessing before departing to the United States as the sole delegate for Israel at a conference of ophthalmologists. The Rebbe asked him to include the following message in the name of a "great Rabbi in Israel": "As doctors involved in improving human eyesight, it is incumbent on us, tan, to have a generous view toward our fellow human beings — in particular, not to withhold results of our research in order to reap greater personal gain." On his return, the doctor reported with awe how prophetic the Rebbe's words had been. The lecture immediately following his was by a European doctor about whom it was rumored that he had discovered a complete care for a particular condition, which he refused ta disclose. He began his address by confessing that he was guilty of the conduct referred to by the Rabbi in Israel. However, the inspiring message had influenced him to change his attitude and he was now ready to reveal the results of his research.

Torah Leaders, published by ArtScroll Mesorah

❖ There are many middos that a person should acquire, but ayin tovah is the entranceway to all the others. Having an ayin tovah for a friend -- being happy for him when things go well for him, taking care regarding what you say about another person, not speaking lashon hara or rechilus about him... Watch your mouth and have a good heart." These words were said by the Pnei Menachem (Rav Pinchas Menachem Alter of Gur) to a young bachur who sought his guidance. His words

echoed the Chiddushei Harim, who taught that through the middah of ayin tovah, a person could access all middos. Indeed, throughout his life, and especially in the years of his leadership, the middah of ayin tovah, or in the Rebbe's words, "farginin yennem" -- being happy for others -- was a central component of his teachings. He felt that both on a macro level, the generation needed to improve in this area, and on a micro level, each individual needed to accept upon himself the desire to acquire this middah. It wasn't only his own chassidim whom the Pnei Menachem encouraged in this matter. His eye doctor, Dr. Mordechai Silenfreund, related a fascinating story: "As a result of being involved in the Rebbe's care, I became one of his great admirers. Once, before I left Israel to attend a major medical conference on eye disease, I went to take leave of the Rebbe and receive his blessing. He told me, 'When you are together with other doctors, it is important to tell them that part of cultivating ayin tovah, "good eyesight," in patients is by having "a good eye." If any doctor has discovered some type of new, innovative method of treating a patient that can improve the patient's condition, he should not keep it to himself in order to get credit as the only doctor who can provide this unique treatment. Rather, he should have an ayin tovah! Share that knowledge with other doctors so that they too can help their patients have an improved quality of life.'" During Dr. Silenfreund's presentation at the conference, he conveyed the message that the Rebbe had shared with him. A bit later, a renowned specialist approached him and said, I want to tell you something. I recently figured out something that is a medical breakthrough in my field. Initially, I thought I would keep it to myself so that I would be the exclusive provider of this treatment. But now that I heard the message from the Rabbi that you gave over to the doctors, I have decided to share it with the other doctors at the conference so that their patients can also benefit." The Rebbe would add, "A person who has been blessed with a particular talent, whatever that talent may be, should do his utmost to share it with others. Not only is it good for them, but it is good for him as well. We know that a well that is not used will ultimately dry up. Only when one continuously draws water from it does it produce its maximum. So too, a person who shares his talents with others is himself enriched as a result. I know numerous people," the Rebbe expounded, "who, when they were young, were brilliant bnei Torah with a great future ahead of them. But now, when I look at them, they are broken men. Why? Because they did not share their abilities with others. From sharing, from ayin tovah, one only gains."

From The Pnei Menachem, By Rabbi Avrohom Birnbaum, published by ArtScroll Mesorah

D. TO BE HAPPY

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-31

SEFER CHAREIDIM

Chazal commanded that a person must continually bear the yoke of the Divine Presence (Shechinah) upon his head through four foundational qualities: reverence for Hashem, love for Hashem, Torah studied with humility, and mitzvos performed with vibrant joy.

A person is obligated to experience genuine joy throughout his service of Hashem, as Scripture warns: Because you did not serve Hashem your God with joy and gladness of heart' (Devarim 28:47). This requirement encompasses every facet of divine service, and it applies with special force to the service of prayer, which is designated as 'the service of the heart' (avodah shebalev).

RELATED HASHKAFAH TOPICS:

- Discuss the Torah perspectives on what makes us happy and how to achieve happiness

STORIES FROM OUR SAGES:

❖ During the winter, after Rachel married the penniless shepherd Akiva so that he would study Torah and her wealthy father Kalba Savua disowned her, the two of them had to sleep in a barn of straw. As Rabbi Akiva gently picked pieces of straw out of her hair, he said to her lovingly: 'If I only had the means, I would present you with a golden tiara carved with the image of Jerusalem!' Just then, Eliyahu HaNavi appeared at their doorway in the guise of a poor man and cried out: 'Please, give me a bundle of straw! My wife has just given birth, and I have nothing at all for her to lie upon!' Rabbi Akiva turned to his wife Rachel and said: 'Look, my dear—here is a man who does not even have straw!' And Rachel encouraged him: 'Go, study in the academy!'

Talmud Bavli, Nedarim 50a

INSPIRATIONAL STORIES:

❖ The Succos holiday approached and again, through Divine Providence, Rav Tzvi Hirsch Meisels (the Veitzener Rav) was successful in obtaining an esrog, lulav, haddasim, and aravos, and shared them with hundreds of his fellow inmates. Succos passed and Simchas Torah approached. Again, the Nazis designated fifty boys and led them to the gas chambers. Upon their arrival they were ordered to enter the "bath house," a familiar ruse, providing the illusion that they were merely asked to shower. By now, however, the youngsters knew the fate of the millions who had been led along that route. They were not prepared to die routinely, choosing instead to die defiantly declaring their faith. One youngster took the lead and turned to the rest: "Today is Simchas Torah when the entire world rejoices, having concluded the reading of the Torah and following directly with the commencement of the new cycle of Torah reading. As Hashem's children, we have attempted to uphold the Torah while we had the opportunity to do so. At the present moment, we shall also celebrate the siyum — the conclusion, followed immediately by the beginning. While the siyum will mark the end of our lives on this sinful earth, our new beginning will take place in Heaven as stated:— 'In the beginning of Hashem's creating the Heaven.' "Since we presently possess nothing, not even clothing to cover our bodies, and surely not the customary sefer Torah with which to dance, let us instead dance with HaKadosh Baruch Hu, Who is here with us, as the pasuk states: 'עִמּוֹ אָנֹכִי בְצָרָה' (Imo Anochi Betzarah — 'I [Hashem] am with you [with every Jew] in distress.') Let us therefore dance with Hashem prior to returning our souls to Him." The youths began dancing with enthusiasm, singing the famous niggun found in Shacharis: — How fortunate we are and how wonderful is our portion; how pleasant is our lot and how beautiful is our heritage." They continued with — "Cleanse our hearts so that we may serve You in truth." The voices of those wonderful youngsters, prepared to depart this world in a state of joy because they are members of Klal Yisrael, and whose only concern during their last moments was the purity of their hearts, must have split the heavens, evoking an outpouring of middas harachamim — Heavenly benevolence. The Nazi guards standing outside became enraged upon hearing the sounds of singing and dancing within the gas chamber. The commandant in charge became crazed with fury when he heard from one of the boys the reason for their outpouring of joy. The youngster told him sardonically that the mere anticipation of leaving a world where Nazi beasts reign is sufficient cause for elation. In addition, he said, they were exhilarated at the prospect of uniting shortly with their brutally murdered parents. "I will teach you a lesson," the Nazi barked with fury. "You thought that the gas chamber was your last station. You'll find out otherwise. I will torture you with indescribable suffering. I will slice your flesh till you will expire." The youngsters disregarded the Nazi's threats and continued their singing and dancing with added fervor. The response was swift and immediate. All the youngsters were removed from the gas chambers and transferred to a holding block so that by next day the torture regimen could commence. At this juncture, an apparent miracle took place, which can only be attributed to the power of simchah, the spiritual strength of joy. The following morning a high-ranking Nazi commander arrived at Auschwitz and chanced to pass by that barracks. He had come to the camp to choose several hundred young, able-bodied men and send them to a work camp that was short of manpower. Peering into the barracks he saw a group of energetic youngsters full of life, a profile that fit perfectly with his

requirements. The local commandant did not dare mention the circumstances surrounding the placement of the boys in the barracks, for fear of being demoted or put on trial for dereliction of duty. Knowledgeable observers have confirmed that every one of those fifty youngsters survived the war and all raised exemplary families, a true source of pride to Klal Yisrael. Indeed, how appropriately the Simchas Torah hymn "Mipi Keil" articulates the power of joy with the phrase — "No joy equals that of Torah, and no nation seeks it out as does Klal Yisrael. "

Noble Lives Noble Deeds, Vol. 3, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ A young widow came to seek the advice of Harav Shlomo Zalman Auerbach regarding a matter that weighed heavily on her heart. Her husband had passed away at a young age, leaving her a widow with four young orphans. "Please help me," she said with an expression of deep anxiety. "My conscience is tormenting me. Days and nights I agonize over the possibility that I did not care sufficiently for my husband during his illness. I'm convinced that had I done more, I could have prevented the tragedy. I feel that perhaps I can make it up to him by taking on a mitzvah for the sake of his neshomah. I have come to you for guidance as to what specifically I should undertake in order to give him a special z'chus." "Your decision is indeed most commendable," said Rav Shlomo Zalman. "Chazal state: 'בְּרָא מְזַכֵּי אַבָּא' (Bra mezakei aba — a child has the ability to effect z'chuyos for his deceased father). I will direct you on a course that will accomplish this purpose. Please pursue the following three-pronged program: "First, as soon as you leave my house, go directly to a toy store and buy the children toys and games; don't stint on the cost. Second, make it a habit to take the children on trips and outings to places they enjoy. Finally, try your best to overcome your feelings of grief, especially in the presence of the children. Concentrate instead on creating a happy home environment. "Always bear in mind," Rav Shlomo Zalman concluded, "that happy children do better in school, behave better at home and are more successful in all their endeavors. If you stick to these guidelines, the children will, with Hashem's help, grow up to be thriving, Torah-true Jews. Indeed, this is the greatest z'chus that you can bestow upon your late husband."

Noble Lives Noble Deeds, Vol. 1, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ The children of the participants in the minyan at The Brisker Rav's home once became unusually rowdy and burst into a merry dance before the Shabbos evening prayers. One of those present commented that only children could sing and dance with such pure joy for the simple reason that they had not yet taken on the responsibilities of life. "Not so!" responded The Brisker Rav. "That is not the reason. Hashem created a joyful world; every baby born has the capacity for joy in his very soul. But when a person gets older and acquires bad middos, these eat away at his natural ability to feel joy. Children, on the other hand, have not yet lost their innocence, and therefore they remain exactly as Hashem created them, content and happy.

The Brisker Rav, Vol. 3, By R' Shimon Yosef Meller, Published by Feldheim, p. 173

❖ It was the ninth of Nissan at the beginning of Covid. It was also the day that the Bender family had been eagerly anticipating. It was the date of their son's bar mitzvah. For anyone who remembers those difficult lockdown days, they will recall that many a bar mitzvah boy's dreams and plans went up in smoke. R' Shimon Bender's son was no different. The hall where the meal was to be held was canceled. The musicians were canceled. The singing and dancing with family and friends were canceled. The bar mitzvah pshetl that he had spent so much time practicing and the expected resounding admiration from all the well-wishers were canceled. The many presents that the guests would bring to the simchah would also not be coming. Everything was canceled. As can be understood, the bar mitzvah bachur was devastated. Instead of the grand celebration, a small meal was held in the house, attended only by immediate family. The next morning, the phone in the Bender home rang. "R' Shimon," The Rosh Yeshivah, Rav Elya Meir Sorotzkin's voice came through the line, "you made a bar mitzvah seudah last night, right?" "Yes," R' Shimon answered. "Mazel tov and much nachas!" the Rosh Yeshivah exclaimed joyously. "Is the bar mitzvah bachur home? I would like to speak to him." "Do you know what the Rosh Yeshivah did next?" R' Shimon emotionally recounts. "He spoke to my son for a half-hour, telling him how special this day was and how special

he was. The Rosh Yeshivah built up his confidence and made him feel so good! Clearly, the Rosh Yeshivah understood how difficult it must have been for him, and he therefore felt compelled to take out from his precious time to call and give him chizuk."

From Rav Elya Meir Sorotzkin, By Avrohom Birnbaum, published by ArtScroll Mesorah

❖ It was the Sheva Berachos of a grandchild. The time when the Pnei Menachem (Rav Pinchas Menachem Alter of Gur) was scheduled to arrive had come and gone. He was uncharacteristically late. The badchan, Reb Shmuel Schloss, who had spent so much time preparing moving and clever badchanus to be sung in front of the Rebbe, was waiting. It was getting later and later until... they could wait no longer. The badchan gave his performance without the Rebbe's participation. Eventually, the Rebbe arrived. Upon realizing that he had missed the badchan's performance, he approached the badchan and apologized. "I feel terrible that I came late," he explained, "but earlier today, I was informed of several instances of people who have recently been diagnosed with cancer. I was so pained, I had such mental anguish upon hearing what these people are going through, that I simply couldn't bring myself to come participate in a joyous celebration. I needed some time to refocus so that I could properly rejoice in this simchah..."

From The Pnei Menachem, By Rabbi Avrohom Birnbaum, published by ArtScroll Mesorah

❖ R' Elya Meir always wanted to be in the company of his children. Whenever he would come to Lakewood for a simchah, even of a talmid, he appreciated when one of his children would accompany him. There is a story that transpired with the Brisker Rav. The Rav would regularly take walks with his daughter Lifsha on Rechov David Yellin near his home. His daughter told him that she felt a bit uncomfortable, a mere girl accompanying the illustrious Brisker Rav, but the Rav disagreed. He told her that he remembered that in Europe during the summer months many rabbanim would go away on vacation. Most of the prominent rabbanim were accompanied by a gabbai. R' Zalman Sorotzkin, the Lutzker Rav, however, always came with his children. R' Zalman was once walking. In the street with his daughter, and she told him that she felt distinctly uncomfortable. All the other rabbanim were accompanied by gabbaim. Her father responded, "I don't know what ultimately will become of their daughters. I don't know if they will be able to withstand the unique challenges that face youth in our times. I know, however, that you are in good company! You are together with me and are connected to me." That is what the Brisker Rav told his daughter. R' Elya Meir lived this story. He too wanted to follow in the path of his illustrious zeide, the Lutzker Rav, and in the path of the Brisker Rav, by having a true, deep, and loving bond and relationship with every one of his sons and daughters.

From Rav Elya Meir Sorotzkin, By Avrohom Birnbaum, published by ArtScroll Mesorah

❖ There was great excitement in the home at the village woodchopper. His rich relatives from the big city were coming to visit for the first time in years. How well he and his family recalled the last visit when these relatives brought precious gifts for everyone. "Today I finally threw away my old saw," announced the woodcutter. "For years I have wanted to replace it because it has become dull and some of its teeth are missing. I could never afford a new saw, though, so I just kept on using it. But now my relatives have written me that they are bringing me as a gift a brand new saw, the most expensive one they sell in the city." When the big day came and the relatives had finished distributing the gifts there were shouts of joy from the woodcutter's wife and children. "A new dress! How lovely!" "A new doll. Yippee!" "A toy fire engine. Hurrah!" But from the woodcutter himself there came only a groan of disappointment "What's the matter?" asked the visitors. "Isn't this what you wanted? This saw, although it is so small and has such fine teeth, is the most expensive saw we would find.' In fact it costs ten times as much as your old saw." "I know it is a very expensive saw," cried the woodcutter, "but it is not a woodcutter's tool. This saw is for a jeweler to use in cutting diamonds and it therefore costs so much money to make it precise for such a delicate task. But if I try to cut a tree or a log with this it will break in a minute, I need a big, simple saw for my work and a tiny, expensive one will prevent me from earning my livelihood." Every person is placed in this world with his own set of challenges. The poor man's trial is whether he can withstand the hardships of poverty and the rich man's

test is whether he will give his share for charity. The difficulties in each man's life are all connected to his particular challenge and if he should switch situations with someone else he would suffer even more. Our sages therefore advise that "Who is a rich man? One who rejoices with his portion." For whatever happens to him, regardless of how unpleasant it may appear is only for his good and should be a cause for rejoicing rather than complaining. An old dull saw is far better for the woodcutter than the newest most expensive diamond cutter's tool.

Who Wants Life?, By Rabbi Zelig Pliskin

❖ Each of Rabbi Sherer's descendants can cite examples of frequently repeated insights, and the effect of his personal example. Rabbi Shimshon Sherer recalls a typical example of the messages that his father conveyed. Rabbi Sherer once asked him, "Shimshie, do you think that the Ribbono shel Olam is smarter than Henry Ford?" Though bewildered by the question, the young boy responded that Henry Ford's intelligence cannot be compared to Hashem's infinite wisdom. "Then why didn't Hashem create man with a rearview mirror?" Rabbi Sherer asked. The message he wanted to convey is that while one must consult the past to prepare for the future," but if one spends all one's time looking backward through a rearview mirror, he will never forge ahead in life, just as someone who spends all his time looking in the rearview mirror on his car will ultimately crash.

Rabbi Sherer, By Rabbi Yonasan Rosenblum, published by ArtScroll Mesorah, p. 585

❖ When his talmid Rav Binyomin Birnbaum made a seudas erusin for his son, Reb Shmuel Auerbach stayed for the duration of the simchah. And of course, he had brought along a notebook, intending to spend some time writing chiddushei Torah, but he searched his pockets in vain for a pen. Seeing this, Rav Birnbaum handed him a pen. Only a moment later, however, he whispered to his son, "I just realized that's not my pen—I borrowed it in the kollel and forgot to return it. Let's see if the Rosh Yeshivah ends up using it..." Father and son looked on together as Reb Shmuel put the pen momentarily to paper, then stopped, thought for a few moments, and returned the pen to Rav Birnbaum...

From Reb Shmuel, by R' Eytan Kobre, published by Judaica Press

❖ A Torah scholar who was always very serious once approached Reb Mendel Kaplan and asked him, "Reb Mendel, why are you always smiling?" Reb Mendel was surprised at the question. "why, that's our purpose in life!"

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

❖ As Reb Shraga Feivel Mendlowitz danced with his students at Rabbi Gedaliah Schorr's wedding, one of the gedolim present remarked, "That Jew has accomplished more with his dancing than most others have done with all their derashos (sermons)!

Reb Shraga Feivel, by Yonason Rosenblum, published by ArtScroll Mesorah

E. NOT TO GET ANGRY, UPSET, OR DEPRESSED

(Torah Mandated Mitzvah), Sefer Chareidim 9-42

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Why is it wrong to get angry or depressed?

SEFER CHAREIDIM

The Zohar (Parshas Tetzaveh 182b) teaches that when a person succumbs to rage, his holy neshamah departs, and in its place settles an alien spirit of idolatry termed el zar (a foreign god). Regarding this, Scripture warns: 'There shall be no strange god within you' (Tehillim 81:10). Rather, a person's heart should remain serene and tranquil at

all times. The Midrash HaNe'elam explains that when the Torah states, 'And Noach found favor in the eyes of Hashem' (Bereishis 6:8), it signifies that his inner composure found divine favor, for true serenity stems from holiness, whereas fury arises from spiritual impurity. The Torah repeats the name 'Noach' — signifying tranquility — three times to teach that this inner composure governed his speech, his stride, and his deeds.

Just as anger is strictly forbidden, despair and moroseness constitute the subtle offshoots — the 'dust' (avak) — of anger, analogous to what Chazal term the dust of forbidden interest (avak ribbis) or the dust of slander (avak lashon hara). When a provocateur attempted to agitate Hillel the Elder, Hillel maintained complete serenity. A person should encounter all of life's circumstances with tranquil composure, accepting adversity with quiet faith and joyously declaring: 'Gam zu l'tovah' — this too is for the good.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMCHAL — MESILAS YESHARIM (CHAPTER 11)

When a person's anger flares, he loses all clarity of intellect (daas). At the moment of intense rage, if an angry person had the cosmic power to do so, he would destroy the entire world. In that state of blindness, he is capable of committing any transgression because no intellectual restraint remains. While it is commendable to master anger after it arises, the ultimate level is to remain so spiritually grounded that insults and provocations do not perturb a person at all. Even when a parent or educator must administer discipline, it must never be done out of personal anger.

RELATED HASHKAFAH TOPICS:

▪ Discuss the spiritual dangers of being angry, sad and depressed

STORIES FROM OUR SAGES:

❖ The Sages taught: A person should always be gentle and patient like Hillel, and not quick-tempered like Shammai. An incident occurred with two men who made a wager with one another, saying: "Whoever goes and provokes Hillel to anger shall win four hundred silver zuzim!" One of them said: "I will provoke him!" That day was Friday afternoon, the eve of Shabbos, and Hillel was washing his hair in honor of Shabbos. The man walked past the doorway of Hillel's house and shouted rudely—without using any title of respect: "Who here is Hillel? Who here is Hillel?" Hillel wrapped himself in his cloak, came out warmly to greet him, and said: "My son, what do you seek?" The man said: "I have a question to ask!" Hillel said: "Ask, my son, ask." He asked: "Why are the heads of the Babylonians so round?" Hillel answered: "My son, you have asked a great question! It is because they do not have expert midwives to shape the infant's head at birth." The man walked away, waited an hour while Hillel returned to his Shabbos preparations, and came back shouting again: "Who here is Hillel? Who here is Hillel?" Again Hillel wrapped himself in his cloak, came out, and said: "My son, what do you seek?" The man asked: "Why are the eyes of the people of Tadmor bleary and narrow?" Hillel answered: "My son, you have asked a great question! Because they live among blowing desert sands." He waited another hour, came back a third time, and shouted: "Who here is Hillel? Who here is Hillel?" Hillel wrapped himself, came out, and asked gently: "My son, what do you seek?" The man asked: "Why are the feet of the Africans wide?" Hillel replied: "My son, you have asked a great question! Because they live among wet marshes and walk barefoot so they will not sink." The man then said: "I have many more questions to ask, but I am afraid lest you become angry!" Hillel wrapped himself securely in his cloak, sat down before him, and said: "Ask all the questions you have to ask!" Seeing that nothing could shake Hillel's patience, the man blurted out: "Are you the Hillel whom people call the Prince of Israel?" Hillel said: "Yes." The man exclaimed in frustration: "If you are he, may there not be many like you in Israel!" Hillel asked calmly: "My son, why?" He replied: "Because on account of your patience I just

lost four hundred zuzim in a wager!" Hillel answered him: "Be careful with your spirit! It is far better that you should lose four hundred zuzim—and yet another four hundred zuzim—on Hillel's account, than that Hillel should ever lose his temper!"

Talmud Bavli, Shabbos 30b–31a

INSPIRATIONAL STORIES:

❖ The Annual International Seafood Show in Boston, Massachusetts, attracts over twenty thousand people. Representatives from seafood companies around the world eagerly attend this show since it gives them a wonderful opportunity to market their products and sample other companies' goods. The highlight of the show is a massive exhibition of one thousand seafood booths with an array of delectable fish items that are a dream come true for any fish lover. Mr. Tzvi Willner attended the March 2003 Seafood Show as a representative of Shindler's Fish, a kosher seafood company. After three successful days of purchasing and selling, Tzvi was anxious to return to his family in Baltimore, Maryland. His flight was scheduled to depart from Logan International Airport at 4:00 PM. Tzvi knew that airport security had been tightened after September 11, particularly in Boston, where two groups of terrorists had boarded their flights. As a result, Tzvi made sure to arrive at the airport over an hour before departure. Airport officials required all passengers to place their belongings on a conveyor belt to be x-rayed. In addition, all shoes had to be removed and put in a bin on a second conveyor belt, where they were examined by airport officials and another sophisticated machine. Following all these regulations, Tzvi obediently took off his shoes, placed them on the conveyer belt, and walked through the metal detector. Once he passed inspection, Tzvi looked through the shoe bin to retrieve his shoes. To his chagrin, he couldn't find them. There was a pair of shoes similar to his, but when he picked them up, he realized they were three sizes smaller than his. A shoeless Tzvi approached a security guard and explained his predicament. What exactly was he supposed to do if his shoes were nowhere to be found? The guard informed Tzvi that, to the best of his knowledge, the airport had never experienced a case of lost shoes, and he promptly called his supervisor, head of security at Logan. The supervisor attempted all possible means of finding Tzvi's shoes. He made several announcements over the airport's public address system, asking all passengers to make sure they were wearing their own shoes and hadn't inadvertently taken someone else's. In addition, he sent police officers to scout the airport for Tzvi's shoes. After waiting patiently for some time for his shoes to be returned, Tzvi was informed by the head of security that his shoes were officially declared lost. All the head of security could do was offer Tzvi money to replace the cost of his shoes and suggest that he go to a nearby mall to buy another pair. There were only fifteen minutes left to takeoff, and Tzvi, who was eager to return to Baltimore, did not want to miss his flight. Despondent, Tzvi sat down to consider his options. He could not help but notice that the tarmac was wet. He knew that it had rained all day in Boston and if he were to walk in his socks across the tarmac, he would get soaked to the skin. But did he have any alternative? Suddenly, Tzvi was startled by a woman's soft voice addressing him. "I have a pair of slippers in my travel-on suitcase that I'd be happy to give you." Tzvi looked anxiously at the woman's bag as she pulled out a pair of fluffy pink slippers. He tried to control himself from laughing aloud, picturing himself in a business suit and tie wearing these pink slippers. At the same time, he realized this was actually his only option. Hearing the final boarding announcement for his flight, Tzvi smiled gratefully at the kind woman and put on her slippers. With a straight face, he walked across the long, wet tarmac onto the plane. Aware that all his fellow passengers were watching him with amusement, Tzvi felt more self-conscious than he ever had in his life. As he boarded the plane, Tzvi overheard one passenger whisper to another, "You know, it's amazing! That guy in the pink slippers over there never lost his cool once. I never heard him raise his voice or get upset from the time his shoes were lost until now. What a guy!" Tzvi's embarrassment was replaced by pride because he realized that he had made a Kiddush Hashem. Tzvi's yarmulke certainly indicated to all those around him that he was Jewish, and suddenly, wearing pink slippers didn't bother him at all. (Until, of course, his wife gasped at the airport in Baltimore when she saw her husband walk through the arrivals gate in fluffy pink slippers!)

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

❖ Rav Aharon Leib Shteinman exhibited exquisite sensitivity toward members of his own family as well. One evening, a grandson entered R' Aharon Leib's room, carrying a large pitcher of water to be used for the next morning's netilas yadayim. Somehow, the water sloshed over the edge of the pitcher and spilled all over R' Aharon Leib and the bed on which he was sitting. He didn't even glance up from the Gemara so as not to embarrass his grandson. It was not until an hour later that R' Aharon Leib drenched to the bone, rose from his seat on the soaked bed and changed the sheet and his dripping clothing.

From Rav Aharon Leib, by R' Naftali Weinberger, published by ArtScroll Mesorah

❖ Rabbi Shach once revealed that he received a mesara (legacy) from Rabbi Chaim Ozer Grodzenski. When he was in Vilna at the outset of World War II, he suffered a personal tragedy; one of his daughters was niftar (passed away). Reb Chaim Ozer had shared a similar experience — his only daughter, who was intellectually gifted and of exemplary middos (character), was also niftar as a young woman. Reb Chaim Ozer approached and advised Rabbi Shach, "There is only one eitza, only one way to survive: You inhabit the world of 'Lulei Sorascha sha'ashu'ai oz avadti b'onyi — If Your Torah had not been my delight, I would have perished in my affliction.' If you're immersed in Torah, you leave and enter into a different world, and that world is a world of simchah. Only that can help you endure tragedy."

Torah Leaders, published by ArtScroll Mesorah

❖ The Chazon Ish was once waiting for a bris to begin. The baby's father came over to apologize for the delay. "Why apologize?" said the Chazon Ish. "After all, any tirchah for the mitzvah is part of the mitzvah." In this case, the waiting was part of the tirchah of the mitzvah.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

F. NOT TO BE INSOLENT AND RUDE

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-17

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Is brazenness ever a positive attribute? When is it negative?

SEFER CHAREIDIM

A person should be bold as a leopard to fulfill the will of his Father in Heaven (Pirkei Avos 5:20). However, regarding mundane and worldly matters, Chazal warn that brazen insolence leads to Gehinom, whereas the noble virtue of shamefaced modesty (boshes panim) leads to Gan Eden.

INSPIRATIONAL STORIES:

❖ Rav Manis Mandel, the principal of Yeshivah of Brooklyn, was a master mechanech inside the classroom as well as outside. A girl with a disability was transported to school each day via a wheelchair-equipped mini-bus. Each day when she arrived at school, someone from the school had to sign the driver's paper. One day the non Jewish driver, Anthony, asked Rabbi Mandel to sign. When Rabbi Mandel looked around for something to rest the paper on when he signed, he could not find a solid surface. Anthony then offered Rabbi Mandel his back to use as a surface to sign. Rabbi Mandel refused. He explained, "Anthony, G-d created you in His image. It would not be honorable to use your back as a support. G-d has much more respect for you than that." Similarly, there were times when Rabbi Mandel had to summon a student to the office to discuss her misconduct. He did not want to send a note to the classroom, calling the girl out because this would cause the girl embarrassment. Instead, he would come to the girl's class, teach an important Chazal or another lesson for a minute or

two, and when he left the room, he would conveniently "forget" a folder that he had brought with him. Then the teacher, upon "discovering" the forgotten folder, would choose this girl to bring it to Rabbi Mandel. This would allow the girl to leave in a dignified way.

From Rabbi Manis Mandel, A Legendary Mechanech and Tzadik. By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

G. TO BE MODEST

(Scripturally Mandated Mitzvah), Kitzur Shulchan Aruch 3,1

KITZUR SHULCHAN ARUCH

It is written "You shall walk modesty with your God" (Micha 6). A person should therefore be modest in all parts of his or her life.

STORIES FROM OUR SAGES:

❖ Abba Umna, a humble medical bloodletter, used to receive a greeting of peace from the Heavenly Academy every single day, whereas the great sage Abaye received one only every Friday, and Rava only on the eve of Yom Kippur. Feeling distressed, Abaye asked how a simple craftsman merited daily heavenly greetings. The Gemara explains Abba Umna's extraordinary conduct: whenever he treated patients, he placed men and women in separate rooms for modesty, and he designed a special garment with a small slit for the medical cup so no patient's body was ever exposed. Moreover, he hung a collection box in a hidden corner where patients who could afford to pay placed their fee, while those who had no money could walk out without anyone knowing they had not paid—so no poor patient was ever embarrassed. And whenever a Torah scholar came to him for treatment, Abba Umna refused to take any fee at all, and after the treatment he handed the scholar money and said: 'Go, buy nourishing food and strengthen yourself!' When Abaye sent a pair of disciples to test him, Abba Umna welcomed them into his home, spread out fine mats for them, and humbly declared that they were far greater than he.

Talmud Bavli, Taanis 21b–22a

INSPIRATIONAL STORIES:

❖ Herr Orlean invited Betty Rothschild Wreschner, a young widow with four children, to return from Germany to help the staff. Even under her tragic personal circumstances, she was the same cheerful young woman as when she had taught as a girl. "Fraulein Rothschild" brought joy and happiness into the life of the girls and tried to fill the void they felt after Frau Schenirer's death. Frau Wreschner had much motherly love to give. Apart from being a great teacher, she spared no effort to serve Frau Schenirer's orphaned daughters as a mentor and to replace Frau Schenirer as a source of motherly love. She took full charge of the girls, accompanied them to shul on Friday nights and Shabbos mornings, sang with them, and danced with them. Eagerly she shared her effervescence with her beloved charges. She also assumed responsibility for housekeeping. Once she noticed that the ground-floor dormitory rooms lacked curtains. How could the girls get dressed and undressed without curtains? she asked, outraged. She solved the problem by appropriating money that had been set aside for fish on Shabbos and using it to buy curtains for all the ground-floor windows. When it came time to serve fish the next Shabbos, there was none. When the girls inquired about the missing course, Frau Wreschner pointed to the curtains and said, "There's your fish. Tzeniyus (modesty) is more important than Shabbos fish."

Carry Me in Your Heart, By Pearl Benisch, p. 327

❖ Who can forget Rabbi Mandel going around to all the classes before School Shabbos and imploring us to wear simple Shabbos clothing? He encouraged us to wear the same dress Friday night and Shabbos day so that girls who did not have a second outfit would not feel bad. If only, he would remark wistfully, if only we could do as in the days of the Mishnah, to exchange outfits with our friends.

From Rabbi Manis Mandel: A Legendary Mechanech and Tzaddik, by Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Tendler was a tzanua, and rarely spoke about himself. It was only during shivah that his children heard that he had served on the Baltimore beis din as a dayan for many halachic business disputes.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 397

KINDNESS

SECTION OVERVIEW

The mitzvos in this section are mitzvos that ask us to emulate Hashem's kindness

2. To love a fellow Jew

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 60

As the Torah says, and you shall love your fellow as yourself (Vayikra 19:18, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is meant by the term "to love someone as yourself"?
- What is demanded by the term "love"?
- Is it prohibited to compare your accomplishments against another's to show how relatively greater you are?
- If you know two people are having an argument, are you obligated to help them to resolve their dispute?

SEFER HAMITZVOS HAKATZAR

A person is obligated to care for the physical well-being, property, and personal dignity of his fellow Jew with the very same devotion and protective care that he maintains for his own.

Whoever elevates his own honor through the degradation of his fellow forfeits his portion in the World to Come (Olam HaBa).

Included in this positive commandment is the obligation to restore peace and foster harmony between a person and his fellow.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. All of the mitzvos in this category teach us to develop Hashem's quality of compassion towards others.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 243)

This mitzvah brings peace to the world because when one does kindness to another, the other will reciprocate and the result is shalom, peace.

ALSHICH

If one loves others, that will lead him to love Hashem as well.

Additionally, loving others is a way to bring them closer to the Torah.

RAMCHAL — MESILAS YESHARIM (CHAPTER 19)

The standard biblical command requires assisting one's fellow when a direct need arises. Chasidus, however, demands actively caring for a fellow Jew across all three dimensions of his existence: his body (guf, easing any physical burden), his property (mamon, safeguarding his financial well-being and removing potential damage), and his soul (nefesh, bringing him emotional satisfaction, honoring him, and granting him peace of mind).

SFAS EMES

• How can the Torah command our hearts to love another person as much as we love ourselves? The Sfas Emes notices a fascinating difficulty in the words "You shall love your fellow as yourself" (ve-ahavta le-rei'acha kamocha). Where, he asks, do we find that the Torah instructs a person to love himself, so that it can measure love for others against this obligation? He offers another reading of the verb: he reads the word as expressing an action that causes love. This is one of the Sfas Emes's explanations of why ahavas Yisrael is a great principle of Torah: it spreads the desire to serve Hashem from one person to another (Sfas Emes, Vayikra, Kedoshim 5643).

• If Jews differ so much in personality, temperament, and circumstance, how can they really be one? The Sfas Emes distinguishes between the outer garment (levush) of life and its inner essence (penimiyus), the inner spiritual life-force (chiyus) from which it receives strength. He writes: "for division exists only in the outer garment that each individual wears." The differences that catch our eye belong to the surface of life. At the level of their divine source, Jewish souls are bound together. The practical avodah is to look beyond outward differences without pretending they do not exist. The common inner essence (penimiyus) gives us a reason to seek closeness even when our outer lives are very different (Sfas Emes, Bamidbar, Bamidbar 5633).

• How does our love for each other invite Hashem's presence to dwell among us? Why must its mitzvos be taught to an assembled people? The Sfas Emes answers that the holiness described in the parshah can be received only through becoming part of the collective (klal). Much of the parshah therefore concerns how people conduct themselves toward one another. A group of individuals whose hearts remain divided cannot reveal the same national holiness (kedushah) as a people joined together. He explains that the Mishkan and the Beis HaMikdash were possible when Klal Yisrael possessed unity and the Shechinah dwelled among them. Later years connect this with Shabbos, when separate souls are joined "in the mystery of Oneness" (be-raza de-Echad). Loving one's fellow thus prepares the human setting in which Hashem's presence may be revealed (Sfas Emes, Vayikra, Kedoshim 5643).

• Why does the Torah follow the sublime revelation of Mount Sinai with ordinary laws about financial disputes and property damage? Why does Parshas Mishpatim, with laws about damages, disputes, and financial responsibility, follow the revelation of Sinai? The Sfas Emes explains that the Ten Commandments (dibros) concern principally our obligations toward Hashem, while the civil laws (mishpatim) straighten our relationships with one another. He reads "Hashem will give strength to His people" as the giving of Torah and "Hashem will bless His people with peace" as the blessing through which the wellspring of Torah shebe'al peh becomes

accessible. Honest dealings, fair judgments, and the repair of disputes create the peace in which shared Torah can flourish. The person who keeps mitzvos between himself and Hashem must also repair what lies between himself and his fellow (Sfas Emes, Shemos, Mishpatim 5648).

• How do we react when a neighbor excels in his Torah learning or charity? The Sfas Emes explains that love of Klal Yisrael depends upon truly accepting Hashem's kingship. When everyone seeks to do the will of our Father in Heaven, each person wants the other person's service to succeed. He compares this with the malachim, who grant one another permission in love to sanctify Hashem, and with ten people working together on one business undertaking. No sensible participant resents the coworker who brings their shared work closer to success. This teaching differs from the command to help another person come to love Hashem: even when we have done nothing to cause his growth, we should sincerely rejoice in it. Ahavas Yisrael repairs the temptation to turn holiness into competition (Sfas Emes, Shemos, Va'eira 5643).

RELATED HASHKAFAH TOPICS:

- What is the intent behind the term "as yourself"?
- How does one develop love for another person?
- What is the definition of love here?
- Why is making peace included in this mitzvah?

STORIES FROM OUR SAGES:

❖ Our Rabbis taught in a Braisa (Shabbos 31a): An incident occurred involving a certain gentile who came before Shammai and asked him: "How many Torahs do you have?" Shammai replied: "Two—the Written Torah and the Oral Torah." The gentile said to him: "Regarding the Written Torah, I believe you; but regarding the Oral Torah, I do not believe you! Convert me on condition that you teach me only the Written Torah." Shammai rebuked him sharply and drove him out in displeasure. The gentile then came before Hillel, who welcomed and converted him. On the first day, Hillel taught him the letters of the Hebrew alphabet in order: "Alef, Beis, Gimmel, Dalet." The next day, Hillel reversed the names of the letters for him. The convert protested: "Yesterday you did not teach me that way!" Hillel answered him gently: "Did you not rely upon my oral word to know which letter is Alef and which is Beis? Just as you trusted my word for the written letters, rely upon the Oral Torah as well!" Another incident occurred involving a gentile who came before Shammai and said to him: "Convert me on condition that you teach me the entire Torah while I stand on one foot!" Shammai pushed him away with the builder's cubit-rod in his hand. He then came before Hillel, who converted him and said to him: "That which is hateful to you, do not do to your fellow—this is the entire Torah, and all the rest is its commentary; go and study it!"

Talmud Bavli, Shabbos 31a

INSPIRATIONAL STORIES:

❖ The Brisker Rav's supervision of his children was accompanied by great love and devotion to their general — not only spiritual — welfare. This was especially true after he came to Jerusalem, with Rebbetzin Hendl and three of the children remaining behind in Brisk, never to be seen again. In spite of his great sorrow, suffering and trauma, he took up the responsibilities of both father and mother to his remaining children. Yet even earlier, during the relatively calm years before the Holocaust, when The Brisker Rav's mind was entirely immersed in Torah and in his responsibilities as community leader, his mercy and compassion for his children were remarkable. This is illustrated by the accounts of a young woman who was invited to teach in the Bais Yaakov The Brisker Rav founded in Brisk. Finding herself far away from home, she struck up a friendship with The Brisker Rav's daughter and became a regular visitor at The Brisker Rav's home. This teacher

recounts how The Brisker Rav would circulate among the rooms of the house every night as the children were going to sleep. He would stop at each child's bed and ask questions about his or her day. "What did you eat today?" "How much did you eat?" "What did you learn?" and other such questions. Then he would say Shema with them and tuck them in. This was his daily routine. She remembers, also, how he would teach his daily shiur to the talmidim who made up the kibbutz in Brisk." A long table stood in The Brisker Rav's study, where he used to give the shiur. The Brisker Rav would sit at the head, and his talmidim would sit around the table, their Gemaros open in front of them. Whenever one of his children sleeping in an adjacent room would begin to cry, The Brisker Rav would not wait for the crying to intensify but would immediately go and pick him up. He would murmur calming words to him, and return to his place with the child still resting on his shoulder. He would then pick up the shiur where he had left off, and only when the child had calmed down completely would he return him to his bed." He would tell the students: "Continue learning. I have a chiyuv to respond to the baby, but you have a chiyuv to continue."

The Brisker Rav, Vol. 3, By R' Shimon Yosef Meller, Published by Feldheim, p. 150

❖ Rabbi Hillel Eisenberg told over the following story. A man from Rechavia once visited the Steipler. As he was turning to leave, the Steipler suddenly said, "Please send my warmest regards to a man named Reb Yitzchak Stolman. He lives in Rechavia." He was a little puzzled. The man didn't ask any questions, but when he got home, he tracked down Reb Yitzchak and faithfully delivered the Steipler's regards. As he turned to go, curiosity got the better of him and he turned back, and he said, "Forgive me, Reb Yitzchak, but why did the Steipler send his regards to you? Not that he can't, of course, but it just seemed random. I assume there is a story here." Reb Yitzchak smiled and he said, "In Europe, I learned in the Yeshivah of Novardok. And the Alter was extremely passionate about spreading Torah. He would urge the bochurim to go out and reach unaffiliated Jews, knocking on doors, asking people to learn or to consider sending their children to Yeshivah. From time to time, the Alter would send out pairs of bochurim to different cities to do just that." "I," Reb Yitzchak continued, "was sent to the city of Hornsteipel. And I started knocking on doors to try to convince people to send their children to Yeshivah. One after another, I would knock, and every single door was slammed in my face. These Jews wanted nothing to do with Torah or any Yeshivah that taught it, and I was heartbroken. I was dejected. I was ready to give up." "But I thought to myself, 'I'm going to try one more house.' I walked up to the next address. On the door, it said 'Kanievsky.' I knocked. And after a few minutes of convincing, the parents reluctantly agreed to send their young son, Yaakov Yisrael, to Yeshivah." "That little boy grew up to become the Steipler. And his son became none other than Reb Chaim Kanievsky." "If not for that one knock on the door all those years ago, there would not have been a Steipler, and there would not have been a Reb Chaim Kanievsky. That," Reb Yitzchak concluded, "is why he sends me his warmest regards." From one simple knock -- one simple, little, innocent knock on a door -- came two of the greatest Talmidei Chachamim of the last 200 years. Two lighthouses of Torah who lit up the entire world with their Torah. Can you imagine if he hadn't knocked? If he'd say, "Nah, it's not worth it. No one's listening." We wouldn't have had the Steipler and we wouldn't have had Reb Chaim. We wouldn't have had their Torah and the Torah that lit up generations. That is the power of one Yid who refused to walk away. One Yid who says, "I'll try one more door." That's our mission. That's our legacy. To keep knocking, to keep teaching, to keep spreading the light until every heart in Klal Yisrael is burning again. Thank you to Rav Nisson Dov Miller for sharing this story with me.

Table Talk, Edition 474 (Parshas Vayechi), by Rabbi Yitzi Weiner

❖ The two oldest children received names from Rav Elyashiv's side of the family: the oldest son, was named after Rav Elyashiv's grandfather, the Leshem, and their second child, Batsheva Esther, was named after Rav Elyashiv's grandmother, the Leshem's wife. One of the Elyashivs' neighbors on Rechov Chanan, an elderly widow named Sarah Rochel Goldman, never had children. One day, Mrs. Goldman dejectedly said, "Shayna Chaya, when I pass on from this world, what will I leave behind? I will never have anyone named after me, as I don't have children. There will be no remembrance of me at all." Rebbetzin Shayna Chaya was under 30 years old and expecting her third child at that time. Her empathy for her

septuagenarian neighbor was so deep that she went home crying. She and Rav Elyashiv decided that if this child was a daughter, they would name her Sarah Rochel. Although according to Ashkenazi custom a baby is not named after a living person, Rav Elyashiv felt that in this particular case, the chessed of raising the spirits of the lonely widow took precedence over the custom. A short while later the baby was born, and it was a girl. Mrs. Goldman was elated to learn that the Elyashivs had named their newborn daughter in her honor. The baby brought new life to the older woman. Before every Yom Tov, she would visit and bring candy for her young namesake, along with apologies that she was unable to afford more expensive gifts. One day, when Sarah Rochel Elyashiv was about 10 years old, she and her sister Batsheva met Mrs. Goldman, who was already past 80. Mrs. Goldman asked the two girls to stand next to each other, and she observed that Sarah Rochel was slightly taller than her sister, who was a year and a half older. The old lady quipped, "I assume that Sarah Rochel is taller because she has one virtue that Batsheva doesn't have: she's named after me!" Mrs. Goldman passed away about two years later, right before the bas mitzvah of her namesake. Rebbetzin Sarah Rachel Yisraelson once asked her father if he had any reservations about having named her after Mrs. Goldman. After all, the woman was still alive when she was named in her honor, and Mrs. Goldman had a very difficult life and also wasn't blessed with children. Rav Elyashiv told his daughter, "If one does chessed, no harm will befall them!"

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 109

❖ Reb Yaakov Kamenetsky enjoyed telling the story of two visits paid by his father-in-law, Reb Ber Hirsch, to Reb Leib Chasid. Their first encounter happened when Reb Hirsch happened to pass through Kelm and decided to avail himself of the opportunity to meet Reb Leib. When he arrived, he was greeted with such affection that it was obvious to him that he had been mistaken for an old acquaintance. Only afterwards did Reb Ber Hirsch realize that Reb Leib greeted everyone in that fashion. Before his second visit. Reb Ber Hirsch gave advance notice. When he arrived he found Reb Leib wearing his Shabbos clothing with the floor neatly swept and candles lit on the table, because, as Reb Leib explained, 'Greeting guests is greater than greeting the Shechina (the Divine Presence) [Shabbos 127a]. Whatever we do for Shabbos we should certainly do for a guest.'.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ During the last period of his life when he was very ill, Rav Pam became involved with chesed as never before. Hundreds of thousands of dollars in chesed and tzedakah funds passed through his hands, and he began a practice which until then he had tried to avoid, penning letters of solicitation on behalf of needy individuals. He told those close to him that often his pain made it difficult for him to engage in the mental strain of intensive learning which was his lifeblood. At such times, he would use the gift of life for chesed, which could be done without such strain. When he was asked why he strained himself so much even though he was ill, Rav Pam responded with a story: When the Torah luminary Rabbi Isser Zalman Meltzer was old and weak, a woman approached him and asked that he write a letter in Russian for her. Someone asked him, "Has the Rav become a secretary in his old age?" R' Isser Zalman replied, "Why does the Ribono shel Olam need another old Jew now that I do not have the strength to learn, if not that I should do a little chesed with my fellow Jews?"

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ When a former talmid of the Mirrer Yeshivah passed away, Reb Nosson Zvi took it upon himself to look after his five orphaned children — even though they were living in America. He encouraged the children — four boys and a girl — to correspond with him, and he would answer anything that was on their mind. The pen pals exchanged letters for years until the boys came to Israel and were admitted to yeshivos, with Reb Nosson Zvi's assistance. On Shabbos they would gather at the table of a man who never forgot his promise. There is an addendum to this story supplied by a Mir avreich: Unlike her older brothers, the little girl, just eight years old, did not know how or what to write the Mirrer Rosh Yeshivah, and she was saddened that she was missing out. One day her mother handed her a letter. This was a first, and she excitedly ripped open the envelope to discover a hand-drawn illustration of a large heart shape with a loving message, signed Nosson Tzvi Finkel.

From the day that her father had passed away, she had never felt so loved. This is an accurate story, for that little girl became my wife, and a day has not gone by that she has not cherished the Rosh Yeshivah's artwork. One might imagine what was happening as that tremulous hand was penning that illustration. The banks were calling demanding payment, a chaburah was setting off to convene in his house, a student that the Rosh Yeshivah had offered, "My door is always open to you" was responding to the invitation, and a representative of a secular youth group was asking if he could bring participants to the house for a talk. Maybe someone was waiting to pour out his heart like the time a fellow afflicted with many hardships complained to the Rosh Yeshivah and Reb Nosson Zvi replied weakly, "I don't have much strength, but we can try a joint effort: you say Tehillim and I'll cry. " It wouldn't be hard to imagine a dozen more simultaneous scenarios, but still the shaky hand continued to stroke and color a message of love to an orphan girl overseas. The world could be banging down his door, the debts could be crashing upon his shoulders, and still he was drawing a heart. With all of his heart. He did not know how to do things otherwise.

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 291

❖ The Rebbe of Machnovka was staying at someone's house immediately after World War II, and a minyan was arranged in the home. The Rebbe's minhag, and the minhag of previous Rebbes of his dynasty, had been to always face the mizrach wall when davening. Now, however, the Rebbe faced the tzibbur as he davened. An older chassid noticed this departure from the established custom. After Maariv, he brought it up to the Rebbe, imagining that the Rebbe had simply not remembered the manner in which he used to daven. "Rebbe, is it possible that you did not remember because of all the tzaros you have gone through?" The Rebbe, with tears in his eyes, held onto his chassid's hand and smiled. "Chas v'shalom! I remember quite well the direction I faced when I used to daven. But after seeing so many of our brothers slaughtered and burned by those ruthless reshaim how precious it is to see the faces of those who have survived. Now that there are so few of us, vi ken men arumdreinfun a Yid — How can I turn my back on another Yid?"

Touched By Their Tears, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ The name of Rav Boruch Ber Leibovitz, the Kamenitzer Rosh Yeshivah, has become synonymous with lamdus, a penetratingly deep insight into each word of the Gemara. He was a lamdan in another area as well, and possessed an equally keen perception of the practicalities of life. Many aspiring talmidei chachamim from across Europe sought letters of semichah, Rabbinical ordination. From Rav Boruch Ber. However, it wasn't easy to procure a letter from him. Reb Boruch Ber had his own standards, and would keep potential Rabbanim in his yeshivah for a full week, watching how they davened, how they ate and how they interacted with others. Talmudic proficiency wasn't enough to become a rav, and the Rosh Yeshivah wanted to see the whole picture. One day. a young Kollel man entered Reb Boruch Ber's office, and introduced himself, asking to be tested for semichah. Reb Boruch Ber told him to unpack and get settled, and they would find time to speak in learning over the course of the week. The visitor was surprised. He had expected the entire process to take one day, and had told his wife that he would return that night. He asked Reb Boruch Ber if he could return home immediately and inform his wife that he would be away for the whole week, and would then return to Kamenitz. Reb Boruch Ber thought for a moment, and then told the fellow to sit down. He began to test him, and after an arduous exam, he wrote him a beautiful letter of approbation. The talmidim asked their Rosh Yeshivah how come he had deviated from his tradition of keeping applicants in yeshivah for an entire week. Reb Boruch Ber explained what had occurred. "Let us imagine the scene had I allowed that yungerman to return home and ask his wife for permission to spend the week here in Kamenitz." "She would have heard him coming, and anticipated his joyous announcement that he had received the semichah. He would then enter, and his first words to her would he that 'I didn't get it, but "He would then proceed to explain to her how he hadn't yet taken the exam and would have to go back." "However, the impression of those first words, 'I didn't get it,' would remain, forever tainting the joy that she would eventually feel when he got it. She would always remain with a vague feeling of disappointment, that it hadn't been perfect.

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Reb Meir Chasman was a close friend of the Rav, R' Shimshon Polinsky. This year he was so excited he was able to get the most beautiful esrog for the Rav. Shortly afterward he had a baby boy. He gave the esrog to the Rav, and also asked him to be the sandek at his bris on the first day of succos. Succos morning came and all the relatives came and everyone was so excited to see the most beautiful esrog that they all heard about. But before Hallel Reb Shimshon asked R' Meir if it would be possible to borrow his. R' Meir was very surprised but gave it to him. The rav used it and gave it back. During hallel the Rav took out a very ordinary esrog that looked bruised and had a broken pitum. Everyone was shocked, because they heard this was the most beautiful esrog in the world. But he used it with such kavanah, and sincerity as if it was really beautiful. After davening R' Meir came to the Rav. "What happened to the beautiful esrog I gave you". "I do have the most beautiful esrog". Rav Shimshon said he woke up in the morning and was so excited to shake the gorgeous esrog. He took it to the sukkah and saw the neighbor's 6 year old daughter playing with her father's esrog. It fell out of her hand and rolled on the floor. She picked it up and tears fell down her cheeks because she was afraid of how her father would react. R' Shimshon went to her and said please tell your father that the Rav found a pesul in his esrog but he had an extra one. He gave the girl his beautiful esrog. R' Shimshon said in the morning I thought I had the most beautiful esrog, but I was wrong. I am now using an even more beautiful esrog than before. This is the most beautiful one in the world.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 128

❖ A pregnant young Jewish woman left the ghetto during World War II to go see a doctor. The German woman doctor said to her, "You can't possibly go back to the ghetto. You're going to need medical help, and even if everything goes smoothly with your birth, there's a chance that they'll kill all the people in the ghetto. You must get out. Come stay with me; I'll hide you in my house." The woman said that she would like to take the doctor up on her offer, but she had a husband still in the ghetto. "So bring your husband." "My husband and I have parents." "Bring your parents and his parents." "We also have siblings." "Bring the siblings, too." This German woman hid thirteen people in her attic for twenty months. After the war the young woman and her family all settled in the United States. Years later, one of the grandchildren of that young woman was getting married. All of the descendants of the family were attending the wedding. The family tracked down this German doctor, who was by now a very old woman, and flew her in to the wedding, where she was greeted by over two hundred descendants of the family she had saved. One of the people at the wedding asked the old woman why she had done it. Why had she risked her life to save these people? The German woman explained that she had read the biblical account of Avraham pleading for the city of Sedom. Avraham was told by Hashem that if there were ten tzaddikim, Hashem would spare the city. She was hoping that there would be another nine like her so that in their merit God would spare Germany.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Rav Ephraim Wachsman told over the following beautiful story. Rav Avraham Shaag was a Hungarian Gadol and the Rebbe of Rav Yosef Chaim Sonnenfeld. An old woman once came from Europe to Eretz Yisrael and went to visit the Tchebiner Rav and said, "I know you're a grandchild of Rav Avraham Shaag. Please take me to his grave on Har HaZeisim." So they took her there and asked, "Why are you so interested in visiting Rav Avraham Shaag's grave?" She said, "I'll tell you a story." Rav Shaag was once sitting and learning when someone came in and wanted to leave a pikadon (a deposit of money) for safekeeping. Usually, when someone entrusted him with money, he would put it in a drawer. But this time, he was so engrossed in his learning that he put it inside a sefer, then put the sefer away. Later, he couldn't remember where he had put the money. At the time, there was an older Jewish maid working in the house, and there was no one else in the room. There was no one else who could have taken it -- it could only have been her. But how could he accuse her? He just couldn't do it. Instead, he decided that rather than accuse her, he would pay for it himself. He didn't have the money, so when the owner of the pikadon came back, Rav Shaag asked for a few more days. He then borrowed a huge sum of money and spent years and years paying it back. One day, before Pesach, he was cleaning his sefarim and found the money in a sefer. Immediately, he called the maid -- this was years later -- and when she arrived, he burst into tears. "I have to ask you for forgiveness," he said. "I had a suspicion in my heart about you, and now I realize it was completely unfounded. Please

forgive me." The maid replied, "I'll forgive you on one condition. I'm an old woman, and I have no children. Promise me that I will have a child, and I will forgive you." Rav Shaag said, "Yes, I promise you a child." And she had a daughter. The old woman standing at his grave finished her story and said, "I am that daughter. I was born because of that promise. That's why I came to Israel -- to visit the grave of Rav Shaag." The lesson here is to truly feel for another person, to understand the weight of having even a fleeting negative thought about someone else. That comes not just from being good but from being truthful, from realizing the emes.

Table Talk, Edition 426 (Parshas Bo), by Rabbi Yitzi Weiner

❖ One Shabbos afternoon, Rav Moshe Feinstein sat in beis midrash reciting Tehillim as a mildly retarded child stood watching him. The boy went over and turned R' Moshe's Tehillim on an angle to the right, land R' Moshe continued reciting. The boy took the Tehillim and turned it complete around and R' Moshe continued reciting. Not satisfied, the boy turned the page, but R' Moshe still did not become upset. A man sitting nearby had watched all this and, although people went out of their way to be patient with the boy, the man had seen what he felt was too much. He snapped, "Stop it already! Let the Rosh Yeshivah daven!" R' Moshe turned to the man and said, "He is only playing with me. I enjoy it when he plays with me! I love him like my own child!" With those words, R' Moshe embraced the boy and kissed him.

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Before 1948 it was often that there were skirmishes in the streets. One evening Rav Issur Zalman Meltzer was seen walking to his brother in-laws home, while gunfire could be heard. Finally when the gunshots stopped, a student asked why he was walking out when there was shooting in the streets. He said he just sent a manuscript of Even HaAzel to the printer and it was about to be printed, but when he looked at the manuscript one last time, he realized that all of his brothers in law had divrei Torah in the sefer except for one. If he doesn't include him, he would feel very bad. So he quickly ran to his home before the printer started in order to ask him for an explanation on difficult Rambam. He would then include that in the sefer. He didn't want his brother in-law to feel bad.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 74

❖ Sarah Schenirer taught us that one can see the greatness of the Creator in every part of creation. One can perceive his glory even in a desert, even in a jungle. I later saw how true this was. In the ultimate wasteland, the concentration camps, we saw neither a blooming tree nor a blossoming flower, neither a butterfly aloft nor a bird in flight. Even the sun was invisible, concealed by billowing black clouds of crematorium smoke. We saw only barbed wire, electric fences, two-legged beasts in green uniforms and shiny black boots who kicked and tortured human beings to death, and dogs that they turned loose against people to tear them apart. Where could we see Hashem's Glory in this jungle of wild beasts, of hate, ugliness, and evil? Frau Schenirer, you continually reminded us to behold Hashem always, everywhere. But even here?! Yes. We looked and saw Hashem's Glory in the great human beings who sacrificed their lives to emulate the Almighty, who cared for others and tried to ease their pain, who helped the sick and the starving, who saved others' lives at the risk of their own. Our Sages have a beautiful saying: Afilu cherev chadah munachas lo al tzavaro shel adam, al yimna min ha-rachamim - "Even if a sharp sword is laid on one's neck, one mustn't despair; there is always hope for mercy." Rabbi David Hollander interpreted the saying in an even more profound way than its simple meaning: "Even if a sharp sword is laid on one's neck, one should not despair; he can still do rachamim, still practice mercy on others. " They proved it in Auschwitz. I saw those outstanding girls have mercy on others as they faced threats worse than a sword on their necks. Even when threatened with lethal torture, they courageously continued to practice mercy toward others. Indeed, in their actions and sacrifices they glorified God's Name. In view of those girls' behavior, I understood what Frau Schenirer had taught us: One can see the greatness of the Creator even in a desert, even in a jungle of two-legged beasts - when one discerns the nobility of human beings.

Carry Me in Your Heart, By Pearl Benisch, p. 276

❖ For a few summers, Reb Moshe Feinstein and his Rebbetzin vacationed in Hartford, Connecticut, at the home of the local shochet, Rabbi Berman. A relative of the Bermans would visit from time to time. Once, this man decided that he would pay careful attention to Reb Moshe's actions in order to learn from them. Knowing that Reb Moshe arose very early to study Torah, this man arose early one morning and went to observe Reb Moshe. Reb Moshe was sitting at a table learning; near him was the Berman's youngest child, a little girl of about five, the only child still at home. The man watched in amazement as the girl rolled a ball towards Reb Moshe, who was engrossed in his learning. Reb Moshe seemed to be waiting for the ball, for he looked up from his sefer, picked up the ball and rolled it back. This scene repeated itself a number of times. Later, the man tasked Reb Moshe, "Why did the Rosh Yeshivah have to interrupt his learning to play with her? If he would not have played ball with her, she would have found something else to do." Reb Moshe replied: "This little girl is the youngest in her family, a bas zekunim (born when her parents were middle-aged). She is the princess of her home, about whom everyone makes a fuss. "Since I have arrived here, her parents are catering to my needs. They stand ready to provide me with every possible comfort. I have become the center of attention. I have taken away this little girl's kingdom! Isn't it proper, then, that I should appease her in some way by giving her special attention?"

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ There was a bar mitzvah boy in Ramat Elchanan named Pinchas Adler. He lained his bar mitzvah Parshah. He did a decent job and tried his hardest, but he made a few mistakes. The next week Meir Frohlich had his bar mitzvah. He was the best kid in his class and everyone anticipated his bar mitzvah and his performance for the various readings. But all of it had errors. The parshah, the haftarah and the pshetel were filled with small errors. People were shocked. Meir's father came to him and was very surprised. He was curious, not disappointed because he heard Meir read flawlessly many times at home. Meir said, Abba please don't be upset at me. Last week my friend Pinchas had a bar mitzvah. He tried his hardest but made mistakes. In two weeks another one of my friends will have a bar mitzvah, He is a sweet boy, but not the strongest, and he will likely also do less than perfect job. If I would have done a perfect job everyone would think that they are dumb and I am smart. But if I made a few mistakes people will think even the good kids make mistakes, that is the way kids are and my friends will look good. Please don't be disappointed in me. His father's eyes filled with tears. He wiped his eyes and said, "Meir, I could not be more proud of you."

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 176

❖ Some twenty-five years ago, a Melaveh Malkah was held in Camp Toras Chesed, where yeshivah students of high school and post-high school age pursue their Torah studies while benefiting from summer recreation. The Melaveh Malkah was graced by R' Shneur's presence. Among those at the gathering was Rabbi Eliyahu Roman, who had studied at Beth Medrash Govoha before becoming a yeshivah rebbi. Despite the festive air at the Melaveh Malkah, R' Roman was having a hard time enjoying himself. The previous day, his young daughter had broken out with an unusual rash which covered most of her body. The doctors had recommended that she be hospitalized until they had determined the nature of the rash. Now, more than twenty-four hours later, her condition had not changed and the doctors had still not diagnosed her condition. By the time R' Shneur arrived at the camp, the dining hall was filled. As he approached the hall, everyone rose in respect. Lively singing and clapping erupted as the students surrounded the Rosh Yeshivah. Amid the tumult, R' Roman approached and extended his hand in greeting. R' Shneur did not let go of R' Roman's hand. Instead, he led his former talmid to a corner and asked, "What is wrong, R' Elya?" R' Roman told R' Shneur of his daughter's condition and of the doctor's efforts thus far. R' Shneur thought for a moment and said. "She needs to be seen by Dr. Crribetz. He is a pediatric specialist and can diagnose your daughter's condition." R' Roman thanked R' Shneur for his advice. He then asked, "May I know how the Rosh Yeshivah knew that something was wrong?" "I saw it in your eyes," R' Shneur replied. The doctor correctly diagnosed the rash as an allergic reaction, and it was cured in a very short time.

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ During World War II, two sisters and a brother were arrested in their small Polish town and sent to Auschwitz. The two girls were named Golda and Miriam, and the boy, Shmuel. At Auschwitz, the men and the women were separated: they were in two different parts of the camp kept apart by barbed wire fences. Golda realized that her brother, with the other men, was being forced to perform hard slave labor for the Nazis and that he might not survive, eating only the subminimal rations provided. So each day. She threw her bread ration over the fence to her brother. Her sister Miriam and their friends each took a little portion of their ration and gave it to her so she would have something to eat. This went on for a few weeks. But Golda began to feel guilty at having her sister and their friends deprive themselves of even a small portion of their food because she wanted to help her brother. Finally, she decided what to do: She began to stand on the bread line twice. This was of course risky and also dangerous. But everything went well for two weeks. Then, one day, as she came for the second time to the table where the bread was distributed. a husky female German camp guard whom they called Berta the Brute yelled at her. "You filthy Jew! You're a thief! You're on the line a second time. I recognize you. I saw you here earlier!" She then punched Golda in the face and, when she fell down, began to beat her with a whip. Miriam and all the other women were watching, terrified. With every blow that fell, Golda screamed, and her sister Miriam screamed silently. Then Miriam remembered a tale she had been taught in the former good days in her Beis Yaakov school, about a man who had been sentenced to be executed by the king for breaking into the palace. His best friend, who knew that the charge was false and that he was innocent, confessed to the crime to save him. Miriam, who looked somewhat like her sister, jumped forward and yelled, "Leave her alone! It was me; I did it!" Berta then left Golda and turned her attention to Miriam. She began to pummel and whip her. But then Golda got up and began to scream. "No! She's lying. It was me! She's only saying that to save me!" Once again. Berta turned back to Golda. But then Miriam yelled, "No. She's lying!" Each sister was yelling. Berta looked from one to the other, as if confused and stunned. And she turned and began to walk away. The women who were nearby said that they saw a tear running down her cheek. From that day on Berta was a changed person. The truth is that if the God-people would love each other as they should, with a fiery love, then a spark of compassion might ignite even in the dark hearts of the anti-God people.

Living in His Image Contemporary Torah Anthology

❖ The bachurim were sitting and learning inside the yeshivah building when, suddenly, loud shots were heard. The young men knew that the Bolshevik Revolution had begun and were expecting to hear the sounds of battle far away. Now, however, the war was becoming a reality for them, with soldiers making their way to their little village. Up to this point — as they were learning together under the direction of their rebbi, the great Rav Shimon Shkop — they had been able to remain focused on their learning despite the tumultuous happenings all over the country. But now the period of relative tranquility was over. The boys held their collective breath, not knowing what to expect next. Rav Shimon Shkop had kept their anxiety level low, for they immersed themselves totally in the world of Abaye and Rava. They were well aware that guns and ammunition were not going to be much of a protection against the armies that threatened them. Their only recourse was to continue learning and to daven for the best. But now, the sounds of the army drawing closer made many of the bachurim shudder. Who knew where they would be taken? Would they live? Would they ever see their families again? They had heard many stories of young men being sent away to foreign destinations, never to be heard from again. All of a sudden, the door burst open and a group of gun-wielding soldiers charged in and demanded that the boys line up. Looking to their rebbi for guidance, the bachurim closed their Gemaras and followed his direction. They all lined up against the wall, waiting for the next order. At the front of the group stood their rebbi, Rav Shimon. Fear was etched on their faces. Many of the boys were still just that: boys. They had never expected to be in such a situation, and had come to this place in order to learn Torah with the world-renowned rebbi, Rav Shimon Shkop. Today they would indeed learn an important lesson from him, but one that was quite different from what he taught in yeshivah. Although Rav Shimon was hardly an imposing figure in the physical sense, there was something about the way he stood that helped to calm the bachurim's fears. As the head of the soldiers stepped forward, Rav Shimon informed him that he and his students were prepared to do whatever the soldiers asked of them. But the man stood staring at Rav Shimon, as if trying to remember something or

someone from a time long ago. "Rebbi — is that you?" Rav Shimon looked at the soldier, totally at a loss. He had no idea who the man was and how he was able to recognize him. The man took off his military cap and ordered his men to lower their guns. "I know you don't remember me. But I will never forget you. I was a young man when I came for an entrance bechinah to the yeshivah of Telshe. At the time, you were one of the rebbeim there. As I was walking from one building to the next, you noticed that a button was missing from my coat. I told you that it didn't matter, but you insisted that I come to your house so that your wife could sew on a button. You told me that in the bitter cold winter it was important that I be able to button up my coat. Your caring and compassion for a total stranger made a strong impression on me. In the end, I decided not to study in the yeshivah, and soon thereafter I was taken into the army. Although my life took a different turn, I will never forget the warmth you showed me back then." The soldier looked at the boys and told them that they were lucky to have such a rebbi. He then ordered his men to leave. They marched away, leaving the entire village untouched. It is remarkable that this incident made such an impression on the young man. Tragically, he did not end up going to yeshivah, and we will never know if anything came of his family, or if he ever had one. But the story proves that although we may not be able to control the destiny of everyone we encounter: we can control the impression we make on them. In fact, it behooves us to do our utmost to help each stranger we come across, every man or woman who crosses our path. Perhaps we now have a novel interpretation of the pasuk, "Olam chesed yibaneh" (Tehillim 89:3) through each act of kindness that we do, we can, in fact, build an entire world.

A Touch of Warmth, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ Reb Simcha Zissel's father, Rabbi Yisrael Braude, knew every page of the Talmud, with Tosafos and the Maharshu's commentary, as if he had just learned it. After some early, but short-lived, successes in business, he served for the rest of his life as a dayan in Kelm. The Alter himself testified that his mother, Chaya, never walked more than four amos (cubits) without thinking Torah thoughts. She made a practice of collecting money for poor families at local funerals, a practice from which she did not deviate even at the funeral of her only daughter. When others remonstrated with her, she replied, "Must the poor suffer just because I'm in aveilus (mourning)?"'.

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 37

❖ One Shabbos as Reb Baruch Ber Leibowitz walked along the streets of Kamenetz, speaking in learning with one of his talmidim, a Jew passed them and wished Reb Baruch Ber, "Good Shabbos." Reb Baruch Ber was totally absorbed in the sugyah and hardly heard, but a few steps later, he asked the bachur what the man had just said to them. "Good Shabbos," replied his talmid. Immediately, R. Boruch Ber turned around and hurried to find the fellow and warmly return the blessing. The gaon R. Chaim Shaul Karelitz told of a time when he and some other bachurim went for a stroll with Reb Baruch Ber as they spoke in learning. They encountered an acquaintance of Reb Baruch Ber, but R. Boruch Ber was so preoccupied with the sugyah that he neglected to say "Hello." When he realized what had happened he turned on his heels, rushed to his friend, warmly said, "Hello," and asked his forgiveness.

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

❖ Rav Pam's concern to give others proper recognition extended to children as well. Once, Rabbi Boruch Diamond, Mashgiach of Yeshivah Sh'or Yoshuv, took Rav Pam somewhere, and afterwards drove him to Torah Recognition Vodaath. Rabbi Diamond walked his rebbi to the door of the yeshivah, but suddenly Rav Pam turned around and started to walk back to the car. "I forgot to say 'Goodbye' to Raphael," he said, referring to his talmid's nine-year-old son.

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ On Shabbos and Yom Tov, Reb Shlomo Zalman Auerbach was particular to hand a slice of the challah he cut to his Rebbetzin and to his mother-in-law at precisely the same time, so that neither of the women he so highly respected would ever feel slighted. Every morning after services, Reb Shlomo Zalman would honor his sister with a visit. Widowed at an early age, she took great pleasure in preparing her brother's morning coffee (a gesture for which he had secured his

Rebbetzin's gracious consent). He would further honor his sister by stopping at her home each Friday to taste the various dishes she prepared for Shabbos. And after the conclusion of Yam Kippur, one of Reb Shlomo Zalman's first calls would always be to his sister, to inquire how she had fasted. Reb Shlomo Zalman's family was very important to him and his sister was but one of the relatives whom the Rav treated with affection and esteem. Whenever he attended a simchah, he mode a point of wrapping up a piece of cake, putting it in his pocket, and taking it home for his elderly mother-in-law, in whose home the Auerbachs lived. In this small way, at least, she would be able to feel a part of the joyous affair which she could not personally attend.

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ An emotionally troubled teenager would come to Rav Shach whenever he felt despondent or low. Rav Shach would hurry to greet him and would sit with him for long periods. "Isn't there a limit to how much you need to help, even if you weren't the gadol hador, certainly if you are?" Rav Shach was asked by a relative. "This boy has serious problems," Rav Shach responded. "He was here a month ago, he was here two weeks ago, and he will be here two weeks from now and a month from now. I could encourage him and soothe him, but I don't see a cure. A cure can only come b'derech neis, from HaKadosh Baruch Hu. The only way to hope that HaKadosh Baruch Hu will do something beyond nature, lema 'alah min hateva, is if He sees us putting in effort lemala min hateva. That's why I do it. Isn't it worth it to try to get him a refuah shelaima.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ One night during the days of Selichos, the Rosh Yeshivah, Rav Yehuda Zev Segal, found himself deeply involved in resolving a marital dispute. As the matter dragged on with no end in sight, it became apparent that the Rosh Yeshivah might be up the entire night. When someone mentioned this, the Rosh Yeshivah replied, "The matter in which I am now involved is my overriding priority at this moment. If necessary, I will not say Selichos this morning."

The Manchester Rosh Yeshivah, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ R' Issur Zalman Meltzer had his grandson, R' Shneur with him during ww2. They got extremely close. Finally a few years after the war R' Shneur went back to America. R' Issur Zalman was a very warm person, always embraced people. But when they went to the port, R' Issur Zalman just shook his grandson's hand. Some asked why he didn't give him a hug. He explained that there were so many Holocaust survivors who don't have any family, or grandparents. He didn't want any of them who might see to feel bad if they see him hugging his grandson.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 278

❖ Laibel Kelerman was a holocaust survivor who had no family who lived in the Lakewood yeshivah. One Yom Kippur he didn't look good. Rav Aharon told him to lay down for davening, that was more important. Right before neila, Reb Aharon told a student, Yosi Bergman to go to Laibel's room to sit with him, see how he is feeling and daven neila in his room. But its neila, Yossi responded. Rav Aharon said- I'm talking about doing a chesed to an elderly Jew, and you bring up the issue of davening Ne'ilah? That's much more important!

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 87

❖ Baruch Hirschberg was a 17 year old boy in 11th grade who was dying of cancer. He was normally a big six foot boy, but now emaciated. Before he died he asked his parents for one maspid, besides the family, - His second grade rebbe, Rav Yitzchak Morgenstern. Why - because in second grade he was very self conscious and did poorly in school. But his rebbe had a project that everyone wrote a nice thing about each boy. That paper made such a difference in his life and really made

him feel different about himself. He kept it in his wallet pocket all time. Baruch died and R' Yitzchak gave the hesped. At the shiva all of Baruch's classmates were curious why R' Yitzchak was the only maspid. Baruch's father explained why. When he said that, all of Baruch's classmates who were there pulled out the same paper from their wallet as well.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 49

❖ Rav Yechezkel Abramsky's rebbetzin's funeral, took place on a motzei Shabbos. It was almost midnight when she was laid to rest on Har Hamenuchos. Rav Abramsky stood at her graveside while many of his talmidim, worked at filling the grave. He must have thought he noticed the hoe strike the foot of one of his talmidim who was standing nearby. A few days later, When that talmid came to comfort him at the shivah, Rav Abramsky said to him, Firstly, tell me how your foot is. I've been uneasy for the past few days, since motzei Shabbos when I saw your foot was hit..." The talmid set his teacher's mind at ease.

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ "During the summer of 1931, the last summer of his life, Rav Yosef Chaim Sonnenfeld was already very weak. Yet, over the protests of his family and doctors, he insisted on returning home to the Old City earlier than usual. When I asked him why he did not stay longer in the country, since the fresh air was so good for his health, he confided, 'I will tell you one of my reasons. I feel that my end is near and I do not want the chevra kadisha to have to carry my body all the way from here to the Mount of Olives.' Disturbed by this response, I anxiously asked, 'Does the Rav: think it wise to indulge in such depressing thoughts?' - " 'Do not worry,' R' Chaim calmly reassured me, 'These thoughts do not depress me at all. From the time I turned forty, the prospect of death has never been far from my thoughts and has absolutely no ill effect on my health.' "

Guardian of Jerusalem, Rabbi Shlomo Zalman Sonnenfeld, published by ArtScroll Mesorah, p. 129

❖ After spending a Shabbos at Kol Torah in Bayit Vegan, Rav Shlomo Zalman Auerbach commented on the pleasure and merit of davening with a yeshivah minyan, His son-in-law, R' Yitzchak Yeruchom Burodiansky, suggested that at home in Shaarei Chessed, R' Shlomo Zalman could daven at Yeshivah Maalos HaTorah, headed by his son R' Shmuel. "Oh, I couldn't do that," he replied. "The yeshivah is closed during bein hazemanim (Yom Tov and summer recess). During those times, I would have to daven in a shul — and this would be an insult to the people davening there, for I would be indicating that their shul was my second choice. This I cannot do."

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ The Chofetz Chaim was given a gift of two beautiful fur gloves. He was traveling on a train and one glove fell out the window. He immediately threw out the other glove. He said, "What will I do with one glove?" Someone will find one glove and will not be able to benefit from it. At least now he can benefit from the pair. His instincts were chesed.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 233

❖ A chassid once asked the Imrei Emes if he could borrow a pair of tefillin since he had misplaced his own. The Rebbe lent him a pair, but not just any pair. It was his own set of tefillin, which had belonged to his father, the Sfas Emes. "Why did you give him your most precious set?" a family member asked him. "The pasuk says, 'Zeh Keili Veanveihu,' from which we learn that one must do a mitzvah in the most beautiful way possible. This concept applies to chesed as well. That is why I gave him the priceless tefillin."

Living in His Image Contemporary Torah Anthology

❖ Reb Shlomo Freifeld was attuned to the cries of his brothers, to their words and pleas. He was never too caught up in himself and his responsibilities to fail to notice a Yid in need. Reb Shlomo experienced severe stomach pains one evening in the summer and was driven down from the Catskill Mountains to a New York City hospital, He was in intense pain

throughout the trip, barely speaking. He suddenly caught sight of a young chasidishe fellow hitching a ride, and he motioned to the driver to take him. He was gasping for breath so he said just two words: "A Yid." "Darm min arumnemen un gebben a kush", we should embrace him and give him a kiss..."

Reb Shlomo, By Rabbi Yisroel Besser, Published by Judaica Press

❖ Reb Laizer Geltzhaler taught by example what it meant to be concerned for another talmid, another Yid. New blinds were installed in the Yeshivah's dining room, and a mischievous young talmid climbed up on the windowsill to check them out. The Rosh Yeshivah happened to walk into the dining room at that moment and the room fell silent as he entered. The Rosh Yeshivah took in the scene: the hapless boy suspended on the windowsill with no time to jump down, and two hundred other boys looking on in horrified fascination, wondering how the Rosh Yeshivah would react. Reb Leizer was furious, but not at the boy. "How can it be," he thundered, "that two hundred boys saw me coming and not one of you thought to tell him to jump down before I came in?'. " Another time, Reb Leizer was forced to ask a bachur to leave the Yeshivah. Later that night, he called a shmuess "Can it be that your friend was asked to leave and not one of you thought to come and share some words in his defense with me? Did no one care enough to plead his case?"

Reb Laizer, By Rabbi Yisroel Besser, Published by Judaica Press

❖ When traveling on the Garden State Parkway, Rav Aharon Kotler instructed his driver to head to the toll collector and avoid the toll machine. Respect for a human behooves preference over a machine - even if it will cost a little more time. This anecdote gives one cause to ponder: One might imagine that if the toll collector stands to make more money based on the number of cars that are serviced, that might be a reason to prefer a person over a more expeditious machine. Furthermore, if the toll collector is reputed to be an especially moral person or a fellow Jew — this too would be reason to opt for this preference. Yet none of the above is applicable, and Rabbi Kotler still issued this directive. And this precisely is what he was trying to teach; kavod ha-briyos mandates that human beings always receive preference — no matter who they are or how little they have accomplished.

Builders, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ Rabbi Mutel Gewertzman was a first grade rebbe for 35 years. He was very beloved by his students. Whenever there was a snow day, he would call each of the kids to see how they are doing. One year he had a very lively class, but he knew how to handle them, and for example, he would let a rowdy student take a walk for fresh air if he felt it was necessary. That year, however, he was diagnosed with cancer. Rabbi Goldfarb, his principal, told him to take time off, but he insisted on continuing to teach. His hair and beard fell out. The children were frightened, yet they still loved him deeply. One day during class, the principal walked past the classroom and heard that it was totally quiet. He opened the door, and the class motioned with their fingers for him to be quiet. Their rebbe who was taking chemo needed to put his head down, and all the lively first graders didn't want to wake him.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 99

❖ Ben Freeman lives in Los Angeles. He was on only child and was very close to his mother, especially after his father passed away at a young age. Ben had a family and made a decent living. Eventually Ben's mother got older and needed constant medical care. The doctor suggested that she be put in a nursing home. Ben was aghast at that prospect, and arranged for his mother to live in his home, with all of the medical equipment and attendants available in the house. The costs were astronomical but Ben felt that money was nothing compared to caring for his mother. He spent all of his savings on caring for his mother. Eventually she passed away, she wanted to be buried in Israel. During the preparations he was told that at the time California state law required that if a body was transported overseas, the body first had to be drained of its blood and have chemical fluids substituted instead. Ben hurried over to speak to the head mortician. He tried to explain to him that Jewish law doesn't allow a body to be manipulated like that. The mortician said there was nothing he could do, it was state law. In desperation Ben took out his keys and sad, Look, I have spent all of money caring for my mother. All I

have left is my house. If you work out a way for my mother to be transferred without her being mutilated You can keep my house. The mortician was stunned at the offer. Seeing how much it meant, the mortician said "you can keep the house I'll do it for you. The mortician was then so inspired at Ben's actions that he was able to lobby the California legislature to change the law to make it easier for Jews.

Visions of Greatness, Vol. 2, By Rabbi Yosef Weiss, Published by CIS Publishers

❖ R' Chaim Goldfarb was a rebbe in the Etz Chaim yeshivah in Yerushalayim. He was the rebbe of Shlomo Zalman Auerbach when Shlomo Zalman was 7 years old. R' Chaim would give the kids candies and treats for prizes for learning significant amounts or excelling on tests, but Shlomo Zalman always asked if it would be ok to get the monetary equivalent. He always excelled so he would always get the money. One day he gave Shlomo Zalman the money, and the boy ran out very excited. R' Chaim followed him to a store. Shlomo Zalman took out all the money he had saved and bought what looked like a toy in a box. R' Chaim caught him coming out and asked him with some annoyance, "Were my prizes not good enough that you had to buy this toy?" Shlomo Zalman shyly explained that his mother could not hear well, so he resolved to make enough money to be able to buy her a hearing aid. The rebbe apologized and was awed by his sensitivity and kindness.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 126

❖ A friend referred to Shloime Gross as "The Prince of Jerusalem." On his frequent visits to the Holy City, he was greeted by scores of "Yerushalmis, " upright men, many of them talmidei chachamim, whom Shlomie had assisted financially and in other ways at some point in time. A friend related: I was driving with him in Yerushalayim when we passed a famous chassidishe shul. Shlomie noticed one of his Yerushalmi friends and honked the horn to get his attention. The man hurried to-the car and a few others followed behind him. Shlomie got out of the car and in moments was surrounded by Yerushalmis who were hugging him with genuine love. One such Yerushalmi related: Dovid HaMelech says, Praiseworthy is he who contemplates the needy. Shlomie was unusual in his ability to understand exactly what each person needed and to provide him with those needs — as I experienced firsthand. I was preparing to return to Eretz Yisrael after having spent two months in America with one of my children who required medical treatment. A few days before my return Shlomie said to me, "You've been away for so long, it would be proper to bring home something nice for your wife." I knew that he was right, but I had no idea what to get for her. Shlomie had it all figured out. "I'm calling a women's clothing store in Flatbush. You'll go there and get a nice dress for her." The proprietor asked me, "So what kind of dress would you like to get?" I had absolutely no idea, so the person picked up the phone and called Shlomie. Shlomie said, "Pack up for him any dress that you think his wife might like and bill me." I walked out of the store carrying a package with six or seven dresses. Judging by my wife's reaction, I can tell you that it was a wonderful idea.

Shloime!, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah, p. 16

❖ A Jew was working in a meat-packing plant in Argentina. Towards the end of the day he went into one of the freezers to do an inspection. The freezer door slipped off its safety latch and closed, trapping the man in the freezer. He tried banging on the door and yelling, but to no avail. Most of the workers had already gone home, and the sound was muffled anyway by the heavy freezer door. He was in the room for five hours and on the verge of death. Suddenly the door opened. The security guard put his head in and came to his rescue. The security guard was later asked why he thought to open that freezer door. He explained, "I have been working here for thirty-five years. Hundreds of workers come into this plant every day. This Jew is the only one who says hello to me in the morning and good-bye in the evening. All the other workers treat me as if I am invisible. Today he said hello, but I never heard the good-bye. I wait for that hello and good-bye every day. Knowing I never heard it, I realized he must be somewhere in the building. So I searched for him."

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Rav Chaim Ozer Grodzensky told his guest that he suffered from the cold and was therefore exempt from sukkah. So saying, he went indoors. A few minutes later he returned. "I may be exempt from sukkah," he said with his characteristic smile, "but I'm not exempt from hachnasas orchim."

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ The year 1911 saw the entire Jewish world in an uproar over the infamous "blood libel" case against Mendel Beilis, an unassuming Russian Jew who was falsely accused of murdering a Christian child in order to use its blood for Jewish ritual. Well aware that it was virtually unheard of for an observant Jew to commit any sort of violent crime, the prosecution sought some sort of "proof" that the Torah permits such crimes against people of other faiths. Someone uncovered the following Talmudic statement (Yevamos 61a): " 'How you, My sheep. The sheep of My pasture — you are Adam [Man]' (Yechezkel 34:31) — You [Israel] are called Adam, but the nations of the world are not called Adam." is this not conclusive proof, claimed the prosecution, that the Jews view the gentiles as sub-human? And if gentiles are sub-human, then did it not follow that for a Jew to kill a gentile for his blood is no worse than to slaughter an animal for its meat? A response to this accusation was provided by Rabbi Meir Shapiro, then a relatively unknown Rav in the Eastern Galician town of Galina and the future Rav of Lublin and originator of the Daf Yomi. He explained: The term "Adam — Man" as used in the Talmudic passage in no way indicates that non-Jews are not considered "man." Rather, it indicates that the Jewish people stands alone as a nation that is, in a real sense, like one man. When a person has an inflammation in his foot, one cannot say that the man's foot hurts, but the rest of him feels fine. A person's entire body is affected by a disorder in a single limb. Similarly, the souls of the Jewish people are bound up with one another. When one Jew is hurting, all Jews, even those who do not know him or her personally, feel the person's pain and suffering in a way that simply is not found among any other nation on earth. Only the Jewish nation is like a single soul.

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ The young son of a talmid accompanied his father to visit Rav Freifeld. Rebbe noticed that the child was holding a camera, hoping to take a picture of him. "What kind of picture would it be without you in it?" he asked, and drew the boy close posing together with him. Years later the boy would look at the cherished picture, and recall an extraordinary moment with an extraordinary individual. "The picture of 'Rebbe and me' was a constant reminder of the perception and warmth of a giant, and it carried me through many difficult times.

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Reb Mendel Kaplan would say "Small people do big things and big people do small things. Reb Yeruchem Levovitz used to say that Yisro had to see the waters of the sea being split before he blessed Hashem, whereas a Jew makes a blessing on a simple glass of water. The wicked want to do only the "big" mitzvos, but the truth is that helping your next-door neighbor is no less important than helping people overseas in the Peace Corps. If you're really interested in helping people, you don't have to go to Africa. Someone could keep busy twenty-four hours a day just helping the residents of one apartment building."

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

❖ The Bobover Rebbe was a tower of strength for thousands of chasiddim. At the end of his life he had a stroke that left him in a wheelchair and incapacitated. He could not talk at all. Shlomo Stern brought two wheelchairs for the Rebbe's family to choose from. It was an extremely hot day. As they were choosing the wheelchair, the Rebbe uncharacteristically motioned for a towel. It was given to him. He used his very last strength to wipe the sweat off the face of the one helping him into his wheel chair. He died a few weeks later.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 82

❖ Rebbetzin Elyashiv's levayah began late in the evening. Rav Elyashiv looked at the clock and ruled that it was forbidden to say hespedim at that hour, since the loudspeaker would awaken the young children and elderly people in the vicinity who had already gone to sleep. It is noteworthy that Rav Elyashiv's levayah also began late at night, and as per his instructions, no hespedim were said although few residents of Yerushalayim were asleep.

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 102

❖ The Piazezna Rebbe, Rav Kalonymus Kalman had two children who were killed in the ghetto, because a building collapsed on them. He was about to start the levayah. He heard that a man was arrested because he was rummaging through the pocket of the Rebbe's dead children. Rav Kalonymus stopped the levayah, and risked his life to go to the Gestapo's office to rescue the man. Only a few hours later did he come back to continue the levayah. A few months later the Piazezna Rebbe was killed.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 89

❖ One time, Rav Shach saw the Alter standing at his window softly saying, "Good morning" as the students walked by to the yeshivah. Rav Shach looked on in surprise, since it was impossible for them to hear him. Noticing his talmid's puzzlement, the Alter explained, "True, the students can't hear me, but I still have an obligation to wish them well!"

Path to Greatness by Rabbi Asher Bergman, Published by Feldheim, p. 67

❖ During her last years, Rebbetzin Mindel Schwab (wife of Rav Mordechai Schwab) had a live-in caregiver from the Philippines. When they would sit down for a meal, she would never begin to eat until she made sure the caregiver had food and had begun to eat.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

❖ Once, Rav Yaakov Kamenetsky was to meet someone at Manhattan's Penn Station at 7:00 A.M. for a trip out of town. R' Yaakov arrived at the station looking exhausted, having spent a sleepless night. He explained to his companion that when he had gone to set his alarm clock before retiring for the night, he remembered that his gentile neighbor worked the night shift and would have just gone to sleep at the time that the alarm clock was set to go off. It was a hot summer night when everyone slept with their windows open and the neighbor would quite possibly be awakened by the alarm. Therefore, R' Yaakov did not set the clock; instead, he stayed up all night, learning to make sure that he would be on time for his early departure.

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ The Ozherover Rebbe was able to escape Europe by the following act of Divine providence. While traveling by train from Otvotck to Warsaw in another attempt to see if the authorities would grant him his visa, the Rebbe took out an apple and started eating it. He always made a point of collecting even the small peels and depositing them in his coat pocket, so that none would fall to the floor. Opposite the Rebbe sat an official, to all appearances a gentile, who followed his movements with great interest. The man was especially fascinated by the care the Rebbe took not to litter the rail carriage with apple peels. The man, fascinated, began asking him about his trip — where he was going and why. The Rebbe responded honestly, 'Tm traveling saw in order to obtain a visa and they are making things difficult for me..." To his amazement the man's reaction to this was, "Don't worry. Go to the Consulate and it will all be arranged." When the Rebbe arrived at the American Consulate in Warsaw he discovered that his companion on the train had great influence and connections in official circles. Thanks to his intervention and his personal recommendation the Rebbe was issued all the necessary papers immediately.

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ "One of Rav Hirschprung's sons had difficulty rising for early morning Selichos. His father looked at him sympathetically, and said, "I understand how difficult it must be for you to rise, I am an old man and already accustomed to it, but for you it must be so hard." It is almost inconceivable to imagine how this giant, who had long ago rid himself of a need for physical comforts, sleeping little, eating less, could find a Way to relate to the struggles of a regular person.

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Reb Yaakov Kamenetsky was once talking to someone when a gentile funeral procession passed by. He accompanied the funeral cortege the requisite four amos. When the person with whom he had been talking expressed surprise that one is also required to accompany the body of a non-Jew, Reb Yaakov told him. 'He, too, was created b'tzelem Elokim.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ The Chazon Ish often studied without glasses and could have traveled the same way, but he made a point of never leaving his apartment without donning his glasses. He explained, "Without glasses, I might not notice someone's nod or some other form of greeting and someone might, G-d forbid, be offended if I don't see them."

The Chazon Ish, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ A chassid in the Imrei Emes's shtiebel was visibly upset before davening because he didn't have a gartel. "Here, use mine," said the Imrei Emes, and he began taking it off. "But, Rebbe, what about you? " protested the chassid. "Wearing a gartel is only a minhag," said the Rebbe, "whereas doing chesed is a mitzvah d'oraisa. You do the minhag and I'll do the d'oraisa."

Living in His Image Contemporary Torah Anthology

❖ When a married student passed away, his family had to make a quick decision about where he should be buried. They had the option of selecting a single plot that was available in an area of the cemetery where some of their distinguished ancestors were interred, or alternatively, they could purchase a double plot in a different area, so that after one hundred, and twenty, his widow could be laid to rest in the vacant site adjacent to his. They consulted Reb Shlomo Zalman Auerbach who, without any hesitation, ruled that the student should be buried in the single plot near his ancestors and relatives. His rationale, as he later explained, was that buying the double plot would place an unfair emotional burden upon the young widow: The poor woman had every right to remarry; however, if there were a burial plot waiting for her alongside her deceased husband, she would always be plagued with the thought that perhaps it was inappropriate for her to remarry. She would feel she had a commitment to her husband, to lie at his side after one hundred and twenty.

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ When Rav Ben Zion Abba Shaul was asked by his shamash why his berachos are always fulfilled, he replied, "If you love everyone in Klal Yisrael, you can do it, too."

Torah Leaders, published by ArtScroll Mesorah

A. TO HONOR A FELLOW JEW

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-16

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ To what extent is one required to honor another Jew?

SEFER CHAREIDIM

As the Mishnah teaches (Pirkei Avos 2:12, 4:12): 'Let the property of your fellow be as dear to you as your own; let the honor of your fellow be like the reverence for your teacher; and let the reverence for your teacher be like the reverence of Heaven.'

RELATED HASHKAFAH TOPICS:

- What is the difference between loving a fellow Jew and respecting a fellow Jew?
- What do we learn from the fact that we are required to honor a fellow like a teacher?

MORAL DILEMMAS:

Money was missing from a college student's room. A boy suspects his college roommate. He invited his friend to have a drinking party to find out if he has the money. He finds out that his friend indeed stole the money and he was able to retrieve it while his friend was drunk. This boy later wondered if what he did was appropriate for two reasons. 1. He looked like an idiot when he was drunk, and 2. he made his roommate miss davening. Is it permitted to make someone drunk in order to retrieve money that he stole? Can one do it even if it might make him miss davening?

Answer: He is allowed to do this in order to help the thief do the mitzvah of returning what he stole.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 1, p. 438

As is customary in many homes, Chaim's children would bring Parshah sheets home from school. One week Chaim was asking the children questions from their parshah sheets. All of the kids were engaged, and they had a very inspiring Parshah discussion. Shortly after, the children went to the kitchen to help their mother. When the kids came back to the table, they found their father fast asleep with his head on the Parshah sheets that they were just reading. Apparently Chaim had a very busy week, and the fatigue caught up with him. After the children placed the soup on the table Chaim woke up. The kids looked at their father and smiled. Apparently the ink of the Parshah sheets got copied onto their father's forehead. The father had divrei Torah written on his forehead. Chaim took it in good humor. But when he looked in the mirror before cleaning it off, he had the following shaila. Was he allowed to erase the words on Shabbos? One is normally not allowed to erase lettering on Shabbos, because of the melacha of mochek. But it would be embarrassing to walk around the whole Shabbos with writing on his forehead. There is also the related question of whether he was allowed to erase divrei Torah, words of Torah. What do you think? Was that considered writing that one is not allowed to erase?

Answer: Regarding the question of the "parsha sheet on the father's forehead", Rav Elyashiv answered that he would not be allowed to erase the lettering himself. If it would be urgent it would be permitted to go to a non-Jewish neighbor and ask him to wipe it off for him. The divrei Torah, however, were not considered divrei Torah and could be erased.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Peah-Demai-Kilayim, p. 325 (Table Talk Halachic Archive, Edition 114 (Yisro))

STORIES FROM OUR SAGES:

❖ One who hires laborers and tells them to arrive early in the morning and stay late in the evening in a locale where the custom is not to arrive early or stay late may not compel them to do so. Where the custom is to provide meals for workers, he must feed them; where the custom is to provide sweet fruit or relish, he must provide it—everything follows the local

custom. An incident occurred with Rabbi Yochanan ben Matya, who said to his son: "Go out and hire laborers for us." His son went out and agreed to provide them with meals without specifying what kind. When he came back to his father, Rabbi Yochanan ben Matya said to him: "My son, even if you were to prepare for them a royal banquet like that of King Shlomo in his glory, you would still not have fulfilled your obligation toward them—for they are the descendants of Avraham, Yitzchak, and Yaakov! Rather, before they begin their work, go out and stipulate clearly to them: 'You are hired on condition that you have no claim upon me for food beyond bread and legumes alone.'" Rabban Shimon ben Gamliel said: "He did not even need to stipulate that explicitly, because everything follows the custom of the region."

Mishnah, Bava Metzia 7:1

INSPIRATIONAL STORIES:

❖ One Shabbos at Shalosh Seudos the Baal Shem Tov was expounding the most profound concealed meanings of the Torah, while in the outer room the simple folk who were rather unlearned and were unable to grasp these spiritual concepts were reciting Tehillim. The Maggid reflected, "How fortunate I am to have been a student of Torah, to be able to understand these lofty celestial teachings of the master. How unfortunate those simple folk are, who are not privileged to understand these teachings. I wonder why the master shows such great favor to these simple folk, who cannot appreciate his teachings." Abruptly the Baal Shem Tov interrupted his discourse, and instructed his disciples to place their hands on their neighbors' shoulders and close their eyes. The Baal Shem Tov then placed his hands on the shoulders of those adjacent to him, thus completing the circle. The disciples felt themselves being transported to heaven, where they heard voices — that were nothing less than angelic — singing the praise of G-d. One sweet voice said, "My soul thirsts for You, and my flesh pines for You" (Psalms 63:2), and another chanted, "Like a hart that craves a spring of water, that is how my soul craves You, O G-d" (Psalms 42:2). The sweetness and devotion of these songs brought tears to the eyes of the disciples, and the Maggid thought, "If only even once in my lifetime I could chant the Psalms with such devotion, how fortunate I would be." The Baal Shem Tov then told his disciples to open their eyes and said, "The beautiful chanting that you heard was not of the heavenly angels, but of those simple folk in the outer room who are reciting Psalms with total devotion to G-d." The Maggid said that he was unable to forgive himself for having questioned why the Baal Shem Tov so valued the simple, unlearned folk. For years he was full of remorse for having doubted the master's judgment.

Not Just Stories By Rabbi Dr. Avraham Twersky

❖ The Lev Simchah, the Gerer Rebbe, would often make sure to perform acts of chesed anonymously. A young man from Bnei Brak was told by his doctor to spend some time in a location with dry air, such as Arad. As he could not afford to take his entire family with him, he traveled there alone. To his surprise, the one glatt kosher restaurant in Arad refused to accept payment for his meals. "You are a guest, not a customer", the owner explained. Some time later the young man happened to meet the restaurant owner in Bnei Brak, and he thanked him once again for his hospitality. This time the owner offered more details. The Lev Simchah had told him that should young men with little means of support go to spend time in Arad for health reasons, the owner should let them eat free of charge. The bills were then sent to the Lev Simchah, who paid them. Once, upon returning from a trip, the Lev Simchah discovered that he did not have the key to his house. One of the attendants told him he had a spare key at home, and he went to fetch it. While he was waiting, the Lev Simchah searched his pockets again, and deep in one of the corners, he felt the key. The attendants sighed with relief and moved toward the door, but the Lev Simchah did not move. "We must wait for him," he said as he put the key back in his pocket, and then he began pacing calmly back and forth. When the attendant returned with the key, the Lev Simchah took it from him with a glowing smile, and he walked together with him to open the door, never letting the attendant know that his efforts had been unnecessary.

Table Talk, Edition 243 (Parshas Vaeschanan), by Rabbi Yitzi Weiner

❖ Reb Anshel Fink z"l told of the Yoreid (someone who lost his wealth) who was a regular guest at the Rosh Yeshivah, Rav Aharon Kotler's Shabbos table. When he was wealthy he was respected, his opinion was solicited and it counted. Not so now that financially he was no higher than anyone else. Not so, that is, except in the home of the Rosh Yeshivah. There he still sat on a pedestal; on the proverbial "Mizrach Wall". The Rosh Yeshivah did every trick in the world so that he not feel for a moment like an object of pity, a "rachmonus case". He treated him like a friend. He discussed with him issues of the day; consulted him; even argued with him. Yes, his opinion was one to be reckoned with! Needless to say the family members knew to listen earnestly, with the proper respect. "On Shabbos the man basked in his former glory. Reb Aharon's gaonus in chesed cannot be described!"

The Legacy of Rav Aharon Kotler, By Rabbi Yitzchok Dershowitz, Published by Feldheim Publishers

❖ The Yid Hakadosh and Chozeh of Lublin would travel to collect tzedakah. They didn't say who they were. The Yid was very tall and strong the Chozeh was frail. They came to R' Nossen Neuhaus for a donation. He said I will give this small man but you tall man, you should get a job for yourself. Later, a friend came to R' Nosson and told him who the great Chassidic leaders were. He felt terrible and ran after them. The Yid HaKadosh said, "I would love to forgive you, but I cannot. You didn't insult me. You insulted the pashut Jew, not a rebbe, that you thought I was. Instead the next time you see a pashut Jew you have to ask them forgiveness and treat them with the respect you would have shown a rebbe.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 97

❖ The Nazis enjoyed pitting Jew against Jew and would often appoint a Jew to supervise the work of his fellow prisoners. Many of these Jews, known as kapos, behaved unkindly toward their brethren out of fear for their own lives. In the Lemberg labor camp during the Second World War, the chief work supervisor was a kapo named Schneeweiss. Schneeweiss did not enjoy a good reputation among his fellow Jews. As Yom Kippur approached, the Bluzhever Rebbe, Rabbi Yisrael Spira, made a request of Schneeweiss. "I and thirteen other Jews want to do everything possible to avoid work on our Holy Day. Please assign us work that will not involve any transgression of the laws of Yom Kippur. We are willing to do extra work on other days to make up for any work which goes undone." Putting forth this request was a great act of courage on the Rebbe's part. The next day, Shneeweiss informed the Rebbe that he had arranged for the Rebbe and his friends to clean the apartments of the commanding officers on Yom Kippur. The work was basically tidying and dusting, nothing that would involve any Torah prohibitions. Schneeweiss warned the Rebbe, "I give you no guarantees and I will not defend you if the Germans sense that something is wrong. And the apartments had better be clean." On the day of Yom Kippur, the Rebbe and his friends cleaned, as the Rebbe led the others in reciting the Yom Kippur prayers from memory. At midday, a German came in with a tray of food for the workers. The inmates were usually served a starvation diet of coarse bread and watery soup, but the Nazis always made sure to serve good food on Yom Kippur. However, the tray of food lay untouched. All the men were fasting. A few officers entered the apartment to inspect the work. They seemed satisfied until one of them noticed the untouched tray. He flew into a rage. "What do you mean by not eating on this 'holy day' of yours? Stuff yourselves, Jews!" The Bluzhever Rebbe calmly explained, "Today is our holy day. As you can see, we have served you loyally even on this sacred day, and our work is perfect. We are required to fast today and we ask that we be excused from eating. Our work will continue and will not be affected by our hunger." But the officers were furious. They sent for Schneeweiss, who trembled as he entered the room. "You are responsible for these Jews. We will return in two hours. If all their food is not eaten, you will be shot." Schneeweiss stood tall and firm as he unbuttoned his shirt. "Shoot me now, if you wish. I will not make them break their fast. In fact, I, too, am fasting on this holy day!" One of the Nazis drew his pistol and shot Schneeweiss dead. The hated Jew had become a holy Jew. No doubt, his attitude had been profoundly affected by the courage and sacrifice of the Bluzhever Rebbe and his friends.

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ It was the last Succos of his life and Rav Hutner was already ill and weak. The renowned Mashgiach, Rav Shlomo Wolbe came to visit him. He saw that the Rosh Yeshivah looked particularly weary and he voiced his concern. The Rosh Yeshivah explained that during Succos. Streams of people had come to visit him, and he had been unable to handle all the activity. "Why did the Rosh Yeshivah have to receive them?" asked Rav Wolbe. "Veil a mensch iz a sheine zach, Because a person is a beautiful thing!"

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ In Prague there was an old blind beggar who would sit out in the cold all day and try to sell donuts on the street. Thieves would come and take donuts and eventually none were left. This happened every day. The blind man didn't know that all of his donuts were gone until he was told by people. He would walk home broken and sad. The Rav, Rav Yeshaya Muskat tried to stop the thieves but he was unable. Next day he came first thing in the morning and he bought all of the donuts. The beggar was so excited that he didn't have to sit out the whole day in the cold, and so excited that he was so successful. The Rav would do this every day, and buy all of the donuts. People noticed that the Rav would give out all of the donuts that he bought to poor people. The Rav was asked: since he was giving him tzedakah, why didn't he just give the money to him directly and save him from having to come out in the cold. The Rav said it's bad enough that he can't see, but should I take away his remaining simchas hachaim. Do you see how happy he gets when I buy the tray. The man died soon after, but he died thinking he was a great business man.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 113

❖ In nineteenth-century Europe, most Jewish communities did not have an organized yeshivah system for children. Parents who could afford it would get together and hire a rebbi to teach Torah privately to their sons. This meant that many children from poor families received no Torah education at all. And when a Jew is raised without Torah, there is no telling how low he may fall. Thus, in the city of Shpole, Russia there were some young peasant Jews who banded together to form a group of professional thieves! The leader of this group was a slight, athletic young man who was known as "Yosse'le Ganav" (Yosse'le the Thief). It once happened that the group set its eyes upon the valuable gems and ornaments which were found in the local church. The thieves figured out that the only way they could possibly succeed at stealing this fortune was for one of them to climb up one of the church walls, and enter through a small window near the top of the building's steeple — a job, of course, for Yosse'le Ganav. They waited for the end of the month when the moon disappears from view. The thieves then made their way to the church grounds in the blackness of night. As Yosse'le began his ascent, the others huddled near the wall to await Yosse'le's signal that the loot was on its way down. Yosse'le reached the window at the top of the steeple. He pried it opened with ease and climbed inside. Meanwhile, the night watchman had come to investigate a report of suspicious noises heard around the building. As soon as the thieves saw him coming, they scattered in all directions. Yosse'le, unaware of what was transpiring outside, was busy gathering the loot. When he had gathered everything together, he spread out a large tablecloth and piled the valuables onto it, Then he tied the ends of the tablecloth together so that it served as a sack, slung it over his shoulder, and climbed back up to the window to make his escape. Yosse'le called out a signal and waited for his comrades to respond with a signal of their own before he let the sack fall to the ground below. When there was no response, he signaled again... and again. Realizing that something was wrong, he began to plan his next move but did not get very far. Soon, Yosse'le found himself face to face with the watchman and a furious priest, who ordered that the Jew be cast into a dungeon. A few days later, Yosse'le was brought before a panel of judges for sentencing. The chief judge pronounced the verdict: for daring to break into the church, the Jew would be burned alive in the city square, in the presence of the city's entire gentile population. However, the judge continued. There was a way by which Yosse'le could save himself. If he were to publicly convert to their religion, then not only would his life be spared, but he would also be granted lavish gifts so that he would have no need to steal ever again. Yossel'le needed no time to think it over. Drawing himself up to his full height, he declared for all to hear, "I may be a thief, I may have done plenty of wrong in my life, but never will anyone convince me to forsake my religion! Torture me if you wish — it will not make any

difference. Do you think that I am out of my mind, to be willing to exchange the living G-d for some lifeless statues? I am a Jew and I will always remain a Jew." Yossel'le was violently thrown back into his prison cell. The next day at around noon, he was brought in chains to the city square where stands which had been hastily erected were filled to capacity. The gentiles watched gleefully as Yossel'le was brought to stand next to a vat of boiling tar. The priest turned to Yossel'le and told him that he could still "repent" and live. "Stop wasting your time," Yossel'le replied. "I told you already that I will never forsake my religion!" The priest gave the signal and two guards lifted Yossel'le up into the air. Yosse'le's hands were slowly dipped into the boiling tar. He could not help but cry out in agony. "You still have a chance," the priest announced. "Promise to convert and you will live, and a doctor will be called to heal your hands." "I told you already," Yosse'le shouted. "I am a Jew, and I will always be a Jew! Let me die and sanctify the Name of the Living G-d!" That night, Yossel'le's remains were handed over to the Jewish community of Shpole. He was buried in the Jewish cemetery near the famed tzaddik known as the Shpole Zeide. A simple tombstone atop his grave bore the inscription, "Here lies the martyr, Yosse'le Ganav."

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Once, Rabbi Mandel was learning in a shul and need ed a certain sefer. Someone noticed the sefer on a high shelf, so he climbed up to get it. Meanwhile, Rabbi Mandel noticed another copy of that sefer within arm's reach. He quickly hid that copy so that when the man handed him the sefer, he would not realize that his efforts had not been necessary. In a similar incident, Rabbi Mandel entered a shul to daven and was looking for a siddur. Someone ran to the other side of the shul to get one. Meanwhile, someone found a siddur nearby and handed it to him. Rabbi Mandel hid this siddur under the tablecloth. When the other person handed him the siddur, Rabbi Mandel accepted it with a smile and thanked him. The person had no idea that Rabbi Mandel had no need for it?

From Rabbi Manis Mandel: A Legendary Mechanech and Tzaddik, by Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Mordechai Schwab and his nephew once took a taxi ride. Upon reaching their destination, Rav Mordechai got out of the car, walked up to the driver's window, paid and tipped him generously, and also thanked him graciously. His nephew wondered why he didn't pay the driver while he was in the cab, like everybody else. Rav Mordechai responded with two words, "Kavod habri'os!" Rav Mordechai felt that it was not proper to pay the driver while the driver had his back turned to him. Rather, the driver should be accorded the respect and dignity that he deserved as a tzelem Elokim.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

❖ During the years of their self-imposed wanderings, whenever the brothers Reb Elimelech of Lizhensk and Reb Zusya of Hanipoli passed through Ludmir, they themselves would lodge in the humble cottage of a certain poor chassid by the name of Reb Aharon, who was related by marriage to Reb Aharon of Karlin. In the course of time, when they had become renowned, they once drove towards Ludmir in a horse-drawn carriage, accompanied by a band of chassidim. As soon as they arrived at a nearby village a wealthy burgher from Ludmir came out to greet them there, and to invite them to lodge in his mansion when they reached the town. They asked him to ride on ahead to his home without waiting for them; they would arrive alone. When he discovered soon after that they had headed directly to the cottage of their former host, and had declined his invitation, he complained to them. "Look," they said, "we are exactly the same people we were before. Nothing about us has changed, so there is no reason that we should change our lodgings. There is a change however in our carriage and horses, and that is why you would like us to take up lodgings with you. Very well, then: you may take the horses and the carriage, and they will take up lodgings with you."

A Treasury of Chassidic Tales on the Festivals, By Rabbi Shlomo Yosef Zevin, published by ArtScroll Mesorah, p. 194

❖ Recalls a talmid, " Rav Hutner perceived our needs immediately. Once, I spoke to him about a roommate of mine who was depressed. The Rosh Yeshivah replied, 'Go to the dining room and come back with a full plate for him; not just a plate

of food, but a plate filled with kavod as well!

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ One day the Alter of Slabodka unusually asked to daven for the amud, he did it stumbling over the word and missing nekudos, after he was done a new person said kadish yasom. He also stumbled over the words. The Alter explained that a new person came and he heard him practicing. He led the davening so at the end the person will not feel bad for stumbling on his words.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 229

❖ The same Rabbi Shach who would be shaping the future of Klal Yisroel would not hesitate to knock on the door of a parent of a Ponevezher talmid and mention to them that he had seen their son walking in the winter cold without a sweater. "Perhaps there is a sweater that he owns and forgot to bring to Yeshivah. Give it to me, and my grandson will take it to him."

Torah Leaders, published by ArtScroll Mesorah

❖ Reb Mendel Kaplan would say, "The best thing you can do for a person is to hold him in high esteem."

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

❖ When Reb Ben-Zion of Bobov arrived in Cracow, a group of over-eager chassidim wanted to unbridle the horses of his carriage, and to harness themselves to it instead. 'The tzaddik refused, saying: "All my life I toil in the hope of changing horses into men - and would you want to change men into horses?!"

A Treasury of Chassidic Tales on the Festivals, By Rabbi Shlomo Yosef Zevin, published by ArtScroll Mesorah, p. 195

❖ Once, while Rav Pam was midst of his final illness, he got out of a car and walked back up the steps of the yeshivah. He explained to his student accompanying him that he had walked by and forgotten to say goodbye to the janitor who was mopping the floor.

Torah Leaders, published by ArtScroll Mesorah

B. TO MAKE KINDNESS TO RELATIVES AND NEIGHBORS A PRIORITY OVER OTHERS

(Scripturally Mandated Mitzvah), Sefer Chareidim 35-22

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- When we seek to perform acts of kindness, who should we give priority to?
- What is the reward for someone who does this?

SEFER CHAREIDIM

A person must actively love his neighbors and draw his relatives close with warmth and affection. Concerning one who acts in this manner, Scripture declares: 'Then you shall call, and Hashem will answer; you shall cry out, and He will say: Here I am' (Yeshayahu 58:9). Halachically, a person bears a prior obligation to perform acts of kindness for his relatives and neighbors before extending them to others.

RELATED HASHKAFAH TOPICS:

- Why is this a priority?

STORIES FROM OUR SAGES:

❖ Aharon HaKohen, in his deep humility, used to gird his loins as if with an iron belt of resolve and go around from door to door to all the homes of Israel. Whenever he met someone who did not yet know how to recite the Shema, he would patiently teach him to recite the Shema. Whenever he met someone who did not know how to pray, he would teach him how to pray. And whenever he met someone who did not yet know how to enter into the study of Torah, he would lovingly teach him. And not only regarding Aharon was this said, but regarding every Torah scholar who teaches Torah publicly to Israel for the sake of Heaven without showing favoritism between rich and poor—reading Scripture with all of them alike and teaching Mishnah to all of them alike: the Holy One, blessed be He, has mercy upon him, grants him wisdom, understanding, and knowledge, and gives him a portion alongside the righteous Patriarchs Avraham, Yitzchak, and Yaakov.

Tanna DeBei Eliyahu Rabbah, Chapter 13

INSPIRATIONAL STORIES:

❖ The youngest daughter of R' Dovid Schreiber of Bnei Brak was getting married, but three weeks before the wedding the engaged couple still didn't have an apartment. Someone told R' Dovid about an ideal apartment that had just been put up for sale not far from his home. R' Dovid and his mechutan wanted to get a contract signed quickly because they knew the apartment's asking price was below market value. There was only one problem, the kallah told her father. In the same building lived a classmate of hers who was not yet engaged, and the classmate had an older sister who was also still single. "I will feel bad for my friend and her sister if I move into the building as a married woman," she said. "If my single classmate and her sister see me all the time, I'm afraid it will be uncomfortable for them." R' Dovid was not sure what to do. He knew the apartment was a bargain; after all, he had spent several weeks looking at other apartments in Bnei Brak and none of them were as nice — and, more importantly, as affordable — as this one. He posed the question to R' Chaim Kanievsky, who didn't want to give an opinion but advised him to ask Rav Aharon Leib Shteinman. When R' Dovid presented R' Aharon Leib with the question, he had a solution. "If the apartment is so cheap, you should not pass up the opportunity to buy it," he said. However, empathizing with the girls' potential discomfort, he added, "Purchase the apartment, and rent it out to someone else. Meanwhile, the chassan and kallah should rent an apartment in a different building. Im yirtzeh Hashem, your daughter's classmate and her older sister will get engaged, and then your young couple will be able to move into the apartment." R' Dovid asked for a berachah that the two girls should get engaged, which R' Aharon Leib graciously gave. Then he added, "May the middos tovos and sensitivity of your daughter, the kallah, be a zechus for her friend and her friend's sister." Two months later, the older girl got engaged, and eight months after that, her sister followed suit. R' Dovid's daughter and her husband moved into the building shortly afterward.

From Rav Aharon Leib, by R' Naftali Weinberger, published by ArtScroll Mesorah

❖ After his shiur Rav Chaim Ozer Grodzensky's students would escort him home. They were almost at his house and it was a very cold day. A 15-year-old boy stuttered severely and asked where a certain street was. R' Chaim said, "We're just going there," and made an about-face in the opposite direction. He walked him all the way and comforted him. Afterward, R' Chaim said to his students, "Do you know who he was? He is a Jew with a stuttering problem. If we just gave him directions he will likely get lost and have to ask another person, that will make him face more humiliation. We therefore had an obligation to help prevent that humiliation.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 223

C. TO DO ACTS OF KINDNESS

(Torah Mandated Mitzvah), Sefer Chareidim 16-31

As the Torah says, "You should teach them the path" (Shemos 18:20, Parshas Yisro)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Which is greater, giving charity or doing acts of kindness?

SEFER CHAREIDIM

Chazal explained (Bava Metzia 30b) that 'the path' upon which a person must walk refers specifically to acts of lovingkindness (gemilus chasadim). Our Sages further taught (Sukkah 49b) that performing acts of lovingkindness is even greater than giving charity. Gemilus chasadim is not enumerated as a distinct, standalone commandment among the 613 mitzvos because it is subsumed under the foundational command to 'walk in His ways' (Devarim 28:9), emulating the Almighty, blessed be He, Who continually sustains the world with wondrous kindness.

RELATED HASHKAFAH TOPICS:

▪ Why is this greater than giving charity?

MORAL DILEMMAS:

There was once a young couple named the Schwartz's. For many years, they were unable to have children. Doctors informed them that there was little chance of conceiving naturally and suggested they consider adoption. With a heavy heart, the couple approached an adoption agency in Israel and began the process. After some time, they were informed that a young baby girl was available for adoption. However, there were numerous background checks and bureaucratic procedures to navigate, meaning it would be approximately a year before they could take the baby home. As the couple was waiting to be able to pick up the baby for adoption, they were met with a surprising twist. Mrs. Schwartz discovered she was pregnant and, to their astonishment, they were expecting twins. As the day of the birth approached, the Schwartz's were faced with the reality of not just raising twins but possibly three children. They pondered if this would be overwhelming. Just as they were grappling with this, the adoption agency notified them that the baby girl was ready to be taken home. Now, they were faced with a heart-wrenching dilemma. Should they adopt the baby, ensuring she grows up in a loving, Torah-observant home? Or, given that they now had twins, would it be too much for them? In addition, perhaps they should leave the baby available for another childless couple? But perhaps if they don't adopt the baby, no one will actually end up adopting her, or even if someone does, perhaps they would not raise her in a Torah home. The Schwartz's were torn. Was it in their best interest, or the child's, to continue with the adoption? Was it better for them to raise all three children, or would it be more selfless to give another couple the opportunity to adopt? What do you think?

Answer: Regarding the question about adopting, the girl, Rav Zilberstein wrote that it was possible that the only reason why they were able to have twins was because they agreed to adopt this girl. It would therefore be very commendable for them to adopt her, if they could, and if it is good for the girl.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos p. 405

There was once a man named Chaim who had several adult children. Unfortunately, Chaim became very ill, and eventually his kidneys failed him. He was on dialysis but needed a kidney donation to survive. When Yoni, Chaim's middle child, heard that his father needed a kidney, he quickly took the initiative, went to the nearest hospital and got

himself tested. He found that his kidney would be a match for his father. With great joy Yoni told his father that he would like to donate his kidney. Soon after, the oldest son, Eli, heard about the chesed that Yoni was planning to do. Eli was the oldest, and the leader of his siblings. When he heard that Yoni was planning to donate his kidney, he also followed suit and got himself tested. Sure enough Eli was also a perfect match for his father. Eli spoke to Chaim, "Chaim, it's really wonderful that you thought of the idea to donate your kidney. However, I am the bechor and this mitzvah is very important to me. I would like to be the one to donate my kidney to Abba. Although it was your idea first, nevertheless I am the oldest in the family. You have a mitzvah to show respect to me as well." Chaim felt very torn. Yes, Eli was his older brother whom he respected very much. He didn't want to make him feel bad. But did the fact that Eli was the oldest child give him the right to take the mitzvah from him? Chaim responded, "I don't want to disappoint you, but it was my idea. Can we instead do a goral, a lottery, to see who should donate their kidney?" Eli did not agree. "I appreciate your idea, but it is very important for me to do this. I don't want to do the lottery." What do you think? Who has precedence in this case? Does the mitzvah of honoring an older brother require Eli to allow his older brother to do this mitzvah? Or should they do a lottery instead?

Answer: Regarding the question over whether a bechor has a right to demand the opportunity to donate his kidney, Rav Elyashiv zt"l answered that a bechor does not have the right to take a mitzvah away from his sibling. Rather the brothers should do a goral, a lottery to decide who should get the mitzvah.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 425 (Table Talk Halachic Archive, Edition 169 (Yisro))

A man was driving erev Shabbos, and offers someone carrying packages a ride. Gives him a ride. The man comes back to his car on sunday and the car stinks. It turns out that the passenger left a bag of chicken in the car. The rotten smell caused damage of hundreds of dollars. Does the passenger have to pay?

Answer: Rav Yitzchak Zilberstein rules that the passenger who accidentally forgot perishable poultry or fish in his friend's car is exempt in human court (patur b'dinei adam), because the items were fresh when placed in the car with permission and spoiled only later due to the heat — making the odor damage indirect causation (gerama) or akin to damage to vessels by a pit (bor b'keilim). However, citing the Birchas Shmuel (Bava Kamma Siman 2), since his negligence created the hazard, he should pay for cleaning and restoring the upholstery to fulfill his obligation before Heaven (latzeis yedei Shamayim).

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Peah-Demai-Kilayim, p. 161

Avi owned a small mini-market in a Yishuv, a settlement in the north of Israel. It was a relatively small settlement, and his mini-market was the only one in the area and the only one within a 20- minute drive. One Friday, two hours before Shabbos, Avi was planning to close the store. Just as he was about to pull down the shutters and close, a person came up to the store. "Please wait, don't close. I need something for Shabbos," the man exclaimed. So Avi waited, and the man came running into the store, saying, "Thank G-d you're still open. It's really a miracle. I don't know how I would manage the whole Shabbos if you were closed." So Avi said, "Okay, sure. We're happy to help you. What do you need? Is it wine? Is it candles? Challah?" The man replied, "Oh no, I need two packs of Marlboro cigarettes. I can't go the whole Shabbos without smoking." Avi was taken aback. He had expected the person to be looking for something to enhance Shabbos, not to violate it. The man saw Avi's hesitation and said, "Listen, my friend. You were given a license to open the supermarket in this Yishuv. You have to address the needs of all members of the Yishuv, not just the religious ones. I want you to sell me the cigarettes. If you don't, I'm going to speak to the administration and make sure that they have your license revoked because you are discriminating against me." Avi wasn't sure what to do. The man specifically

wanted cigarettes to smoke on Shabbos but was threatening to have his license revoked, which could jeopardize his livelihood. On one hand, how could he give him cigarettes specifically to smoke on Shabbos? But on the other hand, did he have to put his whole livelihood at risk by not giving them to him? What do you think Avi should do?

Answer: Regarding the question about the man who asked for two packs of cigarettes specifically for Shabbos, and threatened to ruin the livelihood of the store owner, Rav Yitzchak Zilberstein answered that one is not required to lose their parnasah in this case, and it is not considered lifnei iver. It is not lifnei iver because the shopkeeper is not causing the person to sin, rather the buyer is causing himself to sin. Nonetheless, the shopowner should try to impress on the buyer the importance of not smoking on Shabbos.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 436

Sarah, a young woman, once went on a shidduch date with a young man named Zevi. As their meetings continued, Sarah became quite fond of him, sensing that Zevi might eventually propose to her. To her, Zevi radiated kindness, honesty, genuineness, and Yiras Shomayim. He seemed like the perfect potential husband. However, after dating for a significant period without an engagement, Sarah was taken aback when Zevi abruptly ended their relationship. Heartbroken and devastated, she found herself sinking into a deep depression. Unable to get out of bed in the morning, each morning felt insurmountable. Her shattered dreams left her desolate for an extended period. Whenever another dating opportunity arose, Sarah would decline, convinced that no one could ever measure up to Zevi. This fixation deeply concerned her parents. One day, Sarah's parents shared their worries with one of Sarah's seminary teachers, Mrs. Rabinowitz. In response, Mrs. Rabinowitz requested a meeting with Sarah. During their conversation, she said to Sarah, "I understand your pain regarding this missed opportunity. But in truth, you should be thankful. You should actually Bench Hagomel, thank Hashem for his kindness. I am a neighbor of Zevi and his family, and I can assure you, he is not as he seems. He is narcissistic, cruel, manipulative, and heartless. By not ending up with him, you've saved yourself from a potentially disastrous future." These candid words, rather than causing further distress, brought Sarah a sense of relief and closure. Bolstered by her teacher's encouragement, she began to move on, opening herself up to new shidduch opportunities and eventually building a life with someone else. However, before Mrs. Rabinowitz approached Sarah with her insights, she grappled with a dilemma. On one hand, Jewish law strictly prohibits Lashon Hara, gossip. On the other, there are exceptions to this rule when the intent behind the information is LeTo'eles, for a constructive purpose. In this scenario, since Sarah was no longer seeing Zevi, was it permissible for Mrs. Rabinowitz to share her negative knowledge about him? Would such information be deemed constructive, given that its primary purpose was to bring solace to Sarah, even if it meant disparaging Zevi's character? Mrs. Rabinowitz pondered: was she justified in what she shared with Sarah? Seeking clarity, after she spoke to Sarah, she later presented her dilemma to Rabbi Zilberstein. What do you think? Was she right in her actions?

Answer: Regarding the question about lashon hara, this question was asked to Rav Elyashiv. Rav Elyashiv answered that the teacher should comfort the young woman in other ways, like strengthening her trust in Hashem, and that everything is for the best. She should not speak badly about the man, as he and the young woman are not dating anymore.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Yoni Grossman started a new business. He had a great idea and worked very hard, but sadly in the beginning, like most startups, the cash flow was very slow. This situation can be manageable for a single person, but Yoni was married with 5 children. As Yoni's business struggled, the Grossman family struggled very much with him. One week before Succos, when expenses were high and the cash flow was very slow, Chani, Yoni's wife, suggested that they approach Ahavas Chesed, the local chesed organization, for help. Yoni felt very humiliated with the thought of approaching Ahavas

Chesed. Chani tried to gently remind him that there was nothing wrong with accepting tzedakah when one is in need of assistance. In fact, one is obligated by halachah to accept help when it is needed. Yoni, however, felt that accepting tzedakah would prove that he was a failure. He told his wife that he would much rather have Bitachon that his business would turn around soon. "You will see; we will get new clients and we will get the money we need", he optimistically encouraged her. Let's learn "Living With Emunah" together and with Bitachon, things will turn around. When Succos came, Chani stocked the house with groceries and nice Yom Tov food. Yoni, who knew of the cash shortage, was surprised. "Chani, where did you get the money for all this"? "Oh, Baruch Hashem, Hashem took care of it. Right before Yom Tov a relative of mine sent us a gift." Yoni didn't ask further questions. Chani felt very conflicted. The truth was that she had approached Ahavas Chesed and told them of the situation. Ahavas Chesed responded very generously. Chani didn't have the heart to tell her husband that she accepted the tzedakah, so she told the "lie" that her relative gave her the present. This question was brought to Rav Zilberstein. Was Chani allowed to lie to her husband to preserve the peace? Telling her husband the truth would hurt him greatly. Additionally, the family needed the money. But on the other hand, how would they have a good relationship without transparency? Perhaps telling the lie would make things worse. What do you think? Did Chani do the right thing?

Answer: Regarding the question about the wife taking tzedakah and telling the "lie" about it, R' Tzvi Berkowitz answered as follows, "It is not a good idea. Eventually he will find out, which will affect their relationship. This is in addition to the fact that he will be embarrassed."

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 58 (Table Talk Edition 109)

STORIES FROM OUR SAGES:

❖ It once happened that Rabban Yochanan ben Zakkai was walking out of Jerusalem along the road, and his disciple Rabbi Yehoshua was walking behind him. As they passed the ruins of the Holy Temple, Rabbi Yehoshua looked at the desolate Sanctuary Mount, tore his garments, and cried out: 'Woe to us that this place—our House of Life, where the Altar atoned for all the sins of Israel—lies destroyed!' Rabban Yochanan ben Zakkai turned to his grieving disciple and comforted him: 'My son, do not be afraid and do not despair! Even now, we have another path of atonement that is just as great and precious before Heaven as the Altar itself. And what is it? Gemilus Chasadim—acts of lovingkindness toward one another! For so the prophet declared in the Name of Hashem (Hosea 6:6): For I desire lovingkindness, and not sacrifice!'

Avos DeRabbi Nosson, Recension B 8:3

❖ Abba Tachana Chassidah once entered his city right before Shabbos carrying a package over his shoulder. He found a man covered with boils at the crossroads. The man requested, "Rebbi, do me a kindness and bring me into the city. Abba Tachana Chassidah contemplated, "If I put down my package, then how will I support myself and my family before Shabbos? But if I leave this man who is covered with boils, I will be liable for death." He decided to put down his package and help the man into the city, and then he returned to pick up his package. He reentered the city at twilight, and the townspeople wondered how the pious Abba Tachana could be carrying his package into the city when it was already Shabbos. A miracle occurred and the sun returned. Abba Tachana Chassidah worried that he had already received his reward, so a heavenly voice reassured him. 'Eat your bread with joy.'"

Midrash Rabbah, Koheles Rabbah 9:7

❖ Rava once said to Rafram bar Pappa, 'Let the master tell us some of those noble deeds that Rav Huna used to perform!' Rafram bar Pappa replied: 'What he did in his youth I do not remember, but what he did in his old age I remember well. On every cloudy, stormy day, his attendants would carry him out in a golden litter to inspect the entire town. Whenever he saw a shaky, dilapidated wall that might collapse in the storm, he would have it safely torn down; if its owner could afford

to rebuild it, the owner rebuilt it, and if the owner could not afford it, Rav Huna rebuilt it out of his own funds! Furthermore, every Friday afternoon toward dusk, he would send an agent to the marketplace to buy up all the leftover vegetables that remained unsold with the market gardeners and throw them into the river.' The Gemara asks: Why did he not give those vegetables to the poor? Because if he did so regularly, the poor would come to rely on that free distribution and would not buy food earlier for Shabbos, leaving them empty-handed on a Friday when no produce was left over. And why did he not feed them to animals? Because he held that food fit for human beings should not be fed to animals, and buying up the surplus ensured that farmers would keep bringing abundant produce to the town every Friday.

Talmud Bavli, Taanis 20b

❖ When Rabban Gamliel made a banquet for his son's wedding, Rabban Gamliel himself would serve R' Tzadok, R' Eliezer, and R' Yehoshua. When R' Yehoshua praised Rabban Gamliel by saying that Avraham Avinu also served his guests, citing a verse to prove it, R' Tzadok disapproved, saying: "How long will you neglect the honor of God, involving yourselves with honoring people? God causes the wind to blow, raises heavy clouds, brings down rainfall, makes things grow from the ground, arranges the food tables for each person, and for us Rabban Gamliel should not stand and serve?

Talmud Bavli, Kiddushin 32b

INSPIRATIONAL STORIES:

❖ The Pnei Menachem's relationship with others—his advice, his chessed, and his interactions—was characterized by a deep sensitivity to their innermost feelings. The Rebbe possessed an uncanny sixth sense in understanding and detecting people's emotions. In his compassionate and unique way, he was able to discern what was transpiring in the hearts and minds of his chassidim. Often, his response to an incident was different from what one would expect. He saw beyond the superficial—beyond the question itself. His sensitivity and ability to anticipate the feelings and emotional state of the petitioner enabled him to understand the real issue at hand. With an empathetic heart, he did everything possible to leave others with a positive, pleasant feeling, taking great pains to preserve every person's honor and to be sympathetic to the emotions of everyone he encountered. The relief on the face of the yungerman as he entered the Rebbe's room was palpable. With great animation, he told the Rebbe how, the night before, thieves had broken into his apartment, completely ransacking it. Virtually nothing had been left untouched. They searched every nook and cranny, turning the place upside down. Nevertheless, it was as if Hashem Yisbarach Himself had blinded them, preventing them from finding the astronomical sum of cash hidden there. The yungerman could not contain his enthusiasm as he described to the Rebbe the profound kindness that Hashem had performed by preventing the robbers from discovering the money. To his surprise, however, the Rebbe's face did not reflect joy. Instead, worry was etched there. The Rebbe seemed completely oblivious to the obvious nes. He appeared focused on something else entirely. Gently, with concern permeating his every word, the Rebbe asked, "How is your family doing? How are they dealing with the break-in? Are your wife and children having nightmares? Are they afraid to be home alone because thieves broke in? Are they able to engage in their daily activities without fear?"

From The Pnei Menachem, By Rabbi Avrohom Birnbaum, published by ArtScroll Mesorah

❖ Rav Shlomo Rothenberg viewed each nisayon as a chance to grow and become a better person. He explained this hashkafah with a mashal from the Vilna Gaon. There was once a man who owned a beautiful diamond. Throughout the day, he'd take it out and admire it in the sunlight. One day, to his utter dismay, he noticed a scratch on his precious diamond. He hurriedly took his diamond to the jeweler, who told him to come back in a few days to pick it up. And so, the following week, after much anticipation, the fellow excitedly returned to the jeweler to retrieve his beloved gem. When the jeweler brought out the diamond, the fellow was truly mesmerized, for the diamond displayed before him was even more beautiful than the one he had originally brought in to be fixed. With great precision, the jeweler had expertly utilized the scratch to create magnificent flowers on the diamond, turning the original diamond into something far more splendid. Rav Shlomo

explained, "We can compare the scratch to the seemingly negative situations in which we sometimes find ourselves, whether they are financial, physical, or emotional difficulties. Instead of despairing, one should utilize the situation to embellish and develop himself spiritually. He will ultimately be transformed into someone who has far superior qualities than those he had before the situation occurred." Rav Shlomo perceived a challenging time as a perfect opportunity to get closer to Hashem.

From Rav Shlomo Rothenberg, published by ArtScroll Mesorah

❖ If there was an opportunity to do good for someone, Rav Dovid Trenk grabbed it. One morning, Reb Dovid waited on line in a crowded Lakewood supermarket. The harried-looking woman ahead of him on line took a phone call from her babysitter, who was screaming in a voice audible to the other customers, "I need to leave, I can't stay here anymore, I'm not watching the children for one more minute. They are out of control. You had better get home." The woman froze, panicked. It was almost her turn, and she needed the groceries in her house, but she was worried about her children. "Just go," came a voice from behind her, "just go to your kinderlach. It will be okay." A few minutes later, Reb Dovid pulled up at her home, carrying in the boxes he had packed himself, leaving her not just with the grocery order, but with words of chizuk and encouragement.

Table Talk, Edition 283 (Parshas Acharei Mos), by Rabbi Yitzi Weiner

❖ What a tragedy! That was the thought reverberating through the mind of R' Yitzchak Miller (today the Rav of Prospect Vines in Lakewood). "How can I be mechazek Eli? What can I tell a father whose child drowned in a swimming pool?" Yes, his good friend Eli, who lived in an out-of-town community, had just suffered the terrible loss of a child. R' Yitzchak so wanted his friend to get the chizuk and comfort that he so desperately needed, but how?! R' Yitzchak decided to approach Rav Mattisyahu, with whom he was close. "What should I do? Should I call him on the phone? Write him a letter?" Rav Mattisyahu advised R' Yitzchak to call his friend. Then, as he was leaving, the Mashgiach asked him, "Can you give me R' Eli's phone number?" R' Yitzchak called his friend the next day. To his surprise, Eli greeted him by exclaiming, "You won't believe who called me last night! The Mashgiach of Lakewood, Rav Mattisyahu Salomon himself! He stayed on the phone with me for a while and was so mechazek me! I can't even begin to describe what the call meant to me!" Rav Mattisyahu had never met Eli. He didn't know who he was, but he understood that he might be able to give chizuk, so he went out of his way to ask for the phone number and picked up the phone and called.

From Rav Matisyahu, By R' Avrohom Birnbaum, published by ArtScroll Mesorah

❖ A Talmid recalls: I was with the Rosh Yeshivah, Rav Aharon Schechter, at a wedding when he called me over and said, 'I noticed that your coat is nicer and darker black than the chosson's. I want him to wear yours instead when he walks down the aisle so he will look better, especially for the photos. The Rosh Hayeshiva said he does not want me to switch with the chosson and wear his coat because the Rosh Hayeshiva was concerned that it might make the chosson feel slighted. He said if I get cold I should go inside and miss the chuppah."

From Rav Aharon Schechter Tribute / Table Talk Anthology

❖ Similar to empathizing with people's problems, he did the same with their happiness and simchas. One of Rav Mordechai Schwab's students spotted him in an airport sitting and reading something intently. As he approached Rav Mordechai, he noticed something strange; the paper Rav Mordechai was reading so intently was a wedding invitation. After greeting Rav Mordechai, he asked him about the wedding invitation he was reading. Rav Mordechai pointed to the date and time of the wedding. "It is taking place now," he said, and, although he couldn't be at the wedding, he wanted to rejoice with them. He tried to mentally visualize, partake, and rejoice at the wedding.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

❖ On another occasion, a different mosad was scheduled to make an appeal in a bungalow colony at the same time as Rav Rothenberg was due to make one for his yeshivah. Rav Shlomo insisted that the other person should make his appeal, not he. They later agreed that they would both make appeals, but Rav Rothenberg was adamant that the other should go first. Rav Shlomo wrote a personal check for $100 to the other mosad. "Here is a check in case you lost out from the fact that I also made an appeal," he said.

From Rav Shlomo Rothenberg, published by ArtScroll Mesorah

❖ On another occasion, when someone got a ride with Rav Shlomo Rothenberg, he said, "Let me share a vort with you. The car you're in is just like Avraham Avinu's tent. Avraham's tent had four doors so he could do as much chessed as possible. This car also has four doors, so I can pick up as many people and do as much chessed as possible! So, what can I offer you? A drink? Some chips...?"

From Rav Shlomo Rothenberg, published by ArtScroll Mesorah

D. TO HOST GUESTS WHO ARE IN NEED

(Torah Mandated Mitzvah), Sefer Chareidim 16-53

As the Torah says, It (the lost animal) shall stay with you until your brother inquires about it (Devarim 22:2, Parshas Ki Seitzei)

SEFER CHAREIDIM

Scripture commands that when one finds a fellow Jew's stray animal, 'you shall gather it into your home' (Devarim 22:2) to shelter and protect it. By an obvious kal vachomer (a fortiori argument), one is all the more obligated to extend hospitality, honor, and shelter to an indigent person who lacks a roof over his head. Thus the Prophet proclaims: Bring the wandering poor into your home' (Yeshayahu 58:7).

STORIES FROM OUR SAGES:

❖ Bar Kappara was once walking on the shores of Caesarea when he came upon a naked survivor of a shipwreck (who proved to be a Roman proconsul). Everyone just passed him by and cursed at him. Bar Kappara took the man home and provided him with food, clothing, and a substantial sum of money. A while later, Bar Kappara appeared before him with a large sum of money to obtain the release of some captive Jews. The proconsul, remembering the kindness that Bar Kappara had done for him, released the captives and allowed Bar Kappara to keep the money. Bar Kappara had previously been poor and forced to work hard to support himself, but he began living more comfortably as a result of this incident.

Midrash Rabbah, Koheles Rabbah 11:1; Talmud Bavli, Berachos 39a

❖ Even if a poor person himself gives a single small copper coin to the charity fund or a slice of bread to the soup kitchen, we accept it from him with respect. If a person who lost his wealth was accustomed before his poverty to fine wool garments, we provide him with wool garments; if a bed, we provide him with a bed—as it is written (Devarim 15:8): "You shall open your hand to him and lend him sufficient for his need, in whatever is lacking to him." An incident occurred with Hillel the Elder, who provided a poor man from a noble family—who had lost all his wealth and was too frail and ashamed to walk on foot without his customary attendant—with a horse to ride for his health and a servant to run before him (and as recorded in the Gemara, one day when no attendant could be found, Hillel himself ran before the man's horse for three miles to preserve his dignity). Another incident occurred with the people of Galilee, who used to provide an elderly poor

man every day with a pound of fine bird meat to sustain his health. And the Sages recounted that there was a family in Jerusalem called the House of Nevalta, who descended from the family of Aravna the Jebusite (who sold King David the Temple Mount); when they fell into poverty, the Sages of Jerusalem allocated three hundred gold shekels to support them so that they would not be forced to leave their home in Jerusalem.

Tosefta, Peah 4:10–11 (cf. Talmud Bavli, Kesubos 67b)

INSPIRATIONAL STORIES:

❖ One of the thieves imprisoned among the criminals in their own ward in Jerusalem served out his sentence and was set free toward evening. Since he lived far from Jerusalem and had no money whatever in his pocket, he went off to find Reb Aryeh Levin, whom he knew from the pious rabbi's visits to the prison, to try to get some pocket-money from him. Reb Aryeh and his good wile welcomed the man like a distinguished guest. They gave him some money, and then added that they would not let him ride home before he sat down to a good meal. The "guest" accepted, and soon felt relaxed and happy. The meal Over, Reb Aryeh remarked, "I am grateful to you for visiting us. Thanks to you I hid the unexpected opportunity to fulfill two mitzvos (religious good deeds): offering hospitality and helping someone in need. But do me one more favor. It is late. Why trouble yourself to go traveling in the dark? Be our guest a bit longer and stay the night with us." They prepared a bed for him, and eventually bid him good night. Before dawn Reb Aryeh rose as usual, to prepare to go to the synagogue for morning prayers at sunrise. As he moved about, it soon became painfully clear to him that his "dear guest" had stolen his wine cup (that he used for Kiddush on the Shabbos) and the silver Shabbos candlesticks, and vanished into the night. Reb Aryeh woke his good wife and told her what had happened. "Well," he added, "I forgive that poor thief completely. Let Heaven not punish him on my account." Then he said as an afterthought, "But let us promise each other and really resolve in our heart that this little incident will not mean anything for us in the future, and it will not prevent us from inviting other thieves into our home!"

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ Rav Chaim Soloveitchik's home in Brisk functioned less like a private residence than an ownerless sanctuary open day and night to every needy Jew. When someone remarked to his son, the Brisker Rav (Rav Velvel), that his father's house was like a public domain, the Brisker Rav corrected him: "Even in a public thoroughfare the authorities will stop someone from setting up a bed in the middle of the street; my father's house was literally hefker, where the poor felt like the owners and our family were merely guests!" Not only the house, but everything inside it was treated by townspeople as free for the taking. Once, when Rav Chaim sent young Rav Velvel to fetch a Gemara from their bookshelf, one of the permanent 'squatters' was using it and scolded him indignantly, "Are there no sefarim in the beis midrash?!" On another occasion, while Rav Velvel was recording his father's Torah chiddushim, a visitor demanded his pen immediately; when Rav Velvel asked him to wait a few moments until he finished his paragraph, Rav Chaim reproved his son: "What kind of behavior is it not to give right away?" Another townsman repeatedly walked into Rav Chaim's house and carried off a volume or two from the bookcase until the shelves stood completely bare—and a few days later returned to carry off the empty bookcase itself! Rav Chaim strictly forbade his family to utter a word of protest. Because homeless paupers regularly slept in the family's beds—often taking their pillows as well—young Rav Velvel grew accustomed to sleeping on hard wooden benches or lined-up chairs. Decades later in Yerushalayim, after waking refreshed from a nap on a wooden bench, the Brisker Rav explained to his astonished family that in his youth his body had become so used to wooden benches that a hard bench still felt most comfortable to him. "In my father's house," the Brisker Rav recalled, "there was no such thing as night." Once, at 2:00 a.m., a little girl knocked on the door asking to borrow a pen so her family could write up her sister's tena'im (engagement contract)—and then knocked again at 4:00 a.m. just to return the pen, knowing the Rav's home never closed. When an

abandoned mother of six arrived with seven mattresses and moved into an empty room, later spreading her bundles into the very corner where Rav Chaim stood to daven, Rav Chaim merely sighed quietly that even his davening corner now belonged to his guests, without allowing anyone to disturb her peace.

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 58

❖ There was an orech at the home of Rav Yaakov Yosef Herman who ate sloppily, spilling his food all over the tablecloth. One Shabbos, when Rav Yaakov Herman returned from shul, he found the orech seated alone at a little table in the far corner of the room. The other orchim had managed to find him a place where his eating habits would not disturb them. When Rav Herman washed his hands to eat, instead of seating himself at the head of the table as he always did, he took his armchair, carried it over to the little table, and joined the Orech. The orchim were very perturbed. "Reb Yaakov Yosef, why are you not sitting at the head of the table?" they asked. "I do not think Reb Meyer likes sitting all alone," Rav Herman answered quietly. It was only after much coaxing on the part of the orchim did Rav Herman consent to return to his regular place with Reb Meyer seated next to him.

All for the Boss, By Ruchoma Shain, Published by Feldheim Publishers

❖ One Shabbos he was the guest of a benevolent man who would invite beggars to his Shabbos table, alongside yeshivah students. That Shabbos he had invited a poor, half-starved man. The moment the food was served he quickly demolished his portion, and before he was even finished, demanded that the next course be served. Not wishing to offend the guest, the host did not react to his rudeness, but simply asked his wife to serve the next course. But when the guest repeated his behavior and demanded that the rest of the food be brought, the host couldn't refrain from gently asking, "Is it polite to act this way at another man's table?" The hostess then said to her husband, "I don't understand. Did we invite the man to teach him manners? You brought him here in order to feed him. Why would you feel the need to improve his 'behavior'?" This incident served Rav Shach as a living lesson in hospitality and true caring for others.

Path to Greatness by Rabbi Asher Bergman, Published by Feldheim, p. 48

❖ Rav Dovid Shachor, zt"l, the rav of Semiatitz and a relative of Rebbetzin Lifsha Soloveitchik (wife of Reb Chaim of Brisk), passed away at a young age, leaving his widow with no source of income. When Reb Chaim heard that the young woman was trying to support herself and her little orphaned children by selling fabric, he suggested that she come to live in Brisk, where he would help support her. Rebbetzin Shachor agreed to come and for a long period she and her children lived in the rav's home, relying on their host for their needs. The rav himself the great Brisker Rav, Torah giant and leader of the generation volunteered as her salesmen. He would show the fabric to the businessmen who came. "You see this? This is high quality material." Her clientele grew. The house, hefker as it was, now added "commercial center" to its list of functions. In the evening, Reb Chaim would ask her how her sales were that day, and he would rejoice in her success. He would caution her not to sell to their family members, since they were poor and could not afford luxuries. Of course, it never occurred to him to take anything from her, even though she had received free board and lodging. Years later, Rebbetzin Shachor wrote a letter to her children about the period they spent in Brisk, concluding her description with the following words: "I saw that our hachnasas orchim, compared to theirs was far from perfect. There I saw how G-dly people live in this world of ours"!

From The Brisker Rav, by R' Shimon Yosef Meller, published by Feldheim

❖ The city of Kovno was known as one of the great Torah centers of Europe, a city that produced many great Torah personalities. Yet, somehow the people of the city overlooked one critical component of a Torah city: The hekdesh, hostel, where the beggars slept was unfit for such a great city, The rooms were musty and dirty, the windows were broken and allowed the bitter winds to whistle through, the lights were nonexistent, and the flimsy bug-infested mattresses were very poor excuses for beds. Kovno was not a rich city by any stretch of the imagination. Nevertheless, when word got out that the city's hekdesh was in need of serious renovations, Rav Yisrael expected there to be a suitable response to the appeal; but there was not. None of the necessary repairs were done. Rav Yisrael felt that people did not care enough, and he decided

that he was going to do something about it. He did not approach the rabbanim and demand that they speak about it in their shuls on Shabbos, nor did he call in some of the prominent baalebatim of the city and demand that they renovate the hekdesh, instead he himself went there. The talmidim who escorted him were shocked that a person of his stature would want to spend time in that decrepit place, but Rav Yisrael walked in with determination and sat down on the floor. The indigent people in the room were surprised that the rav had come to visit. They assumed that he would greet them and leave, but he did not. As he sat on the floor, he opened his sefarim and began to learn. After a few moments it began to rain, and the cold rain dripped in through the roof. Rav Yisrael's talmidim encouraged him to leave, but he refused. Before long, there was no place to sit that was not wet, After a few hours passed, the fact that Rav Yisrael had not left the hekdesh became headline news in Kovno. Pretty soon, a small crowd formed outside, trying to convince Rav Yisrael to leave the dilapidated building. As it became dark, the rain continued. But although it was freezing cold, Rav Yisrael remained. Finally, some of the more prominent members of the city, a group of rabbanim, asked what it would take for him to leave. Rav Yisrael's response resonated in the neshamos of those who were present. "I am not leaving this place until it is repaired to a point where any one of us would feel comfortable in it. If we truly felt the pain of another Yid, we would never have let things get this bad." Within a few hours, the repairs began and Rav Yisrael finally left. In a matter of days, the hekdesh was in excellent condition.

A Touch of Warmth, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ In January 1972, Rabbi Shnayer Lewis, the principal of a Hebrew day school in Seattle, Washington, underwent major surgery that required six months of recuperation. Since he intended to move to Los Angeles, California, for the next school year. He knew he was free to choose anywhere in the United States to recuperate. R' Shnayer decided that Baltimore, Maryland, would be the perfect choice. He had learned in Yeshivas Ner Yisrael as a teenager and a newlywed in kollel, and he felt comfortable recovering there. He was pleasantly surprised to hear of an apartment to rent near the yeshivah that would be available for six months. The apartment would be vacant before R' Shnayer arrived in Baltimore. Shortly after his surgery, when R' Shnayer felt well enough to travel, he flew to Baltimore to check out the apartment. His wife and children were scheduled to arrive the following day. Along with a moving truck that would transport their belongings. R' Shnayer knocked on the apartment door, and to his horror, discovered that the apartment was occupied and that its owner had no plans to move. R' Shnayer was disheartened. Still weak as a result of his surgery, he was now in a state of panic as a result of his homelessness. Knowing that his family would be arriving the next day did not make him feel any better. Later that evening, he walked to the yeshivah and sat down in the Beis Hamedrash to try to sort out his thoughts and come up with a strategy. Apparently the expression on his face revealed his inner fears, for he suddenly heard a loud voice address him. "What is wrong, my son?" R' Shnayer looked up to see Rabbi Nachman Kowalsky, an elderly man whom he recognized from his earlier years at the yeshivah. Although he did not know Rabbi Kowalsky personally. R' Shnayer was familiar with his reputation as a kind man and a respected scholar. Responding to Rabbi Kowalsky's concern, R' Shnayer began explaining his predicament. No sooner had he finished than Rabbi Kowalsky smiled and answered, "I am aware of a furnished apartment that is not being used. You and your family can stay there for the next few months." R' Shnayer could not believe his stroke of good fortune. Rabbi Kowalsky led R' Shnayer to an apartment near the yeshivah, took a key out of his pocket, and opened the door. "This is your new apartment," he said cheerfully. R' Shnayer studied the apartment with suspicion and asked, "Isn't this your apartment, Rabbi Kowalsky?" "It is, but I don't need it. My wife is not feeling well and has gone to Florida for a few months. The apartment will be just perfect for your family. It's yours to use, free of charge," Rabbi Kowalsky replied. "But where will you sleep?" questioned R' Shnayer. "There's a little room in the back of the apartment. I will sleep there. You won't even know I'm here." Rabbi Kowalsky answered convincingly. R' Shnayer began protesting but didn't get many words out before Rabbi Kowalsky declared firmly, "I won't listen to any of your arguments. Here is the key. The apartment is yours. Make yourselves completely at home." The next day the Lewis family arrived and settled into Rabbi Kowalsky's apartment, where they were to live for six months. Amazingly enough, during that entire time, Rabbi Kowalsky stayed in the back room of his apartment only three or four nights! Attempting to give the Lewises privacy and comfort,

rarely walked into his own apartment. Instead, he chose to sleep in a guest room in the yeshivah dormitory that was made available for visiting parents. As they prepared to move out of the apartment, R' Shnayer and his family thanked Rabbi Kowalsky profusely for his kindness. They were overwhelmed by the hachnasas orchim that Rabbi Kowalsky had extended to them. Never once had they felt that their stay in his apartment was an imposition or a bother to him. With pure sincerity, Rabbi Kowalsky shook R' Shnayer's hand and thanked him for the opportunity to help one more family. As unbelievable as it may seem, R' Shnayer was left with the unmistakable feeling that in this arrangement, Rabbi Kowalsky felt as if he got the better deal!

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

❖ Reuvein Karlsburg was flying to Eretz Yisrael. He had a layover in Strasbourg France, but there was a delay and it would be too close to fly before Shabbos. He went to one of the shuls in Strasbourg. It was a small community. After davening he was greeted by Meir Talisky, one of the leaders of the community who invited him for Shabbos. He went to their house. All the children were at the table and there was an extra setting for him. Obviously one of the kids went ahead and told their mother to expect him. He had a wonderful time, and they became close friends. Two years later he had a layover in Strasburg and had to stay again, this time he knew who to go to. When he went to the Talisky house, the place setting was already set for him. Curious, he asked Meir's oldest son why there was an extra place. He said, we rarely have the opportunity to have guests. But we desperately want them. So my mother sets an extra table setting every week in the hope that we can have guests, and Friday night my father davens that we have the zechus to have a guest. Every once in a while Hashem answers our tefillah.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 83

❖ " Rav Greenglass remembers how in the aftermath of the war, as thousands of refugees arrived in Montreal, Rav Yochanan Twersky, the Tolner Rebbe made it his mission to ensure the safety and security of these Yidden. He personally sponsored as many as he was able to, listing over 30 people as employees of his beis medrash. He begged, pleaded, and cajoled others to do the same, insisting that they not be deaf to the call of the hour. His home was constantly crowded with refugees eating, sleeping, and just soaking in their first real taste of home after so many years spent on the run. He didn't rest until he found both jobs and shidduchim for all of them. Rav Greenglass shared a touching recollection with me, one that shows just how seriously the Rebbe took his responsibilities. Rav Greenglass entered the shtiebel one day, and saw the Rebbe sitting on a bench, berating himself, repeating again and again that he was nothing, that he was holding nowhere. When Rav Greenglass inquired as to the reason for the Rebbe's distress, the Rebbe replied, "Our friend Yossel arrived here in Montreal in the middle of last night, cold and hungry, yet he only came to the shtiebel this morning, since he didn't want to ring my bell at such a late hour. Can you imagine a child not going home in the middle of the night?" asked the Rebbe in an anguish-filled voice. "Obviously, I am very far from fulfilling the dictum of Chazal that commands us to 'make the poor a part of your household.' When it comes to hachnasas orchim, I have failed dismally."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Hospitality is a subtle art. One must show concern and interest for his guests, yet not be overbearing. There is a well-known Jew in London who maintains a separate dining room and sleeping quarters in a wing of his home for the express use of representatives of charitable institutions and people who come to England in need of medical help. He often joins his guests for meals. One evening a shabbily dressed man approached the host, unaware of his identity, and asked, "Do you know how long one may stay here?" The host answered, "Don't worry! I'm here for quite some time already and nobody has said a word to me."

The Pirkei Avos Treasury, By Rabbi Moshe Lieber, published by ArtScroll Mesorah

❖ One Friday night the Chofetz Chaim skipped the singing of Shalom Aleichem to the puzzlement of those sitting at the table. "We have a guest and he's very hungry," exclaimed the leader of Klal Yisrael. "The malachim can wait for our singing until after we eat a little."

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

E. TO ESCORT A FRIEND

(Torah Mandated Mitzvah), Sefer Chareidim 18-10

As the Torah says, our hands did not spill this blood, [because we escorted him] nor did our eyes see (Devarim 21:7, Parshas Shoftim),

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Why is this so important?
- What is the minimum that one is required to escort?
- What are the benefits of escorting someone?

SEFER CHAREIDIM

Regarding the ceremony of the Eglah Arufah, the Torah instructs the elders of the city to declare: 'Our hands did not shed this blood, nor did our eyes see it' (Devarim 21:7).

Chazal received an authentic tradition explaining this declaration: the elders testify that this traveler never came into their hands only to be dismissed without food, nor did they see him depart and leave him without an escort (levayah).

Subsumed within the obligation of lovingkindness is the mitzvah to escort a traveler setting out on a journey. Chazal warned of the gravity of this duty, stating that whoever fails to escort a departing guest is regarded as if he shed blood.

The halachic distances required for escorting are defined as follows: a teacher escorting his student must accompany him to the city boundary (approximately seventy amos beyond the city limits); a person escorting a peer must accompany him to the Shabbos boundary (techum Shabbos, two thousand amos); while a student escorting his primary Torah teacher must accompany him without any prescribed limit.

A traveler who is escorted even for the minimum distance of four amos is shielded from harm along the road. Correspondingly, Chazal teach that the spiritual reward for escorting a guest surpasses all other aspects of hospitality, possessing no upper limit.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Sfas Emes begins his inquiry in Parshas Vayeira in 5653. The Sfas Emes reveals that Avraham Avinu is the living pillar of charity and lovingkindness. His spiritual strength lay in his ability to soften harsh judgment and turn it into mercy. The Hebrew word l'shalecham shares a root with the idea of shedding a garment (hefshet malbush). When messengers enter our physical world, their outward demeanor reflects the moral conduct of the

people they meet. When a host walks alongside his departing guest, he extends the warm shelter of his home into the public street. His accompaniment wraps the traveler in a mantle of kindness, calming the anxieties of the journey and keeping him safe from harm (Sfas Emes, Bereishis, Vayeira 5653).

• In Parshas Beshalach in 5639, the Torah describes the Exodus from Egypt: "And it came to pass, when Pharaoh sent the people away" (Vayehi b'shalach Paroh es ha'am, Shemos 13:17). The Sfas Emes explains the manipulative nature of Pharaoh's accompaniment. When Pharaoh realized that the plagues had broken his power and that he could no longer hold Israel by force, he changed his tactics. He walked alongside them as they departed, pretending to offer a polite escort. But his motive was selfish: he wanted to cling to their spiritual ascent, maintain subtle control over their future, and dilute their freedom with Egyptian values. Genuine accompaniment is entirely generous: we walk with the traveler to honor his personal dignity and support his journey. When we accompany someone with that pure intention, we express true brotherhood, free from manipulation (Sfas Emes, Shemos, Beshalach 5639).

• In Parshas Nasso in 5651, the Sfas Emes explores the connection between human life and the dust of the earth (afar). The Sfas Emes explains that dust represents the foundation of growth. When a farmer plants a seed in the soil, the seed must first decompose in the dark earth (nirkav). Only by losing its hard outer shell can the seed absorb the nutrients of the ground and produce abundant fruit. At the climax of this teaching, the Sfas Emes turns to the heifer ritual (Eglah Arufah). By walking beside the traveler to the edge of town, we maintain the living bond of mutual care (areivus), ensuring that on every lonely road, he draws strength from his people (Sfas Emes, Bamidbar, Naso 5651).

• In Parshas Vayeira in 5665, his final year of life, the Sfas Emes returned to the hospitable tent of Avraham Avinu. The Sfas Emes explains that genuine giving creates an undeniable bond of mutual love. Just as a giver feels affection for the person he helps, a reciprocal feeling of gratitude awakens in the heart of the receiver (kemo sheyesh hiskarvus mehanosen el hamkabel, kein min hamkabel el hanosen). The Holy One created our world with this beautiful pattern. Hashem possesses endless goodness, yet He created us with physical needs so that by receiving His kindness with thanks, we draw close to Him in love. The traveler does not leave as a lonely wanderer who merely received a free meal; he leaves inspired, carrying the living flame of Avraham's tent into his daily life (Sfas Emes, Bereishis, Vayeira 5665).

• In his discourses on the holiday of Shemini Atzeres across two years—5635 and 5637—the Sfas Emes examines the spiritual transition at the close of the festival of Sukkos. The Sfas Emes points out that shiluach is the exact language of accompaniment (levayah). On Shemini Atzeres, accompaniment moves in two complementary directions: from Host to guest, and from children to their Father. In his first teaching from 5635, the Sfas Emes portrays Hashem as the supreme Host, and our people as His guests. Throughout the week of Sukkos, we leave our permanent houses to live in the outdoor booth (Sukkah), resting in the shelter of faith. At the same time, we act like the loving child who values the person far more than the meal, walking alongside our friend simply to cherish his company for a few moments longer (Sfas Emes, Moadim, Sukkos 5635).

STORIES FROM OUR SAGES:

❖ Commenting on the verse 'As soon as the morning was light, the men were sent away' (Bereishis 44:3), Rabbi Levi contrasted righteous hospitality with a wicked innkeeper who once lived in the South. That innkeeper used to get up in the middle of the pitch-black night, put on his traveling cloak, and wake his guests saying, 'Get up and set out now, for I am traveling your way and will escort you!' As soon as the unsuspecting guests stepped out into the dark road, bandits waiting

in ambush would rob them and split the loot with the innkeeper. Yosef HaTzaddik taught the opposite standard of a caring host: he kept his brothers safe inside until 'the morning shone bright' so that travelers should always set out in the safety of full daylight.

Bereishis Rabbah 92:6

INSPIRATIONAL STORIES:

❖ R' Eli Brunner, Rebbetzin Batsheva Kanievsky's devoted driver for the last 20 years of her life, related that when the Rebbetzin was traveling out of Bnei Brak for a simchah, or even if she was going to a local wedding or somewhere else that would cause her to be gone for several hours, R' Chaim would accompany her clown the steps and all the way to the car to fulfill the mitzvah of "levayah" (accompanying). On many occasions, R' Chaim told Eli, "Please try not to waste any time, as when the Rebbetzin isn't home my learning is always affected negatively. Please try to return home without any delay."

Rebbetzin Kanievsky, By Naftali and Sarah Weinberger, published by ArtScroll Mesorah

❖ Once Rabbi Shlomo Wolbe was in Rabbi Dessler's home. When it came time to leave, Rabbi Dessler was distraught that he could not find anything to serve his guest. Finally, he found a chocolate candy in the kitchen. When Rabbi Wolbe departed, Rabbi Dessler told him that he too had to go out, so that the younger mashgiach would not be embarrassed to have Rabbi Dessler accompanying him. Rabbi Dessler did not specify his destination and walked alongside Rabbi Wolbe to the bus stop, where he remained until his visitor's bus arrived.

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 299

❖ The Sanzer rebbe had a severe limp and it was very painful for him to walk. A Jew once told him he was going to Eretz Yisrael and asked for his berachah. He warmly gave the berachah and insisted on escorting him there, even though it was so painful. He escorted him to the edge of the city. The Sanzer rebbe then said, Shik a grus, (send regards) tzu yeder boim (to every tree) tze yeder shtein (every rock) tzu yeder yid, tzu unzerer tatte, to our common father. That was his love for Eretz Yisrael.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 152

F. TO GREET A FRIEND WHO ARRIVES

(Rabbinically Mandated Mitzvah), Sefer Chareidim 42-11

SEFER CHAREIDIM

It is a praiseworthy mitzvah of lovingkindness to greet a fellow Jew warmly upon his return from a journey, welcoming him with genuine joy and hospitality.

STORIES FROM OUR SAGES:

❖ One who dines as a guest should always leave a small portion over on the serving dish for the attendants, though not inside the cooking pot. An incident occurred with Rabbi Yehoshua who was hosted by a certain widow. She set a dish of cooked beans before him, and he ate it all without leaving a portion over for the household; the second day he again ate it all without leaving a portion; on the third day she deliberately oversalted the dish, and when Rabbi Yehoshua tasted it, he withdrew his hand and ate his bread plain. When she asked why he was not eating the beans and he politely claimed he had already eaten earlier in the day, she replied playfully: "If you already ate earlier, why are you eating so much bread? Rather, you left nothing over from the first two meals for the poor attendant!" Rabbi Yehoshua declared: "In all my days, no one

ever outwitted me except this woman, a young girl, and a young boy!" What was the incident with the young girl? Once Rabbi Yehoshua was walking across a shortcut through a field, and a young girl asked him: "Why are you walking through a private field?" He answered: "I am walking on a trodden path!" She replied: "Robbers like you trod it down into a path!" And what was the incident with the young boy? Once Rabbi Yehoshua was traveling on the road and found a young child sitting at a crossroads. He asked him: "My son, by which of these two roads shall I enter the city?" The boy replied: "Both are before you: this one is long yet short, and that one is short yet long." Rabbi Yehoshua chose the 'short yet long' road, but when he neared the city wall he found it blocked by hedged gardens and orchards so he could not enter. He turned back and asked the boy: "My son, why did you jest with me?" The boy answered: "Master, you are a great sage of Israel—did I not tell you plainly that this road is short in distance yet long because of the hedges, whereas the main highway is longer in distance yet quicker to enter?" Rabbi Yehoshua walked over, kissed the child upon his head, and exclaimed: "Praiseworthy are you, O Israel, for all of you are wise, from your greatest to your smallest!"

Derech Eretz Rabbah 6:3 (cf. Talmud Bavli, Eruvin 53b)

INSPIRATIONAL STORIES:

❖ Beis HaTalmud had perfected the trait of welcoming others cheerfully, making a science of it, with clearly outlined principles which were applied throughout the year. All guests were received with an outstretched hand, a hearty "Shalom Aleichem," and friendly conversation. Reb Moshe Rosenstein, who studied in Beis Hatalmud and went on to become mussar director of Lomza Yeshivah, described his first visit to Beis HaTalmud as a bachur. When he entered the hall, a young man approached him, hand outstretched, face radiant and a smile on his lips. The young man inquired about his welfare, when he had arrived and whether he had already found accommodations for eating and sleeping. He was so friendly that Reb Moshe assumed that he was an old friend of his, who for some reason he did not recognize. A moment later, another young man approached him, smiling so warmly that he seemed also to have been his childhood chum. He too inquired about him, his apartment and all his needs. Reb Moshe began to feel somewhat frustrated that his memory had failed him, for this time too he had not recognized this boyhood friend. It was only after nearly every talmid of Beis HaTalmud had received him in the same fashion that he realized that this type of greeting was the custom in this place.

Reb Elya, By David J. Schlossberg, published by ArtScroll Mesorah

❖ Rabbi Shimon Finkelman related the following anecdote: I often ate Shabbos seudos with Rav Yisroel Belsky, zt"l and his family. One Shabbos I brought along a friend who was attending college and majoring in political science. During the seudah, Rav Belsky and my friend had a discussion centered on political science. My friend later told me that had he not known otherwise, he would have assumed that Rav Belsky had earned a Ph.D. in this subject. But during the seudah, I had a hard time hiding my discomfort. I always looked forward to the spiritual experience of a Shabbos seudah with Rav Belsky and his family. Although my Rebbe related some Divrei Torah and sang zemiros as usual, the political science discussion was hardly spiritual. I was disappointed. Apparently, Rav Belsky read my thoughts. Later that day, when I returned for shalosh seudos without my friend, Rav Belsky explained himself to me. "Part of hachnasas orchim is to make conversation about something that your guest enjoys discussing."

From Rav Belsky, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ The character trait that most characterized Rav Asher is his astounding humility. Despite having the Torah world running after him and close to 500 talmidim in his daily shiur, nothing went to his head. He eschews the typical and (even expected) frock of the maggid shiur and speaks with one and all as if they were his equals. The Dvir family lived in Sanhedria, and Rav Yehuda and Rav Asher davened in the same shul. One Friday night, when I was staying at the home of the Dvir family, I accompanied Rav Yehudah to shul. After Ma'ar'iv, I went over to Rav Asher to wish him a "gut Shabbos." Rav Asher, however, was in a private discussion with someone I did not know. Not wanting to intrude and realizing that the conversation might take a while, I joined Rav Yehudah for the short walk back to his home, slightly disappointed that I

hadn't been able to use the opportunity to exchange a few words with Rav Asher. We sang Shalom Aleichem and Eishes Chayil, and Rav Yehudah made Kiddush, when there was a knock. One of the children ran to open the door, and there. Standing in the doorway, was Rav Asher Arieli, who had walked a block and a half out of his way to come wish me a "good Shabbos." His arrival took us all completely by surprise. "I'm so sorry," he kept repeating. "I just couldn't stop in the middle of my conversation with that man..." It was pure humility without a trace of personal motivation or pride. It was a classic Rav Asher moment.

Inside Their Homes

❖ What are you doing here on Saturday?" Darryl Thomas, the maintenance man at the Lefton Accounting Firm, was unaccustomed to seeing any of the employees there on the weekend. Yet there was Craig Wheeler, taking a break from his extra hours with his head down on the desk in the cubicle. Not receiving any answer, Darryl called out again, "Craig, you got a hangover or something?" Again, no response. Darryl came closer and became alarmed. Craig seemed far worse off than just sleeping off a hangover. He seemed dead. He was. The coroners' examination reported that Craig, a fifty one year old bachelor, had been dead at his desk for five days. Not one of the twenty three other employees who worked in the office had taken notice. Five days!

Impact, Vol. 3, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

G. TO REJOICE AT A WEDDING AND MAKE THE GROOM AND BRIDE HAPPY

(Rabbinically Mandated Mitzvah), Sefer Chareidim 42-13

SEFER CHAREIDIM

It is a rabbinic mitzvah of the highest order to attend a wedding and bring heartfelt joy to the chassan and kallah, celebrating before them with songs of praise and providing for their needs.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Sfas Emes begins his inquiry into wedding joy by examining the scriptural text of the tithe confession (Vidui Ma'aser) in Parshas Ki Savo. To answer this question, the Sfas Emes reveals the inner working of holy joy. Genuine simchah is not born in an easy life that has never known hardship. Rather, sacred joy comes into the world precisely when strict judgment (middas ha-din) is softened and sweetened by the power of lovingkindness (chesed). As the Rebbe writes in 5653, joy exists when judgment is sweetened and kindness prevails. When we dance with energy and smile with wholehearted affection, we lift the bride and groom above their fears. By surrounding them with community love, we sweeten strict judgment and help Hashem's kindness fill the room (Sfas Emes, Devarim, Ki Savo 5653).

• In Parshas Tetzaveh, Hashem commands Moshe Rabbeinu: "Bring near to you Aharon your brother, and his sons with him, from among the Children of Israel, that he may minister to Me as a priest" (Shemos 28:1). The Sfas Emes explains that this debate is not about polite social flattery. It touches the deep spiritual root of the bride. Between the groom and the bride, our Sages have no disagreement regarding the groom. All agree that the groom represents the active giver, the embodiment of open kindness. As the prophet writes, "As a bridegroom decks himself with a priestly garland" (k'chasan yekahen pe'er, Yeshayahu 61:10). Like Aharon the Priest, who lifted his

hands to bless the people, our joyful singing draws a thread of grace upon the bride. We affirm her noble mission as the builder of a Jewish home, a sanctuary through which kindness will flow to future generations (Sfas Emes, Shemos, Tetzaveh 5662).

• The Talmud in Berachos (6b) teaches an astonishing lesson about wedding joy: "Whoever brings joy to a bridegroom and bride merits the acquisition of Torah, which Hashem gave with five voices." As Scripture states: "And it came to pass on the third day when it was morning, that there were voices and lightnings" (Shemos 19:16). Why should the simple act of cheering a young couple reward us with the wisdom of the Torah? And why do these five voices matter so much? The Sfas Emes explores this question on the holiday of Simchas Torah. He reflects on the verse: "Torah was commanded to us by Moshe, an inheritance of the congregation of Yaakov" (Devarim 33:4). We tap into the shared harmony of Sinai, where our ancestors stood together "as one person with one heart." The five joyful sounds of the wedding awaken the five sounds of Sinai within our own souls. That is why our Sages promise that gladdening a couple opens our minds to understand the Torah with fresh clarity (Sfas Emes, Moadim, Sukkos 5655).

• Our Sages in Berachos (6b) give another striking description of the wedding guest's impact: "Whoever brings joy to a bridegroom and bride is considered as though he rebuilt one of the ruins of Jerusalem." In our tradition, we weave the memory of the Holy Temple directly into every wedding. In Parshas Ki Savo in 5653, the Sfas Emes examines a Midrash about Moshe Rabbeinu. When Moshe foresaw the destruction of the Temple and the end of the first-fruits offerings (bikkurim), he instituted the three daily prayers. The Holy Temple in Jerusalem was the beating heart of our nation. It was the central fountain from which joy and clarity poured into the world. It is a miniature sanctuary (mikdash me'at) where Hashem's presence can dwell. Every warm smile and kind word we offer helps set another living stone into the walls of Jerusalem (Sfas Emes, Devarim, Ki Savo 5653).

• In Parshas Ki Sisa in 5662, the Torah describes the intimate conclusion of the Sinai revelation: "And He gave to Moshe, when He finished speaking with him upon Mount Sinai, the two tablets of testimony" (Shemos 31:18). The Midrash reads the word k'chaloso through the imagery of marriage: k'chalaso—"as his bride." Our Sages make a challenging comment on this verse: "Whoever teaches words of Torah, and they are not as beloved to his listeners as a bride is sweet to her husband (k'chalah ha-areivah al ba'alah), it would be better had he remained silent." The giving of the Torah was characterized by intense love between Hashem and Israel. The joy we create during those days becomes an emotional reservoir that the couple can draw upon for decades. When we dance before them, we help seal the sweet devotion of Sinai in their new home (Sfas Emes, Shemos, Ki Sisa 5662).

STORIES FROM OUR SAGES:

❖ An incident occurred involving Rabbi Yehudah bar Ilai, who was sitting and teaching his disciples, and a bride passed before the study hall. He asked: 'What is that?' They said to him: 'A bride who is passing.' He said to them: 'My sons, arise and attend to the bride! For so we find regarding the Holy One, blessed be He, that He attended to a bride, as it is stated: "And Hashem God built the rib" (Bereishis 2:22)—teaching that He braided Chava's hair and brought her to Adam. If the Creator of the universe attended to a bride, how much more so must I!' Our Sages related that Rabbi Yehudah bar Ilai would take a bough of myrtle and dance before the bride, singing: 'A beautiful and graceful bride!'

Avos D'Rabbi Nasan 4:3; Talmud Bavli, Kesubos 17a

❖ It once happened that Rabbi Tarfon was sitting and teaching Torah to his disciples when a poor bride passed before him with a sparse procession. Rabbi Tarfon immediately gave instructions regarding her and brought her into his own home. He said to his mother and his wife: 'Bathe her, anoint her with fragrant oil, adorn her in bridal finery, and let us dance before her until she goes in joy to her husband's home!'

Avos DeRabbi Natan 41:13

INSPIRATIONAL STORIES:

❖ Yonasan Schwartz, a renowned badchan, related: I arrived in the States from Eretz Yisrael some 24 years ago feeling very lost. I had been orphaned at age 10, could not speak English, and had no means of support. I knew that I had the talent to be a badchan, but who would want to hire a newcomer, a young fellow with an Israeli accent, to be mesame'ach (inspire joy) at their simchah? Who would help me? I could not pay my rent. I was so desperate that I took to collecting for myself each morning in the local shuls. One morning I had the good fortune to come to Khal Bais Avraham in Flatbush, where R' Shloime Gross davened. Another meshulach was kind enough to tell me, "You see that yungerman over there? He is a great baal chesed. Go ask him for a donation." After davening I went over to R' Shloime, explained my situation, and concluded, "Please help me. I don't want to be a beggar: I want something from you that is bigger than money. I need help to become a badchan. I have the talent but I can't get anyone to hire me. " R' Shloime asked me to tell him one of my "badchan jokes. "6 I did, but I was terribly shy. I could see the pain in his eyes, how he was feeling my pain. He wanted very much to help me. He told me, "Tomorrow night I am making a sheva brachos for a close friend. Come there and perform, and I will take care of you." I prepared non-stop the rest of that day and all of the next day, for what was to be my first badchan performance. I was nervous and had little self-confidence. As soon as I walked into the hall R' Shloime greeted me and did his best to make me feel comfortable and calm. And when the moment came, he stood up and announced, "And now WE will hear from the performer OF the century - Yonasan Schwartz! " His introduction boosted my confidence, and my performance went very well. After that, R' Shloime became my "agent. " Whenever someone he knew was planning a wedding, he would call up and say, "If you're thinking of hiring a badchan, make sure to take Yonasan Schwartz. " He made all these phone calls for my sake. It did not take long before I was a success. Over the years, R' Shloime and I met many times at weddings where I performed. I know that he derived great pleasure from watching the badchan in whom he instilled the confidence to succeed. I will never forget the man who helped me to "stand on my own two feet, " by giving me a livelihood to support my family, and putting an end to my loneliness and helplessness. He helped me for one reason — because I am a Jew. He never asked for anything in return.

Shloime!, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah, p. 114

❖ When Rabbi Reuven Feinstein was a child, a student of the yeshivah offered to treat him to an ice cream. The youngster said no, he could not accept a treat unless his friends got one, too. Years later, his "benefactor" told him about the ice cream he was never given. Reb Reuven did not remember the incident, but said that in his parents' household they were brought up that way by example; it was perfectly normal that no one accepted a favor or a treat that was not available to others. Indeed, that was an old Feinstein tradition. In Luban, as well as in many European cities, it was customary that weddings took place on Friday afternoons. On the Friday that Reb Moshe and his rebbetzin were married, there were two other weddings. Luban's only Jewish fiddler came to the Rav and proudly told him that he would play only at his wedding, and do so free of charge.' Reb Moshe shook his head and said that he could not permit the fiddler to play at his wedding unless he played at the other weddings as well.

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ When Rav Moshe first came to America in the mid-1930s, it was very difficult for him to find a job. He explored working in a slaughterhouse. He even once remarked that he would take a job as a street cleaner if it would help his children get a proper chinuch. A story is told that relates what it was that ensured Reb Moshe's appointment at Mesivta Tiferes Yerushalayim. Reb Moshe's father, Rabbi David Feinstein, once stopped at an inn overnight while on a journey. The innkeeper recognized the Rav of Starobin and accorded him the service due someone of his stature. The innkeeper brought his only urn into Reb Dovid's room should the Rav desire a cup of tea during the night. A short while later, a chasan and kallah arrived at the inn. When they asked the innkeeper for use of his urn, he told them that the urn was in the Starobiner Rav's room and he would ask the Rav if they could borrow it for a short while. When the request was put forth to Reb David, he replied, "What is the question? In fact, I think it would be best to keep the urn in the room of the chassan and kallah the entire night; they deserve to be treated royally." The chassan and kallah were none other than Rabbi and Mrs. Yosef Adler. When Reb Moshe was being considered for the position in Tifereth Jerusalem, Mrs. Adler reminded her husband of this incident and suggested that the son of the Starobiner Rav most likely had the superlative middos of his father and would be a very positive influence upon the yeshivah's talmidim.

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Avraham Grodzensky could not go to a student's wedding. When he was in an inn there was loud singing and singing from his room. The next morning the innkeeper said you must have had a wild drunken night. Rav Avraham says no, he could not go to the wedding of his student and felt terrible. If he could not dance at the wedding at least he could share his joy by dancing in his own room.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 24

❖ It was not long after he had acquired his driving license that Rabbi Buxbaum was asked to take Reb Shlomo Zalman to a wedding. As the affair was to be held outside of Jerusalem and the chuppah was scheduled for five-thirty, Rabbi Buxbaum and his esteemed passenger agreed that they would leave at four o'clock. In those days there was only one telephone in the entire Shaarei Chesed neighborhood and that was in Rabbi Buxbaum's house, so when his driver failed to arrive on schedule, there was nothing the Rav could do but continue to wait and wonder what had caused the delay. It could not have been due to Rabbi Buxbaum's having lost his way, he considered, and it was unlikely that the talmid had forgotten this appointment. After all, he had practically begged for the so-called honor, and in addition, they had made the arrangement only twenty-four hours before. Perhaps Reb Yosef, still inexperienced, was having trouble with his car? While Reb Shlomo Zalman waited, growing progressively anxious, Rabbi Buxbaum waited too, until the hands of his watch approached four-thirty. He had made a simple calculation; If they were to leave at four o'clock as planned; Reb Shlomo Zalman would be one of the first arrivals at the wedding, and that — to the new driver's mind — would not be appropriate. Everyone knows that weddings do not begin on time, he told himself, and for the Gaon to stand around waiting for everyone else to arrive before the wedding began would be an affront to his honor. When Rabbi Buxbaum arrived at the Auerbach home at four-thirty, to his great surprise he was greeted by a rather cross Reb Shlomo Zalman. In response to the Rav's question, "What kept you?" Rabbi Buxbaum explained his reasoning and assured the Rosh Yeshivah that he had acted in his best interests. Reb Shlomo Zalman saw things quite differently. "There are so many things a bridegroom has on his mind," Reb Shlomo Zalman admonished his student. "There are countless worries, aggravated by the fact that he is fasting too. One of his concerns is that the rabbi who is performing the ceremony arrive on time. I am to be the mesader kiddushin there — and I cannot bear the thought of my contributing to the chassan's anxiety. "I do not mind arriving half an hour early," he went on. "I can sit on the side and not be a bother to anyone. Anything is better than adding to the bridegroom's worries. So, listen to me, Reb Yosef this is the first time that we are riding together. I will not hold it against you if you choose to never drive me again, but if you do, the time we agree upon must be the time, and not a minute later."

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ As with everything he did, Rav Segal fulfilled the mitzvah of simchas chasan v'kallah (gladdening groom and bride) with fervor and dveikus (spiritual attachment). As he danced before the groom, his face shone and reflected intense concentration. So precious was this mitzvah to him that when he needed to undergo minor foot surgery, he expressed concern to the surgeon that as a result of the operation, his ability to dance might be hindered. The surgeon responded, "I did not know that people your age still dance." Why don't you find some other pastime than dancing. The Rosh Yeshivah said, my dear sir to us Jews dancing is not a pastime; it is a form of Divine service.

The Manchester Rosh Yeshivah, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Elyashiv once attended the wedding of A member of a distinguished family that had the custom that the chassan would give a derashah to the wedding guests. Before beginning to speak, the chassan turned to Rav Elyashiv to ask his permission to speak before him, and Rav Elyashiv sensed that the chassan was uncomfortable speaking. "Today, derashos?" Rav Elyashiv asked. "Today, people come to a wedding to eat and enjoy themselves." Hearing that, the mechutanim decided to forgo the customary derashah.

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 385

❖ In the Winter of 1969, New York was hit with a blizzard that blanketed it with more than a toot of snow. A wedding to which Reb Moshe Feinstein and his family were invited was scheduled for that night at a mid-town Manhattan hotel. That afternoon, Rav Shisgal and his Rebbetzin trudged through the snow to Reb Moshe's apartment building, from where a limousine was to take them to the wedding. The limousine never arrived. Someone present suggested to Reb Moshe, "The Rosh Yeshivah cannot go to the wedding in such weather — no one will go!" Reb Moshe responded, "No one will go? Then we must go!" They succeeded in borrowing a car but soon after they started out, the car broke down. Reb Moshe, Rav Shisgal, Reb Reuven, and their wives plowed through the snow to a subway station, and went to the wedding by subway. They returned the same way.

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ One of the Mir's supporters was to celebrate his grandchild's wedding in a luxury resort in Argentina and the Rosh Yeshivah, Rav Nosson Tzvi Finkel, was to take part in the simchah. This was a monied affair, and it was estimated that Reb Nosson Zvi would be able to raise about one million dollars for the yeshivah at this occasion. At the last minute, however, the Rosh Yeshivah canceled his participation. He concluded that his presence at the wedding would steal thunder from the baalei simchah. All the donations in the world could not justify causing someone distress.

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 230

❖ When Rabbi Pam was older and not as strong as he used to be, a younger Rosh Yeshivah in Torah Vodaath urged him to stop attending so many weddings. "You have been to thousands of them. It is enough." Rabbi Pam answered, "For me there have been thousands, but for the chassan, it is the only one."."

Torah Leaders, published by ArtScroll Mesorah

❖ Rabbi Joseph Elias once asked Reb Yaakov Kamenetsky whether he was obligated to attend the wedding of all his hundreds of students. His reply echoed the Alter: 'A rebbe must be a father. Did you ever meet a father who did not go to his child's wedding? Any rebbe who does not go to his students wedding loses his status as his rebbe.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ At a wedding, the Chazon Ish wanted to bring joy to the chassan. He borrowed a grey cap from one of the bachurim and wore it backward, thereby eliciting much laughter from the participants.

From Rav Chaim, by R' Naftali Weinberger, published by ArtScroll Mesorah

H. TO CARE FOR THE NEEDS OF THE SICK

(Torah Mandated Mitzvah), Sefer Chareidim 18-9

As it says "You shall teach them the path that they should walk upon (Shemos 18:20, Parshas Yisro)",

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Why is this so important?

SEFER CHAREIDIM

It is a fundamental mitzvah to visit the sick (bikur cholim) and exert oneself actively to attend to all their physical and medical needs. Chazal derived this duty from Scripture, teaching that the command to 'walk in the path' (Shemos 18:20) refers specifically to visiting the sick. Conversely, our Sages warned (Nedarim 40a) that whoever neglects to visit the sick is regarded as if he has shed blood, for timely attention and care often save a life.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Sfas Emes begins his study of Bikur Cholim in Parshas Vayeira in 5634. Quoting a teaching from his grandfather, the Chiddushei HaRim, the Sfas Emes explains that Hashem's Kingdom is called Zos. Every living creature draws its vitality from this inmost divine point (nekudah zos hapnimiyus). On ordinary weekdays, human thought is occupied with outward details. A person feels physical needs acutely and asks Hashem for help with each specific challenge. But on Shabbos, and in moments of sincere self-nullification (bittul), we set aside our personal ego. By sitting beside the sufferer in loving sympathy and directing our hearts toward Hashem, we help bypass surface complications. We reconnect the bedridden patient to the living fountain of divine vitality, allowing healing to flood both body and soul (Sfas Emes, Bereishis, Vayeira 5634).

• In Parshas Vayeira in 5657, the Sfas Emes examines the connection between circumcision and healing. The Sfas Emes contemplates a powerful verse in Devarim (32:39): "See now that I, even I, am He — I wound, and I will heal" (machatztzi va'ani erpa). Our ancient Sages found a deeper meaning in those words: read them as mechitzah she'asiti ani marpei—"The partition that I constructed, I Myself heal!" Our natural world was created with an obscuring partition (mechitzah) that hides Hashem's direct presence, making nature appear self-sufficient. The foreskin (orlah) is the physical symbol of that partition upon the human body. We help the patient see that vulnerability can dissolve the distance between the soul and Hashem. By standing with our friend in that quiet moment, we draw down gentle healing that comforts the body and lifts the soul (Sfas Emes, Bereishis, Vayeira 5657).

• In Parshas Vayeira in 5664, the Sfas Emes returns to Rashi's commentary on the opening verse of the parshah. Why did our Sages choose the tender language of lovesickness to describe a person suffering from physical illness? The Sfas Emes explains the inner psychology of suffering. The human soul (nefesh, ruach, neshamah) has an inborn desire to return to its Creator. The Midrash compares the righteous to a date palm (tzaddik katamar yifrach): just as a date palm reaches across distances toward its pair, so too our holy soul longs for Hashem.

However, during times of robust physical health, this inner homesickness is drowned out by the noise of daily desires. We sit beside the bed with genuine empathy, listening to his feelings and joining him in heartfelt prayer. By honoring that spiritual longing, we turn a difficult confinement into an opportunity for closeness with Hashem, soothing the lovesick heart and reviving its will to live (Sfas Emes, Bereishis, Vayeira 5664).

• In Parshas Shemini in 5637, the Torah introduces the laws of kosher food: "These are the living creatures that you may eat among all the beasts that are on the earth" (Zos hachayah asher tochlu, Vayikra 11:2). Rashi quotes Midrash Tanchuma on the unique phrasing of the text: "The word hachayah is an expression of life (lashon chayim). Because the people of Israel are bound to Hashem and are worthy of living, He gave them careful commandments; whereas to others, He gave no such restrictions. This is like a doctor who enters to visit two patients: one who has no hope of recovery, and one who can be cured." The care, prayers, and boundaries surrounding the sick person are not burdens; they are the loving attentiveness of the Heavenly Healer, who knows that our people are bound to the Source of life (chayim). By bringing this encouragement, we reignite the patient's determination, fanning that spark of vitality back into a strong flame of health (Sfas Emes, Vayikra, Shemini 5637).

• A guiding principle throughout the Sfas Emes's teachings is that true awareness of Hashem requires setting aside personal arrogance (bittul ha-yeish). During ordinary health, thoughts are easily dominated by pride and physical confidence. We feel strong, capable, and self-reliant, crediting our achievements to our own intelligence and vigor. The Sfas Emes teaches that this humility draws Hashem's presence close to the sickbed. As King David wrote, "Hashem is close to the brokenhearted, and saves those of crushed spirit" (Tehillim 34:19). The Divine Presence rests above the patient's head because his heart has become an open room, free of pride and receptive to Hashem's love. Entering a sickroom is an encounter with real holiness: we step into a quiet place where Hashem's presence is revealed through human humility (Sfas Emes, Bereishis, Toldos 5657).

STORIES FROM OUR SAGES:

❖ Rav Chelbo once fell ill, and at first none of the scholars came to visit him. Rav Kahana rebuked them, saying: "Did not such an incident occur with one of the disciples of Rabbi Akiva who fell seriously ill? None of the other sages had entered to visit him, so Rabbi Akiva himself entered to visit him. Because Rabbi Akiva personally swept the floor and sprinkled water to settle the dust before him, the student recovered and lived! The student exclaimed to him: 'My master, you have restored me to life!' Rabbi Akiva then went out and taught publicly: 'Whoever does not visit the sick is as though he sheds blood!'"

Talmud Bavli, Nedarim 40a

INSPIRATIONAL STORIES:

❖ One day the medical team which had cared for the Steipler in his last days appeared at the door. They sat alone with Reb Chaim Kanievsky and talked for a while. While they were there, Reb Chaim told them a story he had heard from the tzaddik, Rav Eliyahu Dushnitzer, zt"l. The latter had once met a Jewish pharmacist in Dvinsk who managed all of the various mitzvah organizations in the city, including the Chevra Kadisha, the Society for the Aid of Poor Brides, and so on. Reb Eliyahu asked the man how he had come to be given such great honor and responsibility. He explained that earlier in his life, he had strayed far from the path of the Torah and mitzvos. Once, however, he had met the Chofetz Chaim, who had given him the following advice: "Even though you're being paid for your services as a pharmacist, when you help people you should still try to have in mind the intention to observe the mitzvos of visiting the sick and healing them." These simple

words found a place deep in the pharmacists heart and, as a result, he came to repent of his former ways and embrace the Torah. Reb Chaim turned to the medical team and requested that they also try to have these mitzvos in mind whenever they treated patients'. Then he gave each of them a copy of the sefer Chayei Olam as a present. If they read it, he said, it would make it easier for them to fulfill this request. The members of the medical team then remarked that the weeks they had spent in the Steipler's company had given them very great encouragement and strength. They also said they had already gone to his grave to ask forgiveness if they hadn't treated him properly at any time.

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 291

❖ Heshy Schonfeld was dissatisfied. While he was making a good living selling top-quality closeout merchandise, he felt that there had to be more to life than just earning a livelihood. His business took up so much of his time, surely there had to be a way to do mitzvos and help others while he was at work! After much thinking, Heshy hit on a plan. Why not start a toy gemach (free loan organization)? He would provide the merchandise, and anyone who couldn't afford to buy toys for his children could simply come to the gemach and take one for free. No sooner said than done! Heshy immediately contacted the rabbonim and other prominent people in his area and explained what he was planning to do. "If you know of anyone who needs this service," he concluded, "please refer them to me!" One morning, Heshy received a call from Rabbi Lefkowitz. "I have a wonderful opportunity for the toy gemach," Rabbi Lefkowitz told him. "There's a young child, about five years old, who is in a state of chronic depression. He hasn't smiled since the age of one. Anyway, he recently asked his mother to get him a computerized speller. The parents simply can't afford the fifty dollars to buy the computer. Would you be able to help out?" "Of course! Thank you so much for telling me about this. I'll take care of it right away." The spelling computer was one item that Heshy had never dealt within his business, but he didn't hesitate. He gave his secretary fifty dollars and sent her off to the nearest toy store to buy the computer. A few days later, Rabbi Lefkowitz was back on the phone. "Heshy, you're not going to believe this. Your gift has literally turned the child into a different person. He began to smile and is acting completely normal. You saved his life!" Heshy felt both humbled and grateful for this experience. He thanked Hashem for giving him the opportunity to make such a difference in the life of a child. Some weeks later, Heshy was on a regular business trip, visiting one of his manufacturers to purchase some merchandise for his business. The manufacturer was busy listing the various items he had for sale. "I've got something a little different this time," he remarked. "I have a whole shipment of computer spellers, eight thousand in all, that are available for a really terrific price. They normally run at thirty to forty dollars, but I'll give them to you for five dollars apiece." "Five dollars!" Heshy exclaimed in astonishment. "That's incredible! Why hasn't anyone else taken this?" "I don't know," the manufacturer admitted. "It doesn't make sense to me either. All I can think of is that they don't know exactly what it is, and they just don't want to be bothered with something new." Heshy hesitated for a moment. Perhaps the other franchisers were right, and it would end up being a bad investment. But then he thought about what the computer had done for that child. Surely many people could benefit from this toy! "I'll take them all," he said. Heshy never regretted his decision. Within a short time, he had sold all the computers at eighteen dollars apiece, making a profit of over a hundred thousand dollars. Clearly, this was nothing less than Divine approval.

Visions of Greatness, Vol. 3, By Rabbi Yosef Weiss, Published by CIS Publishers

❖ A woman in Ofakim was suffering from a life-threatening illness which necessitated her taking certain pills. The pills contained a substance that posed a problem on Pesach, but given the seriousness of her condition, there was no question that she was obligated to take them. The woman, however, refused: she would not ingest chametz bePesach. Rav Shimshon stepped in. "You know." he told her. "there really is no question about it, you are right and it is forbidden to take these chametzdik pills. Yet, there is a solution according to the poskim. If you place the pill between two large pieces of matzah, then it becomes nullified to the matzah, and the chametz wouldn't pose a problem at all." The woman happily accepted this psak. For the Rav had perceived what was really in her heart, troubling her, "How can I eat chametz?" he took away the

chametz and made it matzah. In essence, that synopsizes the message that he shared with us: He took the chametz, the mundane acts of everyday life, the sleeping, eating, and interacting with people, and he taught us to elevate them, to fill them with meaning and significance. To saturate them with chiyus and light. He gave us matzah.

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Rabbi David Ashear relates the following story: About forty years ago, a man from our community, whom we'll call Freddy, was involved in building an organization that helps care for the sick. At one point, he was trying to convince his friend David to accompany him to visit a sick patient in the hospital. "That's really not my thing," David replied, "visiting a total stranger." But Freddy persisted. "You'll make his day. You'll feel so good about it." Finally, David agreed to go. They walked into the room of an elderly patient and tried to make conversation with him. But the gentleman remained stone-faced. They tried to make jokes, they tried to sing and do whatever they could to get a reaction, but the man did not move a muscle. After over thirty minutes of trying, the two visitors decided to leave. Freddy felt bad because he had told David that it would be an uplifting experience. As they walked the elevator, David realized he had left his bag in the room. He retraced his steps and, when he got to the door, he overheard the patient talking to a nurse. "Did you see those two men who were here? They're from my community. They came all the way here to visit me. Yes, they came just to visit me," he said, repeating it several times. David derived much satisfaction from those words, which gave him the encouragement to continue visiting sick people and trying to cheer them up. David could have left the hospital that day feeling as if he had wasted his time, but Hashem gave him the chizuk that inspired him for the rest of his life.

Table Talk, Edition 373 (Parshas Beshalach), by Rabbi Yitzi Weiner

❖ Rav Shlomo Zalman Auerbach used to visit a sick relative whose apartment was on the fifth floor of her building. In an effort to ease his progress up the five fights of stairs, the neighbors put out chairs on each floor, so that he could rest while making his way up. Rav Shlomo Zalman told his escorts that it was difficult for him to sit down and stand up repeatedly and, as such, the gesture did not benefit him, yet he nevertheless made a point of sitting down on every floor. He was concerned that if the neighbors found out that he wasn't using the chairs they out for him they might be offended, so he sat down and stood up unnecessarily four times, simply out of consideration for other people's feelings.

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ Rav Pam, zt"l, once had to be hospitalized. He brought along an English book with stories about gedolim. Knowing that Rav Pam wasn't going to be reading it, someone asked him why he had brought it. "People are going to be coming to visit me," he explained, "and I am sure some will arrive and find me sleeping. I just want them to have something to do while they're waiting."

Impact, Vol. 3, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ There are some downtrodden, downhearted people whose spirits can be cheered, to bring them out of despair; and there are others with whom it cannot be done. With them there is a need to descend, to come down to their level, and sit with them. This is what Reb Aryeh's son R. Chaim Yaakov Levin related: My father (of blessed memory) worked on both fronts. Those whose spirits could be raised he strove and put in effort to restore to good cheer. With those for whom it could not be done he descended to their level, went and sat with them, whether it was in a leper-hospital or in a hospital for the mentally ill. It was my father's practice that every Rosh Chodesh (first day of a Jewish month) in the afternoon he would take a small parcel from the house under his arm, and go. On Rosh Chodesh the classes at the elementary school at Yeshivah Etz Chayim (where he was employed) ended at noon, and he had free time. At home we knew already that we were not to ask where he was going and why. It was a practice that he kept up for a good many years. Once I went with him, though; and as we were walking, a man came over to my father and asked, "How is your relative getting along in the mental hospital?" My father answered, "The Lord be praised," and we continued on our way. "Father," I asked, "what relative do we have that is in the mental hospital?" Then he told me that once he visited the hospital to ask or recommend that someone

be taken in for treatment; and since he was already there he went visiting through the wards. One man there caught his attention: the poor soul was full of welts and wounds, and needless to say, my father became interested in him at once. (He always heard the still voice of another's pain.) Well, the other patients explained: "After all, we are ill, you know; and there are moments when we get wild and out of control. Then the orderlies restrain us by force, and at times they even hit us. Now, we all have relatives and families, so the orderlies are always a bit afraid that a visitor will come and find that they have injured his relative, and of course he will complain and raise a hue-and-cry! That poor invalid over there is the only one here with no family, no relatives at all. So the orderlies really treat him roughly. Whenever they lose their temper he bears the brunt of it. Without a word my father went over to the orderlies and told them that this patient was his relative. From that time on he remained my father's "relative"; and so he went to visit him every Rosh Chodesh, and brought him little presents. So it remained commonly accepted knowledge at the hospital, and eventually outside it, that this was a relative of Reb Aryeh.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ Once the assistant minister of health arranged that a car from his ministry should pick up Reb Aryeh Levin every day at his home and take him to the hospitals, so that the aged pious rabbi would not have to wear out his feet walking across Jerusalem to visit those confined to the hospital beds. But Reb Aryeh declined the service: "Look," he said, "I am old. The Torah I do not study properly. The little that is left for me is the mitzvah of visiting the sick. I would rather go on foot, so that at least the heavenly reward for walking will remain mine.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ My own memories of Joseph Beyda, my cousin, business colleague and, most of all, good friend — stretch affectionately and respectfully over many decades. His kindness and loving concern for others is exemplified in the personal recollection that follows. In the early 70's, Joseph and I, in order to ease the then often-strained family budgets, used to "car pool" together. He would supply his old beat-up VW bug; I would in turn split the parking fees with him. One evening, as we drove home, I mentioned to Joseph that I was quite concerned about my infant son, Ezekiel, who was suffering from a serious respiratory problem. The pediatrician had instructed that Ezekiel be monitored all night to assure that his symptoms did not worsen, which would necessitate a trip to the emergency room. My wife and I took turns watching him. I conveyed to Joseph that I was in for a long and worrisome night. The midnight shift was mine. As I was sitting apprehensively by the side of the crib keeping a close watch on my son, I was startled by a tapping sound at the window. It was one o'clock in the morning. Who could possibly be tapping? I went to the window apprehensively, only to see Joseph's face smiling at me. I opened the front door, and there he stood holding a paper bag containing two steaming cups of coffee. As he entered, he looked at me and simply said: "I thought you could use some company..."

Joseph: How One Man Can Make a Difference, By Jack Doueck, Published by Sephardic Press, p. 41

❖ One day a young man arrived in the holy land who was a member of the family of the noted Talmudic scholar R. Raphael Shapiro (who headed the Yeshiva of Volozhin, where Reb Aryeh Levin had spent happy and gainful years of study). Unfortunately, the new arrival suffered from tuberculosis, and there was no one who would agree to give him a place to live. When Reb Aryeh learned of this, he sent word at once to the young man that he was ready to put him up in his own house despite the fact that Reb Aryeh was then burdened with several small children in the house. Since he lived then in an apartment of one room with a kitchen, Reb Aryeh's good wife offered to sleep in the kitchen, and the sick young man took up his quarters in Rebbetzin Levine's bed near Reb Aryeh.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

I. TO PRAY FOR THE SICK

(Torah Mandated Mitzvah), Sefer Chareidim 9-39

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Is this essential in order to fulfill the mitzvah of visiting the sick?

SEFER CHAREIDIM

An essential dimension of bikur cholim is that upon witnessing a fellow Jew in distress, one must feel his anguish deeply within one's heart and entreat Hashem for divine mercy on his behalf. Indeed, halachah establishes that if someone visits a sick person but fails to pray for his recovery, he has not fulfilled the essential obligation of bikur cholim. This tefillah must emerge from sincere empathy and profound kavvanah (intention of the heart).

STORIES FROM OUR SAGES:

❖ The Sages taught in a Braisa: An incident occurred when the son of Rabban Gamliel fell gravely ill. Rabban Gamliel sent two Torah scholars to Rabbi Chanina ben Dosa in his town to beg for heavenly mercy on the boy's behalf. As soon as Rabbi Chanina saw them arriving, he went up to his upper chamber and prayed for mercy on him. When he came down, he said to the messengers: "Go home in peace, for the fever has just left him!" They asked him in amazement: "Are you a prophet?" He replied: "I am neither a prophet nor the son of a prophet (cf. Amos 7:14); rather, I have received this tradition: if my prayer flows fluently in my mouth, I know that the sick person's healing has been accepted on High; and if not, I know that his condition is critical." The messengers sat down, wrote down the exact hour, and when they returned to Rabban Gamliel's house, Rabban Gamliel told them: "By the Temple service! You are neither a moment early nor a moment late—that was the exact hour the fever broke and he asked us for water to drink!" And another incident occurred when Rabbi Chanina ben Dosa went to study Torah under Rabban Yochanan ben Zakkai, and the son of Rabban Yochanan ben Zakkai fell ill. Rabban Yochanan said to him: "Chanina, my son, pray for mercy upon him so that he may live!" Rabbi Chanina placed his head between his knees, prayed for mercy upon the child, and he recovered. Rabban Yochanan ben Zakkai remarked humbly: "Even if ben Zakkai had pressed his head between his knees all day long, Heaven would not have paid heed to him as quickly!" His wife asked him: "Is Chanina then greater in Torah than you?" He answered her: "No; rather, he is like an intimate household servant before the King who may enter at any moment without an appointment, whereas I am like a formal minister before the King."

Talmud Bavli, Berachos 34b

INSPIRATIONAL STORIES:

❖ Earlier in the week, I was paying a shiva visit to the family of Nachum Pechatnikov z'l. His daughter, Dr. Esther Krug, shared the following story about her great-grandfather, Reb Zalman Yosef Pechatnikov. He was an affluent Jew who committed his life and the lives of his family to Hashem and His Torah during the darkest periods of Jewish history. He ensured that his children and grandchildren maintained Jewish names and that all had bris milah. For us American folk, this might sound quite benign. However, anyone who understands what was happening in Russia after the Bolshevik Revolution would be astonished that such a man lived in the heart of St. Petersburg. At the beginning of the 1900s, Reb Zalman Yosef owned a palatial seven-room flat with plumbing and electricity in St. Petersburg. After the Bolsheviks successfully overthrew the Czar, they began confiscating homes and businesses from the bourgeoisie in the name of Communism. Reb Zalman Yosef understood that his flat would also be taken and reallocated to the proletariat. Despite his comfortable living quarters, he had the insight and clarity of mind to take swift action and make the best of a terrible

situation. At that time, there were many displaced, honest Jews who were on the run from the KGB for being religious or committing similar "crimes." The first place a displaced Jew would go was to the shul. Reb Zalman Yosef made it a point to find such homeless Jews at the shul -- those who had no place to go -- and bring them into his home. He even told his guests that he wanted them to relocate permanently to one of his rooms. In a short time, his entire flat became fully populated with six families, in addition to his own. Each family had one room, and they shared a common bathroom and kitchen. As it turned out, the daughter of one of his "guest" families married his son, Shimon Mordechai, from whom Dr. Krug's father, Nachum, was born. He was zoche to have descendants who are yirei shamayim and shleimim -- honest, upstanding, G-d-fearing Jews.

Table Talk, Edition 423 (Parshas Vayechi), by Rabbi Yitzi Weiner

❖ It was not unusual for those waiting to speak to the Skverer Rebbe to be standing in line in his home at 2 a.m. People came to ask questions or receive advice about their children, businesses, and other matters. This particular time, the line included a young man named Yoni. He was about 18 years old and was dressed in jeans and a very nice three-button shirt: standard fare for someone dressing nicely on a Saturday night, but not exactly standard dress for those coming to see the Rebbe. Yoni's clothing and white-crocheted yarmulke drew more than a few glances from the others — mostly dressed in shtriemlach and long coats — as they all waited patiently for their turn. Finally, it was Yoni's turn. He walked into the Rebbe's inner chamber with some trepidation. Gathering his courage, he looked at the Rebbe and asked him for a berachah for a refuah sheleimah for Yerachmiel ben Baila. The Rebbe looked up, and then closed his eyes, and repeated with great concentration, "Yerachmiel ben Baila zol hubben ah refuah sheleimah." As he was about to leave, one of the Rebbe's gabbaim grabbed Yoni by the arm and asked excitedly, "From where do you know the name Yerachmiel ben Baila?" Yoni explained that he worked in the summer in a camp called HASC (Hebrew Academy for Special Children). "All types of children, from all different backgrounds, come to HASC. Well, Yerachmiel ben Baila is my camper. I spent every day with him the first half of the summer. I dressed him in the morning and played with him and fed him and even put him to bed at night." The man listened carefully. As Yoni continued speaking, he couldn't help but wonder why the man was so interested. "Today is Yerachmiel's birthday. I wanted to buy him a birthday present, but I could not figure out what to get him. He would not be able to play with a video game or even a ball. So I decided to come to Skver, since the boy is a Skverer chassid. I figured that the best birthday present I could get him would be a berachah from his Rebbe So that's why I came here tonight." Yoni was surprised to find that the man to whom he had been speaking was crying. "I'm sorry. Did I say something wrong?" "No, not at all I just want to thank you. You see Yerachmiel ben Baila is my son."

Touched By Their Tears, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ A resident of Ofakim whose wife was diagnosed with a terminal illness and needed immediate surgery. The operation was scheduled to take place in Manhattan, in Sloan Kettering Hospital, and Rav Shimshon insisted that, since he spoke English, he would accompany the patient, so that her husband could take care of the children, Rav Shimshon flew to New York, where he devoted himself completely to her welfare. On the morning of the surgery Rav Shimshon made sure the patient was settled in, and left her in the car with his sister-in-law, who had also accompanied her from Israel, excusing himself. He left for about an hour and a half, then returned and continued to take care of everything. Later that day, the sister-in-law met a woman from Brooklyn and they began to chat, When she mentioned that she lived in Ofakim, this woman asked her, "What tragedy befell the Rav of Ofakim? I heard that something terrible happened!" The woman asked her what she meant, and she explained that in the morning. Her husband had gone to dawn Shacharis in the Shomrei Shabbos shul, in Borough Park. He related to his wife that when he had gone to the shuls basement to make himself a cup of coffee, he had seen the Rav of Ofakim, wrapped in a tallis, weeping like a baby. The heartrending sobs emerging from beneath the tallis had convinced him that something terrible had happened.

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Reb Yaakov Kamenetsky's advice on how to pray for a terminally ill person reflects his belief in the perfection of the Creation. Rather than praying that the patient be miraculously cured, one should pray that a cure be found for the disease. To pray for the individual alone is to pray for a miracle. But since Hakadosh Baruch Hu always prepares a cure before sending a disease, the cure must already exist in nature and is just waiting to be discovered. Thus, praying for discovery of the cure is not a request that Hashem alter the natural order.'

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

J. TO CONVERSE WITH THE SICK

(Torah Mandated Mitzvah), Sefer Chareidim 12-47

SEFER CHAREIDIM

Another vital component of bikur cholim is engaging the patient in uplifting conversation. As Rabbi Shlomo ibn Gabirol observed in his ethical teachings: 'Speak comforting words to the ill.' Gentle, encouraging conversation soothes the patient's spirit, alleviates his isolation, and strengthens his emotional and physical resolve.

STORIES FROM OUR SAGES:

❖ Rabbi Chiyya bar Abba fell ill. Rabbi Yochanan went in to visit him and asked him gently: "Are these sufferings dear to you —do you wish to endure them for their heavenly reward?" Rabbi Chiyya bar Abba replied honestly: "Neither they nor their reward!" Rabbi Yochanan said to him: "Give me your hand!" Rabbi Chiyya bar Abba gave him his hand, and Rabbi Yochanan raised him up and healed him. Later, Rabbi Yochanan himself fell ill. Rabbi Chanina went in to visit him and asked him: "Are these sufferings dear to you?" Rabbi Yochanan replied: "Neither they nor their reward!" Rabbi Chanina said to him: "Give me your hand!" Rabbi Yochanan gave him his hand, and Rabbi Chanina raised him up and healed him. The Gemara asks: Why did Rabbi Yochanan wait for Rabbi Chanina—why did Rabbi Yochanan not simply raise himself up just as he had healed Rabbi Chiyya bar Abba? The Sages answered with a proverb: "A prisoner cannot free himself from prison (ein chavush matir atzmo mi-beis ha'asurim)—it takes the hand of another person reaching in from outside to lift someone out of distress."

Talmud Bavli, Berachos 5b

INSPIRATIONAL STORIES:

❖ A bachur was sick at home, and Reb Leizer Geltzhaler called to ask him how he was feeling. The Rosh Yeshivah learned that no other bachurim had called, and that night, he delivered a shmuess asking how it could be that a bachur was ill and none of his friends had thought to call or visit. "Just imagine," the Rosh Yeshivah said, "if you prepare to go to sleep and there are no linens on your bed, if you wake up in the morning and your shoes are missing You will react right away, notice it, and take action. Why? Because it's important to you. A bachur from yeshivah should be no less important to you than your comforts!" The surprised bachur received twenty phone calls within the next half hour'.

Reb Laizer, By Rabbi Yisroel Besser, Published by Judaica Press

K. TO HELP THE SICK DO TESHUVAH

(Torah Mandated Mitzvah), Sefer Chareidim 12-48

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- In which two ways does this help the sick person?
- Who does this help, the sick person or the healthy person?

SEFER CHAREIDIM

It is a sacred mitzvah to assist a critically ill person in returning to Hashem in teshuvah, gently encouraging him to examine his deeds and plead for divine mercy. One who does so merits immense spiritual reward. Concerning such an individual, Scripture proclaims: 'Fortunate is he who considers the sick; in the day of evil Hashem will deliver him' (Tehillim 41:2). This implies that through inspiring the patient to repent, he may cause the illness to be lifted and his life spared. Furthermore, even if death has already been decreed in Heaven, Hashem will deliver the patient from the judgment of Gehinom, and the one who facilitated his teshuvah will likewise be rescued from retribution on the 'day of evil.'

INSPIRATIONAL STORIES:

❖ When Rav Shisgal was in the hospital, Rav Shisgal's family wanted him to have a private room during his hospital stays, so he can recover in privacy. However, he resisted this suggestion, and insisted on sharing a room in the hospital. He said that having roommates afforded one the opportunity to perform acts of chesed to his roommates. Not only did he help them physically, but he would help them spiritually as well. He would help and encourage them to make brachos, and he would help them come closer to Hashem.

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

L. TO GO TO A FUNERAL

(Torah Mandated Mitzvah), Sefer Chareidim 18-11

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is the best way to escort the dead?
- What is the minimum?
- If one does not escort the dead who is he disrespecting?

SEFER CHAREIDIM

Escorting the deceased to their final resting place (halvayas hameis) is among the highest expressions of lovingkindness, with the primary mitzvah being to accompany the procession until the burial is complete. Anyone who sees a funeral procession and fails to escort the deceased for at least four amos incurs grave spiritual culpability, as Scripture warns: 'He who mocks the destitute reproaches his Maker' (Mishlei 17:5), which Chazal apply to one who dishonors the helpless dead.

STORIES FROM OUR SAGES:

❖ Originally, the financial expense of burying the dead in costly embroidered garments was harder on the grieving relatives than the death itself—until poor relatives would sometimes abandon their deceased and flee out of shame because they could not afford expensive shrouds. This continued until Rabban Gamliel (the Prince of Israel, despite his great

wealth) came and waived his own personal honor, instructing in his will that he be carried out for burial in simple white linen garments. Following his example, the entire nation adopted the custom of burying everyone—rich and poor alike—in simple linen garments. Rav Pappa added: "And nowadays the universal custom is to use even plain hemp-linen worth only a single silver zuz, so that no family is ever put to shame."

Talmud Bavli, Moed Katan 27b

INSPIRATIONAL STORIES:

❖ A talmid (student) of Rabbi Dovid Trenk was trying to get a child into school, but it was proving difficult. After several tries, he learned why the administration was hesitant to accept the young boy. They had learned that the father sometimes wore blue jeans, a look they associated with a different approach than the one they were trying to imbue in their talmidim. They were kind, but firm, and suggested that he "apply to a school more in line with his lifestyle." The father felt badly, and he shared his anguish with his rebbi, Rabbi Trenk. A few minutes later, Rabbi Trenk stood at this talmid's door, carrying an envelope. Inside was a picture, an old black and white shot of a teenage boy with a big smile. It took the host a moment to realize what he was looking at. "It's Dave Trenk, age seventeen," said Rabbi Trenk proudly, "in jeans, he's wearing jeans, do you see?" And then Rabbi Trenk turned and he was gone, because while he couldn't get the boy into the school they had wanted, he could put things in perspective and give them a reason to smile and feel good about themselves. On another occasion, a young Lakewood father passed away suddenly, and the levayah (funeral) was painful and heart-wrenching. Speaker after speaker addressed the son of the niftar, who was a struggling teenager, telling him how he would have to rise up to the occasion and continue in his father's way. Without being asked, Rabbi Trenk jumped up after one of the maspidim and gave a derashoh of his own. "The niftar had a zechus, what a special young man he left over; what a great boy, I know how he learns, how he davens. His father was so proud of him and he is so proud of him and he will be so proud of him." Rabbi Trenk hugged the new orphan and sat down, his message complete.

From Just Love Them, The Life and Legacy of Rabbi Dovid Trenk, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

M. TO GIVE A EULOGY

(Torah Mandated Mitzvah), Sefer Chareidim 12-49, 47-29

As it says "and Abraham came to eulogize Sara and cry for her" (Bereishis 23:2, Parshas Chayei Sara)

SEFER CHAREIDIM

It is an important mitzvah of gemilus chasadim to deliver an appropriate eulogy (hesped) for a righteous or upright person who has passed away. Chazal cautioned (Shabbos 105b) that whoever is indolent in eulogizing a worthy person deserves to be buried alive — meaning his days will be curtailed. Indeed, the Gemara (Yevamos 78b) reveals that the three-year famine that struck the Land of Israel during the reign of King David occurred because Klal Yisroel failed to eulogize King Shaul with the dignity required by halachah.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• Regarding Hesped HaMeis, the Sfas Emes explains why the eulogy must explicitly recount the specific good deeds and noble character traits of the deceased. The Sfas Emes answers that the noble traits of Avraham, Yitzchak, and Yaakov were indeed passed down as an eternal heritage to our people. However, during the darkness of exile and the distractions of material life, those ancestral virtues become deeply hidden. They lie buried beneath layers of worldly anxiety and forgetfulness—a condition the Rebbe describes as "in the time of exile they are concealed". When the speaker in a eulogy articulates the piety, charity, and patience of the departed, the matching spiritual strings inside our hearts begin to resonate. The eulogy resurrects the virtues of the dead within the living conduct of the survivors (Sfas Emes, Shemos, Va'eira 5632).

• The foundational reason for eulogizing and weeping over the deceased is rooted in the spiritual bond connecting the righteous to their generation. Why was the entire nation commanded to weep over two individuals? The Sfas Emes explains that Nadav and Avihu were completely righteous men—a status our Sages term complete righteousness (tzaddikim gemurim). The Talmud in tractate Berachos 34b states that in the spiritual rank where returnees to Hashem stand, even completely righteous individuals cannot stand. When the generation of the wilderness fell short in their spiritual service, strict divine justice sought to strike the community. Nadav and Avihu stood at the summit of holiness. When we weep for those who carried the burden of our generation, we acknowledge that their holy lives shielded our own. Our tears become a pledge of renewal and an act of gratitude, elevating the departed soul while purifying our community (Sfas Emes, Vayikra, Shemini 5640).

• Regarding eulogizing the dead, the Sfas Emes examines how participating in the grief of others elevates an individual into the collective destiny of the Jewish people. The Sfas Emes explains that a human being who lives solely within his own private concerns is locked in spiritual isolation. If his neighbor suffers a loss and he turns away with casual indifference, his soul remains shrunken to the narrow dimensions of his personal comfort. Such an individual has disconnected himself from the living body of our people. When Hashem sends collective redemption upon our people, this isolated person has no vessel to receive it. We weep not as detached spectators, but as limbs of a single living body. We ensure that when Hashem comforts the mourners of Zion and Jerusalem, our hearts will be open and ready to receive the light (Sfas Emes, Shemos, Shemos 5643).

• Regarding eulogy, the Sfas Emes reveals that tears of mourning are the inverted reflection of sacred song. Why do our Sages pair weeping and song as two complementary expressions of human experience? The Sfas Emes explains that Megillas Eichah, the scroll of lamentation, is an integral portion of our holy Torah. It holds equal spiritual weight with Shir HaShirim, the Song of Songs. The Holy Temple once stood in Jerusalem, and Hashem's presence was openly revealed. In those days, our connection with Hashem was celebrated through singing, music, and sacred dance. When the Temple was destroyed, that open bond was severed. Through the vocal praises and tears of the eulogy, we allow our souls to resonate with the departed. Our tears testify that the love between us was holy, enduring, and rooted in eternity (Sfas Emes, Devarim, Devarim 5647).

• Regarding eulogy, the Sfas Emes centers on the honest experience of grief. In tractate Ta'anis 30b, the Talmud famously declares: "Whoever mourns over Jerusalem merits and sees her joy." What is the underlying connection between active mourning and the attainment of ultimate joy? The Sfas Emes points out that our Sages frame this promise in the present tense: "merits and sees her joy." This phrasing means that the experience of comfort is far

greater than an external reward waiting in the distant future. The seeds of joy are generated directly within the very labor of mourning itself. When a person refuses to mourn, pretending that loss is unimportant, his heart remains calloused and numb. It articulates the exact dimensions of our loss. By allowing the community to feel the pain of the break, divine comfort can enter the very core of our hearts (Sfas Emes, Devarim, Ki Savo 5653).

INSPIRATIONAL STORIES:

❖ There were times when Rav Shimshon Dovid Pincus's profound sensitivity motivated him to remain silent. One example occurred when he attended the levayah of a close friend, and all were certain that he would speak extensively about the tributes of the niftar. Everyone was thus surprised when he, indeed, rose to speak, but short of bursting into tears and expressing several words of chizuk, ended his speech uncharacteristically quickly. Replying to a talmid who asked why he'd ended off so quickly, Rav Shimshon explained, When a person gives a good derashah, he can't help but feel a sneaking sense of satisfaction since we're only human. When it's a regular sichah or derashah, it's not that bad, but during a hesped?! I can't handle feeling good about myself with the niftar lying before me." As a general rule, Rav Shimshon avoided delivering any hespedim, particularly in tragic circumstances, explaining that the slight pleasure and "geshmak that I'm liable to feel upon witnessing the hisoreus of the tzibbur minimizes the pain and anguish that I should feel upon the tragedy."

From Rav Shimshon Pincus, published by Feldheim / ArtScroll

N. TO BURY THE DEAD

(Torah Mandated Mitzvah), Sefer Chareidim 16-32

As the Torah says "You shall surely bury him that day, (Devarim 21:23, Parshas Ki Seitzei)"

SEFER CHAREIDIM

Although the scriptural verse regarding burial explicitly discusses a person executed by the court — mandating, 'You shall surely bury him on that day' (Devarim 21:23) — Chazal derived through oral tradition (Sanhedrin 46b) that this commandment applies to every deceased Jew. Providing a timely and respectful burial represents one of the foremost obligations within the mitzvah of lovingkindness.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

ABARBANEL (DEVARIM 21)

By burying the dead as soon as possible it is a chesed to the living because it will prevent illness and disease from spreading.

RAV SAMSON RAPHAEL HIRSCH — CHOREV (CHAPTER 61)

This is a chesed to the deceased so that we do not see his body in a degraded state of decomposition.

In addition it allows the body to return to the elements so that it can create new life.

RAMCHAL — DERECH HASHEM (PART 1, 3:9, 11)

The burial and decomposition of the body, allows the body to become purified from the consequence of sin, so that the body can be recreated in a purified way for techias hameisim.

In the original state of the world, death was not necessary. Originally evil and good had an equal balance and man simply had to choose the good and overcome the evil to become the baal hashleimus and immediately get the pleasure of the reward in olam haba.

The olam haba would take place by the neshamah purifying and "spiritualizing" the body to such a degree that even the body would get the pleasure of being close to Hashem.

However, after he did the sin, Adam put chisaron (anti-G-dliness) into himself and into the entire world. It is now much harder to reach shleimus. He now has to overcome the chisaron in himself and in the world in order or return the world to the state of Adam Harishon before his sin, and after that to bring himself to the state of shleimus.

Additionally, because he incorporated ra into his body and into the world, the body will have to die and the world will have to be destroyed and both will be rebuilt in a pure form before they can attach to Hashem.

RASHBAM

If the body is not buried immediately people will more easily become tamei, impure from this corpse.

SFAS EMES

• The foundational reason for burial rests on the profound connection between the quiet grave and the future resurrection of the dead. Why would Sarah, whose entire life was filled with generous action, devote so much thought to an underground cave? The Sfas Emes explains that human mortality and the promise of revival were woven into creation from the very beginning. When Adam and Chava (the first man and woman) ate from the forbidden tree, they brought physical death into the world. But Avraham and Sarah, through their devotion to the Creator, planted the reality of resurrection into our world. The Sfas Emes teaches an astonishing principle: Jewish burial is an agricultural planting of the human frame. We are acting as faithful gardeners of the Almighty. We plant the body with tears and reverence, knowing that the holy spark within it will sprout when the dead awaken to everlasting joy (Sfas Emes, Bereishis, Chayei Sarah 5662).

• In this teaching, the Sfas Emes illuminates the famous plea that our father Yaakov made to his son Yosef: ("Deal with me in kindness and truth; please do not bury me in Egypt" — Bereishis 47:29). Rashi explains that kindness done for the departed is called Chesed Shel Emes (kindness of truth) because the person who performs it expects no repayment. Yet in the Talmud, tractate Kesubos 111a delivers a sharp warning: one who lives abroad and asks to be brought to the Land of Israel for burial faces severe spiritual judgment. The prophet warns: "You made My heritage an abomination during your life, and you came and defiled My land in your death." Why, then, was Yaakov so determined that his sons carry his physical body out of Egypt to Canaan? Why was this so vital for Yaakov? The Sfas Emes resolves this question with a powerful distinction. Despite all our wanderings and struggles in this material world, our true life belongs to Hashem. Burial strips away worldly illusion and restores our physical frame to the soil of truth (Sfas Emes, Bereishis, Vayechi 5641).

• Regarding burial, the Sfas Emes centers on the inner harmony between a person's daily choices and the resting place of their body. The Sfas Emes explains that both Sages describe an essential truth about human life. In our spiritual reality, there exists both an outer world and an inner depth, a lower home on earth and a higher root above. Every physical deed we perform below is linked to a spiritual reality above. Our mission in life is to unite these two realms. When we return the body to the dust, we help complete this reunion between the physical vessel and its spiritual home. The quiet grave becomes the sanctuary where the earthly form rests in peace, aligned with the holy source that gave it life (Sfas Emes, Bereishis, Chayei Sarah 5656).

• Regarding burial, the Sfas Emes connects the selfless kindness shown to the departed with the immortal power of the Torah. The Sfas Emes asks: why is this highest form of kindness highlighted specifically on Shavuos, and where do human beings find the strength to act with such pure selflessness? The Sfas Emes answers that absolute kindness cannot come from ordinary human nature alone. In daily life, our natural compassion is almost always mixed with subtle self-interest. We enjoy feeling generous, we value our reputation, or we hope that kindness will be returned when we face hard times. Pure kindness that is completely free of self-serving motives can only be drawn from the Torah, which our tradition calls Toras Emes (a Torah of truth). We do not honor our brothers and sisters to win their approval or receive a favor in return. We bury them because the Torah has placed within our hearts the divine capacity to share unconditional love with those who can never repay us (Sfas Emes, Moadim, Shavuos 5656).

• Regarding burial, the Sfas Emes addresses the deep purification that our physical body must undergo before entering the World to Come. Why is physical death and burial an unavoidable passage for almost every human being? The Sfas Emes explains that ever since Adam ate from the tree, our physical frames have been wrapped in an earthly density. The Gerer Rebbe calls this layer "the unrefined outer skin of the body". This coarse physical layer acts like a heavy curtain, dimming the pure light of the soul. Even the greatest tzaddik (a truly righteous person), who guarded every thought and sanctified every meal, lived inside a physical vessel formed from the fallen dust of our world. When we lower a loved one into the grave, we place a precious vessel into the caring hands of our Creator. We entrust the body to the earth so that its temporary flaws may fade, allowing the purified vessel to shine with everlasting beauty (Sfas Emes, Bamidbar, Pinchas 5661).

MORAL DILEMMAS:

Dovid was living in the US and his sister lived in Eretz Yisrael. Sadly Dovid's sister passed away in Yerushalayim. The custom in Yerushalayim is to do the levayah and burial right away, even at night. The funeral was going to be on a Thursday night, Due to the COVID-19 restrictions, Dovid was unable to travel to Israel in time for the funeral. He was asked to give one of the eulogies. Since he was unable to be there in person, he was asked to deliver his eulogy at the funeral over Zoom. Dovid faced the following dilemma. The halachah states that we don't give a eulogy on Rosh Chodesh. Rosh Chodesh is a holiday and we are unable to eulogize it because it will diminish the joy of the holiday. Dovid was in the US and Thursday was Rosh Chodesh. But in Eretz Yisrael, which was 7 hours ahead, it was already night and Rosh Chodesh was over. Dovid wondered if he was allowed to give the eulogy to the crowd gathered in Eretz Yisrael. It was no longer Rosh Chodesh for them, and perhaps it was permitted. But on the other hand, for him it was still Rosh Chodesh. Was he, the brother of the deceased, allowed to give a eulogy if it was Rosh Chodesh for him, but not for the crowd who was attending the funeral? Does the halachah prohibiting a eulogy on Rosh Chodesh, revolve on the listeners of the eulogy, or on the giver of the eulogy? This question was asked to Rav Yosef Berger. What do you think?

Answer: Regarding the question, Rabbi Berger instructed Dovid, the aveil who lost his sister, that he had to keep his words of hesped limited to conform with the laws of Rosh Chodesh.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

In 1941, tens of thousands of the Kovna ghetto residents faced transport to the death camps. One man, who used to be a very wealthy and prominent person, approached Rabbi Ephraim Oshry with the following moral dilemma: Judaism normally prohibits suicide. Are there conditions where it is permitted? Firstly, he feared that if he gets transported, he may die a painful and tortuous death. Can he take his life in the Ghetto to ensure that he dies a relatively painless death? Secondly, it was very common for a wife and children to be killed in front of the father's eyes. He didn't feel that he could bear the sight of witnessing their death. And finally, if he got transported and sent to the death camps, he would be cremated. Can he commit suicide to ensure that he gets a proper Jewish burial in a Jewish graveyard? Would the value of being buried properly rather than cremation permit suicide? On the other hand, suicide is tantamount to murder. Additionally, perhaps his suicide would demoralize others and lead to other suicides. Should he be concerned about that? Would his suicide or a series of suicides be a desecration of G-d's name, demonstrating that the Jews have given up hope and have lost their faith in G-d and their faith that things would get better?

Answer: Rav Ephraim Oshry ruled that although certain authorities (such as the Besamim Rosh, Siman 345, and the Yad Ephraim) find halachic grounds to judge gently one who took his own life out of fear of unbearable torture or the agony of watching his wife and children slaughtered before his eyes (analogous to King Shaul and King Tzidkiyahu), it is strictly forbidden to issue a public halachic ruling permitting suicide in the ghetto. Doing so would constitute a grave Chillul Hashem by implying that the Jewish people had despaired of Hashem's salvation, and would play directly into the hands of the Nazi murderers, who constantly taunted the Jews of Kovno asking why they did not commit mass suicide like the Jews of Berlin. Rav Oshry records with pride that bolstered by this faith, almost no one in the Kovno Ghetto took his own life, and the community endured with unbroken trust in Hashem.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 1, Siman 6

A family once purchased a burial plot in Eretz Yisroel from the chevra kadisha. The day after a family member passed away the family gathered to bury the deceased. As the workers were preparing the grave they hit something hard. After close scrutiny they realized that it was a cache of ancient silver coins from the time of the second Beis Hamikdash. The family was very excited about the find. However when the chevra kadisha heard they story, they objected. The chevra kadisha argued that the found treasure belonged to them. They did not sell the family a piece of real estate. They only sold them an area to bury their dead in which case the found treasure belonged to the chevra kadisha. To bolster their point they argued that this plot of land could not be used for any personal projects. It was only to bury the dead. The family, however, argued that they purchased the plot of land which constitutes a chatzer. When one owns a chatzer, that very land can affect a kinyan, a legal transaction, in which case the chatzer made a kinyan on the coins and they owned the coins already at the time that it was found. What do you think? Who had the right to the treasure. The family or the chevra kadisha?

Answer: Regarding the question of the cache of coins found in the grave, Rav Nissim Karelitz zt'l answered that the purchase of the plot was only for burial and the family does not own anything outside of that right.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 234

A Holocaust survivor wrote his own siddur in the camps, in order to remember the davening. When he died after the war he asked his children to bury the siddur with him to be a zechus for him. The children want to know if they should listen to their father, or perhaps it is not respectful to bury a siddur that can still be used?

Answer: Rav Yitzchak Zilberstein rules that it is forbidden to bury a kosher, usable handwritten siddur in the grave, even to fulfill the deceased survivor's final wish. As the Shulchan Aruch (Yoreh De'ah 282:10) and Mas'as Binyamin (Siman 57) establish, only a Sefer Torah or siddur that is worn out and unfit for use (baleh) is placed in genizah; burying a usable siddur violates the prohibition against destroying sacred texts (lo sa'asun ken la-Hashem Elokeichem) and lowers its sanctity (ma'alin ba-kodesh v'ein moridin). Instead, the children should preserve the siddur in a place of honor and pray from it on auspicious occasions in their father's memory.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 111

One of America's Torah giants passed away Erev Pesach. His children knew that he very much wanted to be buried in Eretz Yisrael. They wanted to fly him to Israel to be buried there. However, because it was so close to Pesach there wasn't enough time for him to fly to Eretz Yisroel before the Yom Tov. They were faced with the following choice. They could delay the burial until after Yom Tov and then fly him to Eretz Yisroel. Or they could bury him immediately in America and later perhaps reinter him. There is a mitzvah to bury a body as soon as possible. There is also a mitzvah to fulfil, the wishes of a deceased person and a mitzvah to be buried in Eretz Yisroel On one hand being buried in Eretz Yisroel is what the deceased wanted. But that would entail having to delay the burial for a few days. On the other hand being buried in America is not what he wanted. And it is always preferred not to have to reinter a body? What do you think the halachah would require the family to do?

Answer: Regarding the question of whether to wait to bury the tzadik in Eretz Yisroel, Rav Elyashiv answered that it is more important to bury the deceased as soon as possible than to bury him in Eretz Yisroel.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 418

A young man in his twenties called with a tragedy. His mother, who was only forty-five years old, suddenly passed away. She was in the prime of her life, and her death came as a complete surprise. All of her immediate family, her siblings and parents, lived in France. When they were notified of her passing, they said they didn't think they would be able to arrive in time for the funeral. Keep in mind that in Eretz Yisroel it is customary to hold the funeral very quickly. Also, in Eretz Yisroel they often do not bury with a coffin; rather, the body, wrapped in a Talis or Tachrichim is buried directly in the ground. Since the relatives said they likely would not be able to attend, the immediate family proceeded with the funeral. It was a very small affair, basically just the members of the Chevra Kadisha and enough people to make a minyan. The funeral was conducted, and the mother was buried. After the funeral, the son received a call from his relatives from France. They informed him that everyone had decided to charter a plane and come after all. They were actually calling from the plane. They asked him to please hold off on the funeral, they had already made arrangements, paid for the charter, and were on their way with all the cousins and extended family. The son then approached Reb Zilberstein and asked, "What should I do? My mother is already buried, and her whole family who is traditional but not observant is coming. I have no doubt that they will be extremely upset that they missed the funeral. I also know that attending a funeral could be a meaningful, positive Jewish experience for them. If they arrive and realize they missed it, it will likely cause a great deal of family strife and arguments. I'm also concerned that they may develop resentment toward Rabbanim or religious Jews in general if they miss the funeral. "Is there any halachic consideration to "unbury her" to exhume her and hold a new funeral? Sometimes exhumation is permitted under certain conditions, for example, to transfer someone to be buried in Eretz Yisroel. For the sake of avoiding all this

conflict, is there room to unbury her and rebury her? "And if not," the young man proposed a radical idea, "if the issue is simply burying a body wrapped in shrouds, could we, without anyone knowing, bury a mannequin wrapped in shrouds? Potentially no one would know, and it would avoid all the fighting and strife." That was the question Rav Zilberstein was asked. What do you think? What would the Torah perspective be? Would the Torah say, 'So sorry, but it's too late'? Would it permit reburial? Or would it allow a "mock" funeral? What do you think?

Answer: Regarding the question about the funeral, Rabbi Yitzchak Zilberstein wrote that it would not be permitted to exhume the body. However, regarding the second idea, he said that if this would prevent a major argument within the family, it would be considered a merit, a zchus for the soul of the deceased, to take a "bubah gedolah," wrap it in tachrichim, and hold another "Levayah." This should only be done if extreme care is taken to ensure that the family does not discover what was under the tachrichim.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Nedarim, p. 340

Sam works for a municipal funeral home. A non-Jewish family requested that the body of their deceased relative be cremated. Is a Jewish employee permitted to assist in cremating a gentile, or does this violate Noahide law or Lifnei Iver?

Answer: Rav Yitzchak Zilberstein asked his father-in-law, Rav Yosef Shalom Elyashiv zt"l, regarding a Jew leasing or working in a facility abroad where non-Jews cremate their deceased by their own request. Rav Elyashiv replied that unlike the cremation of the King of Edom in Amos (2:1) which was done against his will as an act of disgrace, here the non-Jewish family requests it; and since the Gra and other poskim rule that a non-Jewish corpse does not have a Torah obligation of burial, one may rely on the lenient authorities when necessary for one's livelihood.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 148

When liberated from the camps, the survivors found thousand of bones and bodies. Do they have to make the extreme effort to move them to Jewish cemetery? How about the dirt around them?

Answer: Rav Ephraim Oshry ruled that it was a tremendous mitzvah to gather all the unburied bones, limbs, and charred remains of the martyrs from the ruins of the Kovno concentration camp and the Ninth Fort and transfer them to permanent Jewish burial in the Slobodka ghetto cemetery. The law that a meis mitzvah acquires the ground where he is found (Bava Kamma 81a) was enacted solely for the honor of the deceased; where leaving the remains in place exposes them to disgrace and scavenging animals (and on gentile-owned land outside Eretz Yisrael, Bach, Choshen Mishpat 274; Maharshal), one is obligated to relocate them to a Jewish cemetery (Divrei Malkiel, Vol. 4, Siman 95). Regarding the surrounding soil (tevusas ha-meis), although the Gemara (Nazir 51a; Niddah 27b) rules that a slain person whose blood spilled out lacks standard rekav, Rav Oshry proved from the Tosefta (Ohalos Ch. 4, elucidated by the Vilna Gaon in Eliyahu Rabbah) and the Rambam (Hilchos Tum'as Meis 3:8) that loose earth beneath a decomposing corpse absorbed its blood and flesh. He therefore instructed the burial team (assisted by German POWs) to gather the loose soil (afar tichuach) beneath the victims found under the burned buildings and bury each martyr in his own grave six tefachim apart in his blood-soaked clothes, while the commingled bones scattered across the Ninth Fort were buried together in a single mass grave (citing Radbaz, Vol. 2, Siman 611). Over six weeks (15 Av to 28 Elul 5704), they brought roughly 3,000 martyrs to eternal rest.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 1, Siman 23

STORIES FROM OUR SAGES:

❖ Scripture testifies to the wisdom and piety of Moshe Rabbeinu: during the final hours before the Exodus, while all of Israel was busy collecting silver and gold vessels from the Egyptians, Moshe devoted himself entirely to the mitzvah of finding Yosef's bones! How did Moshe know where Yosef was buried? Serach the daughter of Asher told him that the Egyptians had placed Yosef in a heavy metal coffin and sunk it in the Nile (or among the royal tombs) so its waters would be blessed. Moshe stood at the bank of the Nile and cried out: 'Yosef, Yosef! The time of the oath that the Holy One, Blessed be He, swore to our father Avraham that He would redeem His children has arrived! Give honor to Hashem the God of Israel and do not delay your redemption!' Immediately Yosef's heavy coffin rose to the surface of the water, and throughout the forty years in the wilderness, the two Arks — the Ark of the Eternal and the coffin of Yosef — traveled side by side, because Yosef fulfilled everything written in the Tablets of the Ark!

Mechilta DeRabbi Yishmael, Tractate Vayehi Beshalach 1:11–13

INSPIRATIONAL STORIES:

❖ Mr. Moshe Friedman was born in Poland in 1930, and his family survived the war through a series of miracles that brought them to Siberia. When the war was over, Moshe's father heard that the Nazis ym"sh had made soap out of Jewish bodies, and he decided to return to Poland to buy as many of these bars of soap as he could and give these remains a Jewish burial. Father and son traveled back to their hometown, and spent days combing the streets and offering to purchase the townspeople's Nazi-supplied soap. This part of Moshe Friedman's life story was known to the family; the rest was not — until it became revealed through Harav Ovadia Yosef. Mr. Friedman moved to America, married, and had children. When he was getting on in years, one of his sons — in-law, who is of Syrian descent, offered to accompany him to Eretz Yisrael. Mr. Friedman was delighted to visit the Holy Land, and especially to see gedolei Yisrael and receive blessings. One of the stops they made was at Harav Ovadia's home. No sooner had Mr. Friedman walked into the study than Harav Ovadia asked, "Why do I detect the scent of Gan Eden on your clothing?" Mr. Friedman did not know what to answer. "What special deed have you done in your life?" Harav Ovadia asked. At first Mr. Friedman would not answer, but when Harav Ovadia kept repeating the question, he said, "Well, I have several children whom I support so they can devote their lives to studying Torah." "That's not it, " Harav Ovadia said. "Others do that as well and their clothing doesn't have the scent of Gan Eden. What else did you do?" Harav Ovadia sensed that Mr. Friedman knew the answer, but wasn't willing to say it in front of others. He sent all the people present out of his room, including Mr. Friedman's son — in — law. The only other person who remained was a young man named David, who acted as an interpreter, translating Mr. Friedman's English and Harav Ovadia's Hebrew. When everyone left, Mr. Friedman told Harav Ovadia a story that had happened on the last day he and his father had attempted to buy and bury human soap in Poland — a tale, he said, he had not shared with anybody. After spending a few weeks in Poland, they had already bought and buried all the soap they could find, and they decided it was time to rejoin their family in Siberia. The day they were planning to leave, however, a non — Jewish man approached the 15-year-old Moshe Friedman and asked, 'Are you the one who is buying the human soap?" Moshe confirmed that he was. "I have a full box of such soap, and I'm willing to sell it to you." The man named a price, but Moshe did not have enough money on him, and his father was nowhere in sight. "I don't have money here," he said, "but give me the soap, I'll bury it, and I'll bring you money later." "No, I want the money up — front," insisted the seller. Moshe thought for a while and then said, "Look, I have this pair of warm, woolen pants, and yours are thin cotton. I'm willing to trade my pants for yours if you'll allow me to buy the soap." The man quickly agreed to the deal; a pair of woolen pants were a premium commodity in the harsh European winters. After the two traded pants, Moshe buried the box of soap, and then rejoined his family in Siberia, undoubtedly shivering his way through the winter in those cotton pants. When Harav Ovadia heard this story, he

said, "This explains why your clothes have the scent of Gan Eden. The neshamot of all the Jews whose remains you buried were all kedoshim, who died 'al Kiddush Hashem' and are therefore in Gan Eden, and these neshamot have been accompanying you throughout your life. "

Rav Ovadia, By Rabbi Yehuda Heimowitz, published by ArtScroll Mesorah

❖ It was difficult to walk behind the coffin. The way was packed with people - along the streets of Krakow, over the bridge and through Podgorze to the new Jewish cemetery. Although the old cemetery was still being used to inter important and wealthy people, Sarah Schenirer, in her last will, expressed her wish to be buried in the new cemetery, where she could stay with the plain, simple people whom she loved. Several years later, during the Holocaust, the Nazis established the Plaszow concentration camp on the grounds of the new cemetery. Bais Yaakov girls were forced to help build the camp and, later on, to uproot the tombstones and with their own hands use them to pave the camp paths. The old cemetery in Krakow, in contrast, remained intact. Thus Frau Schenirer shared her daughters' fate, as she had wished. Just as they had neither graves nor tombstones, so has no trace of Frau Schenirer's resting place survived. The same was said of Moshe Rabbeinu: Lo yada ish es kevuraso - "No one knows his burial place until this very day. "Moshe, who suffered with and dedicated his life to his People, died in the desert together with his entire generation. No trace of his burial place is known. Thus was our mother Sarah reunited in fate with her daughters and her People: as their place of burial is not known, so, too, is hers not to be found.

Carry Me in Your Heart, By Pearl Benisch, p. 319

O. NOT TO LEAVE THE BODY OVERNIGHT, UNLESS IT IS FOR THE SAKE OF GIVING THE DECEASED MORE HONOR

(Torah Mandated Mitzvah), Sefer Chareidim 29-50

As the Torah says "Do not let his corpse stay overnight. Rather you shall surely bury him that day (Devarim 21:23 Parshas Ki Seitzei) "

SEFER CHAREIDIM

Chazal received by halachic tradition (Sanhedrin 46b) that the negative prohibition against leaving a corpse unburied overnight (halanas hameis) is not restricted to those executed by the court, but applies equally to all deceased individuals. However, it is permissible to delay the burial if the postponement is strictly for the deceased's honor — such as to procure shrouds or a casket, or to allow distant relatives and participants from neighboring towns to arrive for the funeral.

INSPIRATIONAL STORIES:

❖ During Rav Aryeh Levine's life he purchased a burial plot in the cemetery on Jerusalem's Mt of Olives. When his life on earth ended however, his family was in doubt whether to bury him there, in the grave he had bought, or next to the grave of his dear wife Channah in the Sanhedria cemetery (in Jerusalem). Then one of his devoted students recalled that after the Six-Day War, when the Mount of Olives was again in Israel's possession, Reb Aryeh had told him that his true desire was to be interred near her, since she had been so pious and virtuous, and his love for her had remained constant and even grown stronger after her death. It was therefore decided to bury him beside her; and sure enough, when his last will came to light, it was found that in it he had written this very wish. The funeral had to be held on Friday, the very day he died (since as a rule no lifeless body may be left overnight in the holy city). Friday morning the family asked the members of the burial

society to hurry please with the digging of the grave in the Sanhedria cemetery, so that the burial could be completed in the hours before noon, leaving enough time for his multitude of friends and admirers who lived outside Jerusalem to return home before the approach of sunset would usher in Shabbos. The burial society, however, wished to delay the funeral for several hours, so that they would have enough time to dig the grave, since ground was hard and stony. As they stood at the entrance of the cemetery debating the matter, the watchman of the graveyard came over, to tell a strange tale: A few years earlier, he said, Reb Aryeh came to him in privacy and asked him to prepare a grave next to the burial plot of his wife to dig up the earth and turn it over, so that it would be all broken and soft. "Why would you want me to do a peculiar thing like that?" the watchman had asked him. And the good rabbi had replied, "Who ever knows the timetable of a man's life? Perhaps I may depart this world on a Friday, and they will find difficulty in digging the grave, since ground is so rocky and stony; and then the people attending the funeral will be unable to reach their homes before the Shabbos has begun. I beg you: do me this favor, and dig the grave as I have asked you. Let it please be ready..." Discreetly, without letting anyone catch sight of it, the watchman fulfilled the good rabbi's request. This wish too was granted him, so that those who came to pay him the last honor should be able to return home before the Shabbos.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

P. NOT TO USE THE DEAD BODY FOR ANY USE

(Torah Mandated Mitzvah), Sefer Chareidim 26-28

This is learned from a gzeiras shaveh (comparison of similar words) from the word "there" (Devarim 21:4, Parshas Shoftim) by Eglah Arufa (killed heifer) and the word "there" (Bamidbar 20:1, Parshas Chukas) by the death of Miriam.

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Does this prohibit just the body? Are other belongings of the deceased forbidden as well?

SEFER CHAREIDIM

By Torah law, it is strictly forbidden to derive any personal benefit (issur hana'ah) from a human corpse, from its grave, or from its shrouds. Chazal derived this prohibition (Sanhedrin 47b) through a gezeirah shavah (exegetical comparison of identical terms) linking the word 'there' stated regarding the decapitated heifer (eglah arufah) —'and they shall axe the back of the heifer's neck there in the valley' (Devarim 21:4) — with the word 'there' stated regarding the demise of Miriam — 'and Miriam died there' (Bamidbar 20:1). Just as an eglah arufah is biblically forbidden from all benefit, so too a corpse is categorically forbidden from any benefit.

MORAL DILEMMAS:

Rob was trapped behind the Iron Curtain. He liquidated all his possessions to purchase a single large diamond to fund his future marriage. After escaping, he hired Simon to smuggle the diamond out. To evade border guards, Simon swallowed the stone, but was tragically killed during the crossing and buried in a Jewish cemetery. Is Rob permitted to request the exhumation of the corpse to surgically retrieve his diamond so that he can fulfill the mitzvah of marriage?

Answer: Based on the Gemara in Bava Basra (154a) regarding the incident in Bnei Brak where Rabbi Akiva forbade exhuming and examining a corpse (nivul ha-mes) to recover family property from buyers, contrasted with the Teshuvos HaRosh (Klal 13:20) and Shulchan Aruch (Choshen Mishpat 107:12) where a creditor may prevent burial if the deceased is unlawfully holding someone else's property, Rav Yitzchak Zilberstein distinguishes this case: here, the deceased did not take another's

property for himself, but selflessly used his body to smuggle the diamond for the owner's benefit. Therefore, one may not subject his body to the disgrace of an invasive post-mortem surgery unless he explicitly stipulated during his lifetime that he consented to it so his children or the owner would receive the diamond.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 563

A man was an only son. His rich father dies. All of a sudden a stranger and con artist comes and says that he is a son as well. The court says that they should do a DNA test and open up the grave to remove hair. The son asks if he should agree to give half the inheritance in order to prevent them from opening the grave, or is it permissible to open the grave in this case? Does he have to forfeit a massive fortune to prevent the grave from being opened?

Answer: Rav Yosef Shalom Elyashiv zt"l ruled to Rav Yitzchak Zilberstein on two counts: (1) Based on Rabbi Akiva's ruling in Bava Basra (154a), it is strictly forbidden to open a grave or disinter tissue from the deceased (nivul ha-mes) for a monetary inheritance dispute. (2) Furthermore, according to Torah law, the known son has the legal presumption of legitimacy (chezkatach) and possession of the estate (muchzak), whereas DNA testing alone cannot extract money from the muchzak without clear halachic witnesses ('ha-motzi me-chaveiro alav ha-re'ayah').

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 570

In the Kovno Ghetto, food was scarce and tightly rationed. One individual named Chaim wanted to find a way to buy some additional food for his hungry family. There was no way he was able to leave the ghetto. He had a friend named Meir who was a forced laborer who left the ghetto every day with a team of fellow ghetto inmates to build a factory for the Germans. Chaim had a very expensive gem that he thought he might be able to sell to be able to buy some extra food. He asked Meir if he would be willing to try to sell the gem when he left the ghetto. Understanding the risks, Meir agreed to help his friend Chaim. Meir sewed the jewel into the lining of his clothing and left the ghetto with his labor team. After Meir reached the labor area, he wanted to speak to a non-Jew to offer to sell the jewel. It was strictly forbidden for any non-Jew to speak to a Jew wearing a yellow star. In order to make the exchange, Meir quietly removed his star, and attempted to sell the jewel. Unfortunately, Meir was spotted by a Nazi officer, and recognized as a Jew. The Nazi quickly shot and killed Meir. The Nazis had Meir's body transferred back the ghetto where the Jews performed a funeral and buried Meir with his clothes in the Jewish cemetery. Several days later, Chaim, the owner of the jewel realized that his jewel was still sewn in the lining of Meir's clothes, buried in his grave. Chaim really needed that jewel. He had the following moral dilemma. On one hand, there is a mitzvah that normally prohibits opening up a grave several days after a corpse is buried. Part of the reason for this is to show respect to the deceased who would not like his decomposed corpse exposed in public. Normally it would not be permitted to open up a grave even to retrieve money for inheritors. But on the other hand, in this case, Meir gave up his life for his friend Chaim, by trying to sell his jewel. If we would be able to speak to Meir, he would surely want to return the jewel to Chaim, its rightful owner. Meir surely does not want to permanently hold on to the jewel. Perhaps Meir would be posthumously doing the mitzvah of returning a lost object. Is it possible that this prohibition would be waived if we can assume that the deceased would waive this right for respect? Can we assume that Meir would want us to open up the grave in this case? Would the fact that this is a shas hadchak, a case of pressing need, allow leniency in this case? Chaim asked Rav Oshry whether he should leave the grave closed and not disturb the grave, or if it perhaps might be permitted in this case? What do you think?

Answer: Rav Ephraim Oshry ruled that it was permitted to open the martyr's grave and retrieve the precious gem sewn into his clothing so its owner could buy food for his starving family. He based his ruling on four combined halachic grounds: (1) Under Bava Basra 154a (and Tosafos s.v. 'Zuzei') and Aruch HaShulchan (Yoreh Deah 363:8), while heirs may not disinter a

relative for an inheritance, an outside owner suffering a financial loss of his own property deposited with the deceased has the right to demand its retrieval; (2) Since the request was made immediately after burial within the first three days, before facial decomposition begins, the Yerushalmi (Moed Katan 3:5, cited by Leket Yosher and Shav Yaakov, Siman 64) holds that there is no disgrace to the corpse (nivul ha-meis); (3) With famine raging in the ghetto, retrieving the gem to feed starving children constituted actual pikuach nefesh, which overrides all grave restrictions (Chochmas Adam 158:11); and (4) Returning the entrusted gem is itself an honor to the deceased martyr (kevod ha-meis, Maharsham, Vol. 2, Siman 112), sparing his soul from going to the World of Truth with another person's property in his garments.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 2, Siman 12

Efraim lived in Europe and had a wife and son. During WW2 his wife was killed and he was hidden and saved by a kind non-Jewish polish woman. After the Holocaust was over the man married the gentile woman who saved him. Efraim had a son with this woman, who is a half brother to his first, Jewish son. Efraim moved to the US and eventually became a very wealthy and successful business man. His Jewish son moved away from him and moved away to Eretz Yisrael, but the non-Jewish son stayed with them. Efraim was happily married to his non-Jewish wife and she died at age 75. Shorty after her death Efraim dies was well. He leaves an estate of 50 million dollars to be split by his two sons. After the death of the father, both brothers argue if he should be buried with his wife in a gentile cemetery or in a Jewish cemetery. The non-Jewish son said his father's wishes were to be buried with his wife in the polish cemetery. The Jewish son argued that Efraim was Jewish and should be buried in a Jewish cemetery even if it was away from his wife. They take this case to court and A Judge decides that they should cremate the body and split the ashes. Half will go in the Jewish cemetery the other half in the polish cemetery. The non-Jewish son readily agrees to this decision. The Jewish son could not abide by this decision. The gentile sons senses an opportunity and says that he will forego the cremation, and consent to the burial in a Jewish cemetery if the Jewish son forgos his side of the 25 million dollar inheritance. Gentile son agrees, but says he will allow the father to be buried in a Jewish cemetery if the brother forgos his 25 million inheritance, and gives it to him. The Jewish son asks the question whether he is obligated to give up so much money in order to prevent cremation and allow a proper Jewish burial?

Answer: A son who inherits is obligated to bury his father, so he should give up his inheritance in this case.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Peah-Demai-Kilayim, p. 383

Yosef had a first cousin, Shaya, who needed a kidney transplant. Yosef got tested and he learned that he was a match and was a good donor candidate. Yosef was excited to do the mitzvah and underwent the surgery to remove and donate his kidney. The kidney was successfully transferred to Shaya and Shaya made a remarkable recovery. But a tragic accident occurred. After Shaya recovered from the kidney transplant, he got into a terrible car accident. He later died in the hospital. When Yosef recovered from the shock he immediately called a Rav. He asked his Rav if it would be permitted for him to request that they preserve the kidney and return it to him? Reusing a kidney that was donated is a medical procedure that is rare but possible under special conditions. On one hand, the kidney belonged to Yosef originally so it was just returning back to the original owner. But on the other hand, removing a kidney from a deceased person is normally not allowed. This is called Nivul Hames, desecrating a dead body. It is only allowed to be done to save a life. But In this case, no life was being saved. Yosef was just reclaiming his old kidney. Perhaps removing a kidney from a deceased person would be considered nivul hames. In addition to the question of nivul hames, was Yosef allowed to undergo this surgery? One is normally only allowed to do a surgery for a compelling reason. Otherwise, it is called chavala. We are not allowed to cut or harm our bodies unless it is for a very important reason. Right now Yosef was healthy with just one kidney, was it permitted to undergo surgery to regain his second one? What do you think, was it permitted to remove the kidney and do surgery to return the kidney to Yosef?

Answer: Regarding the question about the kidney, Rav Zilberstein writes that it would not be nivul hames for the man to request his kidney back. It would be permitted. It would also not be a problem of chavala to do the surgery to replace it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 561 (Table Talk Edition 230)

An apple tree was once planted right next to a cemetery. The roots extend beneath the cemetery and draw nourishment from the earth. Are the fruits of such a tree permitted to be eaten, or do they derive prohibited benefit from the dead?

Answer: The fruit is permitted to be eaten. Rav Yitzchak Zilberstein explains that nourishment absorbed by tree roots through the soil is an indirect, transformed benefit (zeh v'zeh gorem), and the earth itself does not become prohibited due to adjacent graves; thus, the apples do not constitute forbidden benefit from the deceased.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 179

STORIES FROM OUR SAGES:

❖ A magician who used to exhume dead bodies once came to the grave of R' Tovi b'R' Masna. R' Tovi grabbed the magician's beard until Abbaye appeared and told him to leave him. The next year the magician came again to R' Tovi's grave, and once again R' Tovi grabbed the magician's beard. Abbaye came again, but R' Tovi would not let go of the beard until Abbaye brought a pair of scissors and cut off the magician's beard.

Talmud Bavli, Bava Basra 58a

Q. TO COMFORT MOURNERS

(Rabbinically Mandated Mitzvah), Sefer Chareidim 42-12

SEFER CHAREIDIM

It is a sacred mitzvah of lovingkindness to visit the home of mourners during their period of bereavement to offer comfort and solace (nichum aveilim), bringing encouragement to their grieving hearts.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• When we cross the threshold of a house of mourning, a natural sense of inadequacy often grips our hearts. Commenting on the Talmud's promise that one who mourns for Jerusalem will merit to see her joy, the Sfas Emes asks: did not countless tzaddikim mourn and pass away before the redemption? To resolve this, he offers a luminous insight into the inner mechanics of comfort. The Sages are not speaking only about a calendar event in the distant future. The Sfas Emes explains that when a friend refuses to observe another's pain from a safe emotional distance, an extraordinary shift occurs. When we sit beside the mourner and willingly take their sorrow into our own heart, our shared love dissolves the barrier of isolation. The Hebrew words teach: one who shares in the sorrow merits to see the comfort of the community even within the sorrow itself (Sfas Emes, Shemos, Shemos 5643).

• In modern society, tears are often treated as signs of defeat, and comforters frequently rush to hush a weeping friend. Why does our tradition place such sanctity upon human tears? In a clear discourse on Sefer Devarim, the Sfas Emes examines the contrast between the joyous songs sung by the Levites in the Beis HaMikdash and the

mournful laments of Megillas Eichah. On the surface, joyful singing and bitter weeping appear to be complete opposites. The Sfas Emes reveals that both expressions flow from the exact same fountain of love. When we sit with a mourner, we do not urge them to dry their eyes prematurely. We honor their tears, reassuring them that their aching heart is living proof of a holy bond that death cannot sever (Sfas Emes, Devarim, Devarim 5647).

• In Parshas Tzav, the Torah commands the daily offering brought by the Kohen Gadol: "Zeh korban Aharon u'vanav — Minchah tamid" — "This is the offering of Aharon and his sons — A continual meal-offering" (Vayikra 6:13). The Midrash comments that Aharon's offering was as dear to Hashem as the offerings of the princes, because the word "zeh" ("this") indicates something fresh, pointed to directly with the finger. The Sfas Emes asks: Why did the princes need a special ceremony of dedication to arouse their enthusiasm, whereas Aharon needed no ceremony at all? The tribal leaders required a dedication to leave a lasting impression of inspiration. Even when a cherished chapter of life has closed, the Author of life has not finished writing. With Hashem's help, the heart will slowly rediscover the sacred capacity to greet a new morning with hope, purpose, and renewed dedication (Sfas Emes, Vayikra, Tzav 5647).

• In Maseches Ta'anis (29a), our Sages establish a famous parallel: just as we decrease our joy when the month of Av enters, so too we increase our joy when the month of Adar arrives. Yet the Sfas Emes examines the precise phrasing—"just as... so too"—and uncovers a direct causal relationship. Why does the measure of our future rejoicing depend entirely upon the depth of our mourning, as the prophet Yeshayahu proclaims: "Rejoice with Jerusalem, all you who mourn for her"? The Sfas Emes explains that genuine mourning is never a dead end of despair. From that furrow, the roots of future comfort can grow deep and strong. When a person allows their sorrow to soften their heart toward Hashem and their fellow man, their brokenness is transformed into the birthplace of enduring comfort (Sfas Emes, Moadim, Parshas Shekalim 5644).

• When tragedy strikes a household, the deepest agony is rarely the practical loss alone. Why does the prophet declare that Hashem being our God is itself the complete comfort for every sorrow we endure? The Sfas Emes reveals that every painful decree visited upon the Jewish people contains an inner core of boundless mercy. The prophet Yeshayahu teaches: "B'chol tzarasam lo tzar" — "In all their distress, there is distress to Him" (Yeshayahu 63:9). The Sfas Emes examines the Hebrew word "lo". It can be read both with an aleph (meaning "not") and with a vav (meaning "to Him" or "for His sake"). In our personal lives, whenever we comfort a mourner, we remind them of this eternal truth: our sorrow is not a sign of rejection, but the sacred path through which Hashem draws His children into an unbreakable bond of love (Sfas Emes, Devarim, Va'eschanan 5656).

STORIES FROM OUR SAGES:

❖ One Shabbos afternoon, R' Meir was lecturing in the study hall when two of his sons died suddenly. Beruriah laid them on a bed and covered them with a sheet without informing her husband about their deaths. After Shabbos, when R' Meir returned home, he asked her, "Where are my two sons?" "They went to the study hall," she replied. He responded, "I looked in the study hall and I didn't see them." She gave him the cup for havdalah. R' Meir persisted, "Where are my two sons?" His wife answered, "They went to a certain place and they're coming back now." She gave him something to eat. After he said the Grace after Meals, she said to him: Rebbi, I have a question to ask you.... A while ago, a person gave me a pikadon (something to watch for him). Now he came for it. Should I return it to him or not?" R' Meir answered, "Who that has a pikadon by him does not need to return it to its owner?!" Beruriah said, "If not for your view on it, I would not have returned it." She led him to the room where their sons were lying, and she removed the sheet to enable him to see their two

dead sons lying on the bed. He began crying, "My sons, my sons!" She said to him, "Rebbi, did you not just tell me that we must return a sacred trust (pikadon) to its Owner? 'Hashem gave, and Hashem has taken away; blessed be the Name of Hashem' (Iyov 1:21)." With these words R' Meir was comforted.

Midrash Mishlei 31:10; Yalkut Shimoni, Mishlei 964

❖ In a place where it is customary to greet mourners on Shabbos, one greets them; and in the South it was customary to greet them. Rabbi Yehoshua once traveled to a certain town, saw mourners in the synagogue on Shabbos, and greeted them with warm words of peace, saying: 'I do not know the custom of your town, but I greet you in Peace with the peace of the Omnipresent!' And Rabbi Yose bar Chalafta used to praise Rabbi Meir before the people of Sepphoris as a great, holy, and modest man; once when Rabbi Meir saw mourners on Shabbos and greeted them, the townspeople asked Rabbi Yose why he had done so, and Rabbi Yose replied: 'He came to inform us that once the holiness of Shabbos enters, public mourning is suspended and peace reigns!'

Yalkut Shimoni, Bereishis Remez 16

INSPIRATIONAL STORIES:

❖ "Rabbi Tendler came in from camp when we were sitting shivah for my father, a talmid wrote, "and told us a story that he had heard from Rabbi Laibish Langer, a rebbi in Yeshivas Darchei Torah: A man in England had a dream in which his third-grade rebbi came to him and said, "They won't let me into Gan Eden until you forgive me." Apparently, when the man was a student in the third grade, the rebbi had slapped him when he was daydreaming in class, and the child had said that he would never forgive him. In his dream, the man told the rebbi that he forgave him with his whole heart. "That's not good enough," the rebbi said. "You must go to the shivah house and say it there, because that's where my neshamah is." The next morning the man called America, and verified that his former rebbi had indeed been niftar. He flew there to be menachem aveil and give forgiveness to the neshamah. Rabbi Tendler concluded that we don't know what goes on in a house of shivah on a spiritual level.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 420

❖ Once a widower came to the Steipler Gaon (Rav Yaakov Yisrael Kanievsky) and started pouring out his heart to him, describing the catastrophe that had befallen him when his wife passed away, and how difficult it was to adjust without her. The tzaddik held the man's hands and shared his misery with him. - "I understand. Believe me, I know how bitter it is. I understand you very well. I've been in the same situation for some years now." Just from hearing that the Steipler understood, the man immediately felt relieved. "I've given a lot of thought to this subject," the Steipler continued. "It seems to me that this is the way the world was planned, that partners in a marriage usually don't leave the world together. Instead one goes first. In your case, she was taken first. Would you have wanted it to be the other way around?" The unhappy man went away from that conversation with a new outlook on life. He hadn't viewed his situation in that way before.

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 189

❖ The grave of Rav Aryeh Levin read as follows: "I ask of anyone who comes to pray at my grave to recite the following words: "Ani maamin be'emunah sheleimah she'tihyeh techias hameisim be'eis she'yaaleh ratzon me'eis haBorei Yisbarach Shemo ve'yisaleh zichro la'ad uleneitzach netzachim — I believe with complete faith that there will be a revivification of the dead whenever the wish emanates from the Creator, Blessed is His Name and exalted is His mention, forever and for all eternity." A mother read the words and began to murmur to herself, "Yes! Yes! That means I am going to see him again! I am going to see him!" She began to cry, but this time she cried tears of relief and joy. She knew that one day, she would be reunited with her son. And once she knew that, she knew that everything else would be fine. It is inspiring that this mother took the words of Ani Maamin with such faith. But it is no less amazing that the great tzaddik of Yerushalayim, Rav Aryeh Levin, chose these particular words to be etched on his tombstone. The reason that Rav Aryeh chose this message is because

he knew that people would come to his kever in need of inspiration and chizuk. What words could possibly comfort them and strengthen them? Only the words that explain that techias hameisim will happen. If they believe that, they will be able to move forward. Such was the yedidus of the great Rav Aryeh Levin!

Touched By Their Tears, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ Moshe Meir was seven when his father died. He was broken and his mother was broken as well, At the levayah Rav Matisyahu Salomon (mashgiach over more than 5000 people) began to shmooze with him gently. He asked how old he was. "7" He said that he was also 7 when his father died. He said he would like to start a special club of people whose father died when they were seven. We can be the first members of the group. The main rule of the club is that whenever anyone calls to talk about something the other has to stop whatever he is doing to talk. If my wife answers, just leave the password "tell him mo called", and I promise I will answer immediately.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 256

❖ Chaim Lichter returned home to Lucerne, Switzerland, from a business trip, and at 4 am, he saw the rav, Rav Moshe Soloveitchik and his wife walking in the street. The next morning he saw him in shul and asked is everything ok. Rav Moshe said what happened was at about 1 am I got a call from a father whose daughter just died in the hospital and he asked me a few questions about aveilos. I answered them and he hung up. I then realized that this young father is all alone in a strange city and he must be so broken and pained. But I didn't even know his name. I went with my wife from hospital to hospital to every hospital in the city to find him, I finally found him and we were able to comfort him, but he was alone for hours. I was so careless not to ask his name. Who can imagine the pain he endured until we came.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 75

❖ One day Rabbi Yosef Buxbaum drove Reb Shlomo Zalman Auerbach to pay a condolence call. As the house was situated on a very narrow street, Rabbi Buxbaum parked the car on the sidewalk so that it would not impede traffic, and then hurried around to help the Gaon alight. The space between the parked car and the wall of the adjacent apartment building was so tight, however, that Rabbi Buxbaum found himself wedged between a rock and a hard place, and while extricating himself, his suit jacket tore. Rel: Shlomo Zalman sensed at once that something was amiss. He ordered Rabbi Buxbaum to stand still while he examined him. The honorable driver had no idea what Reb Shlomo Zalman intended. The Rav peered wordlessly at the rip in the material, inspecting the extent of the damage. Rabbi Buxbaum, unaccustomed to the role of model, was even less accustomed to Reb Shlomo Zalman's interest in matters sartorial. But it seems that even a torn suit jacket falls in the purview of Halachic adjudication. After sizing up the situation, the Gaon ruled that Rabbi Buxbaum could not enter the home of the bereaved wearing a tattered coat. Rabbi Buxbaum protested, but Reb Shlomo Zalman cited the Halachic principal that honoring God's creations takes precedence over comforting mourners. Rabbi Buxbaum quickly tucked the ripped part of the jacket into his pocket so that it was no longer noticeable, and asked the Rav if they could now get on with their shivah call. Reb Shlomo Zalman was not yet convinced. He insisted that Rabbi Buxbaum walk a few paces down the block and up again so that he might determine if the damage was indeed invisible' Only when he was completely satisfied that it was, did he allow the condolence visit to proceed as planned.

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ "the shivah for the Rosh Yeshivah's mother, Rebbetzin rochel sorotzkin, is indelibly etched in my mind," recalled R' Yehuda Wechsler. "I can never forget it! In fact, every time I drive past a certain spot on the highway in Connecticut, I feel a warm sense of connection to the Rosh Yeshivah, who was like a rebbi and father to me. "Let me start at the beginning. The shivah for the Rosh Yeshivah's mother was preceded by a traveling marathon around the world. When his mother was sick, the Rosh Yeshivah flew to Cleveland, where she passed away. The first levayah was held in Cleveland. Then, the Rosh Yeshivah flew to New York for a second levayah, from where he flew to Eretz Yisrael with the aron (coffin). His return from Eretz Yisrael took him back to Cleveland, where he sat shivah with the family. Finally, in the middle of shivah, he flew back

to the New York area, where he sat shivah for one night in Springfield and another two nights in Lakewood. "At the time, I was a rebbi in Boston, Massachusetts," R' Yehuda continued, "and since Springfield is one hour closer to Boston than Lakewood is, I decided to pay a shivah visit on the night when he was in Springfield. "When the Rosh Yeshivah arrived from La Guardia Airport to his home in Springfield, he was greeted by a mob scene. Hundreds of people were waiting to comfort him. There were the bnei yeshivah, community members, people who came from New York... In truth, the Rosh Yeshivah was totally exhausted after flying all across the world and barely sleeping for a week. "I sat there patiently waiting my turn. Even after I was menachem avel, I felt compelled to stay, to sit and be with the Rosh Yeshivah in his pain. Suddenly, the Rosh Yeshivah looked at his watch. It was 11:00 p.m. "'R' Yehuda,' the Rosh Yeshivah called to me, 'es iz shoin tzeit (it is time [to go]).' He knew that I still had a four-hour drive back to Boston. Yes, during the shivah for his mother and despite the great lack of sleep, the Rosh Yeshivah had the presence of mind to check the time and exhort his talmid, a rebbi of children, that it was very late. He wanted me to return home before it got even later. "Afterward, I heard that at 12:00 a.m., R' Yosef Halpern, one of the devoted baalei battim, sent everyone home so that the Rosh Yeshivah could get some sleep. That little detail is what makes the next part of the story so exquisite! "I was driving through Connecticut. It was dark, it was very late, and I was very tired. I was really fighting to stay awake when, at about 1:00 a.m., my cellphone rang. When I glanced at the caller ID, my eyes widened in surprise. Was it really the Rosh Yeshivah himself, calling me during shivah? I answered the phone and heard his calm voice: 'R' Yehuda, how is it going? Are you all right? Are you farmattert (exhausted)?' I couldn't believe it! "Yes, that was our Rosh Yeshivah! In the middle of shivah for his mother, totally exhausted, finally able to go to sleep... and he wakes up in the middle of the night to call and make sure his talmid is awake and driving safely! "That is not a rebbi! That is a rebbi who is a father. Only a father can do such a thing!"

From Rav Elya Meir Sorotzkin, By Avrohom Birnbaum, published by ArtScroll Mesorah

❖ Reb Shmuel Auerbach was once menachem avel at the home of a family following the loss of their father. Noticing that one of the niftar's sons was a young child, Reb Shmuel took him aside. "Yeled, do you happen to have building blocks we can play with?" The little one ran to fetch them, and he and the Rosh Yeshivah got down on the floor to spend time building an impressive toy edifice together. Afterward, when someone wondered aloud whether this was in keeping with the Rosh Yeshivah's kavod, he replied that it wasn't any more demeaning than it is for the Borei Olam to concern Himself with the inanities that so often preoccupy us adults. "And besides," Reb Shmuel added, "How then exactly shall we console this child? With a ma'arachah from Reb Akiva Eiger? We're obligated to console him, too, in accordance with his age and understanding."

From Reb Shmuel, Written By R' Eytan Kobre, Published by Judaica Press

❖ The Chidushei Ha'rim lost 14 children. At the shiva of his last child he smiled and was comforted. He said that people may lose one or two children, but they will now be able to look to them for strength that they were able to go on despite the loss of 14.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 89

❖ One erev Yom Kippur, Reb Shmuel Auerbach learned of the passing of a young mother of children. He didn't know the family at all—yet put aside everything else on this most significant of days to visit their home. Not only would very few people come on such a day, Reb Shmuel reasoned, but since the arrival of Yom Kippur puts an end to the shivah, the bereaved family would likely feel shortchanged of desperately needed consolation. Just hours before the Yom Hakadosh was to arrive, Reb Shmuel was there to fill the void. The magnitude of Reb Shmuel's giving to any Jew in need—the amounts he gave and the open heart with which he gave them—was breathtaking. And so was the siyata d'Shmaya he merited in his efforts.

From Reb Shmuel, by R' Eytan Kobre, published by Judaica Press

❖ Someone who drove Rav Tendler to Cleveland to pay a shivah call noticed that he looked apprehensive. "I just daven, "Rav Tendler told him, "that Hashem puts the right words in my mouth so that I can say what the aveil needs to hear to give him chizuk."

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 420

R. TO PROMOTE AND RESTORE PEACE

(Torah Mandated Mitzvah), Sefer Chareidim 12-57, 35-19

As it says in the Torah "when you approach a city to battle against it, you must first call out for peace" (Devarim 20:10, Parshas Shoftim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Do we have to do this in a time of war?
- What is one way we can become peaceful people?

SEFER CHAREIDIM

Even during warfare, the Almighty commanded Bnei Yisroel to make overtures of peace before initiating battle (Devarim 20:10). Furthermore, Scripture instructs every individual: 'Seek peace and pursue it' (Tehillim 34:15).

Wherever peace and unity prevail, the Satan has no power to prosecute, as Chazal expound upon the verse: 'Ephraim is attached in fellowship, even if to idols; leave him alone' (Hoshea 4:17) — meaning that so long as Klal Yisroel remain united in peace, the prosecuting adversary cannot harm them.

So immense is the value of domestic harmony that the Holy One, blessed is He, commanded that His great Name, inscribed in holiness, be blotted out in the water of the sotah solely to restore peace between a husband and his wife.

If a person desires to merit the fulfillment of this mitzvah, he should be vigilant in cultivating another foundational trait: judging every person favorably at all times. One should strive to be numbered among the disciples of Aharon HaKohen — loving peace, pursuing peace, cherishing Hashem's creations, and drawing them near to the Torah (Pirkei Avos 1:12).

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• Regarding the pursuit of peace, the Sfas Emes explores the astonishing power of shared harmony to protect our people from spiritual prosecution. How can peace among people possess such immense protective power that it shields our community even from the consequences of severe missteps? The Sfas Emes explains that in the spiritual mechanics of the universe, the Heavenly Court reflects the moral reality generated by human conduct below. When our people harbor hatred, envy, and discord, we wound our inner life. Speaking ill of one another and highlighting faults gives power to heavenly accusers. An accusing voice points to the fighting below. It

argues: "If they have no mercy on one another, why should You have mercy on them?" When we dwell together in unity, no prosecuting force in heaven or on earth can breach our defenses. By loving peace and pursuing it, we disarm the accusers and secure the eternal protection of the Almighty (Sfas Emes, Bamidbar, Pinchas 5634).

• Regarding the mitzvah of peace, the Sfas Emes explains why all divine gifts depend upon human harmony. Why did our Sages define peace specifically as a vessel (keli), rather than counting it as the greatest among the blessings themselves? The Sfas Emes reveals a profound core truth: divine blessing flowing from our Creator is boundless, infinite, and unified. Hashem does not withhold his goodness from our world; the heavenly pathways are constantly open. However, for spiritual or material blessing to endure in this earthly world, there must be a suitable recipient below capable of receiving it. If our community is fractured into bitter factions, envious rivalries, and splintered groups, our collective vessel is broken into shards. We repair our communal reservoir. In doing so, Hashem's blessing rests upon us all (Sfas Emes, Bamidbar, Korach 5646).

• Regarding peace, the Sfas Emes resolves the profound difference between true peace and counterfeit uniformity. What was the core spiritual error in Korach's egalitarian rhetoric? The Sfas Emes explains that Korach preached a counterfeit peace based upon the erasure of distinctions. Korach asked a clever question. If everyone is holy, why have a High Priest, a Levite, and an ordinary Israelite? Why should there be boundaries, hierarchies, and specific roles? Korach's concept of peace was an undifferentiated blend where everyone performs the identical function. The Sfas Emes teaches that such forced uniformity is not peace; it is the destruction of creation. We seek that higher harmony. In that song, every distinct voice enriches our people (Sfas Emes, Bamidbar, Korach 5656).

• Regarding peace, the Sfas Emes resolves the apparent paradox between the pursuit of peace and the firm defense of truth. Why did the Almighty reward a fatal act of zealotry with the supreme blessing of peace? The Sfas Emes explains that true peace is not cowardly appeasement or the tolerance of moral corruption. People often confuse peace with a quiet truce. They sweep falsehood under the rug to avoid uncomfortable friction, letting corruption spread unchecked. The Sfas Emes warns that such a truce is a counterfeit illusion. When moral rot is allowed to fester within a community, it quietly severs the people from the Creator, inviting the ultimate destruction of harmony. Pinchas was the spiritual surgeon of Klal Yisrael. His zealotry was the swift blade that eliminated the disease of rebellion, paving the way for the eternal covenant of peace to heal and unite our nation (Sfas Emes, Bamidbar, Pinchas 5637).

• Regarding peace, the Sfas Emes examines how the festival of Sukkos serves as a sanctuary of harmony for the entire Jewish people. What is the profound connection between the physical sukkah, the Clouds of Glory, and our pursuit of peace? The Sfas Emes explains that the Sukkah represents a shelter of peace that embraces all human beings regardless of their external wealth or status. During the rest of the year, human society is divided by walls, private property, and social rank. A wealthy merchant resides in a fortified stone mansion, while a simple laborer lives in a modest wooden shack. We look beyond status. We welcome the near and the far under the roof of brotherhood (Sfas Emes, Moadim, Sukkos 5660).

MORAL DILEMMAS:

Yaakov had just celebrated his bar mitzvah. As is customary, Yaakov received many seforim as bar mitzvah gifts. Shortly after his bar mitzvah, there was a knock at the door. One of the neighbors was holding a wrapped gift. "Is Yaakov here?", the neighbor asked. "I bought this gift for his bar mitzvah". Yaakov took the gift from the neighbor and thanked him profusely. Two weeks later the same neighbor knocked at the door. "Is Yaakov here? I'm sorry it took so long. I have

a bar mitzvah gift that I bought for him." Yaakov accepted the gift once again, but this time he was confused. Yaakov wanted to tell the neighbor that he brought him a gift two weeks ago, but he held back, because it was clear that the neighbor forgot. Yaakov was sure that if he would tell the neighbor that he already gave him a gift, it would embarrass him. Yaakov thanked him and the man left. Later that day, Yaakov told his father the story. "Abba what should we do with the sefer? If we return it, he will be ashamed. But perhaps we can't keep it because he only bought it on the assumption that he didn't yet give one." What do you think the Torah would say? Should they return it and risk embarrassing the neighbor, or should they keep it, even though it was clear that it was given based on a wrong premise?

Answer: Regarding the question about the double bar mitzvah gift, Rav Tzvi Berkowitz answered as follows: If there would be a claim that a mistake was made in the purchase, that would be between the buyer of the sefer and the seller. The buyer would have to be able to claim that it has the status of a mekach ta'us even though the intent of the buyer was not part of the discussion between the buyer and the seller. It does not seem to me that it is considered a mekach ta'us. The bar mitzvah boy can keep the sefer and he does not have to notify the present giver.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 142 (Devarim)

Aron and his family struggled financially. Nonetheless he always made it a priority to buy fresh fish for Shabbos. One day he walked into the local kosher grocery that sold fresh fish. “Can I please have that salmon”, Aron asked the clerk. "Are you sure you want this one? This is pretty big," the clerk asked. Yes please, Aron confirmed. The clerk picked up the fish. “Would you like this fish filleted?”, the clerk asked. “Yes that would be so kind of you”, Aron answered. The clerk proceeded to cut the fish open. As he cut the fish his knife hit something hard. To his surprise, the clerk found a small ring inside the fish. Aron saw the ring taken out and exclaimed “Wow, what a tremendous blessing from Hashem”. “It is just like the famous story of Yosef Moker Shabbos”. “Hold on a minute", the clerk retorted. "You don’t get this ring. I found the ring first. You didn’t pay for the fish yet”. “Yes I didn’t pay for it, but I committed to buying it”, Aron argued. As the two began to argue, the owner of the store approached them. “What is going on here?”, the owner asked. The two told the owner the story. “Both of you are wrong”, the owner said. “It belongs to me. I paid $2000 this morning to the fishermen for this fresh catch. The ring was found in one of the fish that I bought so it belongs to me. The three, unable to resolve the question, brought the question to a Rav. Who do you think gets the right to the ring? The customer, the Clerk or the owner?

Answer: Rav Yitzchak Zilberstein rules that the customer has no claim to the ring, because he had not yet performed a halachic act of acquisition (kinyan meshichah) on the fish when the employee cut it open. As between the store owner and the employee who found the ring inside the fish, it depends on the dispute between the Levush and the Nesivos HaMishpat (Choshen Mishpat 260) regarding whether a storekeeper acquires treasures hidden inside fish that are destined to be cut open. Because it is an unresolved halachic doubt (safek mamon), money cannot be extracted from the party in physical possession (ha-motzi me-chaveiro alav ha-re'ayah).

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 106

STORIES FROM OUR SAGES:

❖ Rav Meir used to deliver a lecture every Friday evening. One week his lecture was especially long, and a certain woman who went to the lecture every week arrived home after the candles had already burnt out. Her husband inquired as to her whereabouts, and she told him that she had been listening to a lecture in the beis midrash. Her husband said, "You may not enter the house until you go and spit in the face of the lecturer." When R' Meir heard about it, he pretended that his eye hurt and he needed the incantation of a person spitting into it. The lady reluctantly approached R' Meir, and R' Meir persuaded her to spit in his face seven times to cure his eye. After the woman did so, R' Meir said to her, "Go, my daughter,

and tell your husband that you only told me to spit once, and I spat seven times." When R' Meir's students asked him, "Rebbi, is this how you shame the Torah?" he responded, "Is it not enough for the honor of R' Meir to be like the honor of his Creator? For R' Yishmael taught: Great is peace that even to Holy Name of God, which is written in sanctity, the Holy One, blessed is He, has said, 'Let it be erased in water for the purpose of making peace between husband and wife is it not even more so with the honor of Meir?"

Talmud Yerushalmi, Sotah 1:4

❖ Rabbi Beroka Choza'ah used to frequent the busy marketplace of Bei Lapat, and Eliyahu HaNavi would often appear to him there. One day, Rabbi Beroka asked Eliyahu: "Is there anyone in this crowded marketplace who is destined for a share in the World to Come?" At first Eliyahu looked around and said, "No." A little while later, two brothers walked into the marketplace. Eliyahu pointed to them and said to Rabbi Beroka: "These two men are also destined for the World to Come!" Rabbi Beroka walked over to them and asked: "What is your special occupation?" They replied: "We are cheerful jesters. Whenever we see someone who is sad and downcast, we cheer him up; and whenever we see two people who have a quarrel between them, we work hard and use our humor to make peace between them."

Talmud Bavli, Taanis 22a

INSPIRATIONAL STORIES:

❖ Holocaust survivor Yossel Hirsch arrived in New York in the late 1940s penniless, yet radiating warmth, honesty, and cheer to everyone he met at the bakery where he worked. Impressed by Yossel's integrity and graciousness, a bakery vendor named Moshe Kantesky offered to lend him $20,000—an enormous sum at the time—so Yossel could open his own bakery. Yossel's new bakery flourished, where he treated customers royally and quietly gave free bread to the needy, until he repaid Moshe every penny with deep gratitude. Years after Moshe Kantesky passed away, he appeared to Yossel in a vivid dream. "Yossel, remember the favor I did for you when I lent you the capital for your bakery? Now my soul has no rest in the Next World and I need your help! I left my business to my two sons, but after financial losses they quarreled bitterly and their families no longer speak. Now my older son is celebrating his oldest boy's bar mitzvah and hasn't even invited his brother!" Waking shaken, Yossel inquired discreetly and confirmed that every detail of the dream was true. Following the path of Aharon HaKohen, Yossel phoned the older brother to wish him mazal tov and suggested inviting his younger brother to the bar mitzvah. "He'd never come—he's still too angry at me!" the older brother protested. "On the contrary," Yossel assured him warmly, "I spoke with your brother, and he is heartbroken over the rift and wishes your families could reunite!" Hearing this, the older brother agreed to consider it. Yossel immediately phoned the younger brother and urged him to attend the bar mitzvah. "How can I go when he didn't even invite me?" the younger brother sighed. "He told me how badly he wants you there," Yossel replied, "and that he only held back because he feared you would refuse!" On the night of the bar mitzvah, the younger brother walked into the hall with his family, and the two estranged brothers fell into each other's arms weeping—bringing boundless joy both on earth and to their father's soul in Heaven.

Visions of Greatness, Vol. 3, By Rabbi Yosef Weiss, Published by CIS Publishers

❖ One morning, Rabbi Mandel was learning outdoors when he noticed a piece of sheimos floating in a nearby brook. He attempted to enter the brook to rescue the sheimos, but tripped and fell; he injured himself and had to be hospitalized at Good Samaritan Hospital. I owned a car at that time and was asked to come to the hospital on the day that Rabbi Mandel was to be discharged so that I could take him home. I first picked up his rebbetzin and then the two of us drove to the hospital. The first thing I noticed upon entering his room was that the cross that hung above his bed was covered with a pillowcase. Rabbi Mandel said, "They respect the fact that I am a rabbi and they have no problem with my covering it. " We helped Rabbi Mandel into a wheelchair and began to wheel him down the hallway. We passed a room full of nurses, and they cheered for Rabbi Mandel. In the hallway, we passed some nurses and nuns, and all of them waved and said goodbye to Rabbi Mandel. I was amazed and asked Rabbi Mandel how he had become such a celebrity. He laughed and said that two

rooms away from his room, two old non-Jewish patients had gotten into a terrible fight with each other. No one, not even the hospital's priest, could make peace between them. Rabbi Mandel offered to resolve the dispute. He had them wheel him to that room, and he succeeded in making peace. "Since then," he said with a smile, "I am somewhat of a celebrity here."

From Rabbi Manis Mandel: A Legendary Mechanech and Tzaddik, by Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ A large group of rabbanim was standing in the doorway of the house, waiting to begin an important, scheduled meeting with Reb Chaim Soloveitchik of Brisk. As they were about to enter, they noticed a bachur standing next to the rav's door, an expression of anguish on his face. The rav's door opened and the lad was called in. Although their meeting had been scheduled well beforehand, the rabbanim waited an hour and a half before the bachur left, at which point Reb Chaim announced to those assembled, "I am exhausted; I have no strength left." "How could this be? Hadn't the rav himself called the meeting? The time had been fixed, yet he had spoken to this bachur for such a long time, and now he wanted to postpone the meeting." Reb Chaim apologized, "Let me explain myself. This bachur came here because he feels no pleasure in his learning. In fact it is repulsive to him. I was compelled to speak to him first, since pikuach nefesh precludes everything. What can I do now that I have no strength left for our meeting? Learning Torah without tasting its sweetness is like death, chas v'shalom, and therefore this was a matter of pikuach nefesh!"

From The Brisker Rav, by R' Shimon Yosef Meller, published by Feldheim

❖ The Bilgorayer Rav, Reb Mordechai, walked slowly, and thoughtfully along the wide sidewalks of Tel Aviv, inspiring awe in the passersby that glanced at his shining face. Suddenly, uncharacteristically, he turned to his gabbai and told him that he wanted to enter the jewelry store they had just passed. As the astonished gabbai watched. The Rav asked the proprietor to help him select a nice watch, a gift for his wife. The fellow displayed several samples, but the Rav wasn't impressed. "Are these the watches that you consider nice?" he asked. "For if they are, then you really don't understand fine watches." Finally, the Rav asked the proprietor if there was anyone else in the store who could help. The owner called his wife from the back. She brought over a different-style watch, and the Rav smiled broadly. "This is an exquisite watch!" he exulted. "It is refined, tasteful, and sophisticated." He turned to the gabbai and commented, "This saleswoman appreciates quality and craftsmanship." He asked how much the watch cost. The owner named an astronomical figure, far more than the rav could afford, but the rav paid for the watch. It took the gabbai several months, but he finally summoned up the courage to ask the Rav for an explanation of the bizarre incident. The Rav was surprised. "Didn't you hear? As we walked by that shop. The owner was shouting at his wife in a loud voice, telling her that she knew nothing about watches and had best remain in the back, where she wouldn't do any harm. "Is any price too much to restore the respect of a Yiddishe tochter?"

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ It was that splendid night. Perhaps the most splendid night of the year, Leil haSeder. The throngs of people spilling out of the great Bobover beis medrash that evening exulted in the sense of freedom and joy, and with souls aflame, prepared to go home and inject the spiritual power of the night into their families, supplying them with the resources of emunah to confront the year ahead. The buoyant notes of the Hallel resounded in their ears as they headed home; the massive beis medrash slowly emptied. The last of the chassidim left as young Mordechai walked past the building. On his way home to his parents radar. Though not a Bobover chassid. He immediately recognized the lone figure who had just exited the shul, It was Reb Naftulche. The oldest son of the Bohoyer Rebbe. a beloved and respected figure in Bobov. Reb Naftulche scrutinized the nearly deserted street, and quickly summoned over young Mordechai. He looked at him and asked him if he knew his way around Boro Park. When the bachur confirmed that he did. Reb Naftulche told him that he needed a favor. He removed a package from his pocket, and prepared to hand it to the bachur, when he suddenly stopped as footsteps approached. They looked up to see a Bobover bachur hurrying up, apologizing breathlessly. Reb Naftulche turned to young Mordechai and told him that he could go. That this other bachur would handle the matter, as "he is already familiar with the situation." Mordechai headed home, but his curiosity was piqued, and for the rest of Yom Tov. He could not put the

incident out of his mind. After Yom Tov. He sought out the Bobover bachur, and asked him to tell him the story. The bachur replied that he could not, as it was a secret. Mordechai pleaded relentlessly, until finally the bachur relented. In Boro Park, there was a couple who unfortunately suffered from a lack of marital bliss. They were not Bobover chassidim, but somehow, knowledge of their unhappy plight had touched the sensitive and perceptive heart of Reb Naftulche. This night. The seder night, one so fundamental and basic to the chinuch of Jewish children. It was particularly important that harmony reign in their home. Reb Naftulche was determined to provide the children of that family with a happy home for the Seder night. And that was the secret of the package. It contained a beautiful, leather-bound Haggadah, engraved with the name of that woman, a gift for the husband to present to her before the seder. Why was it so important that it be delivered then, after Maariv? Because Reb Naftulche well understood the dynamics of the home, and knew that to give the gift too early would be pointless, as there might still be strife before the seder. Now, in these precious few moments, was the time to present the gift. Lekavod Yom Tov.

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ There were times when Rav Elyashiv's public policy decisions bordered on prescience. When United States President George W. Bush visited Israel, R' Uri Lupolianski, who was Mayor of Yerushalayim at the time, asked Rav Elyashiv what issues he should discuss with the president. Rav Elyashiv instructed him to speak about the importance of peaceful relations with Israel's neighbors, and especially the importance of the peace treaty with Egypt. It seemed surprising, even strange, that Rav Elyashiv would advise him to discuss a treaty — even one as strategically critical as this one — that had been in effect for close to 30 years with a country that seemed very stable. Moreover, R' Lupolianski explained to Rav Elyashiv that international relations were beyond his purview as mayor of Yerushalayim, and he was afraid that the upper echelons of the Israeli government would be angry with him for mixing into foreign policy. But Rav Elyashiv insisted that this was an issue of pikuach nefesh, and Rabbi Lupolianski must therefore raise the issue during his audience with the president. Several years later, however, Egypt was thrown into turmoil; its president was overthrown and the radical Muslim Brotherhood came to power. Then, the need to ensure the stability of that treaty became more apparent then ever before."

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah

❖ "Rebbi, I am going to Eretz Yisrael," a talmid mentioned to Rabbi Segal. "Rebbi has gone many times. Which kevarim should I daven at?" "L'chaim u'l'shalom," Rabbi Segal wished heartily, "but why are you asking about kevarim? The kevarim will always be there. Go to the leibediger.

From Rabbi Chaim Segal: Building Bnei Torah in America, by Devorah Gliksman, published by ArtScroll Mesorah

❖ Helping a shidduch happen is one thing; helping it succeed is another. And here is another place where the Rosh Yeshivah, Rav Nosson Tzvi Finkel, strained himself to do whatever he could. If he learned of a shalom bayis issue facing an avreich in the yeshivah, he would make it his business to set up a chevrusa with him. Once this was in place, he would call the house, state who was calling, and ask the woman who answered if he could speak with her husband. Invariably, this would elevate the man's image at home.

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 272

❖ Napoleon was going to invade Russia. He asked R' Chaim Volozhin if he could predict the outcome. R' Chaim gave a parable of a duke with four strong thoroughbred horses all from different countries who got stuck in the mud. A peasant with two small horses offered to help. He pulled it out. The duke was surprised, but the man said the two horses are mother and child so each feel each other's pain. But the four horses have no connection to each other so have less cooperation. To Napoleon he said that all the soldiers come from different countries so don't feel for each other, but the Russians are all brothers so can be victorious. If we feel each other's pain and are brothers we can be successful.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 232

❖ Rav Aharon Leib Shteinman would visit various admorim before Rosh Hashanah and also when they returned to Eretz Yisrael after an extended time abroad. He did so to increase harmony among Jews, as there should be no machlokes between various factions of Klal Yisrael. He once missed a great-grandchild's wedding in Yerushalayim because he was too weak to attend. However, when he was invited to a chassidic wedding shortly afterwards, he did attend. He felt it was important to be there; his absence might be construed as indicative of machlokes with that Chassidus. From his perspective, this took precedence over his own great-grandchild's wedding, although he was equally weak when each took place.

From Rav Aharon Leib, by R' Naftali Weinberger, published by ArtScroll Mesorah

S. TO JUDGE FAVORABLY, TO GIVE THE BENEFIT OF THE DOUBT

(Torah Mandated Mitzvah), Sefer Chareidim 9-30

As it says in the Torah, "With justice shall you judge your people (Vayikra 19:15, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ What is the effect of judging people favorably?

SEFER CHAREIDIM

The commandment to 'judge your fellow in righteousness' (Vayikra 19:15) contains a dual application: a formal directive for a judge in beis din to adjudicate disputes impartially, and a universal obligation for every individual to judge his fellow favorably in his heart (dan lechaf zechus). One who habitually gives his fellow the benefit of the doubt will himself be judged favorably by the Heavenly Court. For example, if an item goes missing from one's home, one should presume that it was misplaced rather than hastily suspecting another person of wrongdoing.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• In Parshas Kedoshim, the Torah presents an ascending ladder of mitzvot between people. The Sfas Emes reveals that the Torah willfully organized this sequence of verses as an ascending ladder of spiritual growth. The holy peak of "love your neighbor as yourself" cannot be scaled in a single leap. It is an impossible goal unless we climb through the intermediate rungs that precede it. We must refrain from gossip. We must eradicate hatred from our heart. We must offer constructive guidance with humility. It is the vital mental discipline that clears our mind of pride. It paves the open road toward genuine love of our neighbor (Sfas Emes, Vayikra, Kedoshim 5641).

• The Sfas Emes opens Parshas Vayikra in 5660 with a sharp inquiry. The Sfas Emes explains our sacred role. Every Jew sent into this world to perform the commandments is designated as a true messenger and angel of Hashem. At Mount Sinai, our people received Divine light that elevated us to the rank of ministering angels. Although humanity subsequently fell from that pristine pinnacle, a permanent imprint of that Divine mission remains embedded within our souls. In the eyes of Heaven, that authentic point of goodness outweighs an ocean of accidental failures. It transforms our neighbor from an accused wrongdoer into a cherished child of the King (Sfas Emes, Vayikra, Vayikra 5660).

• In Parshas Vayeitzei in 5662, Yaakov Avinu experiences his nocturnal vision. What was the nature of this mysterious stairway? The Sfas Emes explains that the ladder represents the spiritual architecture of the mitzvos. The commandments are Divine gifts enabling humanity to draw holiness into the earthly arena. The ladder rests firmly on the earth, rooted in our concrete physical deeds. Yet its summit reaches the highest heavens, linking our physical actions with the Infinite. Upon this ladder, the Midrash makes a striking observation. We can choose to judge on the scale of merit. When we do, we transform the ladder of mitzvos into a highway of redemption (Sfas Emes, Bereishis, Vayeitzei 5662).

• In his discourse on Parshas Terumah in 5642, the Sfas Emes addresses the Divine invitation to build the Mishkan—the portable desert Sanctuary. The Sfas Emes explains that sin creates an alienation between our physical body and our inner soul. Our outward behavior and physical limbs become coated in spiritual grime, drifting away from the Divine source. Yet our heavenly root remains completely untainted. In addition, that holy root does not remain passive. It stands before the Almighty perpetually advocating for our merit. When we train our eyes to perceive that inner beauty, we mirror the Divine perspective. We help draw the sacred sanctuary into our shared world (Sfas Emes, Shemos, Terumah 5642).

• In Parshas Balak in 5656, the Sfas Emes examines the famous comparison in Mishnah Avos 5:19. Whoever possesses these three traits is among the disciples of Avraham our father, and whoever possesses three other traits is among the disciples of the wicked Bilam. A good eye, a humble spirit, and a modest soul—he is of the disciples of Avraham. The Sfas Emes teaches that Bilam could accomplish nothing because the Almighty viewed Israel through the good eye of Avraham. When we cultivate a good eye toward our fellow, judging him with generous love, we mirror the patriarchal covenant. We shield our entire community from the accusing gaze of the evil eye (Sfas Emes, Bamidbar, Balak 5656).

STORIES FROM OUR SAGES:

❖ The Sages taught in a Braisa: One who judges his fellow favorably is himself judged favorably by Heaven. An incident occurred with a certain man who came down from Upper Galilee and was hired by a householder in the South for three years. On the eve of Yom Kippur, the worker said to his employer: "Give me my three years' wages so that I may go home and feed my wife and children." The employer said: "I have no money." The worker said: "Then give me produce." He replied: "I have none." "Give me land." — "I have none." "Give me livestock." — "I have none." "Give me pillows and bedding." — "I have none." The worker slung his empty sack over his shoulders and walked homeward heavy-hearted, yet without speaking a word of anger. After the festival of Sukkos, the employer took the worker's full wages in his hand, along with three donkeys heavily laden—one with food, one with drink, and one with sweet delicacies—and traveled to the worker's home. After they ate and drank together, the employer handed him his wages and asked him: "When you asked me for your wages and I told you 'I have no money,' what did you suspect of me?" The worker answered: "I thought perhaps a bargain of merchandise came your way and you invested all your cash in it." "And when I told you 'I have no livestock,' what did you suspect?" — "I thought perhaps your animals were leased out to others." "And when I told you 'I have no land,' what did you suspect?" — "I thought perhaps your fields were leased out to sharecroppers." "And when I told you 'I have no produce,' what did you suspect?" — "I thought perhaps your produce had not yet been tithed before the holiday." "And when I told you 'I have no pillows and bedding,' what did you suspect?" — "I thought perhaps you had consecrated all your property to Heaven!" The employer exclaimed: "By the Temple service! It was so! I had vowed all my property away to the Temple

treasury because my son Hyrcanus was refusing to study Torah, and therefore I was forbidden to touch a single item until I traveled south after the festival and the Sages annulled my vows. And as for you—just as you judged me favorably, so may the Omnipresent always judge you favorably!"

Talmud Bavli, Shabbos 127b

❖ During a drought R' Tanchuma decreed a few public fasts, but the rains still did not fall. R' Tanchuma then addressed the public: "My sons, fill yourselves with compassion for each other and the Holy One will fill Himself with compassion for you." People began distributing charity to the poor. They saw a man giving money to his ex-wife and suspected him of sinning. They related what they saw to R' Tanchuma, who asked that the man be brought to him. When he came, R' Tanchuma asked, "Why were you giving money to your ex-wife?" The man answered, "I saw that she was suffering greatly and I was filled with compassion for her." R' Tanchuma raised his face heavenward and said, "Master of the world, this man has no obligation toward the woman (i.e., he does not even like her), yet he saw her suffering and was filled with compassion for her. You, about Whom it is written, 'merciful and gracious,' and we are Your children, the sons of Your beloved ones, Avraham, Yitzchak, and Yaakov, how much more so should You be filled with mercy for us." Immediately the rain began to fall.

Midrash Rabbah, Bereishis Rabbah 33:3

INSPIRATIONAL STORIES:

❖ Rabbi Naftali and Rebbetzin Pessia Carlebach, the parents of the late, famed Rabbi Shlomo Carlebach, lived in Vienna. They had a gentile maid, and Rebbetzin Pessia noticed that various items seemed to be disappearing from the house. She also saw that when the maid left on Friday before Shabbos, she always carried a suitcase. One Friday, Rebbetzin Pessia asked the maid, "What's in that suitcase?" "Nothing," said the maid. "I must look," Pessia said. Inside were items the maid had stolen from the house. Rebbetzin Pessia said to her softly, "You're only seventeen. If you're stealing now, what will become of you? Once you start stealing, you won't be able to stop, and eventually you'll end up in prison. If you need something, don't steal. Ask me, and I'll give it to you." The maid, who was frightened at being caught, was deeply touched by Rebbetzin Pessia's gentle words. She became attached to her heart and soul and said, "I would die for you." Two weeks after this happened, the Nazis entered Vienna. They immediately arrested every Jewish girl over fifteen on the pretext that they would have to clean the barracks being prepared for the German soldiers. The Carlebachs were terribly afraid for their sixteen-year-old daughter, Shulamith. Their gentile maid went to the Nazi officer in charge and said to him, "You don't have to arrest her. I'll go in her stead." The Nazi said to her, "You, an Aryan girl, are ready to go in place of this Jew?" She said, "These Jews are good people." He said to her, "If you go out with me tonight, I'll let her off. I have to bring her in because of my superiors, but I'll immediately let her go home." The next day, they arrested Shulamith Carlebach, but soon brought her home safely. Some weeks later, the officer told the maid that they were going to arrest Rabbi Naftali Carlebach in two days. They would almost certainly kill him because he was a rabbi. However, their policy was that if they came to arrest someone and he was sick, they waited until he recovered. So if the rabbi could appear ill, he would buy time to arrange a way to escape. Rabbi Naftali asked his doctor for medication to induce feverish symptoms, and the doctor complied. The next day, fifteen German soldiers with guns drawn came to the Carlebach home, and when they went in to the rabbi, they saw that he was in bed appearing very ill. "He's sick," the officer in charge said; "we'll come back later." Immediately after that, the Carlebach family arranged their escape — all because of Rebbetzin Pessia's compassion, which had transformed the young gentile maid.

Touched By a Story Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ In interviews with people who actually knew him, Sugihara's kindness is often referred to. The following story is an example of Sugihara's everyday goodness and kindness: Shortly after arriving in Kovno, he entered a gourmet food shop owned by a Jewish woman, where he met her young nephew, Solly Ganor. Solly, like many other youngsters in Lithuania,

had given all his Chanukah money to help the refugees streaming into Lithuania. He stopped in his aunt's shop asking her for a coin so he could go see a show, explaining that he had given all his money to tzedakah. To Solly's surprise, it was Sugihara who offered him a coin. At first Solly was taken aback, having never seen a man with slanted eyes. He described Sugihara as having a kind aura about him. Solly said he could not accept money from a stranger; to which Sugihara replied, "Consider me your uncle; I'll be your uncle for the holiday." Young Solly felt he should invite his newfound uncle to their family's Chanukah party taking place in their house on Motza'ei Shabbos. To everybody's surprise, Mr. and Mrs. Sugihara showed up at the Ganor's Chanukah party. Another guest, a refugee from Warsaw, was relating his escape from Poland and broke down crying. This appeared to have made a very strong impression on the compassionate heart of Mr. Sugihara.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

❖ It was the same old problem all over again. Berditchev was utterly without an esrog, and when one was finally secured, it was of course handed over to the safekeeping of Reb Levi Yitzchak, and the whole town had to come to his home to take turns at pronouncing the blessing over it. Now the good-hearted simple fellow who was the rebbe's attendant started thinking. No doubt after the tzaddik had himself pronounced the berachah first, then all the elder chassidim and scholarly folk in town would be next in line after him. After them it would no doubt be the turn of all the well-to-do householders. And by the time it came to his own hands, it would no doubt be perilously close to sunset, after which it would be too late to perform the mitzvah altogether. The Evil Inclination egged him on: "Why should I lose out? Am I not as much a Jew as the rest of them? Just because it's my good fortune to be the shammes of the tzaddik, should I therefore have to suffer?" He had a solution! Early in the morning, very early, when the tzaddik was still occupied immersing himself in the mikveh, and taking his time over all the mystical thoughts that he was always busy with, he, the shammes, would take hold of the esrog - quietly, secretly - and use it to pronounce the berachah first! At the crack of dawn on the morning of the first day of Sukkos the tzaddik went off to the mikveh. Taking his cue, the shammes picked his way stealthily to where the esrog was kept. But at this point Satan himself intervened. For so anxious was the shammes lest he be found out, that his hands trembled. The esrog fell to the floor, the pitom at its tip snapped off - and the esrog was invalid! The unfortunate fellow was so alarmed that he almost fainted. What on earth could he do? Not only would his shameful deed be discovered -- that he had planned to use the esrog before the tzaddik - but now the tzaddik would have no esrog at all. And he himself, the shammes, was the only one to blame! There was no way out. He would have to tell the whole sorry story to the rebbe, come what may. Wretched and disconsolate he sat and waited - until at length the tzaddik came home in lively anticipation of the mitzvah. And as the honest shammes sobbed out his disjointed account of the calamity his innards trembled within him. Surely the holy man would now call down upon him all the well-deserved wrath of heaven... To his amazement, however, the tzaddik showed no trace of anger or irritation. Instead, he took up the despoiled esrog in both hands, and in the voice of joyful ecstasy which was his whenever he spoke up in Israel's defense, he exclaimed: "Master of the Universe! Just look down and see how Your Children cherish Your mitzvos! So much so, in fact, that even an unlettered fellow like my shammes here is willing to risk getting himself into trouble by invalidating the esrog, all because he is so keen to perform the mitzvah with alacrity, to be one of those who are eager to be the first to obey Your commands...."

A Treasury of Chassidic Tales on the Festivals, By Rabbi Shlomo Yosef Zevin, published by ArtScroll Mesorah, p. 157

❖ A young man asked Rav Tendler for permission to go home for Shabbos, but his request was denied. The boy threw a large stone at him, went home anyway, and had the chutzpah to return on Sunday night. Understanding that this boy was troubled due to a dysfunctional family situation, Rav Tendler greeted him gently. "I know how important it is to you to be with family. From now on, whenever you are here for Shabbos, I want you to eat with us." The young man ate at Rav Tendler's home every Friday night until he left the yeshivah. The Tendlers married him off, and paid for the wedding with their own money.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 138

❖ When the phone rang in the Heckscher home at 3:30 one morning, one of the Rabbi's sons groggily picked up the receiver and was informed by a student from overseas that he wished to speak with Rav Heckscher. The son asked if it couldn't wait until his father would get up, but the answer was a definite "no. " Assuming that it was a matter of life and death, the boy woke up his father. This student, one with a past of numerous problems, had finally become engaged, and he wanted Rabbi Heckscher to be the first to know. Later that morning, when the family was a trifle more rested, they asked their father why it was so crucial that he be awake cried to hear the good news. Without any hesitation, Reb Dovid offered, "This boy is certain that I have trouble sleeping because he is not yet engaged. He felt that it would only be decent to inform me right away so that my mind would be at ease and I could sleep well.... "V'kach tzarich lihiyot — and this is the way that it should be!

Torah Leaders, published by ArtScroll Mesorah

❖ A more contemporary incident, recounted in ArtScroll's Around the Maggid's Table, also serves to bring home the lesson of this Mishnah: Mr. Usher Feingold of Ashdod was a poor man whose friends and neighbors helped raise money for his daughter's wedding. To everyone's astonishment, the wedding was catered in a large ballroom, in a very lavish manner. Many of the guests were highly offended. Was this how an ostensibly poor family had used the funds that had been raised for them? Surely the money could have been put to better use. The guests felt they had been used. After the wedding, the Feingolds could not fail to feel the resentment of the community. Shortly thereafter, Mr. Feingold visited his rabbi and explained. He and his wife had gone to the caterer to arrange a simple and inexpensive wedding. During the course of the discussion, the caterer realized that she and her family owed their lives to Mr. Feingold's father, who had hidden them from the Nazis. She insisted on catering the wedding at her own expense, as a small expression of her gratitude — but she made the Feingolds promise that it would remain a secret. "When we came to the hall that night, we were as shocked as everyone else, but I couldn't say anything to my guests. But when I saw the attitude of our friends, I went to her and explained. She gave me permission to tell the story, so now I beg you, please let people know the truth." It is about such situations that we are taught to judge everyone favorably.

The Pirkei Avos Treasury, By Rabbi Moshe Lieber, published by ArtScroll Mesorah

❖ A younger Mashgiach once sought his advice on whether to judge his students favorably. For example, he asked, if a student tells him that he came late because he wasn't feeling well, should he judge him favorably or be suspicious of his student's excuse? Rav Mordechai Schwab answered that he should judge the student favorably because eighty percent of the time the excuse is true. Therefore, it is better to judge favorably and be correct eighty percent of the time and wrong twenty percent of the time than the reverse, to judge unfavorably and be wrong eighty percent of the time and be correct only twenty percent of the time. This is how Rav Mordechai's sensitive eyes viewed people and the world which led him to find the positive in any situation.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

❖ Rabbi Levi Yitzchak of Berditchev saw a man greasing the wheels of his wagon while he was wearing his talis and tefillin. Instead of being enraged at this sacrilege, Rabbi Levi Yitzchak turned his eyes toward heaven and said, 'See, Master of the Universe, how holy Your children are! Even when he is engaged in greasing his wheels, he nevertheless remembers to pray to You. "

Not Just Stories By Rabbi Dr. Avraham Twersky

T. NOT TO JUDGE YOUR FRIEND UNTIL YOU STAND IN HIS PLACE

(Rabbinically Mandated Mitzvah), Sefer Chareidim 44-7

SEFER CHAREIDIM

As Hillel taught: 'Do not judge your fellow until you have reached his place' (Pirkei Avos 2:4). A person must never condemn another's conduct without fully understanding the emotional pressure, hardship, and unique circumstances under which he acted.

STORIES FROM OUR SAGES:

❖ During a severe drought, it was revealed in a dream to Rabbi Abbahu: 'Let Pentakaka pray, and rain will come!' Rabbi Abbahu sent for the man and asked him, 'What is your occupation?' The man sighed and replied, 'I do five lowly tasks every day—I clean out the theater, lay down the mats, carry the performers' garments to the bathhouse, clap and dance before them, and strike the cymbals.' Rabbi Abbahu asked him, 'What good deed have you ever done?' The man answered, 'Once, while I was cleaning the theater, a woman came in and stood weeping behind a pillar. I asked her why she was crying, and she told me: My husband has been taken captive, and I have no way to ransom him except by falling into sin! Hearing this, I went home, sold my bed and my blanket, brought her the money, and said to her: Take this, go ransom your husband, and do not sin!' When Rabbi Abbahu heard this, he exclaimed: 'You are worthy to pray and be answered for the entire world!'

Talmud Yerushalmi, Taanis 1:4 (64b)

INSPIRATIONAL STORIES:

❖ Walking down the street one day, Rav Yaakov Galinsky heard furious shouting and found a crowd gathered around two Holocaust survivors locked in a bitter dispute. "Thief! Give back the diamond jewelry you extorted from me!" one man screamed, while the other shouted back, "Ingrate! I saved your life with my own bread!" Spotting Rav Yaakov, the crowd parted respectfully: "Here is the dayan—let him judge between you!" In the sudden hush, the first man poured out his claim: "In the ghetto, I was moments away from starving to death when I saw this man holding a whole loaf of bread. I begged him for a piece, but he refused, saying bread meant life itself. Desperate, I pulled a family diamond piece worth tens of thousands of dollars from my pocket and offered it for a single slice of bread. He gave me one slice and took my diamonds! Now the war is over, I am penniless, and he walks around with my fortune for the price of a crust of bread!" "Without that slice of bread you would have died on the spot and your diamonds would have rotted in the mud!" the second man countered. Rav Yaakov turned gently to the first man: "Tell me—in normal life, a slice of bread is certainly not worth a fortune in diamonds. But let me share a Torah truth with you. On Rosh Hashanah, when the imperfect mitzvos a Jew performed all year ascend before the Heavenly Throne, the prosecuting angels protest that our prayers and mitzvos are flawed and distracted. How does Hashem silence them? The Pesach Haggadah states, 'Hashem brought us out of Mitzrayim —not through an angel.' The Ari HaKodesh explains that the spiritual impurity of Egypt was so dense that even a holy angel descending there would have been tainted! Therefore Hashem tells the angels: 'Do not judge My children from up in Heaven! You have no idea what it means to struggle in a world of darkness!'" Pausing, Rav Yaakov looked deep into the claimant's eyes: "The world of the ghettos and camps was another planet—you cannot judge that world by the price tags of today's world! In that world, who needed diamonds? There, a single slice of bread was worth more than all the gems on earth, because bread was life itself. Tell me truthfully: is your life today worth that piece of jewelry? Without his slice of bread, you would not be standing here alive to argue! You didn't buy bread with that diamond—you bought your very life." Moved to the heart, the man nodded in agreement, and peace was restored.

From Rav Yaakov Galinsky, By Rebetzin G. Lehrer

U. TO BE POLITE AND BEHAVE IN A MANNER THAT WILL CAUSE OTHERS TO LOVE YOU

(Rabbinically Mandated Mitzvah), Sefer Chareidim 38-6

SEFER CHAREIDIM (38:6)

Chazal taught (Berachos 17a) that a person should continually foster abundant peace with his siblings, with his relatives, and with every human being, so that he becomes beloved on High, cherished below on earth, and accepted favorably by all people.

RELATED HASHKAFAH TOPICS:

▪ Discuss how this mitzvah requires that one display proper etiquette and manners

STORIES FROM OUR SAGES:

❖ R' Yehuda Hanasi was born during the Hadrianic persecutions, when it was forbidden to perform circumcisions, he was circumcised anyway, and when the government heard that the R' Shimon ben Gamliel's son was circumcised, they ordered the child and his mother to come to the emperor. During the journey to the emperor, a Roman woman, who had just given birth to a son, had compassion on R' Shimon ben Gamliel's wife, and she volunteered to temporarily exchange the babies. Thus, when the she arrived before the emperor, the emperor saw an uncircumcised baby and he allowed her to return home safely. The Roman baby grew up to become the Roman emperor Antoninus, and he and R' Yehudah HaNassi developed a close relationship.

Tosafos, Avodah Zarah 10b

INSPIRATIONAL STORIES:

❖ One hot summer day, Reb Mendel Kaplan was driving with a talmid on the highway and got lost. Seeing construction in progress at the side of the road, he pulled over to ask the workers for directions. The student got out of the car to talk to the workers, and was greeted with curses. "Can't you read the signs!" they screamed. "You can't come here!" Reb Mendel got out to help the student, and a big, bare — chested worker came towards him speaking in a disrespectful manner. Reb Mendel just walked up to him, put his arm over the man's sweaty, grimy shoulder, and said, "You know, you should have respect for me because I'm old enough to be your father. I can understand your getting upset like this — I don't see how you can even work on such a hot day — but let me tell you something that will make you happy even on a hot day like today. Because of your work, people will be able to travel easily for years to come; old people, people with children and people with old broken cars like mine. And they'll be able to do it only because of your work." The worker's face lit up, and he gave Reb Mendel elaborate directions to his destination.

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

V. TO BE FRIENDLY TO EVERYONE AND NOT BE ALOOF

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-15

SEFER CHAREIDIM

A person's disposition should always be warmly engaged with people (Kesubos 17a). In his interpersonal interactions, he should carry himself with gentle humility and sweet forbearance — softer than butter and sweeter than honey — never aloof, abrasive, or haughty.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMCHAL — MESILAS YESHARIM (CHAPTERS, VOL. 13, P. 14)

It is a sacred obligation to be pleasantly involved with people (me'orav im habriyos), studying with them and conducting honest business. Nonetheless, excessive socializing leads to idle chatter, gossip, and wasted time. Therefore, one must balance social warmth with occasional solitude (hisbodedus), creating quiet spaces to reflect on personal growth without the distractions of societal illusions.

STORIES FROM OUR SAGES:

❖ Rabbi Yannai invited a finely dressed traveler to his home thinking he was a great scholar; when he discovered the man knew neither Bible nor Mishnah, yet when they said Grace After Meals the guest humbly declined to lead because he did not know how, Rabbi Yannai learned never to judge by outer appearances.

Vayikra Rabbah 9:3

INSPIRATIONAL STORIES:

❖ Rav Refael Levine had certain hours every day when he'd see people at Beis Aryeh. He had an interesting practice; that I saw him do on many occasions. Every time a person left him-, he'd hand him a shekel to put in the pushka so that the berachah he'd given the person would have something to "rest" on, and he would also give his petitioners a candy. It was a little bit of a funny thing; seeing a rav handing out candies to adults, but that was his minhag. Once, I decided to ask him why he did this. "Binyomin," he said, "I don't know what my brachos are really worth, but the main thing in my eyes is that a person who enters my room with a sad face should leave with a smile, and receiving a candy puts a smile on a person's face. "Remember this," he concluded. "Anything you can do to put a smile on another person's face is worthwhile.

Inside Their Homes

W. TO INITIATE A GREETING TO EVERYONE

(Scripturally Mandated Mitzvah), Sefer Chareidim 38-4

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Would this mitzvah apply to a pagan?

SEFER CHAREIDIM

Scripture commands: 'Seek peace and pursue it' (Tehillim 34:15). Based upon this principle, it is an essential religious obligation to initiate a peaceful greeting (shalom) to every person one encounters, even a gentile in the marketplace. Indeed, the Talmud relates (Berachos 17a) that no person ever preempted Rabban Yochanan ben Zakkai in offering a greeting, not even an idolater in the public square.

INSPIRATIONAL STORIES:

❖ The Bluzhever Rebbe, Rav Yisroel Spiro, used to go for a walk every morning. He would greet everyone he met, including non-Jews, with a warm, heartfelt "good morning. He often used to pass a German named Muller who lived in Poland at the time. Each morning the Rebbe would say, "Good morning, Herr Muller," and Muller would respond, "Good morning, Herr Rabbiner." The Holocaust began and the Bluzhever Rebbe was taken to Bergen-Belsen. Standing in line for selection, he saw that the man in the Nazi uniform at the head of the line looked familiar. When he reached the front of the line, the Rebbe said "Good morning, Herr Muller." "Good morning, Herr Rabbiner" came the response, and Muller pointed to the right, the side of life.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ R' Moshe Sherer related as follows: We once walked from Rav Elchanan Wasserman's room at the Broadway Central hotel to the elevator and pressed the button for the elevator. Then, R' Elchonon asked me in Yiddish how one says 'Gut morgen" in English. After telling him, R' Elchonon then paced back and forth practicing, "Good morning, good morning." As soon as the elevator arrived and we stepped inside, R' Elchonon turned to the elevator operator and wished him "Good morning." He then turned to me and asked, Did I say it well?" It was very important for R' Elchanan to be able to say Good morning in English to the non-Jewish elevator attendant.

Five Great Leaders, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

X. TO RECEIVE EVERYONE WITH A SMILE

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-20

SEFER CHAREIDIM

A person should greet every individual with a pleasant countenance and with genuine joy (Pirkei Avos 1:15).

STORIES FROM OUR SAGES:

❖ Another incident occurred with a certain gentile who was passing behind the study hall and heard the voice of a teacher reading the verse (Shemos 28:4): "And these are the garments that they shall make: a breastplate and an ephod..." He asked the students: "For whom are these splendid garments made?" They told him: "For the High Priest." The gentile said to himself: "I will go and convert to Judaism on condition that they appoint me High Priest!" He came before Shammai and said to him: "Convert me on condition that you appoint me High Priest!" Shammai pushed him away with the builder's measuring rod in his hand. He then came before Hillel, and Hillel welcomed and converted him, saying gently: "Do they ever appoint a king unless he first knows the royal protocols? Go and study the royal protocols of the Torah first!" The convert went and studied Torah until he reached the verse in Numbers (1:51): "And the non-priest who approaches the sacred service shall die." He asked Hillel: "Regarding whom is this verse stated?" Hillel answered: "Even regarding David, King of Israel, who was not of the priestly tribe of Aharon!" The convert immediately drew an a fortiori conclusion within his own heart: "If native-born Israelites, who are called children of the Omnipresent and whom God in His great love called 'My firstborn son Israel' (Shemos 4:22), are warned 'and the non-priest who approaches shall die,' how much more so does this apply to a humble convert who has come with only his staff and traveling bag!" He returned before Shammai and said to him: "Am I at all eligible to be High Priest? Is it not written in the Torah, 'And the non-priest who approaches shall die'?!" He then came before Hillel and blessed him: "O gentle Hillel, may blessings rest upon your head, for you brought me

close beneath the wings of the Divine Presence!" In time, all three converts whom Hillel had welcomed met in one place and declared: "The strictness of Shammai sought to drive us away from the world, whereas the gentleness of Hillel brought us close beneath the wings of the Divine Presence!"

Talmud Bavli, Shabbos 31a

INSPIRATIONAL STORIES:

❖ Rav Avigdor Miller often spoke about the importance of giving a warm greeting with a smile. He once shared the following story: A man named Chaim passed away and came before the Heavenly Court. As he looked at his record, he was astonished. Page after page showed hours of Torah learning and chidushei Torah written in his name. He was bewildered, because he had been a simple man who had never accomplished such things. It was explained to him that there was no mistake. One morning, as Chaim was leaving shul, he greeted another man named Moshe warmly. That cheerful greeting lifted Moshe's mood. Soon afterward, Moshe was approached by a Rosh Yeshivah for a donation. Since Moshe was in good spirits, he gave far more generously than usual. The donation encouraged the Rosh Yeshivah, who entered the yeshivah uplifted. His happiness carried into his shiur, which he delivered with greater passion and energy. Inspired by his enthusiasm, the talmidim pushed themselves harder in their learning. All of this ripple effect, generosity, encouragement, and heightened Torah study, was traced back to that one heartfelt "Good morning" said with a smile.

From Rav Avigdor Miller, His Life and Revolution, by Yaakov Y. Hamburger, Judaica Press

❖ Frau Schenirer's greetings for strangers and gentiles, with a smile and a good wish each time, were a kiddush Hashem. 'What a nice Jewish woman you are to notice me and give me your blessing,' gentile women would say happily, returning her greeting. One morning on the way to work, as I passed a tollbooth to cross the bridge, the young attendant stretched out her hand indifferently to accept the money and said "Thank you" in the perfunctory way that people do in such situations. "Good morning, how are you this morning?" I replied, giving the lonely girl in the isolated tollbooth a greeting of my own. "Have a pleasant day." Her face lit up. With a big smile, she answered, "Thank you, Ma'am. You already made my day." I often think about this little episode. It confirms to me the great power of a friendly greeting. It can change a person's mood and spirit. It can bring joy and hope to the downtrodden.

Carry Me in Your Heart, By Pearl Benisch, p. 259

❖ At the outbreak of World War II, Reb Yisroel Yaakov Lubchansky (the Mashgiach of Baranovich) escaped with students of the yeshivah to Vilna, Troki and then Smilishoki. Heroically, he continued to shoulder the burden of maintaining the yeshivah. In the middle of Sivan 5701 (1941) he learned that the Communists had decided to arrest him and were indeed searching for him. He fled in secret to Kovno and hid there. Less than two weeks later the Nazis overran Kovno and he suffered a martyr's death at their hands. Survivors of the Kovno ghetto related that in those dark days Reb Yisroel Yaakov would encourage and strengthen the ghetto population. His face radiated joy and gladness. Asked why he seemed so happy, he replied, "I am by nature a coward, but why should someone else suffer because of me? So I try to suppress my fears and look cheerful so as not to demoralize others." He continued to exhibit a cheerful appearance until the very day he was led out to execution."

Reb Elchonon, By Rabbi Aharon Sorasky, published by ArtScroll Mesorah

❖ Rav Tendler had an intuitive sense of people, and was aware of many things that he was never told openly. He would tell the bachurim, "The Alter of Slabodka would say that your heart belongs to you, but your face belongs to everyone else. Everyone looks to your face to see if you are happy or sad, nice or rude." "If you look happy," Rav Tendler reminded people, "you influence others, and the same if you are sad."

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 163

❖ Reb Shlomo Zalman Auerbach loved people, and most of all he loved making people happy! Smiles are often contagious — and perhaps that is why he always wore one. Rabbi Avraham Yosef Laizerzon, who possesses the largest collection of snapshots of the Gaon, noticed that there is a smile adorning Reb Shlomo Zalman's face in virtually every picture, except the ones in which he is holding a Torah scroll, reflecting his awe of the holy text. Not long before he passed away, the Rav gave this blessing to a young family member; "Learn well. Eat well. Sleep well. And always smile."

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

Y. TO GO LEFNIM MESHURAS HADIN, TO GIVE UP YOUR RIGHTS FOR THE SAKE OF PEACE AND KINDNESS, TO COMPROMISE

(Torah Mandated Mitzvah), Sefer Chareidim 16-33

As it says "teach them… the actions that they should do" (Shemos 18:20, Parshas Yisro).

SEFER CHAREIDIM

Our Sages of blessed memory explained the verse, 'and the deed that they shall do' (Shemos 18:20): 'the deed' refers to the strict letter of the law (din), while 'that they shall do' refers to acting beyond the strict letter of the law (lifnim mishuras ha-din), relinquishing one's formal rights for the sake of peace and loving-kindness (Bava Metzia 30b).

RAMBAN

And you should do what is just and good in the eyes of Hashem (Devarim 6:18)

And to our Rabbis this was beautifully explained. They said: This refers to compromise and going within the line of judgment. The intention behind it is that it, originally it said that "you should observe the statues and the laws that I have commanded you". But now it says even with those that I didn't command you, put your attention to do what is good and what is just in His (Hashem's) eyes, because He loves goodness and justice.

This is a great matter because it is impossible to mention in the Torah all the behaviors that a person should have with his neighbors, friends and all his business dealings, and societal improvements. However after it mentions a lot of them, for example, do not gossip, do not take revenge, do not bear a grudge, do not be idle by your brother's blood, do not curse the deaf, you should respect the elderly, and the like, it repeats to say in a general manner, you should you what is good what is good and just in all your matters until you incorporate compromise and going within the line of justice… This includes what our Sages have said that you should speak pleasantly with all people until you are called in all matters whole and just.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMCHAL — MESILAS YESHARIM (CHAPTERS, VOL. 18, P. 19)

Genuine Chasidus (piety) does not consist of strange self-afflictions or eccentric behaviors. Rather, just as one who deeply loves another intuitively discerns what brings joy to his beloved even without being explicitly asked, a pious person studies the mitzvos of the Torah to understand what brings true nachas to the Creator, acting beyond the bare requirement of the law (lifnim mishuras hadin).

MORAL DILEMMAS:

Four families lived in an apartment building. They all owned the building jointly and they also owned a grassy yard next to the building. One day some of the families raised the idea of converting the yard next to the building into an extension that would greatly increase the size of each of the apartments. Three of the families agreed and thought it was a great idea. They wanted to extend the apartments into the yard. One family, the Greens, disagreed. They preferred to have a yard for their children to play in. They also enjoyed the view that the yard offered. The other three families replied that they were the majority and their interests override the views of the minority. However, the Greens argued that they had a valid reason to object. The yard was necessary for the kids. In addition, even though the others were a majority, the Greens still owned a significant portion of the yard. If the others would use the yard to build an extension they would be using the land without the Green's permission. They felt that ownership of the yard was not a democracy that can simply be decided by majority rule. If someone builds on the yard then they are building on the Green's property too, and that is theft. What do you think? Does one family have the right to block the extension? Or does one family have to follow the will of the majority?

Answer: Regarding the question about dividing the yard, this question was brought to Rav Elyashiv zt"l. Rav Elyashiv said that they should divide the yard equally and one family cannot stop the others from building in their portions.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 82

A homeowner had a low stone retaining wall along the front perimeter of his yard bordering a public bus stop. For decades, commuters frequently sat on the stone wall while waiting for the bus. The homeowner later decided to erect a tall privacy fence directly on the boundary line, completely eliminating the seating area. Can the neighborhood commuters or municipal authorities claim a prescriptive right (hazakah) to preserve the seating area?

Answer: Based on the Rashbam (Bava Basra 100a) and Kovetz Teshuvos of Rav Yosef Shalom Elyashiv zt"l (Vol. 1, Choshen Mishpat Siman 208), the prohibition against ruining a path that the public has established applies only when the public actively prepared the path or prevented the owner's use and the owner remained silent, indicating permanent waiver (mechilah). Here, where commuters merely sat on the owner's low perimeter wall while waiting for the bus without interfering with his use, he never ceded ownership of his wall to the public and is fully permitted to raise or modify it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 410

Aron lived in an apartment building on the ground floor. There were a rash of burglaries and break-ins in his apartment building. One night his apartment was broken into. The thieves forced open the window and robbed him. After that incident, Aron decided to install bars on his windows. The bars that he installed protected his windows, but they had vertical and horizontal posts. After Aron's upstairs neighbor saw the new bars, he complained that the bars reach high up close the second story and can now allow people to climb onto his porch on the second floor. After Aron looked at it again he could not deny the fact that now a burglar can use the bars on his window to climb to the second floor porch. However, he argued that he already paid for the installation and he was doing what he could to protect himself. The neighbor argued that it was wrong for him to protect himself in a way that can facilitate the robbery of someone else. Who do you think is correct. Can Aron protect himself with security measures that make it easier for another to be robbed?

Answer: Based on the Gemara in Bava Basra (22b, 'merachikin es ha-sulam min ha-shovach') and the principle that gerama b'nezikin is forbidden, Rav Yitzchak Zilberstein rules that a ground-floor resident who installs protruding window bars that effectively create a climbable ladder giving burglars easy access to the second-floor apartment must either use a non-climbable bar design or share in securing the upstairs window.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 152 (Table Talk Edition 038)

STORIES FROM OUR SAGES:

❖ Certain hired porters accidentally dropped and broke a barrel of wine belonging to Rabbah bar Bar Chanan while carrying it. To collect payment for his damaged wine, Rabbah bar Bar Chanan seized their outer cloaks as security. The porters came before the great sage Rav and told him what had happened. Rav said to Rabbah bar Bar Chanan: "Give them back their cloaks!" Rabbah bar Bar Chanan asked: "Is that really the law?" Rav replied: "Yes, for it is written (Proverbs 2:20): 'So that you may walk in the way of good people.'" So Rabbah bar Bar Chanan gave them back their cloaks. The porters then said to Rav: "We are poor men, we have toiled all day long, we are hungry, and we have nothing at all to bring home!" Rav turned to Rabbah bar Bar Chanan and said: "Go and pay them their day's wages as well!" Rabbah bar Bar Chanan asked in surprise: "Is that really the law?" Rav replied: "Yes, for the end of that very verse states (Proverbs 2:20): 'And keep the paths of the righteous!'"

Talmud Bavli, Bava Metzia 83a

INSPIRATIONAL STORIES:

❖ After two years of saving and backbreaking family labor, Yoni and Mrs. Alon and their children finally finished building their dream backyard above-ground swimming pool. Within days, however, their joy turned to frustration: large branches from their next-door neighbors' tree hung far over the fence, continually filling the pool with leaves, twigs, and sticky sap so that no one wanted to swim. Although Yoni knew that halachah and civil law entitled him to trim branches overhanging his own property without permission, out of neighborly courtesy he spoke to Mr. Green first and offered to pay for the tree trimmer himself. Mr. Green reluctantly agreed, but when the tree cutter arrived and revved his chainsaw, Mr. Green pleaded with Yoni: "If you cut only the branches overhanging your yard, my tree will look lopsided! Won't you pay to have him trim my side too so it stays symmetrical?" Realizing how deeply his neighbor cared for the tree, Yoni swallowed his astonishment and agreed to pay for both sides. Just as the trimmer placed his ladder against the trunk and started the saw again, Yoni heard quiet sobbing behind him. Mrs. Green was standing with a camera in her hand, weeping as she took one last photograph of the tree: "Please don't cut our tree! My husband and I planted it with our own hands twenty-five years ago and watched it grow!" The trimmer shut off his saw and waited. Yoni looked at the pool his family had labored for two years to build, knowing he had every legal right to cut the overhanging branches—and then he looked at his neighbors' tears. After consulting his wife and children, Yoni turned to the tree cutter: "We won't be needing your services after all. My family and I have decided that peace and love between neighbors are far more precious to us than a swimming pool." Amazed, the tree cutter refused to accept a penny for his trip. The Alons dismantled their pool, leaving a bare circular patch in their lawn—a spot that, to the Alon family, remained far more beautiful than any pool, as a living monument to going lefnim mishuras ha-din for a neighbor's feelings.

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

❖ The Sherman family rented a house on the top floor, while another family rented the bottom floor of the same house. There was only one A/C and heating unit upstairs that controlled the entire house. The upstairs got very hot and required a lot of air conditioning, while the basement apartment became very cold and uncomfortable. One day, the basement family asked to raise the temperature because they were too cold. That night, a family member upstairs couldn't sleep well due to

the heat. He debated whether to turn the A/C higher or leave it as it was, knowing the people downstairs would be very cold. Eventually, he decided instead to turn on a fan in his room and placed it randomly next to the dresser. Although it was still very hot, he managed to go back to sleep. Over the next couple of days, no one moved the fan from its place. Early one morning, while everyone was sleeping, a little child upstairs was busy playing in the parents' room. The child opened all six drawers of the dresser and decided to climb to the top to play with some knickknacks. As the child climbed, there was a loud noise as the dresser started to fall forward. The mother awoke in horror, watching everything unfold. Miraculously, as the dresser fell, it suddenly stopped, allowing the child to run away to safety. The mother looked around in disbelief and saw that it was the fan, which her husband had used to keep the downstairs neighbors comfortable, that had saved her child's life. Baruch Hashem, the little child was saved! This story serves as a powerful lesson about being mevater. (and a reminder to secure all furniture to the wall, even short dressers.)

Table Talk, Edition 399 (Parshas Pinchas), by Rabbi Yitzi Weiner

❖ One Erev Succos, the litigant in a case insisted on a halachic decision and not a compromise. Rav Scheinberg asked him if he had purchased his esrog yet. The fellow responded that indeed he had. When Rav Scheinberg asked him how much he had paid for it, the man mentioned a large sum of money. Rav Scheinberg noted that the man obviously had an appreciation for mitzvos, and thus offered him a mitzvah at a bargain price. All he needed to do was compromise at the din Torah.'

Rav Scheinberg, By Rabbi Chaim Shlomo Rosenthal, published by ArtScroll Mesorah

❖ Barbara Beyda Simon was the wife of Joseph Beyda. About twenty years ago we bought a summer home in New Jersey. It was a large house and happily in the contract the price included the existing furniture. I didn't want to start shopping for all new furniture and I was relieved that we were getting it with the house. Just before the closing, the buyer decided to tell us that he wanted to take the furniture. He said he needed it for his new house (which was just down the block) and that he changed his mind about leaving the furniture. Obviously, our attorney told Joseph that he didn't have to "give in". I didn't want to lose the house, but I also didn't want to start looking to fill the big house with furniture. Joseph turned to me and said, "Barbara, let's take the high road. Let's let this old man have his furniture and buy the house anyway. I know we had a deal. Let's just make him happy." That is not the end of this story. About six months later, the seller called us and said that he wanted his rosebushes. "Joe, is he serious?" I told him. "He wants us to dig up those beautiful rosebushes and bring them over to his new house? Is he kidding? Wasn't the furniture enough? What are we going to do?" "He loves those rosebushes Barbara." Joseph said. "Let him have them. They mean much more to him than they do to us. Let's take the high road and let him keep his rosebushes." So Joe actually hired a gardener to come dig up the rosebushes and replant them in the man's garden. Within a year the man died. It was then that I realized that Joe's "Taking the high road" was the only way to go. Indeed, they meant much more to him than they could ever have meant to us. He really did love those rosebushes. I was thrilled that we took the high road and let him keep them.

Joseph: How One Man Can Make a Difference, by Jack Doueck, Sephardic Press, p. 317

❖ In a din Torah brought before Reb Meir Simcha, both litigants claimed a piece of land. The Rav attempted to bring the two men to an acceptable compromise, but both stood their ground stubbornly. Suddenly the Rabbi announced that he wished to see the plot of land under dispute. When they were all standing on the contested ground, Reb Meir Simcha planted his walking stick into the ground and announced: "Here are two people, each has a valid claim and each declares, 'This ground is mine.' And here is the ground which declares, 'you are both mine.' "

The Torah Personality, By Rabbi Nisson Wolpin, Published by Mesorah Publications

3. To love an immigrant or Jewish convert

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 61

As the Torah says, You shall therefore love the Ger (Devarim 10:19, Parshas Eikev)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Which is a bigger Mitzvah, to do kindness to a Jew who lives in your town or to a Jew who moved from out of town?
- Why?
- What is the meaning of the term Ger?

SEFER HAMITZVOS HAKATZAR

This obligation is an independent positive commandment beyond the general precept, 'You shall love your fellow as yourself' (Vayikra 19:18), for although a convert is already included among the Jewish people, the Torah adds an explicit command to love him. Hashem, blessed is He, cherishes the convert, as Scripture states: 'He loves the stranger, providing him with bread and clothing' (Devarim 10:18), and further: 'And you know the soul of a stranger' (Shemos 23:9).

The definition of ger here extends to a newcomer who arrives from another land or city to dwell among us, and applies above all to a righteous convert (ger tzedek) who has embraced Judaism. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. This is particularly true in the case of a stranger who is more vulnerable and easier to take advantage of. Because we have to use more effort to loving and protecting the stranger, our character is refined even more.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

ABARBANEL (DEVARIM 10:19)

This mitzvah is teaching us to emulate Hashem who loves the Ger.

SEFER HACHINUCH (MITZVAH 431)

This mitzvah helps us to develop good middos, so that Hashem's presence can dwell with us and give us His blessings.

SFAS EMES

• Why does the Torah call him a convert (ger)? What does this name reveal about the hidden journey of his soul? The Sfas Emes explains that the word ger relates to being cast out. He writes: "Megorash u'm'urav ba-sitra achra". The soul was trapped in spiritual concealment. Yet the Rebbe immediately adds a crucial insight: "She-b'vadai k'she-nisgayer muchan hu lihyos bi'chlal Yisrael, rak she-hayah ad atah muvla b'makom acher". A sincere convert who enters the covenant was always destined to belong to our people. Loving him means recognizing the hidden holiness that Hashem brought into the light. We must never define our brother by the darkness from which he emerged (Sfas Emes, Moadim, Shavuos 5647).

• Why were our ancestors sent into the crushing trials of exile? We often assume that exile is purely a punishment. The Sfas Emes explains that this is not a criticism of the convert himself. Rather, it describes the immense spiritual burden placed upon our people. We had to wander across the globe and endure painful hardships so that hidden holy sparks could be drawn out and redeemed. How could we ever look upon a sincere convert with coldness? When a convert joins us, we are looking at the living fruit of our ancestors' tears and prayers. Loving him means welcoming the very fulfillment of our historical mission (Sfas Emes, Shemos, Yisro 5652).

• Why does the Torah record the arrival of Yisro alongside the giving of the Torah at Mount Sinai? When our people stood at Sinai, we were elevated into a unique covenant with our Creator. Why did we need the arrival of an outsider at that exalted moment? The Sfas Emes provides an illuminating answer: "V'ha-gerim heimah ha-m'mutza'im bein ha-umos l'Bnei Yisrael" — converts serve as a vital bridge connecting the nations of the world to our people. When our people were lifted up into the light of the Torah, creation still needed an open bridge. Once he joins our covenant, he becomes an equal partner in our destiny. He helped bridge the distance between heaven and earth (Sfas Emes, Shemos, Yisro 5645).

• Why do we read the Book of Ruth (Megillas Rus) on Shavuos, the joyous festival of the giving of the Torah? Yet the Sfas Emes reveals that our chosenness gives us the spiritual power to draw converts close: "L'karev kol ha-gerim". In the Rebbe's teaching, our people are the inner fruit and initial seed (reishis) of all Creation. When we elevate ourselves through Torah, we lift up all creation with us: "K'fi mah she-ma'alin Bnei Yisrael gam min ha-umos, misrom'mim heim b'yoseir". Lovingkindness (chesed) is never a compromise of our standards. When offered to a sincere seeker, our love fulfills the very purpose of the Torah given at Sinai (Sfas Emes, Moadim, Shavuos 5664).

• Our Sages teach us that Avraham Avinu willingly chose exile for his descendants. Why would the great pioneer of monotheism choose hardship and wandering for the children he loved? The Sfas Emes explains that Avraham understood the sacred purpose of exile. He writes: "She-zeh hayah b'chiraso shel Avraham, she-hichnis atzmo b'chol ha-mekomos l'sakenam u'l'ha'alotam". Avraham chose exile because he was ready to enter difficult places to repair and elevate them. His selfless love of Hashem drove him to reach out to souls who were far away. The Rebbe contrasts Avraham with Noach. Avraham never hoarded the light of Hashem for himself. Loving the convert means keeping Avraham's generous spirit alive in our own hearts (Sfas Emes, Bereishis, Vayeira 5641).

RELATED HASHKAFAH TOPICS:

▪ Discuss what is special about a Ger that Hashem loves him with additional love

STORIES FROM OUR SAGES:

❖ R' Yochanan ben Torta was a proselyte; he converted to Judaism after the following incident: He purchased a cow from a Jew. The cow worked for six days of the week but refused to work on Shabbos. Yochanan returned to the Jew and said, "Take your cow... no matter how hard I hit her she refuses to move. The Jew understood that his cow was unwilling to work on Shabbos, so he leaned over and whispered into her ear, "Cow, cow, you know that when you were in my possession you plowed for six days of the week and rested on Shabbos. Now that you are in the possession of a gentile I request of you that you stand up and plow." The cow immediately complied. When Yochanan understood what had occurred, he said, "If a cow, who cannot speak and does not have understanding, can acknowledge her Creator, how can I, who was created in the form of my Creator and who possesses understanding, not acknowledge my Creator?

Pesikta Rabbasi, Parah 56b-57a

❖ On that great day in the academy of Yavneh when Rabbi Elazar ben Azaryah was appointed head of the study hall, Yehudah, a righteous Ammonite convert, came and stood before the Sages in the study hall and asked: 'What is my status to enter the assembly of Israel by marriage?' Rabban Gamliel said to him, 'You are forbidden.' Rabbi Yehoshua immediately stood up and said to him, 'You are permitted!' Rabban Gamliel objected, 'Does not Scripture state (Devarim 23:4): An Ammonite and a Moabite shall not enter into the assembly of the Lord, even to the tenth generation?' Rabbi Yehoshua answered him: 'Are the Ammonites and Moabites still living in their original homelands? Long ago, Sennacherib King of Assyria came up and mixed up all the nations of the region, as it is written (Isaiah 10:13): I have removed the bounds of the peoples! And anything that separates comes from the majority!' Rabban Gamliel countered with Jeremiah's prophecy that the Ammonites would return, and Rabbi Yehoshua replied: 'Has not Jeremiah also prophesied that the ten tribes of Israel will return—and they have not yet returned!' Immediately the Sages voted and permitted Yehudah the convert to enter the assembly of Israel!

Mishnah, Yadayim 4:4

INSPIRATIONAL STORIES:

❖ I once was troubled regarding a match I had arranged between a yeshivah student and a convert. I knew that if I apprised the boy of the girl's background at the outset, chances were that he would be unwilling to date her. However, I was convinced that once they had met and gotten to know one another, the boy would realize how wonderful she was and would not reject her over extraneous factors. I had reasoned that it was important to "stack the deck" as much as possible in this girl's favor, but at the same time felt it was unfair to conceal information about her background from the boy until a commitment had already been made. I brought my dilemma to Reb Shlomo Zalman Auerbach. I could never have anticipated the Gaon's reaction. He did not see any drawback at all in revealing that the girl was a convert. "On the contrary!" he said with genuine wonder. "Can you imagine how fortunate he could be? Tell him he would have the privilege of fulfilling the mitzvah of Ahavas HaGer — the commandment to love the convert — every single day of his life!"

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ Towards the end of Rav Yisroel Belsky's life, he suffered a ruptured esophagus. The doctors thought he would not make it. But miraculously Rav Belsky did recover and he lived for an additional four years. Rav Belsky's daughter, Mrs. Devorah Presby later observed, "Perhaps my father was granted four more years of life after his esophagus ruptured as a reward for the four brisos that he gave up for the sake of a ger." Here's the backstory behind that comment. Rav Belsky's beis din conducted the geirus of a young woman. This woman settled with her husband in the Philippines. The couple stayed in close touch with Rav Belsky. When this couple was planning their daughter's Bas Mitzvah, they called Rabbi and Rebbetzin Belsky to request that they fly to the Philippines to join them for this celebration. Rav and Rebbetzin Belsky graciously agreed to go to the Philippines to attend the Bas Mitzvah. A week before the Bas Mitzvah, Rav Belsky's daughter, Mrs.

Devorah Presby gave birth to quadruplets - three boys and one girl - in Eretz Yisrael. The next day, Rabbi Eliyohu Belsky's wife gave birth to a boy in Eretz Yisrael. Rav Belsky now had the opportunity to serve as mohel for four grandsons within a span of two days. However, these simchos conflicted with the Bas Mitzvah in the Philippines for which he gave his word he would attend. A grand celebration had been planned and which could not be postponed. Rebbetzin Belsky expressed the feelings of both her husband and herself. "The Torah says in more than one place that it is a mitzvah to love a ger. How could we disappoint them and not come? We already told them that we are coming!" And so Rav and Rebbetzin Belsky missed the brisos of four grandsons in order to attend this Bas Mitzvah. On this, Mrs. Presby reflected, "Perhaps my father was granted four more years of life after his esophagus ruptured" as a reward for the four brisos that he gave up for the sake of a ger."

From Rav Belsky, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ An observant woman who emigrated from Russia came to register her daughter at Yeshiva of Brooklyn. Rabbi Mandel noticed that the woman seemed very nervous, probably because she was afraid that her daughter would not be accepted. Rabbi Mandel calmly put down his pen, put aside the registration forms, and said to her: There is really no difference between me and you. My parents also came from Russia. The only difference is that 95 years ago, my parents made a decision to come to America. Around ten years later, your parents made a decision to remain in Russia. What would have happened if it had been the other way around, if my parents had decided to stay and yours would have chosen to emigrate? Then you would be sitting in the principal's chair and I would be sitting in your seat. Should a decision that was made by our parents some 90 years ago make me a better person than you? Is there any logic to that? As the woman was leaving the school, she stopped by the secretary's desk and said, "I'm in America 15 years, and wherever I go, I'm a Russian.' Today, I met the greatest rabbi I ever met, and he told me that he and I are the same!"

From Rabbi Manis Mandel: A Legendary Mechanech and Tzaddik, by Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ At the outbreak of World War I in the summer of 1914, many of the Jews living near the war front in Poland escaped across the border to Slutzk, Russia. Living conditions were atrocious; most refugees were quartered in the local synagogues, lacking even basic necessities. Though life was somehow tolerable during the summer months, when winter arrived the situation became critical, with almost no fuel or clothing available. The Slutzker Rav, Harav Isser Zalman Meltzer, took personal charge of the situation, carrying the entire financial responsibility for the refugees. In addition, his house was open at all hours of the day and night to allow those in need to find a receptive ear to their woes. The war impacted deeply not only on the refugees, but also on the entire Jewish community. When community leaders got word that their Rav's household was in a dismal state of affairs — that his salary did not suffice for even one quarter of his budget — they scheduled a special meeting to discuss the matter. The shammos got wind of the committee's special session, and hurried to notify the Rav that in the near future his financial situation hopefully would improve. The Rav made a note of the time and place of the meeting and thanked the shammos for bringing him the good tidings. When the day came, the Rav was there to join the meeting. The president opened the session with brief remarks, pointing out the dire circumstances of their beloved Rav and recommending that a substantial increase in his salary be approved. Immediately after, the Rav was given the opportunity to comment. "Dear committee members, leadership of the Slutzk Jewish community," he began. "First, let me take this opportunity to thank you for having me and my family in mind. I have but one small plea and I respectfully request a unanimous vote on it. My request is to kindly remove the subject of my salary from the agenda. "All of you, dear gentlemen, are familiar with the terrible conditions of the refugees who are living in squalor. They are exposed to hunger and need. Especially now during the bitter winter months, they lack even the most basic of human needs such as warm clothing and blankets. In no way do I underestimate your kind attention and contribution to our unfortunate brothers and sisters. My request is simple: the money you would have earmarked toward my salary should be given to them instead." There was a brief debate among the committee members and a consensus was reached that both items were of equal importance. They would provide for both the Rav's needs and those of the refugees. The Rav, however, was adamant.

"Pardon me for being so forceful, but I do ask each and every committee member to do me this small favor: remove the salary increase from the agenda," the Rav literally begged. "Thank G-d, I have sufficient funds for my family's needs. Should my salary be increased even incrementally, it would automatically reduce the amount allocated to the poor." With no alternative, the committee reluctantly acquiesced, and the entire session was devoted to the refugees' plight, with some important decisions reached to aid them significantly. It is worthwhile to take a brief glimpse at Rav Isser Zalman's true financial picture when saying, "Thank G-d, I have sufficient funds for my family's needs." As mentioned above, his salary did not come close to meeting his needs, and his Rebbetzin helped supplement their income. Throughout most of the night she baked rolls in her primitive oven, selling them in the morning to women who had access to the military personnel who could afford to buy fresh rolls. In addition, the Rav and the Rebbetzin rented out one room of their small apartment, with their entire family crowding into the little space left, so that an additional few rubles could be earned. Even with these "riches," the family could not meet their barest minimum needs. Yet an increase in salary was out of the question, if it was at the expense of Jewish war refugees. Rav Isser Zalman finally agreed to a salary increase the following summer, only after the authorities had relocated most of the refugees.

Noble Lives Noble Deeds, Vol. 1, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ Reb Mendel Kaplan was overwhelmed by the greatness of converts to Judaism, who voluntarily accepted upon themselves the yoke of Heaven. Concerning one convert who frequented the yeshivah, he used to say, "Whenever I see him, I feel like running over to him and asking, 'How did you do it!' He made it from being a gentile to being a Jew, While I can't even get from the bottom of one page of the Gemara to the top of the next!"

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

4. To give charity

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 38

As the Torah says You shall surely open your hand, etc. (Devarim 15:8, Parshas Re'eh)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Can you tell a person collecting charity "I gave you already, I can't give you again"?
- Is charity only giving money?
- Ideally how much should you give?
- What if you can't do that?
- Is a beggar required to give charity to another beggar?
- Are there priorities as to how we should distribute charity?
- Is it wrong to turn away or not open the door for someone who is asking for charity?
- What are some reasons why charity is so important?
- Is the attitude you have when you give charity significant?
- Is it reasonable to say "If I give charity I will become poor"?
- Aside from giving the money, what else should you offer?
- If a beggar is annoying can you shout at him?
- Who has greater reward, a fundraiser or a donor?

- What do we trigger from Hashem when we have compassion on others?
- What is one of the greatest forms of charity?

SEFER HAMITZVOS HAKATZAR

Our Sages of blessed memory expounded the verse, 'You shall surely open your hand to him' (Devarim 15:8), to mean that one must open his hand repeatedly — even many times, whenever the need arises (Sifrei, Devarim 15:8). The Torah commands further: 'You shall uphold him — the stranger and the resident alien — that he may live with you' (Vayikra 25:35), and states: 'That your brother may live with you' (Vayikra 25:36).

One is obligated to give according to what is appropriate for the poor person and according to whatever he lacks. If he lacks clothing, he must be clothed, and he must be provided with the basic necessities of life. If the donor lacks the financial means to satisfy all of the impoverished person's needs, he must give as much as his capacity allows. Even an impoverished person who is himself sustained by charity is obligated to give charity to someone else in need.

A relative who is impoverished takes precedence over all other recipients. The poor of one's own household take precedence over the poor of his city, and the poor of his city take precedence over the poor of another city. As the Torah states: 'You shall open your hand wide to your brother, to your poor, and to your needy in your land' (Devarim 15:11).

If a person sees an impoverished individual asking for assistance and turns a blind eye, refusing to give him charity, he violates an active positive commandment (mitzvas aseh) as well as a negative prohibition (mitzvas lo sa'aseh). This is a grave transgression, and the Torah characterizes one who acts this way as base, sinful, and wicked (Devarim 15:9).

A person must exercise greater vigilance concerning the mitzvah of charity than with any other positive commandment, for charity is the definitive hallmark of the righteous descendants of Avraham Avinu. Furthermore, the sovereignty of Klal Yisroel will not be firmly established, nor will the true faith endure and Moshiach arrive, except through charity, as Scripture declares: 'Zion shall be redeemed with justice, and those who return to her with righteousness' (Yeshayahu 1:27).

Because active compassion and charity are innate traits of the Jewish people, if someone is callous and unmerciful, his lineage falls under suspicion. Cruelty and a lack of compassion are hallmarks of the pagan nations, as Scripture states: 'They are cruel and have no compassion' (Yirmiyahu 50:42).

All members of Klal Yisroel are brothers, as the Torah declares: 'You are children to Hashem your God' (Devarim 14:1). If a brother does not have compassion on his own brother, who will pity him? To whom should the impoverished of Klal Yisroel lift their eyes for aid? They cannot look to the surrounding nations who harbor hostility toward them; their eyes look solely to their brethren.

One must give charity with a joyful spirit and a radiant, welcoming countenance. No harm ever results from charity, nor does anyone ever become impoverished on its account, as Scripture states: 'And the deed of righteousness shall be peace' (Yeshayahu 32:17).

One is obligated to comfort and reassure the impoverished person with gentle, encouraging words. It is strictly forbidden to reprimand him or raise one's voice against him, for his heart is broken and crushed; woe to anyone who humiliates a poor person.

If a person motivates and enables others to give charity, his reward is even greater than the reward of the one who gives (Bava Basra 9a).

Whoever treats others with mercy will be treated with mercy by Heaven, as the Torah states: 'And He will grant you mercy, and have compassion upon you, and multiply you' (Devarim 13:18).

There is no greater mitzvah in the Torah than redeeming captives (pidyon shvuyim). Whoever turns a blind eye to their plight and fails to assist in ransoming them violates numerous positive commandments and negative prohibitions.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVOS 479, 66)

This mitzvah helps to perfect our character so that Hashem can give us the pleasures that come with his closeness.

RALBAG (SHEMOS 22:4)

This mitzvah teaches us to emulate Hashem.

ABARBANEL

When a person deposits money in a bank, he expects the bank to follow all of his request and financial instructions. If the bank does not follow his instructions, he will withdraw the money and deposit it elsewhere. We are Hashem's "bank" in this world. Only if we follow Hashem's financial directives will we be able to hold on to Hashem's bounty. Otherwise Hashem may "withdraw it" and deposit it elsewhere.

Also, charity is an exercise in the faith of Hashem's promise. Mathematically one would argue that if he gives money away he will have less, but Hashem promises the very reverse.

SFAS EMES

• Why did Hashem not create every person completely self-sufficient, with an endless supply of wealth, health, and skill? The Sfas Emes explains that total self-sufficiency would be spiritually harmful to us. If everyone had everything they needed, human society would quickly break down into billions of lonely, isolated people. No one would ever speak to a neighbor. No one would ever develop empathy. Each person would live trapped inside the

prison of his own ego. To protect us from this loneliness, the Creator deliberately varied our human gifts. Poverty exists to create the sacred social bond of brotherhood (re'us) and kindness. Through Tzedakah, two people who might have remained strangers become bound together in warm gratitude (Sfas Emes, Vayikra, Behar 5641).

• One of the most tempting traps in life is the thought: "Kochi v'otzem yadi asah li es ha-chayil ha-zeh" — "My strength and the power of my hand made this wealth for me" (Devarim 8:17). When a person works long hours, builds a business, and earns a living, his pride whispers that he did it all on his own. Tzedakah is the cure for this self-centered thinking. When a person reaches into his pocket and willingly gives away his hard-earned money to feed a struggling family or support a school, his action speaks loudly. He declares: This money is not my creation. Giving Tzedakah cures our financial pride. It restores our hearts to a humble posture of gratitude before the Creator who sustains us every day (Sfas Emes, Vayikra, Behar 5641).

• The natural, unrefined instinct of human beings is self-protection (meitzar, tight constriction). The Sfas Emes teaches that Tzedakah is the cure that lifts us from constriction (meitzar) into a wide and generous life (merchav). The Torah repeats the call: "Pato'ach tiftach es yadcha" — "You shall surely open your hand." The Sfas Emes explains that the first opening refers to our physical fingers, while the second refers to the opening of the heart (pesichas ha-lev). We leave the lonely room of our ego and step into the spacious warmth of empathy. Tzedakah does not leave us poorer; it expands our hearts to share the joys and needs of the world around us (Sfas Emes, Moadim, Parshas Shekalim 5649).

• At the foot of Mount Sinai, our ancestors reached a high peak of dedication when they declared: "Na'aseh v'Nishma" — "We will do and we will understand" (Shemos 24:7). The Sfas Emes reveals that Tzedakah is the special tool designed to heal that wound. The prophet calls charity "Ma'aseh ha-Tzedakah" — the deed of righteousness (Yeshayahu 32:17). Why is the word deed (ma'aseh) so strongly linked to charity? Because while Torah study belongs to the intellect and prayer belongs to the heart, Tzedakah takes the cold matter of this world —silver, gold, and coins—and dedicates it directly to Hashem through physical action! By using our hands to feed a hungry child, we lift physical action back to its holy purpose. Tzedakah restores our daily work to a life of sacred service (Sfas Emes, Moadim, Parshas Shekalim 5648).

• The Talmud shares an inspiring custom of the great sage Rabbi Elazar. The Sfas Emes explains the deep meaning behind this custom. Prayer is our attempt to stand before the King of the universe and ask for life, health, and mercy. But how can we approach Hashem asking for kindness if our own fists were clenched tight against our fellow human beings? A prayer offered by callous hands is stopped by the painful cries of the poor. Our gift creates an open channel of communication between earth and heaven, ensuring that just as we listened to the cries of the needy below, Hashem will listen to our prayers above (Sfas Emes, Moadim, Parshas Shekalim 5648).

RELATED HASHKAFAH TOPICS:

- Discuss the idea of Asher beshvil shetisasher
- Discuss how Hashem promises to return the money that you give tzedakah
- Discuss how the money that we give away is the money that will be with us forever

MORAL DILEMMAS:

One year, on Parshas Beshalach, a worshiper pledged a substantial sum to purchase the fifth aliyah because it contains Parshas HaMon, which is regarded as an auspicious segulah for livelihood (parnassah). However, after only three pesukim were read, the gabbai called up a different congregant to receive the portion of the manna. The original purchaser refused to pay the pledged funds, arguing that his entire intention in purchasing the fifth aliyah was specifically to receive Parshas HaMon. The gabbai insisted that the pledge was legally binding because he purchased the fifth aliyah, which was duly given to him. Is the congregant obligated to pay his pledge?

Answer: He has to pay for it because his reason was matters of the heart, dvarim shebelev.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 347

In Israel there was a coop building in a religious neighborhood with very wealthy tenants. It was common for charity collectors to enter the building and knock door to door for solicitations. One month, there was a spate of break-ins in their neighborhood. Several tenants wanted to install a security door and intercom system in order to stop strangers from entering the building and thereby prevent the break-ins. However, other tenants in the building argued that in stalling a security door with an intercom system will prevent charity collectors from coming in and would prevent people from doing the mitzvah of tzedakah. “You are behaving exactly like the people of Sedom”, one of the tenants adamantly argued. “You have no right to install the door to keep out tzedakah collectors”. What do you think? From a Torah perspective, which is more important: allowing the charity collectors to solicit door to door, or making the building feel more secure?

Answer: They should install the intercom system.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 66 (Table Talk Edition 048)

Esther was a third grade girl. In her class after davening, one of the girls walks around the class with a pushka for the girls to give tzedakah. The money from the pushka was designated to support the local chesed organization, similar to Ahavas Yisrael. One day Esther had a dollar in her shirt pocket. When the tzedakah collector came around, Esther happily put the money in the pushka to fulfill the mitzvah. Later that day Esther's teacher announced that they were getting ready for a class trip. The trip included a stop at a gift shop. Esther forgot all about the trip, and now she didn't have any money to spend. Esther made her way to her teacher. "Mrs Friedman, I accidentally gave the money I had for our trip, to tzedakah, Can I "borrow" the money I gave to tzedakah for a day, and take it back out of the pushka? I will return it tomorrow." Mrs. Friedman wasn't sure. Was she allowed to give the money back to Esther? On one hand, it wasn't yet given to the tzedakah organization. But on the other hand once it was designated, perhaps it could not be given back. Because of this doubt Mrs Friedman lent Esther some of her own money. Mrs. Friedman still wanted to know, if she didn't have the money available was she allowed to give it to Esther from the pushka? What do you think?

Answer: Regarding the question of the money placed in the Pushka, Rav Berkowitz answered that it would really depend on the following variables: How old is the girl? Was the money hers or given to her to spend for the trip? How old was the tzedaka collector? Was the pushka sealed? Was the girl old enough to make binding commitments?

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 120

A family was struggling financially very much, but the father refused to accept charity saying that he wants to instead rely entirely on Hashem. Can his wife take tzedakah when her husband refuses, but not tell him? Would that be dishonest? Would that undermine his desire to rely on bitachon? Can she lie about it where she received the money? Which is more important total honesty and transparency, or being able to support your family?

Answer: Rav Yitzchak Zilberstein rules that the wife is permitted to secretly accept the tzedakah funds to feed her family, for two reasons: (1) The tena'im stipulation 'not to conceal assets from one another' applies only when one spouse hoards money for personal use at the other's expense; here, the wife is bringing sustenance into the home for her husband and young children. (2) Although the Gemara praises one who strains himself rather than relying on public charity, a husband has no right to starve his wife and young children for his personal stringency. However, she may only do so if the family genuinely needs the support and it remains strictly confidential so that it does not provoke marital strife, for 'the work of tzedakah shall be peace.'

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Kesubos, p. 462

There was once a seminary class taught by a teacher named Mrs. Katz. As the school year was drawing to a close, Mrs. Katz had a baby. Shoshana, one of the girls in the class, had an idea that the class should chip in together to buy a baby gift for their teacher. All thirty girls in the class agreed to chip in to buy the gift for their beloved teacher's newborn. The class gave the money to Shoshana, and entrusted her with the task of purchasing the baby gift. Shoshana found a wonderful baby outfit that she believed would make a delightful present. Later that day, she happened to run into a friend who was heading to the same neighborhood as their teacher. Shoshana saw this as an opportunity and asked her friend to deliver the present to Mrs. Katz's home. A few years later, Shoshana and her friend crossed paths again in the US. During their conversation, Shoshana discovered that her friend had completely forgotten about the gift. The outfit had been left covered in her car and had ultimately been thrown out. Shoshana was aghast at the realization that she had collected money from her classmates to purchase a gift that never reached its intended recipient. She found herself grappling with a difficult dilemma. Should she contact all the girls, confess the mishap, and try to return the money? Should she perhaps simply ask them to be mochel (forgive) her? Alternatively, should she buy a new gift for the teacher, because the baby is now much older and a baby outfit wouldn't be appropriate anymore? But perhaps that was not a good solution because that was not what the classmates designated their money for. Perhaps Shoshana should simply send the teacher the money, and the teacher can do what she pleases with it. But then again, that is not what the students designated the money for. What do you think Shoshana should do next?

Answer: Regarding the question about the baby gift, Rav Tzvi Berkowitz answered, "It would seem to me that the friend (the messenger) is responsible to return the value of the gift to Shoshana to be returned to the other seminary girls. They can then decide what they want to do. Shoshana does not have the authority to decide what to do with their money.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

A man's son was inducted into the army. The father promised to give a lot of tzedakah if his son returns back from the army "beshalom". The son return from his tour of duty healthy, but he was now married to a non-Jewish woman that he met. The father who was very pained wondered if he still has to give his pledge. Does he have to give the money? He was physically healthy but now he was worse off spiritually?

Answer: He has to pay the money because Nedarim are judged according to the common usage, and common usage understands that the term "beshalom" meant a healthy return.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 85

Mrs. Steinberg had some money set aside to buy siddurim for a new shul that was just built in her neighborhood. She wanted to use this to be a merit for her father who had recently passed away. She had a choice of donating the siddurim that would be used daily, or the machzorim that would be used on the Yamim Noraim, Rosh Hashanah and Yom Kippur. She asked herself which would be a greater zechus, for her father; the siddurim that will be used every day, or machzorim that are used for the holiest, most powerful prayers of the year? On one hand the siddurim are used every single day. But on the other hand the machzorim are used for the most holy prayers. What do you think would be preferred?

Answer: Regarding the question over whether a machzor or siddur would be preferred, Rav Zilberstein answered that a siddur would be preferred because many more brachos are said with it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 239 (Table Talk Halachic Archive, Edition 83 (Balak))

Yisroel Perlman, a successful businessman, was married to Shira. They had several children. One day he decided to donate the paroches, the special curtain in front of the Torah, in a new shul. The paroches was beautiful. The front of the paroches was embroidered, in Hebrew, "Donated by Yisroel and Shira Perlman, as a merit for the refuah shelaima (complete recovery) for all the sick among the Jewish people". The paroches looked beautiful, and both Yisroel and Shira were very proud of it. A few years passed and sadly Yisroel and his wife needed to get divorced. After a while, both Yisroel and Shira remarried. One day Yisroel was in shul and realized that the paroches said that it was donated by him and his ex-wife. He was no longer married to Shira, and it was embarrassing to him to have his ex-wife's name next to his. He asked the gabbai if they might be able to remove his ex-wife's name from the paroches. "How can you do that?" the gabbai pushed back. "When you added her name, you gave her that zechus. How can you take that away from her?". But Yisroel argued that he paid for the paroches, and he didn't want his ex-wife's name on it anymore. "I only added her name to it because I was married to her. I am no longer married to her, so I do not want it to be on anymore". The gabbai was unsure what to do and brought this question to Rav Elyashiv. What do you think? Can Yisroel say that he only added her name to it, assuming he was married to her? Or do we say that once he gave her the zechus, he can't take it back, just like one can't take back a present that he gives?

Answer: HaGaon Rav Yosef Shalom Elyashiv zt"l ruled that the synagogue may not remove the ex-wife's name from the donated paroches, as her memorialization on the sacred object was already established when it was consecrated to the shul. However, if the husband does not want their two names to remain side by side, he may remove his own name from the paroches while leaving his ex-wife's name intact.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Yoel had a friend named Chaim who was having a difficult time with his parnasa, making ends meet. Chaim and his wife worked hard, but despite all their efforts their income was not sufficient to cover their needs. He was feeling very down and confided in his friend Yoel. Yoel heard his story and it broke his heart. He felt a need to take action. That night Yoel went to Mincha & Maariv and found the shul very full. He had an idea, he went to the Rav and asked permission to make an appeal for a needy member of the community. The Rav warmly agreed. Immediately following Mincha, before Maariv, Yoel got up and told the gathered crowd about a person in their community who was having a difficult time covering the cost of their Pesach needs. Yoel of course did not mention the needy person's name. His appeal penetrated everyone's hearts and dozens of people came over with cash or checks to give to this needy person. After Maariv, as Yoel was about to leave the shul, he was surprised to meet his friend Chaim. Chaim said to Yoel, "I heard your powerful appeal. This person sounds really desperate. I want to help as well. I want to give 100 dollars to help this person. Here is a check for 100 dollars. Things are tight for me as well, but at least I have a little. It sounds like

the person you are collecting for has even less". Yoel was very moved, and he gave Chaim a huge hug. He took Chaim aside, where no one could hear them. "The truth is Chaim, I was collecting for you. All this money I collected is for you. You don't have to give anything for this campaign," Yoel said. Chaim was extremely grateful to his friend for what he did. Then Chaim asked, "I wonder If I still have a responsibility to give this 100 dollars for someone else's needs for Pesach. When one makes a pledge to tzedakah it is like a vow. Am I obligated to give this 100 dollars to someone else?" Yoel said, "I think we should ask a Rav but I would think that you don't have to give it. You made the vow to give to yourself, and now you have it." "Yes," Chaim replied, "but I made a vow to give tzedakah, so maybe I have to give 100 dollars to tzedakah." A similar question was brought to Rav Zilberstein. What do you think?

Answer: Regarding the question about the pesach appeal, in an identical case (only difference was that it was not for Pesach needs) Rav Zilberstein decided that the poor friend had no obligation to pay his $100 pledge. The reason is because he only pledged these funds for the poor person whom the appeal was being made for. Since that person was himself it is considered a neder b'taous, a mistaken pledge and is therefore non-binding.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 175 (Table Talk Edition 280)

Eliezer had a job, but wasn't making enough money to support his family. He tried various ways to supplement his income, but things were extremely difficult, and he wasn't able to make ends meet. At his wit's end, he made an appointment to visit his Rosh Yeshivah. Eliezer met with his Rosh Yeshivah and discussed his struggles. The Rebbe listened very empathetically and prayed to Hashem that he would have a substantial and meaningful parnassah (livelihood), and that his financial situation would greatly improve. The Rebbe also promised him that he would see a yeshua and have parnassah in the near future. Eliezer left the meeting uplifted and confident. He made a neder (vow), saying, "Hashem, if I indeed get a parnassah that allows me to support my family, I vow that instead of giving the usual 10% of my income for ma'aser (charity), I will give 20% of my income to my Rebbe's yeshivah, out of gratitude." Shortly after, Eliezer was waiting at a bus stop in Eretz Yisrael. Tragically, the bus stop was attacked by a terrorist. The terrorist began firing indiscriminately at innocent civilians. Miraculously, no one was killed, but Eliezer was shot twice in his legs. He was rushed to the hospital and, before long, patched up -- almost as good as new. While he was recovering in the hospital, a man came in with an envelope. He explained that he represented an international organization that supports victims of terror and that they conduct annual fundraising efforts for victims. The man handed Eliezer a check for 1,000,000 shekels. Eliezer couldn't believe his eyes. The man reassured him, "There are no strings attached. This is for you to use in any way you wish." Eliezer was overwhelmed, having never held so much money before. He decided to invest it and live off the dividends. But then he remembered the blessing he had received from his Rebbe and the vow he had made. He realized that, according to his neder, he should immediately set aside 200,000 shekels for the yeshivah. However, he hesitated. This wasn't what he had meant when he made the vow. He had expected to earn a good job to support his family, not to receive money after being shot in a terror attack. He would have much preferred not to get shot and not to receive the money. This wasn't a gain. Furthermore, this was a very rare occurrence. This is not what he had in mind. Now Eliezer faced a dilemma: on one hand, he had made a vow, and here was the money. On the other hand, this wasn't the kind of income he had in mind when he made the neder. He wondered if he was really obligated to give 200,000 shekels to the yeshivah under these circumstances. What do you think?

Answer: Regarding the question about the victim of terror who received a 1,000,000 shekel check, Rav Zilberstein writes that he would have to give 20% of the capital he received. This is because he can support his family with this money and it's very likely that this benefit came as a result of the prayers and blessings of that tzaddik. Therefore, he should give the 20% he promised to the tzaddik's yeshivah.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 317

During the 1990s, the Schwartz family, a young couple with ten children, faced a terrible tragedy when the husband suddenly died in a car accident. The young mother, now a widow, was left to care for all ten children on her own. The community stepped in to support her. One man, Tzadok Cohen, took it upon himself to raise money and create a small financial cushion for the family. In order to do so, he approached one of the great Gedolim of the time and asked whether he would write a hamlatzah, a letter of recommendation encouraging people to support the cause. The Gadol gladly wrote the letter. His intention, however, was that once it had served its purpose, it would be destroyed so it could not be misused in the future. Tzadok Cohen then conducted the fundraising campaign and succeeded in raising a significant sum for the widow. Eventually, she was able to remarry and rebuild her life. About thirty years later, Mr. Shapiro, a collector from the United States, someone who collected memorabilia from great Torah leaders, heard that Tzadok Cohen still possessed the handwritten hamlatzah from the Gadol HaDor from thirty years earlier. Mr. Shapiro offered Mr. Cohen $20,000 to purchase the letter. Mr. Cohen agreed and sold it. But after receiving the money, he became filled with doubt. He wondered what should be done with the money. He realized that the Gadol HaDor never intended for the letter to be preserved for so many years; he had wanted it discarded after use so it could not be misused. Perhaps, then, the letter should never have been sold. But after the fact, what should be done with the money? Could it go to him, because he had spent so much selfless effort helping the widow? Perhaps this was a reward from Hashem for his efforts. Or perhaps the money should not belong to him, and it should go to the widow. After all, the entire purpose of the letter was to raise funds for the widow. Maybe the proceeds of the sale should therefore go to her. Or perhaps, because it should not have been sold, the money should go to neither the widow nor Mr. Cohen, and instead be used to support a public charitable fund. That was the question Mr. Cohen brought to Rav Yitzchak Zilberstein: What should be done with the money? Was he allowed to keep it? Should he give it to the widow? Or should it be directed to public charitable funds to help others?

Answer: Regarding the question about the letter bought by the collector, Rav Yosef Shalom Elyashiv answered that while the seller should have destroyed the letter as soon as he was done with it, after the fact, since this is many years later, the letter can no longer be credibly misused. Therefore the letter is now hefker and If the seller sold the letter, he can keep the money himself.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 601

Chaim, who lived in Eretz Yisrael, was one of the leaders in a shul that would sell and auction off the aliyos every week. They would not sell the first three aliyos, of Kohen, Levi and shlishi. One week Moshe told Chaim that he had a yahrzeit for his father. That same week, Shlomo, who was a Kohen, told Chaim that he had a yahrzeit for his grandfather. Chaim knew that Moshe was struggling financially and could not afford a lot of money. Shlomo, on the other hand, was the richest person in the shul. Chaim, the shul leader, approached Shlomo on Shabbos and said as follows. "Shlomo, I understand that it's your grandfather's yahrzeit and that you would want the aliyah of Maftir. I also understand that if you get into a bidding war with Moshe or anyone for that matter, you will win. Shlomo, can you kindly let Moshe win the auction and let him buy maftir for his father's yahrzeit? Shlomo replied with a smirk, "You don't have to worry about it. Not a problem." Chaim felt assured that he had addressed the issue. Soon the auction began. When they came to auctioning off maftir, Moshe offered 50 shekels. Shlomo countered with 200. Moshe offered 250, and Shlomo countered with 800. Moshe offered 1000, and Shlomo countered with 3000 shekels. Moshe was unable to compete with that and with great dismay, backed out. Shlomo chuckled to himself. Moshe looked crestfallen, heartbroken and ashamed. Chaim, who thought he had an understanding with Shlomo, felt indignant. Why didn't Shlomo uphold his commitment? Chaim, aroused with a sense of justice, decided to take action, but behind the scenes. His plan was to make sure that Shlomo got the aliyah of Kohen instead! In that shul there were only three Kohanim, and Shlomo was one of them. When the shul took the Torah out and was about to begin the aliyos, Chaim called the

other two kohanim and asked if he could talk to them outside. The two kohanim complied and they followed Chaim outside. Chaim spoke to them outside and meanwhile, the gabbai called up the Kohen for the first aliyah. The gabbai understood that Shlomo bought maftir but there was no other Kohen there, so he called up Shlomo for the first aliyah. Shlomo was surprised but took the aliyah because he was the only Kohen. When they got to maftir Shlomo started to walk up to get maftir. But then people in the crowd reminded him of the halacha that one cannot get two aliyos. Because Shlomo was not able to go up, even though he won the auction, the gabai called up Moshe, the second-place winner of the auction. Moshe went up, and Shlomo chuckled to himself, with good humor, realizing that he was outsmarted. So Chaim succeeded in righting what he saw as a wrong. But then he had the following realization. Because of his hidden intervention, the shul did not get the three thousand shekels that Shlomo offered. At the most, the shul would get 1000, because of Chaim's intervention. Although he thought he did the right thing, he caused the shul a loss of 2000 shekels. Chaim wanted to know if he was required to pay the shul the difference for its loss. He sent this question to Rav Zilberstein. First of all, did he act properly in his situation, and second of all, did he have an obligation to pay the difference to the shul? What do you think?

Answer: Regarding the question about the gabbai who worked behind the scenes to help the lower bidder win Maftir, Rav Zilberstein wrote that the gabbai does not have to pay the difference to the shul. In addition, the shul should give the poor man a discount and not require him to pay the high amount that he was forced to bid.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 303 (Table Talk Edition #251 (Parshas Haazinu))

Mordechai was a yungerman, a kollel rabbi who loved to learn. He would often learn late into the night, long after Ma'ariv. One day, a wealthy businessman named Aryeh came from chutz la'aretz. He listened to Mordechai's learning, saw how deeply engrossed he was, and how much he loved learning. Aryeh was genuinely moved. He wished he could feel that same sweetness in learning, and he wanted to have a portion in this Torah scholar's learning. So he went over to him and said, "Shalom aleichem. I'm visiting from chutz la'aretz, and I couldn't help noticing and hearing your learning and the sweetness of it. Here is a check. Any time you need a sefer, please use this money to buy it. I want to sponsor any sefer you'll ever need." Mordechai was very touched and thanked him profusely. The man left. Mordechai hadn't gotten his number or any other contact information. When he looked at the check, he was shocked to see that it was for $10,000. Shortly afterward, he bought the sefarim he needed. But even after purchasing everything, there was still a large amount of money left, close to $9,000. Mordechai didn't know what to do with it. He knew the money was designated for sefarim, and he had already bought all the sefarim he needed, so he put the remaining money aside. About half a year later, Mordechai's glasses broke. He went to the store to get them fixed and was told it would cost a few hundred dollars for his special lenses. Without his glasses, he was unable to learn properly, and he really didn't have the money to cover the cost. Then it crossed his mind: "I wonder if I could use some of the money that was designated for sefarim to buy glasses. Even though he gave it specifically for sefarim, maybe the purpose behind it was to have a part in my learning. And now I can't learn without my glasses, perhaps I should be able to use that money to buy glasses so that I can continue learning." But Mordechai wasn't sure. He didn't want to make exceptions on his own, so he brought the question to Rav Zilberstein. What do you think? Is the donor allowed to designate how the money must be used? And if he is, is Mordechai allowed to use money given for sefarim, given for the sake of learning, to buy glasses instead?

Answer: Regarding the question about the person who donated money for books: Rabbi Zilberstein (VH"N Vol. 4 Hebrew Page 475) cites an opinion mentioned in the Mishna Berura that when someone gives tzedakah, he does not have the right to limit how the money must be used. Rabbi Zilberstein concludes that even those who disagree with this opinion would agree

that, in this case, the money given for seforim may be used for glasses, since both purposes share the same intention, helping him learn Torah.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Volume Four, Hebrew edition, p. 475 (Table Talk Edition 469)

Zahava, a very busy mother living in Eretz Yisrael, desperately needed a vacation. The only problem was that she couldn't find a babysitter to watch her children. Finally, she met a young woman named Elisheva and offered her $1,000 to babysit her kids, plus a free ticket to the United States. Elisheva was very intrigued by the offer and agreed to take the job. Zahava was extremely grateful, and she went away with her husband for a week while Elisheva dutifully babysat her children. When Zahava returned, she gratefully paid Elisheva the $1,000 and gave her the ticket to the United States. However, it turned out that the ticket was for a cruise, not a plane. The boat trip would take between two and three weeks to travel from Israel to America. Elisheva was surprised. She hadn't expected a cruise ticket. When she had accepted the job, she had assumed the ticket would be for a flight -- just as most people who travel from Israel to America would expect. When Elisheva saw the ticket, she said, "I thought this was supposed to be a plane ticket." Zahava responded, "I'm sorry, but this is what I have. I got a promotion for this, and it's all I can offer." Elisheva felt very disappointed. She said, "But don't we go by the majority? The majority of people, when they hear 'a ticket to America,' assume it means a plane ticket." Zahava replied, "You can't go by the majority when it comes to monetary matters." They agreed to bring the question to a Rav. The question is: Does Zahava have to pay Elisheva for a plane ticket, or is the cruise ticket sufficient? On one hand, most people would assume that "a ticket to America" means a plane ticket. On the other hand, Zahava never specified, and Elisheva made an assumption. So, is the cruise ticket acceptable? What do you think?

Answer: Regarding the question about the woman who promised a ticket to America, Rabbi Zilberstein answered that even though there is a concept of ein holchin bemamon achar harov -- which means that we don't go by the majority when it comes to monetary matters -- when something is an extreme minority (miuta d'miuta), then we do follow the majority. In this case, because the vast majority of tickets to America are plane tickets, she would have to honor her promise by giving a plane ticket, not a boat ticket.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 181

There were once two friends named Chaim and Yaakov, who were neighbors. They were very close friends until an incident exploded into a public argument and feud. Chaim, who lived next door to Yaakov, wanted to extend his house all the way up to the end of the property line. He explained that he needed the space because his grandchildren would often visit. Yaakov, however, felt that this extension would block his view and reduce the quality of life in his house. This argument broke into a big feud to the point where these two erstwhile friends no longer spoke to each other. Word spread across the community that these two friends were in a big argument. Chaim had all of the construction permits and most of the funds needed to make the extension, but he still needed to put down a down payment of 20,000 shekels to start construction. He went to the Gemach, the local Free Loan Fund, and asked to borrow the money, but they said that they didn't have that amount of money at this time. Chaim kept calling them, but they kept saying they didn't have that amount of money available. One day, a person walked into the Free Loan Fund and said he wanted to deposit 20,000 shekels with the Free Loan Fund to help needy people. The loan manager, Nosson, said, "Wow, this is amazing. I just spoke to somebody who needs to borrow this exact sum." So the man said, "It's my honor to help. Please feel free to give it to him." Nosson, the Free Loan Fund manager, was about to call Chaim and tell him that he now had the exact amount of money that Chaim wanted to borrow. But then he realized the person who deposited the money was none other than Yaakov, the person arguing about this particular issue. Nosson wanted to know if he was allowed to give this money for this particular purpose. If he asked Yaakov and disclosed what its

purpose was, surely Yaakov would be against it as it was against his interest. But on the other hand, Yaakov gave it to the general pool of funds of the Free Loan Fund with no stipulation on it, so perhaps it should be okay. What do you think? Should Nosson, the manager, give this loan knowing that the source of these funds came from Yaakov, who would not want money to be used this way? What do you think?

Answer: Regarding the question about giving money from the Free Loan Society to support the extension that the lender opposed, Rav Zilberstein writes that if, according to Halachah, the extension was allowed to be built, then the loan would have to be given.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 185

Rav Cohn was a Rosh Yeshivah in a well known yeshivah in Eretz Yisrael. Rav Cohn had to make a fundraising trip to the US for his yeshivah. He called Rafi Rubin who was a well known ba'al tzedakah and philanthropist. Rafi spoke to him on the phone and said, "I would be happy to help your yeshivah. I can give you 10,000 dollars. I have to leave my office at 2PM. Can you come to my office at 1:45 and I will give you the check?" Rav Cohn was extremely excited and gratified. He took a taxi to Rafi Rubin's plush office. At 1:43 a Rosh Yeshivah came to Rafi's office. Rafi greeted him warmly and handed him a check. The Rosh Yeshivah's eyes opened wide when he saw the sum on the check. He gave Rafi an effusive berachah and left the office. Meanwhile Rav Cohn arrived in a taxi at Mr. Rubin's office. As he walked into the office waiting room, he saw another well known rosh yeshivah leave the office, with a big smile on his face. Rav Cohn approached Rafi and said, "Shalom aleichem, I'm here for our 1:45 appointment." Rafi looked at him with shock. "Oh I thought the Rav before you was the Rosh Yeshivah. Yikes, both of you are Roshei Yeshivah of very worthy institutions and I didn't realize that he was a different person than you. I already gave him a check of $10,000. I'll be honest, I don't have any more money in my tzedakah account. Please come back next year and I will give you very generously." But Rav Cohn replied, "To be totally honest, I feel really bad. I thought I had a commitment from you today. How can I go back with such a big budget shortfall?" Rafi replied, "You are right. Both of you are running very exemplary organizations. I'm terribly sorry but I have to run now. Please work out what to do with the money between yourselves". Rafi left the office and Rav Cohn quickly caught up to the other rosh yeshivah, named Rav Siegal and explained the error. The two Roshei Yeshivah wanted to know what the halachah is with regard to dealing with the check. Should the entire amount go to the second Rosh Yeshivah, Rav Siegal, since he is the one who Rafi gave the check to? Or should the entire amount go to Rav Cohn, as he was the one who Rafi thought he was giving to? Or should they both split it between themselves? What do you think?

Answer: Regarding the question about the large check that was given to a second Rosh Yeshivah, and not the Rosh Yeshivah who received the commitment, Rav Zilberstein wrote that the second Rosh Yeshivah needs to return the check to the one who first received the commitment. This is because that pledge is like a Neder, a vow.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 380

Aaron belonged to a shul that was auctioning off the rights to light the Lag B'Omer bonfire. There was a significant bidding war, and Aron won the right to light the bonfire after bidding more than a thousand shekels. He made his pledge in honor of Rabbi Dovid Bar Yochai whose yahrzeit is on Lag B'Omer. He paid the money, and the proceeds went to support the shul. The whole community gathered outside the shul for the bonfire. The bonfire pyre was huge. Aaron was given a torch to light the bonfire by the gabbai who organized the event. Everyone watched as the fire took hold. Suddenly, the tip of the pyre fell down. It went right underneath a nearby car. Apparently, the pyre was set up near an area designated for public parking. The car caught fire and almost exploded. The fire department came and put out the fire, but the car was totaled. Everyone was very shocked by the incident, and it definitely put a huge damper on

the celebration. Aaron was understandably upset. He turned to the gabbai, who was in charge of the bonfire, "Look what you did! You set up the bonfire right near where cars are parked. You are liable for the damage. Not only are you liable for the damage, but I want my pledge back. I bid so much money for the honor of Rabbi Dovid bar Yochai on Lag B'Omer. But that was not an honor; it was a disgrace." However, the gabbai argued that he was not responsible. He just arranged the bonfire, Aaron was the one who lit the fire, and he should have looked around before he used the torch. Not only was he liable, but he had to keep his pledge. This two-part question was brought to Rav Zilberstein. What do you think? Is Aaron liable for the damaged car? On the one hand, he lit the pyre, but on the other hand, the gabbai set it up. Also, was Aaron allowed to get his bid money back? He pledged money in order to have a meaningful celebration in honor of Lag B'Omer and Rav Dovid, but it turned out to be a disaster, and this was not what he intended when he made the pledge — what do you think?

Answer: Regarding the question about the bonfire that fell and caused damage, Rav Zilberstein says that it would be similar to the case of a man pushing the elevator button. In this situation, the one who lit the fire, not the one who set it up, would be liable for the damages. As for whether the man can get his money back, if it were a typical case where his primary intention was to give tzedakah to the shul, then he would not be able to reclaim his money. However, if it was clear that his sole intention was to receive the honor of lighting the fire and not to support the shul, then he would have a right to ask for his money back.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 262

Yuval was desperate to find a job. He finally applied for a job as the custodian in a bank. He was told that there was a long list of applicants and the bank would call him if they were interested. Sure enough, Yuval was called in for an interview. He was eager to get the job, and did his best in the interview. A few days later, the bank's hiring manager, Dovid, called him back. "We interviewed about 50 qualified candidates for the job, and we would like to offer you the job", Dovid said. Yuval was thrilled. "In fact we'd like to offer you a two year contract which will be renewed at the end of the two years". "Absolutely", Yuval said. The two year contract meant greater job security for him, and he was thrilled about it. Yuval started the job and enjoyed it. But soon his fortune was about to turn around. He purchased an Israeli lottery ticket. When he heard the numbers announced he was in shock. He won 10 million dollars and was now a millionaire. After the dust settled, and Yuval returned to work, he felt decidedly different about his job. He approached Dovid, the hiring manager. "I am really so grateful to you for offering me this job. I'm also grateful that we have a two year contract. I plan to continue working, but to be honest, I'm embarrassed to be the janitor in a bank. I'm now a wealthy man, and this position is beneath me. In addition, once the media hears that the lottery winner works as a janitor in the bank, I will be the focus of a lot of media attention and I don't want that hassle. I know that I signed a contract to work for two years, but can you please forgo the contract and release me from my obligation?" Dovid listened and then replied. "I will be totally honest with you. Our hiring process took a lot of time and expense. We are happy with your work and we would rather you finish the terms of your contract so we don't have to find a new person." Yuval knew that Dovid had a point. He had given them his word. But did he still have an obligation to work for them once his circumstances had changed so drastically? On one hand, how can they keep him working against his will? But on the other hand, he gave them his word that he would work for two years. How could he stop just because he became wealthy?

Answer: Regarding the question about the janitor who became very rich and wanted to back out of his contract, Rav Zilberstein writes that the Torah says "The Jewish people are servants to Me". Our Sages understand this to mean that we are not to be slaves to other people, and if this janitor could not back out, he would be like a slave. Similarly in Choshen Mishpat 333, 3 it states that a worker can back out in the middle of the day. The janitor should instead help the bank find a

> replacement if he can.
>
> *— Source: Rav Zilberstein. See Upiryo Matok Bereishis / Table Talk*

STORIES FROM OUR SAGES:

❖ It was taught in a Braisa: Rabbi Meir used to say: An adversary in debate might challenge you and ask: "If your God truly loves the poor, why does He not support them Himself directly?" Answer him: "So that through giving to them, we ourselves may be rescued from harsh judgment and become compassionate!" And this very question the wicked Roman governor Turnus Rufus asked Rabbi Akiva: "If your God loves the poor, why does He not feed them Himself?" Rabbi Akiva answered him: "So that we may be rescued through them from the judgment of Gehinnom." Turnus Rufus retorted: "On the contrary, feeding them is what makes you liable to punishment! Let me give you a parable: To what may this be compared? To a mortal king who became angry with his servant, locked him in prison, and ordered that no one give him food or drink. If someone then goes and secretly feeds him and gives him drink, when the king hears of it, will he not be furious with that person? And you are called servants, as it is written (Vayikra 25:55): 'For unto Me the children of Israel are servants'!" Rabbi Akiva replied: "Let me give you a counter-parable: To what may this truly be compared? To a mortal king who became angry with his beloved son, placed him in confinement, and ordered that no one bring him food or drink. If a kind person then goes and feeds the prince and gives him drink, when the king hears of it, will he not send that person a rich royal gift in gratitude for saving his son's life? And we are called God's children, as it is written (Devarim 14:1): 'You are children unto the Lord your God'! And even in times of hardship, the prophet Isaiah explicitly proclaims God's desire (Isaiah 58:7): 'Is it not to share your bread with the hungry, and to bring the poor, shelterless outcasts into your home?'"

Talmud Bavli, Bava Basra 10a

❖ R' Chana was renowned for his wealth and his charity. After his death, when R' Chisda and Ula passed the site of R' Chana's house, R' Chisda sighed. When Ula asked him why he was sighing, R' Chisda answered, "How can I not sigh over a house that contained sixty bakers working during the day and sixty bakers working at night to provide bread for the poor; his hand was always in his pocket, ready to extend help to any deserving poor, in order that the poor should not have to wait; that the house had four entrances on all four sides, and any poor person who was hungry upon his entrance left sated; when there was a drought in the land, he left wheat and barley around the house, in order that whoever was embarrassed to take it during the day could help themselves at night. Now that this house is destroyed, how can I not sigh?"

Talmud Bavli, Berachos 58b

❖ It once happened that Rabbi Yeshevav arose and distributed all of his possessions to the poor. Rabban Gamliel sent word to him: 'Did the Sages not teach that a person should give at most one-fifth of his possessions toward mitzvos, so that he himself does not become dependent on others?' The Yerushalmi asks: Did Rabban Gamliel not live before the Synod of Usha, where the one-fifth enactment was formally promulgated? Rabbi Yose bar Rabbi Bun explained in the name of Rabbi Levi: 'This law had originally been in their hands, was forgotten during times of persecution, and later the second generation of Sages at Usha arose and independently arrived at the exact same conclusion as the earlier Sages—to teach you that any matter for which a Beis Din dedicates its very soul is ultimately established and preserved just like that which was told to Moshe at Sinai!' And this accords with Rabbi Mana's teaching on the verse, 'For it is not an empty thing from you, for it is your life' (Devarim 32:47): 'If Torah ever appears empty, it is from you—because you do not toil in it! When is it truly your life? At the hour when you labor in it with all your strength!'

Talmud Yerushalmi, Peah 1:1 (15b)

❖ R' Yose HaGelili's wife was a shrew and R' Elazar ben Azariah tried to persuade R' Yose to divorce her. R' Yose protested that he couldn't for, "Her kesubah is large and I cannot afford to support her." R' Elazar said, "I will give you the money written on the kesubah for you to divorce her." After the divorce, the woman remarried. Her second husband, a city guard,

lost all his money and became blind. They were reduced to begging from door to door for money, but were turned away empty-handed. The blind husband asked his wife, "Are there any other neighborhoods (for us to turn to)?" She answered, "The neighborhood of my ex-husband still remains, but I cannot go there." Her husband started beating her. R' Yose HaGelili passed by and heard what was going on between them in the marketplace. He brought them to a house in his possession and supported them there for the rest of their lives.

Talmud Yerushalmi, Kesubos 11:3; Bereishis Rabbah 17:3

❖ A blind man came into the city. Rav Elazar ben Yaakov sat down next to him. When the people saw that R' Eliezer was sitting next to him, they assumed that he was a great man, and respectfully gave him a livelihood. The blind man asked what he did to merit such honor, and the people told him, "We saw R' Eliezer ben Yaakov sitting at your side." The man said, "You performed kindness with he who is seen but cannot see; may He who sees but cannot be seen accept your apologies and perform kindness to you."

Talmud Yerushalmi, Peah 8:9

❖ When R' Tanchum's mother took money to purchase meat for her household, she would take an equivalent amount of money to distribute among the poor.

Vayikra Rabbah 34:5

❖ Possessed of considerable means. R' Tarfon once gave R' Akiva a substantial amount of golden dinars to purchase property. R' Akiva distributed the money to the poor. After a while, R' Tarfon approached R' Akiva and asked him what he did with the money. R' Akiva told him, "Yes, there is no praise in the world (to describe it)." R' Tarfon asked, "Where is the deed?" R' Akiva responded, "It is in the hand of David (Tehillim 112:9): 'He distributes, he gives to the needy: His righteousness endures forever.'"

Vayikra Rabbah 34:16

❖ During a year of drought R' Tarfon betrothed three hundred women in order that they should be able, as the wives of a kohen, to eat terumah.

Talmud Yerushalmi, Kesubos 5:1

INSPIRATIONAL STORIES:

❖ When the fame of the Baal Shem Tov spread far and wide, a wealthy merchant traveled to Mezhibozh simply to meet him. "How can I help you?" the Baal Shem Tov asked. "Thank G-d, I lack nothing," the visitor replied. "My family is well and my business is thriving." "If you have no needs," said the Baal Shem Tov, "listen closely to a story." "Two childhood friends, Chaim and Baruch, were inseparable throughout their youth in cheder and yeshivah. When they married, they settled in distant towns and both prospered in business. Years later, the wheel of fortune turned and Baruch lost everything. Penniless, he traveled to Chaim's town. Chaim embraced him tearfully, summoned his bookkeeper to tally all his assets, and immediately wrote a check giving Baruch half of his entire fortune. "With that capital, Baruch rebuilt a thriving enterprise, while Chaim's fortunes collapsed until he was left destitute. Remembering their lifelong bond, Chaim traveled to Baruch for help. But Baruch turned him away, saying, 'Chaim, the pattern is clear: Heaven has decreed that only one of us can prosper at a time. If I lift you up, I will fall, and I have no right to sacrifice my wife and children.' Chaim returned home brokenhearted. "When both men eventually passed away and stood before the Heavenly Tribunal, Chaim was granted Gan Eden for his selfless generosity, while Baruch was sentenced to Gehinnom. Yet Chaim refused to enter Paradise without the friend of his youth, pleading that Baruch had merely succumbed to a difficult test. Because Chaim would not budge, the Heavenly Court decreed that both souls would descend to earth for another lifetime: Baruch would again become wealthy and Chaim would be a destitute beggar. If Baruch aided Chaim in his distress, his sin would be rectified. "And so both souls

returned to this world," the Baal Shem Tov continued, looking piercingly into his visitor's eyes. "One cold day, the exhausted, starving beggar bearing Chaim's soul arrived at the mansion of the wealthy man bearing Baruch's soul. When the butler offered a few pennies, the freezing beggar wept and pleaded for just a few minutes to speak personally with the master so he could buy winter shoes and firewood for his small children. Hearing the commotion, the wealthy master shouted angrily, 'These beggars are an ungrateful lot! Throw him out!' The butler hurled the beggar down the steps, where, broken and exhausted, he breathed his last and died." Trembling violently, the visitor buried his face in his hands and cried out, "Ribbono shel Olam! That happened at my house just last week! A persistent beggar refused my butler's coins, I ordered him thrown out, and he died outside my door! How can I ever redeem my soul?" "Divine justice is exact," the Baal Shem Tov answered. "Had wealth not hardened your heart, you would have listened to his plea and rectified your past lifetime. Now only one path of teshuvah remains: keep only what is strictly necessary to sustain your household, and give the entirety of your remaining fortune to support the widow and orphans of that beggar. Only then will your soul find peace in this world and the World to Come."

Not Just Stories By Rabbi Dr. Avraham Twersky

❖ Near Lizhensk lived a wealthy householder who had raised an orphan boy named Benzi and later employed him. At the suggestion of the holy Rebbe Reb Elimelech of Lizhensk, the employer also hired an orphaned girl named Blima as a cook. Benzi and Blima became engaged and entrusted their hard-earned wages to their kind employer until they had enough to marry and set up a home. Tragically, a devastating fire consumed the employer's estate along with all of Benzi and Blima's savings. Impoverished, the employer lost his business, while the young couple found work elsewhere and began saving anew from scratch. Over a year later, Benzi spotted his former benefactor wandering through town among a band of ragged beggars. Weeping, the man explained that he was trying to gather enough pennies to buy a small bundle of wares to peddle and rebuild his life. Moved with gratitude for the man who had raised him, Benzi hurried to Blima: "How can we let the man who cared for me in my orphanhood beg from door to door? Let us give him the savings we have gathered for our wedding, even if we must postpone our marriage again." Blima wholeheartedly agreed and added her own savings as well, handing every kopek they possessed to their weeping former employer. When Benzi told Rebbe Elimelech what they had done, the tzaddik beamed: "The time has come for you to marry right now—and Hashem Himself will provide your blessing!" At the joyous wedding arranged by the townsfolk, Rebbe Elimelech and his disciples—the Ropschitzer Rav and Reb Mendel of Rimanov—announced their 'wedding gifts': Rebbe Elimelech pledged one of the local poritz's mansions, Reb Mendel pledged the poritz's flour mill, and Reb Naftali pledged a thousand gold ducats, while the guests smiled at what seemed a lighthearted jest. Walking through the woods to their tiny hut after the wedding, Benzi and Blima heard frantic cries and found the poritz's young son sinking into a pond of quicksand after falling from his horse. Tearing his coat into strips to fashion a rope, Benzi and Blima pulled the nobleman's son to safety and brought him home to his frantic parents. Overflowing with gratitude, the poritz gifted the newlyweds one of his mansions, his wife gave them the estate's flour mill for a livelihood, and the young nobleman handed them a thousand ducats—fulfilling the tzaddikim's blessings to the letter in merit of their selfless tzedakah.

Not Just Stories By Rabbi Dr. Avraham Twersky

❖ When Rabbi Yerachmiel Thav, today a beloved Rebbi at Yeshivas Kochav Yitzchok in Baltimore, looks back at his teenage years as a talmid at the Yeshivah of Philadelphia, he is eternally grateful for the wealth of Torah knowledge that he gained from his Rabbeim there. Equally important were the lessons he learned from them just by watching how they conducted themselves both inside and outside the classroom. Although thirty-seven years have passed since R' Yerachmiel left the Yeshivah of Philadelphia. He vividly recalls the following story. There was an indigent man in the Philadelphia area who spent his days traveling from city to city, begging for money and food, and spent his nights in shelters for the homeless. He was unkempt and dirty; his clothes were tattered and torn. Every week, this vagrant would show up in the Yeshivah of Philadelphia to ask the boys for charity. Since he never told them his name, the boys nicknamed him "Ploni" — "Someone."

The one thing the boys figured out very quickly was that Ploni had a horrible odor. Fearful of lice or other unknown critters that might jump off his body, the boys kept their distance when dropping change in Ploni's outstretched hands. One day, several boys, including R' Yerachmiel, were talking to their Rebbi, Rav Mendel Kaplan, zt"l. when Ploni walked into the room. The boys instinctively reached into their pockets to get some change to give Ploni while they discreetly moved away from his stench. The boys looked towards Rav Mendel, a new Rebbi who had never met Ploni before, to see what his reaction would be. With a friendly smile, Rav Mendel walked over to Ploni, wrapped his arms around him, and embraced him warmly. The boys watched in disbelief. The next day in class, one boy mustered enough courage to ask Rav Mendel. "How could you inhale Ploni's terrible smell and still hug him?" Rav Mendel answered. "Just remember, there are times when we, Klal Yisrael, don't look too great either, yet Hashem down at us and still gives us a big hug." He continued. You know, sometimes a person is put into this world to go through suffering. He may be given this suffering not necessarily tr himself, but for others, maybe even us." The boys realized that Rav Mendel understood and loved each person just for being who he was. Rav Mendel appreciated human being regardless of his surface appearance. When Ploni appeared in the Yeshivah of Philadelphia, Rav Elya continued to greet him with the same warm hug. The boys noticed that Ploni seemed to want and need that hug even more than their money. In his pure and exemplary manner, Rav Mendel taught his students an unforgettable and monumental lesson in human compassion.

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

❖ The previous Satmar Rebbe, Rav Yoel Teitelbaum, zt"l, had a beautiful minhag in his Beis Hamedrash. After Shacharis every Sunday morning, the Rebbe would select three men and assign them the special mitzvah of approaching all the people in shul to ask them for tzedakah money. In addition, he requested that these men spend the entire week raising money for poor people. At the end of the week, the men would bring the money that they had collected to the Rebbe, who in turn would distribute it to needy individuals and families. One Sunday morning, the Rebbe approached his Chassid R' Yisrael Zupnick and asked him to be one of the men to collect tzedakah money that week. R' Yisrael was mortified. He was a wealthy man who had always given much tzedakah, and he felt embarrassed asking others for money, even though he knew was not for himself. He just couldn't see himself doing this particular mitzvah that the Rebbe was asking of him. R' Yisrael thought of a plan. He approached the Rebbe and said. "Rebbe, please forgive me. You know I would do anything that you ask of me, but I just can't go around asking people for money. Please tell me how much money is collected each week, rad I will happily write a check for that amount, which can then be given to the needy. " The Rebbe answered, "R' Yisrael, I appreciate your wonderful offer, but I would still ask that you go around collecting tzedakah this week." "Rebbe," R' Yisrael persisted, "I am more than happy to simply write a check for even more than the amount that is generally collected." The Rebbe smiled and said. "I knew when I asked you that this mitzvah would not be something easy for you to do. I am insisting that you go around, and I will tell you why. After you spend this week collecting tzedakah. The next time a poor person comes to you to ask for your help, you will look at him differently. It will be easier for you to feel his pain and to understand how difficult it is for him to approach people for money." That day, R' Yisrael gained a new awareness. The Rebbe didn't just want his personal money, but rather he wanted to teach him a lifelong lesson in sensitivity towards the person asking for tzedakah. It's more than just giving money that counts; it's how you make the recipient feel.

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

❖ Rav Shimshon Dovid Pincus's staunch yiras Shamayim and yearning to increase kavod Shamayim in the world extended to all realms of life and all his fellow Jews whose avodas Hashem he valued as no less significant and compelling than his own. For this reason, he would occasionally donate a substantial sum of money to the shul, announcing that the donation was on behalf of anyone who had pledged a sum of money and forgotten to pay it, and that any surplus should be a zechus for himself and his family. Indeed, Rav Shimshon's yiras Shamayim and gemilus chasadim were deeply intertwined, both drawing from a pure heart eager to fulfill the will of Hashem through mitzvos bein adam la'Makom and bein adam la'chaveiro. Another example occurred one Purim, when he was sitting with a group of men from the community. In the

course of the festivities, a beggar approached and asked one of the men for a donation. The latter shooed him away in disgust, causing the beggar's face to redden in shame. Rav Shimshon, who was a witness to the incident and had partaken generously of wine in fulfillment of the mitzvah of the day, began to tremble. Grabbing a $100 bill out of his pocket, which was at least ten times what the beggar might have hoped to collect at such a time, he placed it into the man's open hand and pleaded tearfully, "Please, don't be angry at him! Consider it as if the money came from him!"

From Rav Shimshon Pincus, published by Feldheim / ArtScroll

❖ Once Rabbi Akiva Eiger watched in dismay as his wagon driver struggled through mud and snow to get his sidetracked horses back on the road. As the fellow climbed back to his seat, Rabbi Eiger handed him a pair of dry socks - "Take them. They're extra." The driver gratefully took off his freezing cold and soaked socks and put on this pair of dry ones. Later, when Rabbi Akiva Eiger disembarked, the driver noticed that the rabbi's ankles were bare. The driver protested, "You sat in the cold, without your socks! Why did you say they were extra?" Replied Rabbi Akiva Eiger: "When another person is shivering, they're extra for me."

The Torah Personality, By Rabbi Nisson Wolpin, Published by Mesorah Publications

❖ The yeshivah flourished, and Rav Yaakov Galinsky continued spreading Torah. Years later, more buses were added to the Bnei Brak-Hadera route, and R' Yaakov was able to travel back and forth daily. He rose at five to begin the two-hour trip, taking two buses to arrive at the yeshivah at seven, in time to daven Shacharis with the bachurim. In the yeshivah his golden tongue was put to good use, and his pleasant ways were more convincing than any mussar talk. In his inimitable manner, he discovered an inspirational message in everything he encountered, no matter how seemingly insignificant. Once, he told how he traveled to the yeshivah and noticed a beggar in rags wasting the little money he had on alcohol. A passerby berated the beggar. He'd just given the beggar that money as charity and he was appalled to see him waste it on drink. "Aren't you ashamed of yourself?" the man said to the beggar. "I gave you money to try to help you and this is what you do with it?" The pauper, who was drunk, answered him back. "Aren't you ashamed? Look at you! You gave me a few coins and already you consider yourself who-knows-what. G-d gave me life decades ago, and lets me be. You give me a few coins, and you're already asking questions." "There's so much to learn from what he said!" R' Yaakov said to his students.

From Rav Yaakov Galinsky, By Rebetzin G. Lehrer

❖ When Batsheva Kanievsky's mother, Shaina Chaya, was a young girl, her mother, Tziporah Chana, headed out to the makolet one cold wintry day and left 1-year-old Shaina Chaya in the care of her older brothers. Right in front of her house, an unfamiliar man — obviously poor — approached Tziporah Chana and asked for a drink. She asked if he could wait a few minutes while she picked up a few items from the makolet — but if he was very thirsty, she would bring him a drink immediately. He replied, "Please, I really need it now." Tziporah Chana hurried back upstairs to get him a drink. While she was there, she checked on her children. The boys, who were supposed to be watching Shaina Chaya, were caught up in a game and were totally neglecting their babysitting duties. Meanwhile, the 1-year-old had fallen facedown into a bathtub full of water! Tziporah Chana quickly plucked Shaina Chaya out of the water and calmed the choking child. Then she went to thank the poor man and bring him his beverage — but he had disappeared. There was only one conclusion for Rebbetzin Tziporah Chana to draw: her chessed helped save her baby's life. When R' Aryeh's brother-in-law, R' Tzvi Pesach Frank, heard about the miraculous way Shaina Chaya had been saved from drowning, he said that since such a miracle occurred, he believed the girl was destined for greatness.

Rebbetzin Kanievsky, By Naftali and Sarah Weinberger, published by ArtScroll Mesorah

❖ You shall surely give him (to the poor), and let your heart not feel bad when you give him" (Devarim 15:10). This verse is generally understood to mean that a person should not resent the imposition of having to part with some of his earnings for charity. R' Bunim of Pschis'che gave this verse an additional meaning. R' Bunim came into a home of extreme poverty. He gave the family money for their needs. He later returned and gave them additional money. When his chassidim asked why

he did so, he explained: "When I saw the hungry look on the children's faces, my heart ached for them. The money I gave them was to relieve my own distress. I would have done so even if there were no commandment to give charity. "But in that case, I was simply doing something for my own comfort. I therefore returned and gave them additional money. Because my anguish over their plight had been relieved, I was now able to give because it is a mitzvah." This is what the Torah means. When you give charity, it should not be only because your heart feels bad for the poor. Even after your pain has been relieved, you should give because it is a mitzvah. Sometimes we are asked to donate to a cause that does not elicit great compassion. We may not happen to be sympathetic to that particular cause. If we are told that it is deserving we should give anyway. Our charity should not be limited by factors that affect our emotions.

Rebbes and Chassidim, By Rabbi Abraham J. Twersky, p. 185

❖ Reuven and Shimon were partners in a thriving business. They had come to an agreement that they could each take whatever they needed from the business fund in order to provide for themselves and their families, while the remaining money would be split evenly between them. Their luck eventually took a turn for the worse, and the business was no longer generating as much profit as it did originally. The two partners met and tried to devise a plan that would enable them to conserve their depleting funds. They decided that each of them would curtail the amount of money they had been spending on their domestic needs and would no longer buy the large quantities of food and drink to which they had grown accustomed. From now on, they would purchase only that which was absolutely necessary to sustain themselves. Reuven, who was an honest fellow, abided by the agreement and bought only that which was essential to his family's health and well-being. Shimon, on the other hand, betrayed his friend's trust and continued to spend exorbitantly, indulging as if the business was as prosperous as it had been in the past. Some time later, the two partners returned and took note of the fact that business had not improved. Once again, they tried to come up with a plan. But as they read through their financial records, Reuven came to the startling realization that he had been duped. While he and his family had been coping on near-starvation rations, Shimon and his family were indulging on delicacies that were fit for a king. "You deceptive thief that you are!" screamed Reuven with all his might. "My family and I are starving for bread, and you go ahead and steal from the business fund? You've destroyed our business with your very own hands!" There is a type of partnership that exists between man and Hashem, said the Chofetz Chaim. Hashem provides man with all his needs, supporting and sustaining him constantly. Man's responsibility is to set aside tzedakah from his money. When hard times befall man and it is difficult for him to earn a livelihood, he must, nevertheless, maintain his end of the partnership by spending less on his domestic needs and continuing to give tzedakah. However, there are individuals who act like the crooked partner. While they continue to spend without restraint when it comes to their household necessities, they neglect the obligations of their partnership with Hashem, by not giving the requisite tzedakah. Let him not be the least bit surprised if he is held accountable for his behavior.

Jewish Parables- A Mashal for Every Occasion, By Rabbi Yisroel Bronstein, published by ArtScroll Mesorah

❖ Reb Dovid Spiegel tells another story involving Tzedokoh and the general Yiras Shomayim and concern that the Rosh Yeshivah, Rav Aharon Kotler, had about the consequences of his deeds. Reb Dovid accompanied the Rosh Yeshivah as they went to the Sfardisher Shul in Boro Park to daven. A poor lady was sitting there collecting Tzedokah and the Rosh Yeshivah took out some of the Tzedokah money the Rebbetzin had prepared for him, and gave it to Reb Dovid to give to her. When they left the lady was still there and a new collector, this time it was a man, had also come. By now the Rosh Yeshivah was out of money and he motioned to Reb Dovid to give for him. The Rosh Yeshivah then asked him if he gave the lady also and Reb Dovid said he didn't. The Rosh Yeshivah said "Nein, nein, you must give her!" He did, of course. A little while later Reb Dovid asked the Rosh Yeshivah why he insisted on giving her too, as she already got on the way in. The Rosh Yeshivah

replied, "Kdei er zol nisht kennen zoggin, ich hub em gigebbin, un nisht ir - so that he not say I gave him and not her" [Chilul Hashem? He might think men shouldn't give Tzedokah to ladies? He might try to insult her? One thing we are certain of — everything was thought through to the end with Daas Torah.].

The Legacy of Rav Aharon Kotler, By Rabbi Yitzchok Dershowitz, Published by Feldheim Publishers

❖ Although the mitzvos are a duty, they are a duty that a person has no desire to avoid. According to the Brisker Rav (Rav Yitzchok Zev Soloveitchik), this meant that when he was presented with a mitzvah, he would not rest for a moment until it was done. To the extent that mitzvos were a burden to him, so, too, he loved them, making sure to perform them properly. R. Menachem Porush tells the following enlightening story, which instructs us how one should relate to fulfilling mitzvos: One Friday, I was called to come to the Brisker Rav's home. When I arrived, he told me of a certain talmid chacham who was in very difficult financial circumstances. He had called me to ask me to find a way to help him out of his crisis. "I have no rest over this," he said. We discussed various solutions to the problem, and afterwards I went home. About half an hour before Shabbos, I received another urgent message to come to his home, and of course I made my way there as quickly as possible. The Brisker Rav then told me that he had just thought of someone who might be able to help in the matter and that we should write him a letter requesting help. I sat and began writing, taking dictation from the Brisker Rav. When I finished the job, I could not resist asking him: "Please explain, Rebbi. There are only a few minutes left before Shabbos. It is clear that we won't be able to send the letter now, since the post office closed hours ago already. Why, then, did you find it necessary to call me now? If I would have come and written the letter immediately after Shabbos, it would have been delivered at the same time!" The Brisker Rav raised his eyebrows at the question. He looked at me with eyes full of warmth and kindness. "R. Menachem, I am surprised at you. Am I so sure I will live until tomorrow?! Everything I am able to do I must do immediately without delay." And then he added, "My father taught me that one must 'break down walls' to help others."

The Brisker Rav, Vol. 2, By R' Shimon Yosef Meller, Published by Feldheim, p. 426

❖ A talmid came to pick up Rav Moshe Feinstein to give a shiur. He found Reb Moshe sitting at the table with a woman who was crying. The talmid signaled that it was late. Reb Moshe signaled back that he should not wait. He decided to wait. After a while the woman rose, said, "Thank you," and left. The talmid asked Reb Moshe what happened. "She said she wanted to talk to me, sat down, and started crying." "What was her problem?" "I don't know." "Didn't she say?" I couldn't understand it. "But you were crying, too!" "Of course I was," Reb Moshe responded. "How is it possible to see a bas Yisrael crying and not cry with her?"

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ The Steipler Gaon (Rav Yaakov Yisrael Kanievsky) was always on the lookout for situations that might require some action on his part to comply with little known halachos, or even just to make life more comfortable for people. One day he came to Lederman's Shul and found that new shelving had been put on the wall that separated the main section from the women's section. The top shelf, however, extended above the upper ledge of the wall. As soon as the Steipler saw this, he went as quickly as he could and started removing sefarim from the top shelf. Someone asked him what had happened and offered to help. Without stopping what he was doing, he answered that the sefarim were blocking air from the women and had to be removed.

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 196

❖ Although walking was very difficult for the Steipler Gaon (Rav Yaakov Yisrael Kanievsky) and he rarely left the house, one Friday night he hurried to the home of a student to ask directions for finding a particular acquaintance. After receiving the information, he apologized for the disturbance on Shabbos and explained why he needed to find the man so urgently. "He came to see me today to ask me to daven for his wife w-ho wasn't feeling well. I forgot to tell him that he should

reassure her. Now I have to go immediately to remind him that he also needs to reassure his wife."

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 197

❖ Rav Yehoshua Zelig Diskind was going to drop off a large amount of money for the Ponevitz yeshivah. Rav Kaheneman asked if it would be ok to drop it off in his office in Bnei Brak, but he will not be able to be there because he has an important meeting with the Brisker Rav and other big gedolim in Yerushalayim. When Rav Diskind came to drop off the money he found Rav Kahenman in the office holding a young boy who was crying bitterly. Rav Kahaneman himself had eyes that were red from crying. Rav Diskind asked why he wasn't at the meeting in Yerushalayim. Rav Kahaneman said that whenever he leaves Bnei Brak he would stop by the Batei Avos orphanage that is on the road out of bnei brak, and he saw a young boy of about 8 years old crying. He was an orphan who lost both parents in the war, and was crying because he had just received word that his closest friend had been killed in Auschwitz. "I approached him and asked him what was wrong," Rav Kahaneman explained. "He tried to tell me the story, but he was incoherent from weeping. This child needs me right now; I cannot leave. The gedolim will have to wait, and Rav Kahaneman continued to cry with the boy.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 109

❖ Once, Rabbi Avraham Kahaneman, President of the Ponovezher Yeshivah and son of the illustrious Ponovezher Rav, approached a wealthy widow for a donation to his yeshivah. The woman happily wrote out a generous check and commented that she contributed to many such causes. Curious, R' Kahaneman asked the woman which other causes she supported and she proceeded to list some of the world's finest yeshivos and organizations. R' Kahaneman was amazed. He knew that the woman's husband had died fifteen years earlier and that she had no one to advise her where to give her charity. "I hope you don't mind my asking," he said, "but how is it that you have been able to distribute your tzedakah so wisely without anyone advising you?" "it's really quite simple," replied the woman. "The money my husband left me is 'kosher money' — all of it was earned honestly and none of it was earned through chillul (desecration of) Shabbos. I forever pray that in this merit, my tzedakah should end up in the right hands. Thank G-d, Hashem continues to grant my request."

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ One time Rabbi Dovid's son, Moshe, fell gravely ill, and the doctors did not believe he would survive. The townsfolk, who loved the Rabbi's child dearly, gathered in the shul (synagogue) and prayed fervently for Divine healing, donating tzedakah for his recovery. When the lad began showing signs of improvement, they ran and told Rabbi Dovid the good news, whereupon he began to cry. "Why are you crying?" they asked. "The child is so much better." Rabbi Dovid said, "Yes, my child is better because people gathered together and offered special prayers for him, donating tzedakah for his recovery. But what about other people's children? When they fall ill, the shul is not filled with people praying for their recovery. Why should I not cry?"

Not Just Stories By Rabbi Dr. Avraham Twersky

❖ Reb Shayaleh of Kerestir ran a Hachnasas Orchim house that fed and cared for hundreds of people. Late one Thursday night, a group of talmidim from the yeshivah in Semihaly made their way to Kerestir on foot. They arrived early Friday morning, exhausted and ravenously hungry from their journey. The smell of Shabbos food emanating from the kitchen stoked their appetite still more. Reb Shayele came forward to greet them, accompanied by his son, Reb Avrumele. Reb Avrumele greeted them warmly. "Bachurim, have you already davened? If so, hurry and enjoy breakfast," he said. Privately, Reb Shayele gently corrected his son. "One does not welcome Yidden that way. You should say, 'Are you hungry? Go eat,' and nothing more. If they haven't yet davened, then they themselves are surely aware of their halachic responsibilities."

From Reb Shayele, by Rabbi Yisrael Besser. Published by Feldheim

❖ Once, the Chazon Ish asked someone to deliver an envelope containing money to a needy individual named R' Berger. The emissary returned and said, "I went to R' Weinberger as was requested of me." The Chazon Ish was dismayed. The money had been intended for someone else; obviously, the emissary had heard wrong. The Chazon Ish immediately sent another envelope to the correct recipient. However, when a few days went by and the first recipient still had not returned the envelope, the Chazon Ish realized that Heaven had caused this mistake to happen, for until then no one had known that this person was in need. From that time on, that person also received an envelope from the Chazon Ish on a regular basis.

Five Great Leaders, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ There is a famous story which shows the Rosh Yeshivah, Rav Aharon Kotler's extreme care in the Mitzvoh of Tzedokah and possibly related obligations. The Rosh Yeshivah was walking in Eretz Yisroel when suddenly he went out of his way to give tzedakah to a poor man and gave him, it seems, twice the amount he would normally give. When asked, the Rosh Yeshivah explained that a few years ago, on a previous trip, he had seen that poor man and wanted to give him a donation, but was out of money. He therefore took a good look at the man to make sure that, if he sees him again, he will make up for it.

The Legacy of Rav Aharon Kotler, By Rabbi Yitzchok Dershowitz, Published by Feldheim Publishers

❖ A person once came to consult with him regarding two surgical options for a girl who was handicapped and required an operation on her legs. The first option was to perform a simple surgery that was less expensive, but would leave a significant scar. The second option was more complex and costly, but would leave a lesser scar. Rav Elyashiv answered that at first glance, it would seem that the less complex surgery was the preferred option, but because the patient was a young girl, the issue of beauty had to be taken into account. Beauty, he explained, is not necessarily what people see from the outside; if a girl has a scar on her thigh, even if it is covered, it would be damaging to her self-esteem — especially for a handicapped girl who must be able to feel positive about herself to help her cope with her limitations. He therefore advised that they choose the surgical option that would leave a smaller scar.

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 383

❖ Yanky was driving with his kallah on I-95 when a truck swerved into his lane and crushed their car. At that very same time, Yanky's best friend, Aryeh Gross, was in Eretz Yisrael davening at the Kosel. After he finished, several tzedakah collectors approached him. Having already distributed his money, Aryeh apologized that he had nothing left to give. An elderly woman approached him and pleaded, "Tzedakah tatzil mimaves—charity saves from death! Please give something!" When Aryeh repeated that his pockets were empty, she urged him, "Please, check your pockets once more." Reaching deep into his coat pocket, Aryeh found a crumpled dollar bill that a friend had handed him before his flight to make him a shaliach mitzvah. He gladly gave the dollar to the woman. Later that day, Aryeh received an urgent phone call informing him that his best friend Yanky had survived a horrific highway crash and would make a full recovery. Stunned, Aryeh realized that Yanky was the very friend who had given him that shaliach mitzvah dollar—and that he had placed it into the poor woman's hand at the Kosel just moments before the accident.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 122

❖ Rav Hirschprung was totally in tune with the needs of others. His son once told him about a friend of his who desperately wanted new shoes for Yom Tov, but had been told by his father that they couldn't afford it. The Rav listened, and asked his son how much the shoes would cost. "Sixty dollars," was the reply. That evening, the Rav went especially to the shul where that father dawned. After davening, he asked the father to drive him home, and the young boy got into the

car as well. The Rav asked him what he was learning, and began to farber him. When the boy answered his questions correctly, the Rav beamed at the father. "Your son knows it so well; he has given me such pleasure. I must give him something." The Rav reached into his pocket and handed the father $60. "Go buy him something for Yom Tov," he suggested.

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ During World War One it was obvious that a sweeping solution would have to be found for the large number of refugees that was multiplying hourly. As the Ponevizher Rav was gathering funds and provisions to accommodate the influx, it was brought to his attention that with the proper amount of money some Jews in Poland could be saved. Without a second's hesitation he signed a check to the person who had supplied him with this information, leaving the amount blank. "There must be some mistake, " the man said, pointing to the empty line. But the Ponevizher Rav had not erred. "You will know how much is needed, so you must fill in the amount; I can only tell you; how much I currently have in my account." Years later, this man with the check became an official in "Aliyat Hanoar," an Israeli government official in charge of the absorption of young immigrants, which helped subsidize the Batei Avos for orphans that the Ponevizher Rav had established in Bnei Brak. It was highly unusual for Aliyat Hanoar to provide money to a religious institution and this very fellow was instructed to snoop around the Batei Avos and see if there was a reason to disqualify the institution from funding. But he refused to cooperate with the plan, announcing unequivocally that there was no need to make an inspection, for the Ponevizher Rav was above reproach.

Builders, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ Tsemach Glenn related: "I was sitting in Shloime Gross's office one day when a stranger walked in seeking a donation. The man enumerated multiple tzaros he and his family were enduring, enough to make any heart melt. Shlomie gave him $1,000. When the man left, he turned to me and said, 'I hope he was lying." Shlomie was very astute, and experience had taught him that while most fundraisers are honest, a small minority are not. Despite the fact that he was not convinced that this man's story was true, he helped him generously on the chance that it was.

Shloime!, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah, p. 169

❖ Renia Finkelstein's mother founded an organization that she called, "For the Needy Who Are Ashamed to Beg." She was successful in her work. When she collected money for her organization, she visited only friends, relatives, and wealthy people who could afford to be generous. Mrs. Finkelstein was also a close friend of Frau Schenirer; the two sometimes set out to collect charity together. Frau Schenirer approached storekeepers. If they knew her, they would hand over a five-zloty bill. Otherwise, she would get only one zloty or half a zloty. But she would not turn down even a quarter. Mrs. Finkelstein begged Frau Schenirer not to visit places that gave her groschen only. "You are demeaning yourself," she said. Frau Schenirer answered with a smile: "My dear, by knocking on a door where I get only 25 grush, I earn merit for three people: the one who gives it, the one who receives it, and the one who collects it. How can I deprive them of giving charity, even if only in a small way?"

Carry Me in Your Heart, By Pearl Benisch, p. 140

❖ A young man who was entering the real estate field asked if Shloime Gross could meet with him to provide some tips for success. An appointment was made. Shlomie greeted the fellow, asked that he be seated, and to the young man's surprise, withdrew his own checkbook. He proceeded to date 12 checks, one per month, for the next 12 months. He said, "If you want to be successful, write 12 head checks, one for each month of the year. Choose a worthy tzedakah and fill in an amount that will be a generous portion of your profits. That's the best advice that I can give you." He then proceeded to explain the ins and outs of real estate dealings.

Shloime!, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah, p. 155

❖ Yitzchak Dinovotzer went to visit his aunt Dodah Yonah in Israel. She was always a very stoic woman, very composed. As she was preparing lunch for them, she was listening to the news report. Suddenly there was a report that an Israeli soldier was killed by a terrorist. Yitzchak heard the knife drop to the floor, and Dodah Yonah was crying uncontrollably. Yitzchock ran into the kitchen and asked what's wrong. She said what do you mean, a young soldier was just killed and a mother will never see her son again. Yitzchock asked, do you cry this way every time an IDF soldier gets killed?" She looked at him with incredulity and asked, "Do you mean, you don't?"

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ A man once came to the Satmar Rav, Rav Yoel Teitelbaum, crying that he needed ten thousand dollars to marry off his daughter. Reb Yoel thought about it, reached into his drawer, and pulled out $9,500. The man left happily. Once he was gone, the chassidim, knowing he had more money available, asked Reb Yoel why he hadn't given him the full amount. They knew he had the funds available. "If I had given him the full ten thousand," Reb Yoel explained, "he would have been upset that he hadn't asked for more. This way he left happy and satisfied."

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Every city has its own tzedakah organization that helps the poor of that community. In Baltimore, where I live. This organization is called Ahavas Yisrael. Every person who works for Ahavas Yisrael is a volunteer, and every penny that is donated goes straight to those in need. Food packages are distributed for Shabbos and Yom Tov, money is given to help pay for rent or utility bills, and clothing is bought when needed. A few times a year the volunteers of Ahavas Yisrael hold a meeting to make sure the organization is running smoothly and to see whether there is anything more that can be done to help struggling families. At each meeting, there is at least one Rav from the community in attendance to help make decisions. Many of these meetings are held in my home, and, since they last several hours, my wife prepares a table full of cakes, cookies, drinks, and other refreshments. Recently, at an unusually long meeting, the Rav who was guiding us was Rabbi Yaakov Hopfer, Rav of Congregation Shearith Israel. About an hour into the meeting. I noticed that everybody except Rabbi Hopfer had taken something to eat. I offered him something to eat, but he politely declined. After another hour Rabbi Hopfer still had not touched any of the food. Once again I offered him something. Again, he refused. Sensing that I may have been insulted, Rabbi Hopfer told me he would explain to me later why he would not eat. Sure enough, three hours went by and Rabbi Hopfer still had not touched a thing. The meeting was finally over, and as everyone was leaving, Rabbi Hopfer called me into the kitchen and said. "I want to explain to you why I didn't eat anything at your table, even though it looked tempting. We sat at this meeting discussing how to best help poor families and how much money to give each one. I felt that if I just sat hungry with such good food around me and didn't eat, I would be able to better understand how a poor man feels and therefore be able to make better decisions." What a valuable lesson Rabbi Hopfer taught me that day! Not only do we have to try to help the poor, we actually have to put ourselves in their position to understand how they feel.

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

❖ R' Yaakov Landman beamed as he accepted congratulations from his many friends. His wife had just given birth to twin boys, and there were many arrangements to be made before the brissim could take place. R' Yaakov also had many questions; after all, he had never been in this situation before! So R' Yaakov made his way to Reb Shlomo Zalman to ask his advice. Among his many questions, R' Yaakov asked, "Should both children be there together at the bris, or should they be brought in one at a time?" "How could you bring in both children at the same time?" Reb Shlomo Zalman asked in wonderment. "The second child will hear his brother's crying, and share his pain." And when R' Yaakov left, it was with an indelible impression of Reb Shlomo Zalman's fatherly love for every Jew.

Visions of Greatness, Vol. 3, By Rabbi Yosef Weiss, Published by CIS Publishers

❖ On one occasion someone told Reb Shlomo Zalman Auerbach of the appalling plight of a particular woman. Several weeks later the situation straightened out and disaster was averted. When Reb Shlomo Zalman called up the family member who had brought him the bad tidings, to inquire how things were developing, he was elated to hear the good news. After offering a heartfelt blessing that the family be spared any future hardship, he added that it would have been far more appropriate for him to have been informed of the good news without having to do his own research. "You could have spared me untold grief, for I have been agonizing all this time over her plight."

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ Rabbi Yeshayah's hospitality is legendary. The hungry knew that they were always welcome fora meal, and not only were they served to satiation, but the Rebbe and his wife often personally served the food. When Rabbi Yeshayah died, thousands came to his funeral, and he was eulogized by prominent rabbis. At one point the local post-master arose and said, "All of you who have come from far away to pay your respects to Father Shyka (which is how the local non-Jewish residents referred to the Rebbe) have no idea who he really was. I personally handled his mail, and can tell you that he constantly dispensed his money to hundreds of poor families throughout the country. " Rabbi Yeshayah followed in the footsteps of the great tzaddikim. The chassidic master, Rabbi David of Lelov, was famous for his unparalleled Ahavas Yisrael, which had manifested itself when he was yet a child. When Dovid was seven, his father — a man of meager means - saved up enough money to buy the child a warm coat for the winter. The first day at cheder (Hebrew school) young Dovid noticed that another child was shabbily dressed and shivering in the cold and he promptly gave his new coat to this child. When Dovid returned home without the new coat, his mother asked him where he had left it. "I did not leave it anywhere, " Dovid said. "I gave it to a poor child who had none. " "Quickly run and retrieve the coat before your father comes home, " the mother said. "You know how long he has been saving to buy you that coat. When he sees you have given it away, he will become angry and may even whip you. " Dovid responded, "I can bear the pain of a whipping much easier than the pain of seeing another child suffer from the cold. "

Not Just Stories By Rabbi Dr. Avraham Twersky

❖ Rav Mordechai Schwab would write long letters to his son in Yiddish before he married. After his son married, Rav Mordechai began to write in English so that his wife could also read the letters, although it took him much longer to write in English. His son and daughter-in-law had told him several times that he should continue to write in Yiddish, but Rav Mordechai felt otherwise. Out of sensitivity to his daughter-in-law, that she shouldn't feel left out, he wanted his letters to be written in a way that she too could read them. Only once did Rav Mordechai write to them in Yiddish, and he excused himself by explaining that he was in a great hurry because someone was waiting to take that letter to personally deliver it and that this letter dealt mainly with tzedakah funds which his son had to deliver.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

❖ Eliezer Gruchkind was a successful businessman who also ran a tomchei Shabbos operation. He would drop off packages, or people could pick up if they preferred. He was modest about it, and not everyone knew that he was the one who founded it. One day he was entering the center where he was preparing the packages. He saw his next door neighbor, and some other people coming to the center to pick up a package. He thought he was a successful person, but he apparently was having hard times. He tried to run away, but there wasn't enough time. In order to let him know that he was there and not embarrass him, he began to knock at the door, asking to open up, so he can pick up a package. The neighbor quickly turned away. He preferred to embarrass himself, to save his friend from embarrassment.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 72

❖ Rav Avraham Kalmanowitz was unceasing in his efforts to raise money for the Jews in Europe. He was a talented orator and a gifted fainter, a skill he would employ to direct attention to the plight of the Jews. His grandson related how Rabbi Kalmanowitz was unpopular for his schnoring during the war years, when it was possible to save a life for pocket change.

No matter whom he would meet he would appeal for life-saving money. At one synagogue function he was noticed approaching the building, and measures were immediately taken to prevent him from entering. But they weren't quick enough. Rabbi' Kalmanowitz entered the building and everyone knew that an appeal would soon follow. This was something they could not allow. Vainly, the rabbi tried to put the crowd at ease "I don't want to speak," he pledged to a swarm of unbelieving eyes. 'All I want to do is say one word." "One word?" Why, even the greatest fund solicitors in history could not crack open wallets with just one word. It was a safe gamble to let the rabbi speak, they reasoned, and he certainly had them intrigued! Rav Avraham Kalmanowitz ascended to the podium and waited for the crowd to fall silent, and then thoroughly unexpectedly — he sighed, "AAAyyy," and fell to the floor in a dead faint. The frantic crowd beckoned, "Breng vasser!" as everyone looked on in anxious horror. When the apprehension had climaxed, Reb Avraham lifted one eye and commented, "Vasser brengt mi? Breng gelt!"

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 45

❖ In that difficult postwar period, Rav Yochanan Twersky, the Tolner Rebbe conceived a novel Way to help the destitute refugees, who were pitifully ill equipped to deal with the harsh Montreal winters, but too proud to accept help. The Rebbe would arrive at the mikveh with layers of clothing, Wearing numerous jackets and sweaters. He would then conveniently "forget" them, announcing that anything left behind was hefker and free for taking. The Rebbe thus ensured that while their bodies were warm, their pride was intact. Once, after "forgetting" most of his clothing, the Rebbe was walking home, jacketless, in his shirt, and someone reprimanded him that this was unbecoming for a Rebbe. The Rebbe laughingly replied, "For someone like me, it's very becoming."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ A wealthy admirer of Rav Hirschprung passed away, leaving $100,000 to the Rav. The Rav summoned a close confidant and asked him to compile a list of the many mosdos in town, and distribute the money equally. "But he left the money for the Rav's personal use; why give it away?" asked the talmid, but the Rav would hear none of it. "Perhaps the Rav could put away the money for his children's chasunas," he suggested, but again, the Rav, who had so little, spurned the idea. The talmid drew up the list, placing Beis Yaakov, which the Rav founded and headed until his last day, at the top of the list. The Rav reviewed the list, and removed his school, Beis Yaakov, from the top, placing it together with all the city's institutions. "I don't want to pasken, to make a decision, based on personal negios, partiality. I am partial to the needs of the school, so it doesn't belong where you placed it."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ According to the custom of the time, a rav who was mesader kiddushin at a wedding would receive from the two families a sum of money directly proportionate to the wealth of the families. Once, Reb Chaim Soloveitchik of Brisk was mesader kiddushin at the wedding of two children of very wealthy parents, who presented him with a sealed envelope full of bills. Shortly afterwards, a poor man approached him and began to describe his sad situation, how he had not a cent with which to buy food for his family. Without a word, R. Chaim reached into his pocket and gave the man the envelope he had just received - this without even opening it!

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 58

❖ The Bobover Rebbe's holy eyes would scan thousands of people, even while his gaze was on the individual. Once, at the height of a simchah, as throngs of chassidim joyously danced before him, he caught sight of an elderly chassid, his arms on the shoulders of the tall chassid in front of him. The Bobover Rebbe called over a young boy, and whispered to him, "Tu mir a toivah, do me a favor. Go stand between that zakein and that tall fellow, so that he shouldn't have to stretch his arms that much."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ The gaon R' Shalom Rosenblit related that he came to the yeshivah during a time when Jewish blood was being spilled in Eretz Yisrael. He was told not to let Reb Baruch Ber Leibowitz know, for Reb Baruch Ber was likely to become ill if he heard that Jews were being killed. Once he heard of what was going on, he asked that someone bring him a religious newspaper so he could learn more about the situation. One of his talmidim asked him, "But the Rebbi does not usually read newspapers, even the religious ones." R. Boruch Ber answered, "That's so when times are normal, but now, during such terror-filled times, how can one remain uninformed about what is happening? One has to sympathize and feel the pain of the Klal!" In fact, as he read the paper, he literally writhed in pain. He sighed in anguish over the Jewish community's plight until his suffering became a serious threat to his health. His family tried their best to convince him to not dwell so much on the matter, but Reb Baruch Ber did not listen to them. One day, however he asked that they stop bringing him the newspaper. He said that he could not possibly bear any more pain. He added, "I don't understand how people can read newspapers. True, if a person is not stirred to feel the suffering of the Klal, he is being apathetic and cruel. On the other hand, if he is stirred to feel for the Klal, how can he bear so much pain?"

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

❖ Rebbetzin Dessler instilled the sensitivities of Kelm mussar in Hennie and the Silver children. Once she and Hennie were walking on the street when Hennie stopped to look in the window of a pawnshop. Rebbetzin Dessler immediately insisted that she move on. Each item of jewelry, she explained, represented a personal tragedy - some poor person had been forced by circumstances to part with some cherished possession out of financial desperation. It was forbidden, she told Hennie, to derive any pleasure — even the pleasure of viewing a beautiful piece of jewelry - from the suffering of others?".

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 184

❖ Some time after Reb Leizer Geltzhaler's passing, his daughter was driving on the Garden State Parkway. She stopped for gas and noticed that the attendant was a midget. As he began to Wash her windows, he caught sight of a large picture on the passenger seat. He became visibly excited as he pointed to it. "How do you know that man? " he asked in a state of agitation. "I've been looking for him for more than two years. Where is he?" The girl gently informed him that the man in the "portrait was her father and that he had passed away from injuries sustained during a bus accident. The fellow stared at her, disbelieving, and then began to cry silently. "You know," he said, "I do this job day after day, morning after freezing morning. There aren't many jobs available to someone like me. Cars pull in here every few moments, but everyone averts their eyes, feeling uncomfortable with my strange appearance. "Then, one day, your father pulled in. He looked me straight in the eye, like no one else had ever done. 'My friend,' he said to me, 'you are an inspiration. You were born with what might appear as a great handicap, but you refuse to play the role of the victim. You get up in the morning, go to work, and earn an honest living. You are a role model for all of us. You teach us that circumstances should not dictate the terms of our existence'. "'I am on my way to New York, where I am the head of a large school. Today, I am going to tell my students all about you so that they might learn from your example."'. With his eyes glistening, the gas station attendant completed his tale. "Of course, I so looked forward to seeing your father. He made me feel tall."

Reb Laizer, By Rabbi Yisroel Besser, Published by Judaica Press

❖ Bunim saw innumerable examples of Rabbi Kotler's limitless devotion to others. Once, he walked into Rabbi Kotler's home and saw him playing chess. Bunim was stunned, for the Rosh Yeshivah had a non-stop schedule; he rarely had time to eat, let alone play chess. "Imagine," Bunim later told a friend, "Reb Aaron, who is always so busy, spending his precious time playing chess! It seemed completely out of character until I found out that his chess partner had lost his entire family in the Holocaust. He was broken, deeply depressed, and there seemed no way to rehabilitate him. No one knew what to do, but

Reb Aaron spent a half-hour with him every day, speaking softly and playing chess. He desperately wanted to reach this man, and chess was his only way. Finally, Reb Aaron's therapy worked. The man eventually remarried and built another family, all from Reb Aaron's chess."

A Fire in His Soul, By Amos Bunim, Published by Feldheim

❖ A maggid (itinerant rabbi) came to Premishlan and delivered a sermon in which he urged people to contribute money to him. The congregation responded with rather paltry sums. Later, the chassidic master R' Meir of Premishlan spoke to the congregation, urging them to give charity, and they responded with handsome donations. The maggid was upset and said to R' Meir, "My sermon was at least as good as yours. Why did the people give you greater donations?" R' Meir said, "It's not the content of the sermon that is decisive. Rather, it is the attitude of the speaker. I despise money. My unspoken feelings made an impression on the audience, and they, too, began to despise money. They therefore had no trouble parting with it. You, however, value money greatly. That feeling was picked up by the audience. They, too, began to love money. They therefore could not give it away." We would do well to realize that our message is not necessarily conveyed by the words we use. The listener may be much more sensitive to our feelings than to our words. Whatever attitudes we may have will be conveyed, and the listener may act according to what we feel rather than to what we say.

Rebbes and Chassidim, By Rabbi Abraham J. Twersky, p. 215

❖ Right after the war, there was a young girl who had been so poor that she walked around the DP camp with no socks. Upon seeing her one day, the Klausenberger Rebbe took off his socks in the middle of the street and gave them to her, saying, "It is unbecoming for a Jewish girl" to have to walk around this way."

The Klausenberger Rebbe, By Judah Lifschitz, Published by Targum Press

❖ A poor woman arrived at the door of a kollel family in Eretz Yisrael and asked for a piece of chicken. At first the father of the family resisted because he himself was not doing well financially and every piece of chicken prepared for Shabbos was carefully counted out. It was Thursday night, and he knew he did not have a piece of chicken to spare. The woman continued begging and turned down any offer of money or anything else to eat. Eventually, to put a stop to her pestering, the father agreed. He went to the fridge, opened it up, and found that his three-year-old son had gotten trapped in the refrigerator and was turning blue. Another few minutes inside and he would have died.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Once, a Rosh Yeshivah hd a difficult problem that he discussed with Rav Shlomo Zalman Auerbach. He arrived home late at night and was given an urgent message to call R' Shlomo Zalman. The hour was very late, so the Rosh Yeshivah postponed returning the call until the following night. He began his call by saying, "I did not call last night because I did not want to disturb the Rosh Yeshivah's sleep." " "Disturb my sleep?" R' Shlomo Zalman responded. "Do you think that I can sleep peacefully when a Jew is suffering?"

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ A student in the Mir, whom we shall call Yossi, had a whopper toothache — we're talking a tooth that was screaming soprano. Somehow the Rosh Yeshivah, Rav Nosson Tzvi Finkel, found out about this and called his dentist to arrange an immediate appointment. In addition, he actually accompanied Yossi to the dentist for moral support. The Rosh Yeshivah's presence was just what the doctor ordered and what the patient sorely needed (no pun intended). Yossi had an abscess, reaching deep into the gum, that had to be drained, and the dentist, in order to alleviate the pain, had to cause far more of it. Yossi was flailing. In stepped feeble, tremulous Reb Nosson Zvi. With one hand he seized Yossi's shoulder to pin him in place and with the other he grabbed the bachur's fingers to keep him from interfering with the dentist. However Yossi — poor agony-addled Yossi was not taking this sitting down. Scratch, he was taking this sitting down, thanks to the Rosh Yeshivah's physical pressure. After several endless moments the primary treatment was completed and everyone resumed

breathing. And now it was the Rosh Yeshivah who needed medical attention. Blood was trickling out of his hand in three spots where Yossi's nails had punctured his skin. Yossi looked in horror at what he had caused and felt a resurgence of his torment all over again. "Why didn't the Rosh Yeshivah cry out?" he gulped. "Because your pain was greater than mine, " Reb Nosson Zvi assured with a smile.

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 209

❖ Once one of Reb Yisroel Salanter's more ascetic students questioned Reb Yisroel about the way he cared for others' material needs to the point of indulging them. This was in total contradiction to his personal practice of self-denial and discipline. "Aren't you spoiling them, Rebbe" they asked? Reb Yisroel responded: "Yenem's gashmiyus iz mein ruchniyus — taking care of the other fellow's material needs is my spiritual need."

The Torah Personality, By Rabbi Nisson Wolpin, Published by Mesorah Publications

❖ The Alter of Kelm's (Reb Simcha Zissel Ziv's) own powers of identification with others were honed over a lifetime. When he saw chain gangs of prisoners repairing the roads or building new ones in the vicinity of Kelm, he wondered, "How can anyone just walk casually on roads which have been built at such a cost in the suffering of others?" Even on his deathbed, his thoughts were still on the welfare of others. One of his last instructions to his family was to be sure to wash all his clothes before distributing them to the poor after his death."

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 69

❖ Once an avreich came to the Rosh Yeshivah, Rav Nosson Tzvi Finkel, requesting a brachah. Six months later he returned and requested a brachah again, but did not specify why. Reb Nosson Zvi inquired how he was making ends meet. The fellow conceded that there were financial problems and was curious as to why the Rosh Yeshivah inquired precisely about this. "I noticed last time that the pack of cigarettes in your pocket was Marlboro; this time I see it is Time."

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 230

❖ Every year before Rosh Hashanah, Rav Gifter would give a check to the Yeshivah to pay for any food he may have eaten from the yeshivah kitchen that he was not entitled to.

Rav Gifter, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ A bus pulled out of the stop on Malchei Yisrael Street in the Geulah section of Jerusalem. The driver suddenly stopped the bus, opened the front door, stepped out of his seat and threw some money to a poor man on the sidewalk. Why is it that I never saw this happen in Chicago.

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Rav Itzele Gewirtzman would give his money freely to tzedakah. He would say that to him a coin was a mitzvah artifact just like an esrog or tefillin.

The Torah Personality, By Rabbi Nisson Wolpin, Published by Mesorah Publications

A. TO GIVE MA'ASER, TO GIVE AT LEAST TEN PERCENT OF YOUR NET INCOME TO CHARITY

(Torah Mandated Mitzvah) Kitzur Shulchan Aruch 34,4

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How much tzedakah should a person give every year?
- Can a person give away more than 20% of his income?

- Why not?
- Can a person give more than that before he dies? Is there a limit?
- Can a person use maser money for a mitzvah like to buy a lulav?
- What if he would not do the mitzvah with his own money?
- If a person buys seforim from maser, does he own them?
- Does he get priority to them?
- Does he have to write that these are maser?

KITZUR SHULCHAN ARUCH

How much charity should a person give? The first year, one-tenth of the principle. Afterwards, one should give one-tenth of the profit one makes each year. This is an average measure. The most desirable way of performing the mitzvah is to give one fifth of the principle in the first year, and then one fifth each year from the profit. A person should not give away more than a fifth, so that he doesn't need afterwards from others. This (restriction) is only during his lifetime. However, on his deathbed a person can give up to a third of his property to charity. One should not use one's tithes to perform a mitzvah - e.g., to (donate) candles to the synagogue or to perform other mitzvos. Rather, they should be given to the poor. If the chance to perform a mitzvah presents itself - to circumcise one's son, to help provide for the marriage of a poor bride and groom, or the like, and similarly, to buy sacred texts to study from and to lend to others to study from - if one does not have the means and would not be able to perform the mitzvah from his own money, he may use (for that purpose) from the tithes. If he used his tithes to purchase sacred texts, he must take care to lend them to others - when he does not need them, for he receives first priority. He should also write in them that they were (purchased) from his tithes, so that they will not be kept (as their own property) by his sons after his passing?

RELATED HASHKAFAH TOPICS:

- Discuss the idea of Asher beshvil shetisasher

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• In Parshas Behar, our Sages in Midrash Rabbah (33:1) comment on the verse, "Death and life are in the power of the tongue" (Mishlei 18:21). Why did Chazal compare untithed bread to a burning ember, and why does separating the tithe determine whether food becomes life or death? The Sfas Emes explains that all physical nourishment contains a hidden core of divine vitality. In its raw, unrefined state, the physical world is like a dormant coal. If a person consumes food with coarse, selfish desire, without acknowledging its Divine Source, that food remains untamed nature. It acts like poison to the soul, dulling the heart and cutting a person off from eternal life. Once the sacred portion has been separated, the remaining loaf is redeemed. It is no longer selfish matter; it has become a holy garment through which the body receives genuine life from the Creator (Sfas Emes, Vayikra, Behar 5632).

• In Parshas Re'eh, the Torah repeats the obligation to tithe: "Asser te'asser". The Gemara explains that this means our lips will wear out from saying, "It is enough!" Yet we must ask: Why does this promise of overflowing blessing accompany the surrender of our possessions? The Sfas Emes reveals that earthly blessing can arrive in two very different ways. It can arrive as coarse, mixed abundance—wealth tangled with anxiety, jealousy, and spiritual

decay. Or it can arrive as pure, inner blessing—sustenance that brings calm, health, and spiritual clarity. When a person hoards all their harvest, their wealth remains mixed with spiritual dross. But when a Jew tithes, they create a clean spiritual vessel. By giving away the tenth, we connect our physical fields to that boundless spring. The wealth we receive in return is not a burden; it is pure light that elevates the home and brings true peace (Sfas Emes, Devarim, Re'eh 5652).

• When Yaakov fled from Eisav into the exile of Charan, he awoke from his vision of the ladder. Why did Yaakov choose tithing as his primary shield against the spiritual dangers of exile? The Sfas Emes reveals that the power of ma'aser is to connect the branches of creation back to their living root. In this physical world, nature appears fractured, divided into countless competing interests. When a person acquires wealth, that money threatens to pull the soul away from Hashem into worldly distractions. But when Yaakov vowed to tithe everything, he created an unbreakable anchor. The flock, the grain, and the silver cease to be independent worldly matter; they become attached to holiness. Even while living among the swindlers of Charan, Yaakov's possessions remained spiritually pure because they were tied to the Altar (Sfas Emes, Bereishis, Vayeitzei 5643).

• The Torah repeats that the goal of consuming the tithe in Jerusalem is "that you may learn to fear Hashem your God always" (Devarim 14:23). The Sfas Emes returns to this verse to explore an intimate parallel between the mitzvah of tithing and the holy day of Shabbos. How does the holiness of a farmer eating tithed fruit in Jerusalem mirror the holiness of a family seated around the Shabbos table? The Sfas Emes explains: just as from the Shabbos meal comes the fear of Hashem, so too holy bread reveals the inner life-force within it. When the farmer brought his tithed grain up to Jerusalem, he stepped into a space that was entirely holy. His meal was not eaten in a rushed, frantic hurry to return to the field. He ate with the unhurried peace and awe of a Shabbos afternoon (Sfas Emes, Devarim, Re'eh 5661).

• At the conclusion of the tithing declaration in Parshas Ki Savo, our Sages note that the farmer's proclamation—Vidui Ma'aser—is referred to as a "confession", even though it contains no admission of sin! Why is a statement affirming that we have fulfilled our charitable duties called a confession, and why does this mitzvah culminate in opening our mouths in sacred speech? In his discourse on Parshas Re'eh (5654), the Sfas Emes uncovers an extraordinary mystical teaching based on the Zohar. The Sfas Emes teaches that the doubled command of tithing (asser te'asser)—contains two letters Yud, hinting at the complete rectification of these two covenants. When a person faithfully tithes their income, they master their physical appetite and conquer financial greed. Once those two primary gates are purified, the soul's voice is liberated. As the Sfas Emes writes: therefore the mitzvah of confession followed the tithes, for through tithing, the mouth of a Jew is opened in pure, unhindered prayer before Hashem (Sfas Emes, Devarim, Re'eh 5654).

MORAL DILEMMAS:

Ian was a non Jewish man who grew up in Nebraska. He joined the Marines because he enjoyed the structure and discipline of military life. After leaving the armed forces he realized that he gravitated to a structured and disciplined life. This lead him on a spiritual quest which eventually lead him to a process of Geirus, conversion. He began studying with a Rabbi to eventually become a Jew. The Geirus process took him more than three years. During the years before his geirus, Ian lived a religious life. He dressed like a religious Jew, davened three times a day, and kept nearly all of the mitzvos. He also gave maaser along with the rest of the mitzvos he observed. Finally the day arrived and shortly after Pesach he completed the Geirus process by going to the mikvah, getting a bris milah, and accepting to keep all the mitzvos. Ian was extremely gratified to have come so far. Shortly after completing the geirus, Ian, now Yitzchak, had

the following question. He set aside and gave maaser every time he deposited his paycheck. His annual salary was $90,000, and he planned to give $9000 for maaser. So far that year he gave $5000 for maaser. But did the maaser he gave when he was not yet Jewish count as a part of his annual maaser? Would he have to give just another $4000 or perhaps another $9000 to fulfill the mitzvah of maaser. On one hand, he was the same person, and even as a non-Jew he still had a mitzvah to give tzedakah. On the other hand, however, after his conversion he got a new neshamah, a Jewish soul. Perhaps the money he gave before the conversion did not count towards his maaser obligation and he would have to give the 10 percent starting now. Perhaps he would have to give another $9000. This question was eventually brought to Rav Zilberstein. What do you think? Does the charity given before his conversion count as his annual maaser?

Answer: Regarding the question of whether maaser given when a person was still a non Jew can be counted as maaser when he converts, Rav Zilberstein answers as follows: If the tzedakah was given when he had the intention of converting, then it counts toward his maaser. We don't say that he is like a "new person" regarding the mitzvah. This is similar to the halachah that if a convert already has two children before he converted, he has still fulfilled the mitzvah of Pru Urevu. However if he did not intend to convert at the time he gave the tzedakah, it is unclear if it would be counted as maaser.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 78

There was once a young man named Dovid who became a chassan (groom). After he got engaged, his teacher told him it would be worthwhile to learn the laws of Shabbos. He began studying these laws and came across a halachah in the Shulchan Aruch (Orach Chaim 242) that emphasized the importance of Oneg Shabbos (enjoying Shabbos). The halachah stated that one should even borrow money, if necessary, to enhance Shabbos. About this, it is said that Hashem promises, "If you borrow for the sake of Shabbos, I will repay you." Not long afterward, Dovid's friend Yoni mentioned that there was an inspirational Shabbaton taking place in Tzfas. Yoni asked, "Would you like to join me?" Dovid replied, "I would love to come, but I don't really have the money." Then he remembered what he had just learned -- that if someone borrows money for the sake of Shabbos, Hashem will repay them. So, Dovid said, "I don't have the money, but can I borrow from you? Tell me exactly what it costs, and I'll pay you back after we return." Yoni agreed and said, "Not a problem." They went to the Shabbaton and had a very beautiful and uplifting time. Yoni kept an itemized list of all the expenses, including the cost of lodging, food, travel, and gas. After the Shabbaton, Yoni informed Dovid that the total cost was exactly 388 shekels and 60 agorot. Dovid promised to pay him back soon. When Dovid returned home, he discovered a gift waiting for him from his bride (kallah). He opened it to find a beautiful wallet. But the surprise didn't end there -- when he opened the wallet, he found money inside. And what did he find? The exact amount he owed Yoni: 388 shekels and 60 agorot! Dovid was amazed. This amount seemed too precise to be a coincidence. He immediately called his kallah to thank her for the thoughtful gift. He also asked, "I'm curious -- why did you give me such a specific, seemingly random amount of money?" She replied, "Well, since this is a new wallet, I wanted to 'initiate' it with one bill of every denomination: a 200-shekel bill, a 100-shekel bill, a 50-shekel bill, a 20-shekel bill, a 10-shekel coin, a 5-shekel coin, a 2-shekel coin, a 1-shekel coin, a 50-agorot coin, and a 10-agorot coin. When I added it up, it totaled exactly 388 shekels and 60 agorot!" Dovid realized that Hashem had indeed repaid him the exact amount he had borrowed, as the halachah had promised. However, this led to an interesting mitzvah dilemma that was brought to Rav Yitzchak Zilberstein. Normally, when someone receives a gift of money, they are required to give maaser (a tenth of the gift). But in this case, the gift was the precise amount he had borrowed. Since it was clear that Hashem had repaid the debt directly through this gift, Dovid wondered: Did he still have to give maaser on the gift, or could he simply use the entire amount to pay back Yoni? What do you think? Does Dovid have to give maaser on this gift?

Answer: Regarding the question about the need to give maaser, Rav Zilberstein wrote that the man had the right to acquire the money for the sole purpose of paying his debt. In that case, because the money was not regular income, it would not require maaser.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 487

STORIES FROM OUR SAGES:

❖ Our Masters once entered the towns of the Cutheans (Samaritans) along the highway, and the locals brought fresh vegetables before them. Rabbi Akiva immediately jumped up and separated full, definite tithes (vadai) from the vegetables. Rabban Gamliel rebuked him sharply: 'How did your heart dare to transgress the words of your colleagues, or who gave you permission to tithe them as definite untithed produce?' Rabbi Akiva replied: 'Did I establish a public halachic ruling in Israel? I merely tithed my own private portion of vegetables!' Rabban Gamliel answered him: 'Know that by tithing your own vegetables in front of everyone, you have indeed established a public halachic precedent in Israel!'

Tosefta, Demai 5:24 (Lieberman)

❖ Rabbi Yochanan taught: What is the meaning of the doubled Hebrew phrase (Devarim 14:22): "Aser te'aser"? Read it as a promise: "Tithe so that you may become rich!" One day, Rabbi Yochanan met the young son of his study partner Reish Lakish and said to the boy: "Recite for me the Torah verse you learned today in school!" The child replied: "Aser te'aser." Picking up on the teaching, the child asked Rabbi Yochanan: "And what does 'Aser te'aser' mean?" Rabbi Yochanan answered: "Tithe so that you will become rich!" The child asked him: "From where do you know that?" Rabbi Yochanan replied: "Go test it and see!" The sharp-witted child challenged him: "Is it permitted to test the Holy One, blessed be He? Is it not written (Devarim 6:16): 'You shall not test the Lord your God'?!" Rabbi Yochanan smiled and answered him: "Thus said Rabbi Hoshaya: It is forbidden to test God in every matter except for this one mitzvah of tithing, as it is explicitly written by the prophet (Malachi 3:10): 'Bring the whole tithe into the storehouse, that there may be food in My house, and test Me now therewith, says the Lord of Hosts, if I will not open for you the windows of heaven and pour out for you blessing until there is no more room!'"

Talmud Bavli, Taanis 9a

❖ An incident occurred involving a man who separated his tithes properly. He possessed a single field that produced one thousand measures each year, and he would separate one hundred measures for his tithes, sustaining himself and his household from the remainder. At the time of his passing, he called his son and said to him: 'My son, pay careful attention to this field: it produces such-and-such measures, and such-and-such I separate as tithes, and from it I have been sustained all my days.' During the first year, the son tended it, and it produced one thousand measures, and he separated one hundred measures for tithes. In the second year, an evil eye entered into him; he diminished his tithes by ten measures, and the field diminished its yield by one hundred. And so it continued in the third, fourth, and fifth years, until the field's yield diminished to the exact amount of his original tithes—one hundred measures. When his relatives and loved ones saw this, they dressed in white and wrapped themselves in white, and came to him. He said to them: 'Why have you come to rejoice over an afflicted man?' They replied to him: 'Heaven forbid! We have come only to rejoice with you. In the past, you were the master of the house and the Holy One, blessed be He, was the Kohen receiving His tithe. But now, the Holy One, blessed be He, has become the master of the house, and you have become the Kohen receiving the tithe! It is for this reason that Moshe warned Israel: Aser te'aser—you shall surely tithe.'

Midrash Tanchuma Buber, Re'eh 7:1

INSPIRATIONAL STORIES:

❖ Last week we shared a story about Reb Shayele of Kerestir. Reb Shayele is renowned for his connection to removing mice. This is the story behind that. The large grocery store owned by Reb Shloime Engel in his native Tokay, Hungary, was overrun by mice. The rodents inflicted tremendous damage to his inventory, and there seemed to be no means of chasing them away. Reb Shloime hurried to his Rebbe, in Kerestir. "The Rebbe knows that I am careful about separating ma'aser. Aside from the ma'aser I bring the Rebbe each month, I add another tithe which I myself distribute to the poor. Chazal say that this sort of punishment is dealt to one who isn't careful with ma'aser. Why do I deserve this?" The Rebbe asked to see a written list of Reb Shloime's income and expenses. He found that Reb Shloime had indeed been donating not just a tenth, but an actual fifth of his income to tzedakah. "It seems that your claim is a good one, but I cannot sit in judgment alone. Come let us form a beis din and address your question." Reb Shloime grew frightened, suddenly afraid of participating in such a din Torah, but the Rebbe encouraged him. "Go into the beis midrash, where my two sons in law are learning and ask Rav Moshe Ginz, the Rav of Kerestir, to join them in ruling." Reb Shloime followed the Rebbe's instructions and repeated his claim for Rav Reuven Chaim Klein, Rav Yisroel Avraham Alter Landau and Rav Moshe Ginz. They ruled that he was correct. He had been especially generous with the poor and did not deserve such a penalty. However, they did not want to commit the verdict to writing, since even though it was true according to Halachah, they refused to involve themselves in the calculations of Heaven. Reb Shloime insisted that the Rebbe had instructed them to rule as on any din Torah and issue a pesak in writing. Finally, they acquiesced and he brought the verdict to Reb Shayele. The Rebbe added his agreement at the bottom of the paper and signed his own name as well; "Yeshaya ben Moshe, who was an attendant to the Rebbe of Liska and directed Reb Shloime to hang it on the wall of his store. Reb Shloime returned home and affixed the written pesak to the wall of the store. That night, he looked on in wonder as the mice left the store in single file, as if in a military procession, following the ruling of the beis din. Decades later, Rav Moshe Neuschloss, the revered dayan of New Square, New York, could still recall the yellowed paper hanging on the wall of Reb Shloime Engel's store. Similarly, the property of the rebbe's brother-in-law, Rav Tovia Meir Weiss, was overrun by mice. He mentioned the problem to the Rebbe, since the mice had caused him great damage. "Zei vellen avekgein, they will leave," the Rebbe proclaimed. When Reb Tovia Meir returned home, his neighbors described how they had seen a row of mice exiting his home. The mice had continued until the banks of the river, where they disappeared.

From Reb Shayaleh, By Rabbi Yisrael Besser

B. TO UPROOT THE QUALITY OF CRUELTY AND APATHY FROM YOURSELF

(Torah Mandated Mitzvah), Sefer Chareidim 21-27

As the Torah Says, "do not harden your heart" (Devarim 15:7, Parshas Re'eh)

SEFER CHAREIDIM

It is a distinct mitzvah to eradicate the character trait of apathy and callousness from one's soul. For even though the Torah already commands, 'nor shut your hand from your needy brother' (Devarim 15:7), a person might give charity mechanically while maintaining an indifferent heart toward the poor person. The Torah therefore explicitly adds the command, 'You shall not harden your heart' (Devarim 15:7), requiring one to give with genuine empathy and warmth of heart.

INSPIRATIONAL STORIES:

❖ Once, a freezing wind blew into the Gerrer Rebbe's sukkah, causing The Gerrer Rebbe, the Beis Yisrael great discomfort. He wasn't surprised. "From Heaven they are reminding me that I am not sufficiently distressed by the plight of the soldiers sleeping in the northern cold, on the Lebanese border.'.

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

C. TO CONSOLE AND COMFORT A NEEDY PERSON

(Scripturally Mandated Mitzvah), Sefer Chareidim 38-3

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ How should one console the needy person?

SEFER CHAREIDIM

As Scripture states: 'And if you pour out your soul to the hungry' (Yeshayahu 58:10). Our Sages explain that if a person genuinely lacks the financial means to assist a poor man, he must extend his very soul and comfort him with heartfelt words, saying: 'My heart goes out to you in your distress; had I the resources to provide for you, I would do so with all my heart' (Bava Basra 10b).

STORIES FROM OUR SAGES:

❖ Mar Ukva had a poor man in his neighborhood into whose door-socket he used to secretly slip four silver zuzim every single day so the man could support his family without embarrassment. One day, the poor man thought to himself: "I will go and see who is doing this great kindness for me!" That day, Mar Ukva stayed late in the study hall, and his wife accompanied him when he went to place the coins. As soon as the poor man saw the door tilting slightly, he ran out after them to see his benefactor's face. To avoid embarrassing the poor man by being seen, Mar Ukva and his wife fled before him and ducked into a large communal baking oven from which the live coals had just been swept out. The residual heat of the oven floor began to scorch Mar Ukva's feet, whereas his wife's feet were unharmed. His wife said to him: "Lift your feet and place them on top of my feet!" When Mar Ukva felt distressed wondering why she merited a miracle while his feet were scorched, his wife comforted him gently: "I am always at home when the poor knock, so my charity is given directly in ready food that they can eat immediately, whereas you give them coins with which they still have to go buy grain and bake bread." And why did they go to such extraordinary lengths to hide? Because Rabbi Yochanan taught in the name of Rabbi Shimon bar Yochai: "A person should rather cast himself into a fiery furnace than put his fellow to shame in public."

Talmud Bavli, Kesubos 67b

INSPIRATIONAL STORIES:

❖ A man named Shneur was unable to have children. He made a very long journey to visit R' Yitzchak of Vorki to ask for his berachah to have children. R' Yitzchak closed his eyes for five minutes and covered his face. Finally he said I'm sorry sometimes it's just meant to be. There is nothing I can do to help you have children. Shneur left the room crying bitterly. He went back to the inn. Five minutes after he got back there was a knock at the door. Why are you here so late, he asked. R' Yitzchak said, just because I was unable to help you, doesn't mean that I can't cry with you. He sat down next to him, held him, and they cried together.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 101

❖ Rabbi Eliyahu Eliezer Dessler, mashgiach in the Ponevezh Yeshivah, often found himself with no funds to give to people who knocked on his door for alms. Rather than turning someone away empty-handed, he would invite him in for a chat, asking about his family background and mentioning relatives of his whom he knew, or people from his town, all in an effort to make him feel comfortable. He received each person with a cheerful countenance - the greatest gift he could give.

The Pirkei Avos Treasury, By Rabbi Moshe Lieber, published by ArtScroll Mesorah

D. TO ERADICATE STINGINESS FROM YOURSELF

(Torah Mandated Mitzvah), Sefer Chareidim 21-28

As the Torah says, "Do not have a bad heart when you give to him" (Devarim 15:10 Parshas Re'eh)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How do you define stinginess?
- Is the attitude you have when you give charity important?

SEFER CHAREIDIM

A person is obligated to eradicate the negative trait of stinginess (tzarus ayin) from his character. Instead, one must train himself to give charity with a generous eye (ayin tovah) and an expansive, openhearted spirit.

STORIES FROM OUR SAGES:

❖ Our Sages taught in a Braisa (Bava Basra 11a): An incident occurred with King Monobaz (the royal convert of Adiabene), who dispersed all his royal treasuries and the treasuries of his ancestors to feed the hungry during years of severe drought and famine. His brothers and his father's household banded together against him and protested: "Your ancestors stored up wealth and added to the treasures of their fathers, and you are squandering it all!" King Monobaz answered them with six immortal contrasts: "My ancestors stored up treasures below on earth, whereas I have stored up treasures above in Heaven—as it is written (Psalms 85:12): 'Truth shall spring up from the earth, and righteousness shall look down from Heaven.' My ancestors stored up treasures in vaults where human hands can seize them, whereas I have stored up treasures in a place where no hand can ever steal them—as it is written (Psalms 89:15): 'Righteousness and justice are the foundation of Your throne.' My ancestors stored up inert gold and silver that bear no fruit, whereas I have stored up something that bears eternal fruit—as it is written (Isaiah 3:10): 'Praise the righteous that it is well, for the fruit of their deeds they shall eat.' My ancestors stored up treasures of money, whereas I have stored up treasures of living souls —as it is written (Proverbs 11:30): 'The fruit of the righteous is a tree of life, and a wise person acquires souls.' My ancestors stored up wealth that they had to leave behind for others, whereas I have stored up what remains forever mine—as it is written (Devarim 24:13): 'And to you it shall be righteousness.' My ancestors stored up for this transient world, whereas I have stored up for the World to Come—as it is written (Isaiah 58:8): 'Your righteousness shall walk before you, and the glory of the Lord shall gather you in.'"

Talmud Bavli, Bava Basra 11a

INSPIRATIONAL STORIES:

❖ Deriding the negative trait of miserliness, the Chofetz Chaim drew an amazing parable: In a certain city resided a very wealthy man. Just as great as his wealth, however, was his propensity towards stinginess. On one occasion, he thought, "I eat a serving of meat every day. Who says that I have to eat the entire serving? From this day on, I will eat only half of it and save myself hundreds of rubles every year..." And so he did. Approximately one year later, the miser once again pondered his financial situation. "Perhaps I should reduce the amount of bread I consume daily. This will save me many rubles." As before, he implemented his idea and limited the amount of bread he ate. Shortly thereafter, the miser began feeling ill and had to be taken to the hospital. The doctor examined him and concluded that the miser appeared to be stricken with weakness and a shortage of blood. "Your remedy," said the doctor, "is to eat a full serving of meat each and every day. In addition, you must eat your fill of bread and then some... "I will also prescribe a powerful medicine for you," continued the doctor, "that will be effective in restoring your strength. I must inform you, however, that this medicine is very expensive, but your condition being the way it is, you have no other choice than to take it. "If I may ask," continued the doctor. "What brought on your weakness?" The miser told the doctor all that had transpired. The doctor laughed and said, "How much money did you really save in the end? Now you will have to spend many times more than that before you regain your strength." There are times, noted the Chofetz Chaim, that an individual hardens his heart and refuses to give tzedakah to a poor person. Not only that, but he even evades the gabba'ei tzedakah (the ones in charge of collecting funds for the needy) who visit his home. Let this man take an accounting of his soul and he will dis cover just how great a loss he incurs by behaving in such a manner. He will undoubtedly have more money by being benevolent.

Jewish Parables- A Mashal for Every Occasion, By Rabbi Yisroel Bronstein, published by ArtScroll Mesorah

E. TO LEAVE DROPPED GRAIN, FORGOTTEN SHEAVES AND A CORNER FOR THE POOR, EVEN IN THE DIASPORA

(Rabbinically Mandated Mitzvah), Sefer Chareidim 49-8

As the Torah says, The gleanings of your harvest you shall not take... For the poor and the stranger shall you leave them (Vayikra 19:9, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

F. THE REQUIRED MEASURE OF THE CORNER (PE'AH) LEFT FOR THE POOR

SEFER CHAREIDIM

When a person harvests his field in the Diaspora (Chutz La'Aretz), he is rabbinically obligated to leave a corner of the field — at least one-sixtieth (1/60) of the crop — as pe'ah for the poor. Likewise, one is rabbinically obligated in the Diaspora to leave leket (fallen gleanings), shichchah (forgotten sheaves), and olelos (immature grape clusters) for the needy.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH

When a person brings happiness to other's lives, he himself becomes happy. When he sits idly when others starve, he becomes demoralized.

ALSHICH

These laws preserve the self respect of the poor. It is much less embarrassing to go into the fields and harvest what is his rightful share without needing to ask permission, than to have to ask a person for a handout.

RABBEINU BACHYA

This is a way to give tzedakah without any public recognition. That is the greatest form of tzedakah.

KLI YAKAR

Shicha is a symbol that teaches us that a person should always look ahead towards the future and not backward and worry about the past. We should remember what happened to Lot's wife when she looked back because of her anxiety over her possessions that she left behind.

SFAS EMES

• The Torah's placement of Pe'ah and Leket directly following the Two Loaves of Shavuos in Parshas Emor sparks a foundational teaching from the Sfas Emes. Why did the Torah immediately attach the gifts of the poor to these two national offerings? The Sfas Emes explains that the holy services of the Beis HaMikdash were never meant to remain locked behind stone walls. The offerings in the Temple were the root-source of spiritual light, designed to illuminate the everyday work of human hands. By placing the gifts of the poor right after the Two Loaves, the Torah reveals that a farmer's open field can become an extension of the holy Altar. Just as a Kohen leaves a portion of the flour-offering upon the Altar fire, the farmer leaves the corner of his field for Hashem's beloved children, the poor and the stranger (Sfas Emes, Moadim, Pesach 5646).

• The dramatic climax of Megillas Rus takes place amidst the barley harvest of Beis Lechem. Why did the royal dynasty of Israel have to emerge out of a poor woman gathering gleanings in a field? Drawing upon the holy teachings of the Ohr HaChaim, the Sfas Emes explains that the mission of the Jewish people is to gather and elevate the holy sparks scattered throughout the material world. When Israel merits it through Torah and kindness, those sparks are drawn home peacefully through the magnetic beauty of holiness. Elimelech fled Beis Lechem during the famine into the exile of Moav, where the holy soul of Ruth waited to be redeemed. Through the kindness of Boaz's open field, she was gathered into the dust of Moabite idolatry, and now, through the kindness of an open field, she was being gathered back into the royal crown of Israel (Sfas Emes, Moadim, Shavuos 5659).

• In Parshas Vayeira, when the angels look down toward the sinful city of Sedom, Rashi notes a general rule of Scripture. The Sfas Emes explains that human sin is rooted in selfishness. When a person looks at the world with an evil eye, hoarding his possessions and judging others harshly, heaven responds in kind. The Attribute of Justice examines his deeds with strict scrutiny. But when a farmer walks through his field and willingly leaves the

gleanings (leket), the forgotten sheaf (shikchah), and the field corner (pe'ah) for the poor, he acts with boundless generosity. When heaven looks down upon an earth where human beings care for the downtrodden, the divine gaze softens. Even if the nation had been subject to harsh decrees, the open field sweetens the judgment and brings down abundant blessing (Sfas Emes, Bereishis, Vayeira 5653).

• On Shavuos, the Sfas Emes returns to Megillas Rus to explore the relationship between the Written Torah and the Oral Torah (Torah Sheb'al Peh). But why did Hashem leave the Oral Torah unwritten, to be developed, debated, and applied by human sages and communities across the centuries? The Sfas Emes explains that Hashem deliberately left creation incomplete so that the Jewish people could become His partners in finishing it. The Written Torah is like raw grain harvested from the earth; the Oral Torah is like the bread baked by human hands. As the Sfas Emes writes: we read Megillas Rus on Shavuos because it embodies the Oral Torah, for the Holy One desires that Israel, through their good deeds, add their own light to the Written Torah. His physical field becomes a page of the Oral Torah, demonstrating that Hashem's presence is found not only in the beis midrash, but in the muddy furrows of the earth (Sfas Emes, Moadim, Shavuos 5633).

• In Parshas Ki Savo, the Torah commands the farmer to conclude his agricultural gifts with the prayer: "Look down from Your holy abode, from heaven, and bless Your people Israel" (Devarim 26:15). How does leaving grain for the poor in the field embody the hospitality and faith of Avraham? The Sfas Emes explains that Avraham Avinu's tent was open on all four sides. He did not wait for travelers to knock on his door; he ran out into the blazing desert heat to invite them inside. Avraham recognized that the true purpose of having a home and food is to share it with strangers. When a farmer leaves Pe'ah at the edge of his field, his harvest field becomes like Avraham's tent—open on every side to anyone who is hungry. When the farmer leaves the gleanings, he does not demand an entry fee or check the pedigree of the poor person. The destitute gather what they need with dignity, directly from the soil that Hashem has blessed (Sfas Emes, Devarim, Ki Savo 5653).

MORAL DILEMMAS:

Two partners bought property in Eretz Yisrael in order to fulfill the mitzvah of settling Eretz Yisrael. The property had several acres of open land. The two partners had different ideas regarding what should be done with the land. One partner wanted the land to have large beautiful manicured lawns. He felt that would beautify the Land. The other partner's idea was that they should use it to plant an orchard of fruit trees. Although the orchard may not look as beautiful as the manicured lawn, but they would be able to use the trees to do the mitzvos of truma, maaser, and to be able give the fruit to poor people. The first partner argued that we don't find anywhere that there is a mitzvah to plant trees in Israel. In addition, he argued that it was a residential area. Since most people did not plant fruit orchards there, it would look strange. Who is right? Which option would be preferred, to beautify the land or to plant fruit trees. Is there a mitzvah to plant fruit trees in Eretz Yisrael?

Answer: We should follow the example of Avraham and plant an orchard to do mitzvos and chesed with it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 425 (Table Talk Edition 028)

STORIES FROM OUR SAGES:

❖ An incident occurred with a certain pious man who unintentionally forgot a sheaf of grain in the middle of his field during the harvest, thereby fulfilling the mitzvah of leaving the forgotten sheaf for the poor. Overjoyed, he said to his son: "Go out and offer on my behalf a bull as a burnt-offering and a bull as a peace-offering in thanksgiving!" His son asked him:

"Father, why do you rejoice over the joy of this mitzvah more than all the other mitzvos in the Torah?" His father replied: "All the other mitzvos in the Torah were given to us by the Omnipresent to perform consciously and intentionally, whereas this mitzvah can only be fulfilled unintentionally —for if we were to leave a sheaf behind on purpose before the Omnipresent, the mitzvah of the forgotten sheaf would never come into our hands! Yet the Torah states regarding it (Devarim 24:19): 'When you reap your harvest in your field and forget a sheaf in the field, you shall not go back to take it; it shall be for the stranger, the orphan, and the widow, so that the Lord your God may bless you in all the work of your hands.' Scripture thus established a special blessing even for an unintentional act of kindness! Now does this not teach an a fortiori lesson: if a person who did not even intend to gain merit nevertheless merits a blessing when a poor person benefits from his forgotten sheaf, how much more so will one who consciously intends to do good and succeeds be blessed!"

Tosefta, Peah 3:8 (Vilna 3:13)

❖ It once happened that Rabbi Shimon of Mitzpah sowed his field with two kinds of wheat and came before Rabban Gamliel the Elder to ask whether he should leave one corner for the poor or two corners. Together they ascended to the Chamber of Hewn Stone on the Temple Mount and inquired before the Great Sanhedrin. There Nachum the Scribe stood up and declared: 'I have received a tradition from Rabbi Measha, who received it from Father, who received it from the Pairs, who received it from the Prophets as a Halachah to Moshe from Sinai: Regarding one who sows his field with two varieties of wheat—if he gathers them into a single threshing floor, he gives one Peah; if he makes them into two threshing floors, he gives two Peahs!'

Mishnah, Peah 2:6

5. Not to withhold from giving charity

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 62

As the Torah says, you shall not harden your heart nor shut your hand from your needy brother (Devarim 15:7, Parshas Re'eh).

SEFER HAMITZVOS HAKATZAR

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others.

STORIES FROM OUR SAGES:

❖ A poor man once passed before Rabbi Yitzchak holding only a half-ma'ah coin in his hand—not quite enough to buy bread. The poor man said to Rabbi Yitzchak: "Complete this coin for me, so that I may sustain the lives of my sons and daughters!" Rabbi Yitzchak said to him: "How can I sustain your family, when I myself have nothing in my pocket except a

single half-ma'ah coin?" The poor man replied: "With that half-ma'ah of yours, combined with the half-ma'ah I already hold, I will have a whole coin to buy bread!" Rabbi Yitzchak immediately took out his last half-ma'ah coin and gave it to him. Shortly afterward, Rabbi Yitzchak was shown in a dream that he was walking along the shore of the Great Sea, and adversaries were trying to hurl him into the raging waters. He saw his master, Rabbi Shimon bar Yochai, standing on the shore stretching out his hands toward him—and suddenly that very poor man whom he had helped appeared, pulled Rabbi Yitzchak out of the waves, and placed him safely into the hands of Rabbi Shimon bar Yochai, so that he was saved! When Rabbi Yitzchak awoke, the verse immediately fell upon his lips (Psalms 41:2): "Happy is he who considers the poor; on the day of evil, the Lord will deliver him!"

Zohar II (Beshalach) 61b

INSPIRATIONAL STORIES:

❖ An affluent individual had two sons; one was wise and intellectually astute, the other was a simpleton. When the father passed away, he left a large inheritance, with instructions that the entire estate be bequeathed to the wise son, who would in turn support his simpleton brother, Sometime later, the wise son complained to his friends that fully supporting his brother had become a significant burden. Hearing his words, one of the friends offered him sound rebuke. "Such an attitude is unwarranted," he said. "Why, not only did you inherit your rightful share of the estate, but you received your brother's share as well. Your massive wealth, therefore, is also in his merit. That being the case, why are you complaining?" There are times, noted the Dubno Maggid, when Hashem grants an individual enormous wealth in order that he should be capable of assisting others. This person must constantly keep this in mind and not complain, Heaven forbid, that the impoverished are a perpetual nuisance and inconvenience.

Jewish Parables- A Mashal for Every Occasion, By Rabbi Yisroel Bronstein, published by ArtScroll Mesorah

❖ One day, in his later years, Irving Bunim was in his office when a meshulach came in for a donation. Unfortunately, the man was so impoverished and mentally unbalanced. He began to harangue Bunim, demanding more and more money. Bunim's patience finally gave way and he sent the man away without giving him anything. That night, Bunim was so profoundly upset that he could not sleep. He got out of bed, and finally after hours and many telephone calls, he located the meshulach in a rundown hotel. The next morning, Bunim gave him money and also extended his profuse apologies. Every week for the rest of his life, Bunim continued to leave money for him at the newsstand in his building. The meshulach had depended on it so greatly, in fact, that after Bunim's death in 1980, Amos Bunim, out of respect for his father's wishes, continued to give the man his weekly gift.

A Fire in His Soul, By Amos Bunim, Published by Feldheim

❖ Mrs. Surtie Barkin said about her brother Rav Yisrael Belsky: "From my grandfather, Reb Binyamin Wilhelm, as well as from my parents, my brother learned to live with a sense of achrayus for others." To illustrate this; Before and after the fall of the Soviet Union, many Russian Jews came penniless to the United States. Rav Belsky walked into an Agudath Israel meeting where the topic of discussion was helping the recent immigrants. Rav Belsky announced that he was donating $3,000 for this cause. Some of the attendees at the meeting who knew Rav Belsky were incredulous. They knew that he had recently sold his car to use the proceeds to help these Jews. That itself was incredibly generous. Where did he get this additional $3000? Rav Belsky told them that on that morning, he and his wife decided that they had to do more for their Jewish brethren. His wife removed her diamond ring from her finger. "Please use this to help these Jewish immigrants", she said. Rav Belsky took it to a jewelry store, where he received $3,000. That was the money he was donating.

From Rav Belsky, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

6. To lend others money and other items

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 62

As the Torah says, If you lend money to any of my people, to the poor with you (Shemos 22:24, Parshas Mishpatim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is this mitzvah optional?
- Which is a greater mitzvah to give charity or to lend?

SEFER HAMITZVOS HAKATZAR

Although the Torah introduces the command with the word 'If'—'If you lend money to My people, to the poor person with you' (Shemos 22:24) — this is not optional, but an absolute obligation. Indeed, this mitzvah of extending a loan is greater than giving charity, as it supports a person with dignity before he collapses into destitution.

The Torah severely condemns anyone who refuses to lend to an impoverished person, warning: 'And your eye will be evil against your needy brother... and it will be a sin for you' (Devarim 15:9). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just like Hashem, we should try to help others in a way that is the least embarrassing as possible, and also helps to maintain their independence. This is accomplished by lending to others.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RABBEINU MENACHEM RECANATI

In nature and ecology, the survival of each species is dependent on the mutually beneficial interactions with other species. Similarly, human society requires that humans do not live in isolation but interact for each others welfare. This requires us to support each others needs with lending and borrowing.

SFAS EMES

• The Sfas Emes begins with the words: "V'chi yamuch achicha — V'hechezakta bo — V'chei achicha imach" ("If your brother becomes poor, you shall uphold him, that he may live with you"). He hears a powerful principle in this command: "U'mimashema she-ne'emar 'v'hechezakta bo,' she-yeish b'koach ish l'hachzik b'yad chaveiro she-matah yado" — from the very fact that the Torah commands us to strengthen him, we know that every person possesses the genuine ability to uphold a brother whose hand is faltering. The Sfas Emes explains that Hashem

deliberately designed human life so that we would depend upon one another: "She-kach bara Hashem Yisborach, she-yihyeh l'zeh siyu'a mi-zeh, v'zeh l'zeh yitztarchu, k'dei she-yavinu chulam ki ha-kol me-Hashem Yisborach". One person is given financial resources, while another possesses wisdom, physical stamina, or deep empathy. By giving and receiving help, we come to realize that no human being is self-sufficient. Providing an interest-free loan is not a cold business contract. It is the holy work of passing along the sustenance that Hashem placed in our care (Sfas Emes, Vayikra, Behar 5641).

• The Sfas Emes develops this theme further in a 5664 teaching in Parshas Behar. Discussing the sacred power of human speech and the shared root of Jewish souls, he writes: "V'chtiv: 'V'chei achicha imach' — ki b'koach ha-adam litein chiyus gam l'chaveiro" — Scripture states, "and your brother shall live with you," because every person has the power to impart vitality and life-force (chiyus) to his fellow Jew! How can an ordinary human being give life to another? The Rebbe connects this capacity to the soul's deep connection to the Source of Life (mekor hachayim). We renew his confidence, helping him stand on his own feet with courage. Financial support becomes a concrete way to fulfill the sacred duty of "and your brother shall live with you" (Sfas Emes, Vayikra, Behar 5664).

RELATED HASHKAFAH TOPICS:

▪ Discuss the institution of Gemachs that lend out items like folding tables, chairs, cribs, bicycles, car seats, etc.

MORAL DILEMMAS:

John needed to borrow $2,000. He approached two of his close friends, Mark and Rob, and asked each if he could borrow $1,000. They both agreed. John brought the money to the bank to exchange into Euros. He was told by the teller that one of the $100 bills that he handed them was a counterfeit bill. The teller gave him $1,900 worth of Euros. When he approached his friends, each one insisted that the bills they gave to him were legitimate, and the counterfeit must have come from the other one. John wondered if he would have to pay each of his friends $1,000 back. He only ended up borrowing $900 from one of them. What should he do? Can he pay both $900, or does he have to pay both $1,000? But why should he pay both $1,000 if he didn't end up borrowing $2,000?

Answer: The borrower can take an oath in court that he is not sure that he borrowed $1000 from each person and the court cannot obligate him to pay more than 900. However to fulfill the requirement of "dinei shomayim" he should pay both $1000 anyway.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 196

Avi was with his friend Donny and wanted to buy his wife jewelry. He asked Donny to pay for the $300 bracelet with his credit card, and he will pay Donny back on Friday when he gets his paycheck. Donny paid for the bracelet and the jeweler received his money. That day there was an error in the credit company servers, and the credit company refunded all of the purchases that day. Donny therefore received a $300 credit on his credit card. (the jeweler still kept his money) Donny told Avi the borrower that he got the refund. Avi says, great now I don't have to pay you the $300 for the bracelet. But Donny the lender says that Avi should still pay the 300 because he promised that would pay. The credit should go to Donny because it was his credit card. That money should not go to Avi's credit. Who is right? Does Avi have to pay Donny back?

Answer: Rav Yitzchak Zilberstein ruled (Veharev Na, Vol. 1, p. 371) that Reuven (Avi) is still obligated to pay Shimon (Donny) back the $300. The credit card company's refund went to Shimon on his credit card account, not to Reuven, and

> does not cancel Reuven's loan obligation to Shimon.
>
> — *Source: HaGaon Rav Yitzchak Zilberstein, Veharev Na, Vol. 1, p. 371*

STORIES FROM OUR SAGES:

❖ Rabbi Chanina the Deputy High Priest testified about a small village just outside Jerusalem where there lived a kind elderly man who used to lend money to all the people of the village whenever they were in need. To spare the poor borrowers the expense and embarrassment of hiring a professional scribe, the old man would write out the loan document in his own handwriting while others signed it as witnesses. When the matter came before the Sages, they ruled that such a loan document is completely valid—teaching that we may rely on his testimony that even a bond written in the lender's own hand is kosher when signed by witnesses, so that the doors of kindness remain wide open for borrowers.

Mishnah, Eduyos 2:3

INSPIRATIONAL STORIES:

❖ Ariel Rosenstein had unfortunately left the path of Torah and Yiddishkeit and moved out of his parents' home. Five long years passed, and the Rosensteins came to Rav Chaim Kanievsky with a she'eilah. "When our son moved out, he left his tefillin behind. They have not been used for five years. Should we give them to a gemach which lends tefillin to people who need them? If Ariel ever comes back and requests his tefillin, we'll be able to get them back from the gemach." Rav Chaim was not comfortable with this idea. "It is important for your son to know that his tefillin are waiting for him at home," he replied. "He should never get the feeling that his parents gave up on him. If someone wants to borrow the tefillin for an hour or so, that is acceptable. But it is very important that the tefillin remain in your home and not at the gemach. Your son must know that when he decides to return to the path of Torah, his tefillin will be there, waiting for him." Rav Chaim then gave the Rosensteins a heartfelt berachah that their son merit returning with teshuvah sheleimah.

From Rav Chaim, By R' Naftali Weinberger, Published by Artscroll

❖ A poor Jew once came to Sarah Schenirer and complained to her about his difficult situation. His daughter had reached marriageable age, but he did not have the money or means to marry her off. Sarah listened to him and shared his pain, but she too had no money then. Yet her heart would not let her send him away empty-handed. She did not excuse herself by telling him about her poor financial situation. Instead, she took out an IOU from her desk drawer and wrote out and signed it for the sum of several hundred gulden. The man left her home relieved and elated. But Sarah began to worry about how she would cover the amount of the note when she did not have a penny to her name. After some thought. She put on her coat, fixed her scarf on her head, and went to the home of one of Cracow's wealthy men. a certain Reb Shalom, who was famous for his tireless activism on behalf of the Jewish religious community. Sarah knocked lightly on the door, and Reb Shalom himself opened it. Seeing this exceptional visitor, he quickly invited her to come in and to sit down and then he asked her the reason for her visit and how could he help her. Sarah did not delay; she immediately got to the point. "I came to do some business with you. Reb Shalom. The Holy One, blessed be He, put a mitzvah of charity in front of me, and I took care of it. Now I want to sell the reward I earned in the World to Come for this mitzvah. For several hundred gulden. Would you like to help me find a buyer?" At first. Reb Shalom looked at her with disbelief. "What is she talking about?" he wondered. But he knew Sarah Schenirer and knew that she was not joking. So he questioned her until she told him the whole story. She then asked for his advice on how to cover the IOU. Reb Shalom was very moved by everything she said. "People are right." he thought. "when they say that this tzaddeket is a very special woman." He then told her that he himself would pay off the note and took it from her. Some time later. Sarah ran into Reb Shalom at a Beis Yaakov function and asked him about this matter. He told her that he had already taken care of it. She then took out her diary and showed him that she too had fulfilled her promise. In her diary, she had recorded that he had acquired the mitzvah and its reward in the

World to Come. "Oh, no!" protested Reb Shalom. "You signed the IOU. I just paid it off. The mitzvah is yours!" "Oh, well." she said with a smile, "then the Holy One, blessed be He, will just 'pay off' the reward of this deed to you too. And His IOUs are always good."

Jewish Tales of Holy Women, By Yitzhak Buxbaum, Published by Jossey-Bass

❖ Chayya Schechter was a pious woman whose home in Tel Aviv was open to all, like the legendary home of Abraham and Sarah. There was never a day when she and her husband did not have guests, Rabbis, rebbes, and simple people alike all ate at their table, and everyone was treated like a king or queen. Some guests lived in the house for months at a time: sometimes there were ten such guests. At other times as many as thirty! And all of them were made to feel as if they were in their own home. Hayya was always ready to give everything she had to another human being. She had reached perfection in kindness, and her giving was done wholeheartedly and joyfully. Another aspect of her perfection in kindness was reported by one of her sons, who said that his mother had once sent him to borrow some money from a neighbor. When he returned with the money in hand, she took the envelope with the money in it from him, placed it somewhere, and never even opened it. Her son asked, "Mother, why did you borrow the money if you didn't want to use it?" "I did it," she explained. "so that our neighbor won't be ashamed to borrow from us when he's in need.

Jewish Tales of Holy Women, By Yitzhak Buxbaum, Published by Jossey-Bass

❖ 1973 was a good year for Eliezer Mendelsohn. Not only did he get married, but he also started working for his father — in — law, Velvel Bernstein, a man who, he soon discovered, was far more than an ordinary businessman. Velvel Bernstein was a wholesale distributor of toys, and at the time that his son-in-law began working for him, his was an established and well — regarded firm. It also happened to be the only firm of its size to be closed on Shabbos and Yom Tov. One day, Velvel called his son — in — law into his office for a chat. "I'd like to show you something about how I run my business. I am about to make a wrong business decision, but it is, at the same time, a correct ethical decision." Eliezer was intrigued. "What exactly do you mean?" "Before I explain what I'm talking about," Velvel said with a smile, "let me tell you about how my business got its first big break." Velvel explained that the first major discount center on the West Coast had been a retail chain called White Front. "They were the first to make the transition from a small, independent variety chain to a mass merchant discount center. They were very much ahead of their time. As you can imagine, they were also very aggressive." It was this company that had given Velvel's business the chance to make the leap from an average sized company to a large production business. "One of their purchasers, a man named Harry Blackman, called me one day and asked me to supply him with merchandise for the big season. I knew this was a great opportunity, so I did everything I possibly could to fill his order. We did the job, and they were happy. "Shortly afterwards, Harry asked me if I had done well filling their order. When I told him that I had, he said that he had been very happy with the production, and that he wanted to expand the business even more. Naturally, that meant more business for me. "Eventually, White Front sold out to a company called Interstate. But they continued to work closely with me. And as their business grew, so did mine." But the discount center market soon became crowded. More competitors came on the scene, and Interstate began to take a beating. They suffered many losses, and soon it was rumored that they were on the verge of financial collapse. By this time, Velvel's business had become well known. He had many other customers, and he was no longer dependent on Interstate's business. So when Interstate called him the following year, asking for credit so they could rebuild themselves, Velvel knew that he would be taking a chance. "I have no sound justification for giving them credit," Velvel told Eliezer. "Chances are that they won't make it, and I'll never see a penny of the money. But I owe them a debt of gratitude. When I needed to expand, they were there to give me that break. Their assistance helped bring about my success. "My accountant tells me not to do it," Velvel concluded, "but nevertheless, I will be giving them the goods on credit. I owe it to them, and I feel that this is what Hashem would want me to do." Velvel was as good as his word. He gave the credit, then sadly watched when Interstate went bankrupt at the end of the season. Velvel lost $82,000 on the deal, but he had no regrets. He felt sure that he had done what was right. He wrote off the money as a bad debt and that, he thought, was the end of it. A year passed. Another toy company formed out of the

ashes of the Interstate bankruptcy. Since they wanted to stay on good terms with the vendors in the toy trade, they decided to pay back all of Interstate's old debts. Velvel was surprised when he got the call. "We'd like to repay the $82,000," they told him. Caught off guard, Velvel stammered, "But I've already written it off as a bad debt!" "But we'd really like to clear up all the old debts," they insisted. "What about accepting stock in our new company for the value of the debt?" Velvel agreed to that idea. He was issued the stock, but he never bothered looking at it or doing anything with it. As far as he was concerned, the issue was closed. It wasn't until four years later that Velvel took the stocks out again. This time, he decided to sell them. The stock? Toys 'R' Us. The value? One million, seven hundred thousand dollars.

Visions of Greatness, Vol. 3, By Rabbi Yosef Weiss, Published by CIS Publishers

7. Not to take interest

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 54

As the Torah says, you shall not give him your money for interest, nor give him your provisions of food in usury. (Vayikra 25:37, Parshas Behar).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is the difference between neshech and marbis?
- Why does it say both?
- Is it prohibited for the borrower to offer interest?

SEFER HAMITZVOS HAKATZAR

The biblical terms neshech (direct interest) and marbis (accrued interest) refer fundamentally to the same prohibition; the Torah separated them into distinct terms to make the lender liable for multiple prohibitions. In doing so, the lender violates the negative command, 'You shall not lay interest upon him' (Shemos 22:24), as well as the explicit injunction, 'Do not take from him interest or increase' (Vayikra 25:36).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just like Hashem, we should try to help others in a way that is the least embarrassing as possible, and also helps to maintain their independence. This is accomplished by lending to others simply for the sake of kindness, and for no other ulterior motive.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 68)

The obligation to pay interest hurts people very subtly at first. But after a while the interest becomes compounded and they unsuspectingly have to pay large amounts of money.

SFORNO (VAYIKRA 25:36)

This trains the lender to do chesed, to do the mitzvah of lending, for no ulterior motive.

RAV SAMSON RAPHAEL HIRSCH — CHOREV (CHAPTER 86)

The money is not really yours. The reason why Hashem gave you this extra money is to do chesed with it, so you should not benefit from that money.

RELATED HASHKAFAH TOPICS:

- What is wrong with giving or taking interest?
- Discuss the idea of a free loan gemach
- Discuss why it is important to do chesed for no ulterior motive
- Discuss the idea of doing kindness that no one knows about
- Discuss the concept of money not being yours, but a pikadon given by Hashem

INSPIRATIONAL STORIES:

❖ R' Chaim very stringently avoided transgressing the laws of ribbis (interest). He kept his money in a non-interest-bearing account in Bank HaDoar so he didn't have to rely on a bank that used a heter iska. Rebbetzin Batsheva Kanievsky recounted that several decades ago, Mr. Klahr once visited the Kanievsky home on Erev Pesach to participate in R' Chaim's siyum on Bavli and Yerushalmi. Afterward, he told her that he had recently purchased a new car and would be honored to drive them on Chol HaMoed to any destination of their choice. Rebbetzin Batsheva was excited by this offer. She and R' Chaim were planning to visit her parents in Yerushalayim, something they hadn't done in a while. The original plan was to travel by bus; if a private car would take them, it would be a real timesaver! On the first day of Chol HaMoed, true to his word, Mr. Klahr pulled up in front of 23 Rashbam. R' Chaim and the Rebbetzin climbed into the back seat of the new car. Mr. Klahr turned the key, but the car did not start. After two minutes of futile attempts, R' Chaim asked the driver, "Do you lend at interest? Perhaps the car was purchased with funds of ribbis?" Mr. Klahr stammered out a reply. "I personally don't lend at interest, but my partner does lend money at high interest rates." R' Chaim politely thanked him for his attempt to drive them. Then he and the Rebbetzin headed to the bus stop and caught the bus to Yerushalayim.

From Rav Chaim, by R' Naftali Weinberger, published by ArtScroll Mesorah

❖ Rav Tendler was very strict with his children in regard to using credit cards "that they could not pay in full at the first billing. "You don't spend money you don't have," he would repeat, explaining that he was involved in "bailing out" many people from credit card debt, and wanted to save us and others from falling into that trap.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 173

A. TO RETURN INTEREST TAKEN

(Torah Mandated Mitzvah), Sefer Chareidim 16-30

As the Torah says "And your brother should live with you" (Vayikra 25:36, Parshas Behar)

SEFER CHAREIDIM

If a person took interest from a fellow Jew, he is under a positive commandment to return that interest, as Scripture states: 'Do not take from him interest or increase, but fear your God, that your brother may live with you' (Vayikra 25:36). Our Sages of blessed memory expounded that this means: if you have taken interest from him, return it to him so that he may be able to live and sustain himself alongside you (Bava Metzia 62a).

INSPIRATIONAL STORIES:

❖ A man told me that once his business was going through a difficult period, at the same time that his daughter was to be married. He said that he has always had bitachon in Hashem, and during that difficult period, too, he trusted that Hashem would take care of his family's needs. He made a respectable, though not lavish, wedding for his daughter, and then the bills started coming. As he was going through the mail and trying to figure out how to pay the bills, there was one piece of mail that did not seem important and he was about to discard it. But then he decided to open it, and the envelope contained a check for nearly $23,000. The check was from a firm for which he had worked years earlier, in 1995. The firm had recently been audited, and it was found that there was a certain refund due him that had never been paid. The IRS ordered the firm to pay him the owed money plus eighteen years' worth of interest, which amounted to far more than the principal. Remarkably, eighteen years before the girl's wedding, when she was just an infant, Hashem was already arranging the means to provide the money for her wedding, and an audit took place eighteen years later so that the money would be there.

As told by Rabbi David Ashear (Table Talk, Edition 414, by Rabbi Yitzi Weiner

8. Not to pay interest

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 55

As the Torah says, You shall not give interest to your brother (Devarim 23:20, Parshas Ki Seitzei)

SEFER HAMITZVOS HAKATZAR

This is an explicit negative commandment directed at the borrower, prohibiting him from paying interest on a loan (Devarim 23:20). By borrowing on interest, he also violates the Torah prohibition, 'You shall not place a stumbling block before the blind' (Vayikra 19:14), because he causes the lender to sin.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just like Hashem, we should try to help others in a way that is the least embarrassing as possible, and also helps to maintain their independence. This is accomplished by lending to others simply for the sake of kindness, and for no other ulterior motive.

STORIES FROM OUR SAGES:

❖ In Shemos Rabbah (Parshah 31, Siman 15, on the verse 'If you lend money to My people, to the poor person with you, do not act toward him as a creditor'), the Sages tell a powerful royal parable: There was once a generous King who unlocked his royal treasury and handed bags of his own gold and silver to a citizen so that he could build a livelihood and sustain his neighbors. Instead, as soon as the man received the King's gold, he began using that very money to torment the King's poor subjects with interest, crush widows with debt, humiliate the needy, strip borrowers of their cloaks, and fill his ledger with extortion—ruining the King's own household with the King's own treasure! So too, the Holy One, blessed be He, says: 'The silver is Mine and the gold is Mine (Haggai 2:8). I opened My treasury and lent you My wealth without charging you a penny of interest—even the earth, the sunlight, and your very soul are an interest-free loan from Me! How then can you take the capital I entrusted to you and use it to squeeze interest from My poor children?!'

Midrash Rabbah — Shemos Rabbah 31:15

9. Not to facilitate a loan with interest

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 53

As the Torah says, neither shall you put interest upon him (Shemos 22:24, Parshas Mishpatim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Is it permitted to be a broker for a loan that requires a payment of interest?

SEFER HAMITZVOS HAKATZAR

A person is forbidden to serve as a guarantor, a witness, or a scribe in a transaction between a lender and a borrower if the loan involves interest (Shemos 22:24). The lender is likewise included within the scope of this prohibition, in addition to his specific violation against lending with interest to a Jew. Furthermore, any intermediary or broker who introduces them or helps arrange the loan violates the injunction, 'You shall not place a stumbling block before the blind' (Vayikra 19:14). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just like Hashem, we should try to help others in a way that is the least embarrassing as possible, and also helps to maintain their independence. This is accomplished by lending to others simply for the sake of kindness, and for no other ulterior motive. Taking interest also harms the borrower in a subtle way before he realizes that the interest becomes compounded. We should not facilitate a loan that will cause the subtle harm of paying interest.

RELATED HASHKAFAH TOPICS:

▪ Discuss not helping or aiding someone to do something that is wrong, immoral or illegal.

10. To forgive debts that have not been paid by the seventh year

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 64

As the Torah says, every creditor shall forgive what he has lent his fellow (Devarim 15:2, Parshas Re'eh)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If the borrower wants to pay you back, what should you do?
- If you say that and he insists, can you take it?
- Does this mitzvah apply in our times?
- Is there a way to avoid the cancellation of debts in our times?

SEFER HAMITZVOS HAKATZAR

If a borrower comes to repay a creditor a debt that was cancelled by the conclusion of the seventh year (Shemittah), the creditor may not accept it directly. Instead, he must state: 'I release it,' as Scripture states: 'And this is the matter [literally, the word] of the release' (Devarim 15:2), teaching that the cancellation must be affirmed through a verbal declaration.

If the borrower then insists and replies, 'Even so, I wish to give it to you as a gift,' the creditor is permitted to accept it from him.

By biblical law, the remission of debts is binding only when the laws of the Jubilee year (Yovel) are in effect. Nonetheless, our Sages instituted by rabbinic decree that the remission of debts remains in force in modern times as well, so that the laws of Shemittah are never forgotten by Klal Yisroel.

However, a pruzbul — a formal legal declaration instituted by Hillel whereby the creditor transfers collection authority to the rabbinical court before Shemittah concludes — is fully effective in our time to prevent the cancellation of loans. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem.

A borrower would normally agree to pay a loan before the seventh year. If a borrower faces difficult circumstances when he is impoverished and can't pay his debts before the seventh year arrives, this mitzvah teaches the lender to have compassion on his impoverished brother and no longer demand or expect payment. This teaches the lender to emulate Hashem's compassion. Of course the borrower has a moral, though not legal obligation to try to repay his debt even though it was forgiven.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH

The purpose of this mitzvah is for us to develop generosity towards others. This also helps us develop bitachon, trust in Hashem that Hashem provides us with all that we need, and that we will be taken care of even if we forgive our loans.

In addition, developing a bitachon in Hashem that allows us to even forgive money that belongs to us, will develop a quality that will certainly help us to avoid theft or cheating.

RAV SAMSON RAPHAEL HIRSCH

By forgiving debts because Hashem asked us to, we are demonstrating that it is really Hashem's world and Hashem's money.

SFAS EMES

• The Sfas Emes explains that the seventh year accomplishes something breathtaking. The Sfas Emes explains that "davar" means divine governance: "Ki davar hu hanhagah, k'mo 'yadebeir amim'". The word signifies sovereign rule, as in King David's psalm: "He subdues nations under us." The Rebbe writes: "She-al yedei Bnei Yisrael misgaleh Malchus Shamayim v'hanhagah elyonah" — through our obedience, the kingship of Heaven and Hashem's supreme guidance are revealed to the world! Why does letting go of money reveal Hashem's rule? During normal years, we buy, sell, lend, and collect. We show that our financial rights bow before our Creator. Releasing our claim becomes a public declaration that Hashem is the true Master of our wealth (Sfas Emes, Vayikra, Behar 5658).

• The Sfas Emes gives a foundational reason for the entire Shemittah cycle: "Ki ha-shemittah l'har'os ki ha-kol me'Ito Yisborach" — the purpose of Shemittah is to show that everything comes from Hashem! We work long hours to earn a living. It is easy to look at our savings and think, "I built this with my own wisdom." The Sfas Emes reminds us that Hashem is the sole owner of all reality. When we embrace this truth during the seventh year, "chal al zeh Sheim Shamayim" — the holy Name of Heaven rests upon our deeds! By wiping away a debt, a lender proves that money is not his master. He shows that his wealth belongs to the One who gave it to him (Sfas Emes, Vayikra, Behar 5651).

• The Sfas Emes reveals a beautiful social purpose behind the seventh year: "Ki mitzvas ha-shemittah hu lavo el ha-achdus" — the commandment of Shemittah was given to bring our people into true unity (achdus)! How does it create unity? The Rebbe points to the fields: "She-yad ashirim v'aniyyim shaveh ba-shemittah" — during the seventh year, the hands of rich and poor stand equal before the land! The wealthy landowner must open his gates. The pauper walks in and eats the exact same fruit. For an entire year, social classes dissolve. The Sfas Emes links this brotherhood to the giving of the Torah at Mount Sinai. The debt is gone. The two men can look each other in the eye as equal brothers, united under the fatherhood of Hashem (Sfas Emes, Vayikra, Behar 5641).

• In Parshas Mishpatim, the Torah discusses the Hebrew servant (Eved Ivri), who goes free in his seventh year. The Sfas Emes reveals the spiritual heartbeat of this law: "Ki zeh ha-cheirus kiblu Bnei Yisrael b'kabalas ha-Torah, she-lo yuchal ish Yisrael lihyos m'shubad rak la-Hashem Yisborach" — at Mount Sinai, every Jew received a divine freedom. No Jew can ever become the permanent slave of another human being! We belong to Hashem alone. The

Rebbe explains that just as the land enjoys Shemittah, the Jewish soul experiences its own Sabbatical release: "Kein b'nafshos Bnei Yisrael, she-eino yachol lihyos m'shubad rak sheish shanim". When the Torah cancels his debt in the seventh year, it cuts those invisible chains. It restores his dignity and allows him to stand tall as a free servant of Hashem (Sfas Emes, Shemos, Mishpatim 5660).

• The Sfas Emes comments on King Solomon's proverb: "A man with an evil eye rushes after wealth, not knowing that poverty will overtake him" (Mishlei 28:22). Our Sages apply this verse to someone who hoards or trades in the holy produce of Shemittah. The Rebbe contrasts this frantic greed with the character of Avraham Avinu. The disciples of Avraham are known for their generous eye (ayin tovah). A person who truly loves Hashem does not cling desperately to worldly goods: "U'mitoch ahavas ha-Borei Yisborach Shemo, eino m'dubak ba-olam ha-zeh". Shemittah cures this sickness of the soul. It invites us to open our hands and release our debts, replacing cold financial anxiety with the calm generosity (ayin tovah) of Avraham Avinu (Sfas Emes, Vayikra, Behar 5652).

INSPIRATIONAL STORIES:

❖ A king loved a certain officer very much and appointed him the highest-ranking officer in his kingdom. The officer's esteem continued to escalate, until he was entrusted with the responsibility of supplying the king's army with their provisions of food. Every month, the officer would receive a considerable stipend from the kingdom's coffers, which he would use to buy food for the army units that were stationed throughout the kingdom. Some time later, the officer began to abuse his post. What did he do? Instead of purchasing provisions with the money he was allotted, he would spend only half of the money and then pocket the other half. The soldiers, whose rations of food had been severely reduced, were literally starving. Yet none of them had the gall to broach the matter to the king — for who could be so audacious as to accuse his beloved officer? The scenario persisted until, one day, the king paid his troops a visit. In one of the camps, he asked the soldiers if they were satisfied with the quality and quantity of food that they were receiving. At that point, one soldier gathered up his courage and related to the king that they had been receiving reduced rations of food for quite some time. The subsequent investigation quickly revealed the officer's guilt, and he was brought before the king, shamefaced and humiliated. Infuriated, the king approached the officer, stripped him of his rank, and ordered that he be imprisoned until the ensuing trial would be held. The king then turned to the soldier who had divulged the truth and asked, "Are you prepared to fill his position?" "Absolutely, Your Great Highness!" replied the soldier happily. The soldier proved to be an able replacement, carrying out his task with integrity. In a short while, matters reverted back to the way they had been initially. When the day of the deposed officer's hearing arrived, he was taken from his cell, and brought to the king. He stood before him, embarrassed and disgraced. Did you truly think," thundered the king, "that the money you received from the kingdom's money supply was to be spent on yourself? Certainly not! You were to buy food for the soldiers; you served only as a treasurer! "You have betrayed my trust!" Hashem, exclaimed the Chofetz Chaim, gives man wealth in order for him to fulfill the mitzvah of tzedakah and come to the aid of the unfortunate. Man must realize that he is but is merely a treasurer who is required to make use of the money to perform acts of kindliness, as this was the reason he received the funds to begin with. But if man chooses not to give tzedakah and pockets the money instead — he has betrayed his trust. As a result, he is stripped of his rank, and the money is given to another who will act more sensibly when using the money that was placed in his care.

Jewish Parables- A Mashal for Every Occasion, By Rabbi Yisroel Bronstein, published by ArtScroll Mesorah

11. Not to demand debts past the seventh year

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 57

As the Torah says, he shall not exact it of his fellow and his brother, because Hashem's release has been proclaimed (Devarim 15:2 Parshas Re'eh)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ In our times, is this biblical prohibition in force?

SEFER HAMITZVOS HAKATZAR

All of this applied as a biblical prohibition when the laws of the Jubilee year (Yovel) were fully in effect. In the present era, however, because the monetary cancellation of debts during Shemittah operates by rabbinic enactment, one who demands repayment does not violate a biblical prohibition, but rather transgresses an injunction enacted by the Sages.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem.

A borrower would normally agree to pay a loan before the seventh year. If a borrower faces difficult circumstances when he is impoverished and can't pay his debts before the seventh year arrives, this mitzvah teaches the lender to have compassion on his impoverished brother and no longer demand or expect payment. This teaches the lender to emulate Hashem's compassion. Of course the borrower has a moral, though not legal obligation to try to repay his debt even though it was forgiven.

INSPIRATIONAL STORIES:

❖ A woman with many tzaros (difficulties) came often to the Rav Aharon Schechter, The Rosh Hayeshiva of Chaim Berlin to unburden herself and ask for his practical advice. One day she entered the Rosh Hayeshiva's office nearly hysterical. She was twenty-five thousand dollars behind in her tuition payments and her children's school was pressuring her for a plan. She had nothing. After Rav Aharon gave her the encouragement she needed, the woman pulled herself together. But the tuition problem remained. The Rosh Hayeshiva then picked up the phone and called the administrator of the school in question. "Hello, Mr. ---? This is Aharon Schechter. I understand that your yeshivah will be making a dinner in two weeks. Let me ask you a question: How much would my presence be worth at your dinner? Is it at least twenty-five thousand dollars? Ok, then I will be coming. Now, there's a woman here in my office..." He hung up the phone and smiled at the woman. Problem solved.

Table Talk, Edition 381 (Parshas Vayikra), by Rabbi Yitzi Weiner

12. Not to withhold from lending because of the seventh year

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 56

As the Torah says, Beware lest you have a base thought in your heart, saying, "The seventh year, the year of release is at hand', and your eye may be evil, etc. (Devarim 15:9, Parshas Re'eh)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ If this mitzvah is discussing not lending before the seventh year of shemittah, then how do I know it always applies?

SEFER HAMITZVOS HAKATZAR

Withholding a loan out of fear that the sabbatical year will cancel the debt is a grave sin, for the Torah denounces such a thought as base and corrupt, characterizing the perpetrator as wicked (Devarim 15:9).

This mitzvah applies to both men and women. In an era when the Jubilee year (Yovel) is in force, this prohibition is biblical; in the present era, it remains binding as a rabbinic commandment.

Rabbeinu Yonah wrote: If the Torah strictly forbids withholding a loan when a lender faces the imminent prospect of losing his money through Shemittah, then by an absolute kal va-chomer (a fortiori), if someone hardens his heart and refuses to grant a loan during ordinary times when his funds are fully protected, his sin is immeasurably greater.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just like Hashem, we should try to help others in a way that is the least embarrassing as possible, and also helps to maintain their independence. This is accomplished by lending to others.

STORIES FROM OUR SAGES:

❖ A loan assigned to the court through a Pruzbul document is not canceled by the Sabbatical year. This was one of the great enactments that Hillel the Elder instituted when he saw that wealthy people were holding back from lending money to the poor as the Seventh Year approached—thereby violating what is written in the Torah (Devarim 15:9): "Beware lest there be a base thought in your heart, saying, 'The seventh year, the year of remission of debts, is approaching,' and your eye be stingy toward your needy brother and you give him nothing!" Seeing that the poor were being denied credit AND lenders were stumbling into sin, Hillel instituted the Pruzbul (derived from pros bouli, 'an enactment for the benefit of both the rich and the poor'), whereby a lender transfers his notes of debt to the rabbinical court, since debts owed to a public court are not canceled by the Seventh Year. And when no Pruzbul was written and a conscientious borrower nonetheless comes to repay a loan after the Seventh Year, the lender must say to him: "I release and forgive this debt in accordance with the Sabbatical year!" If the borrower replies, "Even so, I wish you to accept it as a voluntary gift," the lender may accept it from him. And the Mishnah concludes: One who voluntarily repays his debt in the Seventh Year, the spirit of the Sages is pleased with him; and whoever keeps his spoken word in business, the spirit of the Sages is pleased with him.

Mishnah, Shevi'is 10:3–4, 8–9

INSPIRATIONAL STORIES:

❖ Rabbi David Ashear shared the following beautiful story: A businessman named Isaac was asked by a Rabbi to help his congregant Yosef, who was facing major financial problems. Isaac readily agreed, and Yosef drove from Monsey to Brooklyn to meet him. Isaac welcomed Yosef to his office. After offering refreshments, Isaac asked his visitor, "How can I help you?" Yosef explained that his non-Jewish partners had recently swindled him out of a great deal of money and merchandise. All that remained in his inventory was a huge supply of steering wheel locks ("The Club") -- an item that was not selling at all. With 2.1 million locks and no buyers, he didn't know where to turn. Perhaps Isaac, a middleman who facilitated the sale of various types of merchandise, would be able to find customers for this product. "I sell branded items, such as clothing," Isaac replied. "I've never dealt with this kind of merchandise and don't know anyone who would want it." He paused, then added thoughtfully, "But maybe you could melt down the locks and sell them as metal? I know this would greatly reduce the price, but at least it would cut your losses." At that point, Yosef began to cry. "I didn't mean to upset you," Isaac apologized. "Please forgive me." Yosef took a moment to compose himself before thanking Isaac for his time and taking his leave. Ten seconds hadn't elapsed before Isaac's phone shrilled. A business associate in India was on the line, the distributor for a major brand of footwear and sports apparel. "Isaac," he said, "I have a strange request. I need steering wheel locks. Do you have access to any?" Isaac almost fell off his chair. "Please hold on a minute!" he exclaimed, and sprinted down the hall after Yosef. "I have someone on the phone who might want to buy your merchandise," he said to the startled man. "To give you extra zechus, I pledge to donate my entire commission from this sale to my son's yeshivah." When Isaac got back on the phone, the man from India said, "My brother-in-law, who sells cars here, is in trouble. There's been an increase in auto thefts, and people are no longer buying cars. He needs steering wheel locks, and lots of them." Isaac replied, "I have 2.1 million available, if you want." "Perfect!" said his business associate. "We'll take them all." And just like that, Yosef made the biggest sale of his life and was back on his feet. Isaac earned over $500,000 in commission from that sale and gave every penny to the yeshivah, as he had pledged. The Hashgachah here was amazing. To have someone call from across the world and inquire about steering wheel locks at that very moment is mind-boggling. But what made it so special to Isaac and Yosef was the absolute clarity that it was Hashem Who was bringing salvation.

Table Talk, Edition 416 (Parshas Chayei Sara), by Rabbi Yitzi Weiner

13. Not to take a collateral needed for sustenance

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 58

As the Torah says, No man shall take the lower or upper millstone to pledge, for he thereby takes a man's life to pledge (Devarim 24:6, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is this forbidden if you take it as a repossession?
- If the court took it as a repossession can he keep it?
- What would happen if you took it and it got lost or stolen?
- Why is the Torah's example a millstone?

SEFER HAMITZVOS HAKATZAR

It is strictly forbidden to seize as collateral any utensil used to prepare food for human sustenance, whether the creditor took the pledge at the inception of the loan or seized it as collateral afterward, and whether he took it himself or through the court. If the pledged object was lost or destroyed before he could return it, he irrevocably violates this negative commandment. Furthermore, taking the lower millstone (reychayim) and the upper millstone (rachev) incurs separate, distinct liabilities for each individual item (Devarim 24:6).

Just as the distinctive halachic characteristic of the lower and upper millstones is that they are two distinct components serving a single essential purpose, incurring liability for each one independently, the same rule applies to any pair of implements essential for preparing food: one who seizes both incurs liability for each one separately. This prohibition applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. This mitzvah teaches us the godly trait of being compassionate even when strict justice may demand that we be less compassionate. Hashem does the same for all of us.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (3:39)

This mitzvah helps us develop compassion. Even when we take collateral which we have a right to do, we should not take something that he or she needs to live.

RELATED HASHKAFAH TOPICS:

- Discuss how this is the origin of the idea of bankruptcy protection, where creditors can't collect things that are needed by the borrower.
- Discuss the idea of going lifnim meshuras hadin, and not demanding your rights for the sake of compassion or peace

INSPIRATIONAL STORIES:

❖ The Machlis family is renowned for their incredible generosity towards guests. Mrs. Sara Yocheved Rigler told over the following unbelievable story: When the Machlises were a young married couple, they never locked their door, as they told Chani Feivelson, "in case someone wants to come in and rest." One day, Chani came to visit and found Henny Machlis upset. Some of her jewelry was missing. "The whole idea that someone they knew had opened their home to take advantage of them distressed Henny very much," Chani remembers. "They even made a police report." Hearing Chani tell of Henny's distress at the first robbery, I was a bit surprised. My impression was that Henny Machlis eschewed materialism. Chani's response was: "You can't compare the Henny of 21 years old to the Henny of 30 years later. " Indeed, relationship to material things was one of the many areas where Henny developed and changed over the years. She had grown up in a middle-class Flatbush home after her parents' years of struggle were largely behind them. While never a rank materialist, Henny shared the prevailing mentality that it's good to have material possessions because you can use them to serve Hashem. Mordechai Machlis's attitude was very different. As Chani remembers: "Mordechai's approach was to make light of the missing jewelry. He said, 'It's just jewelry.' And Henny gradually took her cue from him. She regarded him as her teacher, and learned much

from him. Mordechai's attitude that material things don't matter became Henny's attitude as well." Henny's children revealed that over the years, all of Henny's jewelry, including her diamond ring, as well as their father's silver Kiddush cup and the heirloom brass candlesticks, were stolen by guests throughout the years, and Henny accepted it with equanimity. She wouldn't even let the children use the word "stole," saying instead, "Someone borrowed it.". How much Henny eventually came to eschew materialism is evidenced by an incident that took place decades later. A couple from America who made aliyah wanted to buy an apartment. Rabbi Machlis, who had a regular, if modest, salary as a teacher, signed as a guarantor on their mortgage. A few years later, the couple moved back to America, leaving Rabbi Machlis responsible for their debt of hundreds of thousands of shekels. Of course, the Machlises couldn't pay the debt. One day two burly, shaven-headed men, who looked like Mafiosos, showed up at the Machlises' door with legal authorization papers to confiscate everything of value, "Where's the television?" they demanded. "We don't have one," Henny answered. "Where are the "computers?" "We don't have any." "Where's your silver - Kiddush cups, candlesticks, whatever?" "We have none." "Where is your jewelry?" "It's all costume jewelry." Then she added, "Do you want to take the sifrei kodesh [sacred books]? That's all we own." Henny was unfazed as the men, who looked like thugs, searched the apartment. When their search confirmed the truth of Henny's statements, one of the men wrote in his report: "Ein po ma lakachat. There's nothing here to take. Just tables and plastic chairs.". They turned to leave, but Henny was not finished with them. "Did you put on tefillin today?" she asked. Disconcerted, the men stared at her. "Get tefillin," she called to her son Yehoshua. The two men put on tefillin, said the Shema, then left. Henny had shared with them the family's real valuables.

From Emunah With Love and Chicken Soup, By Sara Yocheved Rigler, Published by Shaar Press

14. Not to take a collateral by force

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 59

As the Torah says, you shall not go into his house to take his pledge (Devarim 24:10, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How should one take a repossession?
- Are the courts allowed to take it by force?
- Does this protection also apply to a co-signer, a renter, or someone you did a job for?
- If the co-signer asks you to convert what he owes you into a loan, would he get this protection?

SEFER HAMITZVOS HAKATZAR

A lender may not seize a pledged object from a borrower on his own authority, but only through an officer of the rabbinical court (beis din). Even the court officer sent to secure collateral is forbidden to enter the debtor's house; rather, he must remain outside, as Scripture commands: 'You shall stand outside' (Devarim 24:11). The debtor enters his house and brings the collateral out to him, as the verse continues: 'And the man to whom you lend shall bring forth the pledge outside to you' (Devarim 24:11).

A guarantor (arev), however, is subject to different halachic rules: it is permissible to take collateral from him directly, and a creditor may even enter his home to seize a pledge, as Scripture states: 'Take his garment, for he has guaranteed a stranger' (Mishlei 20:16).

Similarly, if someone is owed compensation by his fellow — such as unpaid wages for manual labor, or rent for the hire of an animal, tools, or real estate — he is permitted to seize collateral without recourse to the court, and may enter the debtor's home to take a pledge to secure payment. However, if he formally converted the outstanding debt into a conventional loan (milveh), it becomes subject to all the restrictions of a loan, and entering the home is strictly forbidden.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah helps us to emulate Hashem's compassion Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

BECHOR SHOR (DEVARIM 24:10)

This mitzvah teaches the lender to respect the privacy of the borrower. The borrower may be embarrassed for anyone to see the poverty in his home.

Additionally, the lender may become secluded with the wife of the borrower, and this can lead to immorality.

R' BACHYA (IBID)

If one takes an object by force, this may lead to arguments, physical fighting, and even murder.

SEFER HACHINUCH (MITZVAH 585)

People should not practice, vigilantism, where people take justice into their own hands. This can lead to the strong taking advantage of the week, and the weak not being able to extract their loan. That will lead to violence and destroy order. In order to promote order, this should be done by the court system.

RALBAG (IBID.)

This gives the borrower the discretion as to what he wants to give as collateral. He can choose what he wants to give.

RELATED HASHKAFAH TOPICS:

- Discuss the idea of respecting people's privacy. Not looking at mail, eavesdropping, peeking in to their home etc.
- Discuss the idea of Yichud, not being secluded with a forbidden woman.

INSPIRATIONAL STORIES:

❖ Even the small and seemingly insignificant things that Rav Yosef Chaim Sonnenfeld did turned out, again and again, to have a significant reason behind them — a calculation involving a mitzvah, a logic based on holiness. If, for example, he used to walk from his house in Battei Machseh to the center of the city by means of a slightly roundabout route, going by Rechov Hamidan rather than by the vaulted alleyways near the Shaar HaShamaim Yeshivah — he had a reason for it. In these alleys, he once explained, there was a section which was entirely roofed over and very dark. In such a place it was

possible, he explained, for a situation to occur which might involve a violation of the law which prohibits a man from secluding himself with a woman. The fact that the situation was very unlikely to occur, and that even if it did, it was questionable whether it really constituted a violation of the law, did not deter R' Chaim. He felt a personal obligation to avoid the problem entirely, and he was willing to inconvenience himself day after day, and year after year, in order to avoid this remote possibility of a transgression. Or for example: R' Chaim would only walk in the middle of the streets of Battei Machseh even though the jagged and uneven paving there made it difficult for him to walk. When a friend asked him why he troubled himself this way instead of walking on the smooth and level sidewalk, R' Chaim answered: "All my life I have tried to stay at least four cubits away from other people's windows'. Since the sidewalk here passes directly by the windows of some houses, I prefer to walk in the middle of the street." Or: Once when he was already advanced in years, R' Chaim returned home from a bris in the old Beis Yisrael neighborhood via Meah Shearim. His friends, however, urged him to walk home through the Shaare Pinah district, in order to avoid the steep and difficult climb which would be required by the route through Meah Shearim. R' Chaim refused to listen to them and insisted on the more difficult route. His explanation: "All my life, this is the way I have gone, and I would not want, in my old age, to start changing my ways. True, the climb is a more difficult one, but this route takes me closer to the site of the Beis HaMikdash." Any one of these incidents considered by itself seems a mere trifle. But together, they and countless others like them formed the building blocks of a life in which every step upon the earth was measured in terms of its proximity to the site of the Beis Hamikdash.

Guardian of Jerusalem, Rabbi Shlomo Zalman Sonnenfeld, published by ArtScroll Mesorah, p. 202

❖ Aharon Gross recalled an incident that illustrates his father's sensitivity; My father was driving me somewhere one afternoon when I received a phone call from a close friend who wanted to discuss something very personal. I felt that it would be proper to speak in privacy, so I began to tell my friend that I would return his call later: But my father immediately understood the problem and said, "Aharon, you continue talking — I'm getting out of the car so you'll have privacy." I wanted to tell my father that this was not necessary, but he did not give me the chance. He had already pulled over to the side of the road and alighted from the car, and he stood outside in the bitter cold until the phone call was completed.

Shloime!, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah, p. 279

15. Not to take a collateral from a widow

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 60

As the Torah says, nor shall you take a widow's clothing to pledge (Devarim 24:17, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Does this apply even in the widow is a very powerful, wealthy and influential person?
- Can you take it as a repossession?
- Can the courts take it?
- What happens if he indeed took it?
- What happens if he took it and he lost it and consequently can't return it?

SEFER HAMITZVOS HAKATZAR

It is strictly forbidden to take collateral from a widow, whether she is impoverished or wealthy, and whether the pledge is taken at the inception of the loan, seized subsequently as collateral, or taken through the court (Devarim 24:17). If a creditor unlawfully took a pledge from a widow, the court expropriates it from him and returns it to her. If the seized object was lost or destroyed before he could restore it, he irrevocably violates this negative commandment, as he can no longer fulfill the remedial obligation of returning the pledge. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah helps us to emulate Hashem's compassion. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just as Hashem cares for those who are disadvantaged, so should we.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 591)

This mitzvah teaches us to show greater compassion to a widow, who has already experienced enough sorrow.

RALBAG (DEVARIM 24:17)

Because there is a mitzvah to return the pledge whenever it is necessary, even every day, frequent visits to the home of a widow may lead to taking advantage of her, and lead to sexual immorality.

RELATED HASHKAFAH TOPICS:

▪ Discuss the idea of having greater sensitivity to people who are disadvantaged in any way

INSPIRATIONAL STORIES:

❖ A woman in Har Nof was going into labor in her apartment. During the excitement the husband suffered a massive heart attack. When the paramedics arrived to treat the wife they instead had to treat the husband who died shortly after. Another ambulance was summoned immediately to take his wife to the hospital and a short time later, she gave birth to a son. This situation gave rise to several halachic questions. One of them was that the new mother had a question whether she could give her son his father's name, despite the fact that her late husband had died suddenly at a young age. She sent someone to put this question to Rav Shlomo Zalman. After hearing the question, Rav Shlomo Zalman said that he wanted to visit the woman in person so that he could hear her story firsthand and give her his ruling directly. He didn't want to simply send her his answer. Digressing from his usual practice, Rav Shlomo Zalman visited the woman in her hospital room. He sat there, speaking with her and comforting her in her tragic situation. He instructed her to give the baby his father's name and added, "This boy won't have a father — I want you to know that I undertake to be his father! I shall also be a father to your other children and I'll take care of them and of you, too just like a real father!" He kept his word. Even though he had no previous acquaintance Whatsoever with the family, he filled the role of a devoted and concerned parent to each and every one of them, involving himself in both their material and their spiritual wellbeing. He helped the widowed mother marry off all her children, and later took care of finding a spouse for her as well.

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ Rabbi Yehoshua Zimbalist, the rebbe of Reb Yaakov Kamenetsky continued to run yeshivah with between 150 and 200 students for nearly fifteen years after the Bolshevik Revolution. Despite the official ban on religious instruction. He would stand outside the yeshivah whistling a tune and pretending to be sweeping the steps or washing the windows. If he saw anyone who might be from the secret police, he would change the tune, thereby signaling the students studying upstairs to escape through the back windows and disperse. One day, Reb Yehoshua received an invitation to the headquarters of the dreaded NKVD. Such invitations almost invariably meant that the recipient's family should start packing their bags for Siberia. At the NKVD headquarters, Reb Yehoshua was kept waiting in the anteroom for several hours. a favorite technique for increasing the invitee's panic. At last. He was called by the chief investigating officer. The officer began unexpectedly by asking Reb Yehoshua to sit down, an act of consideration not usually shown to those suspected of ideological crimes. He then continued, 'I want you to know that I am a Jew.' Spreading his arms far apart, he continued. 'We have a file on you this thick. In another six months, I will be promoted and will no longer be in a position to protect you. I suggest that you leave the country, and I will even help you to obtain the necessary papers.' The man then explained why he had risked his own position — and, in Stalin's Russia, perhaps his life — to protect Reb Yehoshua for so many years. His mother had been an impoverished widow. One Erev Shabbos she found herself without anything to eat for Shabbos. None of the storekeepers would extend her any more credit, She had nothing to get money from a pawnbroker. Finally she went to Reb Yehoshua and described her plight. He reached into his pocket without hesitation and gave her his own gold pocket watch to be used as a pawn. The memory of that generosity to a complete stranger had remained with her and caused her son to protect Reb Yehoshua and the yeshivah for all those years.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

16. To return a collateral when it is needed

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 63

As the Torah says, you shall surely restore to him the pledge (Devarim 24:13, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Does he have to do this if the courts took it as a repo?
- Does he have to do this if he illegally took the repo by force?
- Would a pillow be considered a need that has to be returned every day?

SEFER HAMITZVOS HAKATZAR

A creditor is obligated to return collateral to the borrower whenever the borrower requires it for basic daily use, whether the pledge was collected through the court, taken directly by force, or given with the borrower's consent (Devarim 24:13). For example, he must return nightclothes or bedding at sunset for the borrower to use throughout the night, and he must return daytime garments and occupational tools at daybreak for use throughout the day. Whoever fails to return the pledge at its required time violates an active positive commandment (mitzvas aseh) and transgresses a companion negative prohibition (Devarim 24:12).

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah helps us to emulate Hashem's compassion. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just as Hashem cares for those who are disadvantaged, so should we.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

ABARBANEL & BECHOR SHOR (DEVARIM 24:13)

This mitzvah teaches us to go lifnim mishuras hadin, not to stand on our rights, and have compassion even when we have a right not to. Even though we have a right to hold on to the pledge, we have to go beyond our rights, and compassionately return the pledge.

IBN EZRA

The fact that the Torah allows the lender to take the mashkon also helps to protect the lender. If it would stay in the possession of the borrower then it could be used as collateral for another loan and this would prevent both lenders from collecting if they need to.

SFAS EMES

• The Sfas Emes uncovers a core principle of mutual responsibility in Parshas Behar. What if we look at our modest means and say, "How can my small contribution ever solve his vast crisis?" The Sfas Emes points back to the Midrash: "Me'ir einei shneihem Hashem." When two people unite in kindness, Hashem rests a special blessing upon them: "She-al yedei his'achdus tishreh aleihem berachah". The power to help is not limited by our bank account. The relationship itself becomes a channel of divine abundance! Returning a borrower's collateral when he needs it recognizes that human life and dignity come before financial advantage. The coat was placed in your hands so that you could keep your brother warm (Sfas Emes, Vayikra, Behar 5641).

• The Sfas Emes develops another profound principle through the mitzvah of returning lost property (Hashavas Aveidah). The Torah commands us: "Lo sir'eh es shor achicha o es seiyo nidachim, v'his'alamta meihem; hasheiv t'shiveim l'achicha" — "You shall not see your brother's ox or sheep wandering astray and hide yourself from them; you shall surely return them to your brother" (Devarim 22:1). If you see a lost animal, you may not look the other way. You must take personal responsibility to restore it to its owner. The Sfas Emes teaches us that we can never be indifferent to our brother's loss. We must bring our neighbor's lost property back, restoring his dignity and his peace (Sfas Emes, Devarim, Ki Seitzei 5634).

INSPIRATIONAL STORIES:

❖ The young couple was ecstatic to finally move into their very own home. After years of living in a cramped basement apartment, they had saved diligently and purchased a modest house that, to them, felt like a palace. Their previous landlord, BMG Rosh Chabura, Rav Boruch Ber Ziemba, had been more than just a landlord -- he had been like a wise and caring uncle. His warmth and genuine interest in their lives had left an indelible mark on them. But now they were starting a new chapter, eager to build a space that was all their own. Shortly after they moved in, a knock came at the door. The husband opened it, surprised to find Rav Boruch Ber standing there, his familiar kind smile lighting up his face. In his hand was a plain envelope. "Rav Boruch Ber! What a surprise!" the young man exclaimed, quickly inviting him inside. The Rav handed

the envelope to the couple. "This is for you," he said simply. "What is this?" the husband asked, opening it hesitantly. Inside was a stack of crisp bills -- several hundred dollars. The Rav, sensing his confusion, smiled. "Let me explain," he began gently. "When you lived in my basement, I noticed something special about you two. Any time something needed fixing -- whether it was the leaky faucet or the cracked window -- you insisted on paying for the repairs yourselves. You always said, 'The rent is cheap enough, it's only fair that we cover the costs of repairs ourselves.'" The husband nodded, remembering the countless discussions they'd had about it. "But I didn't agree," Rav Boruch Ber continued. "I always felt that as the landlord, it was my responsibility to take care of those things. You were paying rent; you didn't owe me anything extra. We argued about it more than once, but you were so adamant that I finally stopped trying to convince you." He paused, his eyes soft with recollection. "One night, after yet another disagreement about who should pay for a repair, I turned to my wife and said, 'What's the point of fighting over a few dollars? Let's put the money into an envelope, and when they buy a house of their own, the accumulated money will mean something to them.' "And so, every time you paid for a repair, we set that amount aside in an envelope. I have now come to give you back 'your' money." Based on a story in Chayeinu Magazine.

Table Talk, Edition 425 (Parshas Vaera), by Rabbi Yitzi Weiner

17. Not to withhold a collateral when it is needed

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 61.

As the Torah says, you shall not sleep with his pledge (Devarim 24:12, Parshas Ki Seitzei).

SEFER HAMITZVOS HAKATZAR

This prohibition forbids a creditor from going to sleep at night while holding collateral that the debtor requires for his nighttime shelter or bedding (Devarim 24:12). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah helps us to emulate Hashem's compassion. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just as Hashem cares for those who are disadvantaged, so should we.

18. Not to press or embarrass a debtor who cannot pay

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 52.

As the Torah says, You shall not be to him as a collector (Shemos 22:24, Parshas Mishpatim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- To what extent does a lender have to go to not cause the debtor any pain?
- Does this give license to the debtor to withhold payment?

▪ Can someone who borrowed money use the borrowed money without discretion?

▪ Would you call someone who borrows money and refuses to repay, a wicked person?

SEFER HAMITZVOS HAKATZAR

It is strictly forbidden for a lender to demand repayment from a debtor who lacks the financial capacity to pay (Shemos 22:24). The lender may not even appear or pass before the borrower if he knows the borrower is unable to pay, so as not to intimidate or humiliate him (Bava Metzia 75b).

Yet just as a lender is forbidden to press an insolvent debtor, so too is a borrower strictly forbidden to withhold payment when he possesses the means to pay, stalling the lender by saying, 'Go and return, and tomorrow I will pay.' This constitutes a direct violation of the biblical wisdom literature (Divrei Kabbalah), as Scripture warns: 'Do not say to your fellow, "Go and come back, and tomorrow I will give," when you have it with you' (Mishlei 3:28).

Similarly, a borrower is forbidden to squander borrowed funds frivolously or dissipate them needlessly until he is unable to repay his creditor; if he does so, Scripture condemns him as wicked, stating: 'The wicked man borrows and does not repay' (Tehillim 37:21). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just as Hashem cares for those who are disadvantaged, so should we.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 67)

This teaches us to exhibit the character of compassion and empathy.

IBN EZRA

If you are in a position to lend money it is only because Hashem helped you gain that position. It is improper to humiliate a borrower because you owe your good fortune to Hashem, not because of your own power.

STORIES FROM OUR SAGES:

❖ Rabbi Yonah taught: Scripture does not say (Psalms 41:2), "Happy is he who merely gives to the poor," but rather: "Happy is he who considers thoughtfully the poor "—meaning one who reflects wisely on how to perform the mitzvah so the recipient will not feel ashamed. How did Rabbi Yonah himself act? Whenever he saw a person from a respected family who had lost his money and was too embarrassed to accept charity, Rabbi Yonah would approach him privately and say: "My son, since I heard that an inheritance has fallen to you in another town, take this sum of money as a temporary loan for

now, and when you recover your funds you can pay me back!" Then, as soon as the man accepted the money and his mind was at ease, Rabbi Yonah would smile and say to him: "Keep it with my blessing—it is an outright gift, and you never need to repay it!"

Talmud Yerushalmi, Peah 8:8 (21b)

INSPIRATIONAL STORIES:

❖ Reb Chaim Soloveitchik of Brisk once loaned a sum of money to a certain Jew who lived near his home. From the moment of the loan, he stopped walking past this Jew's home on the way to the shul, even though it was the shortest route. He was so concerned about the prohibition of "You shall not be to him as a claimant" and was so strict to avoid anything even resembling the prohibition that he didn't even want to see the man. Several months passed, the loan was way overdue, and the two met in the street. The man approached the rav with chutzpah, "How neglectful of you to forget your money all this time!" Only then did the rav reveal to him that he had forgotten nothing; indeed all those many months he had continued to avoid walking by that man's house!

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 32

❖ The noted Talmudic scholar R. Tzvi Pesach Frank, the rabbi of the Jerusalem community, knew Reb Aryeh Levin quite well, as they were related by marriage (a sister-in-law of his was Rav Aryeh's wife). Knowing how good-hearted and sympathetic his relative was, R. Frank forbade him to co-sign as a guarantor on any IOUs or similar documents of financial obligation. For more than once Reb Aryeh was thus exploited by borrowers who did not meet their obligations, and so left him in a quandary, facing bitter troubles. Once Reb Aryeh was summoned to appear in court, to face a demand to pay a debt fur which he had co-signed as a guarantor, The good rabbi was amazed. He did not remember at all having signed on any IOU like that. Still, he went to court as required. There he had a look at his signature on the document, and saw at once that it had been forged — while right before him stood the pour debtor with his eyes lowered, unable to look Reb Aryeh in the face, since it was he who had forged the signature. Well, the judge wanted to know, was it his signature? So as not to shame the guilt-laden debtor, Reb Aryeh acknowledged it as his, but asked the judge as a kindness to let him pay all the debt in monthly installments (as he could not clear it off all at once). For several years Reb Aryeh paid out twenty-eight Israeli pounds a month for an IOU that he had never signed, just to avoid subjecting a man to mortifying shame in public.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ The Bostoner Rebbe, Rabbi Levi Yitzchak Horowitz (1921 - 2009), was born on July 3, 1921, in Boston, Massachusetts, to Rabbi Pinchos Dovid Horowitz. He studied at Mesivta Torah Vodaath under some of the leading Torah scholars of the era. Following his father's death in 1941, he was initially hesitant to become a Rebbe. However, at the urging of his father's followers, he assumed leadership in Boston in 1943. In 1950, he founded ROFEH, a community-based medical referral and support agency. ROFEH provides patients visiting Boston for medical treatment with specialist referrals, kosher meals, and hospitality. The Rebbe was a pioneer in Jewish outreach, particularly to college students in the Boston area. His home on Beacon Street in Brookline was famously open to all, regardless of their level of religious observance. Non-frum and non-Jewish doctors alike respected The Bostoner Rebbe greatly and were happy to give him of their time, but he wouldn't ask them to provide their services gratis or at a reduced fee. He would only use his connections to gain access to top doctors and to enable patients to be seen and treated without a long wait. As his network and his reputation grew, it became a matter of prestige to help the Rebbe, and he would honor physicians at ROFEH's dinners. The responsibility for paying medical bills, however, always remained that of the patient. At times, doctors offered to volunteer their services, but pressing them to do so risked creating a reluctance to take future ROFEH patients. Once a girl from Eretz Yisrael received three months of treatment, resulting in a six-figure hospital bill. Through the standard negotiating process, the Rebbe was able to reduce the charges to twenty thousand dollars, the sum he knew the father had raised for his anticipated medical bills. But the Rebbe's elation turned to shock when the man said he would pay only ten thousand, arguing that he needed

the balance for a dowry for another daughter. "If you walk away from this hospital bill," the Rebbe pleaded, "they're not going to take another Yid from Eretz Yisrael. You're ruining it for all future patients." But the fellow remained obstinate. The Rebbe didn't say another word, and instead paid the $10,000 balance from his own pocket.

From Greatness By R' Eytan Kobre, Published by Moisaica Press

❖ In the Shulchan Aruch, our code of religious law, there are laws that apply specifically to a man who borrows money: for example, one should not be a "wicked borrower," who borrows and does not pay. He should repay his loan on lime; that he should keep his word when gives ix. On the other hand, there are laws set down specifically for one who lends money: for example, he should not be unduly cruel in seeking repayment; nor should he pass by the borrower's door continually when knows that man is yet unable to repay the debt; and so on. Said Reb Aryeh Levin once: How good it is when a borrower learns the laws for him, and the lender learns the laws for him. However, if the lenders only learn the borrower's laws, and the borrower studies the lenders laws, human society will not benefit from that at all.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

19. To return lost objects and to protect a fellow's property

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 69

As the Torah says, you shall surely bring them back to your brother (Devarim 22:1, Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If one sees a lost object but doesn't want to get involved and bother with trying to find the owner, is he doing the wrong thing?
- If a person found a lost object which had some way of identifying its owner, and kept it, would you call that theft?
- Do you have to return the lost objects of someone who is evil?
- If you found a lost object, but it will be very embarrassing to pick it up, are you required to pick it up and return it?
- Would you say this mitzvah includes helping a person who is lost?

SEFER HAMITZVOS HAKATZAR

If a person sees a lost object belonging to a fellow Jew and ignores it, walking away, he violates an active positive commandment — 'You shall surely return them to your brother' (Devarim 22:1) — as well as the negative prohibition, 'You may not hide yourself' (Devarim 22:3).

If he appropriates the lost object for himself and refuses to return it, he violates this positive commandment and transgresses two negative prohibitions: the prohibition against ignoring a lost object (Devarim 22:3) and the prohibition against theft (Vayikra 19:13). It remains a mitzvah to return a lost object even to a sinful Jew. However, if an individual consumes non-kosher food out of brazen defiance (mumar l'hach'is), or desecrates Shabbos publicly, he has placed himself outside the community, and it is forbidden to return a lost object to him (Bava Metzia 26b).

If a distinguished elder finds a lost object that would be beneath his personal dignity to handle, such that he would not trouble himself with it even if it were his own property, he is halachically exempt from retrieving it. If, however, he chooses to conduct himself beyond the strict letter of the law (lifnim mishuras ha-din), he may retrieve and return it, and a blessing shall rest upon him (Bava Metzia 30b).

Rabbeinu Yonah wrote: If the Torah commands us to exert ourselves to protect and salvage another person's monetary property, then by an absolute kal va-chomer, we are obligated to exert every effort to rescue his physical body and well-being when he faces distress or peril. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just as Hashem does not want others to be harmed in any way, so should we.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RABBEINU BACHYA (DEVARIM 22:1)

This mitzvah reminds us that all Jews have one father, that we are one people, and that we should therefore do all that we can to promote each other's welfare. This mitzvah promotes unity among Jews. (Returning to a non-Jew is the mitzvah of Kiddush Hashem, not Hashavas Aveidah).

Also, just as a person wants his soul to be returned to him by Hashem every night and (after he dies) during the resurrection, so should we be sure to return material losses to its rightful owners.

SFAS EMES

• The Sfas Emes begins with a foundational principle of Jewish faith. The Sfas Emes explains a sublime mystery. When a person performs a mitzvah, a divine radiance descends upon him. If he later falls into sin and breaks his connection to that light, that holiness does not vanish into nothingness. Instead, it is placed in the temporary care of a righteous person (tzaddik) who can guard it with love. We see this with our father Avraham, who inherited the spiritual reward forfeited by earlier generations. Hashem never discards the holiness we lost through our mistakes. He preserves it with infinite patience, waiting for us to return to Him (Sfas Emes, Devarim, Ki Seitzei 5661).

• The Sfas Emes discovers another profound lesson in the opening words of the verse: "Lo sir'eh es shor achicha" — "You shall not see your brother's ox." The Sfas Emes answers with four timeless words: "Ki Klal Yisrael heim echad" — because all of Israel is a single living body! We are not isolated individuals living in private bubbles. When one limb is sick, the whole body feels the pain. When one limb heals, the whole body grows stronger. Therefore, when we see our brother struggling, we must never look away with cold indifference: "Lo suchal l'his'aleim" "you cannot hide yourself". We cannot bear to watch our brother stumble. By refining ourselves, we ignite a light that guides our brother home (Sfas Emes, Devarim, Ki Seitzei 5634).

• In 5635, the Sfas Emes develops this mystery even further. Our Sages teach: "Zachah ha-tzaddik, notel chelko v'cheilek chaveiro b'Gan Eden". If a righteous person merits, he receives both his own portion and the portion forfeited by his fellow in the World to Come (Chagigah 15a). The Sfas Emes suggests that this transfer operates in our physical world as well. When someone falls from his spiritual level, his forfeited merits may be granted to a righteous leader. Greatness in Torah must never lead to pride. If Hashem has blessed us with spiritual strength, our duty is to use that strength to lift up those who have stumbled (Sfas Emes, Devarim, Ki Seitzei 5635).

• The Sfas Emes offers a profound psychological insight into the command: "Lo suchal l'his'aleim" — "You cannot hide yourself." We usually read these words as a legal ban: you are forbidden to look away. But the Sfas Emes reveals that these words describe a transformed human heart! The Rebbe writes: "K'she-adam margil atzmo kach, she-lo yuchal l'his'aleim mei-hefseid shel chaveiro". When a person trains himself so thoroughly that he becomes incapable of ignoring his fellow's loss, he acquires the spiritual power to restore what is missing! Notice the key phrase: "margil atzmo" — he trains himself! We stop settling for spiritual complacency. We begin searching for our own lost potential, and Hashem opens the gates of redemption for us (Sfas Emes, Devarim, Ki Seitzei 5638).

RELATED HASHKAFAH TOPICS:

- Discuss the importance of Jewish unity
- Discuss how our unity as a people can be a reflection of the oneness of Hashem
- Discuss how our souls return to the spiritual world every night
- Discuss the idea of our souls returning after the resurrection, and how this world will be heaven at that point

MORAL DILEMMAS:

Ralph Rosenfeld bought a red sports car, a 1986 Camaro, from a local police auction. He bought the car "as is" from the auction. The car had been impounded from a drug dealer and was being sold off by the police. He knew that it was a gamble but it was a great deal. Sadly the car started having car trouble. It stalled too often. Ralph took the car to his mechanic who did some work on the car. He told the mechanic the history of the car and how he bought it. The mechanic discovered a small wrapped bundle hidden in the fuel tank that was obstructing the gas flow. To his surprise he discovered that it was $17,000 hidden in the fuel tank. The mechanic was a lawful fellow and called the police. The police confiscated the money as part of that which should be taken from the drug dealer's ill-gotten gains. When Ralph found out about it, he argued that the $17,000 was part of the "as is" condition of the car, and that he should be allowed to keep it after he bought it from the police. He brought a lawsuit against the police department. When the mechanic heard about the story, he wondered if he should be allowed to keep the money because he found it first. He then considered that perhaps it should belong to the original owner of the car, the drug dealer. According to the Torah, who should keep the money?

Answer: Regarding the money found in the sports car, Rav Tzvi Berkowitz answered that the police have a right to it since it was part of the possessions taken from the criminal.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 93 (Ki Savo)

Avi found a lost bicycle, but lacked the time to locate the owner and return it. He asked his friend Donny to find the owner, return the bicycle, and thereby fulfill the mitzvah of Hashavas Aveidah. Donny expended substantial effort and located the owner. The owner declared, "You can keep it; I don't care about that old bicycle, as I have already purchased

a new one." Donny assumed he was entitled to keep the bicycle as the owner stated. However, when Avi heard what occurred, he argued that the bicycle belonged to him, claiming that since the owner relinquished ownership (ye'ush), he had found it first. Who is entitled to keep the bicycle: Avi who first spotted it, or Donny who tracked down the owner?

Answer: Once Avi gave up his right to do the mitzvah, he gave up his right to keep the bike, and it belongs to Donny.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 449

One morning, Rivka realized that she could not find her diamond engagement ring. She looked everywhere but her ring could not be found. Rivka told everyone on her block that she was missing her ring, and if they had any leads they should please notify her. After about a week, Rivka lost hope of finding the ring. Thankfully the ring was covered by her insurance and the insurance claims adjusters agreed to cover the entire cost of a new ring. With the payout, Rivka bought a new diamond ring that was just as nice, and perhaps even nicer than her original one. About a month after Rivka lost her ring, Esther, Rivka's neighbor, was walking in a park not far from Rivka's home. Something shiny caught her eye. When Esther looked closely, she recognized it, and was pretty sure that it was Rivka's missing ring. She picked it up excited to return it. But then a thought struck her. Rivka was already completely reimbursed for her lost ring. Rivka also gave up hope of finding the ring, and so the ring was presumably ownerless, hefker. Perhaps Esther would have the right to keep the valuable ring? On one hand, she was pretty sure the ring originally belonged to Rivka. Perhaps Esther should do the mitzvah to return it. But on the other hand, Rivka was no longer missing her ring. She already replaced it. Furthermore, Rivka gave up on the ring, so it would seem that the ring was ownerless. What do you think? Does Esther have to return the ring to Rivka, or would she have the right to keep it in this case?

Answer: Regarding the question about the ring that was found, Rav Heinemann answered that the ring belongs to the insurance company and must be returned. Please note that there are many variables that can be changed in a case like this so it's important to ask a posek if a similar question comes up.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 493 (Table Talk Halachic Archive, Edition 144 (Eikev))

Akiva once ordered a custom bookshelf to be made by a carpenter. The carpenter came to Akiva's house with his employee, and gave Akiva a price quote of $6,000. Akiva felt that this was a fair price, and told the carpenter that he will think about it. He made a deposit with the carpenter. Later that night, Akiva got a knock at the door. It was the employee of the carpenter. The employee came to tell Akiva that he can make the same exact cabinet (after all, he was the one who did all the work anyway) at a lower price for $5,000 - but he asked Akiva to make sure not to tell his boss. Akiva realized that employee is trying to snipe his boss's business. Akiva's question was, according to the Torah - was he allowed to use the employee services? On one hand, it was a significant savings. But on the other hand, the employee was being unfair to his boss. Taking this question a step further, if one says that he should not use the employees services, Akiva wondered if he had an obligation to notify the boss? What do you think?

Answer: Regarding the question of the bookcase, Rav Zilberstein said it would be forbidden to employ the employee, and he would have a mitzvah to inform the employer. This is true even if he already gave a deposit to the employee.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 134 (Table Talk Edition #98 (Parshas Bereishis))

Michoel, who lived in Israel, was once awakened by sounds coming from his garage. He quickly ran to the garage and peeked in the window. Looking into the garage, he saw a thief with wire cutters, lock cutters, and an electric saw, trying to break into his car. He quickly called the police. The police were very responsive and arrived within a minute. As soon as the thief saw the police, he dropped his tools and ran for his life. The police were much faster, caught him,

subdued him, and he was arrested. After the thief was booked, Michoel learned that the thief was Jewish. The thief, a fellow Jew, had left these expensive tools in his garage. Among them were an expensive electric saw that could cut through locks and an expensive wire cutter. Did Michoel have a mitzvah to return the tools to the thief? Should Michoel keep them? Could he sell them and keep the money? What do you think? Did Michoel have a mitzvah to return the tools, or could he keep or sell them?

Answer: Regarding the question about returning the tools to the thief, Rav Zilberstein writes that if one is certain that the ganav did teshuvah for his theft, then there would be a mitzvah to return it to him if he says it belongs to him. If it is not certain that he did teshuvah, then because he is a thief, we are not sure that these tools even belong to him. Therefore, the finder should make a public announcement that he found the tools, and if no one claims them, he should hold on to them in his possession, or sell them through a Beis Din.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 61

After grocery shopping, a person left a large box filled with cheese on the curb. A woman found the box of cheese and took it home to try to find the owner. She cleared out space in her refrigerator to store the cheese in the meantime and put up signs in the area announcing the find. After two weeks she still didn't find the owner. That Friday she wanted to make a large amount of food for Shabbos, but there was not enough room in the fridge to store her food. She took out a package of cheese and saw that its expiration date was Shabbos, the very next day. She wanted to know if she can take the cheese out of the fridge on Friday to make room for her own food, since it is unlikely that the owner will claim and eat it before it expires anyway. Can she remove the cheese from the fridge to make room for her own food?

Answer: She is not allowed to ruin the cheese until it is spoiled.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 139

There was once a woman named Rachel who lived in Israel. She worked at a school during the academic year and, due to her employment, was permitted to borrow a very expensive camera that belonged to her school for the summer. One day, during the summer, Rachel took the camera to the zoo with her friends, hoping to capture some memorable moments. During a particularly photogenic moment, she handed the camera over to one of her friends to take a group picture. However, just as the friend was about to take the shot, she decided that she also wanted to be in the picture. So, this friend passed the camera to a random stranger to take the shot. The stranger was willing and took several photos, much to the delight of everyone. However, disaster struck when the stranger accidentally dropped the camera, and it hit the floor hard. This accident led to a complicated question: who should bear the cost of the damaged camera? Was it the stranger who physically dropped it? Or was it the friend who initially had the camera and then handed it over to the stranger? Perhaps the responsibility fell on Rachel, as she was the one who borrowed the camera in the first place. However, some might argue that she was protected under a special exemption called "baalav imo" due to her status as a school employee. Who do you think is responsible for paying for the camera? Rachel, Rachel's friend, or the stranger who dropped it?

Answer: Regarding the question of the smashed camera, Brooklyn Posek Rav Moshe Yosef Weiner answered that neither of the people in the story would be obligated in Beis Din court to pay for the camera; however, it would be a middas chassidus (a measure of piety) for either of them, or all of them, to pay for it. This question was also asked to Rav Mordechai

Shuchatowitz of the Baltimore Beis Din, who answered that the person who borrowed the camera is liable to the school because she was poshe'a (negligent) in handing it over to others without the owner's permission, and the person who dropped the camera is also liable to the borrower for the damage even though it was unintended.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

On Erev Yom Kippur, two charity boxes were placed on the synagogue bimah: one for supporting local Torah scholars (Kollel) and one for general community poverty relief. A congregant placed an envelope of cash on the table between the two boxes without indicating which charity he intended to support. How should the synagogue gabbai halachically allocate the funds?

Answer: Based on the Mishnah in Shekalim (7:1) and Rambam (Hilchos Shekalim 3:13), when unmarked coins are found on the bimah between two tzedakah boxes, we do not follow the box containing the larger volume of money (rov), because a coin is just as likely to slip from a hand or roll out of a box with fewer coins as from a fuller box. Instead, we follow physical proximity (karov): the coin goes to whichever pushka it lies closer to, and if it is equidistant (mechatzah al mechatzah), it is divided or placed in the box with the stricter sanctity.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 159

A 10 year old girl named Baila received an abundance of snacks, candy, and nosh during the holiday of Purim. Not wanting to eat it all herself, Baila and her sister, Leora, decided to combine their candy and nosh and sell it for Tzedakah, charity. They posted signs throughout the neighborhood, advertising their nosh and candy sale on Sunday. Many people from the area came to Baila and Leora's makeshift candy store set up in front of their home, and purchased the candy. The girls made a considerable amount of money. As night fell, they had to stop their sale, intending to resume it on another Sunday. While putting away the candy, Baila noticed a bottle of Coke on the table. She was thirsty and had a strong craving for it but felt conflicted. She had intended to sell the Coke and donate the money to Tzedakah. Committed to selling the candy and giving the proceeds to Tzedakah, Baila wasn't sure if she could drink the Coke. On one hand, the Coke wasn't explicitly designated for Tzedakah. She had only said that she planned to sell all her candy and use the proceeds from the sale for charity. But on the other hand, it seemed as if all the candy, including the Coke, was earmarked to be used for Tzedakah. Baila was unsure if she could drink the Coke. What do you think? This question was asked to Rav Tzvi Berkowitz. Who bears the loss when a young boy selling sweets to raise funds for the poor has his collection cashbox stolen from an unattended table?

Answer: Regarding the question about the candy sale, Rav Tzvi Berkowitz answered that since the girl is only 10 years old, her vows are not binding. Therefore, in this case, she can drink the soda.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

One day, Mordechai asked his neighbor, Yaakov, "Are you going to the Greenberg wedding tonight?" "Yes," Yaakov replied. "I really wanted to go," Mordechai said, "but I'll be out of town. Could I trouble you to bring this envelope to the chosson's father?" "Of course, I'd be happy to," Yaakov answered. The envelope was clearly a wedding gift. On the back, a short letter was written. That night, Yaakov attended the wedding. When it came time to hand the envelope to Mr. Greenberg, Yaakov noticed the letter. It was written in block letters and filled with glaring spelling mistakes. While the message warmly expressed Mordechai's appreciation, the errors were so obvious that Yaakov worried it might embarrass Mordechai. Now Yaakov faced a dilemma. He considered three options: 1. He could deliver the envelope exactly as it was, but that might risk Mordechai's embarrassment. 2. He could open the envelope without reading its contents, copy the message onto a new envelope in his own handwriting, and correct the spelling. 3. Or he could refrain

from delivering it altogether, and wait until Mordechai returned so that he could rewrite the letter himself. Yaakov felt torn. According to the Torah, what was the right thing to do? This question was eventually brought before Rav Zilberstein: According to the Torah, how should Yaakov act? Should he follow Mordechai's instructions precisely, risking his embarrassment? Should he take the initiative to rewrite the message and deliver it? Or should he hold off entirely and let Mordechai handle it later? What do you think?

Answer: Regarding the question about the wedding gift with typos on the envelope, Rav Zilberstein answered that it should still be given as is. The note should not be rewritten in the giver's own handwriting, nor should it be returned for correction at a later date. This is because if the person who wrote it was a foreigner, then the typos are not embarrassing. If the person was not a foreigner, it is likely not their first time writing, and it is clear that they did not mind the errors when giving it over. It could also be that the mistakes were intentional -- perhaps as a way to make the recipient happy or a kind of secret message. Therefore, the envelope should still be given as is.

— Source: Rav Yitzchak Zilberstein, Veharev Na Vol. 4 p. 204

A wealthy man visiting the Kotel, davened with great intensity, and then placed $800 in the walls of the Kotel, apparently trying to "donate the money to Hashem". A person nearby watched this, and after the donor left, the man took the money and brought it home thinking that this money was ownerless. The man's wife however said it was not clear that the money was owner less and felt it was wrong to keep it. Perhaps it was being donated toward the maintenance of the Kotel, or toward building the future Beis HaMikdash. Can they keep the money?

Answer: The money should not be kept, but it should be distributed to needy people.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Gittin, p. 533

Miriam's sister was getting married. Miriam went to a gown gemach to borrow a gown for the wedding and found one that was perfect for her. She tried it on and put her hand in a small pocket in the gown. Inside the pocket were folded 100 dollar bills. She counted the money and, lo and behold, it was $1000 dollars! Miriam went to the owner of the gemach and told her about the money she found. The gemach owner picked up the phone and called the last person who borrowed the gown. That woman knew nothing about the money. The gemach owner then called the one who had borrowed the gown before that - again no luck. Every person the owner called knew nothing about the money. In the absence of finding anyone who knew about the lost money, Miriam claimed that she should be able to keep the money. "When money is found and there is no way to identify the owner, the finder can keep it," Miriam argued. The gemach owner, however, did not agree. She said that if there were no owner and the money was found on her property it should belong to her. They brought this question to a Rav. What do you think? Who should keep the money - the property owner or the finder?

Answer: Regarding the question of the money found in the gown, Rav Zilberstein said that the woman who found the money, not the gemach owner, gets to keep the money. Kinyan Chatzar, would not apply in this case, for several reasons. One of the reasons is that at the time the money entered the Chatzar, the owner of the money probably was not yet Me'ya'esh. Another reason is that this is not considered a Chatzar Hamishtameres.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Volume One, p. 426 (Table Talk Edition 091)

Dovid, who lived in Kiryat Atta, not far from Haifa, took a trip to Yerushalayim. While the bus was driving through Yerushalayim, he saw his friend Eli get on the bus. He was holding a laptop bag. They looked at each other, and they smiled. Eli put the laptop on the overhead shelf above the bus seats. After a little while, Eli got off the bus. When Eli

got off, Dovid realized that his friend had forgotten the laptop. So, when he reached his destination in Yerushalayim, he took the laptop with him. Later that night, when he returned back to Kiryat Atta, he called his friend and said, "I noticed you forgot the laptop, but no worries, you allowed me to do a mitzvah. I was able to take the laptop, and I have it, so I can drop it off." Eli said, "Oh, I feel so bad that happened. The truth is, that laptop doesn't belong to me. What happened was when I was waiting at the bus stop, someone next to me had a ton of packages, and I offered to carry his laptop bag. He sat near me, and I put the laptop on the top shelf of the bus near him. So it wasn't my laptop bag." Dovid realized that he accidentally took someone else's bag, and he was now an hour and a half away from where the laptop owner lived. So now Dovid felt that he had the responsibility to try to track down the owner of the laptop. Dovid opened up the computer and, in a short while, was able to find the owner. His name was Aaron, and he lived in Yerushalayim. Dovid called him up and explained how he ended up with the laptop. Aaron said, "You know, my job is a graphic designer. I use the computer the entire day, and I have all my files there. I need you to return my computer as soon as possible." Dovid was taken aback. He didn't think it was his responsibility to travel one and a half hours to return the bag. He felt bad about taking someone else's laptop, but he felt like it wasn't his fault. He felt like he did the right thing since, from his perspective, it was his friend's laptop, and his friend left it. He didn't think he should be penalized and have to travel all the way back to Yerushalayim to return it. Aaron, however, felt that Dovid had a responsibility to return the laptop because he was the one who took it off the bus. What do you think? Is Dovid obligated to return the laptop because he took it down, or was it not his fault because he thought he was doing a mitzvah of returning a lost item?

Answer: Regarding the question about returning the laptop bag, Rav Yitzchak Zilberstein wrote that the person does not have to schlep all the way to return the laptop back to the owner. This is because when he saw his friend holding the laptop, he had every right to assume that it was really his friend's. Therefore, when it looked like his friend left the laptop behind, he had a mitzvah of hashavas aveidah to bring it back to his friend. Because he was doing a mitzvah by taking it, he can't be punished or have to schlep to return it because he was "anus al pi hadibur," forced by the Torah to take it to return it to his friend.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 75

Yoni was a yeshivah student studying in a yeshivah in Israel. One Shabbos afternoon, he was learning and needed a Bava Metzia Gemara that had many extra mefarshim (commentaries) in the back. However, he didn't have his own copy, so he borrowed a fellow student's Gemara that was lying in the beis midrash. The Gemara belonged to Eli, a new American student. Suddenly, Yoni felt very tired and thought that some fresh air might help. He took the borrowed Gemara and stepped outside. While he was studying, he held the Gemara horizontally, and to his surprise, three $100 bills fell out and landed on the ground. Yoni immediately realized two things: (1) it was Shabbos, so he couldn't pick up the money, and (2) he didn't want the owner of the Gemara, Eli, to lose it. To safeguard the money, Yoni used his foot to push it into a secluded corner and covered it with an object he found outside. He intended to return after Shabbos to retrieve it. This was in line with halachah (Jewish law), which permits moving muktza on Shabbos in an unusual manner. It was the best he could do since he had no way to bring the money inside. After Shabbos, Yoni returned to the hiding spot where he had secured the money, but to his dismay, it was gone. Someone must have spotted it and taken it. Yoni had no choice but to approach Eli, the owner of the Gemara, and explain what had happened. He told Eli that he had borrowed the Gemara, taken it outside, and discovered the money inside. He also explained how he had tried to protect the money but that it had ultimately been lost. Eli thanked Yoni for his honesty and for the zechus (merit) of having his Gemara used for learning. But then he said, "I expect you'll be paying me back the $300." However, Yoni wasn't so sure he was responsible for the loss. He argued that: 1 He had done his best to guard the money within the limitations of Shabbos laws. He couldn't pick it up and had protected it to the best of his ability. 2 It was Eli's fault for

keeping money in the Gemara in the first place. Not only is it unusual to store money there, but it's also generally against halachah (see Mishna Berura 154:31) to keep money in a sefer (religious book). Eli countered that, regardless of whether he should have kept money in the Gemara, Yoni had borrowed it and was therefore responsible for returning it in the same condition in which he had received it -- including the money. The two agreed to take their question to Rav Yitzchak Zilberstein for a halachic ruling. What do you think? Is Yoni obligated to pay the $300 because he borrowed the Gemara and was responsible for it, or is he exempt because he did his best to guard the money, and Eli shouldn't have kept it in the Gemara to begin with?

Answer: Regarding the question about the $300.00 that fell out of the Gemara, Rav Yitzchak Zilberstein answered that the money must be returned. This is because one must suspect that someone may have accidentally left the money in the Gemara, even though that is not allowed. Regarding the argument that he provided the best guarding he could on Shabbos, Rav Zilberstein stated that the most effective way to watch over it would have been to stand there for the entire Shabbos, which he did not do.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 40

Yanky and Chanie were a newly married couple. As is customary, many of their family friends gave them checks and cash as wedding gifts. After the wedding Yanky and Chanie were sorting through the envelopes of checks and cash, and they came across a check with an unusual sum. In an envelope from a Mr. Steinberg, there was a check of $10,000 made out to cash. It was signed by a Yoel Steinberg. Yanky was shocked at the large sum. "Do you know this Mr. Steinberg?", he asked Chanie. "I know him vaguely," she said. "He is an acquaintance of my father. He is a very old man and he certainly isn't close to us." "Why would he give us such a huge check?" Yanky asked. "Maybe he heard about how you are such a big Talmid Chacham and he wants to support your Torah learning", Chanie said, sweetly. Yanky smiled at the compliment, but felt uneasy about cashing or depositing the check. Was it possible that there was an error? Mr. Steinberg was elderly, was it possible that he simply sent them the check by mistake? Yanky put the issue out of his mind but did not deposit the check for the time being. About two weeks later there was a call at Yanky and Chanie's apartment. Chanie answered the phone. "Hello?" "Hi, may I ask which business this is?", the caller asked. Chanie said, "This is a private residence, can I help you?" The caller said, "My name is Mordechai Steinberg, I am the son of Mr. Yoel Steinberg. My father passed away close to two weeks ago. We were going through his records, and we saw a check of $10,000 written in the check registry, with your name next to it. Because the sum was so large, I assumed he was depositing these funds with you as an investment." Chanie replied, "Yes, we received the check which we have not yet deposited. But It was given to us as a wedding present." Mordechai replied, "there must have been a mistake. My father would never give such a huge amount of money as a wedding gift. He normally gave much smaller amounts. I'd like you to please return the check". Chanie replied, "Do you have any proof that he didn't give it to us as a wedding present?" Mordechai said, "My proof is that it is unheard of to give such huge amounts to strangers as a wedding gift. He also had a pattern of giving smaller amounts. That is pretty strong proof to me". "I want to do what is right", Chanie said. I think there is a good chance that we are entitled to keep the check and use it, but I am willing to go with you to a Rav and I will do whatever the Rav says". This question was brought to Rav Zilberstein. What do you think? Can Yanky and Chanie keep the check? On one hand, it was given to them as part of their wedding gifts. But on the other hand, it was given to them by an elderly man, who did not know them very well, and it was not characteristic of him, or anyone else for that matter, to give such exorbitant wedding gifts — what do you think?

Answer: Regarding the question about the check for the wedding gift, Rav Zilberstein answers as follows. We have a principle, of Hamotzie Mechaveiro Alav Haraya, which means that if one wants to extract from another, he must first bring proof. In this case, the arguments of the son that the check was a mistake, are not proof, but only an Umdena, (similar to

circumstantial evidence). An Umdena does not have the power to extract something from the holder. Therefore the young couple can cash and keep the check.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 135 (Table Talk Edition 275)

Eli lived in Israel and owned a very rare model of an Aston Martin. The car was a limited edition and quite expensive. One day, Eli started having engine trouble, so he brought the car to a mechanic. The mechanic said, "Your car is so rare that we don't have the parts. I'm sorry, but I won't be able to fix it." Eli was frustrated because he wasn't able to use the car for a while. One day, someone mentioned to him that another person, who lived a few neighborhoods away, also had an Aston Martin. Perhaps that person could guide him on where to get repair parts. Eli was excited to hear this, so he looked up the person's address and made his way there. When he found the Aston Martin, it was covered in dust, and all the tires were deflated. It looked as if it had been abandoned and sitting there for years. Eli then noticed a sticker from the municipality on the car. The sticker said, "This car has been abandoned. Unless it is removed, it will be towed to a car recycling center and crushed for scrap metal." Eli took note of the sign and the date and time the car was scheduled to be towed and crushed. The date was a few months in the future. Eli returned to the car on the day it was scheduled to be towed. Just before the tow trucks arrived, Eli took a wrench and removed the engine parts he needed. Then, he watched as the tow truck drove up and pulled the car away. A few weeks later, the owner of the towed Aston Martin, Donni, returned home. He had been living in America, which was why he hadn't been taking care of his car. Donni couldn't find his car, and neighbors told him it had been towed and recycled by the city. Someone mentioned that a fellow had come by before it was towed and removed some parts. Donni was given Eli's name and called him up. "Hi, my name is Donni. I'm the owner of the Aston Martin. I heard that you took some of the engine parts from my car before it was towed. I don't have anything left, but I'd like you to please pay me for the parts you took." Eli responded, "I'm really sorry about your car, but it was about to be towed and crushed. I just took parts from a car that had no value. What value does a car that's about to be crushed have?" Donni didn't see it that way. He believed that the parts from his car had value and that Eli owed him for taking them. What do you think? Does Eli have to pay Donni for taking the parts from his car?

Answer: Regarding the question about taking the parts from the car that was about to be crushed for recycling metal, Rav Zilberstein concludes with a "tzarich iyun," but he says that it seems that the owner of the car would not be able to extract the money for the parts because the parts had no market value right before they were going to be crushed.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim p. 266

Eli lived in Eretz Yisrael and owned a brand-new e-bike. An e-bike is a bit like a motorcycle: it looks like a regular bike, but it has a motorized engine. Eli kept the e-bike in his garage. One day, Eli went to his garage and saw that the lock had been broken open. It was lying on the floor, broken. He was alarmed. The door was a slightly ajar, and when he went inside, he saw something shocking. Before, he had a shiny, brand-new e-bike. Now, instead of his shiny, brand-new e-bike, there was an old, rusted one, a clearly used, different model. His bike was gone. It seemed obvious that someone had stolen it and, for some reason, replaced it with this older one. Eli was upset, but he thought, "At least the robber was kind enough to leave his old bike here." Then Eli wondered: was he even allowed to keep this bike? On one hand, perhaps the interpretation of this story was that the robber didn't want to simply steal outright. Instead, he took Eli's new bike and replaced it with his own old one. If that were the case, the old bike belonged to the robber, and Eli could keep it. But maybe another scenario had happened. Perhaps the robber had stolen someone else's e-bike first and then went looking for more. When he found Eli's brand-new one, he left the previously stolen bike behind and took Eli's. In that case, the old e-bike wasn't the robber's, it might belong to another victim. And if so, Eli would have a

mitzvah of hashavas aveidah (returning lost objects): he would need to try to find the rightful owner. So Eli wondered: Was he allowed to keep this bike? Do we say it belonged to the robber, or do we say it belonged to someone else and he must return it? What do you think?

Answer: Regarding the question about the e-bike that was replaced with an old bike, Rav Zilberstein writes that we have a principle called stam g'neiva yei'ush ba'alim, which means there is an assumption that the owner gives up hope, is meya'eish, when something is stolen. Therefore, in both scenarios, whether the thief gave his own old bike or stole another bike, the replacement bike may be kept. This is because either it was given by the thief or the original owner had already given up hope of recovering it. However, while the finder may use the bike, it would be considered lifnim mishuras hadin, beyond the letter of the law, to make an extra effort by putting up signs in the area to see if anyone lost a bike. Still, in the meantime, the finder is permitted to use it.

— Source: Rav Yitzchak Zilberstein, Veharev Na Hebrew Edition Volume Four, p. 194 (Table Talk Edition #457 (Parshas Ki Seitzei))

One day Chaim was walking in a Jewish neighborhood and found an apparently abandoned 18 speed bike leaning against a gate. The bike was covered with dust and it seemed clear that it was sitting there for a while. He took the bike home and endeavored to find the owner of the bike to fulfil the mitzvah of Hashavas Aveida, to return lost objects. But after thinking about what finding the owner would entail, Chaim felt overwhelmed. He felt that he didn't have the time to invest in returning the bike. Chaim happened to be talking to his friend Duvi later that day. Chaim mentioned the story to Duvi, and how he was feeling overwhelmed about the prospect of returning the bike. "I'll do it, Duvi said happily." "It's not a mitzvah that one can do everyday and I would welcome the challenge." Chaim happily gave over the bike and the responsibility to return it to Duvi. Duvi was very industrious. He put flyers in all of the nearby shuls. He even posted it on online digital bulletin boards. Sure enough, after a few days, Duvi got a call. The caller identified himself, and gave identifying markers to ensure that he was the owner. "It was so nice of you to go through all the trouble to locate me" the owner said. "I'm so impressed with the quality of the Jewish education that you got. It's sadly not so common for people these days to do what you did." "I'll tell you what. I don't really need the bike anymore. The truth is, after I lost it, I soon bought a new one. Duvi, as an expression of my admiration for what you have done, you can keep the bike. Duvi was very appreciative of the gesture. He actually was in need of a nice bike. Later that day Duvi excitedly told the story to his friend, Chaim. "Chaim, look, HaShem rewarded my efforts by sending me this bike." After Duvi told Chaim the whole story, Chaim didn't seem too pleased. "Duvi", Chaim said. I think the bike belongs to me. "If the owner gave up hope of finding it, then I found it first, not you, so I should be able to keep it. When I found it, the bike belonged to me. "But what do you mean?", Duvi replied, I worked so hard to find the owner and the owner gave it to me. "Yes" Chaim responded, but the owner no longer owned it. I did. I found an ownerless bike. He clearly didn't want it anymore." This question was eventually brought to Rav Zilberstein. Who do you think has the rights to the bike? Chaim, who found the lost, ownerless bike, or Duvi who spent so much effort to return it, and to whom the owner designated the bike?

Answer: Regarding the question of who gets to keep the found bike, Rav Zilberstein answered that when the first boy gave over the mitzvah to return the bike, he also gave over any potential benefit that would come out of returning it. Therefore it would go to the second boy who put effort into returning it.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Two, p. 462 (Table Talk Edition #143)

Elisheva was a widow who lived on the ground floor of a large apartment building. Her apartment had a yard and a garden, which she really enjoyed. The garden and yard provided her with a great deal of comfort and solace. However, there was one problem -- because she lived on the ground floor, whenever people dropped things from their porches

above, they would usually land in her garden. Every day, toys, airplanes, and countless balls would end up in her lawn. Over time, this became very disheartening for her. Elisheva posted signs around the building, asking residents to be careful and mindful not to drop their belongings into her yard. However, her warnings were largely ignored. One day, Elisheva was expecting guests when she noticed dozens of toys scattered across her yard -- toy airplanes, balls, and other items. Frustrated, she lost patience. She gathered all the toys she could find and simply tossed them over the wall surrounding her yard, into the public street. As a result, some toys were stolen, while others were damaged by passersby. Later, Elisheva felt bad about what had happened and began to wonder: Was she responsible for compensating the owners for their damaged toys? On one hand, she had warned them multiple times and had made it clear that she didn't want these objects on her property. On the other hand, perhaps she had a responsibility to collect the toys, store them safely, and place them somewhere secure rather than disposing of them in a way that led to their damage. She brought this question to Rav Zilberstein: Was she obligated to compensate the owners for their broken toys? What do you think?

Answer: Regarding the question about the woman who found many toys on her lawn, Rav Zilberstein answered that if she had not given notice to her neighbors that she does not allow them to leave their belongings in her yard, she would have the mitzvah of hashavas aveidah (returning lost objects). However, once she put up a sign and informed them that she does not permit toys in her yard, any toys that ended up there would be considered aveidah mida'as -- a lost object that was abandoned willingly. In that case, she is not obligated to return them and is allowed to remove them from her yard.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 174 (Table Talk Edition 430)

Rabbi Muller, a distinguished rabbi, flew with his family to Eretz Yisroel for a chasuna. He was there for a little more than a week. On the Thursday before his planned return on Sunday, he intended to go with his family to the Me'aras HaMachpela. He had bought a ticket for the 9:00 a.m. bus leaving from the Tachana Merkazit and needed to be back in Yerushalayim by 1:00 p.m. This was his last opportunity to visit the Me'aras HaMachpela. He went upstairs in the Jerusalem central bus station, the Tachana Merkazit, to a quieter area. While learning and waiting for the bus, an Israeli fellow walked by. The man was wearing a yarmulke and looked perfectly normal and respectable, nothing suspicious at all. He asked Rabbi Muller, "Excuse me, could you watch my backpack for a few minutes?" It was a huge backpack, the kind used for camping or long-distance travel. Rabbi Muller said, "No problem". The man left. Rabbi Muller assumed he had gone to the bathroom and expected him to return in a minute or two. But as time passed, it was getting closer to 9:00, the departure time of the bus to Me'aras HaMachpela. As the time approached, Rabbi Muller faced a dilemma. He didn't want to miss the bus, since this was his last chance to visit Me'aras HaMachpela before returning to America. On the one hand, he wanted to go catch the bus and leave the package behind. On the other hand, he realized that such a large, unattended backpack would be considered a chefetz chashud, a suspicious object. Almost certainly, security would treat it as dangerous, and the bag would be destroyed. There was also a good chance that the entire bus station, with its crowds of people and its many buses and trains, would be shut down for a long time, causing a major disruption, all because he left the package unattended. So Rabbi Muller wondered: what should he do? Could he simply leave the package in order to make his bus and go to the Me'aras HaMachpela as planned, knowing that doing so would cause the destruction of the backpack and likely much more disruption? Or did he have an obligation to stay, watch the package, and wait for the owner to return, even if it meant missing his trip entirely? What do you think? Did he have to stay and watch the package, or was he allowed to leave?

Answer: Regarding the question about the man who left the bag on a bus, Rabbi Hopfer answered that it seems the rabbi did not have to miss his bus to watch the package. In practice, the rabbi told his wife to get onto the bus while he stayed back to

watch the bag. A second before the bus left, the owner returned to pick up his bag.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Dovid and Eliezer were friends in a high school in Israel. The rules strictly prohibited students from bringing phones to school for educational reasons. These rules were strictly enforced and students caught with phones could have them confiscated and would be sent to speak with the principal, who would decide the consequences. One Monday, for whatever reason, Dovid felt he needed to bring his phone to school. He did, and used it when necessary. Eliezer then asked, "Can I borrow your phone? I have to make an important call." Dovid didn't mind and lent it to Eliezer, who took the phone outside to make the call. While Eliezer was on the phone, he felt a tap on his shoulder. He turned around and saw that it was the high school principal, Rabbi Silver. The rabbi held out his hand and asked for the phone. Eliezer complied and said, "It's not my phone; I just borrowed it." Rabbi Silver replied, "Okay, tell whoever owns the phone that I have it and need to talk to him. After we talk, he can get it back, but of course, he'll have to face the consequences." Eliezer went back to Dovid and told him that the phone had been confiscated. Dovid became very agitated. "There's no way I can talk to the principal," he said. "My parents will find out, and I'll get into huge trouble. I just can't go to the principal." Eliezer responded, "Well, it's waiting for you. You can go anytime." Dovid replied, "I can't go. I can't face the consequences. I want you to buy me a new phone." Eliezer said, "I feel terrible about what happened, but I can't buy you a new phone. It's not lost, the phone is still there. You just need to man up and get it." Dovid insisted, "You can't just tell me to man up. You don't know what kind of trouble I'll get into. I can't get my phone back, and I want you to buy me a new one." They agreed to bring the question to a rav. What do you think? Does Eliezer have to buy Dovid a new phone, or does Dovid simply have to face the consequences of breaking the school rules and retrieve the phone himself? On one hand, one might argue that Eliezer should buy a new phone since Dovid can't get the original one back under the current circumstances. On the other hand, Dovid can retrieve it, he simply doesn't want to face the consequences. What do you think is Eliezer's obligation?

Answer: Regarding the question about the phone that was confiscated by the principal: Rav Zilberstein wrote that the confiscation is not considered a loss for which the borrower must pay. This is because the owner going to the principal's office to retrieve the phone and likely being reprimanded is, in truth, not a bad thing.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 263

Rabbi Segal was a third-grade Rebbe. One day, Daniel, one of his students, came to class with brand new, expensive Nike sneakers. Rabbi Segal, noticing the new sneakers, gave Daniel a compliment. The next day Rabbi Segal noticed that Binyamin, another student, came to class with the exact same pair of new Nike sneakers. Rabbi Segal then noticed that Daniel was no longer wearing the new sneakers and was instead wearing an older pair of sneakers that were nicely polished. Rabbi Segal approached Daniel and asked him what happened to his new sneakers, and why it was that Binyamin was wearing the same shoes that Daniel was wearing yesterday. Daniel blushed and at first tried to evade the question. After Rabbi Segal gently persisted, Daniel finally blurted out the truth. "I noticed that my good friend, Binyamin, has been wearing torn shoes for a long time. The soles of his sneakers opened up to create a mouth and it is almost winter. I realized that Binyamin's parents were unable to afford a new pair of sneakers. When my parents recently bought me a new pair of sneakers I realized that my old sneakers were still fine, all they needed was some polish. So I polished my old ones and I offered my new pair to Binyamin. Binyamin tried them on and sure enough, they were a perfect fit. You have no idea how excited Binyamin was about the new sneakers. It was such a joy to be able to help him." Rabbi Segal was touched and very impressed. "What did you tell your parents when you decided to give your new sneakers away?", Rabbi Segal asked. Daniel said, "I didn't tell my parents. I made my old shoes look as good as new and my parents will never notice." Rabbi Segal then asked, "Why didn't you give Binyamin your old shoes? Why

did you have to give him your brand new ones?". Daniel replied, "You taught us in the story of Kayin and Hevel that it's always best to give tzedakah with the best things. I didn't want to give my old shoes if I could give him my new ones". Rabbi Segal was extremely touched by Daniel's extraordinary behavior and was moved to tears. Later Rabbi Segal thought this story over to himself. It was clear that Daniel never told his parents that he gave away his new and expensive sneakers. What Daniel did was very nice, but perhaps what he did was really stealing. Because Daniel was still a minor, the shoes belonged to his parents. Did Rabbi Segal have an obligation to tell Daniel's parents what he did and make sure they gave their permission? On one hand, perhaps he should because the expensive shoes belonged to them. But on the other hand, perhaps it wasn't his business and he should not get involved. Perhaps he can assume that Daniel's parents were okay with it. What do you think?

Answer: Regarding the question about the sneaker, Rav Chaim Kanievsky answered as follows. Normally the teacher has a responsibility of "lehafrisho missur" to pull the child away from doing the wrong thing. But in this case, since there is no concern that this will teach the child to steal, the teacher does not have to be "mafrish" him from this conduct.

— Source: Rav Chaim Kanievsky / Table Talk

The Rosenbergs were an elderly couple who lived in a house for many years. Eventually, Mrs. Rosenberg passed away, and sadly, within a few months, Mr. Rosenberg passed away as well. They lived to the ripe old ages of 90 and 93. The family was, of course, devastated. After mourning, the children put the house on the market to sell. They cleaned out the house, took all the valuables out, anything that had any sentimental value, and they prepared and rehabbed the house to sell. Zev saw the house listed and was interested in buying it. He looked at the house, and it looked good to him, and he was prepared to make an offer. The Rosenberg children told Zev they were happy to sell it, but on the condition that if in the course of the years he would ever find anything that belonged to their parents, he should please return it to them because everything that belonged to their parents had sentimental value. Zev, of course, agreed. He bought the house, and moved in with his family. Several years later, Zev pushed back a bookcase in the home, and, to his surprise, there was a little nook behind the bookcase. There was a book in the nook. Zev opened the book to see what it was, and it appeared to be a diary written by Mr. Rosenberg, the previous owner of the house. It was a diary detailing the days of his life. Some of it was good, some were neutral things, but frequently there were references in the diary to arguments between Mr. Rosenberg and his wife and how he did not have Shalom Bayis, peace in the home. It was a very interesting and fascinating book. Zev thought that surely it would have sentimental value to the Rosenberg children. He understood that he made a condition when he bought the house, that he was going to return anything that belonged to the previous owners to the children. So, Zev showed the diary to his wife Chava and told her that he was planning to return it. But Chava said, "How can we return it? It's full of things that say bad things about their relationship. That would certainly harm the reputation of the parents, and it will be a form of lashon hara, gossip. You can't return it." But Zev said, "What do you mean? How can I not return it? I made a condition, the condition of the sale, that I return anything that belonged to the parents. And also, there's a mitzvah of hashavas aveidah, returning lost objects. How could I not return it? This would clearly be sentimental to them." But Chava did not agree; she felt that the sellers did not have in mind something like this in the condition of the sale, and they could not return it. They shouldn't even tell anyone about it, and they should just burn it because if anyone found it, it could bring reputational harm to the parents. Both agreed to bring this question to a Rav, and this question was brought to Rabbi Zilberstein. What do you think? Should Zev return it because this was the condition of the sale and because it would be a mitzvah, or was Zev's wife right that they could not return it because this would cause damage to the parents' reputation, would be lashon hara, evil gossip, and therefore cannot be returned?

Answer: Regarding the question about the diary, Rav Zilberstein writes that if the diary has no positive purpose for anyone, the diary should not be returned, rather burned. This is because it is lashon hara and the children therefore never inherited this diary.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 202

Esther's cousin from England sent her a beautiful long cashmere coat. When Esther received it she realized that it must have been very expensive. She decided it would be better to save it for Shabbos and not wear it on weekdays. One cold day, Esther went into a small clothing store to look for a weekday coat. She asked where the coats were, and the shopkeeper directed her. She found one she wanted to try on. Esther took off her cashmere coat, set it aside on a rack temporarily, and went to the mirror to try on the new one. While she was trying it on, another customer entered the store. The customer saw Esther's cashmere coat, admired it, and brought it to the counter. The store owner didn't recognize the coat, but he assumed it must have been older stock. When the customer asked how much it cost, he quickly said, "Just 200 shekels." The customer happily paid and left with the bargain. Meanwhile, Esther finished trying on the weekday coat and looked around for her cashmere coat, but it was gone. She searched everywhere and then asked the owner if he had seen it. The owner suddenly realized what must have happened. He told her, "I'm so sorry, I feel terrible. Someone must have just purchased your coat by mistake." Esther was shocked. "What? That's my coat! How could you sell it?" The owner apologized again, but Esther insisted, "You need to pay me. My coat is worth $1,000." The owner replied, "I'll do whatever the Rav says." So the question became: Who is responsible for the coat? Was it Esther's fault for leaving her coat on the rack, meaning the store owner doesn't have to pay anything? Should the store owner at least pay the 200 shekels he received for it? Or is the store owner fully responsible, since he sold something that wasn't his and should have checked more carefully, meaning he owes Esther the full $1,000? What do you think? Is the store owner responsible, or is it Esther?

Answer: Regarding last lesson's question about the cashmere coat that the store owner accidentally sold, Rav Zilberstein (V'N Volume 4, p. 208) wrote that the woman who put the coat down acted negligently. In addition, while we normally say adam muad le'olam, we do not apply that principle in cases of theft to obligate the store owner. Therefore, the store owner does not have to pay for a new coat, but he should give the small amount of money that was paid for the coat to the woman, the rightful owner.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

There was a man, we'll call him Daniel, who was extremely wealthy. He had three sons, and he had an idea: rather than wait until after he passed away to divide his estate, he figured he would do it while he was still alive to avoid any arguments. He thought that if everything was settled in advance, there would be no disagreements. However, this is not the approach encouraged by the Torah. Daniel soon realized that after his sons inherited his wealth, they stopped calling and visiting him. He found himself alone and eventually moved into an assisted living facility. He rarely received any calls from his sons. One day, he mentioned this problem to a rabbi. The rabbi said, "Let me give you a great idea." He told Daniel to tell his sons that he had some very precious stones that were important to him, and to ask them to buy him a secure safe to protect the stones. So Daniel called his sons and asked them to buy him a safe. Their eyes widened, imagining their father had hundreds of valuable gems worth millions of dollars. They began to believe that what they had already received was just a fraction of his true estate. Sure enough, they each became very attentive toward their father. They called him every day, visited often with their children, and Daniel truly enjoyed this renewed connection. This went on for quite a while. Eventually, Daniel passed away. After the funeral, the sons were eager to open the safe and find the precious stones. They opened it using the combination they had been given and found five ordinary stones from the street, plain pieces of granite. There was a note inside that read: "This is for Kibbud Av Va'em,

to honor your parents." It became clear that Daniel's "precious stones" weren't valuable in any material sense. They were precious only because they brought his children back to him. Word of this spread through the assisted living facility, and many other elderly residents thought it was a brilliant idea. They too considered asking their children to buy them safes to protect "precious stones," in hopes that it would bring their families closer again. Eventually, one resident brought this question to Rav Yitzchak Zilberstein: "Is it permitted to ask our children to buy a safe for so-called precious stones in order to encourage them to visit?" On one hand, children are obligated to honor and visit their parents. If this is what it takes to fulfill that mitzvah, maybe it's justified. On the other hand, it's somewhat deceitful. It's not an outright lie, but it is misleading, and it may set a poor example for the children, possibly causing more harm in the long run. So, what do you think?

Answer: Regarding the question, Rav Yitzchak Zilberstein (Shabbos Besimcha Page 251) answered that normally it is forbidden to use such deceitful practices, as it is geneivas daas (deceit). However, when it comes to honoring one's parents, there is a difference. Honoring one's parents is actually a debt that we owe them. Just as when someone owes a debt and refuses to pay, it is permissible to use geneivas daas to reclaim that debt, so too with honoring parents: if children do not fulfill their obligation, it is allowed to use such a method to encourage them to pay that debt. May we all merit never having to resort to such practices to claim what is owed.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Dov had a laptop that needed to be fixed. Izzy was a computer expert who lived in Dov's neighborhood. Dov called Izzy and asked if he would be able to look at and fix his laptop. Izzy gladly agreed. Dov went over to Izzy's house and dropped off his laptop, in its laptop bag. A couple days later Izzy told Dov that the computer was fixed and working perfectly. The next day Dov called up Izzy and said, "I have an urgent work related matter. Can I ask you a huge favor? Would you be able to kindly drop off my laptop at my house? I'm going to be in and out on important business, so in case I'm not home please leave it at my next door neighbor's house. Although Izzy didn't normally do deliveries, nevertheless, he was a good friend of Dov's and agreed to do this favor. "Ok, I can drop it off. But I cannot take responsibility for it. Is that ok?" "Not a problem", Dov said. "Thank you so much for your kindness." Later that day Izzy's assistant drove over to Dov's house and knocked on Dov's door. No one answered. So as Dov requested, Izzy's assistant went to the next door neighbor's house. No one answered there. He went to the neighbor on the other side. No answer there. Izzy's assistant already made the trip and he didn't want to bring the laptop back so he went to Dov's house and knocked on the door once more. No one answered. So he left the laptop bag on the front porch mostly obscured from outside traffic. It was a safe neighborhood and Izzy's assistant was confident that Dov would come home shortly. Izzy sent a message to Dov that his laptop bag was on the porch. The next day Dov reached out to Izzy. "Where is the laptop? I didn't see it on the porch." "What do you mean", Izzy replied, "My assistant left it on your porch". "I don't see it here", Dov answered, in a panicked voice. It turned out that the laptop was stolen from the porch. Later Dov reached out to Izzy. "The computer has really important stuff on it for my work. I would like you to pay me for the loss of my computer and the material on it". Izzy politely refused. He said, " I did you a huge favor by dropping it off. My assistant went to your house, and your two neighbors' houses, and no one answered. He left it at your house in a safe place." "Yes", Dov retorted, "but you were irresponsible to leave it outside". What do you think, does Izzy have to pay for the loss?

Answer: Regarding the question of the laptop that was left outside, Rav Zilberstein wrote in a similar case that it seems that the repairman would not be liable.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Dovid was standing at a bus stop in Yerushalayim, waiting for a bus to Bnei Brak. While he was waiting, another man, Mr. Schwartz, approached him and asked, "Excuse me, are you going to Bnei Brak?" Dovid replied, "Yes, I am." Mr. Schwartz then asked, "Could you please bring a small package for me?" Dovid answered, "Okay, sure. I'm happy to help." Mr. Schwartz handed him a small black plastic bag and said, "Great. When you get there, I'll call you, and I'll have somebody pick up the bag in Bnei Brak." So Dovid gave Mr. Schwartz his phone number, and he and his wife boarded the bus. As they got closer to Bnei Brak, Dovid's wife suddenly began feeling very ill. She urgently needed to lie down. So as soon as the bus stopped, at the first possible stop, Dovid and his wife quickly got off and rushed home. In the confusion and haste, Dovid accidentally left the small black bag on the bus. A little while later, Mr. Schwartz called. "Hi, this is the man you met in Yerushalayim. Thank you so much for bringing the package. Can someone pick it up?" Dovid responded, "Oh no. I feel terrible. My wife was sick, and in the rush to get off the bus, I accidentally left the bag behind." Mr. Schwartz exclaimed, "Oh no, that's terrible." Dovid asked, "Why? What was in it?" Mr. Schwartz replied, "There were two sheitels in the bag. Each sheitel was worth 8,000 shekels -- about $2,000. Altogether, the bag contained 16,000 shekels' worth of merchandise that I was supposed to deliver to a relative in Bnei Brak." Dovid felt awful. He said, "I feel terrible about what happened, but I hope you don't think I'm responsible for such a huge loss. I had no idea what was in the bag. Honestly, I thought it was a danish or maybe a shirt. Had I known it contained something so valuable, I would have been much more careful, or I might not have agreed to take it at all. You should have told me how valuable it was. "And besides, my wife was sick. We had to rush off the bus. It was practically an ones, an unavoidable circumstance." On the other hand, Dovid had accepted responsibility for the package. Halachically, he may have had the status of a shomer chinam, an unpaid guardian. And leaving the bag on the bus could potentially be considered negligence, not merely an unavoidable accident. So the two men discussed the matter respectfully and agreed that whatever the Rav decided, they would accept. The question was brought before Rabbi Yitzchak Zilberstein: Was Dovid liable for the 16,000-shekel loss of the two sheitels? On one hand, he had accepted responsibility for the package and may have been negligent in leaving it behind. On the other hand, perhaps the owner had an obligation to disclose how valuable the contents were. And perhaps the fact that Dovid's wife became ill rendered the situation an ones, potentially exempting him from liability. That was the question presented before Rav Zilberstein. What do you think?

Answer: Regarding the question about the mystery bag and the two sheitels, Rav Yitzchak Zilberstein, in Chashukei Chemed, Nedarim, p. 405, answers that the messenger is responsible to pay for the entire loss. Once he agreed to watch the bag, he had to assume that it might have had very expensive items inside.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Metzia, p. 343

Avrohom decided to undertake a project to serve as an ilui neshama (an elevation for the souls) of his deceased parents. He purchased boxes of a popular new sefer (book) written by a renowned halachic authority and distributed them to various shuls across the city. On each box, he noted that the books were free for the taking and asked that people keep his parents in mind as they studied from the sefarim. One of these boxes, placed in Yoni's shul, contained about 30 books. Yoni observed for two weeks as congregants picked up the books, only to put them back down. During that time, only one or two books were taken, while the rest sat untouched, gathering dust. Seeing this, Yoni came up with an idea. He reasoned that the person who had placed these books likely intended for them to be used rather than left idle. So, Yoni took the remaining books and brought them to the largest Beis Midrash (study hall) in the city, where such books were in high demand. He placed a sign near the box that read, "Amazing price, only 50 shekels," and put the books up for sale. Within minutes, the books sold out like hot cakes, and Yoni made 1,500 shekels. He thought, "Now the books are being used as intended, and this will surely be an ilui neshamah for the people in whose memory they were distributed". When Yoni got home, he showed the money to his wife. She asked, "Are you sure you can keep the

money? Perhaps you can't keep it. The books were meant to be given away for free, not taken and sold." But Yoni argued, "There was no specific rule saying I couldn't take them and sell them. Besides, what good were they doing just sitting in the shul? At least now they are being read and appreciated." They decided to bring the question to a Rav. Was it permissible for him to keep the money, or should he use it in another way? What do you think he should do?

Answer: Regarding the question about the person who sold the free sefarim, Rav Zilberstein answered that, according to the strict letter of the law (m'ikar hadin), he may keep the money because the sefarim were considered ownerless (hefker). However, it would be a form of hashavas aveidah (returning lost property) to use the money to purchase new sefarim and distribute them for free to those who will study from them.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 437

There was once a man named Avi Berger who borrowed 1000 shekels from Yoni, a man in his neighborhood. After a month, when the loan was due, Avi was going to pay back the money. Avi called Yoni and said, "I have the money; when can I bring it over?". Yoni replied, "You know what, I'm super busy today. I won't be at the house, but please leave the money in an envelope in my mailbox." Avi asked, "Are you sure that's safe? Maybe someone could steal it." Yoni said, "No, the mailbox is very deep, and no one will be able to reach the money. It's fine; you can leave the money there. I will look out for it." When Avi wanted to drop off the money, he couldn't find an envelope to put the cash in. He didn't want to delay paying the loan though. So he found an old wedding invitation envelope and put the money in that envelope and sealed it with tape. Avi walked over to Yoni's apartment and dropped the envelope with the 1000 shekels cash in the mailbox. That day, Yoni's wife opened the mailbox and saw an envelope in it. She read the envelope; it was an old wedding invitation envelope and it had an address and the name "Avi Berger" on it. Assuming it was a mistake because there was another Avi who lived in her apartment building, Yoni's wife went upstairs to apartment 10 and put the envelope in this other Avi's mailbox. Later that day, the owner of apartment 10, Avi Weinberger, saw the envelope in his mailbox. He noticed it had a different last name and assumed it was a mistake, so he threw the envelope out in the garbage. Soon after, the garbage was collected and the cash in the envelope was lost forever. Later, that day, when Yoni inquired about the envelope, he learned from his wife that she had moved the envelope to someone else's apartment. Further inquiry revealed that Avi Weinberger, the second Avi, threw the envelope in the garbage and thus the money was lost. In this case, four people made serious mistakes of judgment. But the question is, which mistake was the one that made them liable for the loss of the money? Is it Yoni's fault for suggesting to leave it in the mailbox, a place that is not completely secure? Is it Avi's fault because he put the money in a wedding envelope? Is it Yoni's wife's fault who moved it? Is it the fault of the second Avi who threw it in the garbage? Who do you think is responsible for the lost cash?

Answer: Regarding the question about the cash in the trash, Rabbi Zilberstein wrote that it was negligence on the part of the lender to ask the borrower to drop the money in his mailbox and not tell his wife about it. Therefore, the borrower who returned the money is not obligated to pay anything. There's also a possibility that perhaps the person who threw the envelope in the garbage should be liable midinei shamayim because he threw the envelope and money out, and he should not have simply thrown out the envelope.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 58

Three friends were walking outside their school. As they were walking, Ari spotted a watch on the ground out of the corner of his eye. "Look there is a gold watch on the ground there", Ari shouted. Ari and his friends ran to the watch. Although Ari spotted it, Chaim scooped up the watch first. "I found the watch", Chaim proudly proclaimed. "There is no siman (no identifying marks) so I can keep it". "You can't keep it" Ari argued. "I spotted it first and told you about

it". Ari and Chaim began to argue. Suddenly they heard the sound of a police siren very close to them. Both Ari and Chaim panicked that perhaps the police saw them and was going to question them or arrest them for taking something that didn't belong to them. Chaim abandoned the watch on the ground, and he and Ari ran away in fright. The police car passed by them and went on its way. Ari and Chaim just overreacted. Yoni, the third friend who was walking with them, saw Chaim abandon the watch in the grass, and quickly picked up the watch. The three friends caught up with each other and argued who should own the watch. Ari said that he should be the owner of the watch because he spotted it and "called it" first. Chaim said that he should be the owner of the watch because he picked it up and acquired it first. But Yoni argued that he should own it, because Ari and Chaim abandoned it when they ran away from the squad car. After they abandoned it, he rightfully had the right to keep it. They took this question to a local poseik. Who do you think has the rights to the watch? - Ari the spotter, Chaim the pick-upper, or Yoni the retriever?

Answer: Regarding the question of the found watch, Rav Tzvi Berkowitz answered as follows: It is very hard to assume immediately that the watch has no siman. If it is a "well worn" watch, a tzurba m'rabanan is believed with tvi'as ayin. In the event that it did not have a siman, if it is before yei'ush, one should not pick it up. There is question what happens after yei'ush once it was picked up (in the event that there was no siman). If one picked it up, he may be already obligated in shmira and throwing it down doesn't absolve him.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 102 (Chayei Sara)

There was once a Judaica store in Israel that specialized in silver items. The store manager, Avi, handled the daily operations himself. One day, a customer entered the store, picked up an expensive silver menorah, and suddenly dashed out with it. Avi immediately sprang into action, chasing after the thief. Strangely, as Avi got closer, the thief would slow down, allowing Avi to almost catch him. Just as Avi was about to grab him, the thief would speed up and run ahead again. This pattern of slowing down and speeding up repeated four or five times. Finally, after an intense chase, the thief seemed to give up. He dropped the menorah on the ground and disappeared into the distance. Relieved to have recovered the stolen menorah, Avi picked it up and returned to the store. To Avi's horror, when he arrived back at the store, he found that every single silver item was gone. He quickly realized what had happened. The thief he had been chasing was part of a larger gang with a well-coordinated plan. While the decoy thief distracted Avi with the menorah, the rest of the gang entered the store, filled large bags with the remaining valuables, and made off with everything. Although the store was insured, the coverage only accounted for a portion of the loss. Donny, the owner of the store, now faced an enormous financial burden. After Donny heard the shocking news, he confronted Avi and said, "You were hired as a watchman, a shomer sachar. As such, you are responsible for guarding the store. This loss occurred under your watch, so you are liable for the theft and the financial loss I have incurred." Avi, however, believed he was not at fault. "I only chased after the thief who stole the menorah. How could I have imagined that others would rob the entire store while I was gone? This was an unavoidable accident -- something I could never have foreseen." What do you think? Is Avi, the manager, responsible for this enormous loss?

Answer: Regarding the question about the clever thieves who distracted the store manager by stealing a menorah, causing him to leave the store while others emptied it, Rav Zilberstein answered that the manager is not liable for the store's loss. This is because even if the store owner himself had been watching the store, he would likely have chased after the thief as well. Our Sages teach that it is human nature to pursue thieves during a theft -- Adam Bahul Al Mamono. Therefore, the manager was not considered liable for leaving the store unattended while chasing the thief.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 456

Akiva lived in a small town in Israel. He was successful in reaching out to young Israeli boys from less observant backgrounds and created a vibrant learning group of about 30 students. One year, in the middle of Sukkos on the holiday of Hoshana Rabba, Akiva led a learning program where the boys learned all night. They learned with great alacrity and enthusiasm. At the end of the learning, Akiva spoke to the boys about the importance of Hoshana Rabba and how it is the conclusion of the judgments of Yom Kippur. He spoke about the spiritual benefits that come with not using a smartphone, and using a basic phone instead. He said it would be a tremendous merit if for Hoshana Rabba, every one of them would give up their iPhone and put their iPhones in a box. Akiva's words which emanated from his heart penetrated his students' hearts, and as he passed around the box, every single student took out their iPhone and put it in the box. Akiva told them that the plan was that the morning after they daven and after they beat their aravos they were going to burn the box with all the iPhones inside of it. It would be an expression of their commitment to living lives of greater holiness. The next morning, after the prayers, they took the box and saw that there were only two phones in the box. 28 of the phones were missing. They burned the box but with a great feeling of dismay at the missing phones. A few days later, what happened became clear. One of the boys in the group, named Yoni, decided that the whole purpose of this group was just to give up their phones. If they were planning to burn them, what did they care if the phones were burned or gotten rid of some other way? He took most of the phones and went to a nearby phone dealership, and sold them for $100 apiece. So, for the 28 phones, he was able to make $2,800. He figured, why do they have to burn them? They could burn two of them, what do they need to burn all of them for? When word got out to the group, they were very upset at Yoni. They demanded that Yoni give them the $2,800, the money for their phones. But Yoni retorted, "What do you mean? You were planning to burn them. You gave them up. They were hefker. Your whole purpose wasn't to sell, your purpose was to get rid of them. What difference does it make to you whether they were burned or sold? But they argued, "If it was worth it for you to sell, then we should get the money." So then Yoni conceded and said, "OK, I think that I should get the money, but even if you're right that the money goes to you, at least I should be able to get a cut, a significant percentage of it, because I was the one who brokered the deal. I was the one who made the effort and found a buyer and arranged the deal. So, OK, maybe I'll give you part of it, but I should be able to keep a good percentage of the money, maybe 20% or 30%." They brought this question to Rav Zilberstein. What do you think? If they were planning to get rid of the phones, was Yoni allowed to sell the phones? On one hand, you could say that since they were planning to burn them, what do they care if they were sold? On the other hand, they specifically wanted to burn them. If he had no right to sell them, and he did sell them, he has to give them the money, and he should not be entitled to any amount?

Answer: Regarding the question about the iPhones that were sold instead of burnt, Rabbi Zilberstein wrote that the young man would have to give the money to each of the previous owners and he would have no right to take a cut in the sale. This is because, had they wanted to sell it instead of burning it, they could have sold it themselves. Clearly, their intent was to specifically burn it and not to sell it.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok, Vayikra, p. 208

Ephraim presided over many pidyon habens over the years. From scores of families, he received the five silver coins to redeem their sons. But a great challenge arose. When Ephraim was in his seventies he learned that his mother was married and quickly divorced before she married his father. His mother was a gerusha when she married his father the kohen. A kohen is not allowed to marry a divorcee and consequently Ephraim was a challal, not a kohen, and he was not allowed to redeem the firstborn sons. Ephraim now had two pressing questions to answer. Number one, did he have

to return the pidyon haben money to all of the families that used him over the years? Number two, were all of his pidyon habens counted as nothing? Do all of the firstborn sons have to do pidyon haben all over again, now that they are adults? This question was brought before Rav Zilberstein. What do you think?

Answer: Regarding the question about the pidyon haben, Rav Zilberstein wrote that if the story was that the Kohen found out he was really a Yisrael, then it would be no question that he would have to return the money and all the firstborns would have to do it again. In this case, however, where he was a Kohen who was a challal, he was for sure not permitted to do it, but after the fact there is a question about what to do. In practice he said we should be stringent and the Kohen should return the money and they should each do the pidyon over again with a kosher Kohen.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 421 (Table Talk Edition 232)

Zev had a teenage son Eli who had some emotional difficulties. Their family doctor recommended that Zev buy his son a pet. If Eli would take care of the pet it would help him to develop his social skills. Eli was very excited about the idea. He asked his father if they could buy a talking parrot. Zev agreed and together they traveled to Tel Aviv to an expensive pet store to purchase a parrot. Zev walked into the store and greeted the store owner. "Hi there. We are looking to buy a trained, talking parrot. Our doctor recommended we get a pet for my son. Do you have one?" The proprietor smiled and said, "as a matter of fact we do. This parrot here has been trained to talk. It had a previous owner and it knows many interesting phrases. He says the funniest things. Guests love this bird and he is a constant stream of entertainment." In front of them, the owner prompted the parrot to speak, and indeed it said some very cute and humorous phrases. Eli's face lit up when he heard the parrot. It was perfect. The owner asked for a price of 5000 shekels, and Zev gladly agreed. The two took the parrot home. Zev gathered the family together and showed his wife and all his children the new bird. But then to Zev's utter shock, the parrot used a vulgar phrase. Then again the parrot used a profane phrase with language that is forbidden for a Jew to use. Zev and his wife were shocked and embarrassed. They did not want their children to listen to such words. Zev grabbed the cage and immediately drove back to the pet store. "You never told me that the parrot uses vulgar language", Zev told the store owner. "Can I please have a refund?" "Wait a minute," the owner said. "We only give refunds if there is a severe defect in what we sold. Is anything wrong with this parrot? Does it not talk?" "It talks, but we are a religious family and I can't have the parrot using vulgar language in my home, Zev replied." "Ahh, interesting", the owner said. "So far the feedback I have heard about the parrot is that people thought its manner of speaking was really funny. Well since it knows how to talk, why don't you just train it to use some new Jewish phrases? "I can do that", Zev said. But in the meantime, it will be using crude language and I can't let the parrot into my home. The owner said, "Listen, I think there is no apparent defect with the parrot as it talks perfectly well. Also you never made any stipulations regarding the language the parrot uses. But I'm sympathetic. If you ask your Rav if I have an obligation to return the money to you, I will follow his advice. Zev brought this question to Rav Zilberstein. Did the owner have to take back the parrot and refund the 5000 shekels? On one hand, there was nothing physically wrong with the parrot. But on the other hand, a parrot that uses foul language is certainly a defect for a Jewish home. What do you think? According to the Torah does the store owner have a legal obligation to refund the money?

Answer: Regarding the question of the parrot that used profane language, Rav Zilberstein answered that if the store owner was selling the parrot to a religious family, he should have understood that having a parrot that used bad language is considered a major flaw. Therefore the store owner should give a refund and return the money.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bamidbar, p. 371 (Table Talk Edition 241)

My friend, Shlomo Goldfeiz, owns White Renovations LLC in Baltimore. A few months ago, he was finishing a kitchen renovation for a client. When it came time for payment, the client asked if he could pay in installments. Shlomo agreed without hesitation. A few days later, the client showed up at Shlomo's home holding a very expensive bottle of whiskey. He said he had been moved by Shlomo's patience and customer service and wanted to express his gratitude. Shlomo thanked him and put the bottle aside. Later that night, something bothered him. Was he allowed to accept the gift? If a client gives a present during a normal business transaction, there is usually no issue. But here, once Shlomo agreed to installment payments, his fee essentially turned into a loan. That raised a question. Was the whiskey an added benefit connected to that loan, which could be a concern of ribbis? Perhaps the whiskey was an added benefit to the lender, given during the period in which the borrower owed money. If the gift was motivated by appreciation for being allowed to pay over time, then it resembles ribbis, an extra perk given because a loan was extended. Unsure, Shlomo called the client. He explained that there might be a halachic issue with accepting the bottle and that he needed to find out what to do next. What is the correct halachic course of action? Should Shlomo keep the whiskey, return it, or handle it another way?

Answer: Regarding the question about the whisky bottle, Rabbi Eiser and Rabbi Goldfeiz both answered that the contractor should return the bottle. While m'Doraisa this is not considered ribbis ketzusa, it may violate a d'rabbanan. Rabbi Eiser said that once the customer finishes paying, the bottle may then be given back.

— Source: Rav Yitzchak Zilberstein & Rav Eiser / Archive

STORIES FROM OUR SAGES:

❖ Rav Elazar ben Pedas was very poor (Taanis 25a). He refused to accept gifts from the house of the Nassi, quoting the verse (Mishlei 15:27) "He that hates gifts shall live" (Megillah 28a). Despite his poverty, he helped support needy scholars in a way that would spare them embarrassment; he dropped a coin in the path of R' Shimon ben Abba, and when the latter attempted to return it, he said, "I already gave up hope of finding it; according to the law it is yours."

Talmud Yerushalmi, Bava Metzia 2:3

❖ R' Shmuel bar Sosarta once went to Rome and found a lost, valuable, object that belonged to the queen. The queen had declared that whoever returned the object within thirty days would be rewarded, and whoever returned it after thirty days would be killed. R' Shmuel bar Sosarta waited until the thirty days expired to return the object. The queen asked him, "Were you not in the country?" "I was," he replied. "Did you not hear the announcement?" "I did..." "So why didn't you return the object within the thirty days?" asked the queen. R' Shmuel responded, "So that you should not say I did it out of fear of you, but rather I did it out of fear of Heaven." The queen then said, "Blessed is the God of Israel!"

Talmud Yerushalmi, Bava Metzia 2:5

❖ Once, a silver cup was stolen from the inn where Mar Zutra the Pious was staying. While waiting to see who could have taken it, Mar Zutra noticed a certain student wash his hands and then casually wipe his wet hands dry on his friend's cloak without asking permission. Mar Zutra immediately said: 'This is the person who took the cup, for he has no regard for the property of his fellow!' They questioned the student, and he confessed and returned the silver cup.

Talmud Bavli, Bava Metzia 24a

INSPIRATIONAL STORIES:

❖ Consideration for the needs and feelings of others was a Way of life in the Pam home. It happened once that Rav Pam found a five-dollar bill in the street, which in pre-inflation days was a significant sum of money. The five dollars sat on a dresser for a few days, until Rav Pam gave it to tzedakah. He explained to his children that whoever had lost the money had surely suffered distress over it. How could one benefit personally from money that came to him through someone else's pain?

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ One time the Steipler Gaon (Rav Yaakov Yisrael Kanievsky) asked a batim-macher (someone who makes tefillin) to come to his home and repair the stitching on his tefillin. He stood over the craftsman's shoulder and supervised every detail of the delicate work. At one point, in the midst of intense concentration, a needle happened to fall on the floor. The Steipler was upset to see anything lost, and he immediately got down on his hands and knees to look for it. The two of them looked everywhere; but the needle seemed to have slipped into one of the cracks on the floor, and it was nowhere to be found. The young man, perhaps not so patiently, explained that the needle cost next to nothing and it certainly wasn't worth the time and effort to look further. This didn't satisfy the Steipler, however. "This needle belongs to your father in Jerusalem. We're talking here about the mitzvah of returning a lost object. A mitzvah He tried again to sweep the floor with his hand in search of the missing needle, but with no success. Finally, they took another one to replace it and continued with the work. After the young man finished his work, he left and started on his way home. Before he had gone very far, he heard the Steipler calling after him. He barely had time to turn around when he saw the tzaddik hurrying to catch up to him, breathing very heavily. With a look of joy on his face, he announced, "I found the needle, Baruch Hashem! We're able to perform the mitzvah of returning a lost object." He was nearly overwhelmed by the excitement of doing a mitzvah for its own sake.

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 153

❖ Once when the Steipler Gaon (Rav Yaakov Yisrael Kanievsky) was in the middle of learning with someone, he suddenly stopped and took a box of matches from his desk drawer. There were only a few matches left in it. "I'll tell you a story about these matches. Once, about ten years ago, you were learning with me here and you left these matches on the table. At the time, I wrote your name on the box and put it away to return to you at some future time. Somehow I forgot about the matchbox entirely until I came across it recently. Now, finally, I'm remembering to give it back to you." To most people it would seem like a trivial thing, giving back a box with three matches in it. To a tzaddik it was a source of untold joy to perform a mitzvah whose value in the world-to-come was infinitely greater than the three matches involved.

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 154

❖ David Greenspan grew up in the Bronx, N.Y., the product of an assimilated American Jewish home. When he reached adulthood, he joined the family's bagel business, which had been in the Greenspan family for generations. After David's father passed away, though, David realized that he wasn't all that interested in bagels after all. He was good with his hands, and he wanted to put them to use. After taking some evaluation tests, David was told to become a locksmith. He studied hard and soon discovered that he had found his niche. Bagels were out, locks were in, and David soon had a job in the locksmith business. The pay was good, but David really wanted to strike out on his own. He was constantly on the lookout for a good opportunity, a place where he could establish himself. One day, David was driving through Monsey, New York. He eyed the layout of the stores in one section of the town. There was a window business there that seemed to catch his eye... was this the chance he had been waiting for? David mustered up all his courage and entered the store to ask if he could rent out a small corner for his new locksmith business. The store owner was agreeable, and before long, David's new business was setting up shop. David was now in a very religious area. He figured that the local population would probably make up the majority of his customers, so an ad in a local Jewish circular would be a good idea. He arranged for the ad to be

placed, and a few days later, he received his copy in the mail. David thumbed through the circular until he found his advertisement. "Looks good," he murmured to himself. Absently, David continued flipping through the pages, taking note of the other businesses that were established in the community. Suddenly a short section at the back of the circular caught his eye. "Lost and Found," the headline proclaimed, and underneath was a series of columns. David began to read the items listed. "Found: Gold bracelet. Please call... " "Found: Large sum of money. Please call... " "Found: Diamond earring. Please call... " David couldn't believe his eyes. Were these people actually trying to return such valuable items? And there were so many of them! Whatever happened to "finders keepers, losers weepers"? Here, David saw an entirely different attitude, one based on helping others instead of only taking for oneself. David figured that if this was what religious Jews were like, it was a group that he wanted to be a part of. Before long, David began to wear a yarmulka, and he is now well on his way in his return to his Father in Heaven.

Visions of Greatness, Vol. 3, By Rabbi Yosef Weiss, Published by CIS Publishers

❖ If Rav Segal ever noticed that an outdoor light had been left on inadvertently, he would immediately ring the doorbell to inform the owner, as a form of hashavas aveidah, returning a lost object.

The Manchester Rosh Yeshivah, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

A. TO CARE FOR A FOUND ANIMAL

(Torah Mandated Mitzvah), Sefer Chareidim 16-52

As the Torah says, "it shall be with you until your brother inquires about it" (Devarim 22:2, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ How long must one watch an animal that was found?

SEFER CHAREIDIM

Within the mitzvah of returning lost property, the Torah imposes a specific obligation to shelter and care for a fellow Jew's lost livestock — such as an ox or sheep — safeguarding and sustaining the animal in one's home until the owner seeks it and its ownership is verified (Devarim 22:2).

STORIES FROM OUR SAGES:

❖ The Gemara asks: From where did Rabbi Chanina ben Dosa acquire goats, seeing that he was exceedingly poor? Rav Pinchas explained: An incident occurred when a certain traveler passed by the doorway of Rabbi Chanina ben Dosa's house and accidentally left his chickens behind there. Rabbi Chanina ben Dosa's wife found them inside the yard, and despite their own severe poverty, Rabbi Chanina told her: "Do not eat any of their eggs, for they belong to whoever lost them!" The eggs hatched and multiplied into many chickens until the flock grew too large to manage inside the house, so Rabbi Chanina sold the chickens and purchased goats with their proceeds to preserve the owner's capital safely. Some time later, the very man who had lost the chickens passed by the street and remarked to his companion: "Right here is where I left my chickens!" Rabbi Chanina overheard him and asked: "Do you have an identifying mark for them?" The man said: "Yes," and gave him the exact identifying mark. Rabbi Chanina immediately handed over the entire flock of goats that had grown from those chickens!

Talmud Bavli, Taanis 25a

20. Not to turn away from lost objects

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 182

As the Torah says, You shall not see your brother's ox or his sheep going astray, and hide yourself from them… you may not hide yourself (Devarim 22:1-3, Parshas Ki Seitzei).

SEFER HAMITZVOS HAKATZAR

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just as Hashem does not want others to be harmed in any way, so should we.

STORIES FROM OUR SAGES:

❖ Rabbi Pinchas ben Yair once visited a town where the residents came to him in distress and said: 'Field mice are devouring all our grain!' Rabbi Pinchas ben Yair decreed that the mice should assemble, and when they gathered squeaking before him, he asked the townspeople, 'Do you understand what they are saying?' They answered, 'No.' He told them: 'The mice say that they are eating your grain because you have not been separating the Torah's tithes properly!' The townspeople pledged to tithe faithfully, and the mice never harmed their crops again. On another occasion, a precious pearl belonging to an Arab king fell to the ground and was swallowed by a mouse. The king came to Rabbi Pinchas ben Yair and said: 'I have heard that you are a master over even the creatures of the field!' Rabbi Pinchas ben Yair summoned the mouse, commanded it to spit out the king's pearl, and returned the gem to the astonished king!

Talmud Yerushalmi, Demai 1:3 (22a)

21. To help someone load a burden

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 71

As the Torah says, you shall surely help him lift them up (Devarim 22:4, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Are you obligated to do this if it will embarrass you?
- Are you obligated to do this for free?
- If you see a donkey that is suffering under a heavy load, and you see another person struggling to load his donkey, which would take precedence to help?

- Would the answer change if the owner of the suffering animal is your best friend, and the owner of the comfortable animal is someone who you have hard feelings towards?

SEFER HAMITZVOS HAKATZAR

If a person abandons his fellow whose pack animal has fallen and proceeds on his way without assisting him, he violates an active positive commandment — 'You shall surely help him lift them up' (Devarim 22:4). However, a distinguished elder for whom such physical exertion would be beneath his dignity is exempt from this obligation (Bava Metzia 32a).

The standard for exemption is clear: if he would have unloaded or loaded the burden had the animal been his own, he is equally obligated to assist his fellow. If he chooses to act beyond the strict letter of the law (lifnim mishuras ha-din), he may assist in loading or unloading despite his personal stature, and a blessing shall rest upon him.

If a traveler simultaneously encounters one person who requires assistance with unloading a collapsed animal and another who requires assistance with loading, unloading takes priority because of the pain of the living creature (tza'ar ba'alei chayim) (Bava Metzia 32b).

However, if the person requiring assistance with loading is an enemy whom he dislikes, while the person needing assistance with unloading is a friend, the mitzvah requires him to assist his enemy with loading first, in order to subdue and conquer his evil inclination (kfei yitzro) (Bava Metzia 32b).

While unloading a suffering animal must be performed free of charge, the obligation of loading applies only if the owner compensates him for his labor; there is no legal obligation to load for free (Bava Metzia 32a).

The commandments of unloading and loading apply in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Just as Hashem cares does not want others to be harmed in any way, so should we.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Sfas Emes begins with the words: "Hakeim takim imo" ("You shall surely raise it with him"). The Sfas Emes reveals that the helper receives something extraordinary: "K'fi mah she-echad ozeir l'chaveiro — K'mo chein zocheh l'sakein atzmo l'yasheir orchotav lihyos lo tekumah" — in direct proportion to how much a person helps his neighbor, he merits to rectify himself, straighten his own path, and gain the spiritual strength to stand upright before Hashem! The Rebbe connects this with a famous Rabbinic teaching: "Yoseir mi-mah she-ba'al ha-

bayis oseh im he-ani, he-ani oseh imo". When we conquer our natural laziness, impatience, and selfishness to assist someone in need, we refine our character. The struggling traveler gets his cargo back on the saddle, but the helper walks away with a purified soul (Sfas Emes, Devarim, Ki Seitzei 5636).

• In 5638, the Sfas Emes brings together four great commands. These include: "Lo sir'eh" ("You shall not see"), "V'his'alamta" ("and hide yourself"), "Hasheiv t'shiveim" ("you shall surely return them"), and "Hakeim takim" ("you shall surely raise"). The Sfas Emes explains that this sensitivity covers both physical and spiritual troubles: "Hein b'gashmiyus hein b'tikkun ha-nefesh". When a neighbor loses his money, or when he stumbles in his faith, we cannot walk away. Then the Rebbe adds a breathtaking personal promise: when a person reaches the point where he cannot tolerate spiritual mediocrity within himself, heaven rushes to redeem him! By training our hearts to care for our neighbor's fallen donkey, we learn to care for our own fallen soul (Sfas Emes, Devarim, Ki Seitzei 5638).

• Why does the Torah add the single word "imo"? The Sfas Emes explains that divine assistance mirrors human kindness: "D'mitzvah l'ozro, v'chein ha-maddah l'ma'alah" — the mitzvah on earth is to assist, and that exact same rule operates in heaven! Yaakov knew that Hashem's help does not replace human effort. A person must work as hard as his strength allows (ad makom she-yado maga'as). Only then does Hashem send His salvation. The Rebbe notes that Yaakov prayed: "She-yihyeh lo shayachus ba-yeshu'ah" — he prayed to have an active share in his own deliverance! We join our strength with his effort. By lifting the load together, we help him stand on his own two feet with pride and self-respect (Sfas Emes, Bereishis, Vayishlach 5664).

• In Parshas Vayigash, Yehudah stands before the ruler of Egypt and pleads for the life of his younger brother Binyamin. The Sfas Emes explains that accepting responsibility unlocks the strength to succeed. He writes: "Keivan she-nis'areiv al Binyamin, siman hu she-b'yado l'havi'o l'aviv b'vadai". Yehudah's willingness to guarantee his brother proved that heaven gave him the power to save him! The Sfas Emes applies this directly to the roadside commandments of unloading (perikah) and loading (te'inah). He writes: "V'chmo chein kol Bnei Yisrael areivim zeh la-zeh, u'v'choach ha-areivus yachol kol echad lihyos ozeir l'chaveiro". He is our brother. Because we are bound together in a single covenant, his burden is our burden, and heaven grants us the strength to help him carry it (Sfas Emes, Bereishis, Vayigash 5642).

• Why does the Torah place the civil laws of Parshas Mishpatim immediately after the divine revelation at Mount Sinai? The Sfas Emes explains that our people received the Torah through the power of peace: "Zochin la-Torah al yedei ha-shalom, she-na'asin Bnei Yisrael achdus echad". We become worthy of the Torah through the peace (shalom) that unites our people into a single heart! The Rebbe makes a profound distinction between the Written Torah (Torah Shebichsav) and the Oral Torah (Torah Shebe'al Peh). When you get down on your knees in the dirt to help a man you dislike reload his animal, resentment melts away. That roadside act of kindness creates the vessel of peace through which the light of the Torah flows into our world (Sfas Emes, Shemos, Mishpatim 5648).

RELATED HASHKAFAH TOPICS:

- Discuss why it is so important to care for your enemy first?
- Discuss why that would take precedence to caring for a suffering animal?

STORIES FROM OUR SAGES:

❖ Rabbi Yishmael son of Rabbi Yose—even though he was an elderly, distinguished Torah sage who was legally exempt from undignified manual labor —was walking along the road when he met a man carrying a heavy load of firewood twigs. The exhausted porter set the bundle down on the ground to catch his breath and said to the sage: "Help me lift this load onto my back!" Rather than embarrass the man or invoke his exemption as an elder, Rabbi Yishmael bar Rabbi Yose asked him: "How much is that bundle of wood worth?" The porter said: "Half a silver zuz." Rabbi Yishmael immediately paid him half a zuz out of his own pocket to buy the wood and declared it ownerless so the weary man would not force him into repeated heavy lifting. Seeing the ownerless wood, the porter promptly reclaimed ownership of it and again asked the sage to help him lift it! Rabbi Yishmael gave him another half-zuz out of his pocket and again declared it ownerless; and when he saw the porter about to reclaim it a third time, he said to him: "I have declared it ownerless for everyone in the world except for you—so you already have a full zuz in your pocket and no longer need to carry the heavy load!" The Gemara asks: Why did Rabbi Yishmael go to such expense when he was an elder exempt by law? Because Rabbi Yishmael bar Rabbi Yose acted beyond the strict letter of the law —as Rav Yosef taught on the verse (Shemos 18:20): "'And you shall make known to them the path in which they shall walk'—this refers to acts of lovingkindness, visiting the sick, and burial; 'and the deed that they shall do'—this refers to going beyond the strict letter of the law!"

Talmud Bavli, Bava Metzia 30b

INSPIRATIONAL STORIES:

❖ Among the 48 ways to acquire Torah is to carry the load with your friend. The meaning of this is found in the Midrash when it describes the qualities of Dovid Hamelech. When Dovid Hamelech was a shepherd he adopted the following manner of sending the sheep out to pasture. First he sent out the young sheep since they could only eat the soft blades of grass. Once they finished, he sent out the senior sheep since they were able to eat the medium blades of grass. The harder blades were too hard for them. Once the soft and medium blades were taken he would then send out the strong sheep to graze on the hard blades. In a very similar manner Reb Moshe Juravel taught his elementary school talmidim. He understood well the abilities of each child and wanted every child to succeed. When it came time to test them, he created several tests. The weaker students received the easier test and the less weak received the medium test and the hard test was given to the strongest students. He would give out papers throughout the year for the boys to keep in their binders. As they would learn in class, these papers would be filled out by the talmidim. He therefore hole-punched all the papers on the left side so that they could be easily placed in their binders. In the beginning of the year he would find out which talmidim were lefties. For those boys he hole-punched their papers on the right side so that they would be able to fill out the papers comfortably without having the metal clamps interfere with their writing.

Table Talk, Edition 335 (Parshas Emor), by Rabbi Yitzi Weiner

22. To allow a worker to eat at the completion of the harvest

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 65

As the Torah says When you come into your fellow's vineyard, then you may eat, etc, (Devarim 23:25, Parshas Ki Seitzei); and it says, When you come into your fellow's standing grain, you may pluck the ears, etc. (ibid. 26)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Does this mitzvah allow anyone to come in and eat?
- Can the worker take for himself at any time?
- Can the worker eat at any time?
- Would the guard of the field be considered a worker and be allowed to take?

SEFER HAMITZVOS HAKATZAR

The Oral Tradition teaches that the verses permitting one to eat from a vineyard or standing grain (Devarim 23:25–26) refer specifically to a hired laborer, not a passerby. A worker may eat from the produce upon which he labors — whether harvested or still attached to the soil — during the stage when his labor brings about the completion of its processing (gmar melachah), rendering it liable for tithes or challah. Consequently, a laborer may not eat prior to the onset of his work nor after its conclusion, but exclusively while actively engaged in completing the work (Bava Metzia 87a).

To protect the employer from financial loss due to wasted work time, our Sages taught that laborers should eat as they walk from one furrow to another or while returning from the winepress, rather than interrupting their work to sit down and dine; in this manner, they eat during natural transitions without idling from their employment (Bava Metzia 91b).

One who merely guards produce that remains attached to the ground has no biblical right to eat from it, for a watchman does not perform transformative physical labor. However, one who guards harvested produce is permitted to eat from it according to the prevailing local custom (minhag ha-medinah), though not by biblical law. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RABBEINU BACHYA (DEVARIM 23:25)

Because this worker was working with this food, he will become hungry. We must therefore let him eat from the food he was working with.

Also, it is natural for a laborer to want to eat from the fruit that he is working with. If it would be forbidden he would likely do it anyway. Taking his nature into consideration, the Torah gives him a permitted outlet for this temptation.

SEFER HACHINUCH (MITZVAH 576)

This mitzvah helps the owner develop the feelings of generosity, and overcome the feelings of greed that are common at the harvest time.

RAV SAMSON RAPHAEL HIRSCH — CHOREV (CHAPTER 87)

This reminds the owner that his harvest is not for him alone.

SFAS EMES

• The Sfas Emes begins with the words of the verse: "Ki savo b'kherem rei'acha" ("When you enter your neighbor's vineyard"), and our Sages' comment: "B'fo'el ha-kasuv m'dabeir" ("Scripture is speaking of a hired worker"). He explains that anyone who engages properly in Torah and mitzvos can continually discover the inner sweetness and reasons of the Torah (ta'amei Torah). The Sfas Emes answers that this discovery depends entirely upon how we enter our service (avodah). It is quite possible for someone to study Torah and perform mitzvos while remaining completely detached in his heart. Such a person might gather knowledge and do good deeds, but the work has not captured his soul. The Sfas Emes describes a far higher level of devotion. The laborer eats the fruit of the vineyard while tending its vines. In the exact same way, every Jew who serves Hashem with joy tastes the sweetness of heaven in his daily service (avodah) (Sfas Emes, Devarim, Ki Seitzei 5637).

• The Sfas Emes continues in that same 5637 teaching by turning to a neighboring commandment: "Lo sachsom shor b'disho" — "You shall not muzzle an ox while it threshes" (Devarim 25:4). The Sfas Emes reveals that this law mirrors the inner landscape of our own souls. Every human being has a divine soul (neshamah) that yearns for Hashem, but we also have a physical body and an animal soul (nefesh habahamis) that craves material pleasures. We might assume that spiritual illumination belongs only to the pure soul, leaving our physical body cold and untouched. When we serve Hashem with all our energy, our physical desires are refined. Even our earthly instincts begin to feel the sweetness of living for a higher purpose (Sfas Emes, Devarim, Ki Seitzei 5637).

• The Sfas Emes deepens our understanding of holy work through a famous Midrash in Parshas Ki Seitzei. Our Sages compare the mitzvos to work in a royal orchard. A king hired laborers to tend his trees. He deliberately refused to reveal the wage for each tree. This prevented the workers from ignoring the less profitable trees to cultivate only the high-paying ones. Why did the Torah conceal the specific rewards for individual mitzvos? We find that the Torah promises long life (arichus yamim) for seemingly light commandments, such as sending away the mother bird, just as it does for honoring one's parents. Every mitzvah repairs our character and draws us closer to our Creator. When we labor in Hashem's vineyard, our greatest compensation is the eternal transformation taking place within our own souls (Sfas Emes, Devarim, Ki Seitzei 5655).

RELATED HASHKAFAH TOPICS:

▪ Discuss the related Halachah that if a waiter serves you aromatic food you should offer him some of the food

STORIES FROM OUR SAGES:

❖ One day, Rabbi Yose of Yokrat hired laborers to work in his field. Evening approached and Rabbi Yose was delayed because he was occupied with a communal mitzvah, so he had not yet brought bread out to the workers. Hungry and exhausted, the workers turned to Rabbi Yose's son, who was sitting with them beneath a barren fig tree, and said: 'We are

starving!' Seeing their distress, the son looked up at the tree and said: 'Fig tree, fig tree, bring forth your fruit so that my father's workers may eat!' Immediately the fig tree sprouted ripe figs, and the workers ate until they were satisfied. Just then his father arrived and apologized warmly to the workers: 'Please do not hold it against me that I was delayed—I was toiling on a mitzvah matter and only just finished!' The workers replied cheerfully: 'May the Merciful One satisfy you just as your son has satisfied us!' When Rabbi Yose heard that his son had troubled his Creator to make the fig tree bear fruit before its season, he rebuked the misuse of miracles, teaching that one must rely on natural effort rather than troubling Heaven unnecessarily.

Talmud Bavli, Taanis 24a

INSPIRATIONAL STORIES:

❖ As told by David Beyda: There was this one fellow who worked for us in our warehouse. He had worked for our company as a stock-man for just a couple months, and was married with a child. It was the winter time. He had not paid his rent for a few months and was being evicted from his apartment. Somehow my father found out that this man — one of hundreds of employees who worked for him — had a problem. That morning, I walked into my father's office and he was at his desk with his head in his hands. He was crying. My father told me about the situation. Then he called a friend who was involved in real estate in the area. When he reached him on the phone he got right to the point, "I need an apartment tonight for a family." The man replied, "Okay Joe, let me see if I can find something." My father answered, "No, you must find something. We can't allow them to stay in a shelter. He has a wife and a child. They must have Warm beds in a good apartment tonight." Sure enough, my father left work early that afternoon and went out looking for an apartment. He found one and paid a year's worth of rent in advance. He then helped the man and his family move in. I must make an important point. This man had not been with us for many years. At the most, he was with us for a few months. The man did not have a management position in the company. He was just a simple order picker in the warehouse! It didn't matter one bit. My father felt the man's suffering as other people would only feel the suffering of somebody very close. I will never forget how emotional my father was at the time. He was actually crying. He simply felt the pain of another human being as if it were his own. The Torah teaches us "Love Thy Neighbor as Thyself." The question is: How many people actually live that love in their day-to-day lives? How many people would actually put his or her life on hold and go out and make a difference in someone's life? My father seemed to do this all the time.

Joseph: How One Man Can Make a Difference, by Jack Doueck, Sephardic Press, p. 116

❖ Rabbi Yisroel Salanter was invited to dine with a talmid who was known for having long Torah discussions during the Shabbos meals. R' Yisroel agreed to come on the condition that they would not speak divrei Torah, and only sing; the regular Shabbos songs. The talmid agreed. After the meal the cook went to R' Yisroel and blessed him for the brief meal. "I work hard and am so tired that I cannot stand on my feet. Please come again next Shabbos." Some people like to stretch out the Pesach Seder. The wife is often very tired and there may be guests and children who have difficulty remaining awake at the table. Mishkal hachassidus suggests not prolonging the seder. Coming late to a chavrusa because of another mitzvah, or coming home late at night when the family is waiting and has not been told the reason, may not be what Hashem wants. Rav Tendler maintained that people who hire a babysitter must consider her before deciding to stay out later than arranged.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 219

❖ On several occasions during the day Rabbi Henkin would refer to a mysterious small notebook. He once revealed to a student that in this notebook he kept a log of those minutes during the day that he did not utilize for Ezras Torah. He was not involved with his own personal business during those minutes, but when someone came to his office at Ezras Torah to

discuss divrei Torah or if he received a telephone call, as he often would, from anywhere in the world requesting his opinion on a particular problem or sha'aila, he immediately looked at the time and noted in his record how many minutes he had borrowed from Ezras Torah. He would then know how many minutes to "make up" on behalf of Ezras Torah-related work.

The Torah Personality, By Rabbi Nisson Wolpin, Published by Mesorah Publications

❖ Once news spread that Reb Chaim Ozer was coming to Druskenik, a small resort town. The Rav selected a house of suitable stature, close to the "yeshivah corner." Reb Chaim Ozer and the Rav entered the house while we remained outside. When they came out, we could hear him saying to the Rav, "I cannot accept the house. First I must check with her." Someone whispered that the local Rav was out of step, and should have shown the house to the Rebbetzin — But isn't Reb Chaim Ozer a widower?" whispered another bystander — Then, who is this "her"? " It turned out that Reb Chaim Ozer had been referring to his cook. The kitchen was a distance from the dining room, and he feared it would prove too tiring for her for serving. Eventually, the cook arrived, loaded down with her pots and pans, and she gave her approval to the quarters.

The Torah Personality, By Rabbi Nisson Wolpin, Published by Mesorah Publications

❖ A story is told about Rabbi Yisroel Salanter in which he used a small amount of water to wash his hands. His talmidim asked why he did so, as it is written that one should wash his hands with lots of water, which can bring extra berachah. He responded that the water was carried by the maid, and if he washed as usual she would have to replace it by going to the well, and it was cold outside.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 219

❖ A cabbie at Hapisga noted that Reb Shlomo Zalman Auerbach always sat up front, alongside the driver, instead of in the back seat. "I sensed that he didn't Want me to feel like his servant or his chauffeur, you know?" the cabbie said.

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ Reb Elyah Lopian once visited the home of a former disciple and noticed that the maid had just finished washing the floors. Reb Elyah would not walk into the house until he had cleaned his shoes very carefully and checked the sole of each shoe to make certain that no dirt remained. The maid marveled at his behavior, remarking that never before had she seen anyone so considerate of others.

Reb Elya, By David J. Schlossberg, published by ArtScroll Mesorah

TO RAISE A FAMILY

SECTION OVERVIEW

The mitzvos in this section are all mitzvos that relate to emulating Hashem by building a family and raising children.

23. To get married and raise children

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 43

As the Torah says And God said to them: Be fruitful and multiply (Bereishis 1:28, Parshas Bereishis)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- At what age is one obligated in this mitzvah? Is it at Bar or Bas Mitzvah like other Mitzvos?
- What should be a person's motivation to get married?
- Can a person delay getting married in order to study Torah?
- What is the latest a person should wait to get married by?

SEFER HAMITZVOS HAKATZAR

A person's intention when fulfilling this commandment should be the continuity of the human race and the perpetuation of Klal Yisroel in service of Hashem (Bereishis 1:28).

At the age of eighteen, a man becomes obligated in the mitzvah of marriage and procreation (Pirkei Avos 5:21). If he reaches the age of twenty without marrying, he violates an active positive commandment (mitzvas aseh). If he is immersed in Torah study and genuinely fears that the burdens of earning a livelihood will disrupt his learning, he is permitted to delay marriage, though not past the age of twenty-five (Kiddushin 29b).

This mitzvah applies in all places, at all times.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Getting married, bringing children into the world, and raising them, are all ways that we emulate Hashem. We emulate Hashem through creating life, and caring for and raising our children. Just as we are Hashem's children and He created and raises us, so are we to do to our children.

Additionally, all of the mitzvos of chesed, and the manifestation of the middos of chesed, are to be primarily directed to the family. The family is the most important arena of the chesed and character building that we strive for.

Finally, the family is the most important educational unit that allows the Torah and its values of character perfection to be passed down for posterity. Veshinantem Levanecha, we are to teach the values of how to be G-dly to our children, so that within the confines of the family, they will learn how to live lives that emulate Hashem.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 1)

This mitzvah teaches us to raise people to fill the world, so that people can keep the Torah.

RABBEINU BACHYA

This mitzvah teaches us to raise people so that we can bring Hashem's shechina and presence into the world.

SFAS EMES

• When our forefather Yaakov saw his son Yosef born in Charan, he turned to Lavan with fresh courage: "Send me away, that I may go to my place and to my land." Rashi explains that once Yosef was born, Yaakov possessed the spiritual flame capable of overcoming Esav. Why did the birth of a child give Yaakov a new power that he did not possess before? How could a newborn baby suddenly change his father's strength? The Sfas Emes gives us an inspiring answer. Hashem gives every person spiritual abilities that initially exist only in potential. Our lifelong mission is to bring those powers from potential into actuality (mikei'ach el hapo'al). The Sfas Emes applies this same principle to mitzvos and good deeds, which he calls our spiritual children (toledos). Through Peru Urevu, our life becomes far larger than our solitary strengths, as our children reveal the hidden greatness of our own roots (shoresh) (Sfas Emes, Bereishis, Vayeitzei 5638).

• In Parshas Pinchas, the Torah lists the families of the tribes with letters of Hashem's Name surrounding each family. Our Sages teach that this was Hashem's public testimony to the moral purity of their homes. The Sfas Emes connects this with our Sages' teaching about marriage. The Hebrew words for man (ish) and woman (ishah) both contain the letters of fire (eish). But man has the holy letter yud, and woman has the holy letter heh. Together, they spell Hashem's Name. Through Bris Milah, Shabbos, and pure marriage, we create true unity (achdus) between body and soul. The mitzvah of Peru Urevu turns our home into a sanctuary for the Shechinah (Sfas Emes, Bamidbar, Pinchas 5647).

• King David sings in Tehillim: "Like arrows in the hand of a mighty warrior, so are the children of one's youth." The Sfas Emes explains this through the story of Yaakov and Yosef. An arrow allows a warrior to reach targets far beyond the reach of his own arms. His strength flies into places his body can never touch! As the Sfas Emes writes: "The expansion of a person's deeds is his weapon, reaching where he himself cannot go." Our children extend the reach of our lives. While the first teaching showed how children reveal powers hidden inside their parents' roots (shoresh), this teaching shows how children carry those powers outward into the world. Peru Urevu allows our small life to touch eternity (Sfas Emes, Bereishis, Vayeitzei 5638).

• Our Sages instruct a person to sanctify himself during marital relations. Why does the Torah demand holiness in such an intimate physical moment? The Sfas Emes answers through his universal definition of holiness: "Wherever there is a fresh renewal of divine light from Above, that is called holiness." Whenever a child is conceived, something miraculous happens: a brand-new divine soul (neshamah) descends from heaven! As the Sfas Emes writes: "Because in the birth of children a soul is drawn down, and this is a fresh illumination from Above, it is called holy." Husband and wife partner with Hashem in bringing down an eternal soul. The mitzvah of Peru Urevu elevates married life into a sacred sanctuary (Sfas Emes, Vayikra, Kedoshim 5647).

• The Sfas Emes reveals a fundamental purpose of the universe: "The Holy One created the world to bring forth fruitfulness, as it is written: Be fruitful and multiply." This principle of fruitfulness (toledos) touches every level of nature: the inanimate realm (domem), plant life (tzome'ach), animal life (chai), and human beings (medaber). Every single creation was designed to bear fruit according to its purpose! The Rebbe links this with the verse: "which Hashem created to do." Hashem did not create a finished museum to look at; He created an ongoing workshop that continues to develop! On Shabbos, we return to the Source of blessing. The mitzvah of Peru Urevu allows us to partner with Hashem in the ongoing renewal of Creation (Sfas Emes, Shemos, Yisro 5645).

RELATED HASHKAFAH TOPICS:

▪ Discuss what is the minimum amount of children on should have in order to fulfill this mitzvah.

▪ Discuss why the Torah prefers people to get married at a young age

▪ Discuss why Torah study would defer the age of marriage

▪ Discuss the idea of Shiduchim

▪ Discuss how Torah observant Jews only date for the sake of finding a marriage partner, not simply for fun

MORAL DILEMMAS:

A Jewish prisoner convicted of a capital offense was sentenced to death. Facing imminent execution, he pleaded for permission to provide a biological sample to enable his wife to conceive a child through assisted reproductive technology, so that he would leave behind offspring in the world. Is the community or prison chaplaincy halachically permitted — or even obligated — to assist him in fulfilling his desire to father a child prior to his execution?

Answer: We should try to help him have children.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 481

STORIES FROM OUR SAGES:

❖ When a Roman matrona asked Rabbi Yose why God took Adam's rib while he slept, Rabbi Yose asked her: 'If someone quietly took an ounce of silver from you and handed you back a pound of gleaming gold; a loving companion; would you call that theft or the greatest gift?'

Bereishis Rabbah 17:7

INSPIRATIONAL STORIES:

❖ Yosef lived in the city of Lodz. He had a wonderful wife and two children. He went out on a trip one day and came back to see that his family was taken by the Nazis. Heartbroken, he joined the Mirrer Yeshivah and was able to escape Europe with them. After the war he moved to Israel. He could never stop thinking about his wife and family. After a few years he spoke with the Brisker Rav. The Brisker Rav warmly and strongly encouraged him to get married once again, and not to feel guilty about it. He suggested a young widow. He met the woman and they got married. The Brisker Rav was so thrilled that he was able to help Yosef find happiness after all of his sorrow. But after 5 years they still didn't have any children. Many of his friends encouraged him to go back to the Brisker Rav for a berachah, but Yosef refused. Finally after 17 years they had a baby boy. Yosef immediately went to tell the Brisker Rav the happy news. He was overjoyed to hear it. A friend there asked if he thought there was any zechus he did to merit such a miraculous baby. Yosef said, when I met the Rav my life was in shambles. He helped me find my beloved life and he was elated that he was able to assist me. If I had gone to him for a

berachah for children that would have implied that I was sad and unhappy. He might have felt anguish that he suggested this marriage. How could I have caused my rebbe pain just because I wanted a berachah for children. Perhaps it is that zechus.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 174

❖ Perhaps the story that best captures Harav Ovadia Yosef's dedication to freeing agunot is one that occurred approximately 14 years before his passing." The elderly rav wasn't feeling well one day, and Rav David and R' Aryeh Deri took him to the hospital to be examined. The doctors determined that he had suffered a heart attack, and they told him that he needed an emergency stent procedure to open his arteries. "I need to go home for three hours," Harav Ovadia replied. "Then I'll return for the procedure." Rav David and R' Aryeh were concerned that the delay would be dangerous, and they tried to dissuade him from leaving the hospital. "Why does the rav need three hours?" R' Aryeh asked. "I'm not sure that I'll come out of this procedure alive," Harav Ovadia explained, "and I'm in middle of writing a teshuvah to free an aguna. If I don't finish writing the teshuvah, who will take pity on this woman and release her from her loneliness?" They brought him home, and he finished writing the teshuvah permitting the aguna to remarry. Only then did he return to the hospital for the lifesaving procedure.

Rav Ovadia, By Rabbi Yehuda Heimowitz, published by ArtScroll Mesorah

❖ A similar instance occurred when a young woman from a family that owed Rav Shimshon their spiritual lives got engaged and was to be married in her home country. Both the parents and kallah were sure that Rav Shimshon their spiritual father - would fly in for the wedding and serve as mesader kiddushin, and indeed, he replied that he would certainly attend the wedding, but with one caveat that the rav of their shul would be honored with siddur kiddushin, and not be. The family objected and insisted that they had already discussed the issue with their rav who had stated that he was perfectly happy to transfer the honor to Rav Pincus. Hearing this, Rav Shimshon fell silent and exercised his "emergency policy" instead. Inventing a variety of reasons to procrastinate his arrival, he eventually boarded a plane but was delayed "due to circumstances beyond his control," arriving in the hall just as the family was preparing to leave. Notwithstanding their disappointment, he made it up to them by participating in the week of sheva berachos, always eager to share in a person's simchah but never at the expense of slighting another Jew!

From Rav Shimshon Pincus, published by Feldheim / ArtScroll

❖ R' Shlomo Kanievsky related the following unusual story: Approximately thirty-five years before R' Chaim passed away, he thought of an idea for a shidduch between the children of two avreichim who learned with him in Kollel Chazon Ish. When he discussed the idea with the father of the bachur, he expressed interest. Then he discussed the shidduch with the father of the girl. After doing extensive inquiries and hearing wonderful information about the bachur and his family, the girl's father told R' Chaim that one thing still bothered him. The bachur was from a large family with many younger children, and his overwhelmed mother was a bit challenged when it came to keeping a neat and organized house. The prospective kallah's house was immaculately clean and organized. "How would my daughter fit in with a family whose house is disorganized?" the girl's father wondered. R' Chaim told the man that he had to think about the matter. Uncharacteristically, he asked if the man could come to his home on Rechov Rashbam at 8 o'clock that evening so they could discuss the matter. R' Chaim went home from kollel a bit earlier than usual. He told the Rebbetzin about the proposed shidduch and that the father would be arriving later that evening. "Please invite several of our lively grandchildren to make a balagan in our home," he requested. The Rebbetzin did as R' Chaim asked, and several unsupervised grandchildren obligingly turned over the house within a few minutes. By 8 o'clock, when the gentleman arrived, their home was in total disarray. R' Chaim welcomed his guest and led him into the apartment. He let the man take in the balagan. Then he said, "I thought about your hesitation, but I really don't see the reason you gave as having a potential effect on the marriage. After all, your daughter will not have to reside in her in-laws' home and can keep her own home as

neat and organized as she wishes." Indicating the less-than-pristine condition of his home, R' Chaim added, "Even in our own house, when our livelier grandchildren visit, it is also a balagan!" The shidduch came to fruition, and the couple was blessed with a beautiful large family.

From Rav Chaim, By R' Naftali Weinberger, Published by Artscroll

❖ R' Yanky Meyer owned a summer home at Lake Forest Estates in South Fallsburg and would give it to Rav Matisyahu Salomon whenever he needed it, even if it meant his own family vacating the premises. This was how it came to be that the Mashgiach was now taking his much-needed break in upstate New York, in R' Yanky's vacation home. The Mashgiach was finally, finally (!) pulling up in front of Reb Yanky Meyer's house when his cell phone rang. It was an emergency. An orphaned girl he had helped in the past was supposed to be getting engaged that night. Now, at the eleventh hour, she was getting cold feet about the shidduch. Knowing this girl and understanding that the shidduch was in jeopardy, the Mashgiach didn't hesitate. He immediately instructed the driver, "We are going back to Lakewood." It made no difference that it was a three-hour drive back to Lakewood. It made no difference that he was coming for a desperately needed break. This yesomah needed help, and he was going to provide it. They turned right around and drove the three hours back to Lakewood; he spoke to the girl, and she ended up getting engaged!

From Rav Matisyahu, By R' Avrohom Birnbaum, published by ArtScroll Mesorah

❖ Rabbi Dessler was prepared to give up his long-established hanhagos (ways of conducting himself) for the benefit of others. To further a shidduch, for instance, he once sacrificed a practice that was very dear to him. Every year, he stayed in Gateshead the week of his father's yahrtzeit so that he could spend the week immersed in learning and lead the davening in the Kollel. One year, however, on the very evening of his father's yahrtzeit, he asked Rabbi Waltner to accompany him to the train station! There were no cabs available, and they had to walk all the way to the Newcastle train station. Rabbi Dessler absolutely refused to permit his younger friend to carry his bag despite the very long walk. On the steps of the train, Rabbi Dessler explained why he was departing precisely at the moment when he should be davening at the amud. He told Rabbi Waltner that he had received a call from a Rosh Yeshivah in London that a shidduch between a girl in Gateshead Seminary and a yeshivah bachur in London had run into difficulties, and that Rabbi Dessler might be able to save it. "I thought to myself," said Rabbi Dessler, "what better Kaddish can I send father than to help establish a house of Torah?"

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 228

❖ Rav Tzvi Auerbach once came to him on behalf of a yungerman who needed an immediate loan of fifty thousand shekel to pay off a mountain of accumulated debts. Reb Shmuel Auerbach was very disturbed to hear of his situation but told me he simply didn't have the money to lend. But late that evening, Reb Shmuel called me. "I don't know if it's my mofeis or yours," he began, "but someone came here tonight and handed me fifty thousand shekel. I would give it to the avreich as a loan, but the fact that it arrived only after we spoke indicates to me that I ought to give it to him as a gift." Reb Shmuel asked me, however, not to say it was a gift, rather to describe it as a loan—and then, as he said, "We'll see what happens." I did as he asked. The borrower would call me up periodically to say that although technically he could perhaps repay the loan, it would only be with the greatest difficulty. When I reported this back to Reb Shmuel, he smiled and said it seemed that the money would indeed remain a gift in perpetuity. Rav Yehoshua Freind tells of an incident related to him by Reb Shmuel involving an outstanding student of Yeshivas Tifrach who became a chassan, but when a monetary dispute erupted between the two sides over $50,000, the shidduch seemed doomed. The Rosh Yeshivah of Tifrach, Rav Aviezer Piltz, came to Reb Shmuel to discuss the matter, concerned that if the engagement were to be broken, the bachur would fall into depression and experience a precipitous decline in ruchniyus. Reb Shmuel told Rav Freind, "I had no idea where I'd get a sum like that, but I felt I had to take this upon myself." He had no connection to anyone involved, but he obligated himself for the entire sum. That same week, someone walked into his home and placed $50,000 on the table.

From Reb Shmuel, by R' Eytan Kobre, published by Judaica Press

❖ At the wedding of Reb Shmuel Auerbach's talmid, Yitzchok Rivlin, a bachur from another yeshiva began dancing rather wildly, with arms and feet flailing. Inadvertently, he struck Reb Shmuel on his leg, which was already inflamed with a painful skin condition. The blow opened a bleeding gash, and Reb Shmuel was forced to leave the chasunah for a local hospital emergency room to receive stitches. Amidst the commotion, the young man fled the wedding hall in humiliation. The next morning, Reb Shmuel telephoned the chassan's father, requesting that he locate the bachur and ask him to come to see him. Later that day, he showed up at Reb Shmuel's home, dreading what awaited him there. But the moment he walked in, Reb Shmuel embraced him with a warm hug and kiss. Then he gave him a "special thank you," explaining that Chazal teach (Chullin 7b) that blood from a wound atones like the sacrificial blood of an Olah. "Now I merited to be like a korban Olah," he said. And with that, he continued speaking with the young man until he felt he had succeeded in putting his mind completely at ease.

From Reb Shmuel, by R' Eytan Kobre, published by Judaica Press

❖ A meeting with prominent mechanchim was held in Rav Shlomo Freifeld's house, and he began his address by saying, "I hope no one minds if my Rebbetzin joins us. She is a college dean and she understands these things extremely well." He called into the kitchen, "Rebbetzin, we are waiting for you." He would often speak of his respect for the women, the wives of his Talmidim. One evening, he was speaking to a group of young married talmidim in his home. His married daughter lived with him at the time and her baby began to cry uncontrollably. Some of the talmidim grew nervous at the loud interruption, but Reb Shlomo simply shook his head in wonder. "To me, a woman with small children is on a pedestal that starts here," he said, placing his hand above his own head.

Reb Shlomo, By Rabbi Yisroel Besser, Published by Judaica Press

A. TO RAISE AS MANY CHILDREN AS FEASIBLE

(Rabbinically Mandated Mitzvah), Sefer Chareidim 43-2

SEFER CHAREIDIM

Even after a person has fulfilled the biblical obligation of Peru U'Revu by fathering a living son and daughter, he remains rabbinically commanded not to desist from having additional children for as long as he possesses the strength and capacity to do so. Our Sages found biblical support for this enduring obligation in the verse: 'In the morning sow your seed, and in the evening do not withhold your hand, for you do not know which will prosper, whether this or that, or whether both alike will be good' (Koheles 11:6; Yevamos 62b).

RELATED HASHKAFAH TOPICS:

- Discuss why the Torah prefers large families
- Discuss the Torah perspectives on population growth

STORIES FROM OUR SAGES:

❖ When the Jewish people stood before Mount Sinai ready to receive the Torah, the Holy One, Blessed be He, said to them: 'I am giving you My precious Torah — bring Me trustworthy guarantors (areivim tovim) that you will guard and fulfill it, and then I will give it to you!' Israel replied: 'Master of the Universe, our forefathers Avraham, Yitzchak, and Yaakov will be our guarantors!' Hashem said: 'Even with your forefathers I have claims to make; bring Me better guarantors!' Israel said: 'Master of the Universe, our prophets will be our guarantors!' Hashem replied: 'I have claims against your prophets too; bring Me still better guarantors!' Then Israel declared: 'Behold, our young children shall be our

guarantors!' Immediately the Holy One, Blessed be He, exclaimed: 'Certainly these are wonderful guarantors! On their credit I will give the Torah to you!' — as it is written (Tehillim 8:3): 'Out of the mouths of babes and nursing infants You have established strength!'

Shir HaShirim Rabbah 1:4:1

INSPIRATIONAL STORIES:

❖ Chazal teach us that "banecha elu talmidim" -- students should be considered like children. To R' Simchah Kook's way of thinking, Chazal's dictum that talmidim are like sons was meant literally. R' Simchah Kook was the chief rabbi of Rechovot. There was a bachur from Rechovot who struggled in yeshivah and was eventually expelled. Especially in the earlier years, R' Simchah kept tabs on each local bachur and knew them personally. When he heard what had happened, he dropped everything to intervene. "What do I have scheduled tomorrow?" he asked R' Nachman, his assistant. The important meeting with the director general of the Religious Affairs Ministry was postponed, and R' Simchah drove to the boy's yeshivah in Zichron Yaakov, a journey of two hours each way. Naturally, R' Simchah was treated like a celebrity when he arrived for an unscheduled visit. The rabbanim had no idea why he was there, but he was asked to give a shiur and meet the bachurim. Hours into his visit, he finally got to the point. "I have a son in the yeshivah who's struggling," he told them. "Which son?" they asked in confusion, knowing that no one in the student body was a member of the Rav's family. When R' Simchah explained that it was a member of his community whom he regarded as one of his children, the message got through. The boy was readmitted.

From Rav Simcha Kook, By Gedalia Guttentag, published by ArtScroll Mesorah

24. To do Kiddushin before marriage

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 44

As the Torah says When a man takes a wife (Devarim 24:1, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How does someone create the marital bond?
- Can he do it privately?
- Is it permitted to be intimate with a fiancé before the Chuppah?
- What are reasons to get divorced?

SEFER HAMITZVOS HAKATZAR

When a man seeks to marry a woman, he must first consecrate her through the act of kiddushin (betrothal) to acquire her as his wife. He performs this kiddushin by giving her money of his own or an item of monetary value, which must be worth at least a perutah (the minimal halachic currency unit). At the time of giving, he must declare to her: "Behold, you are consecrated unto me with this according to the law of Moshe and Yisroel." This act must take place in the presence of two halachically qualified witnesses.

Prior to the kiddushin, the blessing of erusin (betrothal) is recited: "...Who has sanctified us with His mitzvos, commanded us concerning forbidden intimate relations, prohibited to us those who are betrothed (arustos), and permitted to us those who are wedded to us through the chuppah (bridal canopy) and kiddushin." He then concludes: "Blessed are You, Hashem, Who sanctifies His people Yisroel through chuppah and kiddushin."

Once a man has betrothed a woman through kiddushin, she acquires the halachic status of an arusah (betrothed woman), and Rabbinic law strictly forbids them from engaging in marital intimacy until she enters beneath the chuppah and the Sheva Berachos (seven nuptial blessings) are recited. Before she enters the chuppah, the husband must execute a written kesubah (marriage contract) for her. Once the chuppah ceremony is concluded, she is considered fully married (nesu'ah), even prior to physical consummation, provided she is halachically fit for intimacy. If, however, she is in a state of niddah, then even if the chuppah ceremony was conducted and they secluded together, the full legal bond of nisu'in is not completed, and she remains an arusah in every legal respect.

This mitzvah applies in all places, at all times, for men.

We are commanded in our holy Torah that if a man resolves to divorce his wife because he has discovered an unseemly matter of moral impropriety in her conduct, he must send her away by means of a get (bill of divorce), as is the universal law of Klal Yisroel. As Scripture states: "And it shall be, if she finds no favor in his eyes because he has found some unseemly matter in her, that he shall write her a bill of divorcement, place it in her hand, and send her out of his house" (Devarim 24:1). All procedures pertaining to the drafting and delivery of a get must be administered exclusively by expert, learned rabbis thoroughly versed in the laws of gittin. Whoever lacks mastery in this specialized field — even if he is a renowned scholar in other areas of Torah — must never involve himself in writing or executing a get, for its intricate legal requirements are exceedingly complex, and any lack of expertise risks causing grave and tragic halachic consequences.

1. If a wife adopts corrupt beliefs, willfully and defiantly rejecting faith in Hashem and His Torah;

2. If she brazenly disregards the standards of modesty expected of the daughters of Klal Yisroel;

3. And certainly, if the husband verifies that she obstinately refuses to immerse in a mikveh to purify herself from the status of niddah — in all such cases, it is a mitzvah for him to divorce her, as Scripture states: "Cast out the scorner, and contention will depart" (Mishlei 22:10).

This mitzvah applies in all places, at all times, for men.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Getting married, bringing children into the world, and raising them, are all ways that we emulate Hashem. We emulate Hashem through creating life, and caring for and raising our children. Just as we are Hashem's children and He created and raises us, so are we to do to our children.

Additionally, this mitzvah sanctifies the act of physical intimacy with a spouse from being a selfish and material act, to being a holy and spiritual one, with a lofty moral and spiritual purpose. Just as Hashem is holy, so should all of our activities be holy.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAV SAMSON RAPHAEL HIRSCH — CHOREV (CHAPTER 81)

The kiddushin creates an exclusive spiritual bond between the husband and wife, which excludes everyone else out of this special relationship, and makes them like one.

RAMBAM

The reason why a minyan is needed for the performance of kiddushin and chuppah is so that the couple invites society to take notice of the fact that this woman is now his wife. If secret private marriages would be permitted a man would be able to justify a short term liaison with a prostitute and give her the outward status of a wife.

SEFER HACHINUCH

The giving of a ring or object of value demonstrates that he values her and has a high esteem of her worth. Without that sign of respect his relationship with her would be no different than a cheap liaison with a prostitute.

SFAS EMES

• The Sfas Emes explains the meaning of holiness through Rashi's famous commentary on the verse — "You shall be holy." Rashi teaches that wherever the Torah places fences against forbidden relationships, we find holiness. The Sfas Emes explains that the goal of every boundary is to help each thing cling to its rightful place. He immediately brings the example of Kiddushin: "Behold you are sanctified, meaning you are uniquely designated for him alone." Here the Rebbe reveals a golden principle. Holiness is the power of exclusive belonging! When we take our love and dedicate it wholly to one sacred relationship, rather than scattering our energy across the world, that bond fills with divine light. In a parallel teaching on Shabbos, he writes: "Hashem sanctified Shabbos just like Kiddushin, setting it apart from all worldly work like a consecrated offering." Just as Kiddushin sets the bride apart for her groom, Shabbos steps aside from weekday noise so its inner holiness can shine. We see the first great meaning of Kiddushin: a bond becomes holy through wholehearted, exclusive dedication (Sfas Emes, Vayikra, Kedoshim 5634).

• One of the deepest insights of the Sfas Emes describes what happened when our ancestors stood at Mount Sinai. The Sfas Emes explains this through the Oral Torah (Torah Shebe'al Peh). Hashem did far more than give us a written text to place on a shelf. He planted within our souls the ability to understand, develop, and give birth to fresh insights of Torah. What was once outside us became part of our living heart. The Sfas Emes uses the language of Kiddushin because marriage creates the capacity for fruitfulness and new life. Kiddushin reaches far beyond formal legal status; it opens the capacity for a shared life. It builds a holy home where husband and wife can bring forth children, kindness, and spiritual light into our world (Sfas Emes, Bamidbar, Pinchas 5647).

• Our Sages teach: when a husband and wife merit it, the Divine Presence rests between them. The Sfas Emes explains that fire represents raw physical passion, while the divine letters represent the spiritual form that elevates that passion. In another discourse, the Rebbe writes: "And also in the union of husband and wife, Hashem stamped His holy Name upon them." What a thrilling way to understand home life! Our physical

relationships can become a dwelling place for the Shechinah. If they live with selfishness, the divine letters depart and only fire remains. But if they merit it (zachu), their marriage becomes a holy sanctuary where Hashem's light is felt every day (Sfas Emes, Shemos, Vayakhel 5654).

• In Parshas Naso, the Sfas Emes offers a profound definition of deeper awareness (daas): "For daas is the union of body and soul, the joining of the spiritual and physical realms." He then connects this to marriage: "Therefore, the union that brings forth a child with body and soul is called daas." The Torah calls marital intimacy "knowing" because it bridges the physical and spiritual worlds! Because whenever body and soul meet, two paths open before us. Either the soul elevates the body, or physical cravings drag the soul downward. Our lifelong task is the refinement of our awareness (beirur hadaas). Their marriage brings together physical desires and holy responsibilities. In a kosher Jewish home, the soul guides and refines the body, turning everyday life into an offering to Hashem (Sfas Emes, Bamidbar, Naso 5651).

• The Sfas Emes discusses a Midrash about the pairs Hashem created: heaven and earth, this world and the next, and Adam and Chavah. The Rebbe answers: "For wholeness is not found in any solitary creature, because all need help from one another." Only Hashem is entirely self-sufficient. Every created being is incomplete on its own! Adam and Chavah show us this universal truth. Human beings are created to find completeness through connection. The Sfas Emes notes that Klal Yisrael discovers unity (achdus) through Torah and Shabbos, reflecting the divine Name in the union of husband and wife. We do not need to possess every talent ourselves. Hashem designed us so that husband and wife complete each other, weaving their different strengths into one beautiful life (Sfas Emes, Devarim, Va'eschanan 5654).

RELATED HASHKAFAH TOPICS:

- Discuss the relationship between kiddushin and the idea of kedushah and how kiddushin brings kedushah.
- Discuss the customs of the wedding.
- Discuss the Jewish understanding of love.
- Discuss the Jewish approach to dating.
- Discuss Jewish approaches to having happy marriages and relationships.

MORAL DILEMMAS:

During the courtship period, a groom deliberately concealed the fact that he suffered from a severe permanent limp. The bride discovered this reality only while standing beneath the wedding canopy immediately prior to the recitation of the blessings. Despite her shock, the ceremony proceeded. Does the concealment constitute a fraudulent marriage (kiddushei ta'us) that renders the marriage void, or is the marriage halachically binding?

Answer: It's binding. As Rav Yitzchak Zilberstein explains, citing the Gemara in Bava Basra (47b–48b) and Shulchan Aruch (Even HaEzer 42) — once the bride saw the groom's limp while standing beneath the wedding canopy prior to the kiddushin and nevertheless chose to proceed with the marriage ceremony rather than suffer public embarrassment, her consent under that social pressure (agav onsei gamar u-makneh) is halachically valid, and the marriage is binding rather than kiddushei ta'us.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 250

During the Gulf War in Israel, a wedding was held under wartime sirens. The designated yichud room was a reinforced, sealed civil defense chamber designed to protect against chemical weapons. To comply with civil defense directives, the chamber door remained unlocked or had an observation window monitored by safety wardens. Was this seclusion considered halachically valid yichud for the marriage?

Answer: Rav Yitzchak Zilberstein rules that the wedding yichud inside the bomb shelter (merchav mugan) is completely valid. Since the hall owner designated that room exclusively for the chassan and kallah during their yichud period, it qualifies as their private domain, and the mere possibility that an air-raid siren might sound does not invalidate the yichud. As the Mishnah Berurah (339:32) notes, for a besulah even basic seclusion suffices to effect nissuin; all the more so here, where no siren actually sounded while they were secluded alone in the room.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 570

A young man was progressing toward an engagement. He has a biological brother who suffers from congenital deafness. Is he halachically required to disclose this family medical condition to his prospective bride during shidduchim, and what constitutes the halachic threshold for disclosing genetic or familial health information?

Answer: Rav Yitzchak Zilberstein rules that when a serious medical or hereditary condition would cause a prospective spouse to decline the marriage if known, concealing it violates 'Lo sa'amod al dam rei'echa' and the prohibition against deceit in marriage. Even if a physician gave a handshake oath (teki'as kaf) of confidentiality, an oath cannot take effect to abrogate a Torah obligation to prevent harm to an innocent party. However, in accordance with the Chofetz Chaim (Be'er Mayim Chaim, Hilchos Rechilut Klal 9), if asked by the bride's side, the doctor should first state, 'I cannot disclose medical records without the patient's consent' — thereby alerting the prospective family to inquire directly of the groom without revealing more than necessary.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 562

STORIES FROM OUR SAGES:

❖ The Sages taught in a Braisa: How do we dance and sing before the bride at a wedding? Beis Shammai say: We praise the bride exactly as she is. Beis Hillel say: We always sing, "O fair and graceful bride!" Beis Shammai asked Beis Hillel: "What if she is lame or blind—may one still sing to her, 'O fair and graceful bride'? Did the Torah not state (Shemos 23:7): 'Distance yourself from a false matter'?" Beis Hillel answered Beis Shammai: "According to your words, if someone has already purchased an inferior item from the marketplace, should a friend praise it in his eyes or disparage it in his eyes? Surely one must praise it in his eyes!" From here the Sages taught: A person's disposition should always be pleasant and considerate toward fellow human beings. They told of Rabbi Yehudah bar Ilai that he used to take a branch of myrtle, dance before the bride, and sing: "O fair and graceful bride!" Rav Shmuel bar Rav Yitzchak used to juggle and dance with three myrtle branches before the bride. Rabbi Zeira initially thought: "The elder sage is putting us Torah scholars to shame by juggling so exuberantly!" Yet when Rav Shmuel bar Rav Yitzchak passed away, a pillar of fire descended from heaven to separate between his bier and the rest of the world—a heavenly sign that occurs for only one or two extraordinary individuals in an entire generation—showing that his joyful dancing before brides is what earned him such supreme honor.

Talmud Bavli, Kesubos 17a

INSPIRATIONAL STORIES:

❖ Although Rebbetzin Batsheva Kanievsky's berachos gained worldwide fame and multitudes flocked to her for blessings, she commonly asked people many years younger to daven for her. When a kallah visited on her wedding day, the Rebbetzin gave her a sefer and inscribed it with beautiful and heartfelt divrei berachah. She graciously posed with the kallah and showered her with blessings. Then she asked the kallah to have her in mind when davening under the chuppah. "So many people with tzaros come to me for brachos," she stated humbly. "Since the tefillos of a kallah under the chuppah are heard, I would appreciate it if you daven under the chuppah that Hashem should answer my tefillos and help them all."

Rebbetzin Kanievsky, By Naftali and Sarah Weinberger, published by ArtScroll Mesorah

❖ Shloime Gross did not have to know the person well to take his plight to as one man testified: My contact with Shlomie was being part of the same minyan, on occasion, at Rabbi Landau's shul in Flatbush. One day I met him at the Diamond District on 47th Street in Manhattan. I asked him what he was doing there and he replied that his daughter was getting married the following night, and he had come to buy a piece of jewelry. He asked me what my parnasah (livelihood) was, and I replied that I had been laid off from work six months earlier. When I told him my profession, he took out his cellphone and made call after call on my behalf. He succeeded in arranging a job interview for me. Astounded, I said, "Why are you doing this? You are so busy — you're making a wedding tomorrow night!" Shlomie did not seem to understand my question. "I should go to the chuppah and you shouldn't have a job?"

Shloime!, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah, p. 19

❖ Once, while the yeshivah was in Halusk, one of the best talmidim, son of a leading rav in Russia, took leave of the yeshivah for a while. Before he left, he asked Reb Baruch Ber Leibowitz for a letter of recommendation that he knew he would need while away. R. Boruch Ber wrote a glowing letter, describing the bachur with many impressive praises. By contrast, he referred to the bachur's father simply as "ha-rav ha-gaon." The bachur was bewildered and said, "I am so embarrassed! If only I could be even somewhat as great as my father! Would that I knew half of what he knows! Why has the rav written only one praising description of my father, while about me the rav writes a whole string of glowing praises?" Reb Baruch Ber answered, "Unfortunately, your parents are divorced. You told me that you are traveling to your mother. When she reads this letter I am sure that she will be greatly pleased for she will be very proud of you. Were I to write glowing descriptions of your father, I would destroy her feelings of pleasure. I am well acquainted with your father, who is a true gaon. I am certain that if and when he sees my letter, the way that I described him will not bother him in the least. He knows that he does not need to be described in glowing terms, because the letter is about you, not him."

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

❖ There was an agunah who for years received much chizuk (emotional support) from Reb Moshe Feinstein. Finally, she received her get and later became engaged. She insisted that only Reb Moshe could officiate at her chuppah, and Reb Moshe accepted this honor. Then he suffered a heart attack and was hospitalized when the wedding day arrived. The chasan and kallah came to his bedside; there, in the presence of a minyan, is where their chuppah was held.

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Shach's personal role in the wedding ceremonies of Rav Yitzchak Zev's sons was determined by the Brisker Rav himself, who gave Rav Shach the most important part from the point of view of halachah, in which the Rav was extremely meticulous: the eidus kiyum of the kiddushin and chuppah (i.e. Acting as witness to the marriage, without which the marriage is invalid).

Path to Greatness by Rabbi Asher Bergman, Published by Feldheim, p. 516

❖ Rav Tendler recounted that he called Rabbi Moshe Feinstein several times one day, but he was not at home. That evening, the sage explained that an inexperienced rabbi had been arranging a religious divorce in Seagate, a neighborhood in Brooklyn, New York, and Rav Moshe had gone to assist him. "Shouldn't the rabbi have come to you?" Rav Tendler asked. "Perhaps," Rav Moshe replied, "but I wanted to show him respect so that he should feel close to me and continue to ask these questions."

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 222

A. TO MAKE A WEDDING BANQUET

(Rabbinically Mandated Mitzvah), Sefer Chareidim 40-3

SEFER CHAREIDIM

It is a mitzvah to prepare a festive meal or participate in the seudas mitzvah of a betrothal (erusin) or wedding (nisu'in), thereby gladdening the hearts of the bride and groom.

MORAL DILEMMAS:

A young man scheduled to be married shortly after Shavuos purchased an elegant new suit for his wedding. Should he wear the new suit for the festival of Shavuos to fulfill the mitzvah of honoring Yom Tov (kavod Yom Tov), or should he reserve it unworn so that it remains brand new for his wedding canopy (chuppah)? Which honor takes halachic precedence?

Answer: Citing the Be'er Heitev (Even HaEzer 65:2), Rav Yitzchak Zilberstein rules that honoring a chassan and kallah takes precedence over honoring Yom Tov in this regard: if one purchased a new celebratory suit specifically for a wedding and a festival occurs shortly beforehand, one should save the new garment to wear for the first time at the chuppah rather than wearing it early on Shavuos, because the joy and honor of the chuppah likens the bond between Hashem and Klal Yisrael to that of a groom and bride.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 288

The Schwartz family lived in Haifa. They traveled to Yerushalayim for a wedding with their five children. They enjoyed the wedding, staying late into the evening. Ready to head home, they left the hall only to be met by a snowstorm. Realizing they wouldn't be able to drive back to Haifa because of the snow, they sought a hotel for the night. At the first hotel, they informed the clerk of their need. Checking his computer, he replied, "I'm very sorry, but we have no availabilities." Left with no other choice, the family continued their search. It was cold outside; they hadn't anticipated the snow, and their kids were restless and cold, having no coats with them. At the next hotel, the manager immediately told them they had no vacancies. The father pleaded, "Please help us. Our kids are freezing, and we can't make it home because of the snowstorm." The manager sympathized but said they genuinely had no rooms available. A man in the lobby, named Avi, overheard their situation. He approached and offered, "I have an extra room for you." Curious and grateful, they followed him. On the fifth floor, he opened a door, handed them the key, and said, "This is my room. It's extra for me. I hope all your kids are comfortable. Enjoy your stay." The family was stunned by Avi's generosity and thanked him profusely. In reality, Avi didn't have an extra room. Recognizing the family's need, he had given up his own. Now without a room, he wrapped himself in his coat, found a corner in the lobby, and slept there for the night. Come morning, Avi discovered the family had already departed. Preparing to check out, he realized a potential issue.

Was it even right for him to offer his room to another family? If he rented a room, was it permissible for him to sublet it to another? There was another issue. In Israel, the cost of a room often increases with the number of occupants. With two adults and five children, the room's fee would have been higher than for just one person. Avi pondered: Did he have an obligation to inform the hotel and offer to pay the difference? Or perhaps one can argue that because he did not benefit from the room, it was not his responsibility to pay for the difference but rather the kind family who used it. Avi grappled with these questions: 1. Did he have the right to lend out his room in the first place? 2. Was he obligated to offer to pay the difference, or was the onus on the family who occupied the room? What do you think?

Answer: Regarding the question about the hotel, Rav Zilberstein wrote as follows: It was permitted for the gentleman to invite others into his room; however, he has a responsibility to pay for the additional fee for the extra people.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 116 (Table Talk Edition 361)

STORIES FROM OUR SAGES:

❖ A Braisa taught regarding the poor young woman whose betrothed had vowed not to marry her because of her appearance: she had a clumsy, unsightly false tooth that embarrassed her, so Rabbi Yishmael paid out of his own pocket to have a finely crafted tooth of gold made for her so that her husband would cherish her. When Rabbi Yishmael passed away, the eulogizer opened his eulogy over him with the words (2 Samuel 1:24): 'Daughters of Israel, weep over Rabbi Yishmael, who clothed you in scarlet with delights, who put ornaments of gold upon your apparel!'

Talmud Bavli, Nedarim 66b

INSPIRATIONAL STORIES:

❖ When Rav Pam lived in East Flatbush, he knew a very simple couple, who turned out to be not so simple after all. Before their fiftieth wedding anniversary, their children came to visit, with a plan. "When you were married, you couldn't afford a hall or a catered affair. You had barely a minyan present. For your golden anniversary, we will make you the catered simchah that you never had, for the whole family and all your friends. " A few days later, the parents asked the children to come again. Their father was the spokesman. "All our lives we could never afford to give tzedakah the way we wanted to, Instead of a big catered affair, we will invite the children and grandchildren to our house, and your mother will make a meal the way only she knows how. Give us the money you wanted to spend, and we will distribute it for tzeddaka. " Rabbi Pam concluded, "When we marry off our children, we all look for segulos (good omens) that will help assure happy lives for them. What better segulah can there be than to make a smaller, simpler affair, and use the extra money for Torah and chessed?"

Torah Leaders, published by ArtScroll Mesorah

❖ Shloime Gross's brother-in-law Aron Cyperstein recalled: The wedding of Adina, their oldest child, was a real eye-opener for us. There were all these meshulachim, honored guests at the chasunah! And the whole night, Shlomie was very concerned that they each had a seat, that they were happy and being properly served. The common attitude is that it's very nice to allow a meshulach into your home and give him some money. The relationship ends until he rings your doorbell a year later. Shlomie introduced us to an entirely different attitude towards these Jews. At the wedding of one of his children, the maitre d' asked Shlomie if he would like the staff to keep all meshulachim out of the hall, as their collecting might interfere with everyone's enjoyment. "Absolutely not," he replied emphatically. "Their presence is what makes the celebration complete. And they're not meshulachim, they're sheluchei mitzvah." At each of his children's weddings, he came

well prepared to distribute tzedakah to the scores of collectors who came. At his son Aharon's wedding, his pockets were empty when the wedding was far from over! Shlomie approached a friend and borrowed $2,000 which he proceeded to distribute.

Shloime!, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah, p. 158

❖ Rav Chaim Shmulevitz was having a wedding for his daughter. The whole family was ready to go and they were waiting in the taxi. After ten minutes R' Chaim still didn't come out. R' Chaim's son went in to check what was taking so long. R' Chaim was on the phone with Moshe Blechman, who was the oldest bachur of the yeshivah who was still not married. Rav Chaim, who knew he might be feeling low and wistful wanted to call him before he went to the wedding to let him know that he was thinking about him during this moment of simchah. Until he called him, he couldn't go to his own daughter's wedding.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 101

❖ Rav Yair Erlanger told over the following story: I once attended the wedding of Rav Shmuel Auerbach's talmid who as a youngster had learned to play the drums. As the dancing reached its crescendo, the chassan, remembering his long-ago avocation, shed his jacket and sat down on the bandstand to play the drums, much to his friends' delight. It was certainly unconventional behavior for a ben Torah, and from afar, his new father-in-law looked on with dismay: Was this the chassan he'd chosen for his daughter? Reb Shmuel looked over at the father-in-law and noted his look of consternation. Later, when Reb Shmuel and the father-in-law were seated together at the head table waiting for the main course, he took two spoons in hand and began "absentmindedly" drumming on the table to the beat of the dinner music. Looking up to find the father-in-law watching him, he excused himself with a sheepish grin, "I like the rhythm..." Rav Yair, who watched this all unfold concluded: I still remember the great relief visible on the father in law's face.

From Reb Shmuel, Written By R' Eytan Kobre, Published by Judaica Press

❖ Once Rav Isser Zalman Meltzer went to a wedding, but by mistake entered the wrong wedding hall. The hosts rushed over to him and asked him to sit at, the head table. By now Rav Isser Zalman had become aware of his error, but still he sat down with the family and asked them about their doings. Only after staying a while, so that it would no longer be noticeable that he had come in by mistake, did he get up and go on his way."

Path to Greatness by Rabbi Asher Bergman, Published by Feldheim, p. 122

❖ Rav Tendler describes a bayis ne'eman as a home that can be trusted. "We give the chassan and kallah a berachah that they may merit to build a home that is trustworthy. "A wedding should begin on time. Starting a wedding late is no way to begin a trustworthy home."

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 388

B. TO DIVORCE A WIFE IF SHE IS UNFAITHFUL

(Torah Mandated Mitzvah), Sefer Chareidim 20-11

As it says in the Torah, "If he finds in her a matter of sexual immorality then he shall write for her a divorce document and put it in her hand" (Devarim 24:1, Parshas Ki Seitzei).

SEFER CHAREIDIM

It is a mitzvah for a husband to separate from his wife and cease marital relations if he discovers that she has been unfaithful or acted with sexual immorality. Furthermore, whenever a man is required to divorce his wife for any legitimate cause, he is commanded to dissolve the marriage exclusively through a halachic get executed according to the law of Moshe and Yisroel.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH

It is more important to dissolve a marriage when incompatibility exists, than to continue the relationship under constant strain and friction.

25. To stay with your wife every night for the first year of marriage

(Torah Mandated Mitzvah), Sefer Chareidim 19-1

As it says in the Torah, "You shall be clear for your home for one year" (Devarim 24:5, Parshas Shoftim)

SEFER CHAREIDIM

A groom is commanded to remain at home with his wife throughout the first year of their marriage and to refrain from departing overnight from the city, in order to gladden her and establish their bond of love. The Sefer HaChinuch emphasizes that this mitzvah applies in all places and at all times, and one must not mistakenly assume that it was restricted solely to exemption from military conscription in times of war.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Getting married, bringing children into the world, and raising them, are all ways that we emulate Hashem. Being married and showering our family with love is a way that we can emulate Hashem's kindness. This mitzvah helps to strengthen the marital bond.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 582)

This mitzvah helps a husband and wife to become accustomed to each other's nature and habits. This will develop an intimacy between them that will develop a strong loyalty to each other and it will help prevent each of them from straying to other people.

INSPIRATIONAL STORIES:

❖ The walk from Rav Dovid Feinstein's home to the yeshivah was not a short one, and on Shabbos morning, he tended to walk to the yeshivah alone. A talmid had an especially sensitive family-related shailah, which needed both privacy and time, and he saw the opportunity. He waited outside Reb Dovid's apartment on Shabbos morning and walked with him to the yeshivah, sharing the particulars of the question. Reb Dovid listened, then answered. When his answer was complete, the talmid kept walking alongside him, but Reb Dovid gently stopped him. "You should go home and tell your wife what we said. Why should she have to wait until after davening to hear?"

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

❖ Is anyone available to take someone from Givat Shaul?" came the dispatcher's voice over the speaker in the cab I was in. I heard a driver say, "I am." "No, I'm not giving it to you, Shimon," I heard the dispatcher say. "You're a brand new chatan. Three weeks after your wedding! You should be home with your wife sitting on the mirpesset. It says 'v'simach es ishto,' doesn't it, that you should make your wife happy? Go home. I'm not giving you this fare."

Impact, Vol. 4, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

A. NOT TO CAUSE A GROOM TO LEAVE HIS WIFE OVERNIGHT FOR THE FIRST YEAR OF MARRIAGE

(Torah Mandated Mitzvah), Sefer Chareidim 25-2

As it says, "He shall be clear for his home for a year" (Devarim 24:5, Parshas Shoftim).

SEFER CHAREIDIM

The Torah warns Klal Yisroel not to cause a newly married groom to leave his home during the first year of his marriage. Anyone who forcibly removes a groom from his home for communal labor, commercial expeditions, or military service violates this negative commandment. The groom himself is likewise halachically obligated not to depart from his home.

INSPIRATIONAL STORIES:

❖ Rav Shimshon Pincus's yiras Shamayim and yearning to increase k'vod Shamayim in the world extended to all realms of life and to all his fellow Jews. His yiras Shamayim and gemilus chasadim were deeply intertwined, both drawing from a pure heart eager to fulfill the will of Hashem through mitzvos between man and man, as well as mitzvos between man and Hashem. Rav Pincus would occasionally donate a substantial sum of money to the shul. He would announce that the donation was on behalf of anyone who had pledged a sum of money and forgotten to pay it, and that any surplus should be a zechus for himself and his family. When celebrating his sons' bar mitzvahs and aufrufs, the Rav would always come prepared with a large stash of candy that he hid under his seat in shul. As soon as the tumult of the candy-throwing had waned, and amidst showers of berachos and mazal tov wishes, Rav Shimshon would make a rapid dash around the shul, fists stuffed with candies as he searched for the sad little faces in the crowd who hadn't managed to catch any sweets. With a smile, he would drop candy into their outstretched hands, turning their tears into smiles.

From Rav Shimshon Dovid Pincus Published by Feldheim

26. To make one's wife happy with intimacy

(Torah Mandated Mitzvah), Sefer Chareidim 20-8

As it says in the Torah, "You shall make your wife happy. (Devarim 24:5, Parshas Shoftim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Does this apply even when one's wife is pregnant?

SEFER CHAREIDIM

It is an active positive commandment for a husband to fulfill his obligation of onah (regular conjugal intimacy) toward his wife, bringing joy to her heart. He remains bound by this obligation even during the months of her pregnancy. Withholding this marital right is forbidden by an explicit negative commandment, as Scripture warns: "Her food, her clothing, and her conjugal rights he shall not diminish" (Shemos 21:10).

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Getting married, bringing children into the world, and raising them, are all ways that we emulate Hashem. Being married and showering our family with love is a way that we can emulate Hashem's kindness. This mitzvah helps to strengthen the marital bond.

In addition, one of the greatest ways to sanctify the act of physical intimacy is by focusing of the pleasure that one gives rather than the pleasure that one receives. When one focuses on giving pleasure to one's spouse, that sanctifies and elevates the act of sexual intimacy. Just as Hashem is holy and selfless, so should we act in a way that is holy and selfless.

INSPIRATIONAL STORIES:

❖ Rav Yisrael Belsky's daughter, Mrs. Tamar Rechnitz, related the following story. While I was pregnant with our fifth daughter, my husband and I anticipated that she would be born prematurely. She was three months early and weighed less than three pounds at birth. I had been on bed rest virtually the entire pregnancy and the doctors had prepared us for the worst. When she was born and appeared healthy, we were overjoyed. We were going to name her on Shabbos Nachamu, but were not sure what to name her. We thought that a proper expression of hakaras, gratitude, would be to name her "Nechama" or "Nechama Brachah." However, there was a compelling reason to give her a family name. None of our children had been named for anyone in my mother-in-law's family. My husband Shlomo Yehuda and I could not decide, so we put the question to my father. As a rule, my father did not like to get involved with grandchildren's names. He would say that parents are endowed with a degree of ruach hakodesh (spiritual insight) when choosing a child's name, and therefore it should be the parents' decision. However, this time he listened to my doubts as to which name would be most appropriate. Then he said: "There is no need to use a name that will represent hakaras hatov, for there is not going to be a day in your life when you will not feel hakaras hatov for the miracle of her birth. On the other hand, you will surely get a brachah and nechama by choosing a name that will bring joy to your mother-in-law." Rav Belsky once asked his talmid, Mr. Yaakov Melohn, "What do you think I think about on the way home from yeshivah for lunch, after my daily shiur?" Mr. Melohn

replied that Rav Belsky's thoughts were probably on the shiur that he had just delivered or on a question that one of the bachurim had posed. "No," Rav Belsky said, "I think about something nice that I can say to my wife that will bring a smile to her face."

Rav Belsky, by Rabbi Shimon Finkelman, published by ArtScroll Mesorah (Table Talk, Edition 081, Parshas Korach, by Rabbi Yitzi Weiner)

27. Not to withhold one's obligations toward one's wife and family

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 42

As the Torah says, her food, her clothes, and her conjugal rights he shall not diminish (Shemos 21:10, Parshas Mishpatim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What are a husband's obligations towards his wife?
- What are a man's monetary obligations toward his children?

SEFER HAMITZVOS HAKATZAR

1. The biblical term she'er denotes the husband's fundamental obligation to provide his wife with sustenance (food);

2. The term kesus denotes his obligation to provide her with adequate clothing and domestic shelter;

3. And the term onah denotes his obligation to grant her regular conjugal intimacy according to her schedule and emotional needs.

Whoever willfully withholds any of these three marital entitlements in order to afflict or distress his wife violates an explicit Torah prohibition.

In addition to these three biblical obligations, Rabbinic law instituted seven further obligations incumbent upon a husband toward his wife:

1. The principal financial indemnity of the kesubah, payable upon divorce or his death;

2. The obligation to provide medical healing and treatment should she fall ill;

3. The obligation to ransom and redeem her should she be taken captive;

4. The obligation to provide her with an honorable burial upon her passing;

5. The provision that she may reside in his home throughout her widowhood and be sustained from his estate;

6. The provision that her unmarried daughters be sustained from his estate after his death until they reach adulthood or become betrothed;

7. And the provision of the Kesubas Benin Dichrin, granting the male sons born of their union the right to inherit the specific sum of her kesubah from their father's estate before dividing the remaining inheritance equally with any sons born of other wives.

Correspondingly, Rabbinic law instituted four financial entitlements that accrue to a husband from his wife:

1. The entitlement to the earnings of her handiwork (ma'aseh yadeha), granted to him in reciprocal exchange for his obligation to provide her sustenance;

2. The entitlement to the usufruct and income generated by her personal property during her lifetime (peiros), granted to him in reciprocal exchange for his obligation to redeem her from captivity;

3. The entitlement to whatever lost items she finds (metzi'ah), instituted by the Sages to preserve domestic harmony and prevent mutual resentment;

4. And the right to inherit her estate upon her death, granted to him in reciprocal exchange for his obligation to provide for her burial.

5. In addition, a father is rabbinically obligated to provide sustenance for his young sons and daughters.

This mitzvah applies in all places, at all times, for men.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Getting married, bringing children into the world, and raising them, are all ways that we emulate Hashem, through creating life, and caring and raising our children. Being married and having a family is a way that we can emulate Hashem's kindness. This mitzvah helps to strengthen the marital bond.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG

This mitzvah puts the primary burden of earning a livelihood on the husband, and frees the wife for the noble task of raising the family.

VILNA GAON (GRA) — MISHLEI (9:10)

If each spouse provides for each other, this will create a strong bond of love between them. This will prevent them from straying to other people.

RELATED HASHKAFAH TOPICS:

- Discuss why the Torah gives the primary burden of parnasah, earning a livelihood to the husband, and frees the wife to raise the family
- Discuss what is meant by onah, and how that includes the need to spend time with each other

INSPIRATIONAL STORIES:

❖ An older bachur was having trouble finding a shidduch. To make matters worse, he had a precondition that the girl he married would have to agree to allow his elderly mother to live with them. His friends told him to drop his demand; it would just make the search harder. He refused to compromise. They advised him to consult da'as Torah, so he went to speak

to Rav Shlomo Zalman Auerbach, zt"l. Rav Shlomo Zalman told him that if it was important to him he could insist on it. It would be a good test of the girl's character, he added. Furthermore, if he'd have to place his mother in a nursing home because of his wife, he'd always resent her for it. After giving the bachur a berachah for success in his search, the buchur left. A short while later the bachur returned to Rav Shlomo Zalman to inform him that he had found his zivug. "Wonderful!" exclaimed Rav Shlomo Zalman. "Now you must place your mother in a home." "What? Why? My kallah agreed to let her live with us!" "I know. And you see she has a golden character. If it were up to her, you wouldn't put your mother in a nursing home so you have no reason to resent her. But there is no way that a newly married couple can have the husband's mother living with them, so I'm telling you, you must put your mother in a home."

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Rav Mordechai Schwab would talk to his newly-married students about the importance of helping their wives, who besides being busy caring for their children, usually had jobs. In order to teach by example, Rav Mordechai would wait with a full garbage bag by his living room window, and when he spotted the yungerleit (young married men) on their way home, he would carry out the garbage bag specifically at that time, so they could see an example of how they should help their wives.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab

28. To love your wife like yourself and honor her more than yourself

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-29

SEFER CHAREIDIM

Our Sages taught that a husband is commanded to love his wife as his own body, and to honor her even more than himself.

STORIES FROM OUR SAGES:

❖ A person should never be impatient or quick-tempered during his meal. An incident occurred with Hillel the Elder, who prepared a festive meal for a certain guest. While they were waiting at the table, a poor man came and stood at the doorway, saying: "I am supposed to bring my bride into the wedding canopy today, and I have no food whatsoever for the wedding meal!" Hillel's wife immediately took the entire meal she had just cooked and gave it all to the poor groom. She then kneaded a fresh batch of dough, cooked another pot of food, and came in and set it before Hillel and his guest after a long delay. Hillel asked her gently: "My daughter, why did you not bring the meal to us right away?" When she told him everything that had happened, Hillel said to her warmly: "My daughter, I too did not judge you unfavorably for a single moment, but only favorably —for I knew that everything you did, you did solely for the sake of Heaven!"

Derech Eretz Rabbah 6:2

INSPIRATIONAL STORIES:

❖ A talmid who studied in kollel while his wife held a full-time job asked him, "Is there anything wrong with my preparing some of the Shabbos foods to help my wife? A friend of mine felt that it was 'taking things too far' (i.e., playing the wife's role)?' Rav Pam replied, "All the years that my wife worked in the public school system and came home late on

Fridays, I would prepare the kugel." Someone asked Rav Pam whether or not one sings "Shalom Aleichem" when Yom Tov falls on Shabbos. "There are varying minhagim (customs), ' he responded. "But what is the Rosh Yeshivah's minhag?" Rav Pam replied, "I don't sing 'Shalom Aleichem' — but 'Eishes Chayil one must not omit!"

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ During the last year of his life, Rav Tendler collapsed at home. He called for his daughter Berachah to come down, because he couldn't support himself. "Zeidy cannot support himself?" Berachah remembers thinking. "He is supporting all of us!" She ran down the steps and found Mrs. Tendler holding him in the kitchen. The ambulance crew arrived, but chose not to transport him to the hospital, and he was placed in his bed. As he was lying there, pale and shaken, he motioned for Berachah to come closer. "I didn't buy flowers for Mommy yet for Shavuos. Take my credit card from my wallet and pick out beautiful flowers." He was hospitalized shortly afterward. During that time, he apparently forgot that he had made this request of Berachah, and asked his son to buy flowers so that he could give his wife something for Yom Tov.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 394

❖ Every Rosh Hashanah after davening, the entire yeshivah would file past the Rosh Yeshivah, Rav Elya Meir Sorotzkin, to give and receive his berachah for a shanah tovah. Once the Rosh Yeshivah finished greeting everyone in the yeshivah, he would personally walk over to the houses and apartments of each of the rebbeim and kollel couples on campus. He would knock on the door and if the husband answered, he would say, 'Actually, I came for your Rebbetzin." He would then wish a heartfelt shanah tovah to the woman of the house, followed by detailed praises of her husband, what he did for the yeshivah and for the bachurim, and how much he admired him. Every one of those wives fondly remembers the heartfelt shanah tovah and the generous compliments to their husbands dispensed personally and enthusiastically by the Rosh Yeshivah himself… on the night of Rosh Hashanah.

From Rav Elya Meir Sorotzkin, By Avrohom Birnbaum, published by ArtScroll Mesorah

❖ Rav Yaakov Yitzchak Ruderman, zt"l the Rosh Yeshivah of Yeshivas Ner Yisrael of Baltimore, once walked out of davening right before mussaf on Rosh Hashanah. He missed the entire mussaf. What happened? His wife was unable to walk to shul that year and Rav Ruderman had promised her that he would bring her a machzor. He remembered right before mussaf that he hadn't done it yet. Having decided that it took priority over tefillah betzibbur, he walked out and brought her the much-appreciated machzor. On another occasion, Rav Ruderman walked out in the middle of Rav Yaakov Kamenetsky's seudah shelishis talk at the Agudah convention. When asked why he had left, Rav Ruderman explained, "My wife was waiting for me to call after Shabbos. I had no right to make her wait any longer than necessary, so I left and davened at an earlier maariv.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Reb Yaakov Kamenetsky liked to tell the famous story of the Chofetz Chaim's rebbe Reb Nachumke of Horodna and the Chanukah candles to show the necessity of always considering one's spouse's feelings. One year the Chofetz Chaim was visiting his rebbe during Chanukah. When the time arrived for lighting the candles, Reb Nachumke acted as if he was totally unaware that it was time to perform the mitzvah. As two, then three hours passed, and his rebbe had still not lit the candles, the Chofetz Chaim's wonderment only increased. Finally, a knock was heard at the door, and Reb Nachumke's wife entered. Immediately, Reb Nachumke made the berachah and lit the Chanukah candles. At that point, the Chofetz Chaim could no longer contain his curiosity, and he asked Reb Nachumke to explain his delay. Reb Nachumke responded. 'The Gemara in Shabbos (23b) rules that Shabbos candles take priority over Chanukah candles, if one has only enough money for one or the other because they bring peace to the house. I knew my wife would be hurt if she returned home and saw that I had lit without her. Since Shalom Bayis takes precedence to Chanukah candles, I waited for her.'.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ One day a young married student brought him a list of problems which had come up in the course of his learning. The Steipler Gaon (Rav Yaakov Yisrael Kanievsky) answered all of the questions very thoroughly, and the young man got up to leave, feeling on much firmer ground in his learning. / As he was walking toward the door, the Steipler called after him, "You know; you have to give some help around the house also." The young man felt as if he had been abruptly brought down a few notches. Before he could reply, the Steipler began to elaborate. "I see from the questions you asked that you must spend most of your time learning. This is very admirable, but you have to help out at home, too." Quickly the young man produced paper and pen and started scribbling. "My wife is very "worthy and this is how she wants it. She doesn't let me help her." "That's her mitzvah, to say she wants you to go learn. But your mitzvah is to help in the house. When you come home, ask her what you can do to help. Look for ways to make things easier for her. When you get home, offer again to help her, and again and again. That's your mitzvah."

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 243

❖ In his biography of the Torah leaders, Knesset Member Rabbi Shlomo Lorincz shares the following story to illustrate the Chazon Ish's, (Rabbi Yeshaya Kareletz) concern for one's wife. In 1948 during Israel's War of Independence, there was an urgent communal matter that required Reb Shlomo to travel abroad. This would be his first trip abroad since he first arrived in the Land. There were issues that he wanted to discuss with the Chazon Ish before embarking on this trip. The first issue was his medical condition which could flare up and endanger his health if he were to travel. The second issue was that there was a serious concern about his return to the Land given everything that was going on with the war. If he were to leave the country he could not be sure when he would be home next.

Table Talk, Edition 417 (Parshas Toldos), by Rabbi Yitzi Weiner

❖ As is well known to the thousands of people who sent Rav Chaim Kanievsky letters, when he received a letter, he would write his answer in the margin of the original letter and then write a duplicate response (without the question) on a postcard that he mailed to the questioner; the original letter with his response remained with him. Rabbi Moshe Barzam, a nephew of Rav Chaim, related the following story he heard directly from his uncle: Thirteen years before Rav Chaim's petirah, an American who was having serious shalom bayis problems sent Rav Chaim a long letter detailing the issues in his marriage and the reasons he thought he should get divorced. Rav Chaim read the letter, understood the man's reasoning, and answered as he sometimes does: "Kirtzoncha (ie., do as you please; I will not discourage you)." Meanwhile, Rav Chaim received several letters from another individual and answered the writer's four questions on a single postcard. One of the answers was "Lo kedai" (it's not worthwhile). Somehow, the two postcards got mixed up, and the American who wanted to divorce his wife received the one containing "Lo kedai" along with three additional comments. Rav Chaim is telling me it's not worthwhile to divorce my wife, he figured, but what are these other three comments? He flew to Israel for a face-to-face meeting with Rav Chaim to gain clarification. He explained to Rav Chaim his reasoning, why he felt he should get divorced, and asked Rav Chaim what he meant by his answers to three questions he did not ask. When the American showed him the postcard, Rav Chaim understood what had transpired. "I intended to answer to you, 'Kirtzoncha,'" he said. "I truly felt that considering the circumstances you probably should get divorced. Yet the fact that Hashem mixed up your postcard with someone else's is probably an indication that it is best to stay with your wife. Therefore, I advise you to try to work things out with her." As of the writing of this book, the couple is together. What special hashgachas Hashem!

From Rav Chaim, by R' Naftali Weinberger, published by ArtScroll Mesorah

❖ A woman of brisk came to Reb Chaim Soloveitchik of Brisk's home and shared her plight with him. She was totally destitute and about to give birth. "Where is the Ladies' Committee?" the rav asked the Rebbetzin. "Why doesn't the committee take care of this woman?" As he was speaking he noticed that his question had confounded the Rebbetzin, who began whispering with the women of the house. He continued asking questions, investigating the matter until it finally became clear. This woman's husband had been away from home for more than eleven months. "Is that so?" said the rav. "This

poor woman is alone and miserable with no one to take pity on her. How much more so are we obligated to help her! Let us clear out a room for her in our home and for two weeks we shall give her everything she needs. Afterward we will send her a regular stipend every month until the child is older." Over the course of the next two weeks, during which she gave birth to a boy, the woman was cared for in the rav's home. She went back home and for the next two years, every month she received the sum that Reb Chaim had allocated for her needs. In a situation such as this one, one might feel reluctant to get involved, but the halachah is not ruled according to one's emotions. The woman remained a Jewish woman and it was therefore a mitzvah to treat her and her son as Jewish people, and to provide them with food and their other needs. Acts such as this epitomized Reb Chaim's care for others.

From The Brisker Rav, by R' Shimon Yosef Meller, published by Feldheim

❖ Rebbetzin Miriam Salomon (wife of Rav Matisyahu Salomon) was very in touch with her feelings, very down-to-earth, very in touch with the fact that not everyone could live up to her standards. She was very understanding of the countless challenges facing so many frum women. Her son, R' Yaakov Yehuda, recalls: My mother was accustomed to setting the Shabbos table early Friday morning. She took great pride in her Shabbos tisch, making sure to lay out the dishes, cutlery, matching napkins in napkin rings, and in general making sure that the table looked beautiful. And then she stopped setting it in the morning. Why? Simple. Rav Mattisyahu had begun delivering a vaad for bachurim and yungeleit on Friday morning in her "Shabbos room." In truth, the vaad could have been held with the table set as well, but no. My mother stopped setting it early, waiting to set it until after the vaad. She explained, "Since there are yungeleit who come to the vaad, I don't want them to see my set table and then demand that their wives also set the table early in the morning. Not every woman is capable of having the table set so early for Shabbos." It is a beautiful thing to have the table set early, but not if it would in any way arouse contention between a husband and a wife. That was her gadlus. She didn't use her hanhagah tovah and say, "Great! Let them learn how nice it is to have the table set early." No. She realized this might cause pressure and tension, so she was able to transcend herself - even at the expense of a hanhagah tovah ---- simply because of the possibility that it might affect someone else's shalom bayis!

From Rav Matisyahu, By R' Avrohom Birnbaum, published by ArtScroll Mesorah

❖ After a little more than three years of marriage. 'Yechiel and Chana Berachah Loberbaum had never been away from each other for any significant length of time. How, with two simchas in the U.S., Chana Berachah would be overseas for two weeks. As they stood together at the airport they were both teary eyed, obviously saddened that she was leaving. A few months later, they got a phone call from a man who works in outreach. "Is this the Loberbaum family?" "Yes." "My name is Rafi Doton. One of the people we're involved with has become a shomer Shabbos," he began. "He asked me to call you and let you know that his road to teshuvah began at the airport when he saw the two of you saying goodbye to each other. In his world it's so common for couples not to get along. He was overwhelmed by how much the two of you seemed to care for each other. He even snuck a peek at your baggage to find out your name. It's taken a while but we finally managed to track you down."

Impact, Vol. 4, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ When, due to illness, Rav Pam began to daven at home on Shabbos and Yom Tov, some who were close to Rav Pam urged him to allow a minyan to daven with him. For a long time he resisted, because he felt it was unfair to confine the Rebbetzin to the second floor of their house. He finally relented when the Rebbetzin said that the idea of a minyan was a very good one and that she would be able to come into the kitchen during davening by walking out the front door and coming back inside through the rear entrance.

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rebbetzin Trenk noticed that her husband would never criticize, and if he had a request of one of the family members, he wouldn't use the word "you," but late one night, one of their children was speaking on the phone in a loud voice and keeping the others up. Rather than ask, "Why are you talking so loud," Reb Dovid gently said, "I really like to have a quiet house, it means a lot to me. Can you help me?"

From Just Love Them: The Life and Legacy of Rabbi Dovid Trenk, by Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ At the funeral, of his wife, Rav Shlomo Zalman Auerbach bade farewell to his life's partner with these inspiring words: "It is customary to request forgiveness from the deceased. However, I have nothing to ask your forgiveness for. During the course of our relationship, never did anything occur that would require either of us to ask the other's forgiveness. Each of us led our life in accordance with the Shulchan Aruch."

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ The Gaon R. Shalom Schwadron related, "When I passed through Baltimore I met a man whose name was Koppel. He was elderly and distinguished, over ninety years old, and was one of Reb Baruch Ber Leibowitz's disciples who immigrated to America. Although his yiras Shamayim was unquestionable, and he was careful with all the mitzvos, he dressed like an American, and was clean-shaven as well. As a result, if a Torah-faithful Jew who did not know him would look at him, he was likely to have doubts about the level of the man's Yiddishkeit. This is the story that he told me: When Mori V'Rabi was in America, I went to see him at the hotel where he was staying. I entered the room, stood before him and said, "Shalom aleichem." Reb Baruch Ber looked up at me and replied, "Shalom aleichem," but in a barely audible voice. I didn't pay much attention to that but afterwards he began to sigh. Slowly, he emitted one sigh after another, keeping his gaze down all the while. So it continued until I realized that he was harboring grave suspicions about the level of my Yiddishkeit, on the basis of my appearance. I drew closer to him, opened my shirt and said, "Let the Rebbi look at my tzitzis, which meets all of the specifications of the halachah! Please, let the Rebbi's mind rest easy, for Baruch Hashem, I faithfully keep Shabbos, daven three times a day, and attend a daily Gemara shiur that goes for a few hours — it's just that my outsides are not like my insides!" Hearing this, Reb Baruch Ber nodded to me and said, "Ah... Azoi... Bist du noch Koppel — Ah! Yes! You are the same Koppel that I knew before!" Immediately he rose to his feet and fell on my neck, showering me with kisses, until he felt sure that he had made me feel better! Afterwards, of course, I invited my Rebbi to my home, to be my guest. He accepted my invitation and came with me to the house. When we walked in, I saw that my wife was busy with her housework, listening to music as she went about her tasks. I felt immediately that it was not appropriate that such music be in the background, for it was an affront to the Rebbi's honor. Therefore, I quickly turned it off. Afterwards I invited the Rebbi to sit down with me at the table. He did not sit down, however. Instead he made a request of me. "Koppel, come out to the porch with me for a minute." We went out, and there he said to me, "Koppel! Where did you learn such a 'Torah' as that, to go turn off the machine without your wife's permission?! That was cruelty! I know that you did it out of concern for my honor, but do you think it honors me when you are cruel to your wife and turn off" the music while she is still listening to it?! Therefore, I ask you to please go and ask her forgiveness." Reb Shalom used to conclude this story by saying, "This teaches us that if anyone thinks that zealousness for another person's honor revolves around feelings, he is surely mistaken! There is a precise Shulchan Aruch for everything, telling us how to act and when!"

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

❖ Rav Tendler felt strongly that any two people who have good middos can be married to each other. Their middos will enable them to work out any issues that may arise. "The following incidents illustrate this concept: Rav Tendler always preferred chicken bottoms but after he married, he told his wife that whatever she serves is delicious. Mrs. Tendler, in turn,

wanted to serve him the best, so she gave him the white meat, which she preferred. For over seven years Rav Tendler ate it and never complained. She only found out his preference one Friday night when they had dinner with the Shlangers. When offered a choice of tops or bottoms, he requested a bottom.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 391

❖ R' Elya Meir once returned home looking very pained. Noticing the expression on his face, the Rebbetzin asked why he looked so distressed. R' Elya Meir related that he had met an old friend he had not seen in many years, and he was exactly the same person he knew from many years before. He hadn't changed at all! To this R' Elya Meir added, "My greatest fear is that I should be today as I was yesterday and that I should be tomorrow like I am today!" The message was clear: A person must continue growing and never plateau, never lose that desire to climb and conquer new mountains.

From Rav Elya Meir Sorotzkin, By Avrohom Birnbaum, published by ArtScroll Mesorah

❖ Are you sure you want to get divorced?" the Rav asked Berel. "Yes. There is just no freshness left in our marriage. Everything is so stale." "All right, but before the final decision is made I want you to try one last thing. I want you to add a name to your wife's name. Maybe that will bring a little novelty into your home." "What name?" "Well, her name is Leah. Add Chana and try calling her both. But I know it'll take some getting used to sol suggest the following: Every morning when you get up, say, 'Good morning, Chana Leah,' and every night when you go to sleep say, 'Good night, Chana Leah,' until you get used to it. It might take a couple of weeks." Sure enough, two weeks later an ecstatic Berel told the rav things were much better at home. His "new" wife was always smiling and in a pleasant mood. Berel was amazed at what a name change could accomplish.

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ One Friday afternoon, as Rav Shlomo Freifeld exited the mikva, he met a talmid. "Tell me, Reb Shimon," he said. "How does it work tonight with the chicken soup?" "What does Rabbi mean?" asked the talmid. "Well, your wife serves you chicken soup, right?" "Of course," kitchen to get her own, right?" "Right." "Great. Then after she serves you, she goes back into the kitchen. Then, because you are the type of person who likes his chicken soup piping hot, you start to eat, even before she returns to the dining room, right?" "Yes, Rebbi." "So when she comes back with her bowl, you are pretty much done, right?" "Yes, Rebbi." Reb Shlomo placed his hand on the other's arm with a smile. "Reb Shimon, never again. Gut Shabbos."

Reb Shlomo, By Rabbi Yisroel Besser, Published by Judaica Press

❖ At the end of her life, Rebbetzin Scheinberg's condition deteriorated rapidly. When the doctors informed the Rosh Yeshivah that his lifelong partner was gravely ill, he was broken. Among the many complications listed, he was told that his wife's kidneys had failed. Rav Scheinberg asked the doctors, "Can't I give her one of my kidneys?" Rav Scheinberg continued to visit her; he sat next to her and sang the songs that she loved. The nurses told him that he need not come every day, since she was not aware he was there. But he responded, "I don't come every day so that she should see me. I come to see her." This magnificent declaration stands as an example of how one, spouse must treat the other.

Rav Scheinberg, By Rabbi Chaim Shlomo Rosenthal, published by ArtScroll Mesorah

❖ When Rav Yaakov Kamenetsky and Rav Shneur Kotler were about to enter the main hall of the Agudah convention, Rav Shneur started heading for a side entrance so that people would not notice them coming in. Rav Yaakov, known for his humility, uncharacteristically insisted on entering through the main door. "Our wives are here," Rav Yaakov explained. "All year long they put up with the endless demands on our time. Let them at least enjoy the honor we are shown when everyone rises for us."

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ When Rabbi Avrohom Tannenbaum ate at Rav Tendler's house one Friday night, he saw that Rav Tendler first cut the smaller challah. It was pointed out that the halachah is to cut the larger one, which is considered more chashuv. "The small one was made by my wife, " Rav Tendler responded. "It is therefore more chashuv to me." Many of those who spoke about Rav Tendler focused on his consistency in acting without impulsivity and in controlling his demeanor.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 411

❖ Rebbetzin Shteinman remained selfless until the end of her life. It was only a little more than a year before her petirah that she was diagnosed with stomach cancer. When the doctor broke the devastating news, her first concern was for the physician "I will be all right," she said. "But I feel so bad for you that you had to be the bearer of such tragic news!"

From Rav Aharon Leib, by R' Naftali Weinberger, published by ArtScroll Mesorah

❖ Nachum Katz was newly married and was walking his rebbe R' Shlomo Zalman home. As they came close to his house R' Shlomo Zalman started to fix his hat, and tie to make himself look more presentable. R' Nachum said I guess rebbe is expecting guests when he gets home. R' Shlomo Zalman says, yes a very important guest, I am expecting a visit from the shechina. R' Nachum was confused. He said I am preparing to meet my wife who is waiting for me. It is for her that I try to look presentable, and when I do that the shechina is there with us. He taught him the biggest lesson on marriage.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 133

❖ A couple that took to quarreling with each other came to Reb Aryeh Levin to ask his help. When he succeeded in restoring peace and harmony to their life together, the man sent him a donation for his Torah school. Rabbi Levine promptly sent it back, and wrote, "Rather than give money for the yeshivah, it would be better for you to spend the money for clothing and jewelry for your wife, and thus cheer her up."

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ "One Shabbos the gas went off for whatever reason," Rebbetzin Batsheva Kanievsky once told me. "In the morning, when I checked on the cholent, I saw that it was cold. That week," continued the Rebbetzin, "Rav Chaim ate a lot more than he normally did. When I questioned him, he told me that he liked the cholent better than usual because 'he likes his cholent cold.' "It was pashut to me," concluded the Rebbetzin, "that he didn't want me to feel bad for serving him cold cholent and that's why he ate more."

Inside Their Homes

❖ Reb Chaim was going to lakewood with his wife and was taking Rav Aharon Kotler with him. They had already started up the car and even begun driving when Reb Aharon said excuse me but I must go back upstairs I forgot something. Reb Chaim responded that it's not necessary for the Rosh Yeshivah go to the effort. He can go upstairs and take whatever was forgotten. The Rosh Yeshivah said no he must go out himself. The Rosh Yeshivah and Reb Chaim got out of the car went into the house up the elevator into the apartment and then into the kitchen. The Rebbetzin was there standing at the counter. The Rosh Yeshivah walked over and said have a good day turned around and left. Reb Chaim said he would never forget the smile on the Rebbetzin's face when she realized what had happened. She was literally beaming with happiness over the Rosh Yeshivah's gesture. The Rosh Yeshivah was an older man and climbing stairs was tiring for him; additionally, he was always extremely pressed for time. He could easily have waited until they arrived in Lakewood and then called her up. But there were no excuses or substitutes for thoughtfulness and consideration.

The Living Mishnas Reb Aharon, By Rabbi Yitzchak Dershowitz, Published by Feldheim

❖ One of Rav Aryeh Levine's students, of marriageable age, was about to embark on the seas of matrimony. So he came to Reb Aryeh aha asked, "How should I behave toward my wife? How should I treat her?" Reb Aryeh looked at him ah wonder. "How can you ask a question like that. Ishto Kegufo - A wife is like your own self. You treat her as your own self." And

indeed, when his own good wife Channah felt pains, he went with her to Dr Nachum Kook and told him, "My wife's foot is hurting us.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ In a period of approximately eight months, Rav Mordechai and the Rebbetzin married off three children. Rav Mordechai had faith in Hashem that he would be able to financially manage these three weddings but had no idea how this would come about. As it turned out, Hashem had planted the seeds of salvation many years earlier, long before the money would actually be needed. Some sixty or seventy years earlier, Rav Mordechai's father, Leopold Schwab, was a young man employed in the Frankfurt branch of the Rothschild bank. As an employee, the bank had set up an insurance policy for him, which had long been forgotten. Somehow, many years after he passed away, the company got in touch with one of Rav Mordechai's brothers and informed him of their inheritance which by this time had grown to a significant amount. The inheritance was to be divided between the five brothers. However, two brothers, being in a better financial position, gave up their shares for Rav Mordechai's benefit. This is how he was able to pay for the expenses of marrying off three children over a period of eight months.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

❖ Someone once asked Rav Yosef Chaim Sonnenfeld if he was allowed to have a hot drink before davening. Rav Sonnenfeld said, "Yes." "But you don't," protested the man. "The reason I don't is not because of the halachah. It's because I'm afraid that if my wife finds out that I want a drink before davening, she'll wake up earlier in order to warm up the water for me, and I don't want to inconvenience her."

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ A young man once complained that his wife became upset if he did not call her during the day. Reb Moshe Feinstein responded with amazement, "But of course you should call her during the day. I always call the Rebbetzin."

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Often, Reb Shlomo Freifeld would call a talmid to accompany him when shopping before Yom Tov. He would invest as many hours as was necessary to find a perfect gift for the Rebbetzin, making sure the talmid internalized the lesson. It wasn't done just before Yom Tov; on the frequent trips that he made with the boys, regardless of where they ended up, he would make it a point to buy something for the Rebbetzin. "Wherever you go, always bring something back for your wives," he would tell them.

Reb Shlomo, By Rabbi Yisroel Besser, Published by Judaica Press

❖ Rav Shlomo Freifeld once came to a wedding accompanied by his talmid, R' Chanina Herzberg. "R' Chanina," said Rabbi, "I want you to go speak to our friend Moshe. I noticed that he entered the wedding hall ahead of us. He opened the door and went in, but let the door close on his wife so that she had to open it herself, Go tell him in my name that 'lo yaseh kein bimkomeinu.' We don't act that way over here,"

Reb Shlomo, By Rabbi Yisroel Besser, Published by Judaica Press

❖ One summer day, Reb Leizer Geltzhaler was on the porch of his bungalow helping his wife hang laundry. A maggid shiur" wondered aloud if it was appropriate for the bachurim to see him engaged in such a mundane activity. "Appropriate? I am specifically doing it here so that they should see and realize that it's perfectly 'lechatchilah' to help your wife."

Reb Laizer, By Rabbi Yisroel Besser, Published by Judaica Press

❖ Once Reb Yaakov Kamenetsky stepped outside to inspect his sukkah and accidentally locked himself out of the house. He reached for the bell to the back door, which was adjacent to the sukkah, but stopped. 'Why should I trouble the

Rebbetzin? He said, and walked around to the unlocked front door.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ Rav Aryeh Levine's wife was once suffering from foot pain. Reb Aryeh accompanied her to the doctor. When they entered the office, he told the doctor what was to become one of the most famous marriage lines ever, one that sums up the Torah approach to marriage: "Doctor," he said, "my wife's foot is hurting us."

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Rav Chatzkel Levenstein would say: "If you want to see how much growth a person has attained through his learning, check out how much respect he shows his wife."

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

A. TO COMFORT YOUR WIFE BEFORE DEPARTURE

(Scripturally Mandated Mitzvah), Sefer Chareidim 43-1

SEFER CHAREIDIM

Scripture states: "And your longing shall be for your husband" (Bereishis 3:16). Chazal deduce from this verse that a wife experiences a special yearning for her husband when he is about to embark on a journey. He is therefore obligated to comfort her and visit with her intimately prior to his departure, fulfilling what Scripture states: "You shall know that your tent is at peace; you shall visit your home and find nothing lacking" (Iyov 5:24).

STORIES FROM OUR SAGES:

❖ A couple in Sidon who had no children after ten years came to Rabbi Shimon bar Yochai to part ways peacefully; when the husband told his wife 'Take whatever is most precious to you in my house,' she had him carried while asleep to her father's house, saying 'Nothing in the world is more precious to me than you!', and Rabbi Shimon's prayer blessed them with a child.

Shir HaShirim Rabbah 1:4

INSPIRATIONAL STORIES:

❖ R' Simcha Zissel Brody, the Rosh Yeshivah of Chevron was advanced in years, but he would still maintain his custom of walking to the yeshivah. He would walk with bachurim who wanted to talk to him in learning or get advice. They would take turns walking the rebbe. Moshe Liber had his turn. He picked up the Rosh Yeshivah and they walked for ten minutes. Suddenly R' Simcha Zissel says, I forgot something. Moshe said I can run back and get it for you. You don't have to go back. He said he had to do it himself. He went home and met his wife. He said I'm so sorry I forgot to say good bye and wish you a good day.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 139

29. To perform Yibbum, levirate marriage

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 45

The Torah says, If brothers dwell together, and one of them dies… her husband's brother shall come to her and take her to him for a wife (Devarim 25:5, Parshas Ki Seitzei).

SEFER HAMITZVOS HAKATZAR

In contemporary times, however, when people rarely possess the pure spiritual intention to perform this union solely for the sake of the mitzvah — namely, to perpetuate the name and legacy of the deceased brother — the practice of yibum (levirate marriage) is no longer performed. Instead, the halachic requirement is fulfilled exclusively through the ritual of chalitzah, as detailed below.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. This mitzvah is a tremendous kindness to the deceased brother who is subject to having no heir who will perpetuate his memory and bring him merit. It is also a tremendous kindness to the widow.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 498)

A child constantly brings merit to his deceased parents, even after the parents have left this world. If the brother marries the widow, the child will be considered like a child of the deceased and bring merit to his "father". This is a tremendous kindness to the deceased brother.

Additionally, this child will perpetuate the memory of the deceased, and through his memory being perpetuated, his good deeds and actions can live on.

RABBEINU BACHYA

The Kabala teaches that if a person died and did not have children, he will have to come back to the world to try again. If the brother marries his wife, and fathers a child, the soul of deceased will be able to enter that child's body, and he will be in a familiar setting to the one he was in previously.

ABARBANEL

This is a benefit for the widow because by having a child she remains part of the family and enjoys the security of family life. Without a child, she might be asked by the family to leave because there would be no bonds tying her to them.

SFAS EMES

• In a 5656 teaching on Shavuos, the Sfas Emes returns to the story of Boaz and asks an inspiring question: how far can the ripple effects of a single mitzvah go? The Sfas Emes points out that these deeds carried immense spiritual possibilities: "And so too with Boaz: had he strengthened himself even more in this kindness, Mashiach would have come immediately!" The Rebbe gives us a magnificent principle: "For within every single mitzvah, the entire Torah and the resurrection of the dead are enclosed." Every mitzvah we do in this world holds far greater potential than our physical eyes can see. It shows that the kindness (chesed) we direct toward the memory of a deceased person can reach far beyond the family. An unselfish deed done for someone who cannot say thank you can spark a light that illuminates all of Jewish history (Sfas Emes, Moadim, Shavuos 5656).

• The Sfas Emes begins with a direct, foundational explanation of the mitzvah: "For the mitzvah of Yibum is a kindness performed for the deceased." The Sfas Emes explains the secret: "And this is accomplished through the power of the Torah, which is called the Tree of Life and contains the dew of resurrection." He quotes the famous teaching of our Sages that every single letter of the Torah contains the power to bring the dead back to life, even if we do not yet know how to unlock that hidden power. Rather, he teaches that Yibum channels the life-giving vitality of the Torah, connecting our physical world with the eternal reality of the resurrection of the dead (techiyas hameisim) (Sfas Emes, Moadim, Shavuos 5656).

RELATED HASHKAFAH TOPICS:

- Discuss the idea of doing things that are a zechus, a merit for the deceased
- Discuss the concept of the World to Come
- Discuss the idea of Gilgulim and reincarnation

INSPIRATIONAL STORIES:

❖ (Regarding the concept of Gilgul) Rav Chaim of Kossov once told over the following story. There was once a couple who couldn't have children. The wife would travel every year to meet the Baal Shem Tov. One year the wife came to the Baal Shem Tov desperately crying greatly about her inability to have children. The Baal Shem Tov promised her that she would have a son with the year. Nine months later a son was born. The child was extremely handsome and it was said that there was almost none like him an entire world. After two years the beautiful child grew and it was time for the mother to wean the child. The mother planned to visit the Baal Shem Tov to ask for his blessing before the child gets weaned. When she came before the Baal Shem Tov, he lovingly hugged and kissed the child, said good bye and told them to go home. The woman returned home and shortly afterwards the child passed away. The woman was extremely broken. She went back to the Baal Shem Tov, crying hysterically and said, "you killed my son". The Baal Shem Tov told her not to cry. "Please listen to my story", he began. There was once a king who was unable to have children. He asked his advisor what he should do to have children. The advisor said the only way to have a child is by means of the Jews. "Make a decree that unless you have a child within the one year all the Jews will be banished from your kingdom", the advisor urged. The king was happy with the idea and the decree was promulgated across the land. The desperate Jews prayed and fasted until their prayers came before the heavens. One holy soul heard the cries of the Jews and had great pity for their plight. The soul came before Hashem and said, "I volunteer go down to the world to be that King's son in order to help the Jews". The soul was sent to down to the word to be this Kings son. When the King's baby was born the Jews rejoiced at their salvation, and the end of the specter of exile. This boy grew to be an extremely bright child. The prince would study every day with a priest who was a former Jew. Eventually, after being exposed to the beauty of Jewish learning by this priest, the Prince decided to secretly convert to Judaism. Because his family was absolutely opposed to the crown prince converting, the Prince abandoned his palace,

renounced his wealth, riches and throne and secretly escaped to another country. He lived the rest of his life as a Jew all the while keeping his past a secret. He eventually died. When the soul returned to heaven, he was an incredibly holy soul. The only blemish he had was that the first few years of his life he was raised in a non-Jewish family and nursed from a non-Jewish woman. He was allowed to return to the world to live the first years of his life as a Jew as well. The Baal Shem Tov turned to the woman, "your child was that Prince". You had a tremendous honor of being able to help this incredibly holy soul by nursing him and raising him for the last two years.

Living in His Image Contemporary Torah Anthology

❖ Rav Chaim Ozer Grodzensky, the rav of Vilna, was once instructed by his doctors to go to a health spa. He would have to stay there during the yamim noraim, which made him extremely unhappy. He could not understand why Hashem was putting him through this when he much preferred to be home and davening with his kehillah in Vilna. Rosh Hashanah came and went. On Shabbos Shuvah, Reb Chaim Ozer saw a guest in the shtiebel at the health spa. He walked up to the man and asked him his name. "My name is Yitzchak Gold," the man "Why are you here?" asked Reb Chaim Ozer. "My brother died and left a widow and young orphans in St. Petersburg. I am on my way there to marry her and raise the orphans." Reb Chaim Ozer was horrified. "You can't do that. It is forbidden by Torah law to marry a sister in law." "No, it isn't," argued the man. "It's called yibum and it's the best solution under the circumstances." Reb Chaim Ozer tried to explain that yibum only applies if there were no children born to the couple, but the man refused to accept this explanation. "The only one who can convince me that my plan is forbidden if the rav of Vilna himself." "Let me introduce myself," said Reb Chaim Ozer "My name is Rav Chaim Ozer Grodzensky, the Rav of Vilna." Reb Chaim Ozer realized HaKadosh Baruch Hu had put him there to prevent a well meaning but ignorant Jew from transgressing a serious Torah prohibition.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Hadassah was generous in making loans, without any deadline for repayment, to poor people who regularly visited her home or who had become members of her household, so to speak. And she gave charity to everyone who asked her. Once an embittered poor person who had received some money from Hadassah's hand ripped up the bill in front of her because the amount did not please him. Hadassah did not think twice but began to search around the house for a larger bill to give him. When she discovered that there was no larger bill available. She ran to the neighbor's to ask for a loan to give to that troubled poor man. One of the sad people who was a regular visitor in Hadassah's home was "Hanna with the Cats" — that was what she was called because of all the cats that roamed freely around her apartment. This Hanna covered her face with so many veils that it was hard to see her eyes, and she used to whisper and talk to herself. She ate the Shabbos meal every Friday night at Hadassah's home. Yet despite being a lonely and childless woman. She never complained about her situation and was always ready for a pleasant conversation. Hadassah admired her noble restraint, since the woman was sufficiently wise to understand her sad plight, yet she never uttered a word of complaint about it. Toward the end of her life. When this woman became seriously ill, she occasionally said in passing. "When my time comes, no one will remember that I ever lived; no one will be named after me." Her casual comments made a deep impression on Hadassah and her husband. Rabbi Fishel. When a daughter was born to them following Hanna's death. They named the baby girl after her so that she would have a remembrance and a memorial in this world. Although Hadassah had other names of family relatives that she wanted to name her daughter. She did not forget Hanna: and Hanna is remembered and mentioned to this day in the thriving family of Hadassah's daughter.

Living in His Image Contemporary Torah Anthology

30. To do Chalitzah in place of Yibbum

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 46

As the Torah says, And if the man does not wish to take his brother's widow… then she shall remove his shoe from his foot, etc. (Devarim 25:7, 9, Parshas Ki Seitzei).

SEFER HAMITZVOS HAKATZAR

The sacred ritual of chalitzah (the ceremonial removal of the yavam's shoe) must be administered exclusively by an expert rabbinical court thoroughly versed in its intricate procedures and formulations.

Any brother who refuses to grant chalitzah to his deceased brother's widow willfully violates an active positive commandment (mitzvas aseh).

There are individuals who stubbornly refuse to perform chalitzah for their widowed sisters-in-law, rationalizing their refusal with superstitious claims that the ceremony invites spiritual danger. This assumption is a grave and baseless error. As Scripture proclaims: "For the ways of Hashem are straight, and the righteous walk in them" (Hoshea 14:10); no harm can ever befall a person through the faithful performance of a divine commandment. On the contrary, whoever evades this positive commandment bears immense moral guilt, leaving a vulnerable woman trapped in an unreleased status (agunah).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Yibum is a tremendous kindness to the deceased brother who is subject to having no heir who will perpetuate his memory and bring him merit. It is also a tremendous kindness to the widow. This mitzvah reminds us that yibum is the preferred course of action.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (3:49)

This mitzvah is to disgrace the brother for refusing to do the chesed of yibum for his dead brother.

RABBEINU BACHYA (DEVARIM 25:9)

Taking off the shoe is an expression of mourning for the brother because he will now be now gone permanently.

ABARBANEL (IBID.)

Removing the shoe is a symbol of the fact that she is breaking her attachment to him. A foot inserted in a shoe is a symbol of the intimate connection between man and woman.

RAMBAN

A shoe is a casing of the foot, like body is a casing of neshamah. Removing the shoe is a symbol of the neshamah of the gilgul (reincarnated soul) not entering the body because of what he did.

SEFER HACHINUCH (MITZVAH 599)

The removing of the shoe symbolizes that widow was willing to marry and care for the brother, and that the yibum fell through not because of anything she did. She was willing to serve him and take care of him like a wife.

The spitting symbolizes that now they are not related at all.

BAAL HATURIM

The reason why she spits onto the ground is because the spit looks like sperm. She is expressing that he deserves rebuke for not giving his seed to perpetuate his brother.

A. NOT TO MARRY THE WOMAN WITH WHOM ONE PERFORMED CHALITZAH

(Torah Mandated Mitzvah), Sefer Chareidim 32-10.

As it says in the Torah, "This shall be done to one who does not build his brother's home" (Devarim 25:9, Parshas Ki Seitzei).

SEFER CHAREIDIM

A man who performs chalitzah is strictly forbidden from subsequently marrying the woman who performed chalitzah with him. As Scripture states: "So shall be done to the man who will not build his brother's house" (Devarim 25:9). Our Sages expound: since he chose not to build his brother's household through yibum, he may never again build with her.

31. The widow cannot get remarried before she does Chalitzah or Yibbum

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 135.

As the Torah says, the wife of the dead man shall not be married outside [the family] to an outsider (Devarim 25:5, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If the widow did get married before getting chalitza, would she have to get divorced?
- Would she be able to marry that person again after she gets chalitza?

SEFER HAMITZVOS HAKATZAR

If a deceased man left a surviving brother and his childless widow did not first undergo chalitzah with him, she is strictly prohibited from remarrying. If she proceeds to marry an outsider and they engage in marital intimacy, both transgress a severe negative commandment of the Torah. The second husband is legally obligated to release her with a get. She must then receive chalitzah from the yavam (her brother-in-law), after which she is permitted to remarry another man (as explained in the section on positive commandments, no. 46).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

One of Hashem's basic character traits is the middah of Chesed, kindness. Olam Chesed Yibane, the universe was created as an expression of Hashem's infinite kindness. This mitzvah helps us to perfect our character in terms of acting kind towards others, and thereby emulate Hashem. Just as Hashem showers us with blessings, so should we try our best to be a blessing towards others. Yibum is a tremendous kindness to the deceased brother who is subject to having no heir who will perpetuate his memory and bring him merit. This mitzvah ensures that this chesed is first considered before the widow gets remarried.

32. To honor one's parents

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 41,

As the Torah says, Honor your father and your mother (Shemos 20:12, Parshas Yisro).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How is one to honor his or her parents?
- If they are elderly, does he have to support them with his own money?
- What if his parents are poor?
- Does he have to honor them after they die?
- If his father asks him to go on an errand for him, but he has to do a different mitzvah, what should he do?
- What if the father told him to do something that will violate a Torah prohibition?
- How about a rabbinic prohibition?
- Why?
- Who should one listen to first if both his father and mother told him to do different things?
- Can parents ask not to be honored?

SEFER HAMITZVOS HAKATZAR

What constitutes the "honor" (kavod) commanded toward parents?

A child must serve his parents personally by providing them with food and drink, clothing them, and assisting them with shelter and warmth. The financial expense is borne by the parents if they possess their own means. If, however, the parents lack funds while the child has financial capability, the beis din compels the child to provide for his parents according to his means, through the laws of tzedakah.

A child must attend to his parents with the devotion and reverence that an attendant shows to his master. Furthermore, this obligation of honor endures even after their passing, through honoring their memory, speech, and spiritual legacy.

If a father asks his child to bring him water to drink at the very moment another mitzvah presents itself: if the second mitzvah can be fulfilled by someone else, the child should fulfill his father's request. If, however, the other mitzvah cannot be performed by anyone else, the child must perform the mitzvah first, for both he and his father are bound to perform the commandments of Hashem.

If, however, a parent instructs a child to commit a transgression — even a Rabbinic prohibition — the child must not comply. As Chazal derive, the parent is equally obligated to honor the Almighty, and human commands cannot supersede the authority of Heaven.

When both parents simultaneously require care or honor, honoring one's father takes precedence over honoring one's mother, because both the child and his mother are halachically obligated to honor the father.

Whoever demeans, disrespects, or slights the honor of his father or mother violates an active positive commandment (mitzvas aseh), unless the parent consciously and willingly waives that honor (mechilah).

A married woman bears this same sacred obligation to honor and care for her parents. However, if her domestic duties or her husband's demands make it impossible for her to attend to them, she is temporarily exempt as long as she remains married.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMCHAL — MESILAS YESHARIM (CHAPTER 4)

Hashem instituted the principle of "bra mezakeh abba" — a child's mitzvos and righteous actions directly elevate and credit the souls of his parents. Through his own spiritual growth, a child has the power to bring tremendous atonement and honor to his parents in the World of Truth.

A. THE UNIVERSAL OBLIGATION OF HONORING PARENTS IN ALL PLACES AND TIMES

SEFER CHAREIDIM

Included within the mitzvah of honoring parents is the duty to refrain from quarreling or engaging in public strife with others, so that observers are never provoked to disparage or curse the parents who raised him.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

The Torah says that Hashem is Notzer Chesed Lelaffim, Hashem guards a favor for two thousand generations. This teaches us that Hashem is very grateful and makes sure to express that gratitude for a very long time. One aspect of honoring our parents is to show gratitude for the fact that our parents have given us life, and have cared for us since we were young. This mitzvah helps to develop us into people who are grateful for what others have done for them. This helps us to resemble Hashem's gratitude.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 33)

You should honor and bestow kindness to your parents who have done so much chesed for you since the day you were born. This will bring you to honor Hashem whom has also done the chesed of giving you life and who cares for you.

RALBAG

If you respect and honor your parents, you will then respect and obey their teachings. This allows children to receive the mesorah, tradition from their parents.

ABARBANEL

By honoring our parents we set an example for our children regarding how they should respect us. The attentiveness we spend on our parents will ultimately come back to us and help us.

SFAS EMES

• In Parshas Va'eschanan, the Torah repeats the Ten Commandments: "Honor your father and your mother, as Hashem your God has commanded you." In his discourse on Shabbos HaGadol (5646), the Sfas Emes explains that this is the very heart of the lesson: "Because it is the natural way of human beings to honor father and mother even without a command, the verse specifically writes 'as He commanded you,' so that we fulfill it as a divine commandment." Since people naturally honor their parents anyway, the Torah reminds us that a Jew must elevate this duty into a direct command from Hashem. It does not waver when feelings change or when family relationships become complicated. A person learns to see the family home as a holy sanctuary where we serve Hashem (Sfas Emes, Moadim, Shabbos HaGadol 5646).

• Our Sages teach that three partners share in the creation of every human being: the father, the mother, and Hashem. The Sfas Emes explains that this holy partnership is the foundation of the extraordinary honor given to parents: "The Holy One compared the honor of father and mother to His own honor because they are His partners in him." How can we understand this partnership? After all, parents have no independent power without Hashem! The Sfas Emes explains that the physical body is formed through the father and mother, while the soul (neshamah) comes directly from Hashem. In both cases, the physical vessel is created to hold a higher spiritual light. Honoring parents recognizes the sacred instruments through which Hashem brought human life into being, without ever forgetting the Creator who gives them life (Sfas Emes, Vayikra, Kedoshim 5661).

RELATED HASHKAFAH TOPICS:

- Discuss how hakaras hatov, gratitude is one of the foundations of the Torah, and how our basic motivation to do mitzvos is should be fueled by a sense of hakaras hatov to our Creator.
- Discuss how a family, and the respect of one's parents are the key to passing down the mesorah.
- Discuss how the health of a society can be determined by the health of its families, because that is where values are passed down.

MORAL DILEMMAS:

A master tailor trained his son in his trade for many years. Upon reaching maturity, the son planned to open his own independent tailoring boutique directly across the street from his father's shop, which would inevitably siphon away customers and cause his aging father severe emotional distress and livelihood loss. Does the son have a halachic right to open the shop, or does the mitzvah of honoring one's father require him to locate elsewhere?

Answer: He should move the business to another city and not cause his father pain.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 413

Aron once went to a suit store to purchase a suit. He took several suits inside the dressing room, and tried them on. Aron was not in a rush and took his time. When he came out of the dressing room, to his shock, the main lights of the store were closed and the door was locked. Not only was the door locked, but the metal security gate was pulled down in front of the door. Apparently, the owner decided to leave early and didn't realize that Aron was still in the dressing room. There was no phone to be found in the store. In desperation, Aron tried to figure out how he could leave. He realized that he could throw a heavy object through the front shop window. Breaking the glass would cause hundreds of dollars of damage, but it was the only way he could leave without having to wait overnight until the owner opened in the morning. Aron wondered if he was allowed to break the window to leave. He could just wait in the store until the morning and not break the window, but that would cause his family much worry. Was he allowed to break the window in order to prevent his family from worrying about him?

Answer: Regarding the question about the man who faced the prospect of being locked, isolated in the clothing store, Rav Zilberstein answered that the store owner was responsible to make sure no one was in the store when he closed early. Therefore the trapped man had a right to smash the shop window. However after he is freed, the freed man would have an obligation to make sure that none of the store items get stolen.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Three, p. 61 (Table Talk Edition #175 (Parshas Vayikra))

There was a young man in his mid-twenties, named Avi. He was a Baal Teshuvah who became Torah observant in his early twenties. His father was very respectful of his choice but was not religious himself. His father was a heavy smoker. However, out of respect for Avi whenever Avi was with him on Shabbos he would not smoke in his presence. One week Avi was with his father for Shabbos. It was Parshas Zachor and Avi planned to go to the nearby shul to hear the Torah reading. But then Avi realized that if he would go to shul it was very likely that his father would light a cigarette and break the Shabbos. Avi wondered which mitzvah would be better. Would it be preferable to go to hear Parshas Zachor, which is a Torah commandment, or would it be better to stay home and be with his father so that his father would not desecrate the Shabbos? Which would be preferred, to go to shul or to stay home? What do you think?

Answer: Regarding the question about whether the young man should stay home with his smoker father, or go to hear Parshas Zachor, Rav Zilberstein answered that he should stay home with his father to ensure that he does not smoke.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume Three, p. 185 (Table Talk Halachic Archive, Edition 186 (Shelach))

Mordechai ran a business as a bespoke clothing store in Brooklyn, NY. He made custom suits for very wealthy clientele. When Mordechai's son Yosef grew up, Mordechai taught Yosef how to be a bespoke tailor as well. When Yosef got married, he started his own tailor business in the same city. Yosef offered much cheaper prices and he produced much better quality work. After a short while Yosef's business was much more successful than his father's. Yosef sensed that the competition with his father pained him, although his father never openly said anything about it. Yosef wondered if it was wrong to compete with his father because he knew that it upset him. Was he obligated to move his business to another city? Was he obligated to find a new line of work? Was he obligated to partner with his father? According to Jewish law, what do you think Yosef should do?

Answer: Regarding the question of bespoke tailors, Rav Zilberstein quotes the Maharsham that if the son wants to continue this line of work, he would not be allowed to do it in the same city as his father and should move his business to another city. This is because being in the same city will cause conflict with his father.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 413 (Table Talk Edition #147 (Parshas Ki Seitzei))

David grew up in a secular Israeli home. David's father was actively involved in politics, and was an avowed activist for "separation of church and state" in Israel. He would often rail against what he saw as the religious monopoly over state functions such as marriage, divorce, and conversion, in Israel. When David was a teenager, he became exposed to the beauty of the Torah lifestyle. Much to his father's dismay and chagrin, David slowly became religious. In time, David became a ben Torah and eventually became engaged to a wonderful young woman. David and his kallah began to make the wedding preparations. When they came to designing the wedding invitation, David had the following dilemma. David's father was notorious within the religious community as one of the most vociferous opponents of the religious community in Israel. He felt embarrassed to have his father's name on the invitation. As far as he knew, none of his friends or colleagues knew about his family background, and it would be embarrassing for him to have his father's name on the invitation. On the other hand, however, his father would probably feel bad if his name was omitted from the text of the invitation. David brought this question to Rav Zilberstein. Was he permitted to leave his father's name off of the invitation? Keeping it off would make his father feel bad, but putting it in would be embarrassing to David. What do you think. Can David omit his father's name?

Answer: Regarding the question of whether it would be okay to leave his father's name off the invitation, Rav Zilberstein answered that it would be forbidden to cause pain and embarrassment to his father by leaving off his name. Correction: Last week we wrote Rav Nissim Karelitz Zt'l. Instead we should have written Rav Nissim Karelitz Shlit"a. May Hashem bless him with many more long and healthy years.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 363 (Table Talk Halachic Archive, Edition 136 (Shelach))

There was once a bris that was done in the United Kingdom. At the bris the Rabbi officiating at the Krias Sheim, the naming ceremony, asked the father what the name would be. The father told the Rabbi that they should call the child George. The Rabbi said, "well, we need a Jewish name for the Krias Sheim." So the father nonchalantly said, "In that case, okay, you can give him the name of my grandfather, Avraham Yaakov". The Rabbi gave him the name, Avraham Yaakov. However the family never had any intention of calling him by his Hebrew name. They saw it just as a formality.

They immediately called the baby George. A few years later, they had another baby boy. At the Bris, the father said they wanted to call him Peter. Again, the officiating Rabbi said, "Well, you need a Hebrew name". The Father said, "Okay, if you insist, give him the name of my grandfather Avraham Yaakov". But basically the children were always called Peter and George, As they grew up, the children went to Yeshivah and the administration realized that both boys had the exact same Hebrew name, Avraham Yaakov. They wondered if there was any problem with having two brothers with the exact same name, Avraham Yaakov Ben Aron. This question was brought before Dayan Aharon Dovid Dunner. What should they do? Should they give a new name, should they add a new name to one of the children to distinguish them? Maybe they should leave as it is? What do you think?

Answer: Regarding the question of two sons with the same Hebrew name, Rav Zilberstein answers that technically it is permitted to do this, as we find that David Hamelech had two sons with the same name. However there is a concern for "poor mazel" for the children, therefore it would be best to add a name, such as Chaim, to one of them.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 141

Donny was a 19 year old yeshiva student studying in an Israeli Yeshiva. Donny received troubling news that his father, Aron, was diagnosed with a terminal illness. Donny wanted to come back home but his parents said it would be better for him to stay in Yeshiva. One day Donny got an email from his father. His father, who had been listless and extremely tired from all of his treatments, had an idea. On Shabbos Aron missed Donny's zemiros (Shabbos songs). Donny was their only son and Aron really wanted to experience his son's singing while he still could. Israel is seven hours ahead of the East Coast where Aron lived. Before Shabbos Aron could leave his computer on near the dining room. When it was 7 o'clock in Israel, after Shabbos there, Donny could sing zemiros for his father. No Shabbos violation would occur because Donny would be using his computer after Shabbos was over. Aron would be passively listening, not operating the computer at all while it was still Shabbos for him. Using this approach, Aron could enjoy his son's zemiros at his Shabbos table. Aron asked Donny to find out if this would be permitted. Donny brought this question to Rav Zilberstein. What do you think? In this case would it be permitted for Donny to sing Shabbos zemiros for his father?

Answer: Regarding the question of whether the ill father can listen to his son sing zemiros over Skype, Rav Zilberstein says there is room to be lenient if the singing will help revive and uplift the sick father. However such a thing should only be done under the guidance of a great posek in order to prevent a Chillul Hashem.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 061 (Beshalach)

Aron was a lawyer who lived in Los Angeles. He worked in a large law firm downtown. The traffic during rush hour took between an hour to an hour and a half long. Aron spent an average of almost three hours in traffic each day. Aron loved to learn and was very frustrated that he wasted so much time on the road. He decided that he had the perfect solution to solve his traffic problems: He bought a motorcycle. The motorcycle was able to weave in and out of traffic (commonly known as lane splitting) and the commute now took a half hour. To maximize the time that he saved, Aron set up a chavrusa (a study partner) for an hour in the morning, and another chavrusa in the evening. He now had two hours to learn with a chavrusa because of the time that he saved. One day, after enjoying this new arrangement for a while, he mentioned on the phone in passing to his mother that he bought a motorcycle and rides it to work every day. His mother, a physician, was horrified. “Aron, you are a grown man, and I will not tell you what to do”, she declared. “But I just want you to know that every day you ride a motorcycle on the highway during the rush hour commute, I will feel anxiety about your safety. You know how dangerous motorcycles can be”. “Ma, don’t worry, I’m good at this”, Aron protested. “Aron, don’t fool yourself. We both know that even the best riders can easily get killed in a motorcycle accident”, his mother responded. Aron hung up the phone with a strong sense of doubt. He wondered if he was

permitted to ride the motorcycle. On one hand he saved two hours every day, and he was using that saved time very productively. On the other hand, he just learned that his mother will worry about him whenever he uses the motorcycle. He noted to himself that she didn't actually forbid him to ride the motorcycle, but she made it clear that she would be pained and anxious about it. Aron wondered if he had to give up the motorcycle to fulfill the mitzvah of kibud av va'em. Should concern for his mother's feelings override his desire to maximize his time for Torah? What do you think?

Answer: Rav Yitzchak Zilberstein rules that Aron is forbidden to continue riding the motorcycle against his mother's heartfelt wishes. While the desire to save two hours daily to learn Torah with a chavrusa is extraordinarily noble, one cannot fulfill a mitzvah through the infliction of acute physical or emotional distress upon a parent (kibbud av va'eim). Persistent, gnawing maternal anxiety over a son's mortal peril on a high-speed highway can cause genuine emotional agony and severely compromise a mother's physical and psychological health. Because causing such intense anguish to a mother is directly antithetical to the Torah's command to honor and revere parents, Aron does not have a heter to inflict this pain and violate her words. He must sell the motorcycle and find other ways to redeem his travel time, such as listening to Torah recordings or reviewing his learning while driving safely by car.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 449

There was once a 70 year old billionaire named Paul Cohn whose wife passed away. Paul had one son named Arnold. Paul went to a very prominent geriatric doctor named Susan. After Mr. Cohn's wife passed away, he began dating Susan, his doctor, who was significantly younger than him. She was in her mid-forties. After a short while, Paul and Susan were engaged and got married. Ten years later, when Paul was 80, he developed Alzheimer's disease. Arnold, Paul's son, wanted to hire a private geriatric doctor to come twice a week to check up on his father. Arnold was willing to bear the very expensive costs. Susan, however, who was a geriatric doctor herself was opposed to another doctor coming to the house. She argued that she could take care of her husband and it would not look good for her if another doctor was brought in. If the family would hire another doctor it would ruin her professional reputation. Arnold, however, felt that Susan had an interest in his father not living very long. He didn't trust that this woman would take the best care of his father. Susan argued that she loved her husband very much and would give him the very best care. According to the Torah, who is correct, the son or the wife? On one hand Mr. Cohn's wife was a doctor and could care for her husband. Calling in another doctor would give the impression that she could not be trusted. On the other hand, perhaps an objective, uninterested doctor would be best?

Answer: Based on the Gemara in Kesubos (102b) — which teaches that even upright people can be swayed by financial self-interest when they stand to inherit — Rav Yitzchak Zilberstein rules that the son's concern is halachically well-founded. The son has the right to insist on bringing in an independent geriatric specialist to oversee his ailing father's care, and the cost of the specialist may be paid directly from the father's estate.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 258

Tzvi was a member of Chaverim. He lived with his wife and young children in a development that was filled mostly with religious Jews. Four apartments were in his particular building, and all the neighbors were young frum families like his. One Shabbos, Tzvi came to his building and was hit with a strong smell of gas. He quickly checked that the gas wasn't coming from his apartment. It wasn't. He knocked on two other doors. The residents there checked, but the gas was not coming from them. There was one remaining apartment that the Siegal family rented. Tzvi knocked on the door, but no one answered. As Tzvi knocked, it became clear that the gas smell was coming from the Siegal's apartment. No one answered the door. Finally, after knocking for a few minutes, Tzvi decided that the Siegals were not home, but

they must have accidentally left the gas on. A gas leak is obviously dangerous, and something had to be done quickly. Tzvi's first impulse was to get his own lockpick set. You might ask, why does a nice Jewish man have a lockpick set? Well, that is one of the tools of the trade of Chaverim. Chaverim are equipped to open the doors of cars or apartments in case people get locked out. But as Tzvi went to retrieve the lockpick set, he had second thoughts. If he went into the Siegal's apartment without permission and picked the lock, it's possible that the Siegals would be embarrassed for him to see the apartment without their knowledge. Perhaps it wasn't as neat as the owner would have liked. Perhaps there were private items that might be visible in the apartment. Perhaps if he went in, the neighbors would always be embarrassed of him. Also, perhaps the neighbors would be uncomfortable knowing that he could always enter whenever he wanted. There was another option, Tzvi could call the fire department on Shabbos. If the fire department would go in, the Siegals would likely not be embarrassed of them. But there was a good chance that if came, they would break the door down. Tzvi wasn't sure what to do, so he called the fire department. Sure enough, they came shortly afterward, smelled the gas, and smashed the Siegal's door down. They found that one of the gas knobs on the stove was accidentally knocked to the side, and the fire officials turned off the gas. When the Siegals returned, they had to wait a few days until their front door was replaced. Later Tzvi felt bad that he didn't simply unlock the door. So he brought this question to a Rav. What would have been the preferred choice? Did he do the right thing to call the fire department, even though they broke down the door, or should he have quickly unlocked it himself?

Answer: Regarding the question about the gas leak, we asked this question to Rav Tzvi Berkowitz. Rav Tzvi said that we have to consider which option would cause more damage. He should have unlocked the door and turned off the gas and relocked the door without telling anyone. Calling the fire department caused more damage.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 305 (Nitzavim)

Ari, a teenager, grew up in a traditional but non-Orthodox home. His parents did not eat treif but they were not fully observant. Slowly, Ari became more knowledgeable of Torah and wanted to become more fully observant. One day he learned about the mitzvah to immerse vessels in a mikvah before they are used for food. He felt that it was improper for him to eat food cooked in pots, pans and dishes that were not immersed in a mikvah. With regard to most matters, his parents were very respectful of his observance. But when he brought the idea up to his parents his mother objected. She said, "We support your interest in Judaism, but frankly we think it is disgusting to put our food utensils in a dirty mikvah where thousands of other people put their utensils. Who knows when it was last cleaned. We don't want to do it". Ari was very distressed about his mother's refusal. After a few months Ari wondered if he was allowed to secretly take his parents' glass and metal dishes and tovel them without them knowing. If he would do it while they were away they would never know and then never be the wiser. He would also be doing them a huge favor by sanctifying their vessels and preventing his parents from continuing to violate this prohibition. His first question was whether he was allowed to tovel the dishes without their knowledge. His rationale was that what they didn't know wouldn't hurt them. Eventually Ari decided that he was going to secretly tovel them. He brought a bunch of his parents dishes to the mikvah and unfortunately one of the glasses broke. It was a glass that wasn't used too often and Ari knew that if he would not tell his parents they probably wouldn't be the wiser. Ari wanted to know if he had to tell his parents that something broke or perhaps if they didn't know he didn't have to offer to share this information with them. Finally Ari wanted to know if he had an obligation to pay for the broken dish. So in summary there are three questions. One, is he allowed to tovel everything without their knowledge or consent? Two, if he breaks something does he have to tell them, and three, does he have an obligation to pay his parents for the broken glass? What do you think?

Answer: Regarding the question about the broken dishes, Rav Zilberstein wrote that once this was already done, the son did not have to pay for the broken dishes as the parents are presumed to be Mochel.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Three, p. 384

Gavriel was the gabbai of a shul. One morning, a Jew named Steve came into the shul. Steve would normally only come to the shul on the High Holidays and Gavriel was surprised and delighted to see Steve. Towards the end of davening when they came to kaddish, Steve said kaddish by himself with great emotion. When he said kaddish he was really crying, with tears coming from his eyes. It was clear that someone had recently passed away. After davening ended Gavriel went over to Steve to welcome him. "Hi Steve, it is really so great to see you back. It seems that you are saying kaddish now, did someone recently pass away in your family?" Steve was grateful for Gavriel's warm welcome and looked at him and smiled. "Yes. We had the funeral for Max yesterday. "Sadly, Max, my dog of 15 years, left this world. I'm not married and I don't have children and Max was truly this man's best friend. We had the graveside funeral yesterday and I intend to say kaddish for Max at least for the shloshim, for the next 30 days." Gavriel swallowed hard. He was delighted that Steve came to shul, but the halachah does not require someone to say kaddish for a pet, even a very beloved one. Should he tell Steve that we don't say kaddish for dogs? In addition, no one else in the shul was saying kaddish at that time. It was just Steve. If he doesn't say anything to Steve, should the congregation continue to say amen yehei shemai rabba on his kadish over the next 30 days? Regarding saying something to Steve, it may hurt his feelings and he may not come back to shul at all. At least this was bringing him to shul. But on the other hand, how could the shul allow it, if we don't say kaddish for dogs? Regarding saying amen yehei shemei rabba, was there anything wrong with answering amen yehei shemai rabba when kaddish is not required to be said? This question was asked to Rav Aron Yehuda Leib Shteinman. What do you think Gavriel should do?

Answer: Regarding the question about the man who innocently said Kadish for his dog, Rav Aharon Yehuda Leib Shteinman answered that the members of the shul should not stop the man, and they should continue to say amen to his Kadish. The Kadish is still a praise to Hashem, and the man's mistaken intention that it is for his dog, does not take away from the Kadish. The members of the shul should offer to teach him the true meaning of Kadish and be mekarev him to return to Hashem. That will have the effect of truly making a Kiddush Hashem and a Kadish for Hashem's name.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis p. 43

The Greenbergs were an elderly couple in their late eighties. They had a long and loving marriage. They were relatively healthy in their old age and lived independently in their home. Sadly, Mrs. Greenberg, developed dementia as a result of Alzheimer's. Mrs. Greenberg who in the past was friendly, loving and kind was now angry, anxious and suspicious. She was easily agitated, would shout and argue and would often ask the same question over and over again. She would also wander off occasionally. The Greenberg children brought their mother to an Alzheimer's specialist. The doctor carefully examined Mrs. Greenberg and recommended that Mrs. Greenberg live at home, with a nurse. She shouldn't be admitted to a facility because being in a family environment like her own home would be much healthier for her. She still had some memory, knew where the kitchen and all the rooms were. Being home would help prevent her from deteriorating. However if she would go to a nursing home, she would be in a totally unfamiliar environment and her dementia might deteriorate more rapidly. The doctor felt that if she lived at home it would extend her life. However after a short while, the situation became progressively intolerable for Mr. Greenberg. It was devastating to see his lovely wife so different: so angry, argumentative, cantankerous and troubled. After a while Mr. Greenberg said that he could no longer handle the status quo. "I feel that I'm getting sicker every day", Mr. Greenberg told his children. "My mental health has precipitously declined. I'm depressed and no longer have the will to live. I very much want you to move her to a nursing home where she can get excellent, loving, 24 hour care. The Greenberg children felt torn. On one hand the

specialist told them that their mother's life would be extended if she stayed home. But on the other hand their father was saying that he was getting very sick as a result of having her home. They tried exploring other options such as having each live at home separately, but that was not feasible. They brought this question to Rav Elyashiv. In this case which would be preferred: To keep their mother home to help extend her life, or to move their mother to a nursing home to prevent their father from getting sicker? What would you say?

Answer: Regarding the question about whether to move the mother to the nursing home or not, Rav Elyashiv answered that in that case they should move her to a good nursing home. Keeping her home would be the best care, but she could get good care at the nursing home as well. If, however, she stays home, it will shorten the life of her husband. Having her home would be a hezek, a damage. Moving her to a nursing home would just be abstaining from a revach, a gain. One should note that this is a very serious question and if it is ever relevant they should discuss this with a competent posek.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Metzia, p. 154 (Table Talk Halachic Archive, Edition 129)

There was once a young teenage boy named Yoel who lived in a small town near the city of Netanya. He was slowly becoming more religious and was attending a religious high school in Netanya. To get there, he had to take a bus, which involved several challenges. One issue was that he often had to leave his learning seders early to catch the last bus home. Additionally, as he became more observant, he realized that the buses to Netanya were often filled with inappropriate sights. He begged his parents to move from their town outside of Netanya to live in Netanya proper, so he could be closer to school. His parents considered it, but for various reasons, the move fell through. One day, Yoel's father, David, came to him and said, "Yoel, I know you are growing in your religious studies and commitments. I also know that you want to live closer to Netanya, and that the bus is causing problems. I have an idea: I'm going to buy you a motorcycle. This will solve all your problems. You'll be able to travel on your own schedule, leave whenever you want, and avoid seeing forbidden things. Also," he added, "I know you keep Shabbos and won't use the motorcycle on Shabbos, but your brother Yoav would like to go to the beach on Shabbos in Netanya. This way, we'll kill two birds with one stone: I'll give you the motorcycle, and your brother can use it on Shabbos when you're not. Everyone will be happy." Yoel was very grateful for his father's generous suggestion. However, this raised a serious dilemma for him. Is he allowed to accept the motorcycle to avoid seeing improper things and improve his learning (not having to leave seder early), if his brother will now use the motorcycle on Shabbos? On one hand, it will help him spiritually and improve his learning. On the other hand, he would, in a sense, be facilitating his brother's chillul Shabbos. His brother might be violating Shabbos anyway, but now that his father explicitly said the motorcycle is for his brother's use on Shabbos, is Yoel condoning and facilitating his brother's breaking of Shabbos? What do you think? Is Yoel allowed to accept the motorcycle for the purpose of improving his learning and avoiding improper sights, even if it means facilitating his brother's Shabbos violation?

Answer: Regarding the question about whether the young man could accept the motorcycle, Rav Zilberstein (Shabbos Besimcha Page 256) wrote that if the father had given it to him unconditionally, then even if the brother had used it on Shabbos, it would not be a problem to accept it. However, because it was specifically designated for use on Shabbos, it would not be permitted to accept the present.

— Source: Rav Yitzchak Zilberstein / Table Talk

A young man from a secular background recently became fully Torah observant and began learning in a yeshivah. Wanting to fulfill the great mitzvah of honoring his parents (kibbud av va'eim), he made a point of regularly returning home to visit his family for weekends and holidays. However, whenever he came home, his brothers and old childhood friends relentlessly mocked his new lifestyle, ridiculed his tzitzis and yarmulke, and belittled his religious choices. The

constant peer pressure, cynicism, and mockery began to take an emotional toll on him, and he genuinely feared that staying in that environment for extended periods would gradually wear down his resolve and cause him to revert to his old secular ways. He attempted to limit his visits to short, occasional drop-ins, but his parents pleaded with him, saying that they missed him dearly and insisted that he spend entire weekends at home. Is he halachically obligated to visit his parents when doing so exposes him to severe spiritual danger? What do you think?

Answer: Rav Yitzchak Zilberstein rules that the son is not obligated to visit his parents' home if doing so places his spiritual observance and commitment in jeopardy. While the mitzvah of kibbud av va'eim is of paramount importance, Halachah establishes that one's own spiritual preservation takes precedence (chayecha kodmin), and a person is never required to put themselves in a situation of spiritual danger (safek aveirah) to honor parents. He should continue to honor them through regular phone calls, letters, polite visits in neutral or safe environments, and expressions of warmth and gratitude, while firmly safeguarding his own religious standing.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 90

A man wanted to honor father's memory. He had $5000 to spend on this. He had two ideas. One, to buy a set of gemaras for a shul that didn't have any. These will be donated in memory of his father. These will likely be used pretty often. Alternatively, he had the opportunity to help publishing a new sefer with the chidushei Torah of his father. This will be a new sefer with new Chidushei Torah, novel Torah ideas, but much fewer people will read it. Which is a bigger merit for his father, to help more people learn or to help release new Chidushei Torah from his father?

Answer: It would be more respect to his father if he published his father's chidushei Torah.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume Two, p. 129

The Gemara says that if a father asks for a cup of water, and a mother asks for a cup of water at the same time, a son should bring the cup of water to the father first and then to the mother. What about the following case. The mother tells her son to bring a cup of water to his father, but the father tells him to give water to his mother first. Who should the son listen to first, the mother or the father? What is a bigger sign of honor, listening to their wishes, or serving them the water? If listening is more important then in this case he should bring it to mother first. Whose instruction takes precedence: the mother's or the father's?

Answer: He should listen to the father and bring to the mother first. That is a bigger honor.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 227

STORIES FROM OUR SAGES:

❖ The students asked Rav Ulla—and Rav Yehudah said in the name of Shmuel that they asked Rabbi Eliezer—'How far does the obligation of honoring one's father and mother extend?' He answered them: 'Go out and see what a certain gentile in Ashkelon named Dama ben Netinah did for his father! Once, the Sages sought to purchase precious stones from him for the Kohen Gadol's ephod at a profit of six hundred thousand gold dinars—and Rav Kahana taught eight hundred thousand —but the key to the strongbox was lying beneath his sleeping father's pillow, and Dama refused to wake or disturb his father, forfeiting the entire fortune.' The following year, the Holy One, blessed be He, gave him his reward: a completely unblemished Red Heifer was born in his herd. When the Sages of Israel came to him to buy it, Dama said to them: 'I know

that if I were to demand all the money in the world from you, you would pay it to me. Yet I ask of you only the exact amount of money that I lost on account of my father's honor!' Rabbi Chanina commented: 'If one who is not commanded (to keep the mitzvah) and performs it is rewarded thus, how much more so one who is commanded and performs it!'

Talmud Bavli, Kiddushin 31a

INSPIRATIONAL STORIES:

❖ Reb Yaakov Kamenetsky himself had the ability to find arguments that could be grasped by secular leaders with whom he met as a representative of the Orthodox world. The talent to view the world from another's perspective that constituted much of his genius as a ba'al eitzah was also employed with non-religious Jews. Perhaps the best-known story in this regard concerns the time that Reb Yaakov and Yerucham Meshel, then Secretary-General of the powerful Histadrut trade federation, were seated next to one another on a flight from Israel. The two had a short discussion about some questions that Meshel had on Megilas Rus. In the course of that conversation, Meshel mentioned how solicitous two of the other passengers — a middle-aged man and a young woman — were of Reb Yaakov's well-being. He was amazed to learn that the man was Reb Yaakov's son Avrohom and the girl his granddaughter. He confided sadly to Reb Yakov that he almost never saw his own grandchildren and his children only rarely. Reb Yaakov explained to him that the difference in their relationships to their children and grandchildren could be traced to their differing views of Creation. He began by asking why the verse links respect for one's parents to the mitzvah of Shabbos: 'Your mother and father you shall fear and My Sabbaths you shall keep' (Vayikra 19:3). Rashi writes that the two mitzvos are joined in one verse in order to teach that even if one's father commands him to violate Shabbos, he may not do so. But, Reb Yaakov pointed out, any other negative commandment — such as the prohibition on eating milk and meat together — could have equally well been used to teach that Hashem's commands take precedence over those of one's parents. Rather, said Reb Yaakov, Shabbos is specifically mentioned because it is the reminder that Hashem created the entire universe, culminating in Man, and the recognition of that fact is essential to respect tor one's parents. 'You, on the other hand, believe in the Darwinian view of life as the result of random, purposeless events,' he told Meshel, 'so as far as your descendants are concerned you're just one generation closer to the apes than they are. We, on the other hand, do not believe that we are superior to our ancestors. Quite the contrary. For us the central event in history was the Revelation at Sinai. The generations immediately after that Revelation lived in awe of their parents as people to whom G-d actually spoke. And their children in turn viewed them with veneration tor having known those who heard G-d speak. And so it is with each passing generation. My children and grandchildren honor me as one who had contact with spiritual giants whose greatness is almost beyond their comprehension, and therefore they attribute to me a wisdom and spiritual sensitivity that they do not possess. And I, for my part, try to pass on to them something of what I learned from the previous generations.'.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ A delegation of rabbanim once came to meet with Reb Chaim Soloveitchik of Brisk, but when they entered the house they were astonished at what they saw. Reb Chaim was crawling around on all fours with a little child riding on his back waving a “whip" as if he were a wagon driver, calling out, "Faster, faster!" as wagon drivers do. After recovering from their initial shock, the rabbanim asked for an explanation of the scene; they had never seen anything like that in their lives. It turns out that a lady who lived next door had needed to go to the market and she asked Rebbetzin Lifsha Soloveitchik to look after her little son until she returned. The boy lay down, and while he slept the Rebbetzin allowed herself to go out for a short time. Almost immediately the child woke up, finding himself in a strange place; when he realized that his mother was not there, he began to wail. Reb Chaim was unable to bear the crying of a little boy, and he tried to pacify him in various ways, but nothing worked. Finally, his brilliant mind found the solution; he would play with the little boy, and indeed he managed to calm him down. At that moment the rabbis had arrived at the door. If we didn't have it on the authority of his descendants, we would have thought this was an exaggerated tale. Another version of the story is given, but

the message is the same: Reb Chaim was walking in the street in Brisk when he saw a group of children enjoying themselves, riding on mules in a field on the outskirts of the city. Walking behind them was a boy crying bitterly. He asked the boy why he was crying and he explained that his friends were not prepared to include him in their jaunt. "What is the problem? I will be happy to be your donkey, and you will ride on me," answered the great rav of Brisk. A moment later, Reb Chaim had the boy up on his shoulders and he began to run.

From The Brisker Rav, by R' Shimon Yosef Meller, published by Feldheim

❖ But, much as Rav Nota Greenblatt's care and concern spread far and wide, he placed singular emphasis on the importance of family, even very extended family. One of the Israeli members of the Greenblatt family had a four-year-old son who was diagnosed with a rare condition. To receive the best treatment, they had to travel to New York, to consult a specialist in Columbia Presbyterian Hospital. It wasn't easy. With their critically ill son, they had to relocate to the United States, a foreign country, whose culture was unfamiliar and whose language they barely knew. Rav Nota flew to New York from Memphis to be there with them and do what he could to make their stay easier. While he was there, Rav Nota learned that his mother, who had lived her last few years in an assisted living facility in Eretz Yisrael, had passed away. As the youngest child in the family, who was always exceptionally close to his parents, it was assumed that Rav Nota would board the next plane to Eretz Yisrael: But Rav Nota wasn't budging. "She has passed away already," he explained. "If she's no longer alive, there's no question of pikuach nefesh (saving a life). Here, on the other hand, there is pikuach nefesh. They need me here. I'm not going." Only after Rav Nota's son promised that he would take over his role in the hospital, and fully take his Israeli cousins under his wing, did Rav Nota board a plane and head to his mother's levayah. Years later, he would demonstrate a similar concern, this time, for worried children rather than worried parents. Rav Nota's nephew, Rav Efraim Greenblatt, had to undergo complex heart surgery. A doctor in St. Louis was recommended as an ideal surgeon to conduct the operation and so Rav Efraim traveled to St. Louis. Many of his children traveled to St. Louis to be with him. As the time of the operation neared, the children huddled together in the waiting room, whispering Tehillim and apprehensively glancing at their watches. Then the door swung open. A tall man with a straw hat and tan jacket entered. "Uncle Nota!" they exclaimed. "What are you doing here?" Rav Nota simply nodded, took a seat beside them, and joined them in saying Tehillim, stopping every now and then to offer a few words of encouragement. He stayed for one hour and then rose to leave. It had been a five-hour drive from Memphis to St. Louis, and now he had a five-hour drive home. Ten hours of travel for a one-hour visit.

From Rav Nota, by R' Shmuel Botnick, published by ArtScroll Mesorah

❖ Visitors to the house of the rav of Brisk were witness to a very strange custom. The Brisker Rav (Rav Yitzchok Zev Soloveitchik) always entered the house through the window! The explanation for this peculiar behavior was that when the Brisker Rav would come into the room where his illustrious father was sitting, Reb Chaim Soloveitchik of Brisk would rise from his seat, as is proper to do when a talmid chacham enters the room. But the Brisker Rav was not capable of accepting such honors from his father, and he found a solution. Since R. Chaim usually sat in the front room, near the door, he would sneak into the house through the back window; his father was thus unaware he had entered.

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 129

❖ Once, while visiting his children in Monsey, Rav Shlomo Rothenberg received a phone call from a friend. "There's a Yid in Monsey who needs a lot of chizuk, a real brokenhearted individual. Do you think you could go and see him? Who knows? Maybe he will respond to you." Without thinking twice, Rav Shlomo replied, "Sure!" and he was on his way. When he returned from visiting this stranger, his son-in-law, Reb Yechiel Jonas, asked him, "So how did it go?" "Actually, it was a total disaster," Rav Shlomo confessed. "I tried to uplift the man, and he got all upset at me. He started screaming, 'Who sent you here? I don't want chizuk!" Reb Yechiel was perplexed. "Why did you get involved with this in the first place?" he asked

his father-in-law. "Why did you agree to visit someone who is a total stranger to you?" Rav Shlomo's response was, "When a mitzvah comes your way, you have to jump into it! You can't start making too many cheshbonos, or it will fall right out of your hands. You're right, this time it didn't work out, and he was mevazeh me. But at least I know that I did my part."

From Rav Shlomo Rothenberg, published by ArtScroll Mesorah

❖ Another story Reb Shlomo Zalman Auerbach often told his children—this one about the feelings of the authentic Jewish heart—involved Rav Baruch Frenkel-Teumim, author of the sefer Baruch Taam, whose son became engaged to marry the daughter of a very wealthy businessman. Around the same time, the water carrier in the Baruch Taam's hometown of Leipnik became very ill. Deeply distressed by this, the Baruch Taam found himself unable to concentrate on his learning or even to eat. When his future daughter-in-law's parents paid a visit to Leipnik and saw the pained look on their mechutan's face, they became concerned that perhaps he was unhappy with the shidduch. When the Baruch Taam explained that he was worried sick over the water carrier, his mechutanim said, "True, it's important to daven for him... but to become so distraught?" Hearing that, the Baruch Taam canceled the shidduch with their daughter. The lack of empathy they displayed, even if it was for a Jew they'd never met—a simple, menial laborer—was reason enough for the Baruch Taam to do so. In later years, when Reb Shmuel would repeat this story to his talmidim, he'd explain that his father told this story to impress upon his children that the inability to feel what another Jew is going through isn't the absence of a "madreigah," a special level of sensitivity, but of the essential tzuras haadam—of what it means to be a human being, and certainly to be a Jew.

From Reb Shmuel, by R' Eytan Kobre, published by Judaica Press

❖ Reb Baruch Ber Leibowitz used to tell of a miracle that he experienced in Kremenchug. A soldier entered the house and wanted to take Reb Shmuel Dovid's watch, but Reb Shmuel Dovid was not ready to give it up. The intruder started to wrestle with Reb Baruch Ber's father and eventually pulled out a dagger. When Reb Baruch Ber saw this, he jumped up and began to struggle with the man, saying, "Me, not him!" Suddenly, a high-ranking officer, possibly a general, appeared at the door and ordered the soldier out of the house. Reb Baruch Ber attributed the miracle to his willingness to sacrifice his life for the mitzvah of honoring his father.

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

❖ One Sunday morning Reb Shlomo Zalman Auerbach gathered his students at Kol Torah and told them: "A terrible thing happened in my neighborhood and I must make you aware of it." The students cowered in anticipation of the dire news the Goon was about to deliver. Everyone knew how deeply Reb Shlomo Zalman we involved in easing the plight of orphans and widows, and every tragic case in Israel and abroad seemed to reach his sympathetic ear. If their Rav, who never revealed the tzarus that he encountered, wished now to relate a terrible event that had transpired, one could only imagine the gravity of the situation. The seriousness of Reb Shlomo Zalman's disposition and the somber tone of his voice only sewed to intensify their fear that the event was even more horrendous than their vivid imaginations could conjure up. A hush of trepidation fell over the study hall as the Gaon began to speak. Reb Shlomo Zalman related that on Shabbos he had seen a man dragging benches to the shul for a collation in honor of his son's engagement. The man's son, who was walking at his side, did not so much as lift a finger to help his father. "I could not contain my bewilderment," the Rav told his listeners, "and I asked the chassan to explain why his father was doing all of the shlepping. He proudly explained that even where there was an eruv, he himself did not carry on Shabbos and was therefore unable to lend a hand." This reply enraged the Rav! The very idea of so-called religiosity taking precedence over kibid av.

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ The Klausenberger Rebbe's (Rav Yekusiel Yehudah Halberstam's) lineage included ancestors such as the Divrei Chaim, the Bnei Yissaschar, who originated the Dinover dynasty; the Ateres Tzvi of Zidichov; the Chacham Tzvi; the Maharshal; and R' Baruch Frankel, author of the sefer Baruch Taam. In fact, the Rebbe traced his lineage all the way back to Dovid HaMelech. Yet, the Rebbe never saw his illustrious lineage as a source of self-glorification. When speaking about his

forebears, he would never say "My Zeideh"; rather, he would say, "My father's Zeideh," attributing the illustrious lineage to his father, not to himself. In fact, many times he would burst into tears, exclaiming, "I had such illustrious forebears, and this is how I look?"

From The Klausenberger Rebbe, By Rabbi Avrohom Birnbaum, published by ArtScroll Mesorah

❖ As said, Reb Baruch Ber Leibowitz's parents were very wealthy. During World War I, they lost their wealth and had no choice but to move in with Reb Baruch Ber, who cared for them in every way and provided their needs. Normally, when people of wealth become impoverished, their suffering is multiplied, but Reb Baruch Ber succeeded in seeing to it that his parents were not reminded of their situation and felt no feelings of want or lack. For instance, if he wanted to take something out of the house, he would ask their permission, as if the item belonged to them. Any visitor who came to the house would be convinced that it was Reb Baruch Ber who was living in his father's home.

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

❖ The Chizkuni said that we remove the gid hanashe to remember this incident and never let a Jew feel alone. Reb Leizer Geltzhaler's Yeshivah once made a major dinner in Terrace on the Park, an impressive and elegant gathering for hundreds of parents and supporters. Everyone was there, the staff and guests — everyone except the Rosh Yeshivah himself, Reb Leizer. Eventually, he arrived with his characteristic smile and immediately got busy greeting people, offering not a Word of explanation. Later on, his father — the Rosh Yeshivah — asked him why he'd been delayed. He explained that on his way to the event, he had noticed a Yid at the side of the road, trying to change the tire on his car. Reb Leizer pulled over to help him out, because "I couldn't leave a Yid alone in trouble by himself."

Reb Laizer, By Rabbi Yisroel Besser, Published by Judaica Press

❖ Yuri went to a Shuva school and was 10 years old. His parents became upset and tried to force him to be mechallel Shabbos and do his homework. He slammed the door on his finger saying that he physically can't break Shabbos. The parents were so shocked, let him stay in school and now all keep Shabbos.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 95

❖ Once, as the family sat around the dinner table, Rebbetzin Karelitz noticed that seven-year-old Avraham Yeshayah was not eating. When asked for an explanation, the little boy said softly, "I do not have a fork." Looking down, his mother saw that she had somehow forgotten to give him not only a fork, but a portion as well. Avraham Yeshayah's sensitivity at that early age had caused him to minimize his mother's oversight as much as possible on order to avoid hurting her feelings.

The Chazon Ish, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ The Rosh Yeshivah, Rav Yehuda Zev Segal, expected his talmidim residing in the yeshivah dormitory to write to their parents regularly. He would say that before writing or phoning a parent, one should have in mind, "I am now about to fulfill the mitzvah to honor one's parents." The Rosh Yeshivah so valued this mitzvah that he would ask talmidim to permit him to drop their letters into a mailbox on his way home so that he could have a share in their mitzvah.

The Manchester Rosh Yeshivah, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

B. TO RUN TO DO A PARENT'S WISHES

(Torah Mandated Mitzvah), Sefer Chareidim 18-1

As it says in the Torah "Naftali was a swift gazelle" (Bereishis 49:21, Parshas Vayechi)

SEFER CHAREIDIM

When a father or mother dispatches a child on a mission or asks for assistance, it is a mitzvah to hasten with joyful alacrity, fulfilling the praise given to the tribe of Naftali: "Naftali is a swift gazelle" (Bereishis 49:21).

STORIES FROM OUR SAGES:

❖ The mother of Rabbi Tarfon once went down to stroll in her courtyard on Shabbos when the strap of her sandal broke (and on Shabbos she could not carry the broken sandal). Seeing this, Rabbi Tarfon immediately ran, knelt down, and placed his own two hands beneath the soles of her feet, and she walked upon his hands all the way across the courtyard until she reached her bed! One time Rabbi Tarfon fell ill, and the Sages entered to visit him. His mother came out and pleaded with them: "Pray for Tarfon my son, for he treats me with extraordinary honor!" When they asked her what he had done and she recounted how he had placed his hands beneath her feet across the courtyard, the Sages said to her: "Even if he were to do so a thousand thousands of times, he would still not have reached even half the measure of honor for parents that the Torah praises!" The mother of Rabbi Yishmael once came before our Masters in the study hall and said to them: "Rebuke Yishmael my son, for he does not treat me with honor!" At that moment the faces of the Sages turned pale in shock, and they said: "Is it possible that Rabbi Yishmael fails to honor his parents?!" They asked her: "What did he do to you?" She answered: "When he comes home from the academy of Torah, I desire to wash his feet in honor of his Torah wisdom and drink the water, and out of modesty he refuses to let me do so!" The Sages immediately sent word to Rabbi Yishmael: "Since that is her heartfelt wish, allowing her to do what brings her joy is itself her honor!"

Talmud Yerushalmi, Peah 1:1 (15c)

INSPIRATIONAL STORIES:

❖ My Uncle Yisroel Shurin, married to my mother's sister, was a Rov in East New York in Brooklyn. The profile of his congregants was older gentlemen, most of whom did not have an extensive Yeshivah background. He was an excellent Rov and beloved by his congregants. One year as Rosh Hashanah approached Uncle Yisroel asked his son, Yitzchok who was quite a fine Baal tefillah, if he would consider staying home for Rosh Hashanah to serve as chazzan for Musaf. Yitzchok was studying in Yeshivas Chaim Berlin at the time and was not at all interested in spending Rosh Hashanah at home. In Chaim Berlin there were hundreds upon hundreds of Bnei Yeshivah davening together with the top Chazzanim. How could he stay home? He told his father that he really preferred to remain in Yeshivah for Yom Tov. His father, who was not ready to give up, suggested that he speak to Reb Yaakov Kamenetsky, Yitzchok's grandfather. Upon hearing the dilemma, Reb Yaakov responded. "I cannot tell you what to do. It is your decision. However, you need to understand that if you will stay home for Yom Tov then your entire tefillah will be a fulfillment of the mitzvah of honoring your parents. On the day of Rosh Hashanah when your davening is a fulfillment of Kibud av v'eim, that will generate a powerful zechus. And if you choose to stay home please keep Bubby and me in mind when you daven.

As told by R' Paysach Diskind by Rabbi Yitzchok Shurin

C. TO SPEAK TO ONE'S PARENTS AS ONE WOULD ADDRESS A KING

(Torah Mandated Mitzvah), Sefer Chareidim 12-1

SEFER CHAREIDIM

The fifth commandment of the Aseres HaDibros is: "Honor your father and your mother" (Shemos 20:12). A person is bound to honor his parents through his speech, addressing them gently, pleasantly, and with profound deference and awe, exactly as one would address a king. Our Sages teach in the first chapter of Kiddushin (31b) that if one serves his father the most lavish delicacies, such as fatted poultry, but speaks harshly and insolently to him, he inherits Gehinnom. The Midrash (Bamidbar Rabbah 14:11) notes that Naftali honored his father Yaakov with extraordinary devotion; whenever his father dispatched him on an errand, he ran swiftly like a gazelle to fulfill his wishes without delay. Moreover, he always addressed his father with sweet, gracious, and uplifting words of praise, resembling dripping honeycomb. This is the inner meaning of the blessing: "Naftali is a swift gazelle, who delivers pleasing words" (Bereishis 49:21).

STORIES FROM OUR SAGES:

❖ Avimi the son of Rabbi Abbahu taught a Braisa: "There is one who feeds his father fattened pheasants yet drives himself out of the World to Come (because he serves them with a sour face and harsh words), and there is one who has his father turn the heavy millstones yet brings himself into the life of the World to Come (because a royal draft ordered the father into hard labor, and the son gently traded places or spoke comforting, royal words explaining why the mill was safer)!" Rabbi Abbahu himself testified: "Someone like my son Avimi has truly fulfilled the mitzvah of honoring parents!" Avimi already had five grown sons of his own who were ordained Torah sages during his father's lifetime; yet whenever his father Rabbi Abbahu came and called at the outer gate, Avimi would never send one of his sons—instead, Avimi himself would jump up and run all the way to the door, calling out respectfully as he ran, "Yes, yes —I am coming right away!" until he reached the gate and opened it. One day, his father Rabbi Abbahu said to him: "Bring me some water to drink." By the time Avimi brought the cup of water, his father had nodded off to sleep. Avimi stood bent over beside him holding the cup in silence until his father woke up—and while standing there in quiet devotion, Heaven granted him illumination to understand and expound the difficult Psalm of Asaph (Psalms 79)!

Talmud Bavli, Kiddushin 31a–b

INSPIRATIONAL STORIES:

❖ Rav Shlomo Rothenberg was the beloved Rosh Yeshivah of the Mountaindale Yeshivah. Toward the end of his life, sadly he was diagnosed with cancer. As a result of the sickness and medications that dulled his mind, his concentration level was affected, and learning became an arduous task. Despite it all, Rav Shlomo would take out a Chumash or Gemara and attempt, against all odds, to learn the Torah that he so treasured. It was a deeply moving scene to watch Rav Shlomo, so frail and weak, fighting his pain and fatigue in order to learn as much as possible. What is even more inspiring is something he once said to his son, Reb Yitzy, after learning with him: "The medication makes it hard for me to understand the Gemara, but even so, it's worthwhile for me to try. Because when Mommy sees me learning, it gives her tremendous pleasure and chizuk that I'm feeling well enough to learn… and for that alone, it's worth all the effort."

From "You Made My Life", By R' Nachman Rothenberg, Published by Israel Bookshop

D. TO HONOR STEP-PARENTS, AUNTS, UNCLES, GRANDPARENTS, AND PARENTS-IN-LAW

(Torah Mandated Mitzvah), Sefer Chareidim 12-3

SEFER CHAREIDIM

Our Sages teach at the conclusion of Maseches Kesubos (103a) that the extraneous word 'es' in the phrase 'Honor your father' (es avicha) extends the mitzvah to include one's stepmother (the wife of one's father), while 'and your mother' (v'es imecha) extends it to include one's stepfather (the husband of one's mother). Any halachic obligation derived from the textual inclusion of 'es' possesses the binding force of a biblical commandment (d'Oraisa).

Rabbeinu Yonah writes in Sefer HaYirah that the inclusion of 'es avicha' also obligates a person to honor his father's brother (his paternal uncle), and 'es imecha' obligates him to honor his mother's sister (his maternal aunt).

The Menoras HaMaor explains that honoring one's paternal grandfather and grandmother is likewise included within the sacred duty to honor one's father, just as honoring one's maternal grandfather and grandmother is included within the duty to honor one's mother.

A person is equally obligated to show deep honor to his father-in-law and mother-in-law. The conceptual foundation for this requirement is that husband and wife are halachically regarded as a single unified entity; consequently, the parents of one's spouse are treated with the dignity and reverence due to one's own parents.

STORIES FROM OUR SAGES:

❖ Before passing away, Rabbi Yehudah HaNasi instructed his sons: "Be scrupulously careful regarding the honor of your mother!" The Gemara asks: Why did Rebbi need to command them about that—is not honoring one's mother already an explicit Torah commandment, as it is written (Shemos 20:12): "Honor your father and your mother"? The Gemara answers: She was actually their stepmother (eishes av havai, their father's second wife)! The Gemara asks further: Even honoring a stepmother is already taught in a Braisa expounding the verse "Honor your father and your mother"—where the extra Hebrew word "et" before "your father" comes to include honoring your father's wife, the extra word "et" before "your mother" comes to include honoring your mother's husband, and the extra letter "vav" comes to include honoring your older brother! The Gemara explains: That Braisa obligates honoring a stepparent during your biological parent's lifetime, whereas Rebbi instructed his sons to continue honoring their stepmother with the same devotion even after his own passing!

Talmud Bavli, Kesubos 103a

INSPIRATIONAL STORIES:

❖ The chessed started even before they opened the door to others. For many years, Rav Dovid Feinstein and his wife lived in a two-bedroom apartment, with the Feinstein daughters sleeping on the couches each night. At one point, a three-bedroom apartment became available on a different floor in the same building; it seemed to be the perfect opportunity. Reb Dovid shared his dilemma regarding the idea with the Rebbetzin. Mrs. Kassner was an elderly widow with whom they were very close. When the Rebbetzin had been a young mother with several children, Mrs. Kassner had been there to give her a hand, and now the Feinsteins tried to honor and assist her in her old age. "If we move to a different floor," Reb Dovid said, "then we will have forfeited the zechus of being there for Mrs. Kassner. We cannot give it up just for space and convenience." The Rebbetzin immediately agreed, and they remained in that apartment until their neighbor passed away. On another occasion, at a chasunah at which he was to be mesader kiddushin, Reb Dovid looked over the kesubah and saw that the chassan's name had been filled in without mention of the fact that he was a Kohen. Reb Dovid took a new kesubah and filled it in again, this time adding the term "HaKohen" after the chassan's name. Later on, a talmid wondered about this. "Is the inclusion of the fact that the chassan is a Kohen me'akev in the kesubah? Was it necessary to write a new one?" he asked the Rosh Yeshivah. "No," Reb Dovid said, "it is not me'akev, the kesubah is kosher without it. But I considered what

would happen if the one reading the kesubah under the chuppah realized that it did not mention that the chassan was a Kohen. Perhaps he would have thought that it was me'akev, and made a commotion about it, leading to embarrassment for everyone. So I thought it better to add it in now, and avoid that situation."

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

E. TO HONOR AN OLDER BROTHER

(Rabbinically Mandated Mitzvah), Sefer Chareidim 47-32

SEFER CHAREIDIM

Scripture states: "Honor your father and your mother" (Shemos 20:12). Our Sages teach that the conjunctive letter vav in the phrase "and your mother" (v'es imecha) incorporates the obligation to honor one's eldest brother. While halachic duties derived from the word 'es' constitute biblical obligations during the parents' lifetime, duties derived from the letter vav are rabbinic in nature. Furthermore, the duty to honor step-parents after the biological parent has passed away remains a rabbinic obligation (d'Rabbanan), as does the enduring duty to honor the siblings of one's parents after their passing.

MORAL DILEMMAS:

A father requires a kidney transplant. The firstborn son and his younger brother, both deeply devoted to their father, argue over who should donate their kidney. The older brother insists that the younger brother must defer to him out of respect, and that he wishes to have the merit of donating to their father. The younger brother argues that he also wishes to fulfill the mitzvah of saving their father's life, and that honoring an older brother does not give him the right to preempt another from performing a life-saving mitzvah; instead, they should conduct a lottery. Who takes precedence in this case? Does the mitzvah of honoring an older brother require yielding this opportunity, or should they draw lots?

Answer: The requirement honor an older brother does not require one to give up a mitzvah, so they should do a lottery.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 425

INSPIRATIONAL STORIES:

❖ The halachah requires that one honor his eldest brother. The Chazon Ish's eldest brother' Reb Meir was a gaon and Torah leader in his own right, and the two discussed Klal matters frequently. Reb Meir took care during their discussions never to voice his opinion in an authoritative way, for he knew that should he do so, the Chazon Ish would feel halachically obligated to adopt his brother's opinion against his own.

The Chazon Ish, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

F. TO STAND FOR PARENTS WHEN THEY ENTER THE ROOM

(Torah Mandated Mitzvah), Sefer Chareidim 18-1

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ How often must one do this?

SEFER CHAREIDIM

A direct branch of the mitzvah of honoring parents is the halachic obligation to rise to one's full height when one's father or mother enters the room. The Talmud relates that whenever the blind sage Rav Yosef heard the footsteps of his mother approaching, he would immediately stand and proclaim: "Let me rise before the Shechinah that is drawing near!" The Mordechai rules that a child is obligated to rise in honor of his parents whenever they enter, even if they come and go a hundred times a day.

STORIES FROM OUR SAGES:

❖ Rabbi Tarfon had an elderly mother, and whenever she wished to climb up into her bed, he would bend down on his hands and knees so she could step upon him to climb up; and whenever she wished to step down from her bed, she stepped down upon him. When he came and spoke proudly of this in the study hall, the Sages said to him: "You have still not reached even half the full measure of honoring parents! Has she ever thrown a purse of gold coins into the sea in front of you without your shaming her or raising your voice at her?" And regarding Rav Yosef—who was blind—whenever he heard the sound of his mother's footsteps approaching the room, he would stand up at once and declare: "Let me rise before the approaching Divine Presence!"

Talmud Bavli, Kiddushin 31b

INSPIRATIONAL STORIES:

❖ Rabbi Daniel Glatstein related the following story: Rabbi Mattisyahu Salomon was honored by the Lakewood Yeshivah at the Brooklyn Marriott about 20 years ago. When he went up to speak at the dinner honoring him, he got up and turned the whole thing on its head. He said, "This is not a dinner to honor me. This is really a dinner to honor my mother. Without a doubt, I want to tell you why Hashem has given me the zchus to be the mashgiach of Rav Aharon Kotler's Yeshivah." You see, in 1941, Rav Aharon's Yeshivah had to relocate to Vilna because of the war. The Vaad Hatzalah had a deal in place to rescue Rav Aharon, but they didn't know whether it was going to be to America or to Israel. If Rav Aharon would be going to America, he would be going through England. Meanwhile, this was during the Blitz of 1941 when England was being bombed nightly by Germany under Hermann Goring. They were dropping hundreds of bombs and incendiary devices nightly. Someone from the Vaad Hatzalah in England needed to be waiting at the phone at the designated date in case the call would come in that they would be able to rescue Rav Aharon via England. It was finally identified that the designated date would be on a Friday night, on Shabbos. They needed somebody to wait in a secured bunker at a secured phone in the black of the darkness of the night of the bombing, in case a call would come in detailing how to save Rav Aharon Kotler. Despite the dangers, a young lady, Etel Salomon, volunteered. She volunteered to wait at the phone for 24 hours over the Shabbos in a secure, dark bunker, during the Blitz, in case the phone would ring to save Rav Aharon. More than 75 years later, Etel Salomon's son, HaRav Mattisyahu Salomon, declared that the merit of his mother who waited on that Shabbos for 24 hours by the phone in case they needed to save Rav Aharon, in the merit of his mother, her son, was zocheh to become the Mashgiach of Rav Aharon Kotler's Yeshivah. What we do in this world makes a difference. The decisions we make, make a difference. The choices we make reverberate. The Conductor of the world has empowered us to be conductors in this world. Our choices, and our decisions, and our actions, and our thoughts, and our words, reverberate forever. They affect our lives. They affect the lives of our children. And they will continue to affect the lives of our descendants forever.

Table Talk, Edition 374 (Parshas Yisro), by Rabbi Yitzi Weiner

G. NOT TO BELITTLE PARENTS EVEN IN YOUR HEART

(Torah Mandated Mitzvah), Sefer Chareidim 24-21, Sefer Chareidim 9-35

As it says in the Torah, "Cursed be the one who belittles his father or mother (Devarim 27:16, Parshas Ki Savo)".

SEFER CHAREIDIM

Regarding anyone who demeans his father or mother in his heart, or demonstrates contempt through speech or conduct — such as contradicting their words or presuming to sit in their designated seat — Scripture solemnly warns: "Cursed be he who treats his father or his mother with contempt" (Devarim 27:16). Our Sages clarify that the term makleh denotes belittling and treating lightly, rather than vocal cursing. Scripture elsewhere demonstrates that contempt resides primarily in the heart, as stated regarding Michal: "And she despised him in her heart" (Shmuel II 6:16).

INSPIRATIONAL STORIES:

❖ The tiny apartment in which Rav Aryeh Levine lived had unfinished walls. They were concrete but we're not painted. This is how he lived his entire life. A few days before his passing he told his children that he wanted them to paint the walls. In their surprise they asked him why he suddenly wanted the apartment painted. He told them that he knows that his days are numbered and before long the family will be sitting shiva for his passing. There will be many people coming to be menachem aveil. Invariably, among those coming to be menachem aveil will be people who will express disdain for the manner in which the children allowed their father to live in such squalor conditions. "I have no problem living in this apartment and my children have done nothing wrong, however I do not want anyone to have any complaints on the way my children cared for me."

Veharev Na, Vol. 4, Introduction (Table Talk, Edition 330, Parshas Vayikra, by Rabbi Yitzi Weiner)

H. TO LOVE ONE'S PARENTS

(Torah Mandated Mitzvah), Sefer Chareidim 9-36

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ What is the reason why one is obligated to love his parents?

SEFER CHAREIDIM

Our Sages taught that fundamentally included within the mitzvah of honoring parents is the duty to love them deeply. The Midrash explains that the mitzvos of honoring parents represent the rightful repayment of an immense debt of gratitude that every child owes for the tireless care, sacrifice, and boundless goodness bestowed upon him. One who withholds this honor is designated by Scripture as wicked, as it is written: "The wicked borrows and does not repay, but the righteous is gracious and gives" (Tehillim 37:21). A child must therefore give of himself to his parents with an open, gracious heart, just as they lovingly nurtured him, never harboring resentment or viewing their physical needs as an unwelcome burden. Integral to this repayment of gratitude is cultivating a profound, affectionate love for them, reciprocating the selfless love they poured into his life.

INSPIRATIONAL STORIES:

❖ A young man informed Rabbi Chaim Ozer that his father had applied for the post of rabbi in a nearby community, and that he was certain that if Rabbi Chaim Ozer would endorse his candidacy, he would be selected for the position. Rabbi Chaim Ozer felt that the candidate lacked the qualifications for the position, but wished to avoid saying this to the son. Instead, he tried to explain to the son that it was his practice not to interfere in the affairs of other communities, and that the elders would certainly make a good judgment. i The son became enraged, and began shouting at Rabbi Chaim Ozer with brazen chutzpah, accusing him of being insensitive to his father's needs, and being derelict in his responsibility to support Torah scholars. Rabbi Chaim Ozer listened to this diatribe very quietly, trying to pacify the young man, whose disrespectful talk was now peppered with insulting terms. Rabbi Chaim Ozer then arose and politely excused himself. The people who witnessed this scene were furious at the young man's unforgivable audacity, and later said to Rabbi Chaim Ozer, "Even patience and tolerance has its limitations. Why did you not simply silence this upstart?" Rabbi Chaim Ozer said, "Why do you not understand? This young man was moved by his consideration for his father How could I become enraged over that?"

Not Just Stories By Rabbi Dr. Avraham Twersky

33. To revere and obey parents

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 42

As the Torah says every man should fear his mother and his father (Vayikra 19:3, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What are the four ways to revere your parents?
- Can someone call his parents by their first name after his parents have died?
- Which one of your parents do you have to revere more, your mother or father?
- Why is this mitzvah so important?
- Can parents forgo the reverence that is expected from children? For example can parents allow children to call them by their first name?

SEFER HAMITZVOS HAKATZAR

What constitutes the "reverent awe" (mora) commanded toward parents?

A child must not stand in his parent's designated place in an assembly, nor sit in his parent's personal chair at home or in the synagogue.

He must not contradict his parent's words, nor say to him, "The halachah is as you say," for a child must not assume the role of an arbiter over his parent's opinion.

He must never refer to his parents by their personal names, whether in their lifetime or after their passing; instead, he should address them reverently as "my father, my teacher" (avi mori) or "my mother, my teacher."

Both father and mother are equally entitled to honor and reverent awe.

Scripture explicitly equates the honor and awe owed to parents with the honor and awe owed to Hashem Himself, for the father, the mother, and the Almighty are the three partners in the formation of every human life.

Whoever fails to maintain this awe and treats parental reverence lightly violates an active positive commandment (mitzvas aseh), unless the parent deliberately and willingly waives that honor, for a parent has the halachic authority to forego his or her own dignity (av she-machal al kevodo, kevodo machul).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

The Torah says that Hashem is Notzer Chesed Lelaffim, Hashem guards a favor for two thousand generations. This teaches us that Hashem is very grateful and makes sure to express that gratitude for a very long time. One aspect of honoring our parents is to show gratitude for the fact that our parents have given us life, and have cared for us since we were young. This mitzvah helps to develop us into people who are grateful for what others have done for them. This helps us to resemble Hashem's gratitude.

In addition, when we study Torah, we learn to emulate Hashem's wisdom. When we revere and respect our parents we learn to respect the Torah and guidance that they teach us. Respecting our parents is a prerequisite to respecting their teachings. That Torah perfects our character by making us wise, thoughtful, and similar to Hashem.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• Our Sages teach that a core expression of reverence for parents (mora av va'em) is that a child must not sit in his parent's designated seat. In the exact same way, the Sfas Emes teaches that the whole world is Hashem's realm. Every ounce of human energy, intelligence, and vitality (chiyus) is sustained by the Creator. People may use these gifts, but must never pretend that human strength is self-made. This explains why the Torah binds reverence for parents with Shabbos. On Shabbos, we stop our work to testify that Hashem created the world and sustains every atom of it. The restraint of not sitting in a parent's place and the rest of Shabbos share the same golden root: both teach us to recognize a reality far greater than ourselves. A practical law of family respect becomes a daily reminder of how to walk with humility in Hashem's world (Sfas Emes, Vayikra, Kedoshim 5631).

• In Pirkei Avos, the Mishnah tells a person to reflect on three truths: where one came from, where one is going, and before Whom one will give an accounting. The Sfas Emes teaches that this is the pattern of all divine service (avodas Hashem). Human effort prepares the vessel (kli), humility makes it open and receptive, and Hashem sends down His heavenly blessing to crown the deed with success. The Sfas Emes adds another luminous thought on the words "judgment and accounting". Judgment (din) examines missteps, but the accounting (cheshbon) reviews mitzvos! After doing one's best, a person must wait with longing for Hashem's blessing. Reverence for parents (mora) reminds us that all great accomplishments require preparation, humble surrender (bittul), and the sustaining grace of Hashem (Sfas Emes, Vayikra, Kedoshim 5637).

• The Torah links reverence for parents with Shabbos, while another verse tells us: "You shall observe My Sabbaths and revere My Sanctuary." The Sfas Emes answers through the famous triad of space (olam), time (shanah), and the human soul (nefesh). Within space (olam), certain places are uniquely designed to receive holiness, especially the Land of Israel and the Holy Temple. Within time (shanah), certain days radiate holiness, especially Shabbos and the festivals. And within the realm of the soul (nefesh), certain people and family bonds channel divine light into the world. This is why reverence (mora) and holiness (kedushah) walk hand in hand. When a person realizes that a parent, a holy day, or a holy place carries a spark of the divine, behavior naturally fills with awe (Sfas Emes, Vayikra, Kedoshim 5647).

• In a 5649 discourse, the Sfas Emes explains simply why parents deserve reverence (mora). Since three partners create a child, parents are the vessels through which the work is completed. He states clearly: "Therefore, one must have reverence for father and mother." Parents do not possess independent creative power. Even their loving care is energized entirely by Hashem. Yet their position is extraordinary because Hashem chose to bring a new human soul into the world through them. Our reverence honors the dignity of the sacred vessel (kli) that held this divine gift. We respect parents because Hashem entrusted them with a sacred role in His universe. We honor the holy messengers through whom He gave us life (Sfas Emes, Vayikra, Kedoshim 5649).

INSPIRATIONAL STORIES:

❖ Rav Nosson Tzvi Finkel travelled to Bnei Brak for the wedding of one of the recognized giants of the Torah world. Because of an obligation in Jerusalem, he had to be driven back right after the chuppah. When he had completed his local responsibility, he wished to return to the wedding celebration in order to afford greater respect to the baal simchah in Bnei Brak. The Rosh Yeshivah mentioned his plan to his mother, who was riding in the car with him back to Jerusalem. She had a different take. "I don't give you permission to go back, " she said firmly. Now, let's be honest: How many adult men would award any credence to such a statement from an elderly mother? How many roshei yeshivah who have honed an acute sense of accountability and propriety would award credence to such a statement from an elderly mother? For one: Reb Nosson Zvi. Thus, he was stuck. But, resourceful individual that he was, he did pull out his trump card. He asked his wife to call up her mother-in-law and request that Sara Finkel rescind her ban. "Nosson Zvi so keenly wants to go, but he cannot without your consent." Permission was granted.

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 277

SPIRITUAL KINDNESS

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem's love by performing acts of spiritual kindness

34. To spread Hashem's awareness and make a Kiddush Hashem

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 5, Sefer Chareidim Divrei Kivishin 22

As the Torah says and I will be hallowed among the children of Israel (Vayikra 22:32, Parshas Emor).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What does it mean to hallow Hashem?
- What is the goal of this mitzvah?
- Do we ever have to give up our life to avoid violating a transgression?
- For which sins?
- If one is forced to convert at the threat of death, should he pretend to convert just to save his life, but practice the Torah secretly?
- Are there situations where one would have to give up his life even for mitzvos other than the Cardinal Three?
- If one is forced to commit a transgression in front of ten Jews, but the intent of the enforcer is not to make the Jew violate his religion, rather he is forcing the Jew for his own pleasure, does the Jew have to give up his life?
- If a person doesn't make the ultimate sacrifice and give up his life when he is supposed to, did he do anything wrong?

RAMBAM — HILCHOS YESODEI HATORAH, CHAPTER 5

If a scholar is careful with himself that he speaks pleasantly with people, is friendly with them, receives them with a smile, does not take insult when he is insulted, respects even those who do not respect him, does business honestly, doesn't waste time with idlers, he is always seen involved in Torah matters, wearing a talis and crowned with tefillin, he goes beyond the requirements of the law in all of his matters, doesn't go to extremes, until all praise him, love him, and yearn to emulate his actions, this is one who has made a Kiddush Hashem, and about him the verse says "You are my servant, Yisrael, through you I will become respected"

SEFER CHAREIDIM

A person should conduct himself with refined dignity in his attire and manner of speech so that people hold him in genuine respect. He should greet everyone with a warm and pleasant countenance, most especially his wife and children, displaying deep affection for them in a manner that inspires others. All of this conduct must be

undertaken with the pure intention of sanctifying the Name of Hashem, whose presence rests upon His people, so that the Almighty is revered, loved, and glorified through his righteous ways.

SEFER HAMITZVOS HAKATZAR

We are commanded to fulfill this mitzvah even at the cost of life itself, dedicating all our soul and might to proclaim and sanctify faith in Hashem before the world. Therefore, if an oppressor seeks to coerce a Jew to renounce his sacred faith, he must refuse and surrender his life rather than transgress. He must not even dissemble or lead his persecutors to mistakenly believe that he has embraced apostasy — even if his inner heart remains loyal to Hashem — lest he grant any impression that he has renounced the Almighty.

If the persecutor acts with the specific intent of forcing him to abandon his religion, and does so publicly in the presence of ten Jews, the person is obligated to suffer martyrdom rather than violate even a minor commandment, even during an era when there is no general government decree against religious observance.

If it is an era of active religious persecution (she'as ha-shemad), Heaven forbid — where the authorities decree the suppression of Torah — a Jew must accept death rather than violate any mitzvah, even when coerced entirely in private.

If, however, a person is coerced to commit one of the three cardinal sins — idolatry (avodah zarah), forbidden sexual immorality (gilui arayos), or bloodshed (shefichas damim) — he must choose death rather than transgress under all circumstances, even in private, and even if the coercer acts purely for personal gratification rather than to force religious apostasy. If a person sanctifies the divine Name by surrendering his life in public before ten fellow Jews, he achieves the ultimate Kiddush Hashem, and there exists no spiritual stature greater than his.

If a person fails to sanctify the Name of Hashem and transgresses in a situation where the halachah demanded martyrdom, he violates an active positive commandment (mitzvas aseh) and transgresses the severe negative prohibition against desecrating the divine Name, as Scripture warns: "And you shall not profane My holy Name, but I will be sanctified among the Children of Israel" (Vayikra 22:32).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Performing acts of chesed is not limited to physical kindness alone. Teaching others the truth, and bringing them closer to Hashem are one of the greatest acts of kindness we can perform. In this mitzvah we emulate Hashem by bestowing spiritual kindness. We do this by inspiring the world about the awareness of Hashem, the relationship we should have to Him, and our responsibility to Him

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAV SAMSON RAPHAEL HIRSCH

The purpose of this mitzvah is as the Rambam says, lefarsem emunaso. This mitzvah is the very purpose of Klal Yisroel - to be a light to the nations, and to help perfect the world's character.

SEFER HACHINUCH (MITZVAH 296)

When we are willing to even give up our life for the sake of Hashem, that shows the world that having a relationship with Hashem and keeping the Torah is the very purpose of our life, and the reason why we were born.

RALBAG

This mitzvah will hinder anyone from trying to suppress the observance of Torah, because they will see that the Jewish people are willing to die rather than leave the Torah.

SFAS EMES

• We often imagine that making Hashem's Name holy is an uphill climb. We think that we start with an empty slate and must create holiness through rare spiritual heroics. The Sfas Emes turns this idea upside down. He reads the verse with fresh eyes: "V'nikdashti b'soch Bnei Yisrael" — "I shall be sanctified within the Children of Israel." The holiness does not come to us from the outside. For this reason, the Sfas Emes teaches that this mitzvah belongs to our everyday lives. Even without a crisis, when we quiet our selfish demands to serve Hashem, we loosen the grip of materialism. Kiddush Hashem does not manufacture a new soul. It reveals the radiant soul Hashem already placed inside us (Sfas Emes, Vayikra, Emor 5638).

• Many people assume that martyrdom is a tragic defeat where holiness wins only by destroying the physical body. The Sfas Emes teaches the exact opposite. He writes: "Mi she-moseir nafsho b'fo'al mamash, na'aseh gufo kadosh" — one who surrenders himself in actual deed causes his physical body itself to become holy. The body does not lose; it is elevated. Instead of remaining a demanding master chasing comfort, the physical form becomes a holy vessel (keli) that expresses total devotion to Hashem. When we use our physical strength to help a neighbor carry a heavy burden, our limbs become holy. Through these daily choices, Kiddush Hashem shapes a whole human life where body, speech, and mind work together to honor our Creator (Sfas Emes, Vayikra, Emor 5654).

• Our Sages share a striking truth: "Yesh koneh olamo b'sha'ah achas" — a person can acquire his entire eternal world in a single hour (Avodah Zarah 10b). The Sfas Emes uncovers the secret of this saying through language: "Sha'ah hi ratzon" — the word for a moment (sha'ah) shares its Hebrew root with the turning of the will (sha'ah, turning toward). In ordinary life, our minds are pulled in many directions. We feel torn between competing desires (retzonos): the craving for money, the urge for fame, the pursuit of ease, and our spiritual hopes. When we gently set aside our personal convenience to help a friend, study Torah, or greet someone with warmth, we unite our scattered desires and bring lasting peace to our souls (Sfas Emes, Vayikra, Emor 5643).

• Rashi cites the ancient Midrash Toras Kohanim on our verse: one who gives his life for Kiddush Hashem must not do so on condition that a miracle will save him. Why does Jewish law insist on this condition? The Sfas Emes explains that an open miracle and Kiddush Hashem share the same inner root. The physical world tempts us to believe that blind natural law is our supreme master. The strongest instinct in nature is physical self-preservation. Every creature instinctively fights to protect its physical life. When a person willingly steps past that survival instinct out of love for Hashem, he performs an act as mighty as the splitting of the Sea. The Sfas Emes writes in 5635: "Ikar kiddush Shemo Yisborach hu b'bittul ha-teva l'farseim hashgachaso Yisborach ba'olam" — the core

sanctification of His Name consists of setting aside the rule of nature to make Hashem's providence known to all. By acting for Hashem without demanding a rescue, we break the greatest falsehood of the material world: the claim that physical survival is our highest purpose (Sfas Emes, Vayikra, Emor 5635).

• The Torah tells us: "V'nikdashti b'soch Bnei Yisrael" — "I shall be sanctified in the midst of the Children of Israel." From the word b'soch, our Sages learn that public sanctification, such as the recitation of Kaddish and Kedushah, requires a quorum (minyan) of ten adult men (Megillah 23b). The Sfas Emes quotes his grandfather, the Chiddushei HaRim, who explained that ten people must be more than individuals standing in a room. They must unite with a single heart (mityachadin b'leiv echad). Holiness and genuine unity depend completely on each other (kedushah v'yichud teluyin zeh ba-zeh). Why do physical bodies separate us? By natural law, two bodies cannot stand in the exact same spot. When we give up our selfish pride, we leave our private isolation and join the living community of Israel (Klal Yisrael b'emes). Kiddush Hashem is not a solo performance; it is the joyful restoration of communal brotherhood, creating a home where Hashem's presence can rest among us (Sfas Emes, Vayikra, Emor 5655).

RELATED HASHKAFAH TOPICS:

- Discuss the ideas of the Jewish people being chosen to be a light to the nations.
- Discuss the idea of being moser nefesh, making difficult sacrifices for Torah.
- Discuss the idea of living, not just dying for Kiddush Hashem.
- Discuss the concept of how even mitzvos done in private help to make a Kiddush Hashem, by bringing a spiritual hashpa to the world. (That is why even betzina, in private there is a mitzvah to die for Kiddush Hashem)
- Discuss the concept discussed in the Derech Hashem of our neshamah is connected to the roots of the universe and our actions have the ability to perfect those roots. That is how we can be a light to the world even when the world does not observe our actions.

MORAL DILEMMAS:

Hadassa worked for a large software company in Israel. Her team consisted of about 10 members, and her manager's name was Ronit. Ronit was Jewish but not religious. Hadassa had worked for the company for a while, and over the years, Ronit experienced several major life changes. She divorced her first husband, eventually became engaged, and later married a man named Ron Cohen. Hadassa heard that Ron Cohen was a Kohen. According to Jewish law, a Kohen is not permitted to marry a divorced woman (Grusha). However, Ronit, being non-religious, likely didn't know about this restriction. Hadassa was not in a position to say anything about it. About a year later, Ronit had a baby. The company's practice was that whenever someone on the team had a baby, each team member would buy a separate baby gift. Each of Hadassa's nine teammates was planning on buying Ronit a baby present. At this point, Hadassa faced a dilemma. She was the only religious person on the team. She wondered whether buying a baby gift for her boss would imply that she condoned Ronit's marriage, which conflicted with Jewish law. On one hand, she didn't want to create awkwardness with her boss or her team. The gift was simply a baby present -- it had nothing to do with the marriage itself, and likely, no one would interpret it that way. On the other hand, she worried that Ronit might think, "Even my Orthodox coworker thinks what I did is okay." This possibility troubled Hadassa. She wasn't sure what to do. What do you think? Would it be appropriate for her to chip in for the baby gift? Would it imply that she condones the marriage? Additionally, would the answer change if Ronit had married a non-Jewish person instead? Would buying a baby gift in that situation be seen differently?

Answer: Regarding the question about the baby gift, Rabbi Zilberstein answered that it was permitted to give the baby gift. This is because it is clear to everyone that she is giving the gift for business purposes, and it is not seen as any opinion related to the boss's marriage.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 471 (Table Talk Edition 419)

Eli, an Israeli businessman, often conducted business in Europe. One day, when he was leaving Oslo, Norway, he got stuck in traffic. He reached the airport very close to his departure time. Eli was visibly Jewish, wearing a yarmulke and tzitzis, and was running through the airport to catch his flight. While running, Eli accidentally knocked down a vase outside an expensive furniture store. Feeling terrible, Eli entered the store and was met by the store owner who said, "You just broke my vase. I expect you to pay for it." Eli was very apologetic and replied, "I'm so sorry. How much was the vase?" The owner replied, "It costs €100." Eli reached into his pocket, took out his wallet, and gladly paid the amount. As he was about to leave to catch his flight, the store owner blocked him and said, "Hey, you're not done. You made a mess in my store. Now take a broom and please clean it up." Eli responded, "I'm really sorry, I'm in a rush. I have to catch my flight. Could you please have one of your employees clean it up? I've paid for the broken vase." The man insisted, "No, you made a mess. You have to clean it up. Is this how Jewish ethics teaches you to behave?" Eli, still apologetic, said, "I'm really sorry, I'm in a big rush. If you don't have an employee to do it, can you please ask an airport employee?" The store owner threatened, "If you don't clean it up, I'm going to scream, and everyone will see that this is what Jewish people do; they break things and run away without cleaning up." Eli wasn't sure what to do. On one hand, he didn't want to cause a commotion and a potential chillul Hashem. But on the other hand, the man was being unfair. Eli had paid for the vase. Did he really have an obligation to clean up as well? Later, Eli brought this question to Rabbi Zilberstein. What was the right thing to do? Should Eli clean it up to avoid a chillul Hashem, or should he proceed to the gate to make sure he doesn't miss his flight?

Answer: Regarding the question about the broken vase in the airport, Rav Zilberstein answered that when someone buys something, the seller has to offer some kind of service, like to bag it or wrap it. In this case, the service the seller should offer is to clean it up after the man paid for it. Because the Jewish man does not have a duty to sweep it up, it would not be a chillul Hashem if he just leaves. It is only a chillul Hashem if you are doing the wrong thing, not if you are doing the right thing. The seller's demand was likely motivated by hatred of Jews, and the Jewish man does not have to comply with such demands.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bamidbar, p. 52

In 2009, 47,000 people came to the Major League Baseball All-Star Game in Busch Stadium in St. Louis, Missouri. Dovi and his family had been season ticket holders for the St. Louis Cardinals for decades. Sadly, Dovi's father had passed away only months earlier. Ever devoted, Dovi always made sure to say Kaddish three times each day. Between his hectic work schedule and his reliance on finding an evening minyan, Dovi found himself giving away most of his Cardinals game tickets that summer. But the All-Star Game was a unique event. He and his boys did not want to miss that. Dovi had heard much about a minyan for Maariv that always gathered at a designated place in Busch Stadium during the seventh-inning stretch. He felt confident that he would be able to find a minyan and say Kaddish there. Dovi and his sons enjoyed the game. When the top of the seventh rolled around, he and two of his sons headed to that vending area, hoping to assemble a group of ten men. Unfortunately, many of the regular attendees of this minyan were no-shows that evening. Many had sold their tickets to that game because they could get such a high price for them. Only six were on hand to be counted by the middle of the seventh inning. The men stood waiting for almost 15 minutes. They found a seventh, but not the required ten. Dovi looked at the players on the field. Amazingly, he counted three Jewish players. More for the minyan! Jason Marquis who was a pitcher from the Colorado Rockies, Ryan Braun (who would go on to

become the National League MVP in 2011), and Kevin Youkilis who was from the Boston Red Sox. Seeing three Jewish men on the playing field below inspired Dovi. He headed to the lost and found and told the stadium personnel by the security window that he was looking for his missing sister. Her name: Anita Minyan. Once the bottom of the seventh inning had been completed, an announcement went out over the stadium PA system: "Anita Minyan, please report to the lost and found on Level Two. Anita Minyan." It wasn't long before the group of seven became ten, and then 14. The men hurriedly huddled next to a concession stand and recited the evening prayer. Dovi managed to fulfill his Kaddish requirement for the night in grand family tradition -- with a bit of improvisation and ingenuity. Anita Minyan was happily discovered. Later Dovi wondered if what he did was really permitted. Was he allowed to tell the lost and found people that he was looking for his sister Anita Minyan? Was that small fib permitted for the sake of gathering the minyan for him to say Kaddish for his deceased father? Presumably the lost and found didn't mind because they were helping so many people. Or perhaps it was wrong. Perhaps he was tricking them, and if they found out, they would be very upset and it might cause a Chilul Hashem. If it was not permitted, should he perhaps go back to the lost and found and apologize? What do you think?

Answer: Regarding the question about Anita Minyan, some rabbanim held that this was permitted because this was an example of when you can be meshaneh for the sake of peace, and there was very little chance that this would cause a chillul Hashem. But other rabbanim held that saying Kaddish is only a mitzvah derabanan, and it is not worth making a chillul Hashem which is a mitzvah deoraisa to fulfill a mitzvah derabanan. We assume that the man in this story did it after speaking to a Rav. Because this scenario involved many variables, one must make sure to speak to a rav before making decisions about any similar scenarios.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 378 (Ki Tisa)

The Jews of the Kovno ghetto would gather after their hard and miserable days of labor, and restore their spirits through the joys of study and prayer. The Nazis realized that prayer and study was keeping their spirit alive and wanted to do whatever they could to quell that spirit. On August 26, 1942, the 13 of Elul, the Nazis forbade the Jews from gathering for prayer or study. R' Naftali Weintraub the Gabbai (sexton) of one of the synagogues approached Rav Oshry with the following dilemma. There is a Jewish value of self preservation. This value, except in three exceptional cases trumps the value of any other prohibition. For example, a person is allowed to eat non-kosher food in order to save his life. There is another Jewish value that in Shaas HaShmad, in a time of a systematic attempt to eliminate Judaism, and forbid prohibition of the practice of Judaism, we are to stubbornly resist any attempts to pull us away from our faith and even risk death in defiance. What is the right thing to do in this case? Should they obey the orders that prohibit public gathering to study and pray, or should they defiantly risk their lives to continue to demonstrate that they will not be pulled away from their faith. On one hand, perhaps saving their lives was paramount. On the other hand, perhaps a public demonstration that Jews will not willingly be pulled away from their faith was more appropriate. Were they obligated to risk their lives? Were they even permitted to risk their lives if they wanted to? Can they continue or should they stop? Is that a Shaas HaShamad?

Answer: Rav Ephraim Oshry ruled that because the Nazis' decree of 13 Elul 5702 closing all synagogues and study halls was a time of religious persecution (sha'as ha-shemad) aimed at uprooting Torah and faith from Jewish hearts, the example of Rabbi Chanina ben Teradyon (Avodah Zarah 18a; Sanhedrin 74a; Ran and Kesef Mishneh on Rambam, Hilchos Yesodei HaTorah 5:1–2) and Daniel praying toward Jerusalem under pain of the lions' den (Daniel 6:11; Rav Sherira Gaon; Radbaz, Vol. 4, Siman 1163; Sefer Chassidim 786) applied. However, citing the Rambam in Iggeres Teiman—that sacrificing one's life for a positive mitzvah reaches the exalted level of Kiddush Hashem only when a person's motivation is 100% pure love of Hashem without any ulterior trace—Rav Oshry ruled that a posek cannot command another person that he is obligated to risk his life, nor may he forbid him from doing so; rather, the decision rests with each individual's heart and spiritual

devotion. In practice, Rav Oshry himself, the Tiferes Bachurim youth, and the entire Kovno community—including even the assimilated doctors at the ghetto hospital on Rosh Hashanah 5703—heroically continued their public prayers, shofar blowing, and daily Torah shiurim throughout the Nazi terror.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 2, Siman 11

Yossi was on a business trip and had a three-hour layover in an airport. It was time to daven minchah and Yossi had no choice but to daven in the airport. He looked around and it seemed pretty clear that there were no other Jews around. He tried to find a quiet place to daven, but did not find any. He was going to have to daven minchah in the busy airport with all of the non-Jews around him. Yossi knew that davening confidently surrounded by non-Jews was a Kiddush Hashem, a sanctification of Hashem's name. But the truth was that he felt very self-conscious davening shemona esreh with all of the people around him. He knew that if he davened feeling very self-conscious, his davening would have little kavanah. But then Yossi had an idea. He could take out his phone and hold it to his ear. If he would daven while holding the phone, people around him would think he was simply talking on the phone. This way he felt he would not be embarrassed and would be able to have more kavanah. But then Yossi hesitated. He knew that you are not supposed to hold anything in your hands while davening shemoneh esreh. He also felt that perhaps it was not respectful to daven shemona esreh, to talk to Hashem, with a cell phone next to his ear. Imagine talking to a king, while holding a phone to your ear! He also understood that if he would daven holding a phone he would be wasting his opportunity to make a kiddush Hashem in front of all the people around him. So Yossi felt torn between two sides and was not sure which would be preferred. On one hand, he could daven holding the phone because it would help him have greater kavanah during davening. But on the other hand, it is wrong to use the phone during davening, because he should not be holding anything. In addition, he would be forfeiting the opportunity of making a kiddush Hashem. What do you think Yossi should do?

Answer: Regarding the question about holding a cell phone while davening in the airport, pretending that he was on the phone, Rav Tzvi Berkowitz answered that he is allowed to hold something that will help him daven properly.

— Source: Rav Tzvi Berkowitz / Table Talk Halachic Archive

STORIES FROM OUR SAGES:

❖ When the Romans arrested Rabbi Chanina ben Teradyon for gathering assemblies and teaching Torah in public with a Sefer Torah in his bosom, they asked him: 'Why did you engage in Torah?' He answered: 'As the Lord my God commanded me!' When they pronounced sentence upon him, his wife, and his daughter, all three justified Heaven's decree with verses of faith. As they wrapped him in the Sefer Torah and placed wet wool sponges over his heart to prolong his suffering, his daughter wept: 'Father, that I should see you in such a state!' He replied: 'Were I burning alone it would be hard for me, but now that I am burning together with the Sefer Torah, He who will seek vengeance for the insult to the Sefer Torah will seek vengeance for me!' His disciples asked: 'Master, what do you see?' He answered: 'The parchment is burning, yet the letters are flying upward to Heaven!' They urged him: 'Open your mouth so the fire enters quickly!' He replied: 'Better that He who gave the soul should take it, and let a person not injure himself!' Moved to the core, the Roman executioner asked: 'Rabbi, if I increase the flame and remove the wool sponges from your heart, will you bring me into the World to Come?' 'Yes!' said Rabbi Chanina. 'Swear to me!' said the executioner; Rabbi Chanina swore to him. The executioner immediately removed the sponges, fanned the flames, and leaped into the fire himself. A Heavenly Voice went forth and proclaimed: 'Rabbi Chanina ben Teradyon and the executioner are both invited to the life of the World to Come!' Rabbi Yehudah HaNasi wept and said: 'There is one who acquires his World to Come in a single hour, and another who acquires it over many years!'

Avodah Zarah 17b–18a

INSPIRATIONAL STORIES:

❖ When the members of the Mirrer Yeshivah fled Europe, during World War II, they spent a number of years in Shanghai before they were able to relocate to Eretz Yisrael and America. Although the people were generally treated well by the local Chinese, there was a group who did not like them and who plotted against them. They secretly arranged that the members of the yeshivah would be taken onto a ship. Once the ship would sail out to sea, all the Jews would be thrown overboard. One Chinese man felt an affinity for the Jews. He respected the boys and knew that they were men of G-d. He, therefore, revealed to the authorities the details of the operation, and the plot was foiled. However, the group that had planned the attack discovered who had reported their plans. They tracked him down and beat him to death. The boys in the yeshivah were very troubled by the incident. This righteous gentile had saved the yeshivah from utter catastrophe. He had not done so for his own honor or for riches. Instead, he had saved them because he felt it was the right thing to do. Why had the Almighty punished him so? A group of the young men in the yeshivah decided to ask the great mashgiach, Rav Chatzkel Levenstein, to help them understand what had happened. As soon as they came to his door, they heard him crying. "Ribbono Shel Olam," Rav Chatzkel cried. "this gentile was a wonderful man. But he was a goy. And this is the one and only time he helped the bachurim of the yeshivah. And you gave him a matanah (a gift). You gave him the chance to be mekadesh Shem Shamayim and die al kiddush Hashem. But I, Chatzkel Levenstein, have served You faithfully my entire life. I have helped the bachurim many times. I want this matanah from You so much! Why was I not zocheh to give my life for You?" Their question had been answered. The Almighty had granted that individual the gift of Kiddush Shem Shamayim.

Touched By Their Tears, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ Rav Tendler cried as he went through the vidui, giving real-life examples to explain how we do those aveiros. As he reached "yo'atznu ra, we gave bad advice," he posed a question to us. "Who is asking you for advice at sixteen or seventeen years of age?" How are teenagers supposed to relate to this transgression? His answer was that our friends, as well as others, see the way we act and carry ourselves, and it rubs off. He told us about a woman who was inspired to become religiously observant simply by seeing a ben Torah walk down the street.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 401

❖ The actual Nazi invasion of Lithuania took place on June 22, 1941. Virtually all the Jewish homes in the center of Kelm were destroyed by the German bombardment. By the next day, the Red Army had completely fled the area, leaving the way clear for the unimpeded entry of the Germans into Kelm on June 24. On July 1, all the able-bodied men between 14 and 60 years of age, including the men of the Talmud Torah, were ordered to gather in the granary of Zundel Luntz, a successful Jewish farmer, whose farm was on the outskirts of the town. The Jewish men of Kelm were put to work, by Lithuanian nationalists, clearing away rubble. The Nazi conquerors felt justifiably confident leaving the Lithuanians in charge. The night of the fifth of Av, Reb Daniel Movshovitz (the Rosh Yeshivah of Kelm) dreamt a horrible nightmare, and the next morning (July 29), he broke from his normal custom and recited hatavos shalom. As he was doing so, a group of Lithuanian fanatics broke into the granary and ordered all the men to gather. Already the Lithuanians had savagely killed a number of Jews in Kelm. From the looks on the faces of the Lithuanians that morning, their victims could have had few doubts as to what lay in store for them. But as they marched at gunpoint, the men of the Talmud Torah sang and danced as if it were Simchas Torah. They were enraptured in the songs they had sung so often — "Vetaher libeinu l'ovdecha b'emes, Purify our hearts to serve You in truth," and "Ashreinu ma tov chelkeinu, How fortunate are we, how good is our lot. " Held high on a chair was the Alter of Kelm's (Reb Simcha Zissel Ziv's) daughter Rebbetzin Nechama Liba, whom they carried just as if she were a sefer Torah." When they reached their destination, the executioners ordered the men to start digging a large pit - a pit in which they would soon be buried. When the pit was completed and the extermination about to begin, Reb Doniel sought permission to address his flock for one last time. He quoted the piyut recited on Yom Kippur that recounts how the angels themselves cried out upon seeing Rabbi Akiva's flesh raked by metal combs, "This is Torah, and this is its reward." Hashem replied, "If I hear another word, I'll return the world to the primordial void.". At that moment, Reb Doniel

explained, the world had lost any merit to justify its continued existence. Yet Hashem had promised not to bring another Flood, Wiping out all of mankind, and so had chosen the Ten Martyrs mentioned in the piyut as an atonement for the rest of the world. If the angels forced Hashem to restrain His hand and spare the Ten Martyrs, they would, in effect, force G-d to destroy a world no longer worthy of existence. Turning to his students, Reb Doniel told them that they stood at that moment in exactly the same position as the Ten Martyrs: The world had lost the merit to exist. Only through the atonement of their deaths would Hashem stay His hand and not return it to Tohu Vavohu. Therefore, he urged his students, "Let us be neither confused nor frightened, but rather let us accept upon ourselves this awesome responsibility with love." With that he turned to the chief of the murderers and told them, "I have finished. Now you can begin!".

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 253

❖ Palestine (Israel before 1948) was a haven for thousands of European Jewish refugees escaping from the Nazis, yemach shemam. Among these refugees was Herbert Froehlich, a young man who arrived from Germany in 1935. He rented a room in Haifa from a woman who owned a boarding house. After Herbert had lived there for many weeks, the woman asked him whether he would accept a roommate. Realizing that his landlady needed the extra income to offset the difficult economic situation, Herbert readily agreed. As fate would have it, his roommate turned out to be the only non-Jew in the boarding house. Being a good-natured fellow, Herbert welcomed his roommate warmly and they established a close friendship as well as a mutually deep respect for one another. Herbert learned that his roommate's parents had sent him to Palestine from Sweden in order to learn the British banking system. After being invited to join in various Jewish trips and group activities, including Shabbos meals, Herbert's roommate gained an appreciation for the Jewish religion and the Jewish people. After several months, Herbert's roommate completed his education in Palestine and prepared to return to Europe. As the two friends tearfully bid each other farewell, Herbert's roommate removed his ski cap from his head, handed it to Herbert, and said, "I want you to keep this as a sign of our everlasting friendship." Just a few years later. The world turned a blind eye as six million Jews were slaughtered in Europe during World War II. Only a small number of gentiles stood up to save Jewish lives. Among these heroes was a young secretary at the Swedish Diplomatic Mission in Budapest whose name was Raoul Wallenberg. He was instrumental in saving thousands of Jews by securing visas for them. To this day his whereabouts are unknown, as Raoul Wallenberg was arrested by Russian soldiers while he was trying to rescue a group of Hungarian Jews during the last days of the war. It is believed that he died in one of Stalin's prisons or in Siberia. Many could not understand Raoul Wallenberg's unusual sensitivity towards the Jewish people, but Herbert Froehlich did. You see, Raoul was Herbert's roommate. Herbert believed that Raoul's association with his Jewish friends in Palestine was instrumental in creating his tremendous desire to help the Jews. As for Herbert, he never forgot his friend Raoul and wore his ski cap every night, even as it tattered and frayed with age. Thousands of lives were saved. No doubt in part because one Jew made a Kiddush Hashem.

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

❖ Born in Germany on Chol HaMoed Pesach 5677 (1917), Rabbi Godlewsky began his chinuch in Rabbi Breuer's Yeshivah in Frankfurt-am-Main. At 18, he traveled to the Telshe Yeshivah in Lithuania. At that young age, his bitachon and tzidkus were already outstanding. Visas to travel from one country to another were not merely a legal necessity in those days. Punishment for letting a visa lapse was very severe. While learning in Telshe, Reb Yehoshua once neglected to renew his visa and was sentenced to three days in prison. The prison was actually a vast pit in a field. The other prisoners were coarse murderers and thieves, who were quite amused at the sight of the pale, thin Yeshivah bachur. Reb Yehoshua took his assigned straw mattress, yet did not go to sleep that night for fear of what the other inmates might do to him. At the crack of dawn, Reb Yehoshua put on his tallis and tefillin and started davening, while the criminals were all still snoring. One by one, they awoke with their curses and lewd shouts. One of them walked over stealthily to see what the "Jew boy" was doing. At the sight of Reb Yehoshua davening, the hoodlum became overwhelmed. He turned to the group and hushed them up until Reb Yehoshua finished davening. After that they treated Reb Yehoshua with the utmost respect, and even refused to

let him move his mattress, returning it to the pile for him. When the prison guard came down, they heatedly began telling him something. Being from Germany, Rabbi Godlewsky did not understand what they were saying. It was obvious it was about him, however, because he was pointed out to the guard. Shortly thereafter, another official came down and freed the Yeshivah bachur. Rabbi Shmuel Dishon eulogized Reb Yehoshua saying: "One could be aroused to teshuvah not only by hearing Rabbi Godlewsky daven on Yom Kippur, but by witnessing an ordinary Minchah of his..." In that pit in Telshe, his Shacharis softened the hearts of hardened criminals and affected his release.

Torah Leaders, published by ArtScroll Mesorah

❖ I would now like to record the fascinating remarks made by the American President, Mr. Harry Truman, who was the prime consideration in influencing the world's nations to accord the State of Israel recognition. On one of my visits to the United States, I met Mr. Truman in the City where he lived (Kansas City) together with Rabbi Solomon, one of the city's rabbanim. President Truman said to me, "I am glad of the opportunity to explain to you, Rabbi, why I recognized the State of Israel. My decision in favor of six hundred and fifty thousand Jews wanting a state of their own, while surrounded by tens of millions of Arabs firmly opposed to the State's emergence, ran counter to Americas political interests. Opposition in America to this policy was so fierce that one of the newspapers in the 'city where I live ran a headline, 'Truman the Traitor.' "As a child," he continued 'I grew up as the neighbor of several Jewish families whom I highly esteemed. On their Shabbos I would switch the light on and off in the home of one of the families, return for which they gave me a slice of Shabbos challah. "It was my father's custom to read from the Bible with me Sunday. When we read about Cyrus, King of Persia, who granted the Jews permission to return to the Land of Judaea and rebuild the Temple, I thought to myself, 'The day will come when I'll be President of the United States ("the dream of every American boy," he added) and I, too, shall do what Cyrus did in his day. "My dream became reality, and when your president, Chaim Weizmann, visited me bringing a Torah scroll as a gift asking me to instruct the American ambassador to the United Nations to support the establishment of the State of Israel, I remembered my childhood dreams. "Obviously, on its own, a sentimental feeling like this would not have outweighed my responsibility to the interests of the United States. Why, then, did I nevertheless decide to recognize your state? "The reason is that only Stalin, president of the Soviet Union and I are fully aware of the frightful dangers facing the world!" (This was after the destruction of the Japanese cities of Hiroshima and Nagasaki using atom bombs, at the end of World War II.) He went on, "This terrible threat of atomic warfare will continue to threaten the world with destruction and with worse still: leaving all the world's inhabitants in a state worse than simple death..." "And if, despite this, the will to continue living persists within me, it is only because I believe that just as you Jews saved humanity — a barbarous race — three thousand years ago with your Torah, today too, the Jewish People will manage to enlighten and heal the cruel hearts of our age and rescue the world from total destruction!" When I returned home, I relayed President Truman's words from the Knesses podium, so that the country's chosen leaders might know what the world leaders expect from the Jewish People.

In Their Shadow, Vol. 2, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ When the Steipler was a young man he was drafted into the Russian army for 25 years. He would take extra responsibilities in order for him to get furloughs on Shabbos and Yom Tov. A commander named Karlienkiev saw him keeping Shabbos and wanted to make a lesson out of him. He told him suddenly to shoot a target 50 meters away. Yaakov tried to protest, but was told if he doesn't do it he can face court martial, and even death. He had a dilemma, is it better to use the right hand, which is an issur d'Oraisa, or the left hand which is a shinui but he will have to fire many times. Which is better fewer d'Oraisas, or more d'Rabbanans. He decided to use the left hand. Karlienkiev thought he was a fool. Miraculously on his first try he hit the bulls eye. Karlienkiev was so impressed that he let him keep Shabbos and became his constant advocate. However it was creating resentment so he had Yackov discharged. He was then able to go to Eretz Yisrael, and because of that decision he was able to go to yeshivah and became the Steipler, the gadol hador.

Touched by a Story, Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ Rabbi Binyamin Kamenetsky, speaking at the levayah of his father, Rabbi Yaakov Kamenetsky, said that someone once pointed out to R' Yaakov that he had a stain on his jacket. R' Yaakov was almost as upset as if someone would have accused him of stealing, because the halachah is that a talmid chacham must always be neat and clean. The same applies to anyone who is perceived by people to be a talmid chacham. He must act in ways that do not cause a lack of respect for Hashem. Wearing a stained hat or clothing, especially during davening, is a chilul Hashem.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 263

❖ Moshe Goldman refused to work on Shabbos. He kept losing his job so he could not pay rent. The landlord said he can live in the coal basement. One day Mr. Bookman, the owner of a large sweater factory saw the Jewish boys with black faces. He saw their conditions and offered the mother $5000. Moshe came home and went to Mr. Bookman's office to return the money, saying that Mr. Bookman owned a factory that employed Jews on Shabbos, and that is exactly what they are moser nefesh for. Mr. Bookman was so shocked, and remembered with his wife how they used to struggle to keep Shabbos. He came back with the money. Moshe said I thought you understand why I can't keep it. He said that they resolved to keep Shabbos and close the factory. He gave him a job.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 101

❖ A close talmid was with Reb Shlomo Freifeld one night in the hospital and Reb Shlomo had finally dazed off. Just a few minutes later, the nurse came in to administer shots, and she told the talmid to call her when Reb Shlomo woke up. A short while later, Reb Shlomo opened his eyes, and it was evident that he was in terrible pain. He had undergone surgery in which parts of his spine were removed, and it was a constant struggle to find a conformable position. The talmid informed him that the nurse had come to give him a shot, and Reb Shlomo attempted to sit up. Then he asked the talmid to excuse him for two minutes, after which he could call the nurse. The talmid returned a few minutes later with the nurse and was astonished at the change in his rabbi. Reb Shlomo was smiling broadly, sitting straight and tall, his face suffused with liveliness. Just a few minutes earlier, he had been pale and weak, and now he exuded vitality and strength. "I must tell you a really great joke," he said to the nurse, sharing a funny thought with her. "Oh, Rabbi, you am always so funny," she said happily. When she left, Reb Shlomo slumped back down and turned to his talmid. "Hershel, the tafkid of a Yid, the purpose of a Jew, is to bring joy to other people even to goyim." During one of the periods when Reb Shlomo was hospitalized, he was in his wheelchair, waiting to be pushed into an elevator. There was a large crowd waiting for the elevator, and a young boy impulsively grabbed hold of Reb Shlomo's wheelchair and pushed it, sending it rolling down the hall. There was a horrified gasp from the bystanders at the scene and the boy's mother tried to find the words to apologize to the Rabbi in the wheelchair. Reb Shlomo turned to beam at the boy. "Young man," he said, "I am sure that you will be a great nurse when you become big."

Reb Shlomo, By Rabbi Yisroel Besser, Published by Judaica Press

❖ Mr. Sol Werdiger, CEO of Outerstuff, a company that produces sports apparel, received a phone call from Mr. Oh Joon, the South Korean UN Ambassador asking to meet him for lunch at a Kosher restaurant in Manhattan. Although Sol did not know the purpose of the meeting he agreed to meet with Mr. Joon. When they met, Mr. Joon told him the following, "I have always heard negative stereotypes about Jews and Israel and I took it at face value. Then, my daughter took an internship working on design in your company. Throughout the year, she has been telling me how wonderful it is to work at your company." Mr. Joon continued, "There are four areas which stood out and impressed my daughter. 1) Everyday, at 1:30 p.m. no matter what was going on at the office, all the men including those from neighboring offices, retreated into a room to pray with sincerity and calm. 2) Every Friday the office shuts down early in the afternoon in preparation for your holy Shabbos and is closed on the Shabbos - this includes all workers no matter which faith or religion they maintain. 3) My daughter observed that each petitioner for charity - and there were many - were treated with respect and left with a check in hand. 4) My daughter was treated with the utmost respect and dignity." Because of the amazing experience and lessons

the company taught his daughter, Mr. Joon took out his checkbook and was ready to write a check returning all his daughter's earnings! Mr. Werdiger wouldn't hear from it. "Your daughter worked and earned her salary and rightfully deserves her pay, I will not accept any remuneration." Then the Ambassador relayed the most amazing thing. "As you know, I have voting privileges at the UN. Because of my renewed appreciation of the Jewish people, I abstained from voting on resolutions against Israel on three occasions. At one resolution I was the ninth vote needed to pass the motion and resolution against Israel and because I abstained, it did not pass!" Mr. Werdiger told me that no one at the office had any idea that this girl was the daughter of an Ambassador and no one ever imagined what type of impact their typical conduct at work had on her or how this impacted the votes against Israel. G-d has entrusted us to follow the example of our forefather Avraham to be trailblazers and to set examples becoming a light to all nations by living exemplary lives as outlined by the laws, personalities and experiences of our precious and timeless Torah!

Living in His Image Contemporary Torah Anthology

❖ In Bergen Belson, the Bluzhever rebbe help lead a group to light Chanuka candles. They used shoe dye for oil, and thread from their clothes for wicks. They all rocked their life to gather together to light the candles. As he was about to make the barachos and light, a Polish Bund leader named Zomatchkovsky said, I understand how you can make the other blessings, but how can you make the shehechianu. How can you thank Hashem for bringing us to this time? The rebbe said I had the same question, but as I look around I see hundreds of faces of Jews who are risking their life for this mitzvah. You have all never given up. You have such incredible courage. Never in Jewish history have we seen such strength. For this I make the berachah of shehechianu. To see the greatness of the Jewish people. Later after the war. Zomatchkovsky sent a message to the Bluzhever rebbe. That answer saved my life and gave me the strength to survive. Thank you.

Path Through the Ashes, edited by Rabbi Nisson Wolpin, published by ArtScroll Mesorah, p. 158

❖ Even Rabbi Dessler's external appearance conveyed to the bachurim a taste of Kelm's emphasis on a neat and orderly appearance. His clothing was of the simplest possible quality, but always immaculate. While Rebbetzin Dessler was still alive, she used to personally inspect him and brush off his hat and tie before he departed for the yeshivah." After she passed away, Rabbi Dessler would always carefully examine his beard in the mirror to make sure it was neatly combed before leaving the house. The bachur who lived with him was initially surprised to see him show so much concern with his physical appearance. Later, however, he realized that Rabbi Dessler's concern was a reflection of Kelm's emphasis on avoiding anything that might cause a chilul Hashem in any way."

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 303

❖ Doctor Shulman, Rav Pam's doctor related the following observation. Rav Pam was very careful with his speech. He spoke a "king's English," and this included following the rules of English grammar. In his last days, when hospitalized, he overheard a young grandchild tell someone, "There's apples in the refrigerator." Rav Pam called the child to his bedside and said, "There are apples in the refrigerator."

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Mordechai Leviton was a sefardi mekubal. When he was older he was unable to walk to shul, so he arranged a minyan in his home. He normally had a minyan, but one rainy day the only person who came was his close talmid, Eliyahu. When he heard that no one was coming he pulled out a box filled with money. Eliyahu wondered where that money was from because Rav Leviton was very poor. He told Eliyahu, I have been saving this money to have somebody learn mishnayos in my memory after I pass away. But this is more important. Please go out and tell all those who can't come that I will pay them to come. They all came.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 39

❖ Rav Nosson Tzvi Finkel's superhuman effort melted hearts of stone. One rich businessman regrettably refused the Rosh Yeshivah's request for a large donation. "I can't," he declined, assuming that he had put the matter to rest. "I can't either," Reb Nosson Zvi countered, "but I do anyway." After just a moment of uncomfortable silence, he received the full donation. This kind of thing happened over and over again.

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 253

❖ Rabbi Dessler showed his talmidim in very concrete ways how they could cause G-d's Name to become beloved in the world. Mordecai Miller, for instance, used to travel to his lessons with Rabbi Dessler by double-decker bus. In those days, each bus had a conductor who went around collecting the fares. If one went up to the upper deck and the journey was short, there was a good chance that one would reach his destination prior to the conductor collecting his fare. Rabbi Dessler told Miller to deliberately go up to the upper deck. When he reached his destination, he was to approach someone sitting nearby and in a voice that would be heard all around ask that person to please pay his fare to the conductor. In a similar vein, Rabbi Dessler instructed Aryeh Carmell that he should give a penny to each of the numerous beggars he passed on Southampton Row on his way to his lectures in estate management.

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 154

❖ An obese gentile woman of advancing years lived on Reb Mendel Kaplan's block. Each morning she would walk slowly to a restaurant several blocks away for breakfast. One wintry Sunday morning, as this woman was plodding through the deep snow to the restaurant, Reb Mendel drove by. From the other side of the avenue, he rolled down his window and called to her, "Mary, wait! I'll take you!" With some difficulty, he turned his car around in the snow and gave her a ride to the restaurant. After she finished eating, she was shocked to see the rabbi's car still at the curb in front of the restaurant. He had waited the whole time to take her back home. She later met Reb Mendel's wife and recounted the entire episode. "Your husband is not a person," she concluded, "he's an angel."

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

❖ In a shiur on the laws of Shabbos, Rav Ben Tzion Abba Shaul mentioned the halachah that if a house is burning down one may not desecrate the Shabbos to save it. Someone from the crowd said, "What? Just sit and watch your house burn down?" He replied, "I didn't say you should sit and watch. You shouldn't just sit and watch. You should sing and dance for the opportunity to fulfill the mitzvah of loving Hashem 'with all your money!'"

Torah Leaders, published by ArtScroll Mesorah

❖ Charlie the janitor had been working in the Lakewood Yeshivah for many years. He once told a group of boys that he was amazed that every Purim there were hundreds of drunken Bachurim and hundreds of girls in the nearby seminaries, yet never once in all his years did he see an inappropriate incident. If it was me and my buddies," he concluded, "we'd have been arrested by morning.

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ The personality of the Alter of Kelm (Reb Simcha Zissel Ziv) that emerged from the years studying under Reb Yisrael Salanter was one of uncommon beauty. All who came into contact with him felt the attraction of his personality. He was aristocratic in bearing — each movement deliberate and precise. His eyes, according to Kelm resident E.E. Friedman, pierced through one's heart." And his clothes were so neat and ironed that people often complimented him on his new purchase for garments that were twenty years old."

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 39

❖ Chaim Kahan was flying home to Denver from San Francisco when the pilot announced that the plane's hydraulic system had failed. As the passengers feared for their lives, Chaim stood and davened with all his heart. Miraculously, the pilot was able to dump fuel and bring the plane to a safe stop on the runway. As they disembarked safely, the flight attendant turned to Chaim and said, "During the emergency, all the passengers were looking to the crew for reassurance—but the entire crew was looking to you."

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ Rav Pam got out of a cab at the subway station a full block before his actual destination' Another frum guy got in. The Hispanic driver told him, "That guy always stops a block early right in front of the subway station so that I'll get another customer immediately. Now I know why you are the chosen people.

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

35. Not to desecrate Hashem's name or mistreat gentiles

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 155, Sefer Chareidim 29-101

As the Torah says, And you shall not profane My holy name (Vayikra 22:32, Parshas Emor).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If someone violates a transgression out of spite, but in private would that be considered a Chilul Hashem?
- Is it a Chilul Hashem if a respected person does something that only looks immoral, but is really permitted?

SEFER CHAREIDIM

Scripture warns: "And you shall not profane My holy Name" (Vayikra 22:32). This commandment forbids any transgression or conduct that brings disgrace upon the Name of Heaven. During an era of religious persecution (she'as ha-shemad), submitting to coercion rather than giving up one's life constitutes a desecration of Hashem's Name. In normal times, one desecrates the divine Name by brazenly throwing off the yoke of Heaven in public, acting out of spite and open rebellion against the Almighty. Furthermore, when a Torah scholar or any upright individual acts indiscreetly, conducting business unreliably or behaving in a manner that causes others to speak disparagingly of him and of the Torah, he creates a grave Chilul Hashem. The Sefer Mitzvos HaGadol (Semag) emphasizes: "I have proclaimed across the diaspora of Klal Yisroel that whoever deceives a non-Jew or steals from him belongs to those who desecrate the Name of Hashem, for he causes the nations to mockingly declare that the Jewish people have no Torah." Regarding this, Scripture foretold: "The remnant of Israel shall do no iniquity, nor speak falsehood, nor shall a deceitful tongue be found in their mouth" (Tzefaniah 3:13). Indeed, the sin of Chilul Hashem is treated with greater severity in Heaven than offenses carrying the penalty of spiritual excision (kares) or execution by the court.

SEFER HAMITZVOS HAKATZAR

The grave sin of desecrating the divine Name (Chilul Hashem) is categorized into three primary manifestations:

1. The first category occurs when a person is coerced to violate a commandment during an era of religious persecution (she'as ha-shemad), where the oppressor's explicit intent is to force him to abandon his faith — whether regarding a minor rabbinic custom or a severe biblical law; or when one is coerced to commit one of the three cardinal sins of idolatry, forbidden sexual immorality, or murder — even in private, during peaceful times, and even if the oppressor acts purely for personal gratification. In all such circumstances, one is halachically commanded to accept martyrdom rather than transgress. If he fails to do so and commits the sin, he desecrates the Name of Hashem and violates this negative commandment. If this capitulation takes place in the presence of ten Jews, he desecrates the divine Name in public (b'farhesya), and his moral transgression is catastrophic.

2. The second category occurs when a person commits a transgression not out of overwhelming physical desire or personal gratification, but out of brazen defiance, seeking deliberately to throw off the yoke of the Kingdom of Heaven and rebel against the Almighty. Such an act constitutes a direct desecration of the divine Name.

3. The third category occurs when an eminent person — a Torah scholar or a communal leader whose conduct serves as a model for others — acts in a manner that creates the appearance of wrongdoing in the eyes of the public, even if the deed itself is strictly permissible according to the letter of the law. By tarnishing the dignity of Torah and confusing the community, he desecrates the divine Name.

The spiritual severity of Chilul Hashem is so profound that neither teshuvah alone nor the sanctity of Yom Kippur possesses the power to grant full expiation; instead, genuine teshuvah and Yom Kippur hold the judgment in abeyance until physical death provides final atonement. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Performing acts of chesed is not limited to physical kindness alone. Teaching others the truth and bringing them closer to Hashem are one of the greatest acts of kindness we can perform. If we make a Kiddush Hashem, we emulate Hashem by bestowing spiritual kindness. If we do the opposite, we harm the world by pushing them away from the greatest gift they can have.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

R' SAADIA GAON

One who desecrates Hashem's name will cause others to do so as well.

RAMCHAL — MESILAS YESHARIM (CHAPTER 11)

Chilul Hashem does not only consist of committing outright transgressions. When an accomplished individual or Torah scholar acts in a manner unbefitting his stature (she'eino hagun), it constitutes a profanation of Hashem's Name. The Torah is given to grant moral refinement and perfection; when one who represents it behaves unworthily, it brings disgrace upon the refining power of the Torah in the eyes of others.

MORAL DILEMMAS:

A Jewish businessman was traveling on commercial business in a remote city in China and had to stay in a modern hotel over Shabbos. Before candle lighting, he arranged to have his room door propped slightly ajar to avoid triggering electronic keycards, and he covered the motion sensors in his room so lights would not turn on or off automatically. Later on Friday night, returning from his meal in the dark hallway, he pushed open an unlocked door and stepped inside. Suddenly, an automatic overhead sensor clicked, flooding the room with bright light. Looking around in horror, he realized he had accidentally entered the room next door! The room belonged to another guest who was out, with suitcases and personal belongings lying open. A terrible dilemma confronted him: The hotel room's motion sensors were programmed to automatically shut off the lights as soon as the occupant exited the room. Walking out would cause the lights to turn off, which is a rabbinic prohibition on Shabbos (psik reisha of extinguishing/shutting an electric circuit). But staying inside meant that the hotel guest or security guards could return at any moment and catch him in a stranger's room. In China, being apprehended as a suspected burglar could lead to immediate arrest, severe interrogation, and harsh imprisonment. May he exit the room and cause the light to shut off to avoid arrest and public humiliation? What do you think?

Answer: Rav Yitzchak Zilberstein rules that the man is permitted to exit the room, but he must do so with a shinui (an unusual manner), such as by walking out backwards. Because extinguishing electric lights in this manner is a rabbinic prohibition (shevus), Chazal permitted violating a rabbinic prohibition with an unusual modification (shinui) in order to prevent severe human degradation and preserve human dignity (kavod habriyos). Avoiding false arrest, criminal prosecution, and the profound humiliation of being paraded as a thief qualifies as a paramount case of kavod habriyos, permitting him to exit backwards.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 205

During the Holocaust, in 1940, Peretz wanted to join the partisans who lived in the forest and fought the German occupiers. When he approached the partisan's camp, he was told that they did not accept Jews. However he would be allowed to join if he could prove that he had converted to Christianity. Peretz determined that it would not be difficult to go to a local church, go through a perfunctory baptism, and get a certificate from the priest that he was baptized. Peretz brought this question to Rav Efraim Oshry. He knew that he was not allowed to convert to Christianity even if this meant saving his life. But was he allowed to get a baptism to pretend that he converted in order to save his life by joining the partisans. On one hand he would only have to get a perfunctory baptism to save his life. But on the other hand was he allowed to even pretend to get baptized to save his life? What do you think?

Answer: Regarding the question of whether the man can get a certificate saying that he got baptized, Rav Oshry answered the man that it was better to die than to pretend to convert.

— Source: Shailos V'Teshuvos Mimamakim Book 1, Question 15 (Table Talk Halachic Archive, Edition 72 (Shemini))

A man was a fundraiser for a religious organization. He had $500,000 of the organization's money. He had a foolish idea to increase the money by gambling with it at a casino. He did it for the sake of the organization, not for personal gain. He lost all of the money. The head of the organization was advised that if he notifies the government that the money wasn't the fundraiser's, the casino would have to give all of the money back. The man would be arrested, put on trial, and put in jail for a few years, and it would make a big chillul Hashem. They would get the money back though. Are they allowed to report this to get the money back if it will cause a chillul Hashem?

Answer: Analyzing whether a victim must forfeit stolen funds to avoid the public chillul Hashem that will result if the thief is prosecuted and imprisoned, Rav Yitzchak Zilberstein cites his brother-in-law Rav Chaim Kanievsky zt"l and Rav Yosef Shalom Elyashiv zt"l, who ruled that the organization is not obligated to forfeit its $500,000 of communal charity funds on account of the chillul Hashem caused by the fundraiser's own reckless sin at the casino. Just as the Gemara in Yoma (23a) and Bava Kamma (117b) holds the instigator exclusively responsible for the resulting disgrace, the organization is permitted to take the necessary legal steps to recover its stolen charitable funds from the casino.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 190

STORIES FROM OUR SAGES:

❖ Shimon ben Shetach worked hard in the flax trade to support himself. His disciples said to him: "Master, let go of this heavy labor! We will buy you a donkey so that you will not have to toil so much carrying bundles." They went and bought him a donkey from an Arab merchant, and hanging hidden around its neck was a precious pearl that the seller had forgotten. They came back to their master and said joyfully: "From now on, you never need to toil again!" He asked them: "Why?" They told him: "We bought you a donkey from an Arab merchant, and hanging on its neck we found a priceless pearl!" Shimon ben Shetach asked them immediately: "Did its owner know that the pearl was still on the donkey when he sold it?" They answered: "No." He said to them: "Go at once and return the pearl to him!" His students asked: "Even according to the authority who rules that robbing a gentile is strictly forbidden by Torah law, does not everyone agree that an unintended windfall or lost item of an idolater does not legally have to be returned?" Shimon ben Shetach exclaimed to them: "What do you think—that Shimon ben Shetach is a barbarian?! Shimon ben Shetach desires to hear the gentile proclaim, 'Blessed be the God of the Jews!' far more than all the money and reward of this entire world!"

Talmud Yerushalmi, Bava Metzia 2:5 (8c)

INSPIRATIONAL STORIES:

❖ Rav Nota Greenblatt was fearless and, when others feared for him, he'd admonish them not to. Rav Nota was in the midst of writing a get in a shul in Memphis. There was a lull, as one of the parties hadn't yet arrived. Rav Nota had an errand to run and decided to take advantage of this time to see to it. But as he was returning to the shul, he was involved in a minor accident. He and the other driver exited their cars. There was a moment of the usual uncomfortable back-and-forth, but Rav Nota glanced at his watch and realized that he had to get back to the shul quickly. The parties to the divorce and the witnesses were surely gathered in the office by then, waiting for Rav Nota to show up. He couldn't keep them waiting. Aware that it was illegal for him to leave the site of an accident, he handed his driver's license to the other driver and said, "Sir, listen, I am not leaving the scene of an accident. I simply need to run over to the synagogue down the block to administer a religious process: When the police come, please tell them that you have my license and let them know where I can be found." With that, Rav Nota scampered off to the shul. A few minutes passed before there came an ominous knock on the door. Two policemen entered and strode over to Rav Nota. "Nathan Greenblatt?" "Yes, Officer." "You left the scene of an accident, sir." "I did not, Officer. I gave the other party to the accident driver's license with specific instructions as to my whereabouts. That cannot be considered leaving the scene of an accident." The officers seemed sympathetic but wouldn't concede to Rav Nota's argument. “Rabbi, you left the scene of an accident. We have to arrest you.'" "Okay," Rav Nota said cooly, "but I am in the middle of an important religious ceremony. You can arrest me when I'm done. Please wait outside until I'm finished." The officers shrugged and left the room. "Please close the door behind you," Rav Nota called, and got straight back to work. Once the get was completed and delivered, Rav Nota approached the waiting policemen. They handcuffed him and led him to their patrol car. A young boy from the community, who knew and adored Rav Nota,

happened to be standing there. Seeing Rav Nota under arrest terrified him and he burst into tears. Rav Nota looked at him with amusement. "Vos veinst du? Why are you crying? They're not going to execute me!" Rav Nota was taken to the police station for questioning and was released shortly thereafter.

From Rav Nota, by R' Shmuel Botnick, published by ArtScroll Mesorah

❖ The Beis HaLevi decided to leave his position as Rav of Slutzk. The persecutions he suffered at the hands of the rich men of the city who had been stung by his criticism were reaching new heights, and he preferred to leave. However, the local poritz, who had always been an admirer of his, was disturbed when he heard about his decision, and offered his help and protection. "Now we will see who wants to make things difficult for you, Rabbi..." the poritz told him. But, after considering the matter, the Beis HaLevi decided that it wasn't right that a non-Jew should support him, causing the powerful Jewish men of the city and those who feared them as well — to appear less worthy in contrast to the poritz. He therefore concluded that he must resign the position which he had held for almost a decade. He decided to move to Warsaw. The source of the conflict between these powerful men and the rav was, as mentioned above, the way he ran his rabbinate, applying the dictum: "Do not fear any man." The powerful and the weak, the rich and the poor — he treated them all equally.

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 12

❖ Once the Zionist leaders in Brisk planned to sing Hatikvah after an official ceremony in the shul without consulting the Brisker Rav (Rav Yitzchok Zev Soloveitchik). When they began to sing Hatikvah, the Brisker Rav sat down. It caused a big stir and the Zionist leaders were insulted. Following this incident, the community leaders withheld the Brisker Rav's salary for an entire year as a "punishment" for having disgraced the Zionist anthem. The Brisker Rav could easily have organized his faithful followers among the community leadership and fought this act of spite, but he was afraid that the story would become known among the non-Jews and become a public chilul Hashem. He prohibited publicizing the matter and waived his claims for the salary."

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 285

❖ One of the talmidei chachamim in the yeshivah's kollel developed an innovative chiddush one afternoon, and he very much wanted to share it with the Rosh Yeshivah, Reb Dovid Feinstein. Later in the afternoon, Reb Dovid came into the beis medrash to get his coat and as he headed for the exit, the talmid followed. He stopped Reb Dovid at the door. "I wanted to share a chiddush," he said, and launched into his vort. Reb Dovid heard him but did not respond, and he certainly did not engage with the talmid as he normally would. He nodded politely, and when the talmid finished the idea, Reb Dovid thanked him and left the building. The next day, the talmid wondered where the Rosh Yeshivah had been rushing to, and he asked the driver. "Oh," the driver replied, "the Rosh Yeshivah had chest pains, and we were hurrying to the hospital to get his heart checked out."

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

❖ On an occasion in Switzerland, The Brisker Rav sought to clarify the standard "tip to be paid to the cab drivers. The person who was accompanying him expressed surprise at the urgency. The Brisker Rav attached to the matter. The Brisker Rav explained to him, "If I give less than is normal, I will cause a chilul Hashem, ... it is incumbent upon me to give precisely the right amount.

In Their Shadow, Vol. 1, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ A driver was hired to transport several girls from a Manhattan wedding back to their summer camp in the Catskill Mountains. He was trying to get onto the FDR Drive North, but being unfamiliar with the neighborhood, he could not locate the entrance ramp to the highway. When they saw a Jewish man walking in the street, they pulled over and asked him for directions to the ramp. He explained that it was somewhat complicated, and the best thing would be for him to join

them in the car and direct them, after which he could walk to his own home, which was not far. They accepted his offer, and he led them to the ramp. As he prepared to leave the car, the driver thanked him and asked his name. "Dovid Feinstein," he said, and slipped out of the car and into the night.

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

❖ A talmid accompanied Reb Dovid Feinstein for a long day of fundraising in a different neighborhood, with negligible success. The talmid was very dejected, and Reb Dovid tried lifting his spirits. The talmid was too upset about the wasted time and perceived slight to the Rosh Yeshivah's honor, so Reb Dovid finally asked the driver to stop the car and pull over. Reb Dovid advised the talmid to go into a small convenience store and purchase a scratch-off lottery ticket, assuring him that they would net a significant donation to their cause. The talmid listened, coming back moments later with a winning ticket worth $10,000, a nice donation to justify their efforts over the course of the day.

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

A. NOT TO GIVE THE IMPRESSION THAT YOU ARE DOING SOMETHING WRONG

(Torah Mandated Mitzvah), Sefer Chareidim 50-11

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is it permitted to walk right past a shul at the time that the minyan is beginning?
- When is this permitted?

SEFER CHAREIDIM

As an application of the duty to avoid even the appearance of impropriety, a person should not walk past the entrance of a synagogue while the congregation is engaged in prayer without entering to join them, lest it appear that he refuses to accept the yoke of Heaven. He is permitted to pass only under circumstances where onlookers would recognize that he is not acting disdainfully: if he is visibly carrying a burden, carrying his tefillin, if the synagogue possesses another entrance through which he might have entered, or if there is another active synagogue in the city to which he may be heading.

MORAL DILEMMAS:

Tomer was a religious Jew living in Israel. He held a job as guard for a security company. One day his company was hired by a restaurant in Tel Aviv called "The Pork Barrel". His assignment was to stand inside the restaurant and provide security for all of the restaurant clientele. The reason why he was hired by the restaurant was that In Israel, in an atmosphere that can sometimes be tense because of the security conditions, a security guard would give the customers an added sense of comfort and serenity. True to its name, The Pork Barrel, owned and managed by Israeli Jews, was a restaurant that specialized in serving authentic pork. When Tomer received this assignment he felt very conflicted. On one hand he was protecting his fellow Jews. That was certainly a mitzvah. Also here was a place where there were Jews who were clearly very estranged from Torah and perhaps his gentle influence might inspire some people to feel a bit more connected to Torah. Also, if he would tell his bosses that he wouldn't work there, it might put his job in jeopardy. But on the other hand he did not feel comfortable about it for the following reasons. First, perhaps his presence as a security guard would make it easier for Jews to serve and enjoy eating treif. His presence would make

it easier for people to enjoy the treif food. In addition, he always wore a kippah and tzitzis. Would it be a desecration of God's name for a religious Jew to stand in this restaurant and provide security? Might it give the impression that eating there was permitted? Should Tomer put his job on the line and say no to his bosses? What do you think?

Answer: Rav Yitzchak Zilberstein rules that Tomer may not work as a paid security guard stationed outside a treif pork restaurant in Eretz Yisrael, even if refusing the assignment will cost him his job. Standing guard in a kippah to enable Jewish patrons to dine in peace and security on forbidden pork creates a severe chillul Hashem in the public eye, and deriving wages from a chillul Hashem is forbidden.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Gittin, p. 303

There was a barber shop in the Geulah neighborhood in Yerushalayim. Geulah is an entirely religious neighborhood close to Meah Shearim. The name of the proprietor of the shop was Hershel. One day a young man wearing a baseball cap walked into the barber shop. He turned to the barber and said in Hebrew that he would like a haircut that shaves his entire head. "I want to look like Michael Jordan", he said with a grin. Hershel was taken aback. There is a mitzvah for a Jew not to entirely cut the area of his sideburns. This is the mitzvah of not cutting the "Peyos" Not only is there a prohibition not to do it to yourself, it is prohibited for a barber to cut of the sideburns of another "Excuse me, my friend" Hershel replied. "As you know it is forbidden for me to shave off your peyos". "Don't worry barber", The young man responded. "My mother is not Jewish, so of course I am not Jewish. I have no mitzvah to keep my Peyos". That answer gave Hershel some comfort. But then he looked around the barber shop and saw the faces of around ten young religious children waiting for haircuts. He looked out to the window front and saw streams of religious Jews walking past his window. Hershel then wondered even if this young man was not Jewish, would it be Chashad, would it be giving the impression of sin in front of all these people, to shave this young man's head. Would it look like he is doing the sin of cutting of this person's peyos? On one hand he was not doing a sin, but on the other hand, was he perhaps giving the impression of sin? What do you think?

Answer: Rav Yitzchak Zilberstein rules that Hershel is permitted to give the young man the haircut and shave his head, and there is no halachic concern of suspicion (chashad or mar'is ayin). A commercial barber shop located in an urban center is a public business establishment open to all paying customers from all backgrounds. Because anyone can freely patronize a barber shop, passersby and onlookers will readily recognize that the customer asking for a fully shaved head is a non-Jew. Halachah establishes that in public settings where the circumstances naturally explain an action, we do not invent far-fetched suspicions of transgression. Therefore, Hershel may cut his hair without hesitation.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 386

STORIES FROM OUR SAGES:

❖ It once happened that Rabbi Yishmael and Rabbi Elazar ben Azaryah were staying together in the same place. Rabbi Yishmael was reclining while Rabbi Elazar was sitting upright. When the time arrived to recite the evening Shema (which Beis Shammai holds must be recited while reclining at night, whereas Beis Hillel holds may be recited in whatever posture one prefers), Rabbi Yishmael sat upright and Rabbi Elazar reclined! Rabbi Yishmael asked him, 'What is this, Elazar?' Rabbi Elazar replied, 'Yishmael, my brother! People once asked a man why he grew his beard so long, and he answered: It is a protest against the destroyers (those who cut their beards unlawfully). Likewise, I, who was sitting upright, reclined; why did you, who were already reclining, sit upright?' Rabbi Yishmael answered him, 'You reclined to fulfill the words of Beis Shammai, whereas I sat upright specifically to fulfill the words of Beis Hillel—so that the students should not observe you reclining and establish the halachah for future generations according to Beis Shammai!'

Tosefta, Berachos 1:6 (cf. Talmud Bavli, Berachos 11a)

INSPIRATIONAL STORIES:

❖ The Lev Simchah, the Gerer Rebbe, once stayed in a rented room in Teveria. During the first days of his stay the television antenna of the adjacent building fell and landed on the roof above his room. The Lev Simchah's attendants did not pay any attention to the matter, as it did not seem to disturb anyone. The next morning during his walk, the Lev Simchah mentioned to his accompanying attendant that mosquitoes had bothered him the entire night. The attendant later mentioned the incident to another attendant, Who suggested buying a blue electrical light that keeps flying insects away. "I brought one with me from Yerushalayim," remarked the first attendant, "but when I tried to set it up, the Rebbe told me not to, without giving any explanation." On the next morning's walk, the Lev Simchah again complained about the mosquitoes. "We have the apparatus with the blue light..." said the attendant. "Yes, I know," the Lev Simchah answered. "But, no, it's not necessary." Again, no explanation was given. The Lev Simchah did not complain again during the days that followed, but it was obvious that the mosquitoes were causing him discomfort at night, and his refusal to use the anti-insect light remained a mystery. One morning the Lev Simchah pointed out to the attendant that there was a "foreign object," which belonged to their neighbor, on the roof. "Why does it have to be on our roof?" he asked. "Perhaps someone should speak to him about removing it." The neighbor was spoken to, and he promised to call a technician and have the antenna restored to its proper place. When time passed and nothing was done, the attendants returned to the owner and offered to move the antenna themselves. "No," the owner objected. "Only a technician should handle it. Don't worry, I'll call one." Once again the owner did not keep his word, and the antenna remained where it had fallen, above the Lev Simchah's room. The attendants decided that the antenna had to be removed from the Rebbe's roof, and that afternoon they climbed up on the roof and moved it back to the neighbor's section of the roof. When they returned with their mission accomplished, the Lev Simchah greeted them cheerfully and asked, "Now, where is that blue light you brought? Let's set it up." Only then did the solution to the mystery dawn on the attendants. With the antenna on the roof above his room, the Lev Simchah was concerned that people would think that the blue light was the light of a television screen. The Lev Simchah, therefore, chose to suffer from the mosquitoes (and not trouble his attendants by asking them to move the antenna) rather than risk the possibility that someone might deduce from his actions that it is permitted to have a television set!

Table Talk, Edition 238 (Parshas Chukas), by Rabbi Yitzi Weiner

❖ My dear friend Rabbi Shraga Freedman once told over this story. Rav Yosef Zimbal, rav of the West Gate kehillah in Lakewood, NJ, met Rav Shmuel Kamenetsky, rosh yeshivah of the Philadelphia Yeshivah, at a wedding. Before the chuppah, Rav Zimbal had a lengthy conversation with the Rosh Yeshivah, yet, after the chuppah was over, when Rav Kamenetsky passed him, he greeted Rav Zimbal effusively, as if he were seeing him for the first time. Rav Zimbal respectfully pointed out that they had already conversed. "I am aware of that, of course," Rav Kamenetsky replied with a smile, "but there are many more people in the vicinity now who are not aware of that. I wouldn't have wanted all of them to think that I simply walked by you without greeting you."

Table Talk, Edition 507 (Parshas Ki Savo), by Rabbi Yitzi Weiner



SEDER TWO • SECTION ONE: EMULATING HASHEM

MISHPATIM: UNIVERSAL JUSTICE

Commandments of Justice Toward Fellow Men

OVERVIEW

The second mitzvah category is "Mishpatim". All of these commandments are commandments that teach us to act toward other people in a respectful, sensitive, and just manner. The second fundamental attribute of Hashem is mishpat, justice. So in our quest to resemble the Almighty we need to emulate the Almighty with extremes of respect, sensitivity, and justice.

Here are a few examples of justice: Not to hate another. Not to hurt another's feelings. Not to hurt another physically. Not to speak bad about people. Not to lie to others. Not to cause anyone a financial loss. Not to be inactive while another person is in danger. Not to bear a grudge. Simply look in the mirror, and whatever you would not like to be done to yourself, don't do to others. These mitzvos are very straightforward and logical, but at the same time they are often the most difficult. For example, oftentimes keeping kosher or observing Shabbos can be a lot easier than properly observing the mitzvah of not harboring a grudge.

These mitzvos also include the requirement to establish institutions that bring criminals to justice, and help to eliminate the injustice and unjust people from the world.

As we mentioned with the commandment of kindness, the focus of these mitzvos is not only that we act in a respectful and just way, but for these actions to help us to develop a respectful and just character and personality.

JUSTICE IN THE HEART

SECTION OVERVIEW

The mitzvos in this section all encourage us to emulate Hashem by eliminating hatred and resentment from our heart

1. Not to hate another in your heart

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 78

As the Torah says, You shall not hate your brother in your heart (Vayikra 19:17, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ What should a person do if someone hurt their feelings?

SEFER HAMITZVOS HAKATZAR

If someone sins against his fellow, the victim must not harbor hatred in his heart while remaining silent. Rather, it is a positive mitzvah to approach him directly and address the matter, asking: 'Why did you do this to me?' Through direct and honest communication, he must eliminate all resentment from his heart.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem loves all of his children, so should we. We have to eliminate hatred, resentment and negativity from our heart, just like Hashem.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG (VAYIKRA 19:17)

If we hate or dislike someone, we will not want to offer them assistance or do chesed towards them. Additionally, the hate may lead to eventually harming or hurting the other person.

CHOFETZ CHAIM — AHAVAS YISROEL

Hating another fills our heart with tumah, impurity.

SFAS EMES

• In Parshas Kedoshim, the Torah opens with the command: "Kedoshim tiheyu, ki kadosh Ani Hashem Elokeichem" — "You shall be holy, for I Hashem your God am holy" (Vayikra 19:2). Why did the command of holiness have to be proclaimed to the full gathering, while other sections of the Torah were taught to smaller

groups? The Sfas Emes reveals that holiness cannot exist in isolation. In the Torah's vision, true sanctity is not achieved by a hermit meditating alone on a mountain peak. Holiness descends upon the world only when the diverse members of the Jewish people join together in love and harmony. The Sfas Emes explains: for holiness exists only in unity; and this is the true bitterness of exile, that we struggle to unite because we are scattered among the nations. When we harbor hatred, we sever the connection to our fellow Jews, bringing spiritual darkness into our own lives. When we banish hatred, the current flows smoothly, illuminating the entire community (Sfas Emes, Vayikra, Kedoshim 5643).

• The Mishnah at the conclusion of Maseches Yoma (85b) establishes a famous halachic rule: Yom Kippur atones for sins between man and Hashem, but for sins between man and his fellow, Yom Kippur does not atone until he appeases his fellow. Why should the complete atonement of this sacred day be halted by an unresolved grudge between two neighbors? The Sfas Emes explains that on Yom Kippur, the Jewish people become a single, unified entity, mirroring the absolute Oneness of Hashem. The heavenly light of Yom Kippur is so transcendent that it cannot rest upon fragmented parts. Divine forgiveness requires an undivided vessel. When two Jews harbor silent hatred in their hearts, that holy vessel is fractured. Appeasing a neighbor is not an external condition for Yom Kippur; it is the very essence of the day. When we approach a person we have hurt or resent, ask for forgiveness, and cleanse our hearts of animosity, we repair the broken seams of the community. We restore the single vessel through which Hashem's forgiveness enters the world (Sfas Emes, Moadim, Yom Kippur 5651).

• Our Sages teach in Maseches Yoma (9b) that the Second Temple was destroyed because of sinas chinam—baseless hatred. Yet the Sfas Emes examines the root meaning of the Hebrew word chinam and discovers a much deeper definition. In Parshas Va'eira, he explains that chinam means "empty of purpose" or "free from duty", as in the phrase "chinam min ha-mitzvos"—exempt from the commandments. The Sfas Emes reveals that genuine love of a fellow Jew is not a mere sentimental impulse. They have forgotten that every soul is a vital organ in the national body of Israel. By indulging in resentment, a person declares that their personal ego and petty pride matter more than the King's pleasure (Sfas Emes, Shemos, Va'eira 5643).

• On the festival of Purim, we fulfill the mitzvah of sending gifts of food to our friends (mishlo'ach manos) and giving gifts to the poor (matanos la'evyonim). Why is the willing acceptance of the Torah celebrated specifically through sending food gifts to our neighbors? The Sfas Emes explains that the First Temple was built in the merit of the Written Torah, while the Second Temple represented the wisdom of the Oral Torah (Torah Sheb'al Peh). The Oral Torah is developed through human study, debate, and companionship. The Second Temple embodied the Oral Torah. Therefore, its destruction was caused by sinas chinam—baseless hatred between peers. Baseless hatred pulled out the central stone of the Second Temple. When we send mishlo'ach manos and greet our neighbors with warmth, we place the stones back into their proper positions, rebuilding the royal arch of peace (Sfas Emes, Moadim, Purim 5638).

• In Parshas Kedoshim, the Torah concludes its interpersonal commandments with the famous words: "You shall love your fellow as yourself: I am Hashem" (Vayikra 19:18). Many commentators wonder: How can the Torah issue a command to love? Love is an involuntary emotion; you either feel it or you do not! How can a person be commanded to feel affection for someone who has annoyed or wronged him? The Sfas Emes offers a revolutionary answer. The commandments of the Torah are not only moral demands; they are divine promises of spiritual transformation! When Hashem commands us not to hate our brother in our heart and to love our fellow as ourselves, He is revealing a hidden spiritual law: all these matters in the verses of holiness, loving your neighbor, and fearing Hashem are also promises, for through the observance of these commandments, Israel will merit to

> arrive at true peace. The prohibition of Lo Sisna is the command to weed the garden of the chest. When we clear away the thorns of resentment, the fragrant blossom of Ahavas Yisrael grows naturally in the soul (Sfas Emes, Vayikra, Kedoshim 5641).

STORIES FROM OUR SAGES:

❖ Rabbi Yochanan asked: What is the meaning of the verse, 'Praiseworthy is the person who is always fearful, but one who hardens his heart will fall into misfortune' (Mishlei 28:14)? On account of Kamtza and Bar Kamtza, Jerusalem was destroyed. There was a certain man whose friend was named Kamtza and whose enemy was named Bar Kamtza. He prepared a grand banquet and told his attendant, 'Go and bring me Kamtza.' The attendant went and mistakenly brought him Bar Kamtza. When the host came in and found Bar Kamtza seated among the guests, he said to him: 'Since you are my enemy, what are you doing here? Get up and leave!' Bar Kamtza pleaded with him, 'Since I have already come, let me stay, and I will pay you for whatever I eat and drink!' The host replied, 'No!' Bar Kamtza said, 'I will pay you for half of your entire banquet!' The host replied, 'No!' Bar Kamtza said, 'I will pay you for your entire banquet!' Still the host replied, 'No!' He grabbed Bar Kamtza by his hand, stood him up, and threw him out. Bar Kamtza said to himself: 'Since the Rabbis were sitting there and did not protest his actions, it is evident that they approved of what he did. I will go and slander them at the royal palace!' He went and told Caesar, 'The Jews have rebelled against you!' Caesar asked, 'Who says so?' Bar Kamtza replied, 'Send them an offering and see whether they will sacrifice it on their Altar!' Caesar sent a fine calf in Bar Kamtza's hand. While traveling, Bar Kamtza inflicted a blemish on the calf's upper lip—or, as others say, a cataract in its eye—a spot that counts as a disqualifying blemish for Jewish Temple offerings but is not considered a blemish by Roman custom. The Sages wanted to offer the calf anyway for the sake of peace with the empire, but Rabbi Zechariah ben Avkulas objected, 'People will say that blemished animals may be offered on the Altar!' They then considered executing Bar Kamtza so that he could not return and report to Caesar, but Rabbi Zechariah objected again, 'People will say that one who inflicts a blemish on consecrated animals is subject to the death penalty!'—and through that excessive hesitancy, the Temple was destroyed.

Talmud Bavli, Gittin 55b–56a

INSPIRATIONAL STORIES:

❖ One winter day when Rav Aryeh Levine was walking through the little alleys of Jerusalem paved with smooth stones, when he slipped and fell in the mud. Someone happened to be passing by, who was evidently a member of an extreme group that denounced R. Abraham Isaac Kook, a dear and close friend of Reb Aryeh Levine. Recognizing Reb Aryeh lying in the mud, the man exclaimed, "It Serves you right! That is just what you deserve! Such is the fate of anyone who follows Rav Kook!" Reb Aryeh picked himself up, wiped the mud from himself, and went over to this man. "Reb Yid (dear fellow Jew)," he said, "I see that you are vexed and angry' Perhaps you have some complaint against me. Maybe you were once harmed or injured through me? If so, I beg you, please forgive me..." Taken aback, the man continued on his way without another word, ashamed and chastened.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ The following story, heard from Rav Meshulam Dovid HaLevi Soloveichik, zt"l, demonstrates that there was no limit to Reb Chaim's kindheartedness, even in exceptional cases. A certain strange fellow approached me. He was very proud that he counted among his belongings a letter that he received from my grandfather. I saw in the letter that Reb Chaim referred to him in terms such as harav, hagaon, hagadol, which did not seem fitting to him at all, yet the handwriting was that of my grandfather. I went to my father and asked how it was possible that my grandfather would write such praises for a man such as this one. As it happened, he knew about the existence of this letter and he told me about the circumstances of its writing. This man wanted my zeide to write him a letter, and indeed Reb Chaim, as was his way, did not delay in carrying

out his wish. However, the letter was not to the man's liking. He wanted something longer, containing more expressions of acclaim for himself. The rav was not so quick in responding to this second request, but the man would not give up. He kept pressuring him to write another letter until finally Reb Chaim became annoyed and asked him to leave him alone. Afterward, he regretted his behavior and in order to appease the fellow, he suggested that he dictate the exact wording of the letter he wanted. Whatever he said, the rav would write and sign. This is how the unusual letter came into being, a testimony to the warm, sensitive heart of the great gaon."

From The Brisker Rav, by R' Shimon Yosef Meller, published by Feldheim

❖ Who you hate is usually a reflection of yourself. A couple he knew well visited Rav Tendler. Someone asked him, jokingly, if he knew these people. "How can I know them," he retorted, "if I don't know myself?" This was an off-repeated remark. Rav Tendler often said, when speaking at a simchah, "I don't really know the chassan/bar mitzvah boy, but I am still trying to get to know myself."

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 266

A. NOT TO HAVE A LEV RA, AN EVIL HEART

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-33

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ What is the definition of a bad heart?

SEFER CHAREIDIM

A person must distance himself entirely from the corrupt path, which Chazal identify primarily as an evil heart (lev ra). This negative character trait encompasses harboring an envious or begrudging eye (ayin ra'ah), associating with or acting as a corrupt friend or neighbor, and borrowing from others without repaying.

INSPIRATIONAL STORIES:

❖ A homeless man in his 60s named Eliyahu lived at the Kotel. He had two chairs - one to sit and sleep on, and one for his bags. He dressed in a raggedy, dirty shirt and trousers with an old black coat. After many invitations, one weekday Eliyahu agreed to come home with Rabbi Mordechai Machlis for supper. Eliyahu felt comfortable in the Machlis home. After that, he came often for supper, and sometimes he would even sleep over. Eliyahu developed a special liking for Henny's whole-wheat pizza. It became his favorite food. He kept no regular hours, and often didn't show up for supper until late at night. Rabbi Machlis used to tell him, "You have to come by a certain time, like by 1 am." Eliyahu would respond, "I can't commit. I have a lot to do." Henny came up with a solution. She taught him how to make his own whole-wheat pizza. "This way, any time you come here, you can make your own pizza. The ingredients will be in the refrigerator, and we'll leave the front door open." It worked for several weeks. Then, one night, at 3 a.m. there was a knock on Mordechai and Henny's bedroom door, which was totally off-limits. Mordechai woke up, scared. What emergency could this be? He opened his bedroom door and saw Eliyahu standing there. "Do you know what time it is?" Mordechai asked, perturbed. "There's food in the kitchen. Help yourself." "I don't want food," Eliyahu replied, "I want her to teach me how to make whole-wheat pizza. I forgot how to do it." Mordechai was exasperated. " At 3 o'clock in the morning, you need to remember how to make whole-wheat pizza?" By this time Henny was also awake. Mordechai turned to her and said, "This guy is insane, I'm going to throw him out of the house." Henny calmed him down. "Mordechai," she said, "this is a test. It's from Hashem. I don't mind doing it. I'll get up and teach him again." Mordechai was irate. "But, Henny, you're indulging him in wrong behavior. Tell him he's wrong. Tell him to get out of here." Jewish thought frames reality according to three elements: time, place, and person. Three o'clock in

the morning was the wrong time. Their bedroom door; was the wrong place. But the raggedy, homeless pauper was not the wrong person. He was a holy Jewish soul, and Henny would neither scold him nor turn him away. "I don't mind teaching him again," she said. She got dressed, came out, and taught him once more how to make whole-wheat pizza. How did she do it? How was Henny able to look at people who were so broken and even hostile, and see the Divine image in them? As Rabbi Machlis explains, "She was a visionary. She looked beyond what was immediately visible. She looked at problematic people, and she would see who they could be.

From Emunah with Love and Chicken Soup, By Sara Yocheved Rigler, Published by Shaar Press

B. NOT TO DISDAIN ANY PERSON OR THING

(Rabbinically Mandated Mitzvah), Sefer Chareidim 44-4

SEFER CHAREIDIM

A person must never treat any individual or any matter with disdain, whether they are prominent or modest, Jewish or non-Jewish.

STORIES FROM OUR SAGES:

❖ Rabbi Chiyya and Rabbi Yose met one night at an inn in the Tower of Tyre, hosted one another warmly, and rejoiced in each other's company. Rabbi Yose remarked: "How glad I am to behold the countenance of the Divine Presence in your face! For along the entire road today I was bothered by an old donkey-driver who kept asking me strange riddles the whole way —such as 'What is a serpent that flies through the air while an ant rests peacefully between its teeth?' and 'What is an eagle nesting in a tree that does not yet exist?'" Just then, that very old man stepped into the inn and stood before them! Rabbi Yose said to him bluntly: "Of all the strange things I heard you say on the road, either you spoke out of folly, or they were empty words!" The old man replied calmly: "The Lord is with me; I will not fear; what can man do to me? (Psalms 118:6). How good, sweet, precious, and exalted are the words of the Torah! How could I reveal them on the road before scholars from whose mouths I had not yet heard a single word of Torah? Yet now it is time to speak, for there is never any shame in speaking words of Torah before all!" The old man wrapped himself reverently in his cloak and began to expound the hidden depths of Parshas Mishpatim—revealing how every riddle he had spoken on the road was a sublime metaphor for the journey of the soul and the justice and mercy of the Creator. When he reached the climax of his exposition, the companions Rabbi Chiyya and Rabbi Yose came forward, prostrated themselves before the old donkey-driver, wept with awe, and exclaimed: "Even had we come into this world only to hear these sacred words from your mouth, it would have been enough for us!"

Zohar II (Mishpatim — Sava DeMishpatim) 94b–95a, 98b

INSPIRATIONAL STORIES:

❖ Rav Shmuel Rozovsky was teaching a shiur in the Ponevitch yeshivah when they all heard a very unearthly scream. The whole class went out to see if anyone was hurt. Finding only a large cat attacking a small kitten, the boys went back inside —except for Rav Shmuel, who picked up a stone and chased the large cat away. When a young Dovid Barkin asked him why he had bothered, Rav Shmuel replied that a mensch must be sensitive to the needs of every one of Hashem's creatures. Rav Barkin then became a great gadol.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 36

❖ Leah Grossbard and Rivka Baumgarten were talking on the sidewalk when they saw R' Arye Levin waiting for them. They stopped talking and moved away, figuring that they were blocking him. He told them he was not waiting for them. He was waiting for a kitten to finish eating its milk, he didn't want to walk by and startle it. The women said they didn't even notice the cat. But R' Arye Levin was able to see with his heart.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 107

C. NOT TO REJOICE WHEN EVEN YOUR ENEMY HAS A DOWNFALL

(Scripturally Mandated Mitzvah), Sefer Chareidim 44–9

SEFER CHAREIDIM

Scripture cautions: 'When your enemy falls, do not rejoice, and when he stumbles, let your heart not be glad' (Mishlei 24:17). For this reason, we do not recite the complete Hallel on the concluding days of Pesach, because the Egyptians — creations of the Almighty — drowned in the sea. On this same principle, Noach was forbidden from engaging in marital relations throughout the year of the Flood while the world was undergoing destruction.

INSPIRATIONAL STORIES:

❖ Prior to the Knesses elections of 1980, the Moetzes Gedolei HaTorah decided that Agudas Yisrael should no longer form a joint list with P.A.I. Relations with P.A.I. had been strained since the early 50s when the party broke with the Moetzes Gedolei HaTorah over an important Torah matter and joined Ben-Gurion's cabinet in defiance of the Moetzes, under Rav Isser Zalman Meltzer. (From then on, the issue of Poalei Agudas Yisrael's inclusion on a joint list was an extremely divisive one within Agudas Yisrael.) P.A.I. and Agudas Yisrael fought a heated battle in that election campaign. The Steipler Gaon and Rav Shach invested much energy in the campaign, and Rav Shach stated openly that his goal was to bring about the downfall of P.A.I. Indeed, P.A.I. did not meet the threshold vote needed for entry into the Knesses seats, and the party disappeared from the Israeli political scene. The Torah world was ecstatic over achieving its objective and the fulfillment of the verse, "The will of those who fear Him He will do" (Tehillim '145:18). When an excited group of activists came to tell Rav Shach the good news,' however, his response shocked them. "We are not allowed to rejoice over the downfall of others. There are Jews who are deeply saddened over their loss and we cannot destroy our middos by reveling in their pain," he said. "Can we imagine such clarity? Despite realizing his own stated goal of sinking P.A.I. and investing his heart and soul into the achievement of that Rav Shach refrained from expressions of celebration over others' defeat.

In Their Shadow, Vol. 1, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ Reb Shraga Feivel Mendlowitz could see every human being as part of the Divine plan. While many people celebrated America's victory over Japan, Reb Shraga Feivel was shaken by the news that atom bombs had been dropped on Hiroshima and Nagasaki. "Even if we had heard that so many cats, and not people, had been killed, it would cause us great pain," he said. He feared that America would be subject to Divine Judgment for not having first revealed the power at its disposal by dropping an atom bomb on an uninhabited island.

Reb Shraga Feivel, By Yonoson Rosenblum, Published by Mesorah Publications

❖ Rebbetzin Kotler enjoyed sweet foods, however she refrained from eating sugar during the Holocaust in order to display solidarity with her suffering brothers and sisters in Europe.

Living in His Image Contemporary Torah Anthology

2. Not to bear a grudge

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 81

As the Torah says, nor shall you bear any grudge (Vayikra 19:18, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is an example of bearing a grudge?
- If someone didn't do you a favor when you asked them to, do you have to relate to them the same way that you did before?

SEFER HAMITZVOS HAKATZAR

Bearing a grudge (netirah) means harboring resentment in one's heart. For example, if someone asks his neighbor to borrow a shovel and the neighbor refuses, and the following day the neighbor comes asking to borrow an axe, if the owner says: 'Here, I am lending it to you; I am not paying you back in kind for refusing to lend to me,' this constitutes bearing a grudge. Reminding the borrower of his past pettiness reveals that he still nurses hatred in his heart. Instead, he must lend the item wholeheartedly, purging all ill will from his heart and erasing the grievance completely from his memory.

The traits of bearing a grudge and taking vengeance are exceptionally destructive. The material affairs and grievances of this world are fleeting vanities, wholly unworthy of nursing resentment or seeking revenge. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem loves all of his children, so should we. We have to eliminate hatred, resentment and negativity from our heart, just like Hashem.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM

In the big picture, what the person did is usually small and not worth the negativity of holding a grudge. Additionally, if we don't hold a grudge, this will promote our civil interaction with society.

SEFER HACHINUCH (MITZVAH 241)

The person could not have hurt or insulted you, if Hashem didn't allow it to happen. We have to realize that Hashem allowed this person to do that to you because it must benefit you in some way. This person was simply that Hashem's agent.

SFAS EMES

• The Torah paints a dramatic scene at the conclusion of Sefer Bereishis. The Sfas Emes explains that the brothers were overwhelmed by guilt. They had sinned deeply by selling Yosef into slavery. They feared their deed was permanently etched into reality. But Yosef wept when he heard their words, and he answered: "You intended evil against me, but Hashem intended it for good" (Bereishis 50:20). The Sfas Emes reveals the inner secret of Yosef's reply: "You intended evil against me" means that because the brothers performed deep teshuvah, their willful sin was transformed into merit, and therefore Hashem planned it for good. Through repentance and divine guidance, that painful episode can become the catalyst for deeper wisdom and unity. When we realize that Hashem rewrites our shared history for the good, the grudge simply evaporates from our chest (Sfas Emes, Bereishis, Vayechi 5637).

• In an earlier discourse in Parshas Vayechi, the Sfas Emes examines the same dramatic encounter from an even deeper perspective. The Midrash explains: Why is this parshah closed? The Sfas Emes explains that spiritual exile always begins in the soul before it appears in the physical body: for before the exile of the body comes the exile of the soul. When Yaakov died, the brothers felt a sudden loss of spiritual vitality. They mistakenly believed that their sale of Yosef was the sole cause of their descent into Egyptian bondage. But a person of faith knows that no human being can touch a single hair on our head unless it was decreed in Heaven. The slight we experienced was sent by Hashem for our own spiritual refinement (Sfas Emes, Bereishis, Vayechi 5635).

RELATED HASHKAFAH TOPICS:

- Discuss the idea of hashgachah pratis and how Hashem would not allow this to happen if it did not benefit you in some way.
- Discuss why a person who hurts you is still punished even though he is an agent of Hashem.
- Discuss possible reasons why Hashem would allow someone to harm us.

STORIES FROM OUR SAGES:

❖ How did Aharon HaKohen pursue peace between people in Israel? Whenever two men quarreled with each other, Aharon would go and sit beside one of them and say: 'My son, see what your friend is doing! He is beating his heart and tearing his garments, saying: Woe is me! How can I lift up my eyes and look at my friend? I am ashamed before him because it is I who wronged him!' Aharon would sit with him until he removed all the resentment from his heart. Then Aharon would go and sit beside the other man and say the exact same words to him until he too removed all anger from his heart. When the two men next met on the road, they would embrace and kiss each other! And that is why the entire House of Israel—men, women, and children—wept for Aharon for thirty days when he passed away, and why eighty thousand young men in Israel were named Aharon after him, born to couples whom Aharon had reconciled in peace!

Avos DeRabbi Natan 12:6

INSPIRATIONAL STORIES:

❖ Reb Moshe Feinstein once judged a din Torah in which the money in question was held by a third party, who was to present it to the person in whose favor Reb Moshe would rule. The case was decided, but the man refused to hand the money over. When Reb Moshe asked why, the man replied, "I will not hand the money over, for your psak is invalid! You have overlooked an obvious halachah, namely that monetary disputes cannot be judged at night!" Reb Moshe calmly explained to the man that he had not erred, and the money should therefore be handed over. Five months later, this man

came to Reb Moshe, requesting that he be provided with a certificate attesting that he was a qualified shochet; Reb Moshe, who knew the man well, promptly picked up his pen and began to write. Others present in the room were aware of this man's earlier insolent outburst and were convinced that he was unworthy of Reb Moshe's help. "The Rosh Yeshivah surely recalls the disrespect shown him by this man..." they began. Reb Moshe replied adamantly, "Of what relevance is this? Yom Kippur has already passed, at which time I recited Tefilas Zakah, declaring my forgiveness of all who have sinned against me. This is not mere child's play! Besides, the man has certainly repented by now." And he continued writing the certificate requested of him.

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ During the Six-Day War [in 1967]. Rabbi Chaim Shmulevitz was in a bomb shelter together with his yeshivah students. "The rumble of the bombs was deafening." he said. "Everybody was withdrawn and concentrated within himself. Fear pervaded the cramped space. Suddenly my ears heard the desperate plea of a poor woman whose husband had abandoned her ten years earlier, leaving her an agunah. Broken and crushed during those moments of fear and trepidation. When all our lives hung in the balance. This poor woman cried out from the bitterness of her heart. 'Master of the world, I forgive my husband for all the grief he has caused me. All the humiliations and pain he has inflicted on me by having left me alone and abandoned all these years. Please. I beg You, Master of the world. That You too forgive the sins of all these people sitting here. Just as I completely and wholeheartedly forgive my husband!" Rabbi Hayim was deeply moved by these sincere words of a pious Jewish woman. Whenever he told this story, he would say, "If we stayed alive then and survived the bombs and bullets of death, it was not due to the prayers we prayed in our distress but due to the merit of this woman, this agunah, who forgave the sins of her husband. This was the pinnacle of overcoming one's evil inclination and lower nature. This stood by us in our time of need, and her prayer tipped the balance of the heavenly scales toward life."'

Jewish Tales of Holy Women, By Yitzhak Buxbaum, Published by Jossey-Bass

❖ R' Aharon Prostovsky was a Rosh Yeshivah in Eretz Yisrael. He had seven children. Shloimy was the liveliest of the bunch. All the children were driven to school by R' Luzer. He cheerfully greeted them every day. One day when he dropped off Shloimy, an accident happened and Shloimy ran into the street and got run over by the bus. R' Luzer was devastated and broken. He wanted to quit his job. After shiva the Prostovsky's came to his home. He was terribly embarrassed of them and expected them to be very mad. They said we want you to know that we know you had nothing to do with this. It was all Hashem's decree and we fully accept it. We would like to know if you would honor us by continuing to drive our other 6 children to school. He accepted and all the children, and parents greeted him next day at the bus stop smiling at him.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 276

❖ A Camp Agudah camper who knew Rav Yisrael Belsky related the following story: There was a bachur who joined the Masmidim program in Camp Agudah and after the summer he went to learn in the yeshivah where I was learning at the time. He felt very attached to me, as I was the only person he knew in that yeshivah. It made me uncomfortable. One day we got into a bit of an argument and he hurt my feelings. I decided to end the relationship. When he came over to me to ask mechilah I told him, "I am mochel, but we don't have to be friends." However, he wanted our friendship to continue. One day, Rav Belsky came to the neighborhood of our yeshivah for Shabbos. The bachur approached Rav Belsky and requested that he speak to me on his behalf. Rav Belsky took me aside and said, "Without going into the details, I want to give you a mashal. Imagine someone is preparing to run a marathon and a person tells him, "I know the marathon passes through the Bronx where my aunt lives. Could you drop off a ten-pound sack of potatoes while you're passing through?" Of course, the idea of running the marathon with a ten-pound sack on one's back is ludicrous. And so I say to you: Do you want to run through life with a ten-pound sack of potatoes on your back? Why let this thing weigh on you? Accept his apology and renew the relationship and move on. Don't hold a grudge against him. Let go of it." I was still somewhat

reluctant but I tried. I approached the bachur and said, "Let's be more friendly." This was clearly very important to him. On the day of that bachur's wedding he sent me a note stating that before he goes to the chuppah, he wants to make sure that I was mochel him. Of course, I sent back a note stating that I was completely mochel him.

From Rav Belsky, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ A man was standing before the king, awestruck with fear and trembling. While standing there, he was approached by an individual who slapped him soundly across the face. The man restrained himself and did not respond, thinking to himself, "Either way, it is not to my benefit to react. For if the king had instructed this fellow to slap me — then I have absolutely no say in the matter, for so decreed the king. But if this man slapped me without having been commanded to do so — the king will undoubtedly punish him for his impudence." So it is with man, said the Maggid, R' Yaakov Yosef of Polonoye. Man must constantly feel as if he is standing before Hashem, the King of Kings, as the verse states, "I have set Hashem before me always" (Tehillim 16:8)! If he is able to accustom himself to feel and think in such a manner, he will happily accept whatever befalls him.

Jewish Parables- A Mashal for Every Occasion, By Rabbi Yisroel Bronstein, published by ArtScroll Mesorah

❖ One year, Yom Kippur fell on a Thursday, Hudi, a talmid from America, went away for the Shabbos between Yom Kippur and Succos, leaving a lulav he had purchased near his bed in the dormitory. He returned to find his bedding askew — and that his lulav had become pussul. "What happened to my bed?" Hudi asked his roommate, not wanting to confront him about the lulav. "Oh, my friend came for Shabbos and needed a place to sleep," the roommate replied nonchalantly. "I figured you wouldn't mind..." Hudi was very perturbed, and he expressed his frustration to Rav Nosson Tzvi Finkel. "Lots of people bring me lulavim because they want me to use their lulav," Rav Nosson Tzvi replied. "Come to my house later and choose a lulav from my collection." Later that day, Hudi came to Rav Nosson Tzvi's home and found several beautiful lulavim on the table. He chose one, and then asked Rav Nosson Tzvi how much it cost. Rav Nosson Tzvi wouldn't take the full price, insisting that Hudi pay him the price he had paid for his first lulav — which was less than half the value of his lulav! "But I'm doing this on one condition," Rav Nosson Tzvi said. "You can't bear a grudge against your roommate." Hudi agreed, and went back to yeshivah elated at the thought of using this beautiful luluv on Succos. Only later did he find out that the Rosh Yeshivah had not had any extra lulavim. He had asked family members to put all their lulavim on the table, and then made sure that each one had a lulav — besides him. He was punctilious in his mitzvah observance because he loved all mitzvos and the mitzvah of promoting peace in the yeshivah was as important as the others'.

Rav Nosson Tzvi, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

A. ONE IS ALLOWED TO BEAR A GRUDGE TOWARD ONE WHO PURPOSELY CAUSED HIM TO SIN

(Scripturally Mandated Mitzvah), Sefer Chareidim 47-22

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Why is it forbidden to bear a grudge toward one who harmed you physically, but it is permitted toward one who caused you to sin?

SEFER CHAREIDIM

King Solomon taught: 'Do not quarrel with a person without cause, if he has done you no harm' (Mishlei 3:30). Chazal explain that 'harm' in this context refers specifically to causing someone to sin, as true evil leads to Gehinnom. By contrast, if a dispute arises over mere worldly matters — such as physical injury or monetary loss

> — one must not perpetuate the quarrel, for all temporal concerns are fleeting vanity. Causing another person to sin is far graver than murder; while murder deprives a victim only of this temporary physical world, inducing a person to sin causes him to forfeit both this world and the World to Come (Olam HaBa). This profound distinction is reflected in Torah law: Two nations confronted Klal Yisroel with the physical sword — Mitzrayim and Edom — and two nations confronted us by enticing us to sin — Amon and Moav. Regarding those who attacked with the sword, the Torah commands: 'You shall not abhor an Edomite… you shall not abhor an Egyptian' (Devarim 23:8). Yet regarding those who seduced us into sin, Scripture decrees: 'An Ammonite or a Moabite shall not enter the congregation of Hashem' (Devarim 23:4).

NOT TO HURT OTHERS

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by not hurting others

3. Not to murder, or commit suicide

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 32

As the Torah says, You shall not murder (Shemos 20:13, Parshas Yisro).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is it a capital crime to indirectly cause someone's death, like to remove a feeding tube from a living person?
- How severe is murder?
- If someone will die imminently, and someone hastens the death by a few seconds is that murder?

SEFER HAMITZVOS HAKATZAR

One who deliberately murders a human being is liable to capital punishment by the court (beis din). If he did not strike the fatal blow directly but caused the death indirectly through indirect causation (grama), he is exempt from execution by the court, yet he remains culpable for death at the hands of Heaven.

Chazal established that whoever destroys a single Jewish soul is regarded as though he destroyed an entire world.

One who closes the eyes of a dying person while the soul is departing — rather than waiting until life has completely expired — is considered to have shed blood, as even the slightest hastening of death constitutes murder. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Hashem is just and does not hurt anyone unless they are deserving of it in some way. Harming one who does not deserve it would be injustice. We have to emulate Hashem by avoiding injustice and therefore not hurt or harm anyone in any way. As individuals, we have no right to try to determine if one is deserving of punishment or not. That is rather the purview of the judicial system.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM

No sin is as grievous as murder for it deprives the victim of the most precious commodity he has in this world... His life. A person guilty of this crime is labeled a rasha (wicked person), and no amount of mitzvos accumulated in a lifetime can offset this sin and shield him from justice (Rambam, Hilchos Rotzei'ach 4:9).

IBN EZRA

The gravity of the crime a killer commits against his victim lies not merely in the fact that he has taken the victim's physical life, but also in that he has cut short the victim's spiritual development. A soul is placed in a body, after all, for no other reason than to achieve its ultimate purpose through the fulfillment of Torah and mitzvos, and by refraining from forbidden activities. In the process, one sanctifies his physical existence, and the body - as well as the soul - becomes purified. The killer, by severing the soul from the body, aborts this process, and thereby deprives the victim of his life's purpose. The tragic result is that the soul remains unperfected. It is thus prevented, in the World of souls from retiring in peace to its rightful place in the "bond of life" Since through the act of murder the soul is wounded as well as the body, the killer is described as a "spiller of bloods," for there are two casualties: the body and the soul.

Rabbi's. R. Hirsch.

When the killer abruptly brings a person's life to an end, the damage is not limited to the victim's own existence. The murder is equally accountable for all the potential descendants who would have issued from the deceased had he survived. It is as though he murdered all of those potential descendants.

Rabbi's. R. Hirsch.

With his one evil act, he snuffs out the incalculable achievements that could have resulted from the efforts of the victim and all of the victim's potential descendants. The world is thus deprived of all of the blessings and perfection that those activities may have accomplished. He who kills a man destroys all that the victim could have contributed to the world in the service of God. This is what our Sages mean when they say "Man was created singly, in order to teach that who kills a man destroys a whole world".

RABBI YOSEPH ALBO

Aside from the enormous harm caused to the victim and his progeny. The act of murder is destructive to society. Man, by his nature has little choice but to share his world with other people because mutual cooperation is the key to survival.

But a community can only be viable under the rule of law where the respect for others lives and rights is observed and enforced. The act of murder breaches the boundaries of moral conduct, undermines the social order, and throws the very underpinnings of human society into disarray.

SEFER HACHINUCH

God's intention in creating the world was that it be populated and settled. Upon creating man, He commanded him to reproduce and multiply, in order to fill the earth and civilize it. Those engaging in murder actively negate the Divine purpose by reducing the number of people inhabiting the world.

RAMBAN

In addition to bringing devastation to the world at large, the murderer, also decreases the respect for the Creator in the world. Every human being has a responsibility to promote a greater respect for God and for Godliness in the world. By commanding "You shall not kill", in effect, God was saying, "I have created Man to fulfill the mitzvos and to increase the respect for godliness in the world. Take care not to destroy My handiwork by spilling

human blood" The murderer removes a servant from the effort to fulfill the will of God, prevents him from producing future generations for the same purpose, and has thus diminished the respect of the Creator in the world.

Although God surely has an abundance of other servants attending His will, the absence of even a single person is noticed all the same, for each individual has a specially defined role in the service of God, which cannot be filled by any other person. "In an abundance of people lies the honor of the King (Mishlei 14:28)", for a great number of individual Jews is needed to make God's Divinity known throughout all the world. By removing the element of Divine revelation that was to have been brought about by that particular person, a murderer diminishes the Divine revelation in the world.

RASHI

In addition to harming a servant of God and the world He created, the act of murder is a direct affront to the honor of God. Man was fashioned, as it were, in the image of his Creator (see Rashi, Devarim 21:23). To attack a human being; then, is to assail a likeness of God Himself. Every human being was created with the Godlike capacity of freewill, and an impulse of kindness, justice, truth, and holiness. The Medrash draws an analogy to a human king who had statues and portraits of himself displayed throughout his kingdom, and minted coins bearing his image. With the passage of time, the paintings were defaced, the statues broken, and the currency cancelled, thus diminishing the exposure of the king. In the same way, one who spills a persons blood is viewed by the Torah as having diminished the image [revelation] of the King of kings.

Based on what we have said, murder is so grievous an offense against Heaven, that one who kills is considered to have repudiated God's existence and blasphemed Him. This, then, can be a reason why the commandment, "You shall not kill", the first of the commandments on the second tablet, was opposite the first commandment on the first tablet, which said "I am Hashem your God". For one who kills a person repudiates God himself.

SFAS EMES

• In Pirkei Avos (3:14), Rabbi Akiva uttered a celebrated teaching: "Beloved is man, for he was created in the Image of Hashem; it was an even greater love that it was made known to him that he was created in the Image, as it is written: 'For in the image of Hashem He made man.'" The Sfas Emes asks a sharp textual question on this Mishnah. The Sfas Emes explains that a person's physical body is far more than flesh and bone. The human form is the physical garment designed to manifest the Divine Image in this material world. When we walk through the world with uprightness, our countenance radiates a spark of Hashem's presence, commanding respect from all creatures. But when a murderer attacks another human being, his crime is directed against the Creator. The killer does far more than end a beating heart; he tears down a living sanctuary where Hashem's light was meant to shine. Because the victim bore the King's seal upon his brow, extinguishing his life attacks the royal sovereignty of Heaven (Sfas Emes, Bereishis, Vayeira 5648).

• In Parshas Mas'ei, the Torah commands the establishment of six Cities of Refuge (arei miklat) to provide shelter for anyone who kills another person unintentionally (b'shogeig). The Sfas Emes examines the profound nature of sin taught by our Sages: every transgression creates a destructive force (mashchit). Why does the Torah demand that even an accidental killer be torn from his home and cast into exile? The Sfas Emes explains that human actions have objective spiritual consequences. Punishment in the Torah is not a random penalty imposed by an

angry court; it is the natural outcome of the act itself. When someone becomes the instrument through which a life is cut short, a terrible spiritual rupture occurs in our midst. The City of Refuge is that spiritual cleansing chamber. In its holy shelter, the accidental killer washes away the shadow of death before returning to his community (Sfas Emes, Bamidbar, Masei 5634).

• The halachah governing the Cities of Refuge contains a remarkable rule: the accidental killer must remain in his city of exile until the death of the Kohen Gadol (Bamidbar 35:28). Why did the Torah link the freedom of an accidental killer to the lifespan of the High Priest? The Sfas Emes explains the deep spiritual mechanics of life and death. The Kohen Gadol was the living heart of the Jewish nation. The Kohen Gadol served in the Beis HaMikdash wearing golden garments. On Yom Kippur, he entered the Holy of Holies to draw down pure, abundant life from Hashem. The Sfas Emes writes: for the Kohen Gadol embodies the collective life of Israel, and his service brings life and peace; therefore, at his passing, an atonement occurs that uproots the force of death that clung to the accidental killer. The life and passing of the Kohen Gadol, who represented the absolute pinnacle of life and peace, absorbs and neutralizes that trace of death. Through the Kohen Gadol's sanctity, the dark cloud is dissolved, and the exiled man can return to society without danger (Sfas Emes, Bamidbar, Masei 5649).

• In Parshas Acharei Mos, when the Torah forbids slaughtering a consecrated offering outside the Sanctuary courtyard (shechutei chutz), it employs an alarming phrase: "Blood shall be imputed to that man; he has shed blood (dam shafach)" (Vayikra 17:4). The Sfas Emes reveals a breathtaking vision of the universe. When Hashem created the world, the Torah states: "And Hashem saw all that He had made, and behold, it was very good" (Bereishis 1:31). Creation is not a random collection of disconnected objects. The entire universe is a single, magnificent divine portrait, perfectly composed to reflect the majesty of Hashem. Every human life is a vital part of that divine portrait. Preserving life ensures that the light of Hashem shines through the window of creation without interruption (Sfas Emes, Vayikra, Acharei Mos 5638).

• In Parshas Mas'ei, the Sfas Emes quotes a profound teaching from his grandfather, the Chiddushei HaRim, on the opening verse of the Cities of Refuge: "Betzarah tiklot" — in distress the city provides refuge. The Sfas Emes explains that in the spiritual order of the universe, a person's makom (place) is not a mere geographic address. A person's place is his appointed spiritual standing before Hashem—his unique mission and soul-root in the fabric of creation. When a person destroys a life, he violates the very order that sustains his own existence. He has severed his connection to his source. He accepts his displacement. In that humble acceptance, Hashem grants us a new, protected sanctuary where his soul can heal and be rebuilt (Sfas Emes, Bamidbar, Masei 5631).

RELATED HASHKAFAH TOPICS:

- Discuss medical ethics question that pertain to shortening life such as:
- Can one stop the respirator on a dying person?
- Can one remove a feeding tube of a brain dead person?
- Can one deny doing heroic measures on a dying person?
- Is brain death considered to be a Halachic death?
- Discuss the Torah perspectives to Euthanasia.
- Discuss the Torah perspectives on abortion.
- Discuss the Torah perspectives on Stem Cells & Cloning.

MORAL DILEMMAS:

A man in the ghetto named Nathan lost his whole family, and was terribly depressed. He dragged himself to work everyday, but wished he could join his family in the hereafter. One day, as he was marching to work, he turned to his friend Benjamin and told him that he didn't have the courage to commit suicide, but he begged him to do him a favor and take his life. At first Benjamin was horrified and refused. But Nathan begged him day after day to please do him an act of kindness and kill him. Finally, after several weeks of desperate pleading, Benjamin became convinced and with confidence that he was doing an act of mercy, smothered and killed his friend. After Benjamin committed this act, he immediately regretted it, and spent the rest of his days with terrible remorse about his decision. The high holidays soon approached, and Benjamin who had a beautiful voice, was asked to be the chazzan. Under normal conditions the tradition is that a wicked person, and particularly a murderer is not allowed to lead the community for the high holiday prayers. Benjamin approached R' Oshry and asked him the following moral dilemma. He confessed that he was a willful murderer. He regretted what he did, but at the time he did it he was convinced that he was doing an act of kindness. Should he turn down the offer to lead the community for the High Holiday prayers? On one hand he did a terrible thing, and he was a willful murder. On the other hand, he thought he was doing an act of kindness. Should this type of person lead the community in prayer? Can he be a shalich tzibbur on Rosh Hashanah?

Answer: Rav Ephraim Oshry ruled that since no other qualified chazzan was available among the survivors for Rosh Hashanah and Yom Kippur 5705 (late 1944), the man could be appointed shaliach tzibbur provided he first accepted a rigorous regimen of teshuvah and immersed in a mikveh to purify his soul. While the Rema (Orach Chaim 53:5) and Ba'er Heitev (53:8) rule that one who committed willful murder (b'meizid) is disqualified from serving as High Holiday chazzan even after repenting, Rav Oshry demonstrated that this man did not have the status of an intentional murderer in the first degree: his pushes on the freezing forced-labor march did not kill his pleading friend immediately (the friend continued walking and collapsed later at the work site from exhaustion and starvation), rendering the act halachically akin to indirect causation of death (grama, Rambam, Hilchos Rotze'ach 3:10) performed under extreme duress and misguided pity. Just as a penitent who caused death unintentionally (b'shogeig) is restored to serve as shaliach tzibbur (Or Zarua, Berachos 112; Magen Avraham 53:8), once this survivor undertook complete teshuvah and mikveh immersion, he led the High Holiday prayers with bitter weeping and a broken heart that moved all the survivors and Jewish Red Army soldiers in the synagogue to profound repentance.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 3, Siman 7

In Israel a businessman was once about to be indicted for a very serious crime. He was very ashamed and embarrassed so he committed suicide by jumping off the top of his building. He crashed into the awning on the first floor and broke it and then died. The owners of the awning later asked the inheritors to pay for the awning. Are the inheritors obligated to pay?

Answer: Yes, the inheritors are obligated to pay for the broken awning. As Rav Yitzchak Zilberstein analyzes, when the man jumped from the top of the building and crashed through the first-floor plastic awning before dying on the ground, the property damage was inflicted by his body while he was still alive (adam ha-mazik), creating an immediate monetary lien (shi'abud) upon his property prior to his death that the awning owners may collect from his estate.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 620

Shmuel was a very old man. His wife was no longer alive and he was wasting away in a nursing home. Shmuel came to his doctor with the following request. "Doctor, I have an ICD (implantable cardioverter defibrillator) in my chest. If my heart ever stops, the ICD will restart my heart. But Doctor, I no longer have a will to live. I lived a long life. My

time is over. If my heart stops, I don't want the defibrillator to restart it; I want to let nature take its course. Can you kindly remove the ICD or at least turn it off?" The doctor, Dr. Breuer, was Torah observant. He wondered if he would be allowed to do this. Would removing or turning off the ICD be considered murder? On one hand, if he turns it off, it would not kill Shmuel immediately. Only if his heart stopped at some time in the future, would Shmuel die naturally. Perhaps it would be permitted. On the other hand, however, turning off the device may very well shorten Shmuel's life. Perhaps that would be forbidden. What do you think the Torah allows in this case? Can Dr. Breuer remove or turn off the ICD?

Answer: Regarding the question of the ICD, Rav Elyashiv answered, that if the elderly man would say before the ICD was implanted that he has a lot of suffering, he would not be obligated to implant the ICD. However once it is implanted, it would be "assisting a murder" to turn it off or remove it.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume Two, p. 158

A group of Palestinian terrorists once kidnapped an IDF soldier named Gad. The terrorists threatened to kill him unless he would agree to reveal to them where an IDF weapons cache was hidden. This cache had a large stash of hand grenades. It was clear to Gad that the terrorists were planning to use the grenades to try to kill other Jews. It is likely that if he saved his life by revealing the location of the cache, then other innocent Israelis may be killed as a result. One is normally not allowed to save his life by murdering another. For example, if a terrorist would tell a Jew, "murder this other Jew, or I will kill you", one should rather die than murder another. But Gad wondered if in this case he would be allowed to reveal the information to save his life. He would be putting others in mortal danger, but it was not as direct as actual murder. On one hand he can't save his life by helping to kill others, but on the other hand, he would not be killing the innocents, the terrorists would. What do you think?

Answer: "Giving Deadly Intel to Terrorists." This question is discussed in Chashukei Chemed (Pesachim 25b, p. 199), where Rav Zilberstein writes that according to the Chazon Ish, one would be required to die rather than reveal the information. That is because giving the information is akin to actual murder. But according to the Yaavetz one should give the information rather than die, particularly because it is not an absolute certainty that anyone will die because of this information.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 199 (Table Talk Halachic Archive, Edition 9 (Vaera))

In the book "The Myth of Rescue", by William D. Rubinstein (London, Routledge 1997), the author writes "On June 11,1944, the Executive Board of the Jewish Agency, with David Ben Gurion as the chairman, considered the proposal to solicit the Allies to bomb the concentration camps to stop the killing of Jews. The board specifically opposed the bombing of Auschwitz. Ben Gurion summed up the results of the discussion by saying, "The view of the Board is that we should not ask the Allies to bomb places where there are Jews." At a later point this decision was reversed. Our Sages teach that if enemies encircle a city and say "hand over any one person or we will kill the entire city of a million people", one should not hand over one person even to save the million. We cannot assist in the killing of one person even to save a million. If the above is true, what would the Torah say about assisting in the bombing of concentration camps which may kill Jews in the process? On one hand, bombing the camps would halt the killing of thousands more. On the other hand, is it permissible to kill a few Jews to save many others? What do you think?

Answer: Regarding the question over whether it would be permitted to facilitate in bombing the camps, Rav Zilberstein answered that during a time of war the normal principles of Pikuach Nefesh don't all apply, and it would be permitted to

destroy the enemy even if some Jews would get killed.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 84 (Pinchas)

An Israeli combat unit of more than 50 soldiers was once deployed in enemy territory. Suddenly, an Israeli bomber appeared and began firing its machine gun at the Israeli unit. The rounds thankfully missed, but then the bomber began dropping bombs on the Israeli unit. Apparently, the Israeli bomber had mistakenly identified them as the enemy. Danny, the unit commander, panicked and tried to radio the plane, but had no luck. He was unable to get in touch with the pilot or the commanding officers. With only seconds to spare, Danny had to weigh his options. The option that would guarantee the safety of his unit would be to order his advanced anti-aircraft units to shoot down the plane. Doing so might kill the Israeli pilot, but it would save the fifty people in his unit. Alternatively, he could order everyone to evacuate and take cover. That might save a few in his unit, but there was a good chance that many would still be killed. There was a small chance that everyone could be saved. According to the Torah what was Danny's obligation? Should he shoot down the Jewish pilot, knowing it will save fifty people? Should he order everyone to evacuate, hoping most of them would live, knowing that he would not be purposely murdering another Jew? What do you think?

Answer: Regarding the question of shooting down the Israeli plane, Rav Zilberstein answered that the plane would be considered a rodef, a pursuer, and they should shoot it down.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Sanhedrin, p. 398

If terminal patients are brought in to a hospital they are not put on respirator because another who can be saved may be brought in at any moment. Is that ok?

Answer: HaGaon Rav Yitzchak Zilberstein rules (Veharev Na, Vol. 2, p. 51; Chashukei Chemed, Bava Metzia 62a, p. 272) that hospital staff are strictly forbidden to withhold an available ventilator from a terminal patient (chayei sha'ah) who is currently present before them (choleh l'faneinu) in order to reserve it for potential future arrivals who might be completely cured (chayei olam). Based on the ruling of the Chazon Ish (Choshen Mishpat, Bava Metzia Likkutim 20) and Bava Metzia 62a, even if future patients are statistically expected to arrive, the active Torah obligation of saving a life rests upon the doctors right now for the patient physically before them, and one may never sacrifice a living person's present chayei sha'ah for another's hypothetical chayei olam. To address the hospital's dilemma, Rav Zilberstein advises connecting the ventilator to a preset timer (sha'on Shabbos): once the cycle expires, if no curable patient has arrived, the timer is extended; if a patient with long-term viability has arrived in the interim, the machine is not actively disconnected during its cycle. (Veharev Na, Vol. 2, p. 51; Chashukei Chemed, Bava Metzia 62a, p. 272)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 51; Chashukei Chemed, Bava Metzia 62a, p. 272

INSPIRATIONAL STORIES:

❖ The following story illustrates both the great esteem in which the Chofetz Chaim held Rav Avrohom and the importance the Gadol attached to the latter's efforts to promote Shabbos observance. Rav Avrohom told this over during a hesped he delivered in the city of Bialystok to mark the sheloshim of the Chofetz Chaim. "The Chofetz Chaim and Rav Chaim Ozer Grodzensky once summoned me to the city of Rovno to attend a meeting of some of the Gedolei HaDor, including HaRav Boruch Ber Leibowitz, Rosh Yeshivah of Kamenitz, and HaRav Shimon Shkop, Rosh Yeshivah of Grodno. While we were in Rovno, some of the G-d fearing Jews of the town solicited the assistance of the visiting Rabbanim to help stop the terrible public desecration of Shabbos in the town. "Specifically, there were ten barbers who openly plied their trade all day long on Shabbos. The Rabbanim appointed me to speak to them, and I did so for approximately three hours,

explaining to them the importance of Shabbos observance. My words entered their hearts. Every single one of the barbers agreed to become completely shomer Shabbos. Rav Boruch Ber immediately jumped up and ran over to the barbers. He kissed one and asked that they bless him, saying, 'The Gemara in Berachos 34 tells us: In the place of baalei teshuvah, even complete tzaddikim cannot stand. I therefore desire the berachah of these great baalei teshuvah.' "Not long afterward I had occasion to visit the Chofetz Chaim. When I crossed the threshold, the sounds of crying and banging met my ears. I saw the Chofetz Chaim banging his fist on the window and crying, 'Vi'chuneka, and He will be generous to you! Ribbono shel Olam,' he pleaded, 'give them an undeserved gift. The Gemara uses the word v'eyechunecha to refer to the fact that Hashem will bestow matnas chinam, undeserved gifts, on His people. Is it necessary for two neshamos to leave this world? Give them a matnas chinam.' "The Chofetz Chaim repeated these words over and over until he noticed me standing there. Focusing on me, the Chofetz Chaim said, 'Rakover Rav, I need your help. There is a woman who is now having extreme difficulty in giving birth. The doctors have given up hope, both for her and for the baby. There are three causes that the Gemara tells us result in a woman dying in childbirth. We know that one of those three is the desecration of Shabbos. "'As I was reviewing with her husband all the things the Gemara mentions that can cause a woman to die in childbirth, we found her to be above reproach until we came to the subject of Shabbos. I asked him if she brushes her hair with a brush on Shabbos. When he answered evasively, I determined that apparently that is where the problem lies. I therefore request of you,' continued the Chofetz Chaim, 'that you transfer to this woman and her unborn child all the merits that you have earned in Rovno and on our recent trip together through encouraging Shabbos observance.' When I acquiesced, the Chofetz Chaim went on to make a proper kinyan, a halachic transaction, transferring my merits to the woman. "Sure enough, a healthy child was soon born to a healthy mother. When the family came to honor the Chofetz Chaim with being the sandak, he declined, replying, 'The honor belongs to the Rakover Rav.'" When Rav Avrohom told this story to Rav Chaim Ozer Grodzensky, Rav Chaim Ozer exclaimed, "The altinshka, the old man, shteigs from day to day. Just look at the difference between the Chofetz Chaim and us. In such an instance we would have suggested that the woman go to see the best doctor, or something like that. The Chofetz Chaim, however, cut straight to the core of the problem: What do Chazal say?" Rav Chaim Ozer was even more amazed by the fact that as soon as Rav Avrohom had transferred his merits to benefit the woman and the child, the Chofetz Chaim was so certain that all was well that he did not even inquire about their welfare again.

From A Blazing Light In the Darkness By R' Avraham Birnbaum, published by ArtScroll Mesorah

❖ Mr. Weiss was sick. The doctor told him he could die quickly and painlessly over the next few months or he could begin a series of painful treatments and surgery, which would prolong his life by a couple of years but would involve a lot of suffering. Mr. Weiss went to consult with Rav Moshe Feinstein. Reb Moshe sat with him and calculated all the berachos, tefillos, amens, and mitzvos that he could accumulate over the next two years. Mr. Weiss returned and told Dr. Elstein that he would take the painful option. Dr. Elstein told him to come back in six weeks, and they'd begin the treatment. Six weeks later he knocked on the door of Dr. Elstein's office, but when he entered he saw a man wearing a yarmulke, tzitzis, and a small beard. "Oh, I'm sorry," he stammered. "I was looking for Dr. Elstein," and he started backing out of the office. "Wait!" called the doctor. "Don't you recognize me? " It was, indeed, Dr. Elstein. "I want to tell you something, " said the doctor in all my years as a doctor you're the first patient I've had who hasn't chosen the easy way out. I went over to speak to that rabbi you mentioned, and he gave me a new perspective on the meaning of life. I became a ba'al teshuvah as a result." COMMENT: Mr. Weiss will receive reward for all he achieved in those final two years. He will also share in the reward of all the Torah and mitzvos achieved by Dr. Elstein.

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ An outstanding talmid chacham, who possessed tremendous yiras Shamayim, was stricken with an unbearable illness, and when Rav Elyashiv came to visit him, he expressed the feeling that he was disgusted with living. Rav Elyashiv replied, "The Torah states, And you shall choose life. Many explanations have been given for this verse, because it is difficult to

understand why the Torah has to give such a commandment. Every" person wants to live! Is there anyone who would choose death? "The simple explanation of the verse," continued Rav Elyashiv, "is that the Torah is referring to a person like you, who is suffering terrible pain and has reached a state in which he would be fed up with his life, if not for the Torah's command of U'vacharta BaChaim. Because the Torah has given us this commandment, however, every person has to choose life, and not become disgusted with living.

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 392

❖ Rav Hutner was alive. So alive, and so in touch with the essence of life in others, knowing just how to awaken it. The Rosh Yeshivah of Beis Medrash Elyon, Rav Reuven Grozovsky, was incapacitated due to a debilitating illness, a condition that often left him frustrated. Rav Hutner once came to visit him and saw that he was feeling helpless. "You know. Reb Reuven." said the Rosh Yeshivah' "we say each day Ani maamin betechiyas hameisim Do you think it means simply that we believe that we will die and then be reborn? Nein, Reb Reuven! It means we believe that 'mir velen kein mohl nisht shtarben, We will never allow ourselves to die!".

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Rav Gifter would often tell a story about Rav Itzele Ponovitzer that took place in the 1920's to illustrate the value of treating others with thoughtfulness. Rav Itzele had appointed someone to be in charge of the finances of the yeshivah. When World War I broke out, the man lost his child in the war, causing him to fall into a deep depression and to ignore his job responsibilities. Although many people, including Rav Itzele, tried to help the poor man, no one was able to get him to snap out of his sadness and get back to his job. Since he had been in charge of the bank accounts, it was he and he alone who could work with the banks, but he was unable to do so. Thus, after a while, the yeshivah's finances were in a desperate state. It was suggested to Rav Itzele that he take the man to court to force him to do his job. Rav Itzele presented the question to Rav Chaim Soloveitchik, whose response was shocking. He determined that it is better to close up the yeshivah than to risk having the fellow fall into an even deeper depression, at which point he may be at risk of taking his own life. "The power of Torah study does not override saving a life [pikuach nefesh]! And if necessary, it is worthwhile to close the yeshivah so as not to cause another's demise."

Rav Gifter, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ A young couple consulted me because the wife, who - had just recently recovered from depression, discovered she was expecting, and was" concerned that this might precipitate a relapse of 'the depression'. 'After thoroughly evaluating the case, I suggested that they contact a posek, and I would provide him with the pertinent medical information. Two days later I received a call from Reb Moshe, and I told him that there was indeed reason for concern about a recurrence of the depression. "I understand," Reb Moshe said, "but let me ask you this. Suppose this family were millionaires, and the young woman could have adequate rest, with all her household duties being cared for by hired help. "Would that change your opinion?" I replied that if the woman could be relieved of her many responsibilities, this would reduce the stress on her and significantly diminish the likelihood of depression. "Then it is not her condition that constitutes a threat to her, but rather a" lack of money;' That places a responsibility on us to raise sufficient money so that the woman can go through the pregnancy and preserve her emotional health. I will undertake to raise money on my end, and if there is anything you can do to help, it would be appreciated. After all, it is those of us who know the circumstances of this case that bear the responsibility. "

Not Just Stories, By Rabbi Dr. Abraham J. Twerski

❖ When Germany annexed Austria in 5698/ 1938, one of the Nazi impositions on the Jews was to clean the streets of Vienna. The implements they were provided with for this work were small brushes, them to go down on their knees to clean the streets while in full view of the gentiles. Not only was this back-breaking work, it was also demeaning. Among the street sweepers were the Kopitshnitzer Rebbe and his brother-in-law, the Sadigerer Rebbe. The Viennese Jews made every

effort to have the two admorim released from the crushing labor and they succeeded in bribing the officials to release them — on the condition that two other Jews took their places. When the officials informed the Admorim that they could stop Work and were free to return home, they asked him why he was releasing them. He told them that two other Jews had volunteered to do the work instead of them. "In that case," the brothers-in-law replied, "we don't agree to be released. We'll continue working along with the others."

In Their Shadow, Vol. 2, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ "Edna," old Fred said to his wife. " "Promise me that if I ever become dependent on a machine, you'll pull the plug. I just don't want to live that way." "Okay." So saying, she got up, walked across the room... and unplugged the TV.

Living in His Image Contemporary Torah Anthology

4. Not to hurt another

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 43

The admonition for this is derived from the verse, Forty lashes he (the court) may give him; he may not add more (Devarim 25:3, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How do we see from there that a regular person can't hurt someone?
- Why is that the source?
- Is it wrong to threaten to hit someone?
- Does someone violate this if they do it to discipline a child?

SEFER HAMITZVOS HAKATZAR

The Torah explicitly forbids striking any fellow Jew. Chazal derive this prohibition through an a fortiori argument (kal va-chomer): If the Torah commands court officers administering judicially mandated lashes (malkos) not to deliver even a single extra blow beyond the prescribed sentence, how much more severely must it be forbidden to strike an innocent person who has committed no wrongdoing.

Indeed, Chazal teach that even one who merely raises his hand against his fellow to strike him — even before delivering a blow — is already branded wicked (rasha).

However, if an educator or parent administers measured physical discipline solely for the purpose of instruction and moral guidance, he does not violate this prohibition.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Hashem is just and does not hurt anyone unless they are deserving of it in some way. Harming one who does not deserve it would be injustice. We have to emulate Hashem by avoiding injustice and therefore not hurt or harm anyone in any way. As individuals, we have no right to try to determine if one is deserving of punishment or not. That is rather the purview of the judicial system.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 592)

It is unjust to harm anyone unless he deserves it as determined by beis din.

SFAS EMES

• At the giving of the Torah on Mount Sinai, the Jewish people experienced an ecstasy of divine revelation. Why does the Torah jump so abruptly from heavenly ecstasy to the laws of physical injury? The Sfas Emes explains that the departure of the soul at Mount Sinai was never intended to abandon the physical body. Our Sages teach that whatever leaves the whole does so to teach about the whole. The soul ascended to Sinai to gather spiritual strength. It then returned to sanctify the body (tikkun ha-guf). The Sfas Emes cites the Midrash that compares the Ten Commandments to morning (boker) and civil law to evening (erev). He treats another human being as a mere physical obstacle to be battered, rather than a holy vessel of the soul. The ban against injuring a peer ensures that our bodies remain holy partners in the divine covenant (Sfas Emes, Shemos, Mishpatim 5663).

• When Parshas Mishpatim opens its majestic civil code, what is the very first topic it addresses? We might expect the Torah to begin with land boundaries, commercial contracts, or general property damages. Instead, the parshah begins with the Hebrew servant (eved Ivri) and his release. It then details the laws of striking parents and physical assault. Why did the Torah place the protection of human flesh and personal liberty ahead of all property law? The Sfas Emes makes a concise, deep observation regarding the structure of the Torah's legal system. The entire section of Mishpatim was given to establish righteous harmony between one human being and his fellow (bein adam l'chaveiro). When you bruise a neighbor's flesh or strike him, you inflict pain and humiliation upon his very person. You violate the sacred boundary of his existence (Sfas Emes, Shemos, Mishpatim 5642).

• In Sefer Mishlei (27:6), King Shlomo utters a paradoxical proverb: "Ne'emanim pitzei ohev, v'na'ataros neshikos sonei" — "Faithful are the wounds of a friend, but deceitful are the kisses of an enemy." In Parshas Devarim, the Midrash applies this verse to Moshe Rabbeinu and the wicked prophet Bilaam. The Sfas Emes examines the root-nature of pain and blessing. Pain in this world cannot be judged by its immediate surface sensation. What matters is the inner motive that drives it and the ultimate purpose toward which it leads. When a true friend or a parent rebukes someone, the words may sting the ego and cause tears. Yet that wound is faithful (ne'emanim) because it flows from deep love, and its sole goal is to guide the person back to spiritual health. It may also occur in gentle words that guide. Every other blow is an act of violence that harms both attacker and victim (Sfas Emes, Devarim, Devarim 5649).

RELATED HASHKAFAH TOPICS:

▪ Discuss why it is so severe to even threaten to hit

▪ Discuss the parameters of when it can be permitted to hit a child in the course of discipline.

MORAL DILEMMAS:

Elisheva was a wonderful young woman. She graduated from Beis Yaakov and seminary, and looked forward to finding the right shidduch and starting a family. Very quickly, all of her friends got married and had children, but Elisheva unfortunately did not find her bashert yet. Finally, when she was 34 years old, to the great joy of her family and friends,

Elisheva got engaged. She was very popular, and the joy of her engagement was overwhelming. Many people were eager to participate in the wedding celebration, so her parents rented a large wedding hall to accommodate the numerous guests. The hall included all the usual accoutrements, including the special bridal chair used in Jewish weddings. At the wedding, hundreds of guests attended, with many coming over to wish Elisheva well, say "mazel tov," and give her their blessings. People kept hugging her and leaning on her chair, which gradually weakened under the weight. In the midst of the celebration, surrounded by well-wishers, the beautiful bridal chair suddenly broke and collapsed, causing Elisheva to fall back to everyone's shock and horror. Thankfully, Elisheva was unharmed, though she felt embarrassed and shaken. After the wedding, the hall owner spoke to Elisheva's father. He said, "I'm sure you won't form an investigatory committee to determine who broke the chair, but I expect to be paid for its replacement." Elisheva's father responded, "I was going to bring that up. I feel it's your responsibility that the chair broke. It caused us great embarrassment, and you should give us a reduction on the wedding cost because of this incident. I certainly shouldn't be obligated to pay for it. It should be the person who broke the chair or the last person who leaned on it." They agreed to bring this question to a Rav. What do you think? Should the hall owner compensate Elisheva's father for the broken chair? Should Elisheva's father pay for the replacement? Or should it be the person who broke the chair or the last person who leaned on it? What do you think?

Answer: Regarding the question about the broken bridal chair, Rabbi Zilberstein wrote that the Baal Simchah, the father of the bride, takes responsibility for all the wedding accoutrements, as a socher, when he rents out the hall. It was therefore his responsibility to ensure that the chair does not get broken by the guests.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim p. 120

Yoni was a farmer. He used a crop duster to water his crops as well as to spray them with pesticide, One day after flying the plane, he got a call from his neighbor Aron who owned a neighboring farm. “Yoni”, Aron said. “I need to ask you to stop using you plane to spray the pesticides. This morning after you flew the plane, the vibrations from the plane shook the ground. The vibrations caused the all the eggs in my egg farm to break. I think you owe me the money for the loss of all those eggs, and I insist that you stop the flights.” Yoni wasn’t so sure that was fair. He flew over his own property. Yes, the vibrations went beyond his property, but that should not be his concern. But on the other hand, does he have a right to do something on his own property that causes damage to a neighbor? What do you think? Does Yoni have to pay for the broken eggs? Does Yoni have no right to fly his plane there in the future?

Answer: Regarding the question about the broken eggs, Rav Zilberstein says that it seems that the pilot has the right to fly his plane and the egg farm owner should take measures to prevent his eggs from breaking.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 167 (Table Talk Halachic Archive, Edition 100 (Lech Lecha))

Moshe took his beaten up car to a Jewish mechanic, named Yaron. The mechanic told Moshe that the car needed an oil change. Moshe figured as much and told the mechanic to go ahead with the oil change. Yaron went ahead and did the oil change. A month later, Moshe was driving on a three hour trip to Lakewood, New Jersey. In the middle of the drive, the engine started to make loud knocking noises. Suddenly it just stopped. Moshe called AAA. The service man looked at the engine and told him that the engine seized up. The engine seizes up when there is no oil in it. "When was the last time you had an oil change?", the service man asked. "I did it less than a month ago", Moshe replied. The service man looked at the oil cap and saw that it was loose. It turned out that the oil cap was not on properly and because of that all of the oil had leaked out. Moshe had been driving without any oil in the engine. "Was the oil light on in your car?" the service man asked. "Actually it was", Moshe said, "but I assumed it was broken, because I just got the oil changed". The

damage cost Moshe about four thousand dollars for a new engine. Moshe was upset at the mechanic. He wondered if Yaron had a responsibility to pay for the damages. On one hand the damage was a direct result of Yaron not closing the cap properly. But on the other hand, Yaron didn't directly cause damage to the engine, the actual damage was caused by Moshe driving. Had the car stayed in Moshe's driveway, there would have been no damage to the engine. In addition, perhaps it was Moshe's responsibility to investigate the oil light. What do you think? Does Yaron have to pay for a new engine?

Answer: Regarding the question about the oil change, Rav Tzvi Berkowitz answered that in general when one relies on the mechanic it would be the mechanic's responsibility because he was being trusted that it is ok to drive. In this case however, it is questionable if the mechanic is responsible. This is because the engine light should have caused the owner to at least investigate if oil was needed.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

One Thursday night, a man named Chaim walked into a restaurant called ShaBBistro. It was a restaurant open on Thursday nights. It only served Shabbos food, like cholent, potato kugel, different types of chicken, and more. It was very popular. People came there to eat, and the store also sold that food for Shabbos. Chaim saw a bunch of friends and started talking with them. He was holding a large cup of soda and standing near the buffet table, which had a very large tray of potato kugel. Suddenly, Chaim accidentally tripped, and his whole cup of soda spilled into the potato kugel. Chaim was fine; he didn't get hurt. Everyone laughed and made a joke out of it. But then the store owner Eitan came out. He said, "I'm glad you're okay, but I don't think I can sell this potato kugel anymore. I charge five shekels per piece of potato kugel. This whole tray could have been sold as at least 100 pieces. So you tripped, and you caused me a loss of 500 shekels. I'd appreciate it if you could please pay me 500 shekels." Chaim was shocked. "Five hundred shekels for one potato kugel? I could probably make it myself for ten shekels by just buying the ingredients. Five hundred shekels is way too much." But Eitan said, "I hear what you're saying, but that's how much money you made me lose." Chaim replied, "I could pay you for the cost of the ingredients and a little for the labor. I can pay you for what a potato kugel costs in another store, but 500 shekels is way overpriced." They agreed to bring the question to a rav. So what do you think? In such a case, does Chaim have to pay 500 shekels because that's the amount the owner lost? Or should it be a smaller amount, maybe just the cost of a whole kugel sold in a store?

Answer: Regarding the question about the person who spilled soda into the kugel, Rabbi Zilberstein (V'N 4, p. 28) explains that if the restaurant sells whole kugels, then the person who spilled must pay the price of a full kugel, as they are sold there. However, if the restaurant sells kugel only by the piece, then indeed, he would have to pay the 500 shekels-the value of all the individual pieces that could have been sold.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 462 (Bereishis)

One day Ari went outside to his backyard and saw a large venomous snake in the grass in his backyard. He was terrified of snakes and his wife and children were even more terrified. Ari quickly ran inside and opened the local Jewish phonebook and called the exterminator to come remove the snake. The exterminator came with all of his equipment and was prepared to catch the snake. Suddenly the exterminator laughed out loud and picked up the snake with his hands. It turned out that it was a very realistic looking but rubber snake. It turned out that this snake was left there by the neighbor who threw it over the fence from his yard and forgot it there. The exterminator turned to Ari and said," I'm happy that this ended well. We have a policy that every time we drive out we charge a minimum of $100. I still expect to be paid". Ari felt silly that he had to pay for this, and he wanted his neighbor to pay instead because he had

left the snake in his yard. When Ari brought it up to Yaakov, his neighbor, Yaakov said, "I don't think I have to pay for this. It's true that I accidentally left the snake there, but you should have been more careful before you called the exterminator". What do you think? Does the neighbor have to pay for the cost of the exterminator?

Answer: Regarding the question of the fake snake, Rav Zilberstein wrote that if the snake looked realistic, then the neighbor who left it in the yard would have to pay the exterminator's fee, midinei shomayim. However the courts would not be able to force him to pay.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Two

There was once a string of robberies, all occurring in the same neighborhood, in a town in Israel. One morning, a shopkeeper opened his store and noticed that someone had been there the previous night. Suddenly he heard the breaking of glass in the rear of the shop. He ran to the back of the store to catch the thief but the culprit got away. As he got closer to the broken window he saw it was covered with blood. It was clear that the thief had received a significant injury while leaving. He quickly called the police. They arrived promptly, and were convinced that this thief was the perpetrator behind all of the other robberies that had recently taken place in the neighborhood. Finding blood on the window could be a huge breakthrough if they could use it as forensic evidence to track down the thief. They had an idea. They would go to the local hospitals and see if anyone was admitted with significant lacerations. They would then require blood to be drawn from all of those patients and see whose blood matched the blood on the window. Some people objected. "It is a sin to hurt someone (chavalah). Drawing blood unnecessarily from innocent people is forbidden," they said. However, not everyone was convinced. "We can catch a criminal who has been causing so many people harm. Its for the greater good to carry out this investigation We will stop further damage." According to the Torah, who is right? Is it permissible to require innocent people to have blood drawn, in order to catch a thief?

Answer: Rav Yitzchak Zilberstein rules that for the sake of public safety and apprehending dangerous criminals (tikkun ha-olam), it is permitted to require a minor convenience or routine blood test from everyone who came to the hospital with a cut hand, just as everyone in a crowd may be briefly detained to search for a thief who fled into their midst.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Avodah Zarah, p. 96

Ilana was a doctor who owned a health clinic in Israel. Among many of the services provided in the clinic were vaccinations and inoculations. The clinic was reimbursed $10 for each vaccination, by the government department of health services. The standard needles cost the clinic $1 each. This made the profit margin for each inoculation $9. However there are specialized, "superfine" needles that cost less pain. These cost $2 dollars a piece and would shrink the clinic's margins. Ilana wondered if Torah law would require her to purchase the special needles that cost the least possible pain. The difference in pain is very subtle, and over time the expense would be significant. Is she obligated to endure that extra expense to avoid this subtle difference in pain? On one hand it is only a small difference in pain that requires a substantial cost. But on the other hand perhaps any unnecessary pain would be forbidden by this mitzvah. What do you think?

Answer: Rabbi Yitzchak Zilberstein answered that the doctor would have to offer the less painful needles, without charging extra.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 384

A zoo in Israel was undergoing some new construction on their animal exhibits. Due to the construction, many of the animals were moved to temporary cages. Among the temporary cages, a bear was placed in a cage next to a cage of rare birds. One day, a security guard noticed that the lock between the bear's cage and the bird's cage had somehow become loose. The bear managed to break into the bird exhibit. The security guard watched in horror as, one by one, the bear began to eat these extremely rare birds. Instinctively, the guard panicked, fearing that the bear would devour all the birds. He quickly pulled out his gun and, with one shot, killed the bear. Initially, the guard felt proud of himself, thinking that he had saved these rare birds. However, after the dust settled, the zoo administrator approached him and said, "I know you meant well, but the truth is, you've caused us a significant loss. This bear was extremely rare -- there are only a few of its kind left in the entire world. While the birds are rare, they don't cost nearly as much as the bear. All of them together cost only a fraction of what the bear was worth." The security guard later approached Rabbi Zilberstein: Was he obligated to pay for the damage caused by killing the bear? On one hand, he believed he was saving the zoo a lot of money by protecting the birds, but he didn't realize that the birds were worth far less than the bear. On the other hand, practically speaking, he did cause the zoo a great financial loss. What do you think? Is the security guard obligated to pay for the loss of the bear?

Answer: Regarding the question about the security guard who shot a bear to protect the rare bird display, Rav Zilberstein wrote that the security guard is not obligated to pay for the loss of the bear. This is because his job was to protect the exhibit, and he was given permission to safeguard the animals based on his subjective judgment.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 275

One day Yitzchak entered the beis medrash to learn in the morning. Snow was on the ground outside, but the weather changed and the snow was melting. Yitzchak noticed that when he walked into the beis medrash, there was a trail of melted snow that followed him from the door to his seat. Shortly afterward Meir walked into the beis medrash. Meir was moving quickly trying to get to his chavrusa in time. Without realizing that there was water on the floor, Meir stepped into the water trail left by Yitzchak and slipped. He fell backwards and banged his arm on a table and injured his arm. Meir was okay but his injury caused significant medical expenses as well as lost work. Yitzchak felt terrible. He also wondered if he was liable and obligated to pay Meir anything. On one hand he felt certain that it was his trail of water that caused Meir's injury. He left a "pit" in an area that can cause damage. But on the other hand, is one obligated to clean off a trail of melted snow every time it snows outside? Perhaps it was Meir's responsibility to be more careful. What do you think?

Answer: Regarding last week's question of the melted ice in the Beis Medrash, Rav Tzvi answered as follows: "It depends on whether there is usually melted snow on the floor of the Beis medrash when it snows outside."

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

It was the summer and the Stein family was excited to go on a summer trip. The Bergers, a kind family in another large Jewish community, were going to the mountains for the summer, and their home was going to be empty. The Bergers graciously allowed the Steins to stay in their home for a few days. The Steins had a great time staying at the Bergers house. The Bergers had a large aquarium with eleven large exotic fish. Mr. Stein fed the fish exactly as he was told. During their vacation, Mr. Stein noticed that one of the large fish had died. Mr. Stein was confident that it was not his fault, but he felt bad for the owners to come home to a dead fish. Mr. Stein went to a nearby pet store that sold pretty and exotic fish and purchased a large fish the same size and color as the one that died. It was not cheap, but Mr. Stein felt it was the least he could do. He placed the new fish in the tank. After staying for a few days, the Steins left the

house. The Bergers returned home shortly after the Steins left. Mr. Stein got a call from Mr. Berger shortly after they returned home. "Do you have any idea what happened to our fish?", Mr. Berger asked. "No, what do you mean?" "Well, we had 11 fish when we left, but now there is just one big one left, and we can't understand what happened to the rest of them." In a flash, it was clear to Mr. Stein what had happened. The fish he bought must have eaten all the rest! Mr. Stein wondered if he had an obligation to offer to pay for all of the lost fish. On one hand, they were lost because of the choice he made to buy a new fish and put it in the aquarium. But on the other hand, he was only trying to help. And the damage was not caused by him directly. He bought a fish and gave it to the Bergers. The fish that belonged to the Bergers did the damage. What do you think?

Answer: Regarding the question about the aquarium, Rav Zilberstein writes that this is an example of a damage called "Shen", causing damage with an eating animal. The one who put the fish in the aquarium is liable for all the damages.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 103

Eli was once walking down the steps of an apartment building in Eretz Yisrael. Just ahead of him was Yaakov. Suddenly, Eli felt his foot slip -- it was a banana peel that someone had carelessly left on the dark steps. He tried to catch his balance, but he wasn't successful. As he was about to fall, he instinctively reached out and grabbed Yaakov, the person in front of him, in an attempt to stabilize himself. Very sadly, instead of steadying himself, Eli ended up knocking Yaakov down. Yaakov tumbled down the steps. Thankfully, no one was critically injured -- but Eli did cause Yaakov to break his leg. This led to Yaakov incurring significant medical expenses. This raises the question: Does Eli have any obligation to pay Yaakov for the damage and medical expenses he caused? On one hand, you could argue that it was a complete accident -- Eli was not able to see the banana peel, and he had no intention to knock Yaakov down. But on the other hand, Eli did cause Yaakov pain and financial loss, even if unintentionally. What do you think? Is Eli responsible for covering Yaakov's medical expenses caused by the fall?

Answer: Regarding the question about the person who fell down the steps and grabbed his friend, causing his friend to break his leg: Rav Zilberstein answered that even though it was a complete accident when he reached out and grabbed his friend, the friend likely helped prevent him from being more seriously hurt. That benefit makes him obligated to compensate his friend for the damage. However, he concluded that it is still tzarich iyun (requires further analysis).

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 208

Rivka lived in a small apartment in a crowded apartment building in Yerushalayim. One day her dryer broke. She knew that the repairman would cost money and at the moment she did not have the money to pay him. She decided to push off calling the repairman. That night after the kids were all asleep she realized that she didn't yet do the laundry. She quickly did it, and in the absence of the dryer she needed a solution to dry the clothes. There was a line outside that she could use to dry her clothes. She put all the clothes on the line and went to bed. In bed at midnight, Rivka heard the dripping of her laundry on a plastic awning underneath. "Drip, Drip". The noise was subtle but it was definitely a persistent noise. The Rivka realized that her neighbors might be bothered by the noise of the dripping. It might wake them up or it might prevent them from sleeping. She wondered if it was forbidden for her to let her laundry dry so late at night because the dripping might disturb her neighbors. On one hand it was her laundry line, there wasn't any explicit rule about when she could do laundry, and the noise was pretty subtle. But on the other hand, did she have the right to disturb her neighbors' sleep because she wanted to do laundry at night? Maybe she would have to go out, take down the laundry, and do it during the day? What do you think?

Answer: Regarding the question of the dripping laundry, Rav Zilberstein wrote that it seems that because of "ve'ahavta la'reacha kamocha" she should not do the laundry then. However, he is inconclusive.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 125

Avi owned a successful grocery store in Israel. One day, he handed a stack of checks to Izzy, one of his main store clerks, instructing him to take them to the bank and deposit them. Izzy didn't examine each check individually; he simply took the entire stack and deposited them. It turned out that several of the checks were postdated. Since they were not yet valid, they bounced, resulting in bank fees for both Avi and the check writers. In total, these unnecessary fees amounted to hundreds of dollars -- all because the dates on the checks weren't checked beforehand. This led to a dispute between Avi and Izzy: Who was responsible for covering the fees? Avi argued that Izzy was at fault. "I told you to deposit the checks. You should have made sure they were all valid before doing so. You shouldn't have attempted to deposit the postdated ones." Izzy, however, disagreed. "You gave me the stack of checks as they were. I didn't inspect them -- I just followed your instructions. The responsibility is yours." Unable to resolve the matter, they decided to bring the question to a Rav for a ruling: Who should be responsible for the bank fees -- the employer who handed over the checks or the clerk who deposited them without checking the dates? What do you think?

Answer: Regarding the question about the employee who failed to notice that the checks were post-dated: Rabbi Zilberstein explained that if the employee's primary job was to deposit checks, he would be considered negligent for not noticing the post-date and would be obligated to pay the fines. However, if this was not his main responsibility -- if his primary role in the store was something else and depositing checks was merely an additional task he was asked to perform -- then the employee would not be held responsible for the error.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 192

In a Lakewood day camp, among the many campers were 10-year-old Dovid Cohen and his classmate Shmueli Weiss. As boys can sometimes get into quarrels, Dovid and Shmueli engaged in one such event. At one point, Dovid took Shmueli's glasses, ran into the bathroom with them, and flushed them down the toilet. Gone! Shmueli tried getting them out but could not. Not only were the glasses gone, but the toilet was also jammed. After spending $100 on a plumber, the camp director was able to retrieve the glasses, and the toilet was working again. Although the glasses were retrieved, they were nonetheless broken. Here you have it. This quarrel cost $100 for a plumber and about the same for a pair of glasses. The director went to Dovid's parents and asked them to pay for the damage to the toilet. The parents, however, argued that they were not responsible for Dovid's actions. Shmueli's parents also went to Dovid's parents to ask them to pay for a new pair of glasses. Once again, Dovid's parents argued that they were not responsible for their child's negligent actions. The camp director and Shmuli's parents argued that just as the Torah obligates someone for damages caused by their animal, they should certainly be required to pay for his children's damages. But Dovid's parents were not convinced. They argued that Dovid acted on his own and he was responsible, not them The case was brought to a Rav. What do you think? Do Dovid's parents have to pay for the broken glasses and broken toilet?

Answer: Regarding the case where one camper flushed his friend's glasses down the toilet: Regarding the obligation of the parents, there is an explicit Mishna in the eighth perek of Bava Kama. Damages done by children cannot be collected. Their parents are not held responsible. Regarding the director's responsibility, Rav Shuchatowitz felt that he is only responsible for the safety of the children and not for any damage one child may cause to another child's property.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

A young man named Nachum, who lived in the New York area, needed to purchase some lumber for his succah. His car was not large enough, so he asked his in-laws if he could borrow their SUV to transport the wooden beams. Nachum went to a local frum-owned lumber store. He entered the store, chose the boards and beams and paid. Because the lumber was heavy, Nachum asked the proprietor of the store if someone could help him load the lumber. The owner of the store of course agreed and asked one of his non-Jewish workers, a strong fellow named Dave, to load the beams into the car. Dave proceeded to carry the wood out of the store. He carefully placed each beam into the SUV and closed the back door. Nachum thanked him profusely and drove away. As Nachum drove away, he immediately noticed a crack in the rear windshield of the SUV. The crack extended from a spot where it impacted one of the beams. It was clear that Dave, in his hurry to load up the car with the boards and beams, had somehow managed to crack the glass windshield. Nachum was not sure what to do. Should he go back to the store and ask the owner to cover the damage? It was his worker who caused it. On the other hand, maybe the worker was responsible. Should he ask Dave to pay for it? Furthermore, the car did not belong to Nachum. Assuming that no one was willing to pay, was it now Nachum's responsibility to pay his in-laws for the damage? Who is liable to pay for the windshield replacement, Nachum, the owner of the store, Dave, or no one? What do you think?

Answer: Regarding the borrowed car with the broken rear windshield, Rav Tzvi Berkowitz answered that the one who borrowed the car is responsible for all damages. Whether the worker is responsible depends on whether he broke it when he closed the door. If he is responsible, the owner of the car can collect from him or the borrower of the car. However, it will be difficult to prove that it broke when he closed the door.

— Source: Rav Tzvi Berkowitz / Table Talk

Matan was a paratrooper in the IDF. One day, during a practice jump, he leapt from a plane as usual. But as he descended, a strong wind suddenly caught him and blew him far off course -- away from the designated landing zone. To his shock, the wind pushed him toward an area near the army base where bystanders often gathered to watch the paratroopers. Despite his efforts to steer away, Matan crash-landed into a young toddler, an adult woman, and a parked car, injuring the two people and damaging the vehicle. Later, Matan began to wonder: according to halachah, is he obligated to pay for the damage? On the one hand, this was clearly an accident. The wind carried him off course -- it was beyond his control. But on the other hand, there's a Torah principle: adam mu'ad l'olam -- a person is always responsible for the harm they cause, even unintentionally. But what about the bystanders? They had voluntarily come to a place near a military landing zone. Even if the risk was tiny, they chose to stand where accidents could conceivably happen. Did that mean they accepted the risk? What do you think? Is Matan required to pay for the damage caused by this parachuting accident?

Answer: Regarding the question about the paratrooper, Rav Zilberstein answered that with regard to the adult, the paratrooper would not be obligated because the adult chose to put themselves in a situation of potential risk. However, the paratrooper would be obligated for the damages to the child and to the car because they didn't have the ability to make that choice.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 217

Avi was a locksmith who lived in Israel. One day, he received an urgent call. The man on the phone said, "It's freezing outside, and I can't seem to get into the house. Could you please come over quickly?" Avi drove over and saw a sweet family, a father, mother, and two children, shivering in the cold, standing in front of a very nice, expensive villa. When he pulled up, they eagerly ran to him and explained that they had been trying to get into the house for a long time but were unable to. They asked if he could please unlock the door for them. Avi agreed and tried to open the lock. When he

wasn't able to unlock it, he ended up breaking the lock on the door to let them in. They paid him for his services and expressed their gratitude. The next day, Avi heard on the radio that an expensive villa had been robbed and completely cleaned out. The description matched the house he had visited the day before. Avi soon realized that he had been duped, the people who had called him weren't the homeowners but con artists. They were actually thieves who had tricked him into breaking the lock so they could rob the house. Avi brought this question to Rav Zilberstein: Was he obligated to pay for all the losses caused by the theft, since he was the one who opened the door for them? On one hand, he did open the door for the robbers. On the other hand, what was he supposed to do in that situation? What do you think?

Answer: Regarding the question about the duped locksmith, Rav Zilberstein wrote that regarding the lock that the locksmith broke directly, the locksmith would have to pay for it, even though this could be considered an ones, an unavoidable accident. With regard to the damages caused by the house being robbed, Rav Zilberstein says that it appears this would be considered an ones, an unavoidable accident, and the locksmith would not be liable for the burglary.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 312

Yaakov, who lived in a large Jewish community in Europe published a community phonebook. When the manuscript for the phonebook was complete, he saw that there was a whole page in the back that was totally unused. He figured it was a waste to leave that page blank. He had a close friend, Daniel, who owned a home renovation business, so he took an old ad from his friend and placed the renovation business advertisement on that entire final page of the phonebook. The phonebook was printed and came out very nicely. Everyone was happy and very pleased. One day, surprisingly, someone from the city tax office came across this Jewish phonebook. He noticed the large full page ad for Daniel's renovation business and assumed that this must be a very successful company to be able to afford such an expensive full page ad. He looked the business up and saw that the tax bill was nothing compared to what it should have been. The tax official looked further and realized that Daniel was significantly behind on his taxes. Eventually, tax authorities went to Daniel's house. They made him pay a huge fine for back taxes and required him to pay all the taxes he owed. Daniel eventually learned why all of this happened, and he came to his friend. He said, "I never asked you to put an ad in for me. Because you put that ad in, I had to pay this massive bill and this massive fine. I think you should pay for it." Yaakov was not sure. He had genuinely tried to do a favor for his friend, and he did not think he should be responsible for paying the fine. They agreed to bring the question to a Rav. What do you think? Who has to pay? Is Yaakov responsible to pay all or part of the fine that his actions caused his friend Daniel to incur?

Answer: Regarding the question about the person who gave the free full-page ad: Rabbi Zilberstein answered that this person is completely exempt from damages. It is not even considered a grama for which he would be obligated to pay midinei Shamayim, because he did nothing wrong at all. Rather, the business owner did something wrong by not paying his taxes.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 324

A woman named Esther once went to a children's clothing store. She had a wedding coming up in a few weeks, and she wanted to buy matching dresses for her four daughters. Her daughters were ages 4, 5, 6, and 7. She wanted them all to be wearing matching dresses to the wedding and for other simchas and Shabbosim afterward. The store owner showed Esther a style that she really liked. It was a yellow dress. Esther bought it in all four sizes, and was very pleased. The kids wore the dresses to the wedding. The dresses looked great, and everyone was happy. But shortly after, one of the dresses began to unravel. It was clear that there was a manufacturing defect in the dress that caused the whole thing to unravel. Esther brought the dress back to the store and said there was a defect in this dress and she wanted it to be replaced with the same style and color. The store owner looked at her and said, "I'm really sorry, but I don't have this color and

style anymore, as they were an older style. Actually, I sold you the last ones. I can give you this style but in blue." Esther said, "Well, I told you when I bought this, I was looking to buy a set. Do you think a mother would consider dressing her children with three in one color and the fourth in another color? If you are unable to replace the yellow, I'd like you to please replace all of them with blue so that I can have a complete set like I wanted." The store owner said, "I'm sorry, that's not really reasonable. I could replace this one for you with a new color. But it's not fair for you to ask me to replace all four of them, I won't be able to sell these yellow ones anymore. Esther replied, "But it wasn't my fault that there was a defect in this dress. I made it clear that I wanted a set, so if you're unable to replace this color, I'd like a new set, please." They agreed to bring this question to a Rav. What do you think? Does this woman have the right to ask for a complete set to replace the one dress that was faulty, or is the store owner correct that he could replace that one, but does not have to replace all four? What do you think?

Answer: Regarding the question about the matching dresses, Rav Zilberstein wrote that the mother does have the right to ask that all the dresses be replaced because she bought them as a set and the set was defective.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 128

The wedding of Eli and Zehava started as planned, and the chuppah was beautiful. After the chuppah, Eli and Zehava were musically escorted to the yichud room by a joyous and raucous group of Eli's friends. They entered the room, and the door was closed behind them. Two witnesses, the eidi yichud, stood by the door to make sure that the chassan and kallah were alone. When the new couple came into the room, they saw a small table filled with a plate of fruit for both of them to enjoy. Before they both sat down, Zehava excused herself for a moment to use the attached washroom. While Zehava was out, Eli looked around the room. In the corner of the room, there was a huge white, wicker chair adorned with flowers that looked like it was a chair used by a kallah during the Badeken. Eli was exhausted from fasting all day and from being on his feet, and the huge white chair looked inviting. Eli went to the far side of the room where the big chair was kept and plopped himself into the chair. It was very comfortable. Eli closed his eyes for a moment to appreciate the respite. After a few moments, Zehava came back. Eli quickly got up to sit at the table with her. Zehava let out a sharp "Oh my!". "What's wrong," Eli asked. Zehava said," Look at your jacket and the back of your pants." Eli looked down and saw that his new wedding suit was covered in wet paint. It turned out that a wedding planner named Chavie, who worked with the wedding hall, was preparing the Kallah's chair for a wedding in the near future. For some reason, the painted chair was placed in the yichud room. Thankfully Eli's family was able to quickly find him a replacement suit, and the wedding continued to go as planned without any further hiccups. After the wedding, Eli reached out to Chavie, the owner of the big white chair, and told her the story. "My brand new wedding suit got permanently ruined, and I'm wondering if you would be able to pay for a replacement", Eli politely asked. But Chavie didn't see it that way. "I empathize with you, but I don't think I have to pay for your suit. The chair was clearly a chair to be used for the Kallah. What were you doing sitting in a Kallah's chair? Also, it was set to the side. Why didn't you sit at the table with the normal chairs?", Chavie said. But Eli replied, "What right do you have to leave a chair with wet paint in a yichud room? It should be put somewhere where no one would sit on it. In addition, there wasn't even a 'caution, wet paint' sign on it. I think you are responsible for these damages". Both amicably agreed to bring this question to a Rav. What do you think? Does Chavie have to pay for the damaged suit because she should not have left a wet, freshly painted chair in the yichud room? Or is Chavie exempt because Eli should not have sat in the kallah's chair, and he should have realized that it was placed on the side?

Answer: Regarding the question about the Kallah chair, Rav Zilberstein wrote that the chair would be considered a "Bor" a pit, and one is exempt in court for damages caused to a "Kli", or clothes. Regarding whether the planner would be liable "Midinei shomayim", Rav Zilberstein writes that first of all the Chazon Ish holds that Bor is exempt for a Kli, even midinei

shomayim. And even according to those who argue, in a case where it is not normal for a chassan to sit on such a chair, or if the chair was put to the side in a way that the wedding planner thought that no one would sit on it, then the wedding planner would even be exempt midinei shomayim.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

The Friedman family were blessed to marry off their daughter. The wedding was large and beautiful and the food was delicious. However, after the wedding several people became sick with food poisoning. They complained to the caterer and the caterer promised that he would investigate it. It turned out that the fish in the sushi was spoiled and that was causing the food poisoning. The caterer felt really terrible. He called up the Friedmans and told them that he took full responsibility for the food poisoning. In order to make it up to them, he said he was going to set aside $20,000 to compensate anyone at the wedding who got sick. If the Friedmans could give him a list of the guests who got sick, the money would be divided among them. The Friedmans were grateful for the caterer's gracious offer. They sent out an email to all of the guests that said that any guest who got sick from the food should contact them, because the caterer was going to compensate them. Shortly after the email went out, Mr Friedman got a knock at his door one evening. The man at the door introduced himself as Berel Klein. Berel said, "I heard that you are arranging compensation for anyone who ate the fish at the wedding and got sick. I ate the fish and I got food poisoning. I actually still feel its effects. Can you please add me to the list to receive compensation? Mr. Friedman said that he was happy to help, he just wanted to get some more information. "Mr. Klein, I don't think we have met, are you from the Chasson's side of the family?" Mr Klein said, "The truth is I am neither from the chosson or the kallah's side of the family. I go to all the weddings in the area every night to collect tzedakah. Helping the poor at a wedding is a huge zechus and I help to give this zechus to everyone at their weddings. While I was at your wedding I ate some sushi at the smorgasbord and I got sick like the others. Mr. Friedman listened to Berel and wasn't sure what to reply. This man was not an invited guest and was a tzedakah collector. It's true that the caterer was going to compensate anyone who got sick, but would that also apply to a tzedakah collector that was not on the list of guests? On one hand perhaps he should not have eaten from the food and should not be compensated. On the other hand, however, it is usually expected that tzedakah collectors and other uninvited people will eat from the smorgasbord and even the main meal. In addition, the caterer said he would compensate anyone who was harmed by the food, and Berel was harmed. Perhaps he should get compensated? What do you think?

Answer: Regarding the question of the person who was not invited to the wedding who got sick from the fish, Rav Zilberstein writes that the money was intended only for those who were invited to the wedding.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 227 (Table Talk Halachic Archive, Edition 269 (Terumah))

Akiva and Miriam were about to reach their 30th anniversary. In order to celebrate the wonderful occasion, Akiva wanted to surprise his wife with a gift that he knew she always wanted; a newly remodeled kitchen with new cabinets. Akiva went to the kitchen design store to choose new cabinets and a new paint job. The owner, Eli, was happy to show Akiva around the showroom. Akiva said that he wanted cabinets that were very strong. The cabinets they currently had, had shelves that began to warp and bend. This time he wanted to make sure that the shelves would be extremely strong. Eli told Akiva that he had the perfect cabinets for them. Eli then walked over to a cabinet set and stood on top of one of the shelves. Eli even jumped a little. Eli said, "look, as you can see I'm a bit overweight, and even after I stand and jump on these shelves, they don't bend at all". Akiva looked closely and saw that Eli was right. Clearly, the cabinets were unusually strong. Akiva was convinced and he ordered those cabinets to remodel his kitchen. The kitchen remodeling was completed on the day of their anniversary. When Miriam saw the new kitchen she was ecstatic. It was exactly as she always dreamed. She loved the colors and loved the designs. She also really loved the new cabinets. Akiva

was quite proud of himself for making his wife so happy. "Miriam, let me show you a cool trick", he said. These cabinets are so strong that they can support my full weight. Then before Miriam could say anything, Akiva stood on one of the shelves. "Look how strong these are. They can hold me up as I stand on them!" Akiva then proceeded to jump on them like he saw Eli do in the store. BOOM! As Akiva jumped, the shelves buckled and a few of the cabinets broke. The whole cabinet structure tipped over, tore out of the wall, and hung towards the floor. Akiva tumbled to the floor. Thankfully, nothing was hurt, except his pride. Akiva picked himself off the floor and surveyed the damage. The damage to the new kitchen was extreme. It would likely cost at least a thousand dollars to repair. Akiva was furious. Akiva went back to the kitchen design store. He walked in and approached Eli, the proprietor. "You told me that the cabinets were strong enough to hold your weight and that you could even jump on it. But I tried it and they were completely destroyed. They broke even though I weigh less than you. I want you to please replace or repair them." "Wait a second", Eli replied. "I showed you that it was strong enough to hold my weight and that I could jump. But I didn't tell you to try that at home. It's true that these are unusually strong shelves, but it's not normal for an adult to jump on cabinets. I was able to do it because I knew exactly where it was strongest and how to do it in a way that would not break it. I'm sorry, but if you jump on your shelves that is not covered under warranty and I'm not going to be able to replace them for free. According to the Torah, who do you think Is correct? Does Eli the kitchen remodeler have to pay for the new shelves? On one hand, he made it clear that these shelves were strong enough to hold his weight. But on the other hand, Akiva was never expected to stand and jump on them, that is not its normal use. What do you think?

Answer: Regarding the question about the kitchen cabinet that collapsed, Rav Zilberstein answered that the kitchen remodeler would have to pay to replace them because he gave the impression that one can stand and jump on them.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 400

Yoni went to Miami for a summer vacation. He rented a luxury apartment there, from a Jewish landlord named Michael. The apartment was truly stunning. One thing that Yoni and his wife really appreciated was the custom inlay tile design in the kitchen. The tiles were shaped to create a scene of a beach and ocean. Yoni and his family were staying in the apartment for two weeks. A few days before they were supposed to leave, Yoni accidentally dropped a heavy can of vegetables on the floor. The can fell on the tiles with a crash and two of the large tiles in the middle of the design were smashed. Yoni felt terrible. He quickly took a picture of the broken tile to the nearest Home Depot and asked the clerk if they had a tile that could replace the broken one. The man said that the company that made those tiles went out of business years ago and he would not be able to find a replacement. Yoni went to several other hardware stores to find replacement tiles but to no avail. There were tiles that had similar shapes and colors but nothing was exactly right. Finally, Yoni came clean with Michael and told him what happened. Michael said, "As you know one of the best features of the apartment is the tile design. You have a few days to find a replacement tile. But if you can't I'm afraid I will have to ask you to pay to redo the entire tile design". "What!" Yoni responded. "But I only broke two tiles. How can you expect me to pay for the whole design?" "Yes you broke two tiles," Michael calmly replied, "but by breaking those tiles you ruined the entire floor. Anything other than the exact tile replacement will spoil the design that I spent thousands of dollars on creating." This question was brought to Rav Zilberstein. What do you think? Does Yoni have to pay for the whole new tile floor? Or can he simply pay for the tiles that he broke? On one hand, he only broke two tiles, but on the other hand, breaking those two tiles ruined the entire floor design — what do you think?

Answer: Regarding the question about the broken tiles, Rav Zilberstein answered that the tenant does not have to pay for the entire floor. Instead, he would only have to buy a tile that is the closest approximation in shape and color to the original broken tiles.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 408

Ben bought a brand new late-model car. It was a very attractive sedan that often turned heads when he passed people. He had to drop something off at his son's high school office. He parked in front of the high school and left the car running. It was hot outside, and he wanted to keep the air conditioner running. He rationalized to himself that he would go in and out and be back in less than 60 seconds. He left the keys in the car with the engine still running. He knew that leaving a car unattended with the keys in the ignition was illegal and liable for a hefty fine, but he rationalized to himself that it would be under a minute. Ben ran inside the high school office and dropped off his forms. He ran out of the school when he saw his son's teacher. Ben started to talk to the teacher. But Ben got stuck in the conversation for longer than he expected. Meanwhile, the fancy car was running with the keys in the ignition in front of a boys' high school. Eli, who was 14 years old, was talking with his friends. They pointed out the running car. One of his friends made a joke about driving the car. Eli wanted to impress his friends. "I know how to drive. I can show you," he said. His buddies egged him on. He looked around and hopped into the car. He put the gear into what he thought was drive. In truth, though, the gear was in reverse. Eli put his foot on the gas pedal, and the car immediately shot backward. It slammed hard into the trunk of a tree. Thankfully no one, including Eli, was hurt. The car, however, was a different story. The back was very badly smashed. Ben looked up from his conversation, and to his shock, he saw his car smashed into a tree. He ran to the car and spoke to Eli, who walked out. Ben asked Eli to call his parents. Eli's parents came to the scene within half an hour. Ben told Eli's parents that he expected Eli or his parents to pay for the damage to the car. The repairs were going to be more than $6000. Eli's parents had a different perspective. Eli's mother said, "As you know, leaving a car running with the keys in the ignition is illegal. In addition, you left it running in front of a high school filled with rowdy teenage boys. So what did you expect would happen?". Because Ben broke the law by leaving the car unattended, and because he was negligent by leaving it in front of mischievous boys, it was Ben's fault; therefore, they should not have to pay anything. Ben, of course, did not see it that way, but they agreed to bring this question to a Rav. What do you think? Is Eli liable for the damage he did to the car? Or perhaps he is not liable because Ben broke the law by leaving the car unattended, and he was also negligent and foolish for leaving an attractive sports sedan, running with the keys in the ignition, in front of a boy's high school — what do you think?

Answer: Regarding the question about the crashed car, Rav Zilberstein writes that while the driver did the wrong thing by leaving the car with the key in the ignition, that does not absolve the teenage boy from causing the damage and therefore, the boy would be responsible for paying for the damage.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 480

There was once a yeshiva that took its students on a camping trip. The head of the yeshiva, Rabbi Bloom, organized various locations where the students would stay and visit. To ensure everything ran smoothly, he hired two professionals: a well-known, highly skilled chef to prepare all the meals, and a mashgiach (a kosher supervisor) to oversee the food's kashrus. Since this took place in Israel, strict adherence to kashrus laws was required. This included ensuring that all ingredients were tithed (terumos and ma'aseros) and complied with laws related to shemitah (the sabbatical year). The standards were complex, so Rabbi Bloom wanted an experienced mashgiach to supervise everything. The students visited various locations, and the chef prepared delicious meals at each stop. One day, they arrived at a particular site. As the chef began preparing dinner, the mashgiach, named Mordy, told the chef that something seemed off about the meat -- it smelled slightly spoiled. The chef, whose name was Aron, took offense. He replied, "Why don't you stay in your lane? Your job is to ensure the food meets kosher standards. Stick to that. My job is the food itself -- I'm the expert here. Let me handle it." Mordy, not wanting to argue, let the matter drop. Later that day, Aron prepared a meal for the group: a delectable pepper steak, expertly seasoned and sautéed so that it smelled and looked delicious. Everyone thoroughly enjoyed the meal. However, within 24 hours, the entire camp fell ill with food poisoning. Some students vomited, while others had to be hospitalized. Curiously, only two people didn't get sick:

the mashgiach, Mordy, and the chef, Aron. As it turned out, Aron himself hadn't eaten the food. The head of the yeshiva, Rabbi Bloom, was furious. He was responsible for his students, many of whom were now ill or hospitalized. Confronting both the chef and the mashgiach, he first told Aron, "I'm sorry, but I'm going to have to let you go. You endangered the entire group, and people ended up in the hospital. On top of that, I won't be paying you your final wages." Then, turning to the mashgiach, Rabbi Bloom said, "I think I should let you go as well. Your job was to oversee the food, and yet you let everyone eat spoiled meat. You're also responsible for what happened." Mordy protested. "My job is to ensure the food is kosher, and it was. The meat was 100% kosher. I even brought up my concerns about it being spoiled, but the chef dismissed me and told me I didn't know what I was talking about. How is this my fault?" The head of the yeshiva replied, "If you smelled that the meat might have been spoiled, you should have told someone else. You should not have stayed silent. Your silence contributed to people ending up in the hospital. I'm considering withholding your final payment as well." Rabbi Bloom was uncertain about what to do, so they agreed to bring the matter to a rav for guidance. What do you think? Was the mashgiach responsible for the spoiled meat? Or do we say his role was strictly to oversee the food's kosher status and not its freshness, meaning he was entitled to rely on the chef's expertise?

Answer: Regarding the question about the Mashgiach (Kosher supervisor), Rabbi Zilberstein answered that it is the Mashgiach's responsibility to declare whether the food is fit for consumption. Since this food was not fit for eating, the Mashgiach is responsible and should have informed someone other than the cook. Furthermore, serving food that could make people sick is also a concern of kashrus. It was not kosher because consuming dangerous food is prohibited by the Torah.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 453 (Table Talk Edition 416)

Shira and her family bought a new home in Baltimore. It was a nice home on the corner of a block. One of the most appealing parts of their new house was the fact that it had a large back yard surrounded with bushes. Shira and her family slowly settled into their new home. A few days later a man knocked at the door. "Hi there, my name is Yisrael and I live two doors down. Welcome to the neighborhood. I'd like you to know that you have juniper bushes in your yard. It is a well known fact among gardeners and exterminators that Juniper bushes attract rats. These plants make wonderful homes for them. You see, rats seek out areas where they feel protected from predators. Dense plantings, tall weeds, and plants like juniper bushes provide safe harbor to a rat. Ivy and bushes close to the ground and around buildings are particularly attractive. Rats will burrow into any available earthen space within close proximity to food but prefer fresh, fertile soil to make their nests -- a garden is prime real estate to them. A rat burrow can be anywhere from one to six feet deep and will have an entrance, an exit, and maybe even an escape hole. A typical burrow will house a family of approximately eight rats. We have been having a rat problem and I'm certain that it is your bushes that are attracting them". Shira didn't know how to respond. The man sounded knowledgeable, but she had never heard of such a thing, that bushes attract rats. "Ok, I will look into it and get back to you" Shira told Yisrael. Shira called a landscaper for an estimate, to see how much removing the bushes would cost. She was given a quote of 1000 dollars. That was a lot of money. Shira wanted to know if she had an obligation to remove the bushes around her new house because a neighbor asked her to. On one hand she did the research and learned that it was a true concept that certain bushes are homes for rats. But on the other hand she did not know for sure that it was her bushes that were attracting the rats. Also, even if they were a home for the rats, Shira wasn't causing any damage directly. Shira wondered if she was obligated to pay the $1000 to remove the bushes in his backyard. What do you think?

Answer: Regarding the questions about the rats, Rav Tzvi Berkowitz answered as follows: If the previous owner were there for a few years and the neighbors did not protest, the neighbors may have lost their right to protest.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 231 (Emor)

Yosef lived in Eretz Yisrael during a time when sadly suicide bombings were not infrequent. Everyone was on edge. Yosef once went with his wife to a fancy restaurant. They sat down and looked around. The room was full and everyone was eating their meals happily. Suddenly a young Arab man walked into the restaurant. He was wearing a bulky jacket and was carrying a heavy, bulky duffel bag. To Yosef's eyes, the man looked on edge and nervous. To Yosef, it was obvious that the Arab man was a terrorist and was about to commence a suicide attack. Yosef stood up on his seat and shouted, "Terrorist! Look out, a terrorist is here! Suddenly panic filled the entire restaurant. People jumped out of their seats and rushed toward the door. In their haste, people knocked over entire tables, and shattered dishes and glasses. People rushed out the doors and soon enough the packed room was entirely empty. Quickly two security guards rushed the Arab man and tackled him to the ground. To the guards' shock, the man said, "Please let me go. I'm Jewish. I'm Israeli!". The man opened his wallet and showed the disbelieving guards his ID and Teudat Zehut. It was true, the young man was an innocent Israeli and his bag was filled with innocent items. It was all a terrible mistake. In fact, the man said that in the past he was mistaken for an Arab. The guards left and Yosef was left alone with the owner of the restaurant. The owner turned to him. "I appreciate your concern and conscientiousness. But you shouting out like that caused me an enormous loss of money tonight. The house was full tonight and now everyone went home without paying for their dinner. In addition, many of my chairs, tables, dishes, and stemware have been broken in the tumult. I estimate I might have lost close to $5000 tonight. I am holding you responsible to pay for the unpaid meals and for all of the damage." "What do you mean, I have to pay for all the meals and damage?" Yosef replied. "I was only trying to keep everyone safe." "Yes, and I thank you for that", the owner said, "But I also expect you to pay me for the losses you caused." Yosef sent this question to Rav Zilberstein. Was he obligated to pay the owner for all of the meals and for the damage? What do you think?

Answer: Regarding the question about the man who screamed "terrorist" in the restaurant, Rav Zilberstein wrote that he was not obligated to pay for the meals or the damage.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos p. 54

Eldad lived in Tel Aviv and opened a motorcycle store. He had a grand opening, and many people were excited to see the new store. Shortly after the opening, two tall, rough-looking men came into the store. "Tell me, do you do repairs on motorcycles?" the larger one asked. Eldad replied, "We only sell motorcycles; we don't do repairs." The big man responded, "But if I really wanted you to do a repair, could you do one?" Eldad said, "I guess if I really needed to, I could. But really, our focus is to sell motorcycles, not repair them." "Good, that's what I want to hear. You see, my buddy and I control the market in this part of the city, and we are the only engine repair shop in the area. If you do repairs, you're going to have a problem with us. Do you catch my drift?" the man said. Eldad nodded his head, but inside, he was defiant. After the two big men left, Eldad thought to himself, "How dare these gangsters tell me what to do? I wasn't planning to offer repairs, but now that they tried to stop me, I'm specifically going to do it." Sure enough, Eldad advertised that he also did motorcycle engine repairs, and many people brought their motorcycles in for repair. He hired a mechanic to take care of these repairs. One night, Eldad got a call from the fire department: "Please come down to your store; somebody burned it down in the middle of the night." Eldad sped to the store, but it was too late. His entire store was burned to ashes, including all of the motorcycles that were brought in for repairs. Eldad called the police and told them about the tough-looking gangsters, but the police said they didn't have enough evidence to bring them in. A few days later, his customers asked for their bikes. Eldad told them the whole story and explained how these gangsters burned down his store. But his customer replied, "Why did you have to start up with these tough people? If you hadn't, we would still have our motorcycles." "It's not my fault; it was their fault," Eldad replied. "How could you blame me for a crime that they did?" "Also, how could I have known that they would react so violently?" But they

replied that he should have avoided confrontation with such people, and now that he specifically defied them, he was responsible for the loss of their bikes. This question was brought to Rabbi Zilberstein: Was Eldad responsible to pay for the motorcycles? On one hand, he didn't start the fire, but on the other hand, he should not have provoked the gangsters. What do you think?

Answer: Regarding the question about the arson at the motorcycle shop, Rav Zilberstein wrote that the motorcycle store owner is considered to be a shomer sachar, a paid watchman. Since he provoked the gangsters, this is not considered to be an unavoidable accident, and he is responsible for the consequences of his decision to provoke the gangsters. He is therefore liable to compensate the motorcycle owners for the loss of their motorcycles.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim p. 50

Aron was a handyman. He owned a van where he kept all of his tools. He also had a ladder tied to a roof rack on the top of the van. One day Aron had a hard day of work. He wanted to get home quickly, so he attached the ladder to the top of the roof, but he didn't take the time to tie it securely. As he parked in front of his home, he thought about the loose ladder and told himself that he would secure the ladder later. Aron went to his Daf Yomi shiur at night, came home and fell asleep. As you might have guessed, he forgot about the loose ladder. At about 2:00 in the morning there was a knock at his door. It was his neighbor Moshe. "My wife is going into labor and our car is now at the mechanic, can we please borrow your van to rush to the hospital?," Moshe asked excitedly. Without hesitation, Aron tossed Moshe the keys. "Of course. And everything should go with mazel, and beshaa tova", Aron called out with a smile. Moshe and his wife took the keys to Aron's van and drove the van as fast as they could to reach the hospital. Suddenly, a car in front of them stopped short, because of a red light. Moshe hit the brakes hard. Suddenly a large projectile shot off from the roof of the van. As Moshe watched in horror a large metal object flew into the rear window of the car in front of them. Moshe jumped out to make sure everyone was ok. The driver of the car was shocked but unhurt. The car however was a different story. Moshe knew his cars and he recognized that the car was an expensive one. It was a new model of the Mercedes Maybach S 580. After assessing the scene Moshe understood what happened. The ladder on the roof of the van was not secured properly. Moshe was driving very quickly, and when he stopped short the ladder shot out and smashed into the Mercedes in front of him. He understood that the damage was going to be very expensive. Moshe quickly gave the driver ahead of him his insurance information and told him that his wife was in labor. The man was very considerate and understanding and Moshe was able to continue to the hospital. Thankfully a healthy child was born shortly after. After the dust settled, Moshe thought about his accident. He was very grateful to Aron for lending him his van but was frustrated about the fact that he was never told about the loose ladder. Moshe wondered who was responsible to pay for the damage according to the Torah. On one hand, he was the driver and he was driving very fast. Perhaps it was his responsibility. But on the other hand, the van had a loose ladder on top, and Aron, the owner of the van, never told him that it was insecure. Perhaps it was Aron's responsibility. And finally, perhaps both Aron and Moshe could argue that the accident was out of their hands and that both of them were exempt from paying the damage and the owner of the Mercedes should swallow the loss. What do you think?

Answer: Regarding the question about the ladder that flew off the van, Rav Zilberstein wrote that we would normally assume the driver would be responsible for the damage. However, if he was in an extreme rush because of the impending birth, he is not expected to have to check that the ladder is secure. Therefore both the driver and the owner would not be required to pay for the damage in a Beis Din.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Beitzah, p. 505

There was once an apartment building in Israel where the stairwell time-delay switch broke. It was supposed to keep the light on for 30 seconds before turning off automatically. The Vaad HaBayit (the condo association) hired an electrician named Chaim to come install a new timer switch. He came, did the job, and charged for his service. However, it turned out the switch he installed was faulty. When people pressed it, instead of turning off after 30 seconds, the light would stay on until it was manually switched off. This resulted in the lights being left on far longer than expected. The Vaad called Chaim back and told him the switch wasn't working properly. He agreed to come, but he was busy and didn't return immediately. It ended up taking him five days to come back and fix the switch. During that time, whenever people turned on the stairwell light, it stayed on far longer than it should have, leading to an unusually high electricity bill of more than 300 shekels. After the switch was finally fixed, the Vaad said to Chaim, "We'd like you to cover the electricity bill. This extra usage happened because you didn't install the switch properly." Chaim responded, "I hear you. It's true that the switch I installed was faulty. But it's not really on me. People could have manually turned off the light during those five days. I shouldn't be responsible for all the electricity that was used." So here's the question: Is Chaim, the electrician, obligated to pay the cost of the extra electricity because he installed a faulty switch and didn't come back right away to fix it? Or is it not his responsibility, since the residents could have turned off the light themselves? What do you think?

Answer: Regarding the question about the electrician, Rav Zilberstein wrote that the electrician, midinei Shamayim, would have to pay for the electricity that was used due to installing the faulty switch and not returning for five days after he said he would, since it is considered a grama (indirect causation). However, he would not be responsible for the entire amount, because it was also the tenants' fault for leaving the light on. Therefore, the electrician would share the cost of the electricity with the tenants.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 305 (Table Talk Edition 450)

Nati walked into shul carrying a large Gemara. He sat down on a bench and began to learn. After a while, Nati started to feel very tired. He decided to rest for just a few minutes. Before lying down, he took off his glasses and placed them on the bench next to him. Then he closed his eyes and fell asleep. A little later, Eli came into the shul to learn. He saw an empty spot on the bench next to Nati and decided to sit down there. Eli did not notice that Nati's glasses were lying on the bench. He sat down, and suddenly there was a crack. The glasses broke underneath him. Nati woke up with a start. When he saw his broken glasses, he was very upset. "Eli!" Nati said. "Those were expensive glasses! You have to pay me back for what they were worth!" Eli answered, "Why should I have to pay? A bench is made for sitting. It is not my fault that you put your glasses in a place where people sit!" Is Eli required to pay for the broken glasses?

Answer: At first glance, it seems that Eli should have to pay. The Gemara says in Bava Kamma 26a: Adam mu'ad l'olam, a person is always responsible for damage he causes, even if he did not mean to do it. However, Rav Yosef Shalom Elyashiv zt"l said that in this case Eli is exempt. Why? A beis midrash is a place where everyone is allowed to be. Everyone has permission to sit there and do the great mitzvah of learning Torah, as Dovid HaMelech says, "Shivti b'veis Hashem kol yemei chayai," "I want to sit in the house of Hashem all the days of my life." Since Eli had the right to sit in that spot, the place where he chose to sit is considered like "his place" at that moment. If so, Nati had placed his glasses in a place that Eli was allowed to use. Nati should have watched his own glasses more carefully. This is similar to a person who puts his glasses down inside his friend's house. Then the friend sits down on the glasses and breaks them. Would the friend have to pay for the glasses? It does not seem so, because the glasses were placed in the friend's space. It is also similar to a yard that is meant for oxen. If a person

comes and puts fruit in that yard, and then an ox eats the fruit, the owner of the ox is exempt from paying for the fruit. Since the yard is a place where oxen belong, the person should not have left his fruit there. Therefore, Eli is exempt from paying Nati for the glasses. However, it makes sense that Eli may still be responsible b'dinei Shamayim, in the eyes of Heaven.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 165

Tzvi davened in a shul in his neighborhood. He noticed that although there was a sign, "all cell phones must be turned off before entering the shul," many people ignored this requirement. Tzvi observed that many people would answer their texts or check their emails during davening. He once even saw someone watching a video, on YouTube, during chazaras hashatz. This greatly disturbed him. He was confident that not only did the cell phone use weaken his own davening, but it was surely weakening everyone else's davening as well. One day Tzvi learned about a device called a cell jammer. It is a small machine that blocks all cell reception in a building. Tzvi had a brilliant idea. He would buy the jammer (which was legal in his country) and secretly plant it in a room in the shul. This would block all cell service and it would restore davening to its proper place of respect. He knew that if he would speak to the president or gabbai about the idea, it would likely get caught in a bureaucratic back and forth, with some for and some against. Instead, Tzvi took decisive action and purchased the jammer for one hundred and fifty dollars on Alibaba.com. After a short while the jammer was installed and the environment of the shul was dramatically changed. No one answered or sent text messages during davening because the phones did not work. Tzvi felt very proud of himself for helping to restore the respect and sanctity of the shul. One day the wealthiest member of the shul, Gavriel, was davening shacharis. He stayed for a while after davening and learned. After staying in the shul for a while he left for his home. As soon as he left the area of the shul, he received 10 notifications. The first notification was from his stock broker who said to call him immediately. All the subsequent messages were from his stockbroker with increasing levels of urgency. Finally, one of the last texts said "I need to speak to you immediately because one of your largest stock holdings is about to crash and we need to sell it immediately." Gavriel called his stockbroker, as soon as he saw the messages, but the stockbroker told him that it was too late. Gavriel had just lost more than a million dollars on his stock holdings, and he would likely never recoup that investment. Gavriel was furious. He inquired around the shul why there was no reception, and he was told that there was a hidden cell phone jammer. After a bit of investigating Gavriel learned that Tzvi was responsible for the jammer. Gavriel accosted Tzvi and told him that because he unilaterally placed the jammer in the shul, he caused Gavriel a loss of over a million dollars. "I expect you to make restitution for that loss, Gavriel demanded. But Tzvi felt strongly that he was not obligated to pay Gavriel anything. "It is forbidden to text and use your phone in the middle of davening. It is forbidden to use your phone in this shul. You should not have been using your phone at all, so I had the right to block the messages." They brought this question before Rav Zilberstein. What do you think? Is Tzvi obligated to pay for the loss caused by his installing a phone jammer?

Answer: Regarding the question about the cell phone jammer, Rav Zilberstein writes that the person did a terrible thing by using the jammer without permission. As he could have blocked emergency calls that were life-threatening. Rav Zilberstein concludes that the person who installed the jammer is obligated to pay for the loss to fulfill the requirement of dinei shamayim.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 345

Eli, who lived in Eretz Yisroel, drove to shul one day. After davening, he came outside to return to his car and saw that his car was entirely boxed in. There was a taxi in front of his car parked very closely, another taxi behind his car parked even closer, and yet another taxi double-parked beside him. There was no way he could move his car. It turned out there was a taxi office right near the shul, so Eli went into the office and spoke politely to the person at the counter. "My car is boxed in. Could you please move the taxis?" The man in the office was sitting with several other drivers. They

were smoking, drinking coffee, and eating breakfast. The man responded casually, "Well, please don't disturb us in the middle of our breakfast. When we're finished, we'll do what you want." Eli waited a bit longer, but he remained stuck, and he had important errands to attend to. So he had an idea. He took out his phone, stepped aside, and called the taxi dispatch. "I'd like to order a taxi ride from here to a location that's about a half-hour away. Please come as soon as possible." Then he called again, requesting another taxi to another distant location, also about a half-hour trip. And he called yet again for a third ride, each one far enough away to entice the drivers to leave their breakfast. Eli wasn't sure exactly which taxis would respond, but he hoped this strategy would free his car. Soon enough, Eli saw two of the taxis pull away, enabling him to finally move his car. Obviously, the drivers cared more about earning a substantial fare than finishing breakfast. Eli felt satisfied, relieved that he'd found a clever way out. But as he drove home, he began to feel uneasy. Was his approach appropriate? According to the Torah, was he allowed to call taxis he didn't genuinely need? Did he have to pay them for their time and effort? On one hand, he never actually used the taxis, so perhaps he shouldn't have to pay. But on the other hand, he had caused the drivers to waste their time, use fuel, and possibly lose other legitimate fares. Did he now have an obligation to return to the taxi office and offer payment to cover their losses? Yet he argued with himself -- they had unfairly blocked him in; what else was he supposed to do? Eli brought this question to Rav Zilberstein. What do you think?

Answer: Regarding the question about the car that was blocked in by taxis: Rav Zilberstein answered that the Gemara in Bava Kama states that if a person blocks an entire public road with barrels, a passerby is permitted to break the barrels in order to get through. Therefore, in this case, you may call the taxis and tell them to drive to a random location. Normally, that would be considered causing damage, but it is permitted if it is the only way to clear the way. However, one may not send them to an extremely distant location. The destination should be just far enough to incentivize them to leave their meal or current activity. Furthermore, the caller is not permitted to lie and say, "I'm in this place waiting for you," if that is not true.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 193

Yanky lived in Eretz Yisrael and drove a nice car. One day, while driving through a narrow street, he suddenly felt lightheaded. He had a family history of hypoglycemia, which meant he had a condition that caused low blood sugar. He realized he might be experiencing a low blood sugar episode and desperately needed something to eat or drink to stabilize himself. However, the street was narrow, and there was no available parking. In his urgency, he made the difficult choice to double-park next to a parked car, leaving his hazard lights on. He quickly ran into a nearby grocery store to buy some food. Meanwhile, Eli, another driver, was behind Yanky's car. When he saw it double-parked with its flashers on, he became impatient. "What nerve does this guy have to block the street like that?" he thought. Eli felt very pressured because he had his employees waiting outside of his store and they were waiting to be let in. Finally, after waiting for a few minutes, Eli lost his patience and decided to squeeze past Yanky's car. There was just barely enough room to get through, but as Eli maneuvered past, he suddenly heard a loud scrape. It was clear that he had made a deep scratch on Yanky's car. Later, after parking, Eli approached Yanky and said, "I just wanted to let you know that I made a big scratch on your car. But I don't think I should have to pay for it because you had no right to double-park and block the street." Yanky replied, "I'm very sorry, but I was having a serious, life-threatening medical episode. I had no choice but to stop and get some food. I understand that it was inconvenient for you, but according to halachah, I had the right to park there due to the emergency. So I believe you do have to pay for the damage to my car." They agreed to bring the issue to a Rav for a ruling. What do you think? On one hand, Eli might not have to pay because Yanky was blocking the street. On the other hand, Yanky had the right to park there due to a life-threatening situation, so maybe Eli should have to pay. What do you think?

Answer: Regarding the question about the person who had a medical emergency, double-parked, and later had his car crashed into, Rav Zilberstein answered as follows: Normally, if a person blocks the street, those who damage his car would be exempt from liability. However, in this case, because the person who stopped had the right to do so due to a life-threatening situation, it would seem that the person who caused the damage would be obligated to pay. Rav Zilberstein concludes however, that this is still a tzarich iyun (requires further study).

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 182 (Table Talk Edition 432)

Shlomo was the owner of a successful and busy grocery store in Israel. One hectic Friday, he noticed a man in a fancy SUV parked illegally right in front of the path leading to his store, blocking the way. Shlomo approached the owner and politely asked him to move the car to a spot where it wouldn't obstruct the path, but the man refused to listen. The man got out of his car and went on his way, leaving it parked there. The next Friday, which was another busy day, the same man parked his fancy car in front of the store again, blocking the path. Shlomo tried to talk to him and persuade him to park elsewhere, but the man completely ignored him and walked away. This happened a third time. Shlomo again tried to speak to the owner, but he was ignored once more. Unsure of what to do, Shlomo decided to send the man a message, hoping it would remind him not to block the store in the future. Shlomo had his employees pick up a huge concrete block, about a meter tall and a meter wide, and they placed it immediately behind the man's SUV. In front of the car was a gate, and with the concrete block directly behind the vehicle, it would be nearly impossible for him to back out. Shlomo's intention was that the man wouldn't be able to reverse and would have to come into the store to ask for help in removing the block. Shlomo watched as the man returned to his SUV. Instead of asking for help, the man backed up with full force and smashed the rear fender of his expensive car. It seemed that the man did not initially notice the large cement block behind his car. After several attempts, maneuvering back and forth, he finally managed to free himself from the spot. Shlomo felt bad -- this wasn't his intention. He didn't want the man to damage his car. He wondered if he had a responsibility to find the person and pay for the damage. On one hand, the man wasn't allowed to park there and should have seen the large concrete block. On the other hand, Shlomo had placed it there, indirectly causing the damage. What do you think? Should Shlomo be required to find the man and pay for the damages?

Answer: Regarding the question about the person who put the cement block behind the car, Rabbi Zilberstein writes as follows. If the store owner can ascertain that the person blocking his path would not listen to the ruling of a Beis Din (rabbinical court), then he would have the right to do what he did. However, if the person would go to Beis Din, then it was wrong of him to take matters into his own hands, and he would have to offer to pay for the damage m'dinei shamayim (according to the laws of heaven)."

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 328

Please enjoy another story that deals with the laws of damages. Akiva was driving on his way to work in Israel, and the car behind him was tailgating closely. Suddenly an animal jumped in front of his car, and Akiva had to make a quick shortstop. Seconds later, Akiva felt the car behind him hit the back of his car sharply. Akiva stopped the car and stepped out. The person who hit him ran up to him with a sheepish smile. "Hi, my name is Eldad. I feel terrible about hitting your car. I see it's a relatively minor fender bender. I'll be honest. I cannot afford to report this to my insurance. But don't worry, I'll take care of everything. I'll take your car and have it fixed by tonight. Just give me the keys, and I'll take care of all the damage, and it will be just like before." Akiva had a sensitive heart and felt bad for Eldad, so he agreed. They exchanged phone numbers, and Eldad took the car. Eldad, who was in difficult financial straits, wanted to fix the car as cheaply as possible. He knew of an Arab-owned auto body shop that did cheap work, so he brought the car to that shop. Eldad waited while they made the repairs. True to his word, Eldad brought the car back to Akiva that

night. "Here you go, as I said, it's as good as new. I'm so happy that we did not have to involve our insurance companies". The next day Akiva had to make a relatively long journey in his car. He was driving quickly on the highway when the car hit a small bump. Suddenly, he heard a loud noise and watched in horror as the entire back panel of his car detached directly in front of oncoming traffic. The car behind him smashed into the detached piece of his car and slammed on his brakes. The car behind that one slammed into it, and the next car did the same. All in all, the piece that fell off led to a huge six-car pile-up. Luckily no one was severely injured, but there was tremendous financial loss. The police came and gathered everyone's information. Everyone presumed that Akiva would be held responsible for the entire incident. The next day Akiva called Eldad. "Eldad, please tell me the truth. What exactly did you do when you said you would repair the vehicle?" Eldad replied, "I am on a very tight budget, so I brought it to the cheapest place that I knew." Akiva replied, "Well, it looks like, in your quest to save money, you ended up being liable for a much larger amount. Because of the poor job of the repair person, the entire back of my car fell off, causing a six-car pile-up. You said you would have the car fixed as good as new, but it wasn't. I expect you to take responsibility for all of these damages, not only the damage to my car but to the other six cars as well. But Eldad disagreed. "Tell me; it seems unusual for the entire back panel of a vehicle to fall off. Were you driving slowly? Maybe you were speeding, or driving recklessly, which led to the piece falling off. That's not my problem." Akiva responded, "Yes, I was driving fast, but if you had fixed it properly, it still would not have fallen off." This question was brought to R' Zilberstein. Is Eldad liable for all of the damage caused to all six cars because he had not fixed the car 'as good as new'? Or can we say that the damage was so far removed from his action that it was a 'gramah'? Or perhaps he should be exempt because the damage was partially caused by Akiva's speeding? What do you think?

Answer: Regarding the question about the man who got a cheap repair on a car, and the car ended up causing a huge pile-up with a lot of financial damage, Rav Zilberstein wrote that because it was a grama, the man did the damage indirectly he would not be liable midinei adam, and would not be forced to pay in court. However, midinei shomayim, between him and Hashem, he would have an obligation to pay, because it was his responsibility to make sure that the car got fixed completely and perfectly.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Michael was very excited when he installed solar panels on his home. Very concerned with the environment, Michael was happy that he would be energy independent and not reliant on the electrical grid. All the power he needed came from his own solar panels. As Michael's family grew, though, he needed a new freezer. When the freezer arrived and Michael plugged it in, all of the circuits in the house blew. There was not enough power in his home to support the freezer. Michael was close friends with his next door neighbor Zalman. Michael called Zalman up and told him his problem. "Not a problem at all Michael, Zalman kindly replied. "Why don't you just run an extension cord to our home? It's ok, we're happy to help. You can plug it in our home." Michael was really excited about the solution, and greatly appreciated Zalman's kindness. That summer was very hot. Zalman's son took out an extra air conditioner from the garage and installed it in a room. He unplugged an ostensibly "extra" cord from the wall and plugged in the air conditioner instead. A week later, Zalman got a call from Michael. "Zalman, I was away for a summer vacation for a week, and when we came home the house was filled with a putrid smell. The freezer was unplugged from your home. Do you know what happened? All of the food in our freezer was spoiled". Zalman realized that someone in his home unplugged Michael's freezer. Zalman wondered if he had an obligation to pay Michael for what turned out to be a loss of more than $1000 of food. What do you think? Did Zalman have a right to replace Michael's plug with his own? Did he have to pay for the damage?

Answer: Regarding the question of the unplugged refrigerator Rav Zilberstein says that it was forbidden for the son to unplug the refrigerator, even though his family was paying for the electricity. We will have to update you next week regarding how much he is liable for. Regarding the refrigerator question, Rav Tzvi Berkowitz answered as follows: The question is whether the man had any obligation to make sure that his son doesn't remove it. Even if he did, this is not even a Grama and Zalman the neighbor would be exempt.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 180 (Table Talk Halachic Archive, Edition 101 (Vayeira))

Dovid's daughter got married, and he was planning a Shabbos Sheva Brachos celebration. He had paid for the event to be held in a hall in Eretz Yisrael and was expecting 100 guests to attend. On Friday night, Dovid and all the guests davened at the shul near the wedding hall. After davening, Dovid, his family, and all the guests proceeded to the wedding hall for the celebration. However, when they arrived, they encountered an unexpected problem. Someone had placed a sign on the wedding hall doors. Normally, signs were permitted in designated areas on the doors. However, this particular person had carelessly placed their sign right between the double doors, making it impossible to open them without tearing the sign on Shabbos. As a result, the doors could not be opened. They tried looking for a non-Jew to remove the sign, but were unsuccessful. With no other option, everyone went to a neighbor's or friend's house, where they served matzah and tuna fish. Despite the setback, they had a joyous and meaningful Sheva Brachos. However, all the food that had been prepared in the hall went unused and ultimately spoiled. After Shabbos, the caterer sent Dovid a bill for $2,000 for the costs of the food, the hall, and the waiters. They claimed that even though the food was not eaten, all of it had been cooked, the hall had been reserved, and the waiters were ready to work. However, Dovid felt he shouldn't have to pay, since the food, hall, and waiters were never used. He argued that the person responsible for posting the sign was at fault. The flyer poster felt bad about what had happened, but he believed that he shouldn't be responsible for covering the entire cost. After all, the damage seemed very indirect. They agreed to bring the question to a rav: Who is responsible for paying the caterer? Should the catering company absorb the loss? Is Dovid, the ba'al simchah, obligated to pay, even though the food wasn't used? Or is the person who blocked the door with the flyer liable for the damages? What do you think?

Answer: Regarding the question about the baal simchah who was unable to get into the hall, Rav Zilberstein (Shabbos Besimcha p. 165) answered that the baal simchah is responsible to pay for most of the cost. However, the total amount owed should be divided into three parts: the fee for the food, the fee for the hall, and the fee for the waiters. The cost of the food must be paid by the baal simchah, even though it ultimately wasn't used. As for the hall, since it wasn't used and there was no actual loss to the owner, the baal simchah is not required to pay for that. However, when it comes to the fee for the waiters, this is considered sheves be'adam (lost labor), and he would be obligated to pay for that. So in short, the baal simchah would have to pay for the food and the waiters, but not for the hall rental, since it was never used.

— Source: Rav Yitzchak Zilberstein, Shabbos Besimcha, p. 165

Ezra was an elderly man who lived in Eretz Yisrael. He lived in a condominium on the ground floor. There were four apartments in the building. Right in front of Ezra's porch was a beautiful flower garden. He loved cultivating the garden, often buying new flowers and plants to improve it. Ezra would spend hours on his porch, reading a Sefer or a book, and admiring the beauty of Hashem's nature, represented in the garden. The other three condo units had families with young children. Unfortunately, there was no playground nearby, and the other three families thought they could turn the small piece of land in front of the condominium, which had the garden, into a playground for the kids to play in. They could buy a jungle gym with monkey bars, and the kids would greatly enjoy the activities. All the condo members had a meeting and shared this idea with Ezra. Ezra did not take the idea well. "I understand that having the playground would be very nice, but I don't want it to be at the expense of the garden. Looking at the garden and

reading in front of it is one of the greatest pleasures I have had in my old age, and if you take it away, who knows how it might impact my emotional and mental health? The others understood Ezra's argument but thought that since they were the majority, their desires should supersede. Ezra, however, argued that it was a matter of his emotional health. They were taking away something important for his health, and even though they were a majority, they didn't have a right to impact his health. In addition, one can argue that the garden had a chazaka, it was there for a long time, and they couldn't simply decide to eliminate the garden. Finally, there is an additional argument. Can Ezra argue that perhaps removing the garden would be taking away from the beauty of Eretz Yisrael? The elderly man brought his question to Rav Zilberstein. What do you think? Do the other people in the apartment have the right to decide to replace the garden with a playground? Or did they have to be concerned about impacting the elderly Ezra's health?

Answer: Regarding the question about the garden, Rav Zilberstein answered that the elderly man is right as we find in sources in the Torah that a garden gives joy. However, it would be best for him to be mevater (give in) and find his joy from watching the children play on the playground instead.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 479 (Table Talk Edition 316)

Yoni and Michoel were childhood friends who grew up in Israel. They were extremely close. But as they got older, they slowly drifted apart. Michoel went to university, while Yoni continued learning in yeshivah. Michoel eventually entered the tech sector and landed a very good job with a high hourly wage. One day, Michoel told his childhood friend, "I'm getting married. While I was in university, I met the most amazing person. One small detail -- she's not Jewish. But she's extremely kind and warm, and I think she has perfect character." Yoni tried his best to dissuade him, but Michoel was dead set on marrying this non-Jewish woman he had met in Israel. A date for the wedding was set. Before the wedding, Yoni approached Michoel with an idea. "You know what? Before you get married, let's go on a trip together, just you and me, for old times' sake. One last vacation, just the two of us." Michoel agreed. Two days before the wedding, they set off. They rented an Airbnb in a remote, quiet, beautiful area in Israel — so remote that there was no cell phone reception. They arrived, and saw that the place was gorgeous. Together, they explored the house. They made their way downstairs to the basement. It was a game room, filled with games, activities, and shelves of books. There was a microwave, and when they opened the fridge and freezer, they found them fully stocked with food, frozen dinners, and drinks. Yoni said, "I'll be right back, I'm just going to run upstairs." Yoni went upstairs. He took out a key and locked the basement door from the outside, trapping Michoel inside. "I know you're going to hate me right now," Yoni called through the door, "but eventually, I know you're going to understand." Michoel tried everything he could to get out, but the door was locked and there was no way to escape. He had everything he needed, there was no shortage of food or entertainment, but he was furious, and he knew he couldn't get out or call anyone. As Yoni had planned, Michoel missed the wedding. His own wedding. Two days later, Yoni returned, called out, "Okay, it's time to go," and opened the door. Together, they drove back home. Michoel was, of course, furious. Unimaginably furious. He called his fiancée, the woman he was supposed to have married. Her response stunned him. "Where were you?" she said. "I cannot believe I ever considered marrying you. You humiliated me, and I want nothing to do with you or with Jews. I hate all Jews, and I'm so glad I'll never have anything to do with you. You and all Jews are despicable." Michoel was shaken. He hadn't realized she harbored such antisemitism, and her reaction made a profound impact on him. It led him to reexamine his choices, and eventually he embraced Judaism fully and became completely frum. After everything had settled, Yoni sent a question to Rav Zilberstein. He wrote: "This is what I did. It turned out to have a happy ending. I understand that in many cases like this, it would not end this way. But I knew my friend well, and I believed there was a good chance it would turn out well. He broke up with his fiancée and returned to Judaism. My question is: Was I

permitted to do what I did? Was I allowed to trick him and cause him to miss his own wedding, with all the embarrassment that entailed? I also caused him to miss several days of work. Was I allowed to do that, and do I owe him anything for his losses -- the missed wages and the humiliation? What do you think?"

Answer: Regarding the question about the friend who was stuck in the room, Rav Zilberstein answered that in that specific case there was a heter to do what he did, and he did not have to pay any compensation. It goes without saying that one should be extremely careful not to extrapolate from this case to any other situation, and one must, of course, consult a highly competent Rav before engaging in similar Shailos.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 460 (Table Talk Edition 486)

Eli was on a business trip and staying at the home of his old friend Tzvi. It was the fifth night of Chanukah. Tzvi prepared to light with his family. Eli gave Tzvi a quarter and said, "as the halachah requires (Orach Chaim 677), here is my payment to be a partner with you in the mitzvah of lighting the menorah. Because I am your guest, I will be a shutaf with you in the mitzvah. Then Tzvi and his family lit the menorah and Eli watched. The family turned away and left the menorah to continue burning. Sadly one of the menorahs tipped and a fire spread across the carpet. The fire spread to the bushes outside, and soon enough much of the block was in danger of burning. Thankfully the fire department arrived and no one was hurt. But the fire caused a tremendous amount of damage to Tzvi's home, as well as a few homes on the block. After the dust settled, Eli reached out to Tzvi. "I need to know how much damage was caused by the menorah". "What do you care", Tzvi replied, "it wasn't your fault". "It wasn't my fault, but I was a shutaf with you. Therefore I have to pay for half of the damage that was caused." But Tzvi said, "Nah, you were only a shutaf for the mitzvah, you weren't a shutaf to be obligated in paying for the damage". This question was sent to Rav Zilberstein. If Eli was a shutaf with Tzvi for lighting the menorah, is he liable for half of the damage? On one hand he was a partner. But on the other hand, he never intended to be a partner to pay for damages. He only wanted to do the mitzvah. He never took it upon himself to be liable for damages. What do you think?

Answer: Regarding the question about the fire Rav Zilberstein writes that there is a concept that the partner can say, "I only partnered with you for its benefits and not its liabilities". In that case, he would not be liable to pay for the damage. But if he is exempt from the damages it's likely that he retroactively did not fulfill the mitzvah of lighting the menorah that day. In addition, it's possible that a menorah lighting that causes damage is not a proper fulfillment of the mitzvah.

— Source: Rav Yitzchak Zilberstein, Umatok Midvash Bereishis, p. 397

Akiva, who had long peyos, once went into a barbershop that he had never visited before and waited for his haircut. The barber seemed like a religious man, and he trusted that he would know how to give a haircut to a customer who wore long payos. Akiva sat down on the barber's chair and asked for a regular haircut. The barber gave him a beautiful haircut, cutting the back and the front nice and neat, and then said he was going to even up the payos. All of a sudden, his hand slipped, and to the barber's great chagrin, he cut off one of Akiva's long payos entirely. Akiva noticed this, looked in the mirror, and freaked out. "What did you do? You cut off my payos!" The barber felt terrible. "I'll be totally honest with you. It's only recently that I've become religious, and I'm not used to being careful about the laws of payos. It was simply an act of muscle memory. I'm so used to cutting off that area that I just followed my habit. But of course, I won't charge you for the haircut because that's not what you wanted. I won't charge you at all." But Akiva said, "Not charge me? Do you think that's enough? I'm embarrassed to show my face. I'm not going to be able to go to work for two weeks. I won't be able to show my face in shul. I want you to compensate me for all the lost work and all the mitzvos that I'm going to miss. You're responsible for compensating for that and my embarrassment." The barber said,

"Well, I'm happy to give you the haircut for free, but as far as I see it, I'm not obligated to pay for your loss of work. You could still go to work it's your choice." They agreed to bring this question to a rabbi. What do you think? Does the barber have to pay for the loss of all the work and all the mitzvos, or does he not have to pay?

Answer: Regarding the question of the man who was embarrassed to go to work because of his cut payos, Rav Zilberstein wrote that the barber was indeed required to give the worker sheves, worker's compensation. He also writes that the barber has to help the man do a mitzvah that he was unable to do in the past, like purchase a mehudar tefillin or mezuzah. This is to rectify all the mitzvos that he made the haircut recipient miss.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yevamos, p. 423

Donny was in a dormitory and was preparing to put together a funny outfit for Purim. He put on a tight bathing cap, wore old-fashioned glasses, and wore bathing shorts and flippers. He looked extremely funny, and everyone who saw Donny in the dormitory looked at him and burst out laughing. Aron was Donny's roommate, and he thought the outfit was hysterical. Aron took out his expensive DSLR camera to take a picture of Donny. "All of our friends need to see this picture, Donny!" Aron said. "You look hysterical, and everyone will love it." But Donny did not agree. "Please don't take a picture of me like this. I'm not yet completely comfortable looking like this, and I might change my costume." No, you can't change it, Aron insisted. And really, please let me take a picture. The whole class will really get a kick out of it. Aron picked up the camera to snap the shot. But Donny ran over to Aron and covered the lens with his hands, preventing Aron from taking the picture. "Please, don't take a picture. You do not have my permission to photograph me like this. I refuse." But Aron said, "Stop being such a killjoy. It's not a big deal. Everyone will love it". Aron moved to the side to take the shot, but Donny once again covered the lens. Aron moved to another part of the room, and Donny covered the lens for a third time. However, this time he covered the lens with a little more force than before. When Donny hit the camera, it slipped out of Aron's hand and smashed onto the hard tile floor. The glass of the lens broke, and several broken pieces from the camera shot out across the room and went under the beds. Aron, the owner of the camera, was furious. "That camera cost more than 500 dollars. You broke it, Donny." But Donny quietly said, "I knocked it by accident. It was your fault for trying to photograph me when I asked you not to." Aron retorted, "You may have done it by accident, but you still have to pay me for it. A person is responsible for repaying damages even if the damage was done accidentally". But Donny replied, "That might be true in general, but not in this case when you did an aveirah when taking the picture of me when I didn't allow you to. I was allowed to stop you, and the broken camera was your fault." This question was brought to Rav Zilberstein. What do you think? Does Donny have to pay Aron for the broken camera? Or was this all Aron's fault for taking the picture when Donny repeatedly asked him not to?

Answer: Regarding the question about the broken camera, Rav Zilberstein wrote that it was an aveirah for the person to take the picture against the will of the subject, this is a violation of "ve'ahavta lareacha kamocha." At the same time, the person who broke the camera is liable to pay for the damage. He should have found another way not to be photographed with the costume, like leaving the area.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 365

Yaakov owned a shoe store. One evening, around 11 o'clock at night, all the customers were gone, and it seemed clear that no one was in the store. Yaakov went up to the second floor, where he stored much of the inventory. He took out a huge box full of smaller shoe boxes. Assuming no one was downstairs, he dropped the big box to the first floor so he could later put the shoes on the shelf. As soon as he dropped the box, he heard a loud scream. Yaakov ran downstairs and saw the box had fallen on a man, pinning him down. Yaakov quickly helped him up. The man had some bruises and scratches. He would survive, but he was shaken and injured. "I'm so sorry," Yaakov said. "I had no idea anyone was here.

I feel terrible. I should have locked the door before I dropped the big box". The man stood up and said, "I'm going to make you pay for the damage you caused," and then walked out. Yaakov concurred to himself that he was negligent by throwing the huge box down. He assumed that he was responsible and expected to pay the man for the damages, and felt awful about what happened. The next day, Yaakov reviewed the store's video footage and was shocked at what he saw. The "innocent victim," let's call him Max, wasn't so innocent. Max had been lurking outside, waiting for the store to empty. When everyone left and Yaakov went upstairs, Max entered, walked to the cash register, and tried to pry it open. He was in the act of searching for a tool when the box fell on him. Without realizing it, Yaakov had dropped the box at the exact moment Max was trying to steal. It was an incredible story of hashgachah pratis, divine providence. Later, Max returned and said, "I'm going to bring you to a din Torah and make you pay for the damages." Yaakov replied, "Actually, I caught you red-handed. You were trying to steal from my cash register when the box fell on you." Max's face fell. "Okay, you're right," he admitted. "But you still have to pay me, because when you dropped the box, you didn't know I was a thief. You thought I was an innocent customer. And also in either case, you can't drop a huge box of shoes on someone who wanted to steal some money. Yaakov disagreed. He felt that even though he didn't know it at the time, in reality, he stopped a thief and was not liable for the damage to Max. This question was later brought to Rav Zilberstein. What do you think? Does Yaakov have to pay damages since, at the moment he dropped the box, he was negligent by not looking if anyone was there?

Answer: Regarding the question about the store owner who dropped a large box of shoes on a potential thief, Rabbi Zilberstein (V"N Vol. 4, p. 250) wrote that although the store owner was negligent when he dropped it, he is nonetheless not obligated to pay damages. This is because one is permitted to harm a thief in order to prevent a theft. Therefore, even though his actions began as negligence, it turned out that he was allowed to cause the damage.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

One day Donny, who was in his late thirties, came to the doctor. He wasn't feeling well for a while and wanted to get things checked out. The doctor asked him questions and then ordered some tests. He told Donny that he would call when the results came in. About a week later, Donny got a call from the doctor. "Donny, have you ever traveled the world? Have you ever seen the wonders of the African plains? Or the beauty of the Amazon?" Donny replied, "No, but why are you asking me this? Are you becoming a tour guide?". "No Donny", the doctor said, "but your test results came back with dire news. It looks like you have a rare terminal illness. You only have six months to live. I would recommend that you stop what you are doing and travel the world with the time you have left". Donny was extremely shocked at the news. He trusted his doctor and sold his business, sold much of his assets, bought a boat, and embarked on a world tour to visit as many cities as he could before he left the world. While on his world wide travels, as Donny got closer to the six-month date, he wondered about his prognosis because he still felt quite fine. Finally, the six month date came and Donny was completely healthy. A full year passed and Donny was totally fine. He realized that there must have been a huge error. Donny made his way back home and made an appointment with his doctor. At the appointment, Donny told his doctor that he felt completely fine and that it was already six months past the time he was told he had left. The doctor excused himself for a minute to retrieve the files from Donny's test results. The doctor came back white as a ghost. "I'm so embarrassed to tell you this but it seems that I misread your test results. You are right, I misspoke, you really don't have any terminal disease. Thank G-d you are healthy! This is such good news." Donny was flabbergasted. "Is that all you are going to say? Because of you I sold my business and spent millions of dollars on traveling and I spent a year of my life, all because of your mistaken diagnosis. I want you to give it all back to me!" The doctor felt very bad but insisted that he didn't owe any money as he was just doing his job as best as he could. And

besides, Donny spent all the money on himself and he enjoyed himself. It wasn't like the money was wasted or really lost. This question was brought to Rav Zilberstein. In such a case where the doctor made this mistaken diagnosis, would he be responsible to pay for his mistake? What do you think?

Answer: Regarding the question about the doctor who advised his patient to go on a world wide trip because he was terminally ill, but actually gave a mistaken diagnosis. Rav Zilberstein answered as follows: The doctor would not have to pay for the loss as it was a grama, and he did not intend to damage him. However the management should fire this doctor as he was negligent by giving this poorly considered advice.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Beitzah, p. 330

In Israel, a man named Eli worked in a warehouse and needed to start work early. One morning, he brought his tefillin to work, put them on for davening, and then set them aside on a shelf. Later that day, he heard a commotion and discovered that a dog from a neighboring warehouse had gotten into his warehouse. The dog, after finding the leather boxes and leather straps of the tefillin, chewed up and completely destroyed the tefillin. These tefillin were actually quite expensive, they cost $2000, so it was a significant loss to Eli. The owner of the dog was very apologetic and offered to pay for the damages. They both brought this question to Rav Zilberstein to determine how the case should be categorized according to Jewish law. The question was: How do we classify this case? On the surface, it would appear to be a case of Shen. The dog used its teeth to destroy the tefillin. If it was Shen, the owner would have to pay the full $2000. But Shen applies when the animal eats something or benefits from it. When the dog chewed up the tefillin, was it trying to eat the leather, thinking it was food? Perhaps it should be categorized as Keren (intentional damage). If it is Keren, the owner would only be liable to pay $1000 damages because intentional damaging behavior is less typical. The issue boils down to whether the tefillin should be seen as "food" in this context or as something the dog simply wanted to destroy. If it was food, the owner has more liability and needs to pay $2000. If it was simply looking to destroy, then the owner has less liability and needs to pay $1000. What do you think?

Answer: Regarding the question about the dog that chewed the tefillin, Rabbi Zilberstein wrote that the full $2,000 must be paid because this is an example of shen. This is because the Gemara in Beitza (15a) says that dogs want to eat tefillin. Rav Zilberstein explained that this is because they see it as an animal carcass.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 49 (Table Talk Edition 424)

Akiva was a teenage student who was learning in Yerushalayim. He flagged down a taxi and hopped in. "To Petach Tikva please", he told the driver. The driver nodded and went on his way. As Akiva sat back in the comfortable air conditioned seat of the taxi, he was suddenly overcome with fatigue. He was up late the night before learning with his chavrusa, and he didn't get much sleep. Akiva quickly fell into a deep, deep sleep. Akiva's sleep was disturbed by the driver's voice. "Which street in Petach Tikva do you need?", the driver asked. Akiva was startled awake. He looked around and saw that he was way out of Yerushalayim. "Uh, sir, where are we? I asked to go to Petach Tikvah Street in Yerushalayim! You know, the street right near Kiryat Matisdorf. The driver looked at him with a narrowed glance. "Yerushalayim? You said to Petach Tikva, "We are now in front of the city of Petach Tikva, an hour out of Yerushalayim." "Please take me back as fast as you can", Akiva said. "I have to be somewhere in Yerushalayim". The driver said, "Not a problem, but I expect you to pay me for the drive to Petach Tikva, and the ride back to Yerushalayim. That will cost around 400 shekels." "What?", Akiva said. I wanted you to go to Petach Tikva street which was a ten minute drive from where you picked me up." I can pay you for a ten minute drive, but I never intended to go to the city of Petach Tikva, and I can't afford that." Later, Akiva sent this question to Rav Zilberstein. He wanted to know if according to the Torah he had an obligation to pay for the round trip ride to the city of Petach Tikva. On one hand, he

never intended to drive all the way there, and perhaps the driver should have clarified it before he made that trip. But on the other hand, Akiva should have been more clear about what he meant. Also, it was his fault that he went to sleep in the car. What do you think?

Answer: Regarding the question about the sleeping passenger, Rav Zilberstein answered as follows. The passenger has a weakness to his argument because he should not have slept for such a short trip. But the driver has a weakness in his position because he should have clarified if the passenger meant Petach Tikva street or Petach Tikva city. Because of this, they should compromise and split the fare from Yerushalayim to Petach Tikva and the passenger should pay half. With regard to the return trip, this is like a new fare and if the passenger wants he can take a bus home or pay the full fare back home in the taxi.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 132 (Table Talk Edition #240 (Parshas Pinchas))

Aaron rode his red bike to a shul that had many minyanim. When he arrived, he found that the bike rack in front of the shul was full, leaving him with no place to lock his bike. He decided to attach his bike to another bike, a blue bike that was on the outermost area of the bike rack. He sensed it was the wrong thing to do but he justified to himself that he would finish davening and unlock his bike before the owner of the other bike noticed. It turned out though, that Aaron met some friends at shul and stayed much longer than he first anticipated. He ended up staying most of the day in the shul. While Aaron was inside the shul, Daniel, the owner of the blue bike that was now locked down, came out and saw his bike was locked to Aaron's. Frustrated and unable to find the bike's owner, he had no choice but to walk home. Later that afternoon, Daniel returned to retrieve his bike, only to find that both his and the other bikes were gone. Another person, looking dumbfounded, held the key to a lock. It was Aaron, who was shocked to see that his bike and the blue bike were stolen. It became clear that someone had stolen both bikes in the interim. It also became clear to Daniel that Aaron was the one who locked his bike down. Daniel confronted Aaron. "It is your fault that my bike was stolen. Had you not locked my bike to yours, I could have taken my bike home before the bike thieves came." Aaron apologized, but he didn't think he was responsible for paying for the stolen bike. Aaron argued that it was a grama, an indirect consequence of locking the blue bike. However, Daniel argued that since Aaron used his bike, he had the status of a borrower, a shoel, and was therefore obligated to pay for all resulting damages, even if it was a grama, an indirect consequence. Unable to reach an agreement, they decided to bring their question to Rav Yitzchak Zilberstein. What do you think? Should Aaron, who attached his bike to Daniel's, be obligated to pay for Daniel's stolen bike? Or should it be considered a grama that was not directly Aaron's fault, thus freeing him from responsibility? What do you think?

Answer: Regarding the question about the person who locked their bike to another's, which led to both bikes being stolen, Rav Zilberstein answered as follows. This would not be considered a case of a shoel, a borrower, who is obligated even for unavoidable accidents. This is because the borrower, the one who locked the other's bike, did not use the other's bike itself, but used it to lock his own bike. Additionally, this is not considered normal usage. And finally, his usage is not considered to be a positive benefit, but rather mavriach ari, usage by removing a hazard. Because of this, while the person did the wrong thing by locking another's bike, he would not be liable to pay for it.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 266 (Table Talk Edition #333 (Parshas Tazria Metzorah))

One day, four very large men entered an elevator in Israel. They noticed a sign on the elevator indicating a maximum weight of 500 kg. They tried to close the door, but another person wanted to enter. The four told the new person that he couldn't come in because it would put their weight over the limit. However, the new person did not listen and forced his way inside the elevator. With no choice, one of the people in the elevator pushed the button for the floor

they wanted to go to. Mid-travel, there was a loud squeaky noise from the elevator, and the elevator suddenly stopped. They were stuck inside a broken elevator! The people inside quickly notified the repair people, and within half an hour, the elevator was fixed. When the building manager heard what caused the elevator to break, he was upset and demanded that all five people pay for the expensive repair. An argument ensued over who was responsible for paying for the damage. The original four said that number five was responsible because he put them over the weight limit. However, number five argued that he alone wasn't the one who caused the damage. If he had been riding by himself, there wouldn't have been any damage. He did it in partnership with the rest of them. Then another argument emerged: perhaps the person who pushed the button should pay for the damage. Had he not pushed the buttons, there wouldn't have been any damage. This three-way dispute was brought to Rav Zilberstein. Who is liable in this situation? Is it the one who put them over the weight limit, all five of them, or the one who pushed the button?

Answer: Regarding the question about the elevator, Rav Zilberstein wrote that the one who pushed the button is liable for all of the damage. He should have known that pushing the button may cause the elevator to break.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Metzia, p. 347

Avi who owned a golden retriever, once had to leave Israel for several weeks, so he called his friend, Meir, and said, "Meir, I know this is a huge favor to ask, but I have to leave the country, and I need someone to watch my dog. Could you please watch my dog while I'm gone?" Meir replied, "You know, having a dog for a few weeks will be hard for me, but I'll do you this favor. You're my friend, so I'll do it for you. However, I can't accept any 'achrayos' (responsibility) for the dog. Do you accept this condition?" Avi said, "Not a problem. I understand that taking responsibility will be hard, and you can take it without any 'achrayos'." Avi thanked Meir and brought the dog over, and again, Meir confirmed, "I'm watching your dog, but I cannot assume any 'achrayos' or responsibility." Avi agreed, dropped off his dog, and took his flight. A few days later, the beautiful golden retriever became very spooked and irritable for some reason. He barked all through the night, preventing Meir from getting any sleep. Meir tried his best to calm the dog down, but it kept barking and barking. Something was clearly bothering him. Frustrated because he knew staying up so late would ruin the next day for him, Meir took the dog outside, left it outside the house, and closed the door. This way, he wouldn't have to hear the dog barking at night. He assumed the dog would just stay outside. The next morning, when Meir went to get the dog, he opened the door and saw that the dog was not there. He looked all around, but the dog was nowhere to be found. It had vanished. Meir felt bad, but he reminded himself that he had not taken any responsibility for the dog. Three weeks later, Avi returned from his trip and came to pick up his dog. Meir sadly told him, "I'm really sorry. The dog was barking all night one night, so I put it outside, and then it just disappeared." Avi was, of course, very upset. "What do you mean you just put my dog outside, without closing the gate or locking it? This dog was very expensive! I expect you to pay me for it." Meir responded, "What do you mean? You told me that I could watch it without any 'achrayos' or responsibility." Avi replied, "No responsibility means you would not be responsible if it got stolen or lost, but you, with your own hands, threw it out. You lost it with your own hands. How could you say there's no responsibility for it? You actually caused the damage." They agreed to bring this question to a Rav. What do you think? Is Meir, who agreed to watch the dog without any 'achrayos' or responsibility, obligated to pay for the dog that he put outside because it was barking? On one hand, he did not accept responsibility for it. But on the other hand, he actually caused it to get lost through a negligent act. What legal redress do neighbors have when a homeowner leaves his barking dog chained outside all night, depriving the street of sleep?

Answer: Regarding the question about the person who let the dog outside his house, Rav Zilberstein writes that when a person says they are not accepting responsibility ("achrayos"), it means they are exempt from the laws of "shomrim," the laws of guardianship. This means that even if the person is negligent, they would be exempt from responsibility under those laws.

However, stating that one does not accept "achrayos" does not absolve them from the laws of "nezek," the laws of damages. Therefore, because putting the dog outside is considered an act of damaging it with one's own hands, the person would still be liable for the loss of the dog.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim p. 279 (Table Talk Edition #404 (Parshas Reeh)

Avi lived in Eretz Yisrael and loved the Yom Tov of Sukkos. He built his sukkah on the sidewalk in front of his house. He did not own the property, but no one objected. On Sukkos he wanted to make a siyum, and his wife cooked many fleishig dishes, including sausages and steaks. He invited a large group of friends to join. When everyone gathered, they realized that a nearby maariv was about to begin. They left the food in the sukkah for a few minutes so they could daven, and the sukkah was empty. When they returned, they were shocked. A dog with a collar was inside, eating the meat. Avi recognized the dog. Most of the food had been eaten or at least tasted, and it was no longer usable for the siyum. Eventually, Avi's wife managed to prepare something quickly, and they also ordered takeout. The siyum turned out fine in the end. Afterward, Avi approached the dog's owner, a neighbor named Yaakov, and said, "Your dog went into my sukkah and caused all this damage. I lost all the meat, and I had to order new food. I think you have to pay for all of this damage." Yaakov responded, "I understand, but your sukkah is in the middle of the sidewalk. My dog is allowed to walk on the sidewalk. He found an empty sukkah, and I'm not obligated to pay. You did not have the right to build the sukkah in that spot." They agreed to bring the question to a din Torah. Is the owner of the dog responsible because the dog entered someone's sukkah? Or do we say that since the sukkah was built on public property, is it not considered Avi's protected space, making the dog's presence permissible? What do you think?

Answer: Regarding the question about the sukkah that was built on the street, Rav Yitzchok Zilberstein writes that although it is forbidden to construct a sukkah on a public sidewalk, after the fact you are still yotzei because land cannot be stolen in this manner. Nonetheless, even though you are yotzei, that does not mean the sukkah is considered the owner's reshus. If, in this case, the sukkah prevented people from walking on the sidewalk, it is considered part of the reshus harabim, and the dog owner would not be liable for any of the damages. He would only have to pay for the hana'ah (benefit) the dog received from eating, meaning the value of a meal for a dog.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume Four Hebrew Edition Page (Table Talk Edition 468)

A man works at a mixed martial arts gym In Israel. His job is to be essentially a "human punching bag". He wears safety gear but he often gets injured. Is that job permitted? Can one hit him?

Answer: Based on the Gemara in Bava Kamma (91b) and the Shulchan Aruch (Choshen Mishpat 420:31), a person is forbidden to injure himself (chovel b'atzmo) or allow others to strike and injure him, even for financial compensation. While the Ralbach (cited in Sdei Chemed) discusses waiving monetary liability, the normative halachah prohibits both the striker from inflicting bodily harm on a fellow Jew and the sparring partner from subjecting his body to injury for a livelihood.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 506

A prominent plastic and reconstructive surgeon was fired by his hospital after it was discovered that he had been recommending surgeries that were not strictly medically necessary in order to earn more money. As a result of his advice, patients had undergone unnecessary procedures and endured significant pain and recovery. However, after his dismissal, it became clear that he was one of the finest microsurgeons in the entire country, and the hospital desperately needed his rare skill to operate on critical, life-and-death trauma cases. Should the hospital rehire him? On

the one hand, he breached his medical ethics, caused patients unnecessary pain, and showed that his judgment cannot be trusted when money is involved. On the other hand, when critical patients face life-and-death emergencies, they need the most skilled surgeon available. What do you think?

Answer: Rav Yitzchak Zilberstein rules that because saving lives (pikuach nefesh) overrides nearly all other considerations, the hospital should rehire the surgeon so that critically ill patients can benefit from his unmatched surgical skill. However, because he broke the hospital's trust by recommending unnecessary procedures, the hospital must institute a strict safeguard: another senior physician must independently oversee his cases and sign off whenever he recommends a surgery.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 42

Natan lived in an apartment building in a wealthy Jewish area in Mexico City. As we know, Mexico city has some very wealthy people, but it is also the home of very dangerous underworld figures. One day Natan was coming home from school and paused in front of his apartment building. As he was about to push the bell to his apartment to be "buzzed" in, he heard the sound of a man behind him. He turned around and saw a man pointing a gun at him. "Easy, my friend", the man said. I want you to push the bell to your apartment and let me into the apartment building. Then I am going to follow you up to your apartments and pay your parents a friendly little visit." Natan immediately understood that this was a robbery and that he was in great danger. Trembling, he pushed the bell to his apartment. His parents saw him on the video monitor and buzzed him in. Natan, followed by the robber, took the elevator to the floor of his apartment. When Natan came near his apartment he made a quick decision. His mother was expecting a baby. His father was not very healthy and had a heart condition. If they would be confronted by this gun-wielding robber, Natan was afraid that the stress and trauma of the robbery might put his fragile parents in mortal danger. Natan decided that instead of entering his own apartment he was going to knock on the door of his neighbor's apartment, Mr. Itzkowitz, from down the hall. Natan assumed that the robber did not know which apartment was his. Natan, followed by the dangerous robber, knocked on his neighbor's door. When Mr. Itzkowitz saw Natan's face in the peephole, he gladly opened the door. But when Mr. Itzkowitz opened the door to greet Natan, the robber pulled out his gun and demanded that Mr. Itzkowitz give him all the money that was in his apartment. This was not the first time Mr. Itzkowitz was confronted by a thief, and calmly, Mr. Itzkowitz took the robber to a drawer and handed him $10,000 in cash. The robber took the money, left Natan and Mr. Itzkowitz alone, and quickly took off. After the police were called and the dust settled, Natan's father gratefully approached Mr. Itzkowitz. I'm really sorry for the loss that the robbery caused you. I'm really sorry that my son knocked on your apartment door instead of ours. He did it to protect us. Here is a check of $10,000 to cover your loss. Mr. Itzkowitz turned to Natan's father. "You have a wise and fast thinking son. It is very nice of you to offer this but I cannot accept the money. You weren't robbed, I was. But Natan's father insisted. Finally, Mr. Itzkowitz said, "I do not want the money, I want the mitzvah". I will only accept the money from you if halachah requires that you pay me. This question was brought to Rav Zilberstein. What do you think? Was Natan's father responsible to pay Mr. Itzkowitz for the loss of the money, because Natan chose to knock on the neighbor's door?

Answer: Regarding last week's question about repaying the theft, Rav Zilberstein wrote that the boy and the parents are not obligated to pay the neighbor.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 433 (Table Talk Edition 237)

INSPIRATIONAL STORIES:

❖ During my tenure as chairman of the Knesses Finance Committee, the Klausenberger Rebbe asked me whether I could help his hospital by allocating it a grant. I invited all the members of the Finance Committee to attend a meeting in Kiryat Sanz with the Rebbe participating. I was convinced that the Rebbe's personality would impress them, as would the fact that

an admor of chassidim had built a hospital. With Hashem's help, this is indeed what happened. Each and every member, including the irreligious ones, were very impressed by the Rebbe's fiery address. A One of the things the Rebbe mentioned was the promise he made during the war. This is the story he told. While marching with thousands of other prisoners on a death march from Auschwitz to Dachau, the Germans fired in his direction. A bullet hit his arm and the wound began bleeding. This posed a double danger. Apart from the wound itself, if the S.S. soldiers noticed his injury they would finish him off, as they did to every wounded prisoner. Right this critical point he was miraculously able to find moist leaves that dropped from a tree, which he used to bind his wound. The bleeding stopped and he was saved from danger. In those moments, the Rebbe related, he resolved that if he survived he would try to build a hospital in Eretz Yisrael. He would cure others just as Hashem had miraculously cured him. "My purpose in establishing the hospital," the Rebbe said, "is not only that Shabbos and kashrus should be observed and not just that top-notch doctors should be on the staff, but also — in fact mainly that everyone working there should have a warm Jewish heart! That they should love the patients!" Each and every one of the committee members was extremely impressed and promised to allocate a budget to this very special hospital. The deep impression made by the Rebbe's talk was mentioned committee meetings for a long time afterward. Later, during a hospitalization In the United States the Rebbe needed a blood test. The doctor who came to take the blood sample using a hypodermic syringe, gave instructions to use the finest, thinnest needle, which would cause the least amount of pain. Hearing that the patients' suffering could be eased in this way, the Rebbe began inquiring about the needles, not on his own account but for the patients in Laniado Hospital. While he himself lay in the hospital sick and suffering, his thoughts were centered on easing the suffering of Yidden in Eretz Yisrael, thousands of miles away. Even though the better needles cost several times as much as the regular ones and they were needed in large quantities, the Rebbe, gave immediate instructions that they were henceforth to be used in his hospital. Where a fellow Jew's suffering can be eased, even if only for a few moments, there's a duty to do so at any cost.

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ One Friday night, the child of one of the members of the minyan in The Brisker Rav's home fell asleep on The Brisker Rav's bed. The father did not carry even with the eruv so at the end of prayers, the father of the little boy went into the room, with the intention of waking him up, but The Brisker Rav refused to allow it: "Look at this," he said in wonder. "A man is particular not to carry [outside on Shabbos] and therefore he will not pick up the child and carry him home. But at the same time he shows no concern regarding waking him, when he is sleeping so peacefully. I am amazed!" The Brisker Rav suggested instead that the mother of the child come — since she was not accustomed to refrain from carrying where there was an eiruv — and take her sleeping boy. If the child woke up in the meantime, The Brisker Rav would send him home with one of his sons.

The Brisker Rav, Vol. 2, By R' Shimon Yosef Meller, Published by Feldheim, p. 590

❖ Rav Leibish Mintz, a brilliant talmid chacham and a musmach of the Chasam Sofer, was appointed as rav in a city in Poland His erudition in Torah was astounding. He learned day and night with diligence, but also found time to address the needs of his community. However, one day a rumor spread in the town that Rav Leibish, who had a great wealth of general knowledge, had at one time studied in non-Jewish schools. There were some people who were uncomfortable with this information, and they began to distance themselves from their rav. In fact, this powerful group of individuals began asking their sheilos of the two other dayanim in town. They left to the rav the job of dealing with the government officials when necessary. He knew how to "speak their language" and would be useful in that regard. Thus, on most days, Rav Leibish sat at home and did what he was happiest doing: learning Torah. But eventually, the tension in the town escalated. An epidemic had broken out, and the local authorities forbade any large gatherings, to avoid the spread of the disease. Still, a Jewish wedding was planned in the city. Rav Leibish felt that it was dangerous to have the wedding. But the powerful members of the kehillah who had shunned the rav arranged for the wedding to take place anyway. They decided to have it in the cemetery, in order to circumvent the authorities. But the rav backed the authorities and announced that anyone who would

show up at the wedding would be arrested. The members of the community thought that they knew better and were upset with the rav, but had no choice but to listen. That Rosh Hashanah, as the congregation prepared themselves for tekias shofar, the rav stepped up to the bimah to be the makri (one who calls out the sounds of the shofar). However, one of the members of the community stood in his way and would not move. "For our tekios we need a makri who doesn't speak Latin like you!" The rav was utterly stunned. The impudent man continued, "When we need someone to call out the tekios for a goyishe god, we will call you, but for the Ribbono Shel Olam, we need an ehrliche Yid!" The rav scolded the mechutzaf (one who speaks with chutzpah) for his insolent behavior. But the wicked man was not done. He raised his hand and, to everyone's shock, slapped the rav across the face! A riot ensued. The police were called in, and the disgraced rav was escorted out with police protection. A few days later, a few years before World War 2 he left the town in utter shame and embarrassment. The name of the town was Oswiecim, Poland. Or, as we know it: Auschwitz.

Touched By Their Tears, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ "The same Rebbe who was so rigid and strict in the yeshivah also embodied middas harachamim. Never forget that the architect of the most demanding yeshivah also conceived and built a major hospital." In fact, in a speech to the doctors of his hospital, the Klausenberger Rebbe set down the rules for proper treatment. "A doctor has to enter the room with full awareness that any unnecessary pain that he causes a Jew will have to be answered for."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ A friend who called at Rav Abramsky's home one day found him sitting and weeping profusely. He asked what had happened to elicit such a reaction. Rav Abramsky related that while riding on the bus from town back to Bayit Vegan he passed by the post office in Machaneh Yehudah, and from the window he had seen two quarreling and beating each other. This sight affected him so that even several hours later he hadn't calmed down and could stop crying.

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

A. NOT TO RAPE ANYONE, EVEN ONE'S WIFE

(Torah Mandated Mitzvah), Sefer Chareidim 51-2

SEFER CHAREIDIM

A husband is strictly forbidden from forcing marital relations upon his wife against her will, as Scripture states: 'And one who acts impulsively with his feet is a sinner' (Mishlei 19:2), which Chazal interpret as a stern rebuke against marital coercion.

B. IF THE RAPE VICTIM WANTS TO MARRY HIM, HE MUST AND HE LOSES THE ABILITY TO DIVORCE

(Torah Mandated Mitzvah), Sefer Chareidim 32-8

As the Torah says, because he had afflicted her he cannot divorce her all his life (Devarim 22:29, Parshas Ki Seitzei)

SEFER CHAREIDIM

Under Torah law, one who assaults an unmarried woman and subsequently marries her permanently forfeits the legal ability to ever divorce her, remaining obligated to provide for her all his days.

5. Not to hurt one's parents

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 44

As the Torah says, and he that strikes his father or his mother shall surely be put to death (Shemos 21:15, Parshas Mishpatim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is this just as severe as hitting a regular person?
- What does one have to do in order to be liable for a capital punishment in this case? What if a child just slaps his parent causing no wound?
- If a child hit a parent's ear and deafened them, is he liable? Does the blood have to be on the surface?
- Is it permitted to hit one's parents without drawing any blood?
- Is a child liable if they hit the parent after their parents are deceased?
- Is it permitted to be your parent's dentist or surgeon, or draw blood from them for a blood test?
- What if there is no other doctor?

SEFER HAMITZVOS HAKATZAR

If a person strikes his father or mother and inflicts a bleeding wound (chaburah) in the presence of witnesses following a formal prior warning (hasra'ah), he is liable to capital punishment by strangulation (chenek).

If a person strikes his parent upon the ear and deafens him, he is liable to capital punishment, because an internal drop of blood was unavoidably shed in the ear canal. If, however, he strikes a parent without drawing blood or creating a wound, he does not face capital punishment, but is liable for the grave transgression of assaulting a fellow Jew.

One who strikes his father or mother after their death is exempt from this capital penalty.

It is halachically forbidden for a person to perform medical procedures involving incision or bloodletting — including surgical procedures — upon his own father or mother, lest he inadvertently cause a bleeding wound.

However, if no other qualified physician is available and the parent requires urgent medical intervention, the child is permitted to perform the procedure at the parent's request.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Hashem is just and does not hurt anyone unless they are deserving of it in some way. Harming one who does not deserve it would be injustice. We have to emulate Hashem by avoiding injustice and therefore not hurt or harm anyone in any way.

In addition, Hashem personifies having gratitude for any good deed. Abusing ones parents epitomizes a lack of gratitude towards one's parents. We are therefore to emulate Hashem by expressing our gratitude to our parents by caring for them and not harming them in any way.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (3:41)

The family unit is the fundamental structure of society, and one who strikes his parents, is destroying the family structure.

SEFER HACHINUCH (MITZVAH 48)

Harming one's parents demonstrates great ingratitude for all that his parents have done for him.

RALBAG

If you do not respect your parents, you will not respect their teachings and direction.

RELATED HASHKAFAH TOPICS:

- Discuss the fundamental role of the family in society and what this bodes for a society that no longer respects the importance of the family unit.

MORAL DILEMMAS:

One day Yehuda received a wedding invitation from his first cousin Eli. Yehuda lived in Baltimore and Eli lived in Lakewood. The wedding would be in Lakewood. Yehuda normally enjoyed attending his cousins' weddings and would often drive to Lakewood for those weddings. However, when it came to attending Eli's wedding he really didn't feel like going. The reason for this was because when he invited Eli to his own wedding, Eli did not attend. So Yehuda was planning not to go to this wedding and just sit this one out. Some time before the wedding Yehuda started to think about it. He realized that there was a prohibition against taking revenge. The prohibition of taking revenge is not doing a favor to someone because they wronged you. Yehuda wondered if perhaps by his not attending the wedding he was taking revenge on his cousin for not coming to his wedding. Perhaps he was obligated to make the two and a half hour trip (each way) in order to prevent it from being revenge. But on the other hand, perhaps one could say it's not revenge to not go to the wedding. He just didn't feel close to him and was not in the mood of attending. He did not have to attend the wedding of someone he did not feel close to, or did he? What do you think? Does Yehuda have to travel to attend the wedding in order to avoid the prohibition of taking revenge?

Answer: Regarding the question about traveling to the wedding, Rav Zilberstein writes that if he feels resentful towards his friend, and he is not going because of that resentment, then it would be considered revenge not to go.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 189

It became clear to a doctor that a son was abusing his elderly father. The father begs the doctor not to report it because he needs the son to take care of him. Can the doctor be passive?

Answer: Rav Yitzchak Zilberstein rules that although the battered elderly father pleads with the physician not to report his abusive son out of paternal mercy and fear of losing his caregiver, striking a parent is a severe Torah transgression ('u-makeh aviv v'imo mos yumas') that does not depend on the parent's forgiveness, and the father remains in ongoing physical danger. Therefore, the physician must report the abuse to the authorities to protect the father and stop the sin.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Gittin, p. 87

INSPIRATIONAL STORIES:

❖ A group of talmidim in Adelphia broke into the teacher's lounge late one night and made use of the video "monitor. Rabbi Trenk, the menahel; found out and came to the building, heading straight for the lounge. But he didn't go in. He stood outside, in the hallway, and cried out words of Tehillim in an anguished voice; he never even addressed the young men. His-roar," "Shir. Hama'alos, Mima'amakim kerasecha Hashem," echoed through the empty hallway, conveying everything he felt: the disappointment and the hope.

From Just Love Them: The Life and Legacy of Rabbi Dovid Trenk, by Rabbi Yisroel Besser, published by ArtScroll Mesorah

6. Not to take revenge

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 80

As the Torah says, You shall not take vengeance (Vayikra 19:18, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is the definition of revenge?
- Would it be revenge if I don't want to do someone a favor because they haven't done me a favor in the past?

SEFER HAMITZVOS HAKATZAR

Taking revenge (nekamah) means retaliating against someone who refused a favor or caused harm, reciprocating in kind. For example, if a person asks his neighbor, 'Please lend me your axe,' and the neighbor refuses, and the following day the neighbor comes asking to borrow a tool, if he replies: 'I will not lend it to you, just as you refused to lend to me,' this constitutes unlawful revenge. He is actively retaliating and repaying the other according to his spiteful conduct. Instead, a person must overlook personal slights and lend with a generous spirit.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Hashem is just and does not hurt anyone unless they are deserving of it in some way. Harming one who does not deserve it would be injustice. We have to emulate Hashem by avoiding injustice and therefore not hurt or harm anyone in any way. The essence of taking revenge is a determination that other person is deserving of punishment because of something they have done. As individuals, we have no right to try to determine if one is deserving of punishment or not. That is rather the purview of the judicial system.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM

In the big picture, what the person did is usually small and not worth the negativity of holding a grudge and taking revenge. Additionally, this will promote civil interactions among people.

SEFER HACHINUCH (MITZVAH 241)

The person could not have hurt or insulted you, if Hashem didn't want it to happen. We have to realize that Hashem allowed this person to do that to you because it must benefit you in some way. This person was simply the agent of Hashem.

Also, one who seeks revenge is in effect judging another person's actions and attempting to administer justice. But only Hashem can truly judge another person's actions. We can never judge because we lack all of the necessary information.

ALSHICH

We constantly do things wrong to Hashem and he does not seek vengeance against us. We should be the same way, and instead help the person to change.

RAMCHAL — MESILAS YESHARIM (CHAPTER 11)

Revenge feels sweet because the human ego is deeply sensitive to pain, and when hurt, its natural reflex is to seek relief by retaliating against the tormentor. Overcoming this instinct requires recognizing that every event is orchestrated by Divine Providence, leaving no room for human vengeance.

SFAS EMES

• In Parshas Matos, Hashem commands Moshe Rabbeinu to lead a campaign of retribution: "Nekom nikmas bnei Yisrael mei'eis ha-Midyanim" — "Execute the vengeance of the children of Israel against the Midianites" (Bamidbar 31:2). But when Moshe conveys the command to the nation, he uses different words: "to execute the vengeance of Hashem upon Midian." Why did Hashem call it the vengeance of Israel, while Moshe called it the vengeance of Hashem? The Sfas Emes uncovers a profound distinction between divine justice and human revenge. When the Almighty executes retribution, His judgment is absolute, untainted by personal anger or petty pride. Our bruised pride, our hurt feelings, and our selfish anger are all mixed into the response. Because human beings cannot separate personal bias from true justice, the Torah strips the sword of vengeance from our hands (Sfas Emes, Bamidbar, Matos 5650).

• Following the war against Midian in Parshas Matos, the Torah records a detailed accounting of the spoils taken by the army. The Sfas Emes explains a terrifying spiritual reality: whenever a person interacts with the realm of cruelty and conflict, he risks being infected by that very cruelty! When the soldiers attacked Midian, they had to employ physical force and harsh warfare. Even though their cause was holy, the Sfas Emes writes that entering the atmosphere of retribution can easily cause the harshness of the adversary to rub off on a person's soul. Let his insult remain on your shirt, but keep your hands clean. By refusing to retaliate, you protect your own soul from the contagion of cruelty (Sfas Emes, Bamidbar, Matos 5643).

• In Toras Kohanim on Parshas Kedoshim, our Sages record a legendary dispute between Rabbi Akiva and Ben Azzai. Rabbi Akiva taught: "You shall love your fellow as yourself — this is the supreme rule of the Torah." Ben Azzai responded: "This is the book of the generations of Adam — this is an even greater rule." The Sfas Emes examines why Ben Azzai's principle exceeds Rabbi Akiva's, and what this debate reveals about the prohibition of revenge. The Sfas Emes explains that Rabbi Akiva's rule establishes that the entire collective of Israel is a single, unified body (klal gadol). When we retaliate against our brother, we wound a limb of our own shared body. By choosing peace and forgiveness, we preserve the wholeness of Klal Yisrael (Sfas Emes, Vayikra, Kedoshim 5652).

MORAL DILEMMAS:

The Kleins had ten children and lived in a four-bedroom apartment in Israel. They lived on top of an elderly couple, named the Weinbergs. The Klein children were lively and rowdy. Sometimes a bit too rowdy. Occasionally when the Klein children would move chairs or furniture at night past 11PM, they would hear banging from the Weinberg's downstairs, reminding them to quiet down. The Weinbergs tried their best to ask the Kleins to be careful not to make noise so late at night, but the children did not always comply. The relationship between the Weinbergs and Kleins was tense but cordial. One night at about 11:30, one of the Klein children accidentally knocked over a small bookshelf. It fell to the floor of the apartment with a huge crash. Mrs. Weinberg, who lived right below it, was sleeping. The loud bang jolted her from her sleep. Mrs. Weinberg was elderly and she had a heart condition. After waking up, extremely startled from her sleep, she immediately started to feel chest pains. Mr. Weinberg called the ambulance and they were rushed to the hospital. The doctors did all that they could but sadly Mrs. Weinberg suffered a major heart attack. She passed away the next day. Mr. Weinberg and his family sat shiva. The Kleins of course came to visit them during shiva. But secretly Mr. Weinberg held the Kleins at least partially responsible for his wife's death. It was their carelessness and rowdiness that caused the heart attack, he believed. After the shiva, Mr. Weinberg moved out of his apartment and moved into an assisted living community. He put his apartment on the market for sale. A man named Mr. Frankel was interested in purchasing the apartment and made an offer. Mr. Weinberg was pleased with the offer and they were close to closing the deal. But then the Klein family from upstairs got wind of the fact that Mr. Weinberg was looking to sell his apartment. They were ten children crammed into a relatively small apartment and if they could purchase the apartment right below it, they could attach the two apartments and it would be a huge relief for them. Mr. Klein approached Mr. Weinberg and begged him to consider selling the apartment to them. Mr. Weinberg's face flushed with anger, with the following silent thoughts rushing through his head. "The reason why I'm moving is because you caused my wife to have a heart attack. I hate your family. You caused my wife to die and now you want to inherit her apartment?". Quickly calming himself down, Mr. Weinberg told himself that he should not act that way. Not selling them the apartment would be an act of nekama, an act of taking revenge. That was forbidden. In addition, Mr. Weinberg knew that there is a halacha of bar metzra, that one should give priority to selling land to the neighbors

before selling it to another person. Would he have to sell it to them even though he resented them? Mr. Weinberg wondered to himself if he had to sell it to the Kleins, or if he refused, would that be considered taking revenge. What do you think?

Answer: Regarding the question about selling the apartment to the people who might have contributed to his wife's death, Rav Zilberstein answered as follows. Normally one would have to overcome their anger and sell the apartment. But in a case that beis din feels that the neighbors might have been negligent in contributing to her death, beis din can say that the husband should not sell it. This is in order not to reward people for their sin of carelessness. This is based on the principle of Hefker Beis din hefker.

— Source: Table Talk Edition #293 (Parshas Chukas)

STORIES FROM OUR SAGES:

❖ Diocletian the king of Rome was once a pastor of pigs in Teveriah. He used to bring his flock of pigs near the study hall of R' Yehudah HaNassi and disturb the studies. Some of the children would go out and hit him when he disturbed their studies. After a while he became king in Rome and he settled near the Panias (Banias), in the north of Eretz Yisroel. The king wanted to punish R' Yehudah HaNassi for the abuse that he suffered as a pastor of pigs, and he told a messenger to summon R' Yehudah HaNassi to his palace in Panias. He told the messenger not to deliver the message under erev Shabbos so that R' Yehudah HaNassi would not be able to reach Diocletian at the appointed time of Sunday morning without traveling on Shabbos. That Friday afternoon, when R' Shmuel bar Nachmani went to the bathhouse in Teveriah to prepare for Shabbos, he noticed that the Nassi looked sad. In response to R' Shmuel bar Nachmani's inquiry, R' Yehudah HaNassi explained the situation. R' Shmuel bar Nachmani said, "Come and bathe with confidence that your Creator will perform miracles for us." They went to bathe and the demon of the bathhouse danced and laughed in front of them. R' Yehudah HaNassi wanted to admonish him to stop, but R' Shmuel bar Nachmani said, "Leave him alone, for he occasionally appears before humans to perform miracles for them." R' Shmuel bar Nachmani told the demon, "Our master is in pain, and you are standing and laughing and dancing?!" When the situation was explained to him, the demon told them to celebrate Shabbos without worry since God would perform miracles for them and they would be delivered to the king by Sunday morning. After Shabbos, the demon carried R' Yehudah HaNassi and R' Shmuel bar Nachmani on his shoulders to the gates of Panias. When the king was told that the two rabbis stood by the gates of the city, he told his servants to lock the gates, whereupon the demon carried them over the gates into the center of the city. When the king was informed of their whereabouts, he told his servants to heat up the bathhouse for three days, after which the rabbis should bathe in the heated bathhouse and then appear before the king (expecting that they would die in the overheated bathhouse). The servants complied, and after three days, before the rabbis bathed in the bathhouse, the demon of the bathhouse cooled the baths for them. When the rabbis appeared before the king, Diocletian said, just because your Creator performs miracles for you, you can shame the king?" They responded, "We have defiled the honor of Diocletian, the pastor of pigs; but to Diocletian the king we are enslaved." Diocletian responded, "Nevertheless, do not shame even a young Roman child or a small Roman servant (since they may eventually become king and take revenge)."

Talmud Yerushalmi, Terumos 8:10

INSPIRATIONAL STORIES:

❖ The story of the ger tzedek, Avraham ben Avraham, who lived in the time of the Vilna Gaon, is well known. It is a very heroic story. The Chofetz Chaim would tell this story, with its powerful lesson. Valentin Pototski was born in Lithuania in the early 1700's. His father was a Polish nobleman who was well respected in the Catholic Church. However, Valentin did not share the same passion for the church as his family. At first, he became intrigued and then later enamored with Torah and Judaism. Against his family's wishes, he converted and ran away from his family and the church. His new name was

Avraham ben Avraham. A few months after his conversion, he arrived in Vilna and began to learn secretly in the beis midrash. Most of the people in the town did not know who he was. All day long he devoted himself to his learning; righteous women in the vicinity brought him food to eat. Since it was a cardinal sin in Lithuania for a Christian to convert to Judaism, it was of utmost importance that his true identity be kept secret. A young boy often came to the beis midrash, disturbing Avraham ben Avraham and the others who were learning there. One day, after many warnings, Avraham scolded the boy and sharply rebuked him for his unacceptable behavior. The boy related the incident to his father, who was so bothered by the reprimand his son had received that he threatened to tell the authorities who Avraham ben Avraham really was. Shortly thereafter, the authorities arrested Avraham ben Avraham. Although he had committed what was then viewed as a cardinal sin, the church offered Avraham ben Avraham a pardon, if he would renounce his conversion and once again embrace the church and its doctrines. But he brazenly refused to do so. He was determined to do anything to remain committed to his beliefs, even if it meant giving up his life. He was placed in prison for a prolonged period of time and the members of the church tried everything to get him to denounce his religion, but to no avail. It was determined that he would be burned on the stake. The date of his burning was set for 7 Sivan, 5509/1749. The Vilna Gaon managed to get a message to the prisoner. The Gaon offered to miraculously save the ger tzedek through the use of Sheimos (sacred Names of G-d), but Avraham ben Avraham refused the offer, stating that he was prepared to die al kiddush Hashem. The author of the Yesod VeShoresh Havodah, R' Alexander Ziskind, was present at the burning, which took place in the streets of Vilna. Tradition has it that he answered Amen to the berachah of Avraham ben Avraham as he said, "... lekadesh Shemo b'rabbim." Perhaps, though, the most amazing part of this story was the final conversation the condemned man had with the guards who led him to his execution. As they walked to the prearranged location, they mocked him and asked whether he planned to take revenge on them after he died. In a calm and collected tone, he answered, "When I was a child I was once playing in the sand and I fashioned beautiful soldiers out of the sand. Suddenly, a few older boys came over and destroyed my sand figures. I was so upset! I ran to my father and told him what had happened, how the boys had destroyed my sand soldiers. I begged him to punish those bullies. But my father shrugged me off; he didn't punish them at all. He knew it wasn't necessary to take action against those who had ruined some silly sand Figures." Avraham now looked at his tormentors and asked, "Do you think that when I became an adult I went to seek out those bullies and make them pay for the damage they had done? Do you think I went to beat them up for the sand soldiers they had ruined? Of course not! You know why? Because when I became an adult, I realized that one should not get upset about something made of sand. It is here today and gone tomorrow." And now he stared at the guards and looked deeply into their eyes. "You may be a bully now and destroy my body. But my body is made of sand. Man is nothing more than a creation made of sand by the hands of G-d. When I go up to heaven, I will not run to my Father and make sure that He punishes you. I will not look for ways to exact revenge. Instead, I will go the Heavenly Throne and beg the Almighty to allow the malshin, the one who told the authorities, to enter Gan Eden. That is what I am going to do because without him I would never have had the opportunity to sanctify the Name of Hashem as I am about to do now." And with that, Avraham ben Avraham prepared to ascend to heaven.

Touched By Their Tears, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

7. Not to kidnap

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 33

As the Torah says, You shall not steal (Shemos 20:13, Parshas Yisro).

QUESTIONS ADDRESSED BY THE HALACHAH

- How would one be liable for capital punishment in this case?

▪ What if the person was kidnapped and then sold to his own family?

SEFER HAMITZVOS HAKATZAR

Chazal derived (Sanhedrin 86a) that the prohibition 'You shall not steal' in the Ten Commandments refers specifically to the capital crime of kidnapping a fellow human being. If the kidnapper subsequently sells him into servitude, he violates an additional negative commandment, as Scripture states: 'They shall not be sold as slaves' (Vayikra 25:42). A kidnapper is liable to the death penalty only when three cumulative conditions are met: he abducts a fellow Jew, brings him into his own domain and forces him to work (nishtamesh bo), and then sells him to another party. If, however, the kidnapper sells the victim to the victim's own father or brother, he is exempt from capital punishment, as the victim has not been alienated from his family's domain.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Hashem is just and does not hurt anyone unless they are deserving of it in some way. Harming one who does not deserve it would be injustice. We have to emulate Hashem by avoiding injustice and therefore not hurt or harm anyone in any way.

MORAL DILEMMAS:

In a country where kidnapping is fairly common, Mr. Schwartz's wife is kidnapped. The kidnappers demand $2 million in ransom, which is all the money and assets the husband owns. He naturally wants to pay the ransom, but the police and politicians strongly advise him not to pay it. They give him three reasons. First, if the ransom is paid. It will encourage the same group and others to continue kidnapping and demanding ransom. Second. The kidnappers may take his wife again and demand another, Higher, Ransom, which he may not be able to pay. Third. There is a strong chance that as soon as the first ransom is paid. The wife will immediately be killed since she may be able to identify the kidnappers. If the ransom is not paid: Should the community refuse to pay exorbitant ransoms so that kidnappers realize such crimes are not profitable?

Answer: Based on the Mishnah in Gittin (45a), Rambam (Hilchos Matnos Aniyim 8:12), Tosafos (Gittin 58a), and Shulchan Aruch (Yoreh De'ah 252:4), although the Sages enacted that hostages may not be ransomed for more than their market value so as not to incentivize kidnappers ('she-lo yihyu ha-oyvim rodfin achareihem lishbosam'), a husband is permitted and obligated to ransom his wife with all the funds he possesses because 'ishto k'gufo' (a man's wife is like his own body), unless the rabbinical authorities determine that paying the ransom creates direct mortal danger (pikuach nefesh) to the public.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Gittin, p. 362

INSPIRATIONAL STORIES:

❖ In the town of Kamorna, ten people were kidnapped by the czarist officials. The town quickly raised money to ransom off nine of them. But for the tenth, Shmuel Korenbluth, the funds ran dry. Shmuel was known to be very lax in his observance and people were not motivated to sacrifice so much money to free someone who flaunted the Torah traditions in town. The shamash broke the news to Shmuel's wife and she cried hysterically when she heard that the rest were freed except for her husband. As the shul prepared to daven Minchah, the av beis din, R' Yehoshua Heshel Frankel opened the Aron, and took off the crown of the sefer Torah. He turned to the people in the shul and said, "holy Torah, you are the

crowning jewel of our people and you need no adornment. Please forgive me as I remove your crown, but there is something even more precious than you that needs our attention. a young Jew has been kidnapped and we are going to sell your crown to redeem him". To everyone's astonishment, he took the crown and went out and freed him. When he was freed, the Rav spoke to Shmuel and said the crown of the Torah was sold to free you. That should tell you how special and cherished you are. Shmuel was so inspired that he immediately felt like the crown jewel he was and became a great tzadik.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 251

A. NOT TO RESTRAIN SOMEONE FROM BEING WITH HIS WIFE

(Torah Mandated Mitzvah), Sefer Chareidim 29-41

SEFER CHAREIDIM

The Torah commands: 'One shall not take an upper or lower millstone in pledge' (Devarim 24:6). The Talmud Yerushalmi interprets this homiletically: do not obstruct a husband and wife from marital intimacy. This insight accounts for the scriptural juxtaposition between the verse, 'When a man takes a new wife... he shall bring joy to the wife he has taken' (Devarim 24:5), and the prohibition against seizing the millstones. It is strictly forbidden for anyone to interfere with or prevent a husband and wife from sharing marital life.

The upper and lower millstones serve as a metaphor for husband and wife, who together grind the grain of life in sacred partnership. Obstructing their marital harmony is an exceptionally grave transgression; one who acts so wickedly faces severe retribution, jeopardizing his atonement and forfeiting his portion in the World to Come (Olam HaBa).

8. Not to cause another to stumble physically, spiritually, or with bad advice

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 76

As the Torah says, nor shall you put a stumbling-block before the blind (Vayikra 19:14, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is the meaning of the blind man here?
- Is it forbidden to sell a pagan an idol?
- If a person asks you advice about something you do not know, should you answer?

SEFER HAMITZVOS HAKATZAR

This commandment warns that if a person is 'blind' regarding a particular matter and seeks guidance, we are strictly forbidden from offering him deceptive or self-serving counsel. This obligation is all-encompassing, applying equally to commercial affairs, worldly decisions, and matters of Torah. Furthermore, the prohibition of placing a stumbling block forbids facilitating, aiding, or enticing another person to commit any sin.

This prohibition extends even to non-Jews: one is forbidden from causing a gentile to violate the divine laws binding upon him — namely, any of the Seven Noahide Commandments (Sheva Mitzvos Bnei Noach).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Hashem is just and does not hurt anyone unless they are deserving of it in some way. Harming one who does not deserve it would be injustice. We have to emulate Hashem by avoiding injustice and therefore not hurt or harm anyone in any way.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 232)

Giving people good advice, helps to perfect the world.

IBN EZRA

People should always give good advice, because one day they may need good advice themselves.

RAMCHAL — MESILAS YESHARIM (CHAPTER 11)

The prohibition of lifnei iver requires that when another person seeks your advice, you must offer guidance that is completely pure, clarified, and directed solely toward his true benefit — never tainted by your own hidden interests.

SFAS EMES

• In Parshas Shemos, the Sfas Emes reflects upon the opening words of the Ten Commandments: "Anochi Hashem Elokecha asher hotzeisicha mei'eretz Mitzrayim" — "I am Hashem your God Who brought you out of the land of Egypt" (Shemos 20:2). Why did Hashem introduce Himself as the Redeemer from Egypt rather than as the Creator of heaven and earth? The Sfas Emes explains that at creation, human beings were unsure of their final goal. But when Hashem took us out of Egypt, He gave our souls an eternal bond. He granted us a place in both worlds. This insight provides the ultimate measure for the prohibition of Lifnei Iver. When an attacker strikes a man, he harms only the outer body. The person walks into the trap with open eyes, thinking he made a good choice. In truth, his friend steered him toward ruin (Sfas Emes, Shemos, Shemos 5635).

• In Parshas Ki Seitzei, the Torah commands that an Ammonite or Moabite convert may never enter the congregation of Hashem, "because they did not greet you with bread and water on the way, and because they hired Bilam to curse you" (Devarim 23:5). Why did the Torah impose such an absolute, eternal exclusion upon Ammon and Moav? Egypt enslaved our fathers and drowned our baby boys in the Nile. Yet an Egyptian convert may marry into Israel after three generations! Why were Ammon and Moav judged so much more harshly? The Sfas Emes, following the commentary of Rashi, explains that physical enemies can only attack the body. In the desert, the nations saw that swords could not harm Israel. He passes it to his children and his friends. The harm spreads across generations (Sfas Emes, Devarim, Ki Seitzei 5635).

RELATED HASHKAFAH TOPICS:

- Discuss the permissibility of inviting someone for a Shabbos meal if you know that they might drive on Shabbos
- Discuss how this mitzvah is one of the sources for a woman to dress modestly. The other sources are kedoshim tuhu, and chukosehem lo telechu

MORAL DILEMMAS:

Naomi was a girl in 12th grade. She had a nice Jewish neighbor, Lisa, who was not religious but was very receptive and respectful of Yiddishkeit. The families of the two girls had a great relationship. Naomi's family often engaged Lisa in Jewish activities. One Shabbos morning Lisa knocked on the door. Naomi answered. "Hi Naomi. How are you? I have a favor to ask. I'm making a cake for my niece's birthday party today. I realized that I ran out of sugar. I was about to jump into the car to go to Shoppers to pick some up, but I figured maybe you can help. Would you happen to have a cup of sugar I can borrow?" Impulsively, Naomi wanted to oblige her friend. But then she realized that if she gave Lisa the sugar, she would bake a cake with it. Naomi might be directly aiding her in being mechalel Shabbos. On the other hand, if she didn't give her the sugar, Lisa would drive to the supermarket. Perhaps driving would be worse and she would be breaking Shabbos many more times. Also, she wasn't sure how to respond in a way that would not insult Lisa and push her away. What do you think? Can Naomi give Lisa the sugar? In either case, what do you think she should say in order to maintain and strengthen their relationship?

Answer: Regarding the question about giving the sugar on Shabbos, Rav Tzvi Berkowitz answered as follows: There is a concept, mentioned in Rabbi Akiva Eiger, of saving a person from doing a bigger aveirah by having him do a smaller one. It would be challenging to apply that in this particular case though and the best thing to do would be gently say something that may convince her to stop for Shabbos.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 119

One year, Binyamin bought and prepared a beautiful array of mishloach manos for his friends. There wasn't a lot of food in each of the packages but the presentation was beautiful. He spent the day of Purim delivering his mishloach manos to his friends. Close to the end of Purim, Binyamin's friend brought his attention to a potential problem. All but one of the food items that he gave to his friends had a hechsher, a kosher symbol, that his friends did not eat from. Although the hechsher was reliable and the food was certainly kosher, his friends did not use that hechsher because they relied on a more stringent supervision. It turned out that Binyamin's friends would likely not eat the food that he gave them. Binyamin wanted to know if he fulfilled the mitzvah of giving mishloach manos. On one hand he gave them kosher food. But on the other hand, they would not eat from it. Binyamin wondered if he had an obligation to quickly give mishloach manos to a new friend that would for sure eat the food he was giving. He also wondered if he had an obligation to notify all of his friends that the food he gave had a hechsher that they did not eat. On one hand the food was kosher. But on the other hand, perhaps he was making them violate their kosher standards if they eat it without realizing. Would Binyamin have an obligation to overcome his embarrassment and call each of his friends about his mistake? What do you think?

Answer: Regarding the question about the mishloach manos, Rav Zilberstein wrote that he would likely not fulfill his mitzvah of Mishloach Manos, however, he would not have an obligation to notify them about the hechsher.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 102

There was a kosher catering company in Eretz Yisrael which supplied kosher food to airlines that had flights to Israel. One year a European airline asked the kosher caterer if they could prepare meals for a Pesach seder for the plane. They had a group of Jewish customers who were flying on Pesach night. They weren't religious but they didn't want to miss out on having the traditional seder foods while they were flying. The airline asked if the catering company would prepare trays of matzah, kosher wine, marror and charoses, and Hagadas for these customers. Chaim, the owner of the catering company, was unsure what to do. He brought this question to Rav Elyashiv. Should he prepare seder meals for the airplane? On one hand, even though the people flying on the plane would be mechallel Yom tov, at least they would get the mitzvah of eating matzah, maror and daled kosos. But on the other hand, perhaps it was condoning and encouraging flying in a plane on Pesach night. What do you think. Should the company prepare seder night airline food?

Answer: Regarding the question of the seder on the airplane, Rav Elyashiv answered that a group of Jews holding a seder on an airplane on Pesach night is a Chillul Hashem, a desecration of Hashem's name. This is true even if they don't know better. Therefore an observant Jew should not participate in facilitating this chillul Hashem, and should not make the seder kits for them.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Beitzah, p. 259 (Table Talk Edition #126 (Parshas Pesach))

Avi had a neighbor, Dovid, whom he noticed didn't have a car. One day, Avi said to his friend Dovid, "I've noticed you don't have a car. I just got an extra one for work, and I don't need my private car. If you want to use my car, I can rent it to you for a small fee of $50 a month." Dovid was thrilled with the offer. He was very grateful and used the car for a while. Everything went smoothly until, after several months, Dovid looked out at the parking lot at work one day and saw that the car was gone. He called the police, and they checked the license plate number, telling him that the car hadn't been stolen - it was actually repossessed due to lack of payments. Dovid was greatly distressed by this for two reasons. First, the loss of the car, but more importantly, he had left an envelope containing $10,000 cash in the car. He never would have done so had he known that there was a risk of repossession. Dovid confronted Avi, asking him why he hadn't mentioned that the car was being foreclosed. "I never would have left the money in the car if I knew about the foreclosure. I'd like you to please pay me the money", Dovid said. But Avi replied, "Yes, I knew it was being foreclosed. But I never told you to leave money there. Furthermore, I didn't think they would take the money, I assumed they would simply take the car." "What do you think? Does Avi have to pay the money to his friend, Dovid? On one hand, he should have told him that there was a foreclosure on the car. On the other hand, Dovid made the choice to leave a large sum of money in the car without informing Avi or seeking his advice. Should Avi be held responsible for Dovid's decision and its unfortunate outcome?"

Answer: Regarding the question about the car that was repossessed, Rav Zilberstein wrote that the owner of the car did the wrong thing by not telling his friend that the car may be repossessed. Nonetheless, the owner of the car is not obligated to pay for the money, as it is not usual to leave so much money in a car.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 272

Man comes to a sefarim store for a sefer. They don't have the sefer. Does the proprietor have to tell the customer that a competitor has the sefer? Does he have to give him a good eitza even if it against his interests?

Answer: Rav Yitzchak Zilberstein rules that when a sefarim store does not have the requested sefer in stock, the proprietor is obligated to inform the customer that the sefer is available at the competing store nearby. Doing so fulfills the mitzvah of 've-ahavta l'rei'acha kamocha' and preventing bitul Torah without causing the first store any loss (since he does not have the item

in stock), and in fact enhances the proprietor's reputation as a trustworthy merchant.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 77

A religious policeman discovers a kosher store secretly purchasing non-kosher meat and suspects other merchants are involved. Should he bust the store immediately to prevent people from eating treif today, or delay enforcement to expose the entire trafficking ring?

Answer: HaGaon Rav Yitzchak Zilberstein (Veharev Na, Vol. 2, p. 278) ruled that the officer must expose and shut down the fraudulent butcher immediately. In Halachah, we do not make "deals" or strategic trade-offs with aveiros (sins) by passively allowing fellow Jews to be fed treif meat today in the hope of catching additional stores later; rather, we are obligated to stop the aveiros right away.

— Source: HaGaon Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 278

Shlomo was looking to purchase a specific sefer as a gift for his father-in-law's birthday. He always had a hard time choosing birthday presents, but his father-in-law had specifically mentioned that he wanted this particular sefer. Shlomo went to one of the local seforim stores and asked the proprietor, Mr. Cohen, for a copy of the sefer. Mr. Cohen could not find it on the shelf, but went to search the inventory in the back of the store. He could not find it there, and realized he would need to place a new order. He was pretty confident that the other seforim store, across town, would have a copy, but he really did not want to send a good customer to his competitor. He was frustrated that he had not ordered more earlier, and he was faced with a dilemma. There is a mitzvah that one has to give another good advice. Was Mr. Cohen obligated to direct Shlomo to the other store? Could he try to persuade him to purchase something else, or to wait a couple of weeks until he restocked? What do you think? According to the Torah, does Mr. Cohen have an obligation to give Shlomo good advice, and send him to his competitor?

Answer: Rav Yitzchak Zilberstein says he has a mitzvah to refer him to the other store.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 77 (Table Talk Halachic Archive, Edition 42 (Nitzavim Vayeilech))

STORIES FROM OUR SAGES:

❖ Rav Yehudah taught: "Whoever wishes to be a truly pious person should carefully fulfill the laws of damages and safety so that nothing of his ever harms a neighbor!" The Sages taught in a Braisa: A person must never clear stones out of his private ground and toss them into the public thoroughfare. An incident occurred with a certain landowner who was clearing stones out of his private field and throwing them into the public road. A pious man came by, saw what he was doing, and said to him: "Empty person! Why are you clearing stones out of property that is not yours and throwing them into property that IS yours?!" The landowner laughed at him in scorn—for surely the field belonged to him and the road belonged to the public! Not long afterward, the landowner fell into debt and was forced to sell his field. One day, as he was walking along that very public road outside his former field, he tripped and stumbled over the exact stones he had thrown there! Bruised and humbled, he exclaimed: "How well that pious man spoke to me when he said, 'Why are you clearing stones from property that is not permanently yours into the public road that will always be yours to walk on!'"

Talmud Bavli, Bava Kamma 30a & 50b

INSPIRATIONAL STORIES:

❖ Lt. Steven Richards was a Lieutenant in the police force as well as Rav Pam's personal nurse. He said that he never met anyone like Rav Pam. Lt Richardson related the following story: From the time that Rav Pam developed spinal problems, he walked in the street pushing a shopping cart to maintain balance. He once told me that he wanted to conceal his pain and illness from the community, "because they won't come to me if they know that I am sick." I believe that this is why he used a shopping cart and not a walker, which is the common device used in such cases. He felt that a walker would make his infirmity more obvious and would discourage people from seeking his assistance and counsel.

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ It was the year of Israel's war of independence. Tension was at an all-time high; bombing from the Jordanian side was relentless, and people were fearful to walk outside. The frightening sounds of war were constant, and the slightest unexpected noise caused panic. Rav Isser Zalman Meltzer lived in Yerushalayim during this difficult time. In addition to the danger from the Jordanians, he faced another problem, as he himself was not well, having struggled with his health for many years. He could not walk steadily and was quite weak, but always seemed to manage, not wanting to bother anyone by asking for help unless he truly had to. One day, during some of the worst fighting, gunshots ripped through the air, and Reb Isser Zalman, along with the man who tended to him, Reb Yitzchak Epstein, had to take shelter. They decided to leave the area immediately. Suddenly a large explosion ripped through the alleyway adjacent to their house, and shell fragments blasted into the room where the two men were hiding. One of these fragments tore into the Rosh Yeshivah's leg. Blood began spurting from the wound, and the elderly tzaddik fell to the ground in pain. Reb Yitzchak sprung into action and covered the Rosh Yeshivah with his own body, trying to protect him from any further harm. But when he saw that his rebbi's leg was seriously injured, he knew that he had to act quickly. "Rebbi," he said, "I am going to run outside and scream for help." Although his pain was agonizing, Reb Isser Zalman grabbed Reb Yitzchak by the arm, looked him in the eye, and said firmly, "No! Don't go anywhere, and don't scream for anyone to come here and help." "But why?" Reb Yitzchak pleaded with his rebbi to allow him to call for help, unable to understand why Reb Isser Zalman protested so strongly. "If you run outside and tell people that I am injured, they will try to come here to help. But it is too dangerous for people to be outside. You have no right to make someone risk his life just to try to save me. Besides, you will cause people to panic unnecessarily. Why alarm them even more than they already are?" Reb Isser Zalman knew how severe his injury was and in fact asked Reb Yitzchak to light some candles, as is the custom when one is about to die, but he would not allow others to possibly come to harm in order to help him. Although he was quite frail and seriously injured, the Rosh Yeshivah recovered and was able to walk again. Only one who has trained himself to the core of his being to think about someone else before he thinks of himself would be capable of reacting in the manner in which he did. Not only had he refused to put another's life in danger, he had even refused to allow someone else to feel unnecessary distress and worry. What would we have done?

Living in His Image Contemporary Torah Anthology

A. NOT TO TELL SOMEONE THE WRONG HALACHAH

(Torah Mandated Mitzvah), Sefer Chareidim 24-61

As the Torah says, "In front of a blind person do not place a stumbling block" (Vayikra 19:14, Parshas Kedoshim)

SEFER CHAREIDIM

We are sternly admonished through this prohibition to exercise the utmost caution in halachic rulings, ensuring that one never misguides fellow Jews in a manner contrary to the authentic laws of the Torah. As the Men of the Great Assembly cautioned: 'Be deliberate in judgment' (Pirkei Avos 1:1).

STORIES FROM OUR SAGES:

❖ The Mishnah states that the men of Jericho used to leave Pe'ah (the corner of the field left for the poor) from vegetable gardens, and the Sages disapproved of their doing so. Why did the Sages disapprove of giving charity to the poor from vegetables as Pe'ah? Because true Pe'ah (from grain or orchard trees) is legally ownerless and therefore exempt from tithes (ma'aser); vegetables, however, are exempt from the law of Pe'ah by Torah law. If a farmer designates vegetables as 'Pe'ah,' the poor people who take those vegetables will mistakenly assume that they are tax-exempt Pe'ah and will eat them without tithing (eating forbidden tevel)! There was once an incident involving the son of Ben Mevi Yayin (called Ben Buhayin in Talmud Bavli), whose young son went out and gave Pe'ah from their vegetable garden to the poor. When his father came home and found the poor people standing at the entrance of the garden holding the untithed vegetables, he called out to them gently: "My children! Put down the vegetables that you are carrying, and I will immediately give you double that amount from properly tithed produce instead — and know that I am not asking you to put them down because I am stingy with my vegetables, but only because the Sages ruled that one may not give Pe'ah from vegetables (lest you stumble into eating untithed food)!" Why did he reassure them right away that he was not stingy even while promising them double? Because when a poor person is told to put down the food already in his hands, he fears the owner is making up an excuse to push him away empty-handed! Therefore the father immediately explained the Sages' ruling and handed them double from fully tithed produce on the spot.

Talmud Yerushalmi, Pesachim 4:9 (31b) & Parallel Talmud Bavli, Pesachim 56b–57a

B. TO ANSWER A HALACHIC QUERY ONLY AFTER YOU ARE SURE OF THE ANSWER

(Scripturally Mandated Mitzvah), Sefer Chareidim 38–30

SEFER CHAREIDIM

Scripture states: 'Say to wisdom: You are my sister' (Mishlei 7:4). Chazal interpret this verse to mean: If a halachic ruling is as crystal clear to you as the absolute prohibition against marrying your own sister, pronounce it; but if it is not that unequivocally clear, remain silent.

MORAL DILEMMAS:

An editor of a weekly Torah publication that presents halachic dilemmas for Shabbos table discussion faced a question regarding whether to print the halachic answers in the same issue or leave the questions open until the following week. On the one hand, not printing the answer right away encourages families to think about the Torah issue for themselves, look up the sources, and discuss the question with their local rav; furthermore, since many halachic questions depend on subtle variables and complex disputes among the poskim, printing a brief summary answer might be misconstrued as a final practical ruling. On the other hand, readers often want to understand the Torah's approach to resolving the dilemma without feeling left hanging. Should the publication print the halachic resolutions alongside the questions, and if so, how should they be presented?

Answer: Rav Tzvi Berkowitz answered: In general, it is always a problem when brief psakim (halachic rulings) are posted publicly in such a manner, because they lack havchanah—often small variables in a case will lead to a completely different halachic outcome. However, it is fine to present the questions and to present as the answer the different issues and considerations that Halachah examines without issuing a final authoritative psak, showing that the Torah way of looking at things is not necessarily the way the 'man on the street' looks at it.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

INSPIRATIONAL STORIES:

❖ Someone once asked the Chazon Ish's opinion on a Klal issue. He replied, The matter is not currently relevant." His questioner responded with a Talmudic expression, " the Chazon Ish's opinion is Torah. I wish to be knowledgeable." The Chazon Ish then said "People are mistaken when they think that I simply shake my opinions and rulings out of my cuff. In truth, every decision that I make physically costs me dearly because I think about it so intently. So long as I am not forced to respond, I must fulfill the commandment to guard one's health."

The Chazon Ish, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

C. TO ADMIT THAT YOU DO NOT KNOW SOMETHING

(Rabbinically Mandated Mitzvah), Sefer Chareidim 38-31

SEFER CHAREIDIM

A person must train his tongue to say, 'I do not know' regarding all matters where he lacks certainty, rather than issuing baseless claims or fabricated rulings.

STORIES FROM OUR SAGES:

❖ An incident occurred involving a cow whose womb had been removed, and Rabbi Tarfon ruled it forbidden as a terefah and fed it to the dogs. When the matter came before the Sages in Yavneh, they ruled that the cow had in fact been kosher, because Toda the Physician testified that no cow or pig leaves Alexandria of Egypt without its womb removed so that it cannot breed elsewhere. Rabbi Tarfon exclaimed in distress: 'There goes your donkey, Tarfon!'—preparing to sell his own donkey to reimburse the owner. Rabbi Akiva said to him: 'Rabbi Tarfon, you are exempt from paying, for anyone who is an ordained expert recognized by the court is exempt from paying for an honest error!'

Mishnah, Bechoros 4:4

❖ R' Chiya bar Abba was very poor and wore patched shoes (Berachos 43b). He left Eretz Yisroel to earn a living since he did not want to accept charity. On the recommendation of R' Elazar, R' Yehudah Nesiah wrote him a letter of recommendation, writing that "he is a great man…" and "What is his greatness? That he is not ashamed to say 'I have not heard.'"

Talmud Yerushalmi, Chagigah 1:8 (76d)

INSPIRATIONAL STORIES:

❖ A Bais Yackov teacher in a small town once invited Sarah Schenirer to attend the girls' final examination. Frau Schenirer never turned down an opportunity to participate in a special event at an out-of-town school. In the case of this important test, she knew how much joy her presence would bring to the children and what tremendous encouragement it

would provide the teacher, who, as she knew, had worked so hard to prepare her pupils. The parents, too, would shep nachas from their young daughters. Above all, the teacher wanted Frau Schenirer to enjoy the children's intelligent answers, for that would make her proud of her Bais Yaakov girls. Indeed, it was a real joy to hear the cute little girls answering the questions with such confidence. The children relaxed after their successful performance. Beaming mothers hugged their daughters. The greatest satisfaction and happiness, however, were those visible on the face of Frau Schenirer as she observed the teacher questioning and the children answering properly. Her joy and nachas knew no limit. Then the children began dancing. A moment later, Frau Schenirer and their teacher joined in. All burst into a lively rendition of Frau Schenirer's favorite song, "Ve-taher Libeinu." This completed, Frau Schenirer heartily thanked the children for their successful performance and presented them with her own question: "Tell me, girls," she asked with a charming smile. "You just sang 'Ve-taher Libeinu.' 'Purify our hearts.' So tell me: what virtue, what middah, will best help you to purify your hearts?" "Yiras Shamayim," came the first answer. "Chessed." "Be nice to your friends." "Respect your parents and teachers." "Love your teachers, friends, and neighbors." One little girl said nothing. Frau Schenirer turned to her: "What do you think?" "I don't know," the girl answered, embarrassed. "You are quite-right," Frau Schenirer said, kissing and hugging the child. "You've told us the greatest truth. It's man's noblest virtue to say, 'I don't know.' After learning, acquiring, searching, reading all the worthy seforim, listening to great scholars, drawing from the well of exalted minds, absorbing the Wisdom of our geonim, trying to emulate them, striving to follow their ways... if after all that one can say 'I don't know' as humble, as innocently as you just did, that's the highest madreigah that man can use to attain a pure heart."

Carry Me in Your Heart, By Pearl Benisch, p. 267

❖ Rav Tendler was always ready to admit when he had been wrong. An example of this occurred when Rabbi Neuberger asked him what he thought about bringing Jews from Iran to the yeshivah. He strongly rejected the idea, as he felt it that would impact adversely on the other bachurim. In a meeting with all the Mechina rebbeim, everyone agreed that it was not a good proposal. Two weeks later, the Iranian bachurim arrived. The boys grew in learning. Rav Tendler recognized his mistake and joined forces with Rabbi Neuberger in furthering Iranian Jewish causes and bringing more boys and girls from Iran to America. The boys did exceedingly well, and several became rabbanim, ultimately restoring Torah to the Iranian community. Rav Tendler frequently referred to Rabbi Neuberger's decision, saying, "He was right, and I was-wrong."

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 155

D. NOT TO MAKE A HALACHIC DECISION AFTER DRINKING ALCOHOL

(Torah Mandated Mitzvah), Sefer Chareidim 24-62

As the Torah says, "You shall not drink wine or intoxicants ... to teach the children of Israel" (Vayikra 10:9, Parshas Shemini)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ How much wine would disqualify one from rendering a decision?

SEFER CHAREIDIM

A scholar is strictly forbidden from rendering a halachic decision after consuming alcohol. As Scripture commands: 'Do not drink wine or intoxicating beverage' (Vayikra 10:9), which the Torah immediately juxtaposes with the mandate, 'and to teach the Children of Israel all the statutes' (Vayikra 10:11). Halachically, an intoxicated

> person (shasui) in this context is defined as one who has consumed a revi'is (approximately 3 ounces) of undiluted wine, or more than a revi'is if it was diluted with water. Chazal warn that anyone who renders a legal verdict while intoxicated is considered as though he destroys the entire world.

STORIES FROM OUR SAGES:

❖ Once, as Rabban Gamliel was traveling along the coastal road and reached the town of Keziv, a man approached him to ask for halachic annulment of his vow. Rabban Gamliel turned to the scholar traveling with him and asked: "Have we drunk a quarter-log of strong Italian wine during our meal?" His companion answered: "Yes." Rabban Gamliel said: "If so, let this man walk behind us until the effect of our wine wears off!" The man walked behind them for three miles until they reached the promontory of the Ladder of Tyre. Once they arrived at the Ladder of Tyre and the wine had completely worn off, Rabban Gamliel dismounted from his donkey, wrapped himself respectfully in his prayer shawl, sat down as a formal court, and annulled the man's vow. The disciples remarked: "Many halachic lessons we learned from our master at that hour: we learned that a quarter-log of Italian wine can cloud the mind; we learned that one who has drunk wine may never issue a halachic ruling; we learned that a three-mile walk clears the effect of wine; and we learned that a sage does not annul vows while riding on a donkey, walking, or standing, but only while sitting in solemn deliberation!"

Talmud Bavli, Eruvin 64b

INSPIRATIONAL STORIES:

❖ Once, after Mussaf on Rosh Hashanah, a certain rav approached him with a halachic question. Rav Elyashiv answered that he had to go home, and would answer him after a half-hour. The rav said that he would wait, since the question was urgent for that day. He was surprised, however, that it would take Rav Elyashiv that long to look up an answer to his question. After close to half an hour, Rav Elyashiv returned and gave him an answer. Later, the rav asked Rebbetzin Elyashiv what her husband had done after returning home from shul. "He went to sleep," she replied. Of course. Prior to hearing the shofar, Rav Elyashiv drank more than a reviis of wine for Kiddush and it was forbidden for him to issue a halachic ruling, after drinking wine, even if he knew the answer to the question. He therefore slept for a while, and only then answered the rav's question.

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 405

NOT TO HURT WITH WORDS

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by not hurting anyone with our words.

9. Not to curse another

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 45

As the Torah says, You shall not curse the deaf (Vayikra 19:14, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Why does the Torah talk about cursing a deaf person? Can you curse people who are not deaf?
- Are you allowed to curse yourself?
- What does one have to say to be liable for this prohibition?
- What if you say the term G-d instead of Hashem's Hebrew name?

SEFER HAMITZVOS HAKATZAR

The Torah explicitly mentions a deaf person — 'You shall not curse the deaf' (Vayikra 19:14) — to establish a profound principle: Even though a deaf individual cannot hear the words and suffers no emotional distress from the insult, cursing him remains strictly forbidden. How much more so is it prohibited to curse someone who can hear and suffers humiliation.

This prohibition also applies if a person curses himself; he violates a negative commandment by directing an imprecation against his own person.

However, one violates this formal biblical prohibition only if he pronounces the curse using the explicit Four-Letter Divine Name or one of the sacred descriptive titles (kinnuyim) of Hashem.

This includes invoking the Almighty using vernacular designations in foreign languages, as these terms function as recognized substitutes for the holy names of God.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as we are to resemble Hashem, by not causing any undeserved pain, so are we to avoid using words that will cause pain.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — SEFER HAMITZVOS

Even if a curse doesn't actually harm anyone, the Torah doesn't want us to become angry or vengeful and to develop the habit of expressing our rage and frustration on others.

SEFER HACHINUCH (MITZVAH 231)

Words are powerful and they can have an impact because they emanate from the neshamah which has a link with the spiritual worlds.

Additionally, even if you curse someone privately, someone may hear you and the person you are cursing may hear of it, and that will cause him pain or cause an argument.

RABBEINU BACHYA (VAYIKRA 19:14)

Even if the person that you are cursing can't hear you, this harms you by harming your own character.

SFAS EMES

• In Parshas Balak, the wicked king Balak hires Bilam to curse the Jewish people. The Sfas Emes explains the verse: Israel is the very essence of blessing, as was promised to Avraham: "and you shall be a blessing." Hashem told Bilam: "They do not need your blessing, for an accursed man cannot cling to one who is blessed!" This insight reveals why cursing a fellow Jew is an impossibility in the spiritual realm. Every Jewish soul is rooted in the primal light of creation. When a person curses his fellow, his bitter words cannot dim his brother's light. The curse simply falls back into the dirt, leaving the speaker stained with his own futile malice (Sfas Emes, Bamidbar, Balak 5663).

• Later in the parshah, Bilam gazes at the tents of Israel. But this raises a powerful question: Do not our Sages teach that Hashem is exacting with the righteous to a hair's breadth? The answer is that the inner core of Israel is clean of all sin. This is why cursing another Jew is strictly forbidden by the Torah. When you become furious with your neighbor, you judge him by his external faults. You see his mistakes, his temper, or his financial failings, and you believe he deserves a curse. But the Torah commands Lo Sekallel because your eyes are blind to his true essence! Even if a person has stumbled into wrongdoing, his inner point of holiness remains attached to Hashem. When you curse him, you are attacking a holy vessel that contains the Divine Presence (Sfas Emes, Bamidbar, Balak 5658).

• When Bilam opens his mouth to curse Israel, the Torah records an extraordinary miracle: "Vayasem Hashem davar b'fi Bilam" — "And Hashem placed a word in Bilam's mouth" (Bamidbar 23:5). What does it mean that Hashem "placed" a word in his mouth? The Sfas Emes explains that the word simah "placing" means orderly arrangement. Bilam brought letters of hatred to his lips. But when Hashem touched his mouth, the letters were arranged into blessings! As the Sfas Emes writes: the word simah means orderly arrangement; for that wicked man prepared his heart to curse, but the Holy One rearranged the letters into blessing because of His essential love for the children of Israel! But the Torah commands us to imitate the Holy One. Just as Hashem took the bitter letters of Bilam's curses and rearranged them into songs of praise, so must we reorder the bitter feelings in our hearts (Sfas Emes, Bamidbar, Balak 5654).

• In a memorable discourse for Shabbos Zachor, the Sfas Emes reflects upon the relationship between speech and spiritual power. Why are these two remembrances linked? The Sfas Emes explains that the Jewish mouth is not a neutral physical organ. It is the primary instrument through which spiritual reality is drawn into this world. When a Jew recites Kiddush on Friday night, the words of his mouth draw down holy life and blessing from heaven. Conversely, when we verbally remember Amalek, our words draw down judgment to erase evil from the earth. Hashem set aside the Jewish tongue for life, Torah, and blessing. To turn that gift against a brother through a curse is a tragic betrayal of our calling (Sfas Emes, Moadim, Parshas Zachor 5662).

• In Parshas Ki Seitzei, the Torah describes Hashem's protection: "V'lo avah Hashem Elokecha lishmo'a el Bilam, vayahafoche Hashem Elokecha lecha es ha-kelalah livrachah, ki aheivcha Hashem Elokecha" — "Hashem your God would not listen to Bilam, and Hashem your God turned the curse into a blessing for you." The Sfas Emes explains the spiritual physics of how blessing and curse interact. In Parshas Re'eh, Hashem declares: "See, I set before you today a blessing and a curse" (Devarim 11:26). Blessing stands at the right hand of Israel, while curse stands at the left. When a person walks with Hashem, the shield of blessing surrounds him on all sides. Because every Jew is surrounded by the covenant of Divine blessing, hurling a curse at a fellow Jew is spiritual suicide. The curse hits the shield of blessing and bounces straight back at the speaker's own head, bringing upon him the very misery he wished upon his neighbor (Sfas Emes, Devarim, Ki Seitzei 5636).

RELATED HASHKAFAH TOPICS:

▪ Discuss the power words have to build or destroy a person.

▪ Discuss how our words have an impact in the spiritual worlds as well.

STORIES FROM OUR SAGES:

❖ There were certain lawless troublemakers living in the neighborhood of Rabbi Meir who used to harass him terribly. Pushed to the limit, Rabbi Meir began to pray that they should die. His wise wife Bruriah heard him and asked: 'What is your thinking—is it because it is written in Psalms (104:35), Let chata'im cease from the earth? Does the verse say chot'im? It is written chata'im! Moreover, look down at the very end of the verse: and the wicked will be no more! Once sins cease, the wicked will no longer be wicked! Rather, pray for mercy upon them that they should repent in teshuvah, and then the wicked will be no more!' Rabbi Meir prayed for mercy upon them, and they repented with a full heart.

Talmud Bavli, Berachos 10a

INSPIRATIONAL STORIES:

❖ Once a Jewish tourist from America had what he thought was a brilliant idea. He wanted to put an end "once and for all" to the distressing difficulties of the fledgling State Of Israel, by removing Nasser (the hostile head of Egypt before Sadat) from the political scene. What did he do? He went to Reb Aryeh Levin and proposed that the good rabbi should curse Nasser, roundly and properly. There was no doubt in his mind that as a direct result, the nefarious Egyptian enemy of Israel Would be thoroughly removed. I will tell you," said Reb Aryeh. "I have never cursed anyone in my entire life. That is a task for Balaam (Bamidbar 22-24). But do you know what? I can bless Nasser that he should be privileged to see the advent of the Mashiach, the righteous redeemer of Israel, If that will come true for him, we will have no further need for curses."

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

10. Not to curse a parent

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 46

As the Torah says, And he that curses his father or his mother shall surely be put to death (Shemos 21:17, Parshas Mishpatim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Which type of curse is being discussed here?
- Is this prohibited if the parent has already been deceased?
- What if one didn't use Hashem's actual name, but a kinui like Elokim?
- An oath is essentially saying "may G-d punish me if I tell a lie". Is one allowed to make his parent take an oath?
- Is it prohibited for one to roll his one's eyes in a condescending way at someone if he is embarrassed about what a parent has done?

SEFER HAMITZVOS HAKATZAR

If someone curses his father or his mother using the explicit Divine Name, he is liable to capital punishment by stoning (sekilah).

This liability applies even if he curses them using the Divine Name after their death.

If he curses his parents using a substitute name (kinnuy) of Hashem, he does not face execution by the court, but he violates a grave biblical prohibition.

A child must never impose an oath upon his father that incorporates a conditional curse, nor may he serve as the emissary of a rabbinic court (beis din) to deliver a decree of excommunication (nidui) against his father.

It is strictly forbidden to cause parents any disgrace. Whoever brings dishonor upon his father or mother — even through a disparaging gesture or subtle hint — falls under the divine curse articulated in the Torah: 'Cursed is he who dishonors his father or his mother' (Devarim 27:16).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as we are to resemble Hashem, by not causing any undeserved pain, so are we to avoid using words that will cause pain.

In addition Hashem personifies gratitude for any good deed. Cursing one's parents epitomizes a lack of gratitude towards one's parents. We are therefore to emulate Hashem by expressing our gratitude to our parents by caring for them and not harming them in any way.

11. Not to curse a judge

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 63

As the Torah says, You shall not revile God (Shemos 22:27, Parshas Mishpatim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is the interpretation of the term G-d in this sentence?
- When a person curses Hashem, does he have to use a specific name to violate this prohibition?

SEFER HAMITZVOS HAKATZAR

The term Elohim in the verse 'You shall not curse judges' (Shemos 22:27) refers halachically to dayanim (judges). If someone curses a judge using the Divine Name or a sacred substitute name, he violates two separate negative commandments simultaneously: the specific prohibition against cursing a judge, and the general prohibition against cursing any fellow Jew.

This same verse serves as the biblical admonition against blasphemy (birchas Hashem). If one utters a blasphemous curse using a substitute name of Hashem, he transgresses a negative prohibition. If he blasphemes using the explicit Ineffable Name, his severe penalty is stated directly in Scripture: 'And he who blasphemes the Name of Hashem shall surely be put to death; the entire congregation shall pelt him with stones' (Vayikra 24:16).

In the case of blasphemy, the perpetrator is held fully culpable even if he attempts to retract his words immediately within the brief window of speech (toch k'dei dibbur), as a blasphemous utterance cannot be nullified once spoken.

In the present era, when rabbinic courts do not execute capital punishment, a blasphemer is placed under communal excommunication (cherem), and all people must maintain strict distance from him. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as we are to resemble Hashem, by not causing any undeserved pain, so are we to avoid using words that will cause pain.

In addition, just as Hashem loves justice, so should we love justice. We should manifest a love for justice by respecting the judge - the arbiter of justice, and help to create a culture that respects justice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 69)

This will allow a judge not be intimidated to make the important decisions that he makes. Additionally, this will teach people to respect the judge and his decisions, and not argue with him about them.

RABBEINU MENACHEM RECANATI

While a curse has no direct power it may have an impact. If a judge is cursed he may ultimately decide to resign from his position because he feels that it is a thankless task. He may do this even if he didn't hear the curse directly but heard about it from a third party.

A. NOT TO CURSE ANY LEADER

(Torah Mandated Mitzvah), Sefer Chareidim 24-17.

As the Torah says, You should not curse a leader of your people (Shemos 22:27, Parshas Mishpatim).

SEFER CHAREIDIM

The prohibition against cursing a leader applies to a Jewish king, the head of the Sanhedrin (Nasi), or the Rosh Yeshivah leading the community. Cursing such a leader constitutes a distinct biblical transgression in addition to the standard prohibition against cursing any fellow Jew.

RELATED HASHKAFAH TOPICS:

- Discuss the importance of the respect of authority.
- Discuss the limits of respect for authority.

12. Not to say Lashon Hara

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 77

As the Torah says, You shall not go about as a tale-bearer among your people (Vayikra 19:16, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is it wrong to say negative things about someone if it is totally true?
- What is wrong with speaking Lashon Hara?
- Is it wrong to tell someone that someone else doesn't like him?
- Which is worse, the aveirah of sexual immorality or Lashon Hara? How about murder?
- Who does Lashon Hara effect?
- Is it wrong to praise someone in front of his competitor?
- Can you say a story that is disparaging against someone if it is just for the sake of humor?
- Is it ok to say, "let's not talk about this person, I don't want to say any Lashon Hara about him"?
- Is it ok to say Lashon Hara if the person you are speaking about is right there?
- Is it ok to say things that are not negative in and of itself, but may cause potential damage to someone? For example is it ok to tell someone about a competitor's secret plans for a new business venture if that may ruin the chances of it being successful?

SEFER HAMITZVOS HAKATZAR

Even when one's talebearing (rechilus) — informing one person about what another said or did against him — is completely true, he brings destruction upon the world by sowing discord and animosity between brethren.

Talebearing is an egregious sin capable of precipitating bloodshed and the loss of innocent lives, as tragically demonstrated in Scripture by the catastrophic slaughter of the Kohanim of Nov brought about by Doeg the Edomite (Shmuel I 22:9–19).

An even graver transgression encompassed by this prohibition is speaking derogatory speech (lashon hara). This refers to relating disparaging or harmful information about one's fellow, even when the facts are completely true. (One who invents lies is categorized even worse as a slanderer, motzi shem ra.) A person engages in lashon hara when he remarks: 'So-and-so behaved in such a manner; this was his family background; this is what I heard regarding his conduct,' thereby publicizing disgraceful matters. Regarding such speech, Scripture warns: 'Hashem shall cut off all flattering lips, the tongue that speaks proud things' (Tehillim 12:4).

Chazal taught (Talmud Yerushalmi, Peah 1:1; Rambam, Mishneh Torah, Hilchos De'os 7:3): For three cardinal sins, retribution is exacted from a person in this world while the principal punishment remains for him in the World to Come — idolatry, forbidden relations (arayos), and bloodshed — yet speaking lashon hara is weighed as equal in gravity to all three combined.

Chazal taught further (Yalkut Shimoni, Tehillim §656; Arachin 15b): Whoever speaks lashon hara is regarded as though he denied the fundamental foundation of faith (kofer b'ikkar), the one and only Creator.

Our Sages further declared (Devarim Rabbah 5:10; Arachin 15b): Derogatory speech spiritually kills three people — the one who speaks it, the one who accepts it, and the person about whom it is spoken; and the one who accepts it suffers even greater spiritual harm than the one who uttered it.

There are also subtle expressions that constitute the 'dust' or indirect shades of derogatory speech (avak lashon hara).

For instance, if someone remarks insinuatingly: 'Who could have told so-and-so that he would turn out the way he is today?' or if one says, 'Let us not discuss so-and-so; I prefer not to speak of what occurred with him,' he creates a damaging innuendo that casts a shadow of wrongdoing over his fellow.

Similarly, it is forbidden to praise a person in the presence of his enemies, because excessive or ill-timed praise inevitably incites his adversaries to retort with disparaging remarks.

It is likewise forbidden to speak derogatory words in jest or levity, pretending that the insult was merely playful banter.

It is equally prohibited to convey derogatory remarks through feigned innocence or pretense, subtly relating damaging information while pretending unawareness that the words constitute lashon hara.

The prohibition against lashon hara applies whether the derogatory matter is spoken in the subject's presence or behind his back. Furthermore, one is strictly forbidden from making statements that could provoke friction if repeated, or that might inflict physical injury, financial loss, emotional distress, or fear upon another person.

If a person unjustly denounces a fellow Jew to secular governmental authorities, causing the authorities to seize his property or persecute him, he is branded an informer (moser) and is regarded as though he murdered him and his dependent family. Chazal teach that Gehinnom will consume itself before the punishment of an unrepentant informer is concluded. (See the foundational works Chofetz Chayim and Shemiras HaLashon for the comprehensive laws and spiritual gravity of guarding one's speech)

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as we are to resemble Hashem by not causing any undeserved pain, so are we to avoid using words that will cause pain.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

TALMUD BAVLI

The tongue is compared to an arrow, as the prophet says, "Their tongue is like a drawn arrow, speaking deceit..." (Yirmiyahu/Jeremiah 9:7) How can one fix the consequences of one who speaks lashon hara? There is no remedy. Words of lashon hara are compared to arrows because they cannot be retrieved once they have been shot. (Arachin 15b).

The following is an analogy that is commonly used to explain this concept. One man spread a rumor about another. He later felt regret, and went to the rabbi to ask how to make amends. "Go to the store and buy a bag of seeds," said the rabbi, "then go to a big open field and scatter the seeds into the wind. Do so and report back to me in a week." The man did as he was told, and came back the next week to find out what to do next. "Now," said the rabbi, "go back to the field and pick up all the seeds." "But," protested the man, "those seeds have scattered far and wide! I'll never find them all. Many have even taken root already!" "Exactly," explained the rabbi. "Now you understand. When we speak badly about another person, the effect is far and wide. And it is damage that can never be fully undone."

MAHARAL

Among the most significant gifts that God has bestowed on humanity is the power of speech. This wondrous faculty serves as the vehicle by which a person can articulate and convey his thoughts and feelings, develop relationships with those around him, and express his individuality. By means of speech, a person can connect with his Creator through prayer and can gain atonement by confessing his sins. It is this ability to speak that separates mankind from the animal world; how a person uses it is a most telling indicator of his inner worth. Indeed, it is the distinguishing element in the basic definition of a human being: living and mortal, and possessing the power of speech.

Because the power of speech constitutes the essence of a person's being, the abuse of that power by engaging in lashon hara is a transgression of singular severity. Other transgressions, grave as they may be, sully only the element or limb that commits particular transgression, but lashon hara defiles the entire being. In this light, we can glimpse the meaning in the Talmudic statement that lashon hara is equivalent to all three cardinal sins, idolatry, immorality, and murder.

RABBI ELCHANAN WASSERMAN

The highest function of speech is to give voice to Torah and prayer. Through these holy words a Jew has the power to bring God's blessing to the rest of the universe. As it says in Yeshaya, "I have put My words in your mouth... To plant the heavens and lay the foundation for the earth (Yeshaya 51, 16)". Earthbound as we are, we lack the capacity to grasp the nature and extent of the cosmic changes produced by every holy utterance. Only after passing to the next world, when an accounting is made of all of one's deeds, is a person shown just what his words of Torah and tefillah accomplished for the world (Nefesh Hachaim 1:13).

As the vehicle of all this holiness, a mouth that is used to speak words of Torah becomes holy. It attains the sacred status of the vessels used in the Temple service (Ohr Hachaim, Bamidbar 26:23). Given the sanctity attached to a mouth used for Torah, one must be careful not to defile it with forbidden forms of speech. (Pete Yo'etz, Sichah).

When one's power of speech is guarded in sanctity, the prayers it produces are capable of piercing the heavens to arouse Divine mercy (Pele Yo'etz ibid.). In its pristine state, the faculty of speech is infused with great power; a mere utterance can change the course of events. Only when it is sullied by forbidden speech does its power fade, just as a knife coated with rust will not cut effectively until the rust is removed (Kovetz Shiurim, Kesubos 62a).

SEFER HACHINUCH (MITZVAH 236)

Saying derogatory or harmful remarks about others, or recounting to a person what another has done or said against him (rechilus), do much to spread hatred and instigate strife. In His concern for the welfare of His creatures, God forbade these practices so that our lives may be blessed with peace and harmony. It is instructive to consider the nature of the harm caused by rechilus. As long as the victim does not know that he has been disparaged by his fellows, he will continue to relate to his detractors with civility and goodwill. It is likely that, in the course of time, those who spoke badly of him will regret their hurtful remarks and resume their friendly attitude, whereby peace will be restored. A gossipmonger derails this healing process by informing the victim of what was said about him. The speakers, realizing that their victim has learned about their conversation, will assume that he is now filled with animosity toward them, and they may respond with even greater hostility than before. In this way, the gossip not only destroys a chance to restore peace, but magnifies any ill will and deepens the existing rift.

The propensity of lashon hara and rechilus to promote hatred and strife can even ultimately bring death to innocent people. This is what occurred in Samuel 1 Chapter 22, when Do'eg HaAdomi conveyed a malicious report about Nov, the city of Kohanim, to King Shaul, who responded by killing out the city's inhabitants. This explains the sequence of the two mitzvos contained in our verse (Vayikra 19:16): You shall not go about as a gossipmonger among your people; you shall not stand idly by [while] your fellow's life [is in danger].

RAV SAMSON RAPHAEL HIRSCH

Apart from the havoc a talebearer wreaks on reputations and relationships, he damages the fabric of society simply by exposing details of others' personal affairs or private conversations. Every community is composed of many smaller circles - private households, extended families, friendships, and broader fraternities.

The members of these groups converse and interact with the confidence that what they say and do will not spread beyond their circle. Violating this confidence breeds mistrust, creates ill will, and wears away the bonds of family and friendship that constitute the building blocks of a healthy and productive society. This mitzvah therefore warns us: Do not reveal private information about your fellow, unless you are certain that he has no objection to your doing so (R' Samson R. Hirsch. Vayikra 19:16).

RAV MOSHE ROSENSTEIN — YESODEI HADA'AS

By exposing his listeners to a fellow's wrongdoing, one who speaks lashon hara causes spiritual harm to the entire community. Human nature is such that the mere knowledge that there are others who do not shirk from wrongdoing desensitizes a person to evil. Even those who are not drawn to sin are affected, for their performance of mitzvos becomes weakened, less committed, and less enthusiastic, and at the same time the revelation that their neighbors have failings can tempt them to fall into the trap of self-righteousness. It would be far better for them to hear about the good and the noble in the people around them. They might then be humbled when contrasting their own inadequate good deeds with the abundant accomplishments of their more righteous peers. That gentle social pressure might encourage them to improve themselves.

RABBI YONAH BEN ABRAHAM GERONDI (13TH CENTURY)

In the future, say our Sages, all the animals will gather together and confront the snake. They will say, "Other animals kill their prey in order to sustain themselves. But you! What do you gain when you bite and kill?" The snake will reply (Koheles 10: 11): And what benefit is there for the talebearer? (Arachin 15b). Defaming another person is unmitigated cruelty, for the defamer gains nothing but the sadistic pleasure of harming a person by bringing disgrace upon him. The Sages therefore considered this crime a form of heresy: "One who speaks lashon hara is considered as though he has denied God's existence" (Arachin ibid.). For it cannot be that a person, without any gain to himself, would subject his fellow to a form of suffering more painful than death unless he has thrown off the yoke of God's rule and engages in evil for evil's sake.

RABBI M. SHLANGER, MIDOT HA'EMUNAH

The Talmud in Arachin 15b says: Regarding anyone who speaks lashon hara, God says: "He and I cannot coexist in the same world. The meaning of this statement is that the world of the speaker of lashon hara is a contradiction to the world that God has created.

To explain: It is axiomatic that the world is imperfect and has deficiencies. The way God guides events in the world is to lead it to its ultimate perfection. This applies to each individual as well. Each person has imperfections and deficiencies, but God, in His compassion sees the good within each person as his true essence, and assists him to reach his own personal perfection.

With this perspective there is no place for categorizing someone as lacking because of his inadequacies, because he is, after all, on his way to perfection! The habitual speaker of lashon hara emphasizes the negative aspects of others, and in so doing gives these weaknesses reality and permanence. By doing this, he removes himself from the world that God has created, a world that is completely directed for moving toward perfection. (Middos HaEmunah, p. 54)

SFAS EMES

• In Parshas Metzora, the Torah introduces the purification of the slanderer: "Zos tihyeh toras ha-metzora b'yom taharoso, v'huva el ha-kohein" — "This shall be the law of the leper on the day of his cleansing: he shall be brought to the priest" (Vayikra 14:2). He explains that speech is not just another physical limb. The tongue is connected directly to the heart and the lungs. It draws upon the deepest breath of human life. When a person speaks holy words of Torah and prayer, his speech purifies his entire physical bloodstream. But when he speaks slander, he pollutes his inner vitality at the source! When we speak words of kindness, we steer our entire body toward Hashem. But when we indulge in slander, we crash our entire life against the reefs of sin (Sfas Emes, Vayikra, Metzora 5635).

• In Parshas Metzora, the Sfas Emes returns to King David's call in Tehillim: "Guard your tongue from evil, and your lips from speaking deceit; turn from evil and do good; seek peace and pursue it" (Tehillim 34:14–15). Why does the Psalmist conclude the laws of speech with the command to "seek peace"? The Sfas Emes explains that evil speech is the ultimate engine of separation. When a person gossips, he tears apart friends, divides families, and splinters the Jewish people into hostile factions. The root of slander is arrogance—the delusion that you are superior to your neighbor! But when a person humbles his ego, he recognizes that all Jews are limbs of a single body. You would never slander your own right hand! When all of Israel stands together as one, the plague of slander vanishes from our midst (Sfas Emes, Vayikra, Metzora 5639).

• The Torah introduces the laws of skin afflictions with the words: "Adam ki yihyeh b'or besaro se'eis o sapachas" — "When a person has on the skin of his flesh a swelling or an eruption" (Vayikra 13:2). Why does the Torah emphasize that the affliction appears specifically on the skin (or)? The Sfas Emes explains the spiritual origin of human skin. In the Garden of Eden before the first sin, Adam and Chava were clothed in garments of light (kasnos or with an aleph). Their physical bodies were transparent windows through which the soul shone forth into the world. But after the sin, Hashem made them garments of skin (kasnos or with an ayin), creating a physical barrier between the soul and the outside world. The leper's skin turned white because all the life-force drained away from the surface! By guarding our speech, we keep the spiritual pores of our bodies open, allowing the light of the soul to illuminate our physical lives (Sfas Emes, Vayikra, Metzora 5632).

• In the Gemara (Yoma 44a, Zevachim 88b), our Sages teach that each of the priestly garments and altar offerings atoned for a specific transgression. The Gemara asks: What atones for evil speech? The Sages answer: The sweet incense (ketores) offered on the Golden Altar! The Gemara explains: "Let that which is done in secret come and atone for that which was done in secret." The Sfas Emes explores why the incense atones for lashon hara. In a discourse for Purim, he notes that while ordinary sacrifices were accompanied by the loud singing of the Levites and the blast of silver trumpets, the incense was offered in total silence inside the Holy of Holies. It proved that pure inwardness has far more power than noisy gossip. When we choose to stay quiet in secret, we refuse to repeat a rumor, our silence rises like sweet incense in the nostrils of Hashem (Sfas Emes, Moadim, Purim 5648).

• In Midrash Vayikra Rabbah (16:2), Rabbi Yannai tells a celebrated story about a peddler who walked through the marketplace of Tzippori shouting: "Who wants to buy the elixir of life?" The peddler pulled out a Book of Tehillim and pointed to the verses: "Who is the man who desires life, loving days that he may see good?" The Sfas Emes explains that the peddler taught Rabbi Yannai a practical secret about the human soul. Life (chayim) does not mean merely breathing and eating. Life means connection to the living God! Within every Jew, there is a deep reservoir of divine life. But that life-force can only remain inside you if you keep the reservoir sealed! The

Sfas Emes writes: the peddler called out "who wants life," to teach that guarding the tongue preserves the inner core of life from scattering outward into the dust! Guarding our speech is the lid on our soul. When we keep the lid on, our warmth never fades (Sfas Emes, Vayikra, Metzora 5632).

RELATED HASHKAFAH TOPICS:

- Discuss the idea of kitrug, and how the satan does not have the power to prosecute unless we create a kitrug with Lashon Hara
- Discuss the idea of our switching our mitzvos for the victim's aveiros, as a result of Lashon Hara.
- Discuss the idea of how the words you say cannot be taken back, like throwing feathers in the wind.
- Explore the concept of speech being the essence of a person
- Why should a misuse of speech affect a person's character more than other transgressions?
- Explore the concept of the world being led toward a more perfect state. Do you observe that in history?
- If there is no real gain in speaking lashon hara, why do people do it?
- Explore the concept of positive peer pressure
- Explore the concept of respecting people's privacy. What other application can this have?
- Explore the parameters of Lashon Hara Letoeles

MORAL DILEMMAS:

Dr. Rosenbloom was a prominent Jewish surgeon. He once prescribed a surgery for which there was a 1% chance of a severe complication occurring. Because it was only a small chance, Dr. Rosenbloom decided not to tell the patient about it. "Why needlessly worry the patient", he reasoned. After the surgery, which was done successfully and without a hitch, lo and behold, that very rare complication developed. The patient's body did not respond well to the procedure. The patient was now in grave danger and would have serious complications thereafter. Dr. Rosenbloom was very distraught. He wondered if he was negligent with not having told the patient about this small possibility. Did he owe the patient any compensation because he never warned him? What do you think is the Torah perspective on this question?

Answer: Regarding the question of the "One percent chance", Rav Elyashiv answered that this is considered Lo schiach and the doctor did not have to inform the patient about that possibility.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

There was once a religious Jew named Zev. Zev was a wealthy business man in his thirties who was married with two young children. Zev's wife Hadassah did not work, and was financially dependent on Zev. One day Zev suddenly felt very ill. Zev went to his doctor, Dr. Ross and the doctor informed him that he had a very aggressive form of cancer and likely only had a few weeks to live. Zev, shocked, accepted the news. He then told the doctor as follows. "Ok I accept the fact that you have given me a very dire prognosis. However I plan on not letting anyone in my family know. I insist that you do not tell my wife, so that I could spend my last days with her and my family without anxiety". Dr. Ross was a religious Jew and he felt very strongly that it is really wrong not to let the wife know. Zev should give her time for her to be able to prepare financially, and emotionally. At the same time Dr. Ross was explicitly told by Zev not to say

anything. In addition Dr. Ross was constrained by HIPAA laws that forbid divulging patient information. Dr. Ross felt very torn. On one hand he felt that it was extremely harmful not to tell the wife, but on the other hand did he have a right to reveal this secret? According to the Torah, what do you think is Dr. Ross's responsibility?

Answer: Rav Yitzchak Zilberstein distinguishes between two cases of medical confidentiality: when a patient conceals a condition that endangers or defrauds a prospective spouse, the doctor must ensure the spouse is protected. However, when a terminally ill patient begs doctors not to tell his wife or frail parent that his days are numbered, and the patient's realizing that his secret was disclosed against his wishes could cause him acute mental anguish (tiruf ha-da'as) that hastens his deterioration, doctors should respect his request and withhold the prognosis so as not to endanger the patient.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 49

A woman works in her father's medical office. She realizes that her father is cheating on his insurance billing. She protested several times to her father, but he kept denying it and pushing it aside. She feels that she should inform the authorities, but wondered if the normal dispensation of lashon hara letoeles would not apply if, in addition, to violating lashon hara, she would also violate the prohibition of embarrassing her parents. Should she inform the authorities?

Answer: For the sake of helping her father stop his crimes, she should report it.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 125

Rabbi Weiss was a very popular high school maggid shiur. His shiurim were renowned for their "geshmak" and excitement. One day Rabbi Weiss's talmidim decided that they would collect all of the shiurim from the past ten years and have the shiurim copied to CDs and then distributed to many of the shuls in the area and sent to all of the alumni. The talmidim ordered 5000 labeled CDs. After the talmidim brought the completed boxes of CDs to Rabbi Weiss, he asked to listen to a few of the recordings at random. He listened for a few minutes and was very pleased. But then he came to a part of the class that disturbed him. In the recording, there was a question asked by a student. The class burst out laughing at the student's question. In the recording Rabbi Weiss said, "Chaim Schwartz, I asked you many times not to make jokes in the middle of class. This cannot be tolerated, please pack up your things and leave the class". Rabbi Weiss turned to another part of the CD from a different day's lecture. Once again there was a disruption, and Rabbi Weiss called out Chaim Schwartz by name and rebuked him for disturbing the class. The truth was that Rabbi Weiss was very close to Chaim Schwartz. Chaim was a hyperactive student in high school but in twelfth grade, he turned his life around. He was now married with young children and he was known as a budding Torah scholar. Rabbi Weiss wished those disruptions would have been edited out of the lectures. But now that 5000 CDs were already printed he was very torn. Was he allowed to distribute the disks? On one hand, it would likely be embarrassing to Chaim to widely publicize his disruption and his public rebuke. But on the other hand, perhaps people would realize that it was a long time ago and things might be different now. Also, was Rabbi Weiss required to throw out all 5000 CDs to prevent a possible embarrassment? Also perhaps people would realize that it was done in the course of educating the students and it would not be lashon hara. What do you think? Was he allowed to let the CDs go out?

Answer: Regarding the question about distributing the CDs with the audio of a student misbehaving and the teacher rebuking, Rav Zilberstein wrote that it would not be permitted to distribute such CDs.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bamidbar, p. 186

A city in Eretz Yisrael was having an election for mayor. Chaim, a religious fellow, decided to take it upon himself to oppose one of the candidates. For whatever reason, Chaim felt that this candidate was unfit for the job and had a bad character. He made posters and flyers explaining why this person shouldn't be elected and put them in every single shul in town. He posted them in the shuls erev Shabbos, assuming everyone would see them over Shabbos. When Chaim got home that Friday night, he was approached by a close friend. The friend explained to him that what he had done was public lashon hara -- he was embarrassing the candidate and setting himself up for severe divine punishment. Chaim thought about it and felt very bad. He decided to remove all the signs. He planned to spend the rest of Shabbos going to every single shul to take down the posters. But he wondered: would taking down the signs that were attached be a problem on Shabbos? Normally, it's not allowed to take down posters because of the prohibition of kore'a (tearing). But in this case, would there be a heter in order to avoid continuing the violation of lashon hara? Chaim brought the question to Rav Zilberstein. What do you think? Would he be allowed to take down all the posters on Shabbos?

Answer: Regarding the question about the man who wanted to take down the signs on Shabbos, Rav Zilberstein wrote that, ideally, a non-Jew should be asked to remove them. If that is not possible, then, since removing the signs is only rabbinically prohibited due to it being mekalkel, when combined with the kavod habriyos (human dignity) of the person being slandered, along with the opportunity to prevent further lashon hara (harmful speech), it may be permissible to take the signs down.

— Source: Rav Yitzchak Zilberstein, Shabbos Besimcha, p. 166

Yehuda was riding on a bus in Eretz Yisrael. In front of him was a middle-aged man talking on the phone. The man was talking out loud; "Chani, as you know, there was a shidduch redt for our daughter to a boy named Yisrael Berman. Before they go out, I will go to his yeshivah, Yeshivas Ohr Eliyahu, to observe him and see how he acts among his friends, how he learns, and how he davens. I will be home later tonight." Yehuda, who was sitting behind the man, knew Chaim Berman from Yeshivah Ohr Eliyahu. He often sat next to him in the dining room. Yehuda had a plan. He was going to get off the bus right away and run ahead of the man. Then he would tell Chaim about the fact that the man was planning to watch him the whole day. Yehuda found Chaim and said, "Your possible future father-in-law will be coming to the yeshivah to watch how you act, how you daven and how you learn. You better be on your best behavior." Chaim greatly appreciated the heads up and told Yehuda that he intended to act his best. But later, Yehuda felt conflicted about his choice. The man on the bus wanted to see how Chaim Berman acted when no one was watching. He didn't want to watch a "show." Perhaps it was wrong to tell Chaim about the fact that he was going to be observed. Perhaps he was contributing to misleading the man and the girl. Yehuda sent this question to Rav Zilberstein. Was it wrong of him to give Chaim the heads-up that the man was planning to watch him? What do you think?

Answer: Regarding the question about giving a friend a heads up that he is being observed by a potential father in law, Rav Zilberstein answered as follows. If the young man is able to put on his best behavior, that means he has the potential to act that way. Therefore it is permitted to tell him that he is being observed. It would be best to add, "I hope that you have the good middos that the man is looking for."

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 126

Chaim was a fundraiser for a well known yeshivah in Eretz Yisrael. The Yeshivah was headed by a very well respected and renowned Rosh Yeshivah. For the purpose of our story let's call this Rosh Yeshivah Rav Avraham Katz. One day Chaim traveled to the United states for a fundraising trip for the Yeshivah. Chaim made an appointment with Mr. Zucherman who was a renowned and respected philanthropist, and well known supporter of Torah institutions. Mr. Zucherman was fabulously wealthy and used his money very well to support Torah causes. Mr. Zucherman met Chaim in his palatial home office. Chaim introduced himself and told him that he was collecting money for the Yeshivah of

the gaon, Rav Katz. Mr. Zucherman listened politely but replied as follows: "Reb Chaim, it's an honor to meet you and I wish you only success. But unfortunately I have already had a loss of a quarter of a million dollars because of Rav Katz and I'm afraid I'm unable to donate any more. Please let me explain. About a year ago, Mr Siegal, who is a real estate investor, came to me for a business loan for an exciting proposal about a real estate development project. Mr Siegal described his idea and needed a loan of $250,000 dollars for the project. He took out a letter from your Rosh Yeshivah, Rav Katz. The letter described Mr. Siegel in glowing terms as a Torah scholar and a successful businessman. The letter said that anyone who assists Mr. Siegel on his real estate project will be blessed in every way. The letter further promised that the Rosh Yeshivah would personally be a guarantor for the loan in the case of any unforeseen developments. After seeing the Rosh Yeshivah's letter I gladly wrote out a check to Mr. Siegal for $250,000. Unfortunately the real estate project that Mr. Siegal was overseeing went south. About a month later, Mr. Siegal came to me and said the money was lost and he didn't see a way to recover it. Mr. Siegal is a respectable businessman, and I understood. These things happen in business. I told him the money was forgiven. I then remembered the letter he had shown me saying that Rabbi Avraham Katz was going to guarantee the loan. It crossed my mind to ask Rav Katz for the money, but I decided that out of respect for the Rav, I would forgive him the money as well, and write off the loss. So back to our matter at hand. I trusted Rav Katz's recommendation about investing with Mr. Siegal, but sadly my quarter of a million was lost. I'm afraid I'm unable to make another donation at this time." Reb Chaim the fundraiser understood and parted ways with Mr. Zucherman, the philanthropist. A few days later, Reb Chaim related Mr Zucherman's story to Rav Katz, the Rosh Yeshivah. When Rav Katz heard the story, he was silently stunned. Rav Katz knew Mr. Siegal but he never wrote a letter of recommendation to invest in his business. He certainly never guaranteed a loan to him. Without knowing any further details, it seemed that Mr. Siegal might not be the respected businessman people thought he was. It seemed that he was also a cheat and a liar. From the story it seemed that Mr. Siegal had forged a document with Rav Katz's name. Because of Mr. Siegal's forgery, Mr. Zucherman now lost trust in Rav Katz. Silently to himself, Rav Katz considered picking up the phone and calling Mr. Zucherman immediately to tell him that Mr. Siegal forged his name and that he might be a liar and a cheat. But then he hesitated. What would be the purpose of telling that to Mr. Zucherman? Mr. Zucherman currently had a congenial relationship with Mr Siegal. Mr Zucherman already forgave the loan, and was not expecting the money back from Mr Siegal or Rav Katz. Would there be a purpose in telling Mr. Zucherman that he never wrote the letter? On one hand it would clear his name and perhaps gain Mr. Zucherman's trust in Rav Katz. But on the other hand, it would destroy Mr. Siegal's reputation. Perhaps instead he should call Mr Siegal and make sure that he never again writes a letter in his name. Perhaps he should leave Mr. Zucherman out of it, and not let others know what Mr Siegal did. In short, can Rav Katz share the truth about what Mr. Siegal did and destroy his reputation, in order to clear his own name? This question was asked to Rav Yitzchak Zilberstein. What do you think?

Answer: Regarding the question about whether the Rosh Yeshivah could expose a crook, in order to clear his own name, Rav Zilberstein wrote that The Rosh Yeshivah would be allowed to, but it would be Midas Chasidus, a matter of great piety to not do so. However if it would cause a Chilul Hashem regarding the Rosh Yeshivah, then he should reveal the crook's actions.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos p. 474

Yitzchak needed his house painted. He opened the Jewish phone book and called a local Jewish painter named Aron and asked for an estimate. After Yitzchak described the house, Aron said it would cost about 1000 dollars. Yitzchak thanked him and told him he would think about it. Yitzchak then called the next painter in the phone book, called Nachman. After describing his house, Nachman gave a price of 2000 dollars. "I don't understand", Yitzchak said. "I called another painter and he said it would be $1000, why are you asking for double that price?" Nachman calmly replied, "I know I am an expert in my field. In my opinion, $2000 is a very fair price for the job you described to me.

But if it is true that someone is offering to do it for $1000 then I can offer you a discount and do it for $1800, but I can't go any lower." Yitzchak thanked him and said he would consider it. Yitzchak then called the first painter, Aron, and asked him to come over to do the paint job. Aron came by the next day with his truck. After looking at the size of the house and fully realizing what the job would entail, Aron said, "I'm sorry, after seeing the house, I can't do this for anything less than $2500. This is really a big job". Yitzchak told Aron that he was unable to afford that price and they agreed to part ways. Yitzchak then picked up the phone and called the second painter, Nachman, who had offered to do it for $1800. But then he hesitated. Yitzchak realized that the only reason that Nachman agreed to give him a price of $1800 was because he thought someone else was willing to do it for $1000. But it turned out that the $1000 estimate was really fake. Aron was never willing to do the house for that much. Yitzchak wondered if he had to be fully transparent with Nachman and tell him that the other painter was in truth not willing to do it for $1000. On one hand, the other painter did tell him that price. But on the other hand, if Nachman would be told that the other painter could not honor the $1000 estimate, perhaps he would charge $2000 and not $1800. What do you think? Did Yitzchak have an obligation to tell Nachman the truth about the other painter?

Answer: Regarding the question about the two painters, Rav Zilberstein wrote that the customer does not have to tell the painter that the first estimate was not accurate because it is normal for a seller or contractor to state a higher price with the assumption that they will accept a lower price.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bamidbar, p. 128 (Table Talk Edition 242)

STORIES FROM OUR SAGES:

❖ When Hordus (Herod) killed all the sages, he left Bava ben Buta alive, although he poked out his eyes. Once a man came to Bava and began speaking to him, telling him evil things about Hordus and trying to make Bava agree with him. But Ben Buta did not allow the man to cause him to speak evil about Hordus. Finally the man revealed that he was Hordus himself, and that he had wanted to test Bava's loyalty. He said, "Had I known that the rabbis were so cautious, I would not have killed them. What can I do to make amends?" Bava suggested that "since you extinguished the light of the world (i.e., the Torah scholars), go and attend to the light of the world (i.e., the Holy Temple)." Hordus replied, "I am afraid of the Roman government' Bava ben Buta advised, Send a messenger, and let him take a year on the journey and let him remain in Rome for a year, and let him take a year coming back. Meanwhile, you can demolish and reconstruct the Temple." Hordus complied, and he renovated the Temple, making it into a magnificent structure. It was said, who has not seen the Temple of Herod has never seen a beautiful building in his life."

Talmud Bavli, Bava Basra 3b-4a

❖ Once a sectarian in a large crowd of people who were waiting to see the king pass by, taunted R' Sheshes, claiming that because of his blindness he would not be able to know when the king was passing by. He attempted to mislead R' Sheshes, but R' Sheshes was nevertheless able to identify the exact moment of the king's passage. When he was asked how he was able to do this, he replied, "The earthly kingdom is like the heavenly (1 Kings 19:12-13), and God's appearance is announced by a deep silence."

Talmud Bavli, Berachos 58a

INSPIRATIONAL STORIES:

❖ "My new palace needs drapes and upholstery and new royal garments must be made for the members of my court. Summon the most experienced weaver in the land so that I may order him to prepare me the materials." Soon the country's most renowned weaver was standing before the king who gave him the following instructions: "You will be supplied with a great warehouse or cotton and wool and hundreds ml weaving machines will be put at your disposal. My designers will give

you instructions as to what sort of weaves I desire and you will be paid well for your services. If you do exceptional work you will be rewarded with special honors. The weaver then joined the king's finance minister in a tour of the machines. After they had inspected all of them they stood in front of one strange new machine with wires running from its side. "I am fully familiar with all of the two hundred and forty-seven other machines," he said to the finance minister, "but I have never operated this strange machine before. Perhaps you can explain it to me." "This machine is powered by electricity," the minister explained. "It can weave in minutes what the other machines do in a day. But you must be extremely careful. For it the slightest thing goes wrong with a wire or a switch this machine can ruin more material in minutes that all the others can produce in a day." Every one of man's 248 parts is geared towards one of 248 positive Mitzvos which he is commanded to observe. But his mouth is the "electric" part of his body for it provides him with the quickest opportunity for success or failure. In minutes he can say hundreds of words of Torah which will bring him tremendous spiritual profits. But if he misuses this gift he can violate hundreds of prohibitions against gossip, lies and lashon Hara in the same short span of time.

Who Wants Life?, By Rabbi Zelig Pliskin

❖ One of the students at Beth Medrash Govoha in Lakewood had the special privilege of serving the Rosh Yeshivah, Rav Aharon Kotler, his daily cup of coffee during the days he spent in Lakewood, generally twice per week. One day, after placing the coffee on his rebbe's desk, the student passed the office and noticed that the cup was untouched. He slipped in, removed the cold cup of coffee and returned with a piping hot replacement, assuming that the Rosh Yeshivah had simply forgotten his coffee because he was so engrossed in his studies. Several minutes later, he passed by the office, noticing that again the coffee remained untouched. At this point, the student realized that it was not merely a matter of concentration; there must have been a distinct reason. With proper apologies he approached his rebbe for an explanation. "I'll share my thoughts with you," Rav Aaron remarked. "A certain family with whom I'm friendly is taking an interest in a former student of the yeshivah regarding a marriage prospect. It is very likely that they will call me to inquire about him. "Praising him with attributes he does not possess is a Torah prohibition on two counts, midvar sheker Lirchak — 'distance yourself from words of falsehood' — as well as lo saamod al dam reiacho — 'do not be oblivious to the spilling of another person's blood,' for if unknown negative traits ultimately lead to discord or divorce, it is directly attributable to the fact that honest information was withheld. On the other hand, I don't feel comfortable divulging my true feelings, since there is always the possibility that, once married, the couple will be happy with one another. My remarks might very well cause the needless disintegration of a shidduch. "it is indeed an awesome responsibility that I'm facing. For this reason I have designated this day as a day of fasting and prayer to Hashem that He grant me a kindness and spare me from this call." This anecdote was related to the late Rosh Yeshivah of Manchester, Harav Yehuda Zev Segal, while he was visiting the United States. He was so inspired by Rav Aaron's meticulousness in guarding each word he uttered, that he remarked: "Had I come to America just to hear this beautiful story, it would have sufficed."

Noble Lives Noble Deeds, Vol. 1, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ "Who left the garden gate open?" shouted the villager as he entered his cottage. "Those blasted goats have been at the vegetables again. It's bad enough that they jump over the wall every once in a while and do their damage. How many times do I have to warn you to keep the gate closed or we won't have any garden left." His frightened family promised to follow this rule in the future, and for a few days everything went well. But one day one of the children, in a hurry to join his friends, forgot to shut the gate. Some neighborhood hogs entered the garden and pulled out all the vegetables with their roots. When the villager returned home and saw what had happened he became furious. "That's the last straw. We need vegetables from our garden in order to have enough food to eat, I see that I can't rely on my family to keep the garden gate shut so I am going to wall up the gate opening so that those hogs will never get in again to destroy my garden." "But Father," asked one of his children, "how will we get in and out of the house if there is no gate?" "I am sorry," was the reply, "but we will just have to climb over the wall each time." "But won't it look ridiculous climbing over a wall every time you enter or leave home?" "It's better to look a little ridiculous," replied the father, "than to go hungry." A person's lips are the gate for his

tongue. Whenever there is a temptation to speak evil gossip or make fun of somebody, the gate must be closed so that the hogs don't enter. But if a person sees that he surrenders to the temptation of misusing his power of speech, then he must sometimes wall up the gate by periodic exercises in silence. He may seem ridiculous to others as he tries to get along without speaking, but if this is the only way to save himself from the terrible sins of a careless tongue then it is better to look silly in this world than to be ashamed in the World to Come.

Who Wants Life?, By Rabbi Zelig Pliskin

❖ Rav Yitzchak Elchanon Spector didn't just counsel people but he would actually go around collecting for them. He was going around collecting for a person who had suffered a series of difficulties. He came to a very wealthy man. The man offered him 25 rubles if he would tell him who he is helping, Rav Spector refused. He offered 100. He still refused. He offered to give him all of the money. R' Spector said even if you would give me all of the money you have I cannot undermine the respect for another Jew. That is worth much more. The man said, do you mean there is nothing I can do to make you tell me who it is. He said no. So the man said in that case I would like to speak to you privately. I have a problem that has been burning inside me but I couldn't ask advice because I am afraid of anyone finding out about it. I never found someone I can trust. But I have finally found you.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 113

❖ Rav Yosef Tendler would teach the following story. In a certain city, allegations were made that the shochet did not check an animal's lungs properly. A dispute resulted, with lashon hara being said by both sides. Rabbi Chaim Volozhin pointed out that checking the lungs is a rabbinical obligation, whereas the prohibitions of lashon hara and dispute are Biblical. Those who wanted the ruling of the rabbis to be kept properly were lax about the Biblical prohibition.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 218

A. NOT TO SPEAK BADLY ABOUT THE JEWISH PEOPLE

(Rabbinically Mandated Mitzvah), Sefer Chareidim 47-23

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Would it be permitted to speak badly about the Jewish people if a majority of the generation is behaving wickedly?

SEFER CHAREIDIM

Scripture cautions: 'Do not slander a servant to his master' (Mishlei 30:10). In the eighth chapter of Tractate Pesachim (87b), Chazal explain that one must never speak critically or disparagingly about Klal Yisroel before the Almighty, even when addressing a generation plagued by widespread wrongdoing. A poignant proof is found in the prophet Hoshea, who was severely rebuked and punished by Hashem for speaking critically of the Jewish people rather than praying for their redemption, even though that generation was steeped in sin.

STORIES FROM OUR SAGES:

❖ Once when he and R' Abbahu went to Caesarea (which was inhabited by many Hellenized Jews), R' Abbahu said, "We are entering a city of blasphemers." Reish Lakish got off his donkey, picked up a piece of earth, and put it in his mouth. When R' Abbahu questioned him, he said. "The Holy One, blessed is He, does not desire one who speaks evil of Israel."

Shir HaShirim Rabbah 1:6

INSPIRATIONAL STORIES:

❖ Rav Mordechai Schwab would always try to see things positively. It is possible that by nature he was not naturally positive. However, he certainly made seeing things positively a part of his avodah. He would try to point out the positive aspect of a situation. When talking about Eretz Yisrael or Yerushalayim he would quote the verse (Tehillim 128:5) stating "U're'eh b'tuv Yerushalayim", see the good of Yerushalayim. Once, on a visit to Yerushalayim, he met an acquaintance who was complaining that he just came back from Kever Rochel and was very upset to see a woman visiting the holy site with her dog. Rav Mordechai appeased him by explaining that he is not viewing the situation correctly. A better approach is to think that Kever Rochel is so inspiring that even a woman who doesn't realize the inappropriateness of visiting such a holy site with her dog goes there for inspiration.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

B. NOT TO LISTEN TO LASHON HARA

(Torah Mandated Mitzvah), Sefer Chareidim 23-3

As the Torah says, "Do not carry a bad report" (Shemos 23:1, Parshas Mishpatim)

SEFER CHAREIDIM

We are explicitly commanded not to accept lashon hara as truth (kabalas lashon hara). If one hears derogatory speech, he must never believe it in his heart as verified fact. Included within this prohibition is the obligation to avoid intentionally listening to gossip or disparaging remarks about a fellow Jew. Chazal find an allusion to this duty in the positive commandment, 'You shall have a spade (yated) among your gear' (Devarim 23:14), which they homiletically interpret as aznecha (your ear) — teaching that if an improper remark is spoken, one should insert his fingers into his ears like pegs to block out the forbidden speech.

MORAL DILEMMAS:

A doctor worked in a hospital in Israel. All the doctors had cubbies where their mail was deposited. The mail person accidentally put the mail of his colleague in his cubby. His colleague was one of the biggest experts in his field in Israel. When he opened the mail he realized that a hospital from America which has a very small Jewish population was recruiting this doctor to join them to work with them. The doctor saw this mail accidentally. Can he tell the hospital management what he saw in order to keep him in Israel helping Jews? They can perhaps preempt his decision by offering him a bigger salary. Or would that be a breach of privacy and 'megaleh sod'?

Answer: Rav Yitzchak Zilberstein analyzes the Cherem of Rabbeinu Gershom against reading another person's private correspondence (Be'er HaGolah, Yoreh De'ah 334). Once the physician inadvertently opened the misdelivered letter without realizing it was addressed to his colleague, he did not violate the ban in opening it. Furthermore, since the departure of this brilliant specialist abroad would cause a serious loss to patients in Eretz Yisrael, he is permitted to quietly inform the hospital administration l'to'eles (for a constructive purpose) so they can offer to improve the colleague's salary and retain him in Eretz Yisrael.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 53

A person was sitting and engrossed in Torah study when two men entered the adjoining room and began speaking privately. Is the scholar obligated to leave the vicinity to avoid overhearing their confidential conversation? Furthermore, if he inadvertently overhears them planning to inflict severe harm upon his family, is he permitted to intentionally eavesdrop or even secretly plant a recording device to ascertain their malicious plans?

Answer: He is normally not allowed to listen to their conversations but if they're planning to harm him he is allowed.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 45

Zev was once sitting in a shul learning Torah. Two men came into the shul and began to talk in the ezras nashim, the women's section. They didn't notice that Zev was learning across the partition. Then one of the men began to discuss a very painful, sensitive and personal issue. When Zev heard the conversation, it was clear to him that had the men known he was there they would not have discussed this out loud. Zev tried closing his ears, but he was still able to make out the conversation. Zev wondered to himself if he was obligated to close his Sefer, his Torah book and leave the room in order to avoid eavesdropping on this private conversation. On one hand he was not allowed to listen in on this conversation. But on the other hand, he was in the shul first. He was doing what he was supposed to be doing. Why was it fair that he would have to leave because these men decided to talk there? Maybe it was their fault for not talking in a more private place. What do you think? Was Zev required to close his sefer and leave the shul?

Answer: Based on the Me'iri (Bava Basra 2a) and Rabbeinu Gershom's ban on prying into private communications, Rav Yitzchak Zilberstein rules that while sitting in a public study hall is completely permitted, once one realizes two people nearby are discussing a private personal matter believing they are alone, it is forbidden to intentionally eavesdrop on their secret conversation (unless one has reasonable grounds to suspect they are plotting harm or fraud against oneself or others, in which case listening to protect against damage is permitted).

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 45 (Table Talk Edition 014)

STORIES FROM OUR SAGES:

❖ It once happened that a traveling peddler was making the rounds of the towns near Sepphoris, calling out in the streets: 'Who wants to buy the Elixir of Life?!' Everyone crowded around him to see what potion he was selling. Rabbi Yannai was sitting and studying in his upper chamber when he heard the peddler shouting, 'Who wants the Elixir of Life?!' Rabbi Yannai leaned out and said to him, 'Come up here and sell it to me!' The peddler replied, 'Neither you nor people like you need what I am selling.' Still, Rabbi Yannai pressed him until the peddler climbed up to his chamber, pulled out a Book of Psalms, and pointed to the verse (Psalms 34:13–15): 'Who is the man who desires life, who loves days to see good? Guard your tongue from evil, and your lips from speaking deceit; turn from evil and do good, seek peace and pursue it!' Rabbi Yannai marveled and declared: 'Even King Solomon proclaimed the same truth (Proverbs 21:23): Whoever guards his mouth and his tongue guards his soul from troubles! All my life I have been reading this verse in Psalms, and I never realized how simple and direct its meaning is until this peddler came and made it crystal clear!'

Vayikra Rabbah 16:2 (cf. Talmud Bavli, Avodah Zarah 19b)

INSPIRATIONAL STORIES:

❖ While hearing words of lashon hara (derogatory speech) may afford pleasure, one must, nevertheless, attempt with all one's might to refrain from listening to it and from lending it credence. This can be compared, said the Chofetz Chaim, to a charlatan who donned elegant clothing and went out into the city square. There was a newcomer in the city that day; he was visiting the city for the first time and did not know anyone. He wandered around, gazing wondrously at the streets

crowded with people and at the stores stocked with plenty. Suddenly, the charlatan approached him. "Shalom, to you, my good Jew," said the charlatan. "I can see that you are a visitor here. Perhaps you are in need of something? This is your lucky day, for it just so happens that I have some time on my hands and am willing to show you around the city." The visitor was overjoyed and grateful for the man's kindness. The charlatan led the visitor through the city streets, giving him an extensive tour. When they had finished, he told the visitor, "Since you are my guest for the day, I would like to invite you to a lavish feast, fitting for such an esteemed guest as yourself. It will be my treat." They entered an elegant restaurant and ordered every imaginable delicacy, both food and drink. "Eat, my friend, eat," said the charlatan. "Perhaps you would care for some fruit compote and cookies as well?" As their meal came to a close, the charlatan slipped out of the restaurant and ran away. The guest's claims and protests were of no use — he was forced to cover the enormous expense of the meal that both he and his "friend" the charlatan had incurred. He suddenly arrived at the stark realization that this imposter was not a friend at all, but a bitter enemy. So is the case, said the Chofetz Chaim, when it comes to lashon hara. A man happens to meet his friend one day, and this friend proceeds to speak lashon hara. While it may be pleasurable to hear the malicious speech at the time, and he may be grateful to his friend for holding him in high regard and for letting him in on these "precious" secrets, when the time arrives for him to stand in judgment before the Heavenly Tribune, he will be forced to pay for the fleeting pleasure that he derived. Only then will he discover just how costly that pleasure truly was, and how the person who related the lashon hara to him was not his friend at all...

Jewish Parables- A Mashal for Every Occasion, By Rabbi Yisroel Bronstein, published by ArtScroll Mesorah

C. NOT TO BELIEVE LASHON HARA

(Torah Mandated Mitzvah), Sefer Chareidim 21-24

As the Torah says, "Do not carry a bad report" (Shemos 23:1, Parshas Mishpatim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Can a person believe lashon hara if they are being warned about someone causing potential harm?

SEFER CHAREIDIM

Scripture warns: 'Do not accept a false report' (Shemos 23:1), which Targum Onkelos translates as: 'Do not believe a false report.' We are explicitly admonished here against believing or accepting derogatory speech (kabalas lashon hara) about a fellow Jew. When King David accepted the slanderous report of Tziva and commanded that he divide the estate with Mephiboshes, a Heavenly voice (bas kol) went forth and proclaimed: 'Rechavam and Yarov'am shall divide the kingdom' (Shabbos 56b).

Nonetheless, halachah distinguishes between accepting slander as truth and taking necessary precautions: if someone informs a person that another seeks to harm or injure him, he must not believe the disparagement as established fact, yet he is obligated to take heed and guard himself against potential harm.

INSPIRATIONAL STORIES:

❖ A man told me that a few years ago he was unemployed for an extended period of time and was struggling with his finances. Then, a businessman came along with an attractive job offer. It was exactly the offer he had been waiting for, and his life seemed to be changing. Finally, he had hope. Before he could even sign the contract, an adversary from his past bad-mouthed him to the businessman, and he was rejected. The man was stunned. The accusations were entirely false. He

pleaded his case with the businessman, but to no avail. At that moment, he felt as though his world was crashing down on him. He went into his car and cried for a half-hour. After a half-hour, he said to himself, What am I doing? Why am I crying? This is from Hashem. It must be for the best. I am not going to let this break me. I will just move on and do the best I can. The next six months were extremely difficult, as he struggled to get by financially. Then came the "יְשׁוּעַת ה' כְּהֶרֶף עַיִן" — Hashem's salvation arriving in the blink of an eye." Someone else approached him with a job opportunity, he signed, and is now doing well. Meanwhile, the office of the man who had offered him the job a half-year earlier was raided by the police, and the entire staff was arrested on fraud charges. All the employees are in trouble with the law. "I was crying in the car," the man reflected, "for something that ended up saving my life. I don't know what I did to deserve such kindness. What I thought was my biggest problem was actually my biggest blessing. It's so clear now." If we could feel even during times of hardship that Hashem is really helping, then we could eliminate all our stress and enjoy peaceful, relaxing lives under all circumstances.

As told by Rabbi David Ashear (Table Talk, Edition 406, by Rabbi Yitzi Weiner

D. TO REMEMBER DAILY WHAT HAPPENED TO MIRIAM WHEN SHE SPOKE LASHON HARA

(Torah Mandated Mitzvah), Sefer Chareidim 9-45

As the Torah Says, "Guard from the plague of Tzaras... Remember what Hashem your G-d did to Miriam" (Devarim 24:9, Parshas Ki Seitzei).

SEFER CHAREIDIM

Scripture commands: 'Remember what Hashem your God did to Miriam' (Devarim 24:9), which is juxtaposed directly with the verse: 'Take heed regarding the affliction of tzara'as' (Devarim 24:8). This juxtaposition warns a person to guard himself vigilantly against speaking lashon hara so that he does not become afflicted with tzara'as as Miriam was. The Sifrei expounds that 'guarding' denotes vigilance within the heart, whereas 'remembering' mandates verbal articulation with the mouth. It is therefore a positive mitzvah for a person to remind himself daily of what Miriam spoke and of the severity of her divine punishment, so that he will restrain his mouth and stand in dread of speaking lashon hara. This is an extraordinarily grave sin, concerning which the Zohar (Parshas Vayikra 46b) declares: 'One who is wise will remain silent.'

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• In Parshas Ki Seitzei, the Sfas Emes examines the historical anchor of the verse: "Remember what Hashem your God did to Miriam — As you came forth out of Egypt." Why did Scripture link Miriam's episode to the Exodus? The Sfas Emes reveals a foundational teaching. In Egypt, the spiritual power of speech was in exile (galus ha-dibur). Our ancestors cried out in pain, but they could not articulate words of Torah or divine praise. When Hashem took us out of Egypt, He did far more than liberate our physical bodies from slave labor. He redeemed the power of human speech! The remembrance of Miriam reminds us that our speech was purchased with miracles. We are free men and women, and our speech must reflect our royal birth (Sfas Emes, Devarim, Ki Seitzei 5643).

• In Parshas Beha'aloscha, the Sfas Emes returns to the question of why Miriam's affliction was linked to the Exodus. He explains the physical and spiritual connection between the breath of the lungs and the health of the human body. The Sfas Emes explains that when Israel left Egypt, their bodies were completely healed. At Mount Sinai, all the sick were healed because the breath of Torah entered their lungs. In the desert, as long as Israel spoke with faith, that breath guarded their limbs from illness. But when we allow negative talk to pass our lips, we puncture our own spiritual shield. By remembering Miriam each morning, we recharge the holy breath of the Exodus, keeping our bodies and souls guarded from harm (Sfas Emes, Bamidbar, Beha'alosecha 5637).

• In the desert, Israel received three gifts. Why was the well linked to Miriam? The Sfas Emes reveals that water represents the living wisdom of the Oral Torah (Torah she-be'al peh). While the Written Torah is like a sealed scroll, the Oral Torah flows like a bubbling spring from the human mouth. Miriam represented the wellspring of the Oral Torah because she was Puah, the midwife who soothed newborn infants with her sweet words. The words on the page remain dry ink. By remembering Miriam and purifying our mouths, we roll the stone away, allowing the sweet waters of Torah to flow into our hearts (Sfas Emes, Devarim, Ki Seitzei 5645).

• In Parshas Ki Seitzei, the Torah places two verses side by side. Why pair "guard" (hishamer) with "remember" (zachor)? The Sfas Emes points out that this exact pairing governs the holy Shabbos! In the Ten Commandments, the first tablet commands "Zachor es yom ha-Shabbos" (Remember the Shabbos day), while the second tablet commands "Shamor es yom ha-Shabbos" (Guard the Shabbos day). Our Sages teach: "Zachor v'shamor b'dibur echad ne'emru" — "Remember and Guard were uttered in a single divine breath." The Sfas Emes explains that speech and Shabbos share the exact same spiritual architecture! Positive remembrance (zachor) and careful restraint (shamor) work together as one. We need both to keep our speech safe (Sfas Emes, Devarim, Ki Seitzei 5647).

• In Midrash Rabbah on Parshas Metzora, our Sages connect the remembrance of Miriam to the question in Tehillim: "Who is the man who desires life?" The Midrash quotes the ancient Rabbinic teaching on the daily prayer of Modim: "The mouth was created solely to give thanks (le-hodos) to You." The Sfas Emes uncovers why this teaching is the bedrock of the commandment. Why did Hashem create human beings with the ability to speak? Animals can eat, sleep, and reproduce. Some animals can even communicate basic signals of danger. But only man was granted the gift of articulated speech! The prophet Yeshayahu declares: "Am zu yatzarti li, tehilasi yesapeiru" — "This people I formed for Myself; they shall recount My praise" (Yeshayahu 43:21). Our mouth is a sacred channel of prayer and praise to Heaven, and remembering Miriam keeps that channel pure (Sfas Emes, Vayikra, Metzora 5649).

E. TO RECITE WHAT HAPPENED TO MIRIAM

(Torah Mandated Mitzvah), Sefer Chareidim 12-24

As the Torah Says, "Guard from the plague of Tzaras... Remember what Hashem your G-d did to Miriam" (Devarim 24:9, Parshas Ki Seitzei).

SEFER CHAREIDIM

Scripture states: 'Remember what Hashem your God did to Miriam' (Devarim 24:9), juxtaposed immediately with: 'Take heed regarding the affliction of tzara'as' (Devarim 24:8). This teaches that one must guard himself against speaking lashon hara so that he will not suffer the affliction of tzara'as Miriam did. The Sifrei explains that 'guarding' signifies internal vigilance of the heart, while 'remembering' requires verbal recitation with the mouth. Consequently, a person is obligated to mention the episode of Miriam daily in verbal speech so that he remains continually alert and meticulous to avoid the transgression of lashon hara.

STORIES FROM OUR SAGES:

❖ Rav Zutra taught: Whoever covers an oil lamp or uncovers a naphtha lamp in a way that causes the fuel to burn up needlessly fast violates the Torah prohibition of "Do not destroy". Yet when the great sage Rabbah once needed warmth for his health after a medical bloodletting on a cold day and broke up a wooden footstool to kindle a fire, his student Abaye asked him: "Is not the Master violating the prohibition of 'Do not destroy' by burning a useful piece of furniture?!" Rabbah answered him with a foundational Torah principle: "Preventing the destruction of my own body and health takes priority over preserving wooden furniture!" And similarly, when Rav Chisda and Rav Pappa praised frugal simplicity, the Gemara concluded that eating nourishing, wholesome food to sustain one's health and strength is never a waste—because "preserving the health of one's own body comes first!"

Talmud Bavli, Shabbos 67b, 129a & 140b

F. NOT TO FORGET WHAT HAPPENED TO MIRIAM WHEN SHE SPOKE LASHON HARA

(Torah Mandated Mitzvah), Sefer Chareidim 21-14

As the Torah Says, "Guard from the plague of Tzaras... Remember what Hashem your G-d did to Miriam" (Devarim 24:9, Parshas Ki Seitzei).

SEFER CHAREIDIM

A person must never allow himself to forget what befell Miriam, so that he remains ever cautious to avoid the sin of lashon hara. This prohibition against forgetting is derived from the verse: 'Take heed regarding the affliction of tzara'as' (Devarim 24:8), which is immediately followed by the command: 'Remember what Hashem your God did to Miriam on the way, when you came forth out of Egypt' (Devarim 24:9).

G. TO SAY WHAT WOULD NORMALLY BE LASHON HARA, IN ORDER TO SAVE SOMEONE

(Torah Mandated Mitzvah), Sefer Chareidim 24-38

As it says, A gossip mongerer shall not go among your people... (but) Do not stand idly by the blood of your friend" (Vayikra 19:16, Parshas Kedoshim)

SEFER CHAREIDIM

Scripture states: 'You shall not go as a talebearer among your people' (Vayikra 19:16), which is juxtaposed directly with the command: 'Neither shall you stand idly by the blood of your fellow.' Rabbi Moshe of Couci (the Semag) expounded that while a talebearer is forbidden to disclose derogatory or disparaging matters that others have spoken about an individual, this prohibition is entirely superseded when life is in jeopardy. If one hears a person declare his intention to murder someone, it is strictly forbidden to withhold that information; rather, one is halachically obligated to convey the warning to the intended victim so that he may protect himself and avoid mortal danger.

STORIES FROM OUR SAGES:

❖ An incident occurred with the King of Persia, who fell critically ill. His physicians told him: "There is no cure for you unless someone brings you the milk of a nursing lioness!" One brave man stepped forward and said to the King: "If it please Your Majesty, give me ten goats and I will go fetch it." Taking the ten goats, he went to the lions' den where a lioness was nursing her cubs. On the first day he stood at a distance and tossed her one goat; on the second day he stepped closer and tossed her another; and so he did for ten days until the lioness grew so tame and familiar with him that he was able to play with her, draw some of her milk, and set off homeward. Halfway back to the palace, he lay down to sleep and saw in a dream all the limbs of his body arguing with one another over who deserved the credit. The Feet said: "There is no limb like us—had we not walked to the lions' den, he could never have brought the milk!" The Hands answered: "There is none like us—had we not milked the lioness, nothing would have been accomplished!" The Eyes said: "We surpass all of you, for had we not shown him the way, nothing could have been done!" The Heart said: "I am above all, for had I not devised the plan with the ten goats, nothing would have succeeded!" Finally the Tongue spoke up: "What could any of you accomplish without me?" All the other limbs mocked the Tongue, saying: "How dare you compare yourself to us, when you sit locked away in a dark cave inside the mouth and do not even possess a single bone like the rest of us!" The Tongue replied: "Wait and see—this very day you will all admit that I am king and ruler over you!" The man woke up trembling from his dream, continued to the palace, and stood before the King. Instead of saying, "Here is lioness's milk," his tongue deliberately slipped by a single letter and said: "Here for you is dog's milk!" Instantly the King flew into a rage and ordered him led out to the gallows! As he was being led out to be hanged, all his limbs began to weep and tremble. The Tongue asked them: "Did I not tell you that you are helpless without me? If I rescue you right now, will you confess that I am ruler over you all?" They cried out: "Yes!" Immediately the Tongue called out to the guards: "Bring me back before the King!" Standing before the throne, he said: "Your Majesty, why did you order me hanged after I risked my life for you? First, what does the name matter so long as the medicine heals you? And second, in our dialect a lioness is also called a kalbiya!" The royal physicians tested the milk, verified that it was genuine lioness's milk, and the King drank it and was healed. At that moment all the limbs bowed to the Tongue and declared: "Now we acknowledge that you spoke the truth!"—fulfilling the verse (Proverbs 18:21): "Death and life are in the power of the tongue!"

Midrash Tehillim (Shocher Tov) 39:2

NOT TO HURT ANYONE INDIRECTLY

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by not being even indirectly responsible for another's suffering

13. Not to be inactive while another is in danger or may face a loss

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 82

As the Torah says, do not stand idly by the blood of your brother (Vayikra 19:16, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If you see someone being mugged what are you obligated to do?
- If you know that someone is making an investment that seems very risky or very suspicious, and that he might lose his money, what are you obligated to do?

SEFER HAMITZVOS HAKATZAR

If a person sees his fellow drowning in a river, attacked by highwaymen, or facing any other mortal danger, he is obligated by the Torah to exert every effort to rescue him by any available means, as Scripture commands: 'Do not stand idly by the blood of your fellow' (Vayikra 19:16).

Included in this mitzvah is the obligation to protect one's fellow from financial devastation. For instance, if one knows that a violent outlaw intends to assault someone or rob his property, and one possesses the influence or ability to appease the bandit, one is duty-bound to intervene, pacify him, and avert the loss.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Like Hashem, we want the best for all of Hashem's creatures. Not only are we to avoid actively hurting anyone, we can't be passive when someone may get hurt.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 237)

This mitzvah helps to promote society and peaceful living. If you help one person, they will help you back.

This way, society helps each other and takes care of each other.

SFAS EMES

• In Parshas Ki Seitzei, the Torah distinguishes between two tragic scenarios involving a betrothed maiden (na'arah ha-me'orasah). If an attack occurs within a city, the Torah assumes she did not scream for help: "she cried not, being in the city" (Devarim 22:24). But if the attack occurs out in an open field, the Torah presumes her innocence: "the betrothed maiden cried, and there was none to save her" (Devarim 22:27). The Sfas Emes uncovers a deep doctrine regarding the power of the human cry. He steps into a channel that the victim's tears have already opened! The bystander is commanded to act because heaven has answered the cry, and the rescuer's hand is the tool that brings that answer into the physical world (Sfas Emes, Devarim, Ki Seitzei 5640).

• On the festival of Sukkos, during the prayers of Hoshanos, we circle the altar carrying the four species and reciting verses of salvation. We cry out: "Hosha-na!" "Please save us!". Why is the cry of Hosha-na repeated so many times on Sukkos? The Sfas Emes quotes a teaching from his holy grandfather, the Chiddushei HaRim, on the verse: "The maiden cried, and there was none to save her." Our Sages derive: "If there was a rescuer present, he was obligated to save her even with the life of the pursuer." The Chiddushei HaRim turns this legal rule upward toward the Almighty: Just as an earthly bystander is obligated by the Torah to save a victim, so too is Hashem obligated by His own covenant to rescue Israel! Just as the Almighty will never stand idly by the blood of Israel, so must no Jew ever stand idly by the blood of his brother. To refuse to help is to deny our role as representatives of Hashem's mercy in the world (Sfas Emes, Moadim, Sukkos 5663).

MORAL DILEMMAS:

A couple who struggled with infertility for many years was finally blessed with a child through treatments at a Jewish hospital. To express their gratitude to Hashem, they pledged a one-million-dollar donation. The hospital presented two urgent capital needs: purchasing life-saving respiratory monitors for the neonatal intensive care unit (NICU) to rescue critically premature infants, or establishing a state-of-the-art fertility institute to assist other childless couples. Which allocation takes halachic precedence?

Answer: He should donate the money in a way that will save the most lives.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Sanhedrin, p. 206

An adult merchant sold firecrackers to a minor. The child ignited a firecracker near an automobile, causing severe vehicular damage. The owner of the car demands that the boy's father pay for the damage, whereas the father argues that the merchant who sold the dangerous explosives should bear the cost. Who is legally or morally obligated to pay: the father, the seller, or neither?

Answer: Based on the Gemara in Bava Kamma (59b) and Shulchan Aruch (Choshen Mishpat 418:7), one who hands an unlit coal or firecracker to a minor who then ignites it is exempt in human court (patur b'dinei adam) because the minor's act of ignition intervened, though he bears moral responsibility before Heaven (chayav b'dinei Shamayim) for placing a dangerous explosive in a child's hands. If the minor was mature enough to understand the danger, the Mishnah Berurah (343:9) states that once the child grows up he should make restitution lifnim mishuras ha-din.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 208

On May 7th, 1942 the Nazis in Lithuania, led by Commandant Karl Jaeger, wanted to curb the population growth of the Jewish ghetto. They proclaimed that any Jewish woman in Kovnah ghetto found pregnant would be immediately shot. One very pregnant woman happened to walk by the Ghetto hospital the day that they sent out the decree. A Nazi officer hastened to fulfill the decree, shot her in cold blood, and left her lying on the ground in front of the hospital. The hospital attendants quickly admitted her into the ghetto hospital. The doctors determined that she was mortally wounded and that she would die very shortly. The doctors asked Rabbi Ephraim Oshry, who was in the hospital, the following moral dilemma. The woman was about to die. If she were to die the fetus would surely die as well. If they would perform an emergency C-section they would have a chance of saving the fetus, but a C-section would hasten the death of the mother. Which is more important, potentially saving the life of the fetus, or avoiding hastening the death of the mother? On one hand we would say that we should try to save the life of the fetus. The mother will die anyway. Why should we care about hastening her death if she will die anyway? It is better to save the life of the baby who can live an entire life of her own. On the other hand one can argue, how can we be so positive that she will die? Can we prematurely end one life to save another? And furthermore, how can we be so sure that the baby is not already dead? Perhaps we would be killing a person to save a dead baby?

Answer: Rav Ephraim Oshry, who witnessed the shooting outside the Kovno Ghetto hospital on 20 Iyar 5702, ruled on the spot that the Jewish doctor must immediately open the murdered mother's abdomen to rescue the living fetus. Although the Gemara (Arachin 7a) states that in a natural death a fetus usually dies before its mother, where the mother is violently slain ('nehergah'), the mother dies first and the fetus remains viable for a short time. Following Rashi, Shulchan Aruch (Orach Chaim 330:5), Sefer HaEshkol, and Eshel Avraham, saving the life of the unborn child overrides any concern of desecrating the corpse (nivul ha-meis)—and indeed, nothing brings greater honor and comfort to the murdered mother than bringing her child into the world alive. (Tragically, moments after the doctor delivered the baby alive, Nazi soldiers entered the hospital to record the mother's death and murdered the newborn infant, HY"D.)

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 2, Siman 10

A medical insurance cooperative launched an aggressive marketing campaign offering a $200 cash incentive to any patient who switched to their network. Numerous clients abandoned their existing insurance plan to enroll in the new network. In retaliation, the leadership of the original insurance plan instructed its affiliated physicians to refuse medical care to any patient who transitioned between plans. Is a company permitted to offer monetary bounties to attract competitors' clients, and is the existing plan permitted to prohibit its physicians from treating departing patients?

Answer: Addressing both questions, Rav Yitzchak Zilberstein cites the Gemara in Bava Basra (21b) and Shulchan Aruch (Choshen Mishpat 228:18) — which permit a merchant to distribute parched grain and nuts to attract customers — and rules that the first health plan is permitted to offer a 200-shekel incentive to attract members, especially since his brother-in-law Rav Yosef Shalom Elyashiv zt"l observed that even Rabbi Yehudah only restricted promotional giveaways where they ruin a private individual's livelihood, not between large public health networks. Regarding the second health plan's demand that affiliated physicians refuse to treat patients who switched plans, Rav Zilberstein rules that this demand is contrary to Torah law: as the Gemara in Nedarim (41a) and the Ran explain, a patient does not merit healing from every doctor (lo min ha-kol adam zocheh le-hisrapos), so a physician has a Torah obligation to treat his regular patients and must not comply with a retaliatory boycott against innocent patients.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 137

Dror was an oncology surgeon who lived in Israel. He was an observant Jew. He took a year off from work to study in a top medical school in Boston in order to learn the most advanced surgical techniques that can dramatically improve the chances of survival of his cancer patients. After the year of training Dror returned to his hospital in Israel to treat his patients there. Word soon got out about Dror's success rate and he very quickly became one of the most sought after doctors in his city. Not only did he save many Jewish lives, but he also made a very lucrative salary. This was because he was among the only doctors in Israel who was proficient in these advanced surgical techniques. After the hospital administration observed Dror's success rate in saving patients, the hospital administrator asked Dror to join him for a meeting. Dror walked into the hospital board room, and sat in front of the hospital head and several of the key board members. "Dror", the administrator began. "Your success has been phenomenal. Your techniques have led to an 80% increase in the survival rate. You are really doing a great job in saving lives. We would like to help you save even more lives. We would like to set up a lecture series where you can train the rest of the surgeons in the hospital in your new techniques. We will of course compensate you for your time teaching". The following tension flashed through Dror's mind. "On one hand, of course I want to be involved in saving more lives. But on the other hand, this exclusivity that I enjoy has won me much renown and has also been extremely lucrative for me. Whatever the hospital pays me, will be a tiny drop compared to the amount of money I would lose by giving up my exclusivity. Maybe I should tell them to look for another way to train the doctors". According to the Torah is Dror obligated to teach others how to do his surgical procedures. On one hand he will be saving more lives. But on the other hand, it will actually result in a significant loss of income, and he will be training and creating new competitors. Would he be doing a sin if he declines to share his knowledge?

Answer: Regarding the question of the hospital surgeon/administrator, Rav Zilberstein answers that this position could be considered a Kli Kodesh position, or at the very least it has the status of a community leadership position. The halachah is that one is not allowed to dismiss someone from such a position unless there is a specific problem; not because someone better was found.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 275

During an intense military firefight in the Gaza War, an IDF infantry platoon found itself trapped under relentless enemy fire. One of the soldiers was struck by shrapnel, sustaining catastrophic, life-threatening injuries that required immediate, continuous emergency paramedic care and chest stabilization during a high-risk evacuation to the rear triage base. The platoon had only one combat medic on the line. The commander and the medic faced an agonizing battlefield dilemma: If the medic accompanied the critically wounded soldier in the evacuation vehicle to sustain his life until reaching the field hospital, the remaining thirty soldiers would be left entirely without medical coverage amidst ongoing heavy shelling and sniper fire, where catastrophic injuries could occur at any second. Does the obligation of "Lo Sa'amod Al Dam Rei'echa" require the medic to accompany the solitary soldier who is already critically wounded and bleeding out before him (choleh l'faneinu), or must he remain on the front line with the platoon? What do you think?

Answer: Rav Yitzchak Zilberstein rules that the combat medic should remain on the front line with the other thirty soldiers rather than leave the battlefield to escort the single casualty. While saving a critically wounded patient who is immediately before us (choleh l'faneinu) is paramount, soldiers engaged in active combat under heavy enemy fire are not considered merely "potentially healthy people who might get sick later." Rather, every single soldier fighting under live artillery and

> gunfire is halachically categorized right now as being in acute mortal danger (safek sakonas nefashos). Because all thirty soldiers already have the halachic status of a choleh under imminent threat, the duty to preserve thirty lives outweighs the care of a single casualty. (Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 343)
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> *— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 343*

STORIES FROM OUR SAGES:

❖ It once happened that Rabbi Yehoshua ben Chananyah traveled to the great city of Rome, and people told him: 'There is a young Jewish child being held in the Roman prison, with beautiful eyes, a noble appearance, and locks of hair arranged in curls!' Rabbi Yehoshua went and stood at the doorway of the prison cell to test the boy's spirit, calling out the first half of the verse in Yeshayahu (42:24): 'Who gave Yaakov over to plunder, and Israel to the spoilers?' Immediately the captive child answered from inside the cell with the second half of the verse: 'Was it not Hashem, against Whom we sinned, and in Whose ways they did not wish to walk, and Whose Torah they did not obey!' Hearing this, Rabbi Yehoshua's eyes filled with tears and he declared: 'I am certain that this child will grow up to be a great halachic authority in Israel! By the Temple Service, I will not budge from this spot until I redeem him for whatever fortune they demand!' He did not leave until he ransomed the boy for a vast sum of money — and not many years passed before that child grew up to become the great High Priest's son and sage, Rabbi Yishmael ben Elisha!

Talmud Bavli, Gittin 58a (115:9–10)

INSPIRATIONAL STORIES:

❖ Reb Chaim was once in Warsaw for Shabbos and happened to see a notice in a local newspaper reporting that an abandoned Jewish child had been found in the city. Passersby who did not know what to do with the infant decided that the proper thing to do would be to bring him to the local police station. They thought that they had certainly done a good thing, saving the boy from a bitter fate. Upon reading the report, Reb Chaim began to tremble and immediately leapt into action. Although it was Shabbos, he found a telephone, something very rare in those days, and he called a local activist. Of course, the askan did not pick up the phone. But when Reb Chaim did not give up, and called over and over again, the man realized he could not ignore the calls. He summoned a non-Jew and asked him to pick up the phone. A moment later he was shocked to his core, almost fainting when he identified the voice on the other end of the line; it was the Brisker Rav! He quickly took the telephone himself, and Reb Chaim began right away: "Did you see the newspaper today? It says there that an abandoned child was found in the Jewish quarter of the city and people gave him over to the police. Now, the halachah states, 'Kol d'parish mei'ruba parish'—that which is separated is separated from the majority.' Thus the child must be considered a Jew, since he was found in a Jewish neighborhood. Yet they took him to the police! What will they do with the child? They will certainly take him to a non-Jewish orphanage where he will grow up as a non-Jew. Therefore we have a question of pikuach nefesh and saving a Jewish soul from conversion. We may not delay even a moment; we are obligated to act even on Shabbos. The askan, who understood the urgency of the matter, said that he would come right away to Reb Chaim's lodgings, but the rav told him pointedly, "Don't go by foot; we desecrate Shabbos for such a matter." He told him to take a drushka, a carriage, so that he would arrive as soon as possible. In the meantime, Reb Chaim found two Jews who were prepared to involve themselves in the matter, and when the askan (who was well-connected in the government) arrived, it was decided that the two would accompany him to the police station. There they signed a document affirming that the abandoned child was theirs and through the help of the askan, the police agreed to release the boy. After the police gave them the child, a foster family was found, and in this way he was saved from the fate of conversion to which those "good souls" had sentenced him when they delivered him into the hands of the police. We see, then, that the passersby who found the baby abandoned in a Jewish area did not think about the significance of the action they took. Many others read the newspaper, but they did not see themselves as connected to the story in any way. What did some abandoned baby have

to do with them? Who knew who his parents were or what their relationship was? At best they let out a sigh over the sad story and continued on to the next story in the newspaper. Only Reb Chaim, who related to the "sugya of life" as a sugya in the Gemara, understood immediately the halachic ramifications of what he had read. His mind directed his heart and limbs to follow the dictates of halachah and he plunged in with total self-sacrifice to save an unknown child from a bitter spiritual fate.

From The Brisker Rav, by R' Shimon Yosef Meller, published by Feldheim

❖ Rav Aharon Kotler arrived in new York in Nisan 5701/1941. At an impromptu press conference, he said (as reported in the Yiddish daily Morgen Journal) For myself I would not have come... I came in order to try — with your help, Yidden of America — to rescue the long-established Torah centers that have existed for hundreds of years for Torah has at future in America." Rav Aharon then mentioned the obligation to do everything possible to save the Jews of Europe, declaring, "I hope that you will neither rest nor remain silent even momentarily until they have all been saved Today, America is the last and only resort from the valley of tears. All other doors are closed. See to it that path to America, the only escape route, is widened — that should admit the largest possible number of Jews." It's worthwhile pausing to reflect on the implications of his words. 'Rav Aharon had just alighted from a train after a long and wearying journey. The trauma of events in Europe, coupled with the dangers that he himself had faced, must have been uppermost on his mind. In addition, he had no home of his own to go to. Yet he was not concerned with himself but with rescuing the Jews of Europe and with establishing authentic Torah centers in America. He succeeded in both objectives. He breathed new life into Va'ad Hatzalah, as the organizations chairman, Rav Eliezer Silver, attested. "From the moment Rav Aharon arrived in America," Rav Silver said, "Va'ad Hatzalah came to life and worked on a completely different plane than it had previously." At his meeting with Mr. Henry Morgenthau, the Jewish Secretary of the American Treasury, Rav Aharon told his companion Mr. Irving Bunim, who was acting as the translator, "Tell him in the possible terms that all his work as Secretary of the Treasury not worth as much as rescuing a single Jew." Mr. Bunim was apprehensive about transmitting this sharp message in its exact wording, lest it rouse the Secretary's ire, but he nevertheless fulfilled Rav Aharon's wishes. The message actually made a very deep impression on the Secretary, who from that point on became an enthusiastic supporter of all rescue activities.

In Their Shadow, Vol. 2, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ Sometimes listeners were quickly swayed to Reb Chaim Soloveitchik of Brisk's opinion, but often it was not so easy to convince others of their obligations. He had to use all his influence and cunning to motivate those with the power to help. For example, take the following story: It was during Aseres Yemei Teshuvah in 1905. There lived in Brisk a young man who was far from Torah observance. He had joined the Bund and severed all ties with Yiddishkeit; he was in all respects an apikorus. He was not satisfied simply to desert his religion completely, but went so far as to become well-known as a mumar lehachis — someone who goes out of his way to go against the Torah in an offensive, public way. He seemed to enjoy giving pain to the frum people of the city who could only hang their heads in shame when they saw his disgraceful behavior. Nor was R. Chaim, the rav of the city, spared from his obnoxious behavior. He would purposely wait outside R. Chaim's home on Shabbos morning, and just as R. Chaim was leaving for shul, he would light a cigarette. This young man was drafted into the Russian army. One day, on a whim, he took out his gun and fired a shot in the direction of a picture of the Czar Nikolai. This was considered a very serious offense, and indeed when one of his comrades informed against him, he was sentenced to death in Brisk by firing squad. A Jew from Brisk who was close to the mayor of the city learned that the mayor was willing to arrange a pardon for the young man on condition that he would leave town and never return. In the traditional Russian style, this pardon would be reciprocated with a "donation" of five thousand rubles to the Russian official. The Jew revealed this information to R. Chaim. R. Chaim brought the community leaders together in his house and announced that the five thousand rubles must be drawn immediately from the community fund, and any deficit be filled from their own pockets! The men, all wealthy and frum community leaders — Zionist and non-Zionist — objected unanimously: this fellow had been a major force in the modernists' efforts to uproot Torah in Brisk. It was perfectly fitting

that he be put before a firing squad; they would thereby fulfill the Torah's command, "And you shall annihilate the evil from your midst. But, R. Chaim held his ground, stating that this verse applies only when there is a Sanhedrin — which is given the power to carry out a death penalty — not with the sinners of our day. One of those present, himself a talmid chacham, quoted the Rambam: "With all due respect, what the rav is saying goes directly against what it says in Hilchos Eidus (11:10): 'It is prohibited to protect the life of a mumar lehachis.' And everyone who lives in Brisk knows that this soldier is in the category of a mumar lehachis. Therefore, it is hard to understand why the rav wants to save him." R. Chaim answered this claim, quoting the Shitah Mekubetzes at the end of Bava Kamma, that the principle of "moridin velo ma'alin" applies only when the gedolei hador have come together and decided that there is a clear need to allow the mumar to be killed, i.e. if this will prevent a mass loss of emunah (faith). The Rambam himself writes this in his commentary to the Mishnah in Chullin. However, he said, in our case, to our great sadness, we have no lack of Bundists and communists besides this fool who has been given the death penalty. "One more Bundist won't make much of a difference" and so not all conditions of the law of " moridin velo ma'alin " are fulfilled in this case. In spite of his decision, the men refused to raise the money. R. Chaim would not give up, however, in his effort to change their minds. On Erev Yom Kippur, at the conclusion of the Minchah service, R. Chaim hushed the crowd that was filling the Great Synagogue to overflowing. He proclaimed that the leaders of the congregation would not be allowed to go home to eat the seudah hamafsekes (the meal before the fast) while a Jew sits in jail awaiting the death penalty. The money must be withdrawn immediately from the public till and brought to the authorities. "If this is not done," continued R. Chaim, "I will cancel Kol Nidrei! I will lock the shul, and everyone can pray at home tonight." These words caused a commotion in the shul; in the end, the men responsible agreed to follow the Rav's decision. They went to the community offices, took out five thousand rubles, and, together with R. Chaim, headed to the mayor's office. Upon the delivery of the money, the young man was set free. In the meantime, the day had grown quite late, and there was no time to get home before nightfall. And so, the leaders of the city and R. Chaim missed the seudah hamafsekes and went straight from the city hall back to the shul for Kol Nidrei.

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 71

❖ One day, Rav Chaim Kanievsky lightheartedly recounted, there was heavy banging at the door in the late afternoon. "It is a matter of pikuach nefesh for me and my young son! Please let us see Rav Chaim!" Although the Rav was resting at the time, a grandson woke him up. After all, he figured, this was pikuach nefesh! The father and son were brought to him. "How can I help you?" Rav Chaim asked in concern. "Today is my son's third birthday and shekiah is in about twenty minutes. It would be so meaningful if the Rav would do the chalakah!" Rav Chaim smiled and snipped the youngster's hair. After they left, Rav Chaim's grandson apologized profusely for waking him. Rav Chaim smiled and said, "If the father felt it was pikuach nefesh, how could we say no? Besides, I like making as many people happy as possible."

From Rav Chaim, By R' Naftali Weinberger, Published by Artscroll

❖ How deeply Rav Aryeh Levine cared for those condemned to death by the British (not because he agreed with their policy of violence, which he did not, but simply because acting by their rights in a noble cause, they found themselves ruthlessly and stupidly persecuted), how far he was ready to go in his efforts to save them, is shown by this story (told by Reb Aryeh to Yitzhak Agassi of Israel's Ministry of the Interior): One of the underground fighters, a young man of Jerusalem, was caught by the British and sentenced to death, Time was short, and as he generally did in such cases, Reb Aryeh made his way to the official quarters of the British high commissioner, the supreme officer in the holy land, to plead with him to spare the boy's life. The sentries at the gate, however, would not let the gentle rabbi in, After all, he had no official appointment. What to do? Reb Aryeh thought, and reached a decision. He went a good distance down the road and waited. How long he waited no one knows, but at last his patience was rewarded. He saw the high commissioner come out of his residence and get into his limousine, to be driven off by his chauffeur, with an escort of attendants. Instantly Reb Aryeh went into the middle of the road, and in plain view of the chauffeur he stretched out lull length in the limousine's path. The chauffeur's reflexes were good, and as he applied his brakes instantly, the large car screeched to a halt barely in

time. In great excitement, the high commissioner and his entourage came out of their vehicle. "What happened?" they asked. "Is anything the matter with you, rabbi? Were you hint? Are you unwell?" Recovering his aplomb, he told the high commissioner (with the aid of a translator) of his cold reception by the sentries and his desperate need to See the high commissioner and plead for the young man who was to lose his life so soon. That very day the high commissioner issued an order sparing the boy's life.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ It was during the war of Independence. The city of Jerusalem was under siege, and all its residents terror-stricken as the Jordanian legion bombarded the city mercilessly, causing many casualties and damage. One day during this traumatic period, those around The Brisker Rav witnessed behavior that seemed to defy logic: When the shelling was somewhat far away, 'The Brisker Rav paced around the house restlessly like a caged lion. But, strangely enough, when the shelling came closer, just outside his own home, his face changed. Suddenly, he became relaxed and the tension melted away from his countenance, as if he were not threatened by the barrage. Everyone wondered about this: What was the logic behind his behavior? When the danger was far away, he exhibited anxiety, yet when it was nearer, he became calm! Later, The Brisker Rav explained: As long as the danger was distant, he was concerned that he was transgressing the prohibition of "Do not stand by regarding your brother's blood and his conscience was bothering him, as he thought he might not be fulfilling his obligation. Perhaps he should go out and help his fellow Jews in distress? But when the shelling had come closer, he was required by halachah to remain indoors because of the danger. Knowing he was no longer at risk of transgressing the prohibition, he relaxed! R. Moshe Shmuel Shapiro, who related this story, pointed out how clearly The Brisker Rav's genuine yirah evidences itself in this incident: The Brisker Rav's tension and agitation were due only to his pure yiras cheit and constant concern for keeping every last detail of a mitzvah. This did not arise out of a natural tendency towards being particular; rather it was due to the anxiety that tzaddikim feel when they question whether they may have been lax in their service of Hashem.

The Brisker Rav, Vol. 2, By R' Shimon Yosef Meller, Published by Feldheim, p. 551

❖ Moshe Gobioff was a bachur living in Monsey, New York. He had davened Shacharis at the Vizhnitzer Beis Medrash in Kaser Village, one of the most popular "minyan factories" in Monsey. Upon returning to his car, he was chagrined to find a parking ticket on his windshield. Parking near Vizhnitz is not for the faint of heart, and arriving mispallelim often have a difficult time finding a spot. Sometimes they park in areas that are not clearly marked. R' Moshe had unwittingly parked illegally, and now he was going to pay for it. The ticket sat in his room at home for weeks, almost a forgotten memory. By the time R' Moshe remembered about the ticket, it was long past the due date, and he was sure he would have to pay some sort of penalty on top of the fine. He went down to the Rockland County courthouse to settle the ticket. Upon arriving at the courthouse, R' Moshe greeted the hawk-eyed guard at the door and then headed to the clerk, giving her his ticket number and explaining that he would like to pay his summons. "Sir," the clerk said, "this summons has already been paid." "Madam, I'm certain that I never paid it." "What can I tell you?" said the clerk, pointing to her screen. "I'm telling you, it's been paid." R' Moshe thanked the clerk and headed home, confused. Upon seeing his bewildered expression as he walked through the door, R' Moshe's mother knew something was up. "What's going on?" she asked. R' Moshe explained that he had gone to pay his summons but was told it had already been paid. Putting the pieces together, along with a strange phone call Mrs. Gobioff had received some weeks earlier from a man who said he was paying for a parking ticket she knew nothing about, the full story emerged. The morning R' Moshe had gotten his ticket, traffic outside the Vizhnitzer Beis Medrash was at a standstill. There was total gridlock, and no one was moving. One well-meaning observer felt that there was no choice but to have the police come down simply to clear up the bottleneck and direct the motorists out of the vehicular quagmire. However, once the police were present, they wasted no time writing out summonses to vehicles they felt were not parked legally. The well-meaning Yid who had contacted the police now felt terrible, having caused the summonses to be given out. He had merely wanted to clear up the traffic, not have people pay parking tickets, even if the tickets were warranted. But

that was what happened. The Yid immediately walked over to each car and took down the ticket and license plate information. Then he contacted the police department and paid every ticket, not wanting to be the cause of any loss to a fellow Yid. R' Moshe now understood why and how his summons had indeed already been paid.

From Moments Of Greatness By R' Yitzchok Hisiger

❖ During World War I many Jews were uprooted from their homes', whole families were forced to move into single rooms in others homes or into public buildings. The conditions were extremely hard. Organizations were created to deal with the hardships and alleviate the suffering of the many distressed, often penniless refugees. At that time," the rabbanim and community leaders held 3 meeting which Reb Chaim Soloveitchik of Brisk also attended. The topic of discussion was how to better help the refugees who had poured into eve neighborhood in the city. They were suffering greatly from lack of supplies, some even going for days without proper food. One of the rabbanim took the floor and asked, "Why are only talking about the physical needs of these people? What about the fact that many may be without talleisim and tefillin. Those present nodded their heads, wondering why they had not thought of this. However, R. Chaim dismissed these questions pointing out that while all the refugees could fulfill their obligations sharing one pair of tefillin, they certainly could not all satisfy their hunger with one loaf of bread."

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 70

❖ At the end of World War I, Reb Baruch Ber Leibowitz traveled by train with his family from Kremenchug to Poland. Travel was very difficult, since the roads were full of troops returning home. The trains were overflowing with soldiers, too. Along the way, the train stopped in the middle of vast, open wasteland under Russian control. While more soldiers boarded the train a few passengers got off just to get a breath of air. Reb Baruch Ber noticed that a young Jewish girl had done so, too. When the train was about to resume its journey, however, soldiers who had just boarded would not let the Jewish girl reboard, claiming that there was no room for her. When Reb Baruch Ber saw this, he said to his family, "I refuse to travel any further. We cannot leave a young Jewish woman alone in a place like this!" Immediately, he and his family got off the train to stay with her. The train pulled away. Suddenly, out of nowhere, a military truck appeared, halting abruptly in front of them. When the driver heard where they needed to go, he told them that he was on his way there! The first miracle was that a car passed through that deserted area just then. It was an even greater miracle that the driver was headed to the same place they were, for their destination was an enormous distance away. (Reb Baruch Ber's sons-in-law, R. Reuven and R. Moshe, always would say that the driver was Eliyahu HaNavi.)

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

❖ A rav was involved in helping a recently divorced young man put his life back together. The man worked with a therapist, who felt that excessive shyness hampered his ability to really move on, and until it was dealt with, the chances of building a new home were slim. The rav asked the therapist how long it would take to deal with the issue. "In therapy, several years," was the reply, "but if he takes karate lessons, the bashfulness could be solved much quicker." The rav called Reb Dovid and asked his opinion on karate lessons. The Rosh Yeshivah, Reb Dovid Feinstein, was unequivocal that it was assur to engage in any activity that causes pain to another person. The rav explained the situation and asked if there was any solution for this person. "The only heter to take karate lessons is in a case of pikuach nefesh," Reb Dovid said, "and being a normal person is called pikuach nefesh, so he can go."

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

A. TO EVEN BREAK SHABBOS OR OTHER TORAH LAWS TO HELP SOMEONE WHO IS IN DANGER

(Torah Mandated Mitzvah), Sefer Chareidim 16-36

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Is one allowed to violate Shabbos in order to save someone's life?

SEFER CHAREIDIM

If one sees or hears that a fellow Jew is in mortal danger — such as drowning in a river, trapped beneath a collapsed structure, pursued by hostile enemies, or targeted by malicious slander that could result in his execution unless someone hastens to intervene — it is an active positive commandment from the Torah to rescue him. Likewise, if a person is dangerously ill, it is a sacred mitzvah to strive with all one's ability to procure his healing. All these instances embody the supreme obligation of saving human life (pikuach nefesh), which overrides the observance of Shabbos and other Torah prohibitions. Whoever acts with indolence or delay in these matters is regarded by Chazal as having shed blood. Included within this fundamental duty is the paramount mitzvah of redeeming captive prisoners (pidyon shevuyim).

MORAL DILEMMAS:

Mordechai was in his mid 60's. One day he had severe pains in his chest and his shoulders. His wife called Hatzalah and they rushed him to the hospital. It turned out that it was nothing serious, just very severe gas pain. The next week the same thing happened. He had severe pains in his chest and his shoulders. His wife called Hatzalah and they rushed him to the hospital and again it was a false alarm. This happened five weeks in a row. Every time he was rushed to the hospital and it was nothing serious. The hospital visits were emotionally traumatic and were also quite expensive. One Shabbos, Mordechai was feeling bad. He was having severe pains in his chest and his shoulders again. This was now the sixth time in a row that this happened. Mordechai's wife wasn't sure if she should call Hatzalah, as this time it was on a Shabbos. Hatzalah was called five times already and it turned out that it was nothing. She finally decided to call Hatzalah. The dispatcher wasn't sure if he should make the Hatzalah members break Shabbos. They rushed to this very person already five times and there was never a problem. What do you think should be done in such a case? Should the wife call hatzalah on Shabbos? Should Hatzalah violate Shabbos in such a case?

Answer: Last week's question about calling the ambulance in Shabbos, was brought to Rav Elyashiv, Zt'l. Rav Elyashiv answered that if the wife is sure that it is nothing serious again, because she knows her husband well, then she does not have an obligation to call the ambulance. Similarly if the doctors are certain that he is not in danger, and he is just being overly cautious like before, then they don't have to break Shabbos. However, if the wife or doctors are not sure that it is not a danger, they are obligated to break the Shabbos to check it out.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 187

There was a very busy hospital in Johannesburg that helped many Jewish patients. The hospital received an order of several very advanced ventilators. The ventilators helped save the lives of many people daily. They were in exceedingly high demand in the hospital. The hospital policy was that patients admitted to the hospital who were terminally ill, would not be allowed to use a ventilator. This was in order to leave the ventilator available for someone who could be saved. A young frum doctor asked Rav Zilberstein if this policy was correct according to the Torah. If a terminally ill patient comes in to the hospital and there is one ventilator available, can we say that we should not give it to him, because a person who can be saved may need it soon after? On one hand, every minute of a person's life is precious and we have a responsibility to help those before us. On the other hand, if the machines are free at the time, they can be used to save someone permanently as opposed to saving someone temporarily. What do you think?

Answer: Regarding the question of rationing the ventilators for people who can be saved, the Tzitz Eliezer holds that if the machines are used every day for people who can be saved, and they are constantly in demand, the hospital is allowed to reserve the machines for these people. This would be the case even if the terminally ill person in front of them could be saved temporarily with a ventilator while it is available. However, Rav Zilberstein disagrees.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Two (Table Talk Halachic Archive, Edition 106 (Lech Lecha))

David, a wealthy NYC lawyer, was once waiting on the subway station platform. Suddenly he slipped on a wet surface and tripped. To his horror, he slipped off the train platform onto the tracks. He tried to quickly pull himself up and get off the tracks, but unfortunately his foot got stuck under one of the tracks. He tried to pull his foot out, but was unable to. Suddenly he heard the sound of the oncoming train. People on the platform started to scream for help. David was terrified as he watched the train's lights coming inexorably closer. David davened to Hashem. He hoped that someone on the platform would be inspired to rescue him somehow. In his mind, he committed to himself that if anyone rescued him, he would be eternally indebted and give them a cash gift of $10,000 for their kindness. Suddenly, a giant of a man appeared. He must have been at least seven feet tall. He jumped onto the tracks next to David and scooped David up in his massive arms. It looked like an adult carrying a small child. The giant carried David back to the subway platform and climbed up after him. The train passed by safely. David sat with his back against the wall to catch his breath and wait for his adrenaline to settle down. Everyone began to cheer about the heroism of the giant. A small group of people crowded around the hero. But he just stood there nonchalantly as if he didn't do anything significant. "What is your name?" someone asked. "Anthony," he replied. "Do you appreciate that you just saved someone's life?" another asked. Anthony just shrugged. "I will be honest with you, I work as a dishwasher in a Manhattan restaurant. Last night was a jam-packed night, and I have a ton of dishes to wash. I get paid ten dollars an hour. I figured that if the train ran over that Jewish man, I would be stuck on this platform for at least five hours. I would miss five hours of work and lose fifty bucks. Who is going to give me back that fifty lost bucks? So in order to make sure I don't have any work delays, I made sure the man was not in front of the train." David, who was sitting nearby, could not believe what he had just heard. Anthony, his rescuer, was not motivated at all by humanitarian altruism. He just did it for himself to ensure that he would keep his fifty bucks. Suddenly his feelings of gratitude toward the man completely faded away, and instead, David felt disgust toward Anthony. But David felt conflicted. The man did just save his life when no one else did. There is a mitzvah of Hakaras Hatov, to feel and express gratitude towards another who helped you. David wanted to know if he still had a responsibility to feel indebted and grateful towards Anthony, even though it was clear that Anthony didn't specifically care about saving his life. Should David still give him the significant cash gift of $10,000 that he originally intended to give? Should he give him nothing but suffice with a polite thank you? Should he give him a small amount of money? How should David react and relate to his rescuer?

Answer: Regarding the question about the giant who rescued the man from the oncoming train, Rav Zilberstein said that we are required to have hakaras hatov to one who saves us, even if they had no intention of saving us. Therefore the man should give him an amount of money that in that particular place is considered to be a reasonable gift for saving one's life, even though the hero did not intend to help the person he rescued.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 455

Sadly, people living in Eretz Yisroel have become all too familiar with the terrifying sound of an air-raid siren. When the warning sounds, every second matters. Families rush to their mamad, or bomb shelter, hoping to reach safety before the rockets arrive. Avi lived in an apartment building in southern Eretz Yisroel, an area that had experienced frequent rocket attacks. His next-door neighbor had a serious physical disability and could not make his way down the building's stairs without assistance. One day, the neighbor approached Avi with a request. "If there is ever an air-raid

siren, would you please help me get downstairs to the bomb shelter? I simply cannot get there by myself." "Of course," Avi replied. "I'll be happy to help you." Sadly, the day came when the sirens began to wail. Instead of immediately running for shelter, Avi hurried next door. He helped his neighbor out of the apartment and began slowly guiding him down the stairs. But Avi quickly realized how frightening the situation really was. On his own, Avi could reach the shelter in perhaps twenty seconds. Helping his neighbor, however, was a completely different matter. Step by step they made their way downstairs. One minute passed. Then another. Avi could hear explosions in the distance. Every boom reminded him that he was still standing in an exposed stairwell instead of safely inside the bomb shelter. It took nearly five minutes before they finally reached safety. Afterward, Avi began thinking about what he should do the next time the siren sounded. Of course he wanted to help his neighbor. How could he simply run to safety while knowing that the man next door would be trapped in his apartment with no way to reach the shelter? But Avi was frightened. "Normally, I can be inside the shelter in twenty seconds," he thought. "When I help my neighbor, I am outside for five minutes while rockets may be falling around us. Am I required to place myself in that danger?" Avi wondered whether the principle of chayecha kodmin, your own life takes precedence, might apply. Chazal discuss a famous case in which two people are traveling through the desert and there is only enough water for one of them to survive. The Torah teaches that a person is not necessarily required to sacrifice his own life in order to save another. Perhaps, Avi wondered, the same principle applied here. He was not refusing to help because it was inconvenient. By helping his neighbor, he was remaining outside the shelter far longer and exposing himself to additional danger. On the other hand, what would happen if Avi did not help? His neighbor might have no way at all to reach the bomb shelter. When the sirens sounded, Avi would run downstairs to safety while the man next door remained helplessly inside his apartment. Avi decided to present the painful question to Rav Yitzchak Zilberstein: Is Avi obligated to help his disabled neighbor reach the bomb shelter, even though doing so means that instead of reaching safety in seconds, he must remain exposed for several frightening minutes? Or does the principle of chayecha kodmin allow him to protect himself first when helping another person would increase the danger to his own life? What do you think?

Answer: Regarding the question about whether one is obligated to bring his disabled neighbor down to the shelter during a rocket attack, Rav Zilberstein (C"C Nedarim 753) answered that this case is very different from the famous case of two people in the desert with only one bottle of water. In that case, both people are in equal danger. Here, however, the healthy person's risk of being struck by a rocket while helping his neighbor is less than one in a thousand. On the other hand, leaving the disabled neighbor alone during the attack would cause him enormous panic and terror, which itself could constitute a situation of pikuach nefesh. Therefore, Rav Zilberstein ruled that the healthy neighbor is obligated to help him reach the shelter. It would be forbidden to ignore his plight, and in this case we do not apply the principle of chayecha kodmin, that one's own life takes precedence.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Nedarim, p. 753

The story takes place in Eretz Yisrael. There was a young doctor named Raffi who lived in the north of Eretz Yisrael, near Tzfat. Now, it is not uncommon in Eretz Yisrael for people to get their driver's license later in life. There is very good public transportation, the buses are really great, and driving is not as essential as it is in America. So it is not unusual for people to get their license later on, maybe in their mid-20s. Raffi was already a resident, a young doctor, and he had gotten his driver's permit. The way it works in Israel is that when you get your permit, you are not allowed to drive by yourself. For three months, you have to drive with an experienced licensed driver. After those three months, you can get your full license. So Raffi, the doctor, lived in the north, and he had his driver's permit, but not yet his full driver's license. One Shabbos, Raffi was home with his family, enjoying the beauty and peace of Shabbos. All of a sudden, the sirens went off. Then, boom! Not too far away, he heard an explosion. Very quickly, he started getting emergency messages. He got a message over a walkie-talkie, that there were casualties. Buildings had been hit, people

were hurt, and he had to quickly drive a few miles to the site of the impact. Now, this was Shabbos, and Raffi did not have a driver's license. He had a medical license, but not a driver's license. He only had a driver's permit. His first impulse was, "Of course I'm going to drive and help people." But then he realized that he was not legally allowed to drive by himself. So the question was, is he allowed to drive on Shabbos by himself, without a license, in order to save people? You might say, "No, don't go by yourself. Maybe someone should accompany him. Maybe his father, who has a license, should go with him." But then the question becomes, is his father allowed to accompany him just to satisfy the requirement of the permit? So there were really three options. Option one: Raffi should go by himself, even though he does not have a full driver's license. The advantage is that he is the doctor, he is the one who is needed, and this may be the fastest way to get there. But there is a serious drawback. If he gets stopped by a police officer, it is possible that he could lose his license entirely. It is possible that he could be turned back. Who knows? It could create more delay, and it could even lead to more chilul Shabbos. Option two: maybe his father should join him. The father has a license, so if he sits with Raffi, then Raffi is driving legally according to the terms of his permit. But is the father allowed to go along on Shabbos just for that purpose? Is that enough of a reason to be mechalel Shabbos, just because his son only has a permit? Or do we say that the father is helping make the lifesaving trip possible? Maybe he is not just a passenger. Maybe he is like a tool that enables Raffi to get there properly and legally. Option three: once the father is coming anyway, maybe the father should drive. After all, the father has a real license. He is a more experienced driver. Maybe he will drive faster and more safely. Raffi will be able to stay focused, and perhaps they will arrive quicker. But on the other hand, you could argue that Raffi is the one who is needed for the pikuach nefesh. He is the one doing the actual saving. The father is only there to satisfy the legal requirement of the permit. Maybe the father does not have the same heter to be mechalel Shabbos in such a direct way. Maybe it is better for him to sit there passively while Raffi drives, since that is less of an issur. So each option has a strong side and a weak side. This was the question that the young doctor, Raffi, brought before Rav Zilberstein. What do you think?

Answer: Regarding the question about the young doctor who had only a permit, not a license, Rav Yitzchak Zilberstein wrote that the father was permitted to accompany him and, in fact, should drive on Shabbos. This is because the father would drive most effectively and get them to their destination as quickly and efficiently as possible.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Nedarim, p. 457 (Table Talk Edition 496)

Yehuda lived in Eretz Yisrael, and he had a large warehouse filled with wholesale food items. Every year he would sell his chametz to a kind Arab man who he had a relationship with. One day Yehuda was driving on a road that he had never been on before. He took a wrong turn and realized that he was in an Arab village and everyone was staring at him. Suddenly his car broke down and people began to surround his car. Yehuda got out of the car and started to run. Sinister looking men began to chase him. Yehuda ran for his life and hid in an alley. Suddenly an Arab man jumped in front of him. "I recognize you", the Arab man said. "You own that large food warehouse not far from here. Your life is in great danger. I will save you on one condition. My name is Khalil. I know the person that you sell your chametz to every year before your holiday of Pesach. He makes a nice profit from the sale. I will save you if you swear to me that for the rest of the time that you own that warehouse, you will sell the chametz to me instead". Yehuda, fearing for his life quickly agreed to Khalil's bargain. True to his word, Khalil hid Yehuda in his home. A few hours later Khalil helped Yehuda fix his car and helped Yehuda return home safely. Yehuda kept his bargain and every year after that, he sold his chametz to Khalil, and paid him a nice profit afterwards for his efforts. After ten years of this arrangement Yehuda tried to reach Khalil to sell his chametz before Pesach. Yehuda was unsuccessful in getting together with Khalil despite trying numerous times. Finally it was three days before Pesach and Yehuda was unable to get in touch with Khalil. He decided that with no other recourse he would sell his chametz to someone else. But as he picked up the phone he stopped. He had sworn to Khalil that he would only sell it to him. How could he break his oath? He must try to find

him at all costs. But on the other hand he thought, perhaps his oath was not really binding because it was only said under the threat to his life. Yehuda wanted to know how much effort he had to put into tracking down Khalil in order to keep his oath. Was his oath even binding in the first place? A similar question was brought before Rav Zilberstein. What do you think?

Answer: Regarding the question about whether an oath taken under duress in order to save your life is binding, Rav Zilberstein quotes a major authority who says that it would not be binding. However, he concluded from his brother-in-law, Rav Chaim Kanievsky that the oath is still binding in this case and therefore the man would have to make every effort to keep his oath.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 143 (Table Talk Edition 224)

Zev owned a jewelry store that sold jewelry as well as precious stones, gold, and silver. One day, during the period of Selichos, when it's customary to wake up very early, Zev was walking through the streets to shul. On the way to the synagogue, he passed by his jewelry store. He was shocked by the following scene: There was an expensive sports car parked right in front of the shop, and the door was wide open. Two thieves were emptying out his store of all the gems and jewelry and putting them into the sports car. Zev was filled with anger at their brazen attempt to steal all of his merchandise. Looking at the surroundings, he then thought of the following fascinating idea: There was some construction being done on top of his store. He quickly and secretly climbed up to the roof of his store, where there was a construction site. There, he found a pile of loose cinder blocks. It happened to be that the car was parked right underneath the cinder blocks. With all his might, he pushed the cinder blocks down. The cinder blocks smashed the hood of the car. Just as Zev had hoped, smoke and steam started to come out of the car. Apparently, the blocks hit a major component of the car, perhaps the engine block or the radiator. In either case, it was clear that there was serious damage done to the car. Now the thieves would not be able to escape. The thieves looked at the smashed car and realized that somebody had spotted them. They jumped into the car and tried to start it, but as Zev had hoped, it was to no avail. The car was damaged and would not start. Realizing that they were about to be caught, they quickly dropped everything and ran away. Thanks to Zev's quick thinking, he was able to rescue all of his possessions. Shortly afterward, the police came and surveyed the scene. It turned out that this car didn't belong to the thieves but was actually stolen from another person that night. The car belonged to another Jew named Eliezer. After the car was returned, Eliezer reached out to Zev. He told him, "I heard that you scared away the crooks and you helped me find my car. But the truth is, the damage that was caused to my car was extreme and extensive. I had to replace the engine, the radiator, and a lot of the internals. That cost more than $10,000. You were able to save your store from getting cleaned out, but you virtually destroyed my car. I think you owe me money for the damage caused to the car." Zev understood and was very sympathetic to Eliezer's plight, but he didn't feel like he had to pay him. He felt that by chasing off the robbers, he actually helped Eliezer get the car back. Perhaps if he had not done that, Eliezer would have never gotten any part of the car back and then he would have had to get a totally new car. They brought this question to Rav Zilberstein. What do you think? Does Zev have to pay for the damage done to the car? Or would you say that Zev chased away the thieves, and that allowed the car to be returned to Eliezer? Had he not interceded, perhaps Eliezer would have never gotten his car back. What do you think?

Answer: Regarding the question about smashing the getaway car with cinder blocks, Rabbi Zilberstein wrote that he did not have to pay the owner of the car. This is because the man was performing the mitzvah of stopping the thieves from doing a great sin. (Lehafrish es haganavim mechet chamur) Since he was doing the mitzvah of stopping thieves, it was the equivalent of him being "Onus al pi hadibur," which means he was compelled by the mitzvah.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 249 (Table Talk Edition 374)

Chaim lived in an apartment building in Eretz Yisrael. On the first floor of his apartment building there was a store that specialized in baby and toddler products. They sold carriages, cribs, baby clothes, and baby bathtubs. As is common in Eretz Yisrael, the store owner, Yisrael, would put out a few sample items on the sidewalk in front of his store. There was still room for people to walk by, but the samples did take some space from the sidewalk. For some reason, the fact that Yisrael was dumping his stuff on the sidewalk really bothered Chaim. Chaim asked Yisrael repeatedly to bring his stuff in, but Yisrael insisted that it was a common practice and that he had a right to do it. Chaim, in frustration, took Yisrael to a Jewish court, to a Din Torah, to force him to refrain from selling his wares on the sidewalk. The Beis Din heard the case and sided in favor of Yisrael, saying that he had a right to continue putting his wares on the sidewalk. Although the Beis Din supported Yisrael's position, Chaim never really got over the issue and he would continually complain to Yisrael about his wares on the sidewalk. A few months later, Chaim was on his porch. His porch was three flights up. Chaim's two-year-old daughter, Tzila, was playing on the porch and somehow she climbed up to the railing. Before Chaim could do anything, he watched in horror as his sweet daughter fell down, off the porch, onto the pavement three flights below. Chaim ran to the railing in a panic, but he saw what he thought could only be a miracle. His daughter Tzila had fallen into a stack of three infant bathtubs that were placed there by Yisrael. The bathtubs were plastic and had foam on the bottom. Tzila was frightened but she was very much alive and she suffered nothing more than a few scratches. The very wares that Chaim had spent so much energy arguing about, saved his daughter's life. Chaim ran down and picked up his daughter, and hugged her. He looked at the bathtubs; the plastic of the first two tubs was broken because of Tzila's fall. Chaim tearfully went to Yisrael, the owner, and offered him money for saving his daughter. But Yisrael would not accept it. Chaim said, "At least take the money for the damaged tubs." But Yisrael wasn't sure that Chaim had to pay for the damage caused by his daughter's fall, as it wasn't quite Chaim's fault. Yisrael graciously said he would not accept any payment unless the halachah ruled that Chaim had to pay for the damage. This question was brought to Rav Zilberstein. Does Chaim have an obligation to pay Yisrael money for saving his daughter? Does he have to pay for the broken tubs?

Answer: Regarding the question about the child who was saved by the baby bathtubs, Rav Zilberstein wrote that the father has no obligation to pay for the damage. Even the child would have no duty to pay when she becomes bas mitzvah.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 258

STORIES FROM OUR SAGES:

❖ Expounding the verse, 'You have widened my steps beneath me, and my ankles have not slipped' (Psalms 18:37), Rabbi Yehoshua ben Levi said: From the sheer force of the sword that the Philistine giant Yishbi-Benob swung, he hurled David eighteen cubits backward, and David fell to the ground. Both of them were terrified of one another, and right then David praised the Holy One, blessed be He, saying: 'You have widened my steps beneath me!' Immediately, the Holy One, blessed be He, caused Avishai ben Tzeruyah to spring up at his side, as it is written: 'And Avishai the son of Tzeruyah came to his aid, and struck the Philistine and killed him' (II Samuel 21:17). Yishbi protested to them: 'Two against one?' They replied to him: 'Behold, we are slaying you right now—go tell them in the city that ten men slew you!' Rabbi Shmuel bar Nachmani added: At the moment earlier when David beheld the avenging angel standing with a drawn sword, David's blood grew permanently chilled from awe of him, as it is said in his old age: 'They covered him with garments, yet he could not get warm' (I Kings 1:1)—teaching that he remained in awe and his blood stayed chilled.

Midrash Tehillim (Shocher Tov) 18:30

INSPIRATIONAL STORIES:

❖ The Lev simchah got married when he was young (16). He couldn't have children for 10 years. When he was 26 his wife gave birth but during labor an emergency occurred. The baby died and the mother was at the brink of death. He was filled with despair and wanted to weep. But the Lev Simchah knew his wife, and realized that if she were told that the baby they had waited so long for had died, she would likely pass away as well. The Lev Simchah didn't show the slightest sadness. He instead showed simchah, like his name. For 6 months he would tell stories about the baby and how special she was. The mother got stronger and stronger. Finally after 6 months when his wife was better he told her that the baby passed away. Only then, for the very first time did he let himself cry about it with her.

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 274

❖ Bentzion was 15 years old. He traveled many days from his town to be with the Alexander Rebbe for Yom Kippur. On Erev Yom Kippur he got a message from the rebbe. The rebbe knew an elderly woman who needed to be cared for on Yom Kippur. He was to do any melacha to save her life. Bentzion spent the whole Yom Kippur chopping wood, cooking, and heating water. It seemed the opposite of a spiritual Yom Kippur. After Yom Kippur he went back to say goodbye to the rebbe. There were throngs of people waiting to get a "gut yur" wish. The rebbe would not talk because he was too old and weak. Instead he would smile and nod to the people. But when bentzion came close, the rebbe spotted him from the crown and called him over. He said- "gut gedavened". You davened well. That was the way he "davened" on Yom Kippur, by doing chesed.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 92

❖ A rebbe was driving through a very bad gang filled neighborhood in new york. Suddenly, like in a nightmare his car stopped. He tried to star it but it would not start. He was wearing a hat and he clearly looked Jewish. He called AAA, but young tough gang members started to approach and surrounded the car. Suddenly a 7 foot tall huge black man came to the driver's window. With a scowling face he shouted Nobody is coming near this care. The toughs looked disappointed but were too afraid of him to go against him. He rapped his huge knuckles on the driver's window. Fearfully the Rebbi rolled the window down. The man smiled. Don't worry, Rabbi. You're in a bad neighborhood, but you will be safe. I stay here with you until AAA comes. "Who are you" the rebbi asked? I work for Joe Katz the Jewish caterer. He has always treated me with kindness, love, respect— even more than my own parents did. I promised myself that I would always help Jewish guys like Joe if I ever got a chance. Don't worry you have nothing to fear.

Stories That Warm The Heart, By Rabbi Binyomin Penzik, Published by C.I.S. Publishers, p. 255

❖ The story is well-known: On July 9, 2019, 35-year-old Rabbi Reuven Bauman was on a Virginia beach, chaperoning day campers. Some of the boys got too close to the water's choppy edge and were caught off-guard by a giant wave. Seeing the boys struggle to regain their balance in the now-deep water, Reuven immediately threw off his shoes and rushed in to save them. During those perilous moments, Reuven held the boys tightly, keeping them from slipping out further. A nearby fisherman helped the boys reach shore safely. Yet suddenly, Reuven himself was caught in a treacherous rip tide and swept out to sea; his body was recovered five days later. From where did Reuven derive this extraordinary sense of courage and self-sacrifice for others? After speaking with the Bauman family, the rest of the story can now be told. New York City, 1967. Reuven's paternal grandfather, Wilhelm Bauman (known fondly as Willy, pictured bottom), was a cabinet-maker. While out on a job, Willy's partner was working in an adjacent room. Suddenly Willy heard a massive explosion. Highly-flammable glue had combusted - consuming the adjacent room in flames. Disregarding his personal safety, Willy rushed into the dangerous inferno and pulled out his injured partner - likely saving the man's life. In the process, however, Willy was critically injured with third-degree burns covering much of his body. Doctors did not expect him to live through the night. Willy stayed in intensive care for many months, and eventually - with the help of an experimental burn unit - returned home to his family. Though his ability to walk was permanently damaged (he often used a wheelchair), Willy lived another

40 productive years. Rabbi Mark Bauman was 12 years old when his father performed this exceptional deed. Mark is also the father of Reuven Bauman, whose valiant rescue on a Virginia beach echoes his grandfather's lifesaving deed of 50 years earlier. "Between my father and my son," Mark says of the heroic courage transmitted through generations, "it was fire and water.

Table Talk, Edition 397 (Parshas Chukas), by Rabbi Yitzi Weiner

❖ When the wife of a talmid of his went through a very painful divorce, Reb Shmuel Auerbach was there for her every step of the way with counsel, and tears. The night before the get was to finally be given, Reb Shmuel contacted a talmid with a request: "Mrs, So-and-so is receiving her get tomorrow, and it's going to be a very emotional time. The moments following the get will be heavy ones for her, s'veht zein bitter. Please see to it that someone comes to take her home in a private car—she cannot be allowed to have to deal with car services at a time like that." Moments after he hung up, he was on the line again: "And please make sure the car is comfortable..." It made not a whit of difference that the husband in this very difficult parting of ways was his own talmid. For Reb Shmuel, there were no favored "sides." What mattered was that there was a Jewish woman in pain, and that it was the will of Hashem to help her in her time of need.

From Reb Shmuel, by R' Eytan Kobre, published by Judaica Press

B. TO PROTECT SOMEONE WHO IS BEING PURSUED BY EVEN KILLING THE PURSUER IF NECESSARY

(Torah Mandated Mitzvah), Sefer Chareidim 16-74

As it says, "If she grabs his private parts ... "You shall cut off her hand, your eyes shall not have pity" (Devarim 25:12, Parshas Ki Seitzei)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Would it be permitted to perform a partial birth abortion in order to save the life of the mother?
- What if the head of the baby has already emerged?
- Would it be permitted to kill a pursuer who wants to rape someone?
- Would you kill someone who wants to forcibly have relations with an animal?

SEFER CHAREIDIM

It is a positive mitzvah to rescue a victim from a pursuer (rodeif) who seeks his life, even by maiming one of the pursuer's limbs. This principle is grounded in Scripture: 'When men strive together... and the wife of one draws near... and puts forth her hand, and seizes him by his private parts' (Devarim 25:11) — which constitutes an attempt on his life because trauma to that vital area poses mortal danger — the Torah commands: 'Then you shall cut off her hand' (Devarim 25:12).

If it is impossible to rescue the victim merely by cutting off the pursuer's hand or maiming a limb, one is authorized and obligated to take the pursuer's life, as Scripture states: 'Your eye shall not show pity' (Devarim 25:12).

However, if an observer possesses the ability to save the pursued victim merely by maiming one of the pursuer's limbs, yet proceeds to kill the pursuer instead, he is guilty of murder.

Under the legal principles of the pursuer (din rodeif), Chazal ruled (Mishnah, Ohalos 7:6) that if a woman experiences life-threatening labor, one may terminate the fetus — whether through medication or surgically — because the fetus is legally classified as a pursuer seeking her life. Once the fetus's head (or the majority of its body) has emerged, however, one may not touch it to sacrifice its life for the mother, for one human life cannot be set aside for another (ein dochin nefesh mipnei nefesh), as this reflects the natural order of birth ordained by Heaven.

The identical law of the pursuer applies not only to one who pursues his fellow to murder him, but also to one who pursues a woman to violate her in a forbidden union punishable by spiritual excision (kares) or execution by beis din, such as a betrothed maiden (na'arah me'orasah) or a married woman. The same law applies to one who pursues a male to force homosexual relations.

Conversely, if a person runs to commit bestiality (relations with an animal) or to violate any other biblical prohibition — even the worship of idols — we do not intervene to incapacitate him by severing his limb or taking his life, for the law of the pursuer applies exclusively to the severe interpersonal crimes of murder and illicit relations (arayos).

This mitzvah applies in all places, at all times, for both men and women. One who has the power to neutralize a pursuer by wounding or killing him, yet fails to intervene, violates this active positive commandment as well as two negative prohibitions: 'Your eye shall not show pity' (Devarim 25:12) and 'Do not stand idly by the blood of your fellow' (Vayikra 19:16). The spiritual liability of one who neglects to stop a pursuer is as severe as if he had murdered a fellow Jew.

MORAL DILEMMAS:

During the 9-11 attacks, all planes were ordered to be grounded. There were several planes that were unaccounted for. President George W. Bush personally authorized the Air Force to shoot down any remaining planes that may be headed towards buildings. It fact it was initially assumed (incorrectly) that United 93 that crashed in Shanksville Pennsylvania, was shot down by the Air Force. After this order was made known, many people asked the following question. Is it permitted for an Air Force pilot to shoot down and kill the innocent passengers in the passenger plane, in order to save many more civilians in the building? On one hand do we say it is better to sacrifice a 300 on a plane to save 1,000 in the building? Or do we say that it would be better to be passive in this situation, and not actively kill anyone and let nature take its course? Perhaps it would be better to let the terrorists kill the thousand in the building and not actively murder the 300 in the plane. What do you think?

Answer: In this case it would be permitted to shoot down the plane because they will die in either case, either by hitting the building or by being shot down.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Sanhedrin, p. 395

A truck laden with explosives was heading for a market filled with people in Israel. The army was apprised of the situation. They would like to use a drone or a helicopter to destroy the truck before it gets to the market. Can they shoot the truck bomb if it will kill bystanders with collateral damage, but less than the people in the market? Is it ok to actively kill a few in order to save many more?

Answer: This appears to be a dilemma posed by the Chazon Ish that is unresolved.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Sanhedrin, p. 394

STORIES FROM OUR SAGES:

❖ Expounding the verse, 'You have given me the back of my enemies' necks' (Psalms 18:41), the Midrash teaches: This verse speaks first of Yehudah. Rabbi Yehoshua ben Levi said in the name of Rabbi Yehudah bar Ilai: It is a received aggadic tradition that Yehudah slew Esav. When did this occur? When Yitzchak passed away, Yaakov, Esav, and all the twelve tribes went to bury him in the Cave of Machpelah, as it is written: 'And his sons Esav and Yaakov buried him' (Bereishis 35:29). They entered the cave and stood weeping. Then the tribes respectfully stepped outside the cave to accord honor to their father Yaakov, so that Yaakov would not feel demeaned weeping openly before them. Seeing Yaakov alone, Esav slipped back into the cave. Yehudah immediately slipped in right behind him, saying to himself: 'Perhaps he intends to murder Father inside!' Yehudah entered and found Esav about to kill his father Yaakov. Immediately Yehudah rose up and slew Esav from behind. And why did he not strike him from in front of his face? Because the features of Esav's face resembled the face of Yaakov; therefore Yehudah accorded honor to his father's likeness and struck Esav from behind. And that is why his father Yaakov blessed him: 'Your hand shall be on the nape of your enemies' (Bereishis 49:8).

Midrash Tehillim (Shocher Tov) 18:32

C. TO TRY TO STOP THE PURSUER BY INJURING HIM RATHER THAN KILLING HIM

(Torah Mandated Mitzvah), Sefer Chareidim 29-102

As it says, "If she grabs his private parts ... "You shall cut off her hand," (Devarim 25:12, Parshas Ki Seitzei)

SEFER CHAREIDIM

Scripture mandates: 'Then you shall cut off her hand' (Devarim 25:12). When a woman intervenes with lethal force against a man quarreling with her husband by seizing a vulnerable, life-threatening area, a bystander is obligated to act swiftly to save the victim by maiming one of her limbs if possible; this is the precise meaning of 'you shall cut off her hand.' If it is impossible to rescue the victim merely by wounding a limb, one must take her life before she kills him. A person is similarly obligated to intervene and rescue anyone pursued for violent assault — such as an engaged maiden (na'arah me'orasah), a married woman, a male pursued for homosexual relations, or any forbidden sexual unions (arayos) proscribed in the Torah — as elaborated in the section on positive commandments.

D. TO HAVE A VOLUNTEER RESCUE GROUP IN YOUR CITY

(Torah Mandated Mitzvah), Sefer Chareidim 29-24

SEFER CHAREIDIM

We are obligated to exert every effort to rescue our fellow human beings and to provide wise counsel that will deliver them from distress. It is commendable and fitting for every city to maintain an organized cadre of skilled volunteers prepared to handle all emergency rescue operations whenever any Jewish man or woman faces danger

or acute distress.

MORAL DILEMMAS:

There was once a Hatzalah member who was rushing to a call to save someone's life. His wallet which was filled with a lot of cash fell out of his pocket. Is he allowed to turn back and pick up his wallet? Would turning around to get his wallet be wasting precious tie that is risking the person's life?

Answer: He is allowed to pick up the wallet in order to prevent people from hesitating to save in the future.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Eruvin, p. 479

INSPIRATIONAL STORIES:

❖ Reb Chaim Soloveitchik of Brisk's dedication to the people of his city was expressed poignantly the day a great fire swept through Brisk in 1895. As was the norm in those days, most buildings in the city were made of wood, and when a fire began in one house, the flames spread quickly to the rest. There was little hope to put out the flames, and the main concern was to make sure no one remained trapped in the houses. R. Chaim ran from house to house frantically searching for anyone still inside. He found many little children, and, charging through the smoke and flames, he led them to safety. He made many trips in and out of the danger zone, carrying infants in his arms, and did not stop until he was sure all were accounted for. When the fire finally came under control it was discovered that half the homes in the city had been destroyed, and many families were left without a roof over their heads. Those whose homes had been destroyed moved into the shuls and other public buildings, and a committee was established to build new houses for the many homeless." In the meantime, while the construction of new homes was still going On, R. Chaim refused to sleep in a bed, but rather slept on a hard wooden bench. He said he was unable to sleep on a bed while others in the city had no homes. After a while, when he sensed that the people in the city who did have homes were becoming lax in their efforts to rebuild the city, he went to sleep in a small room under the stairwell in the Great Synagogue." All the pleading of his congregants that this was beneath his dignity and that he should return home was unsuccessful. Ultimately his action had the desired effect, and the pace of rebuilding quickened, and the houses were eventually rebuilt.

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 67

E. TO HELP YOUR FELLOW WHO IS TRAPPED UNDER HIS PACKAGES

(Torah Mandated Mitzvah), Sefer Chareidim 16-44

As it says "You shall not see the donkey or the ox of your brother fallen on the road and hide from them, you shall surely stand them up with him" (Devarim 22:4, Parshas Ki Seitzei)

SEFER CHAREIDIM

The Rashba taught that through an a fortiori deduction (kal va'chomer), if the Torah mandates a mitzvah to unload the burden from an animal collapsing under its load (perikah), we are all the more obligated to remove the burden and rescue a fellow human being who is trapped or crushed beneath a load.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Halachah (Bava Metzia 32a) is firm regarding the word (imo, with him): "You shall surely unload with him: if the owner went and sat down, saying to the traveler, 'Since the mitzvah is upon you to unload, go unload,' the traveler is exempt, for Scripture specifies: with him." Help is required only when the owner actively labors alongside the helper. In his late teaching on Parshas Vayishlach in 5664, the Sfas Emes reveals that this halachic rule mirrors how Heaven governs our own spiritual lives. When a person struggles beneath the heavy pack of personal sorrow, spiritual confusion, or the weight of exile, how do we often react? We might look up to Heaven with passive helplessness, crying: Master of the Universe! Heavenly help never replaces our human agency; it sanctifies our sincere struggle. By requiring the donkey's owner to labor alongside the helper, the Torah establishes the eternal law of partnership between man and Hashem (Sfas Emes, Bereishis, Vayishlach 5664).

• The Torah uses intense, doubled verbs when commanding roadside assistance. In Parshas Ki Teitzei in 5636, the Sfas Emes examines the meaning of these doubled words. When a traveler looks down at an overburdened animal sprawling in the dirt, our ego whispers a subtle lie: "I am the strong, upright person walking on two healthy feet. This animal and its driver are unfortunate, fallen beings beneath me. I am doing them a generous favor from on high." Heaven proclaims: "Because this human steward refused to abandon a fallen animal to the dust, I will guarantee that when he experiences his own dark hour of stumbling, he will never be left to perish on the highway of life." We think we are unburdening another; in truth, we are securing our own footing (Sfas Emes, Devarim, Ki Seitzei 5636).

• The Torah describes the animal needing help with a precise word: "crouching beneath its burden." The Talmud (Bava Metzia 32b) explains: the mitzvah applies only when the animal is currently crouching due to the crushing weight of its pack. Drawing on Yaakov Avinu's struggle with the angel in the dark of night until dawn, the Sfas Emes explains that human breakthrough rarely occurs when we are comfortable and self-satisfied. Deliverance arrives precisely when a person reaches the end of his natural strength—when he feels flattened to the earth, unable to carry the load a single step further. Why did the Creator design our growth around this difficult struggle? Because as long as we feel self-sufficient, relying solely on our own pride, we remain closed to higher wisdom. By persevering through exhaustion in shared effort, the bearer gains genuine ownership over his salvation. The pack is lifted, the donkey stands upright, and both animal and master step forward into freedom (Sfas Emes, Bereishis, Vayishlach 5649).

• In Parshas Vayishlach, Yaakov Avinu prepares to meet his hostile brother Eisav. Why was Yaakov afraid if he possessed an absolute promise from Hashem? He explains that help is required only through shared effort. So too, Yaakov said: "If I do not exert myself to the utmost of my power, how can I rely upon the Divine promise?" Therefore, he was afraid that his own human effort might fall short. This teaching shatters the illusion of passive reliance on miracles. Even when Heaven promises success, we must work as though everything depends on our own efforts. Divine grace does not replace human responsibility. Hashem assists those who strain under the load (Sfas Emes, Bereishis, Vayishlach 5643).

• In Parshas Yisro, the Sfas Emes discusses the unique nature of the Torah's civil and interpersonal laws. He writes that the laws of the Torah are not like the decrees of a human monarch. Mortal laws merely organize a country. But the laws of Hashem are the inner vitality of creation. Therefore, even the mitzvos of unloading an animal and

showing mercy to a beast are woven into the foundation of the world. In creation, the animal kingdom is one of those essential gears. By lubricating that gear with kindness, we keep the entire clockwork of creation running in peace (Sfas Emes, Shemos, Yisro 5664).

F. NOT TO REFRAIN FROM HELPING YOUR FELLOW WHO IS TRAPPED UNDER HIS PACKAGES

(Torah Mandated Mitzvah), Sefer Chareidim 29-30

As it says "You shall not see the donkey or the ox of your brother fallen on the road and hide from them" (Devarim 22:4, Parshas Ki Seitzei)

SEFER CHAREIDIM

From an a fortiori deduction (kal va'chomer) derived from the commandment of unloading a burdened animal, we learn that when a person is collapsed beneath his burden, one is strictly obligated to assist him. If one ignores him and fails to provide assistance, he violates a biblical negative prohibition.

INSPIRATIONAL STORIES:

❖ Reb Chaim Soloveitchik would often take walks in the streets of Brisk, engrossed in a sugyah. He would not walk with his rabbinic frock. Rather he would dress like an ordinary Jew, wearing his long coat, with his big yarmulke on his head. His route took him to the riverbank on the other side of the city. Sometimes Rav Simchah Zelig (the Dayan) would accompany him and they would sit down on a bench, engrossed in an atmosphere of holiness. One day when Reb Chaim was out walking alone, he met a Jew who was not a resident of the city. The man, unaware of whom he was addressing, asked him how to get to a certain place. Reb Chaim gave him directions, but he saw that the man was unsure and he was afraid he would lose his way. Reb Chaim therefore decided to accompany the man to his destination, which was on the other side of the city. They had been walking together for a while when the man stopped, apologizing that his bag was very heavy and he could not go further. He asked whether Reb Chaim would be so kind as to carry it for him to his lodgings. Reb Chaim carried the suitcase for quite a while. "Perhaps you'll take a turn for a few minutes?" Reb Chaim asked when he felt he needed a break. "I have no strength for it," the man answered, explaining that he had come a very long way, adding, "It won't hurt you to help me a little bit with my burden." The dialogue repeated itself several times until they were very close to the end of their long walk. At that point, Reb Chaim put down the suitcase and pointed to the house, turning to leave. "Nu," said the man, "if you've already taken me this far, perhaps you will take the bag into the house?" But Reb Chaim refused, said goodbye and left. Only the next day did the visitor learn why his benefactor had not finished the job. His host had suggested that he go meet the rav of the city and pay his respects. When he came into the rav's house, he was mortified, wishing the ground would open up and swallow him. The man whom he had taken advantage of and had shlepped his suitcase was none other than the revered rav of the city. The visitor immediately asked forgiveness for the terrible dishonor he had shown to the rav, but Reb Chaim only smiled, unperturbed, as if he had not been involved in the events at all. Now the visitor could not hold himself back from asking why he had refused to carry the suitcase the last few steps. Reb Chaim answered him, "Indeed, I really should have completed the mitzvah, but I was concerned that your host might see us coming in and yell at you for having the chutzpah to trouble the rav of the city. I decided that it would be better to leave you some distance from his home than to expose you to terrible shame."

From Reb Chaim Brisker, By R' Shimon Yosef Meller, Published by Feldheim

G. TO SAY WHAT WOULD NORMALLY BE LASHON HARA, IN ORDER TO SAVE SOMEONE

(Torah Mandated Mitzvah), Sefer Chareidim 24-38

As it says, A gossip mongerer shall not go among your people... (but) Do not stand idly by the blood of your friend" (Vayikra 19:16, Parshas Kedoshim)

SEFER CHAREIDIM

Scripture states: 'You shall not go as a talebearer among your people' (Vayikra 19:16), which is immediately juxtaposed with: 'Neither shall you stand idly by the blood of your fellow.' Rabbi Moshe of Couci expounded that while a talebearer is forbidden to repeat disparaging remarks made about a fellow Jew, this prohibition is overridden when life is at stake. If one hears a person declare his intent to murder someone, it is forbidden to remain silent; rather, one is obligated to disclose the danger to the potential victim so that he may take precautions and preserve his life.

14. Not to save the life of one who persuades others to do idolatry

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 26

As the Torah says, nor shall your eye pity him (Devarim 13:9, Parshas Re'eh)

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In order to be G-dly, we are to demonstrate love toward all of Hashem's creations, and avoid harming them in any way. We therefore have to avoid bring people spiritual harm as well. Saving this person, in order to allow him to continue corrupting people, creates a great hazard for the community.

In addition, this severe penalty serves to act as a deterrent for others from trying to seduce people to idolatry. This is actually a way to help the community and help prevent people from puling Jews away from the Torah.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG (DEVARIM 13:9)

This severe consequence serves to prevent people from doing this aveirah of trying to seduce others to idolatry.

A. NOT TO SAVE THE LIFE OF ONE WHO PURPOSELY CAUSES OTHERS TO SIN

(Torah Mandated Mitzvah), Sefer Chareidim 21-35

As the Torah says, "Your eyes shall not have pity on him, do not have pity, and do not cover for him" (Devarim 13:9, Parshas Re'eh).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is the consequence of having misplaced compassion on wicked people?

SEFER CHAREIDIM

We are warned through this commandment never to show misplaced pity or compassion toward corrupt individuals who deliberately cause others to sin or stumble. Our Sages famously taught (Koheles Rabbah 7:16): 'Whoever displays compassion toward the cruel will ultimately act with cruelty toward the compassionate.'

15. To build a protective fence around your roof

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 75

As the Torah says, then you shall make a parapet for your roof that you shall not bring blood upon your house, (Devarim 22:8, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Are you morally obligated to make sure that you don't have anything dangerous on your private property?
- If someone is doing construction in their backyard and they are digging, what do they have to do to protect people?
- Is it ok to have an attack dog in your home?
- Is there a way to perform this mitzvah every day without actually building fences or making safety barriers?

SEFER HAMITZVOS HAKATZAR

Whoever leaves his residential roof without a protective parapet (ma'akeh) violates an active positive commandment (mitzvas aseh), as Scripture states: 'When you build a new house, you shall make a guardrail for your roof' (Devarim 22:8). Similarly, leaving any hazard that constitutes a lethal stumbling block — such as an uncovered well, cistern, or pit — violates this commandment.

A guardrail at least ten tefachim (handbreadths) high must be constructed around the perimeter of the roof, and the barrier must be engineered with sufficient strength to allow a person to lean upon it securely without it collapsing.

It is likewise forbidden to keep a dangerous or vicious dog in one's home unless it is kept securely chained, lest it harm or terrorize inhabitants and visitors.

In the Sefer Chareidim it is written: If a person bears this mitzvah in mind daily and inspects his guardrail to ascertain whether it requires repair or reinforcement, it is accounted to him as though he actively fulfills this commandment every single day.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Like Hashem, we want the best for all of Hashem's creatures. Not only are we to avoid actively hurting anyone, but we should also avoid creating a situation which may cause someone to get hurt.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 446)

This mitzvah teaches us that even though we put our trust in Hashem, we can't rely on miracles and we have to do whatever is in our power to protect ourselves and others.

ABARBANEL (DEVARIM 22)

"Megalgelim chova al yidei chayav". Hashem brings together one who is deserving of being punished together with the one who is doing the wrong thing by not having a fence. You should still not be the one responsible for allowing that person to get punished.

SFAS EMES

• The Sfas Emes begins with King Shlomo's words in Mishlei: "For they are a graceful wreath for your head" (Mishlei 1:9). The Midrash explains that the word livyah means both an adornment of grace and an escort that accompanies a traveler on a long journey. The Sfas Emes explains that the mitzvos do not ask us to run away from physical life. Rather, they join us to Hashem through what we do every single day! Just as tzitzis elevate the shirt on our back, a ma'akeh elevates the bricks and mortar of our home. When we build a railing for the sake of Heaven, the light of Torah enters the physical wood and nails. Building a home ceases to be a selfish pursuit of comfort; it becomes a holy dwelling where Hashem's presence is welcomed (Sfas Emes, Bereishis, Bereishis 5631).

• How can physical wood and stone hold the holy light of Hashem? The Sfas Emes explains that every permitted object in creation possesses a hidden spark of divine life beneath its physical shell. When we engage in permitted activities for the sake of Heaven (l'shem Shamayim), we liberate that hidden spark! Think of the difference between an animal and a human being. An animal builds a den purely for its physical comfort. But when a Jew builds a house, he asks: "How can this building serve the Creator?" By building a ma'akeh, he immediately brings his new property under the loving authority of the Torah. He dedicates his roof to human safety and divine service, turning an earthly shelter into a vessel of blessing (Sfas Emes, Bereishis, Bereishis 5631).

• The Sfas Emes quotes a profound insight from the holy Tanya: the Hebrew word for a forbidden matter is isur, which literally means "bound" or "tied up." When a person commits a sin, his soul becomes chained to the dark forces of selfishness. What about permitted activities? A permitted matter is called muttar, which means "unbound" and "free." When we use a permitted home for physical pleasure alone, we risk falling into materialism. But when we perform the mitzvah of ma'akeh, we tie the home to the Throne of Glory! The mitzvah acts as an anchor, ensuring that our permitted pursuits remain pure, safe, and directed toward Hashem (Sfas Emes, Bereishis, Bereishis 5631).

• This brings us to the beautiful heart of the mitzvah: caring for our fellow man. A person might think that serving Hashem belongs only to the study hall or the synagogue. He might think that hammering boards onto a rooftop is mundane construction work. The Torah tells us: No! Constructing a safety barrier is a holy act of

divine worship. When we spend our money and time to ensure that a visitor will never fall from our roof, we express the deepest love for our fellow human beings. Concern for human life is not separate from serving Hashem; it is serving Hashem! By building that fence, the homeowner demonstrates that his property is governed by kindness and compassion (Sfas Emes, Bereishis, Bereishis 5631).

RELATED HASHKAFAH TOPICS:

- Discuss the idea of ein somchin al hanes, not relying on miracles.
- Discuss the idea of megalgelin chov al yedei chayav, how Hashem brings together one who is doing an aveirah with one who is deserving of punishment. This is one approach to understand how Hashem can run the world even though we have free choice.

MORAL DILEMMAS:

A family constructed a halachically mandated safety railing (ma'akeh) around their flat rooftop to fulfill the biblical command of guarding against falls. Later, they wished to hang wet laundry across the railing to dry in the sun. Does hanging everyday wash upon the railing constitute a degradation of a divine commandment (bizuy mitzvah)?

Answer: They may hang laundry on the railing. Rav Yitzchak Zilberstein clarifies that a safety railing is a protective implement (tashmish mitzvah) rather than an object endowed with intrinsic sanctity. Utilizing it for everyday household needs is completely permissible and does not constitute a degradation of the mitzvah (bizuy mitzvah), provided its protective safety function remains unimpaired.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 62

INSPIRATIONAL STORIES:

❖ A young couple was purchasing an apartment pre-construction in Kiryat Sefer. The husband came to Rav Chaim Kanievsky with a unique question. "Should I purchase an apartment on the top or bottom floor of the building?" he wondered. "If I buy an apartment on the top floor, which includes use of the roof, I will be able to fulfill the one-time Biblical mitzvah of maakeh. However, in a bottom-floor apartment, I will be able to perform the mitzvah of ner Chanukah with greater hiddur, as I will be able to light my menorah outside the apartment." Rav Chaim smiled at the questioner and replied, "Purchase on the ground floor. It will involve less bitul Torah [for he would be spared the daily time wasted by waiting for the elevator or walking up the stairs]." After relating this story, Rabbi Shraga Shteinman commented that people can get lost in the optimal ways to perform the mitzvah of maakeh or Chanukah. Most people have difficulty keeping their perspective. Rav Chaim's answer dealt with the practicality of daily living, as it included a consideration that could have implications several times a day: Living on the ground floor will not require the time and effort of going upstairs and downstairs several times a day, with the attendant bitul Torah. One must know to always stay focused on all the relevant details.

From Rav Chaim, By R' Naftali Weinberger, Published by Artscroll

16. Not to allow a danger in your house

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 190

As the Torah says, you shall not bring blood upon your house (Devarim 22:8, Parshas Ki Seitzei).

SEFER HAMITZVOS HAKATZAR

(See also the detailed treatment of this commandment in the section of positive commandments, §75)

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Like Hashem, we want the best for all of Hashem's creatures. Not only are we to avoid actively hurting anyone, but we should also avoid creating a situation which may cause someone to get hurt.

MORAL DILEMMAS:

Malky and Tova lived in a development, in a frum neighborhood quite similar to Lakewood. The development consisted of about twenty houses arranged around a central courtyard, with each house containing four apartments. Everyone who lived in the apartments was frum. One day, Malky and Tova were standing and talking in front of their building when Malky suddenly noticed something in the courtyard, where children were constantly playing. She saw a venomous, dangerous snake. Both women were terrified. They knew that if they called government pest control, it could take a long time for help to arrive, and they felt there was immediate danger. They decided to call an exterminator they knew. The exterminator came as soon as possible, identified the snake as extremely deadly, and successfully captured and removed it. Afterward, he gave Malky a bill for five hundred dollars, explaining that the price was higher because it was a dangerous job. At first, Malky and Tova thought they would split the cost between themselves, each paying $250. But then they reconsidered. They said, "Why should we have to pay for this ourselves? We live in a shared building, and everyone benefited from removing the snake." They approached their neighbors and asked if they would agree to split the fee four ways. The neighbors responded that they were willing to participate, but questioned why it should be split only four ways. They pointed out that there was an entire row of houses around the courtyard, with dozens of families. Since everyone benefited, they felt the cost should be divided among all the residents, with each person paying only a small amount. As a result, instead of splitting the fee four ways, Malky and Tova began going door to door to ask people to share the cost. However, some residents objected. One person said, "We never saw the snake, we were never afraid of it, and we don't want to get involved. Why should we have to pay?" The question was then brought to Rav Zilberstein: Who is obligated to pay for the cost of removing the snake? Only the people who saw it and were afraid? Only the one who called the exterminator? Only those who lived closest to the courtyard? Or everyone who lived around the courtyard? What do you think?

Answer: Regarding the question about the snake, Rav Zilberstein asked this question to Rav Elyashiv, who answered that everyone who was in a state of fear, and whose fear was alleviated by calling the exterminator, should participate in the costs.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 336

In Baltimore recently there has been a string of armed burglaries. Armed burglars demanded the keys for peoples cars. After one such incident occurred we had a discussion with a few people in my neighborhood about what might be done to prevent this in the future. One person suggested that perhaps we can each place a large sign in front of our homes saying "beware of guard dog" with a picture of a vicious dog. Perhaps if the burglars know that there is a guard dog watching, the burglars would go elsewhere. On one hand it sounds like a very good idea, and it might help to keep

us safe. On the other hand, however, there are the following considerations. If we were to give the impression that there was a guard dog on our block it would keep innocent people away out of fear of a non-existent dog. Perhaps it would be bad chinuch, (education) for the young children to know that even though there was no dog we give the impression that there is one. They might not be mature enough to understand that you are allowed to be misleading in certain cases. But on the other hand, maybe these drawbacks are trumped by the benefit of protecting the neighborhood. What do you think? Is it OK to have a "beware of dog" sign when there really is no guard dog?

Answer: Regarding the question of whether it is permitted to put up a fake "Beware Of Dog Sign", Rav Tzvi Berkowitz answered as follows: It is ok to do it if your neighbors don't mind. It may scare visitors or children so that is a concern. You are allowed to deceive potential burglars but you should explain to your children that this is being done as a protection.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 208 (Toldos)

NOT TO HURT ANYONE EMOTIONALLY

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by not hurting the feelings of another

17. Not to disgrace another

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 79

As the Torah says, and you shall not bear sin because of him (Vayikra 19:17, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Does this prohibit embarrassing in private or only in public?
- How severe is this in the eyes of the Torah if this is done publicly?
- Would this apply if a person anyone has a very low stature anyway?
- Would this apply if the person is very important and may have less to lose?
- Is it permitted to call someone a nickname that they don't like, but is used by everyone?
- Is it permitted to protest against someone who is doing the wrong thing if a public protest may embarrass him?

SEFER HAMITZVOS HAKATZAR

Disgracing or humiliating another person is strictly prohibited in private, and it is all the more severely forbidden in public.

This constitutes an exceptionally grave offense. Chazal of blessed memory taught (Bava Metzia 59a): 'Whoever whitens the face of his fellow in public has no portion in the World to Come (Olam HaBa).'

We must therefore exercise meticulous care never to disgrace any person, regardless of whether that individual is of humble origin or of distinguished stature.

Included in this prohibition is addressing someone by an embarrassing nickname or derogatory epithet that causes him shame, even if he has become accustomed to hearing it.

This prohibition applies specifically to interpersonal grievances and private disputes between a person and his fellow. In matters of Heaven, however, if an individual commits a transgression or acts immorally and refuses to repent after being admonished gently in private, it is permissible to shame him publicly and expose his wrongdoing until he turns back to the upright path.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 240)

There is no greater pain than the pain of embarrassment and it can be far greater than physical pain.

SFAS EMES

• In Parshas Vayigash, our Sages reflect upon the dramatic moment when Yosef revealed his identity to his brothers: "V'lo yachlu echav la'anos oso ki nivhalu mipanav" — "And his brothers could not answer him, for they were terrified before him" (Bereishis 45:3). The Sfas Emes explains that Yosef immediately followed his revelation with comforting words: "Now, do not be distressed, nor let it be bitter in your eyes that you sold me here, for Hashem sent me before you to preserve life!" (Bereishis 45:5). As the Sfas Emes writes: Yosef the righteous took supreme care not to humiliate them; he immediately showed them that everything occurred through Divine Providence in order to remove their shame! Yosef showed his brothers that even their past mistake was woven into Hashem's plan. He protected their dignity so that love could be restored (Sfas Emes, Bereishis, Vayigash 5636).

• In Parshas Vayechi, Yaakov Avinu blesses his son Yehudah: "Kar'a ravatz k'aryeh ul'lavi, mi yikimenu" — "He stooped down, he couched as a lion, and as a lioness; who shall rouse him up?" (Bereishis 49:9). What does it mean that Yehudah crouched like a lion? The Sfas Emes, quoting his grandfather the Chiddushei HaRim, explains that Yehudah's eternal kingship was born at the moment of his greatest public test. When Tamar was brought out to be judged, Yehudah could have remained silent to save his reputation. Instead, he stood before the entire court and confessed: "Tzadkah mimeni" — "She is more righteous than I!" (Bereishis 38:26). But when someone else forcibly strips a person of his honor in public, it breaks his spirit. Inflicted shame robs a person of the very dignity that would have allowed him to repent on his own (Sfas Emes, Bereishis, Vayechi 5651).

• In Parshas Vayigash, our Sages in the Gemara (Shabbos 119b) make a fascinating play on words: "Yerei Shabbos — yerei boshes" — one who reveres the Shabbos reveres shame. What is the hidden connection between the holy Shabbos and the emotion of shame? The Sfas Emes explains that during the six workdays, human beings are busy projecting their egos outward into the physical world. We build, we conquer, and we take pride in our personal achievements. But when the holy Shabbos arrives, all creative labor stops. A person steps back, looks at the glory of Hashem's creation, and feels holy modesty (boshes). He realizes that everything belongs to Hashem! When you publicly humiliate another person, you shatter that delicate sense of holy modesty and make him feel worthless, driving him into anger and defiance. By respecting another's dignity, we guard his holy modesty (Sfas Emes, Bereishis, Vayigash 5654).

• In Parshas Bamidbar, Midrash Rabbah teaches a profound rule regarding honor: "Whoever increases the honor of heaven and diminishes his own honor, the honor of heaven increases and his own honor increases; but whoever diminishes the honor of heaven and increases his own honor, the honor of heaven diminishes and his own honor diminishes." The Sfas Emes explains that Hashem's presence in this world is reflected through His creations. When you show honor and respect to another human being (kavod ha-beriyos), you are honoring the King Who created him in His image! Conversely, when someone insults or humiliates another person in order to make himself look big, he diminishes the honor of heaven. As the Sfas Emes writes: for the honor of human beings is a

branch of the honor of heaven, and one who degrades his fellow blemishes the honor of the Almighty Himself! But the Torah warns that this is a spiritual theft. You cannot build your own honor by tearing down the image of Hashem in your brother (Sfas Emes, Bamidbar, Bamidbar 5644).

• In Parshas Kedoshim, the Torah pairs the mitzvah of reproof with the warning against sin: "Hochei'ach tochi'ach es amisecha, v'lo sisa alav cheit" — "You shall surely rebuke your neighbor, and not bear sin on his account" (Vayikra 19:17). How does an act of constructive correction turn into a personal sin? The Sfas Emes quotes a profound insight from the commentators: "The one who offers rebuke must include himself in the reproof." When you see a fellow Jew stumble into sin, you must never stand high on a pedestal and look down on him with moral superiority! You must recognize that all of Israel is a single soul. If your brother has fallen, it proves that there is a deficiency in the spiritual atmosphere of the entire nation, and you share responsibility for that flaw! Every Jew is tied to the same rope. When your brother stumbles, reach down and pull him up (Sfas Emes, Vayikra, Kedoshim 5643).

MORAL DILEMMAS:

Years earlier in yeshivah, a young man publicly humiliated a classmate in front of all their peers. After finishing their studies, each moved to a different city and built a family. When the offender later suffered personal hardships and examined his deeds, he traveled to his former classmate to beg forgiveness. The classmate replied, "You humiliated me in public, and I cannot grant you complete forgiveness unless you gather all the classmates who were present at that incident and apologize to me in front of them." Is the offender halachically obligated to incur the financial expenses of gathering his former classmates to appease the person he humiliated?

Answer: HaGaon Rav Yitzchak Zilberstein (Chashukei Chemed, Yoma, p. 589) cites a ruling transmitted in the name of HaGaon Rav Moshe Feinstein zt"l (the Igros Moshe) that the offender is obligated to incur the financial expenses required to gather the classmates and appease the victim. Just as a person facing severe prison sentences in a human court would gladly spend a fortune to save himself, and since Chazal teach (Sotah 10b; Rabbeinu Yonah, Sha'arei Teshuvah 3:139) that public humiliation (halbanas panim) is akin to bloodshed, he must spend the necessary funds to achieve atonement and appease the classmate before those who witnessed the humiliation.

— Source: HaGaon Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 589

Yekusiel walked into a store that sold beds. He sat down on one of the beds and thought, “Let me see if this bed is comfortable.” The bed was so comfortable that Yekusiel accidentally fell asleep. A little while later, he woke up with a start. “Where am I?” he thought. “How did I fall asleep on a bed in a store?” Just then, he noticed Moshe, the store owner, standing nearby and taking a picture of him. Yekusiel asked, “Moshe, why are you taking my picture?” Moshe answered, “I want to use this picture in an advertisement for my beds. When people see pictures of beds, they do not know if the beds are really comfortable. But if they see that you actually fell asleep on one of my beds, they will understand that these beds are very comfortable.” Yekusiel said, “I am willing to let you use the picture, but only if you pay me.” Moshe replied, “I did not charge you for falling asleep on my bed. So you should not ask me to pay you for the picture!” Who is right?

Answer: In any case, Moshe is not allowed to use the picture in an advertisement. Why? Because this advertisement would be false. The reason Yekusiel fell asleep was not because the bed was so comfortable. He fell asleep because he was tired. So if Moshe uses the picture to make people think, “This bed must be very comfortable, because someone fell asleep on it,” that is misleading. It is a form of geneivas da’as, tricking people by giving them a false impression. What can this be compared to?

Imagine a person took sleeping medicine, and because of the medicine he fell asleep on a bed. Then the store owner takes a picture and advertises, “Look how comfortable this bed is! He fell asleep on it!” That would clearly be false. Therefore, Moshe may not publish the picture as an advertisement.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Eli lived in a small community in the United States and was eagerly anticipating his bar mitzvah. One day, an envelope arrived in the mail. It was from an elderly couple in the community. Inside, there was a check for $200 accompanied by a note: "May you build a bayis neeman be'Yisrael, may you establish a loyal home in Israel, and receive only blessings in the future." Eli was taken aback. He recognized that such a blessing is typically extended to newlyweds, not to someone celebrating a bar mitzvah. He thought perhaps they might have mixed him up with another couple. Eli later learned that it was typical of this kind couple to give married couples $200 and a bar mitzvah boy, $100. Eli contemplated approaching the couple to highlight the potential oversight. However he hesitated, fearing that they might feel embarrassed upon realizing their mistake. What if they felt mortified about mistakenly giving a bar mitzvah boy a gift intended for a married couple? Alternatively, perhaps they really meant to give him the 200 dollars. Perhaps the error lay only in the specific berachah they penned and not in the amount. Maybe they intended to give him this generous bar mitzvah gift because they were impressed with him somehow. Furthermore, it was likely that if he would go to them, they would tell him he could keep it anyway. What are the odds that they will ask for the money back? Eli grappled with the moral dilemma, wondering whether it was his responsibility to inform them of the potential oversight. What do you think? Did he have a right to keep it, if it was mailed and addressed to him? Or should he risk embarrassing them by telling them?

Answer: Regarding the question about the present that was given to the bar mitzvah boy, Rav Zilberstein answered that if the boy is certain that they will be embarrassed, he should return the extra money in their mailbox with a note. But Rav Zilberstein wrote that it is likely that they won't be embarrassed about this mistake and it would be best to speak to them directly. He should not assume the money was meant for him.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 394

Yoni lived in a small Jewish community, He had his bar mitzvah and as is customary he read the Torah before the community in the shul. He read the Torah portion perfectly, without any mistakes. However, because he was a shy boy he read it with a low voice. Some people who sat in the back of the synagogue were unable to hear the Torah reading. Later that day ten people who sat in the back had the idea that they would read the Torah portion once again because they were not able to hear it properly in the morning. When they gathered to make the second reading, Shlomo, a person in the crowd wondered if this was okay. It was likely that the bar mitzvah boy would hear that they reread the Torah because they were unable to hear him and that would likely embarrass him. Shlomo wondered if it would be okay to read the Torah portion once again if it may embarrass the bar mitzvah boy. What do you think?

Answer: Regarding the question of making a new minyan to read the leining again, Rav Tzvi Berkowitz answered that in this case they are not obligated to hear it again (they should have moved closer). If that is the case, they should not do something that could embarrass the boy. See Mishnah Berurah 135:7.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Avi, who lived in Israel, purchased seats in his shul for the Yamim Noraim (High Holidays). He was very deliberate about which seat he chose. He struggled with his hearing and wanted to ensure he could hear the rabbi's drashos (sermons) clearly. He chose a seat that was both close to the rabbi, so he could hear him well, and hear the shofar

blowing. On Rosh Hashanah morning, when Avi arrived at his seat, he found someone else sitting in it -- a person he had never seen in the neighborhood before. The shul was packed, and there weren't many available seats left. Avi faced a dilemma. He felt he had every right to the seat -- after all, he had purchased it. He wondered if he should gently and politely ask the guest to leave the seat. There were benches at the back of the shul where the guest could sit. On one hand, asking the guest to move might hurt his feelings. But on the other hand, if Avi sat on the benches instead, he wouldn't be able to hear the rabbi's derashah at all, and the sound of the shofar would be less clear -- audible, but not as good. He was torn, wondering what the Torah would expect him to do on Rosh Hashanah. Should he let the guest keep his seat and sit in the back himself, missing the rabbi's inspirational talk? Or could he kindly and politely direct the guest to the benches in the back so that Avi could sit in the seat he had purchased? What do you think?

Answer: Regarding the question about whether the man who was hard of hearing should have asked the guest to get up and move out of his seat, Rav Zilberstein answered as follows: The mitzvah to love a stranger does not only apply to showing love to a convert but also extends to showing kindness to someone new to the community. Therefore, it would be very appropriate on this holy day to fulfill the mitzvah of loving a stranger by allowing the guest to sit in the seat. Furthermore, it has been observed many times that when guests are removed from a seat, they often end up being displaced repeatedly. In some cases, because of how they are treated, they never return to the shul. For this reason, it is best not to ask the guest to move. Instead, the man should be mevater (forgo his claim) and yield the seat to the guest. If he was unable to hear, he can ask the rabbi to review his derashah (sermon) privately with him later.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 356

STORIES FROM OUR SAGES:

❖ The Mishnah teaches that compensation for public humiliation depends on the dignity of the parties, yet Rabbi Akiva rules: 'Even the poorest in Israel are viewed as if they are aristocratic freemen who have lost their wealth, for they are all descendants of Avraham, Yitzchak, and Yaakov.' It once happened that a man uncovered a woman's hair in the marketplace to humiliate her. She came before Rabbi Akiva, who ordered the man to pay her four hundred zuz. The man said to him, 'Rabbi, grant me time to pay,' and Rabbi Akiva granted him time. The man watched until the woman was standing at the entrance of her courtyard, and he broke a small cruse containing an issar's worth of oil right in front of her. To salvage the precious drops of oil, she uncovered her head and scooped up the oil in her palm to rub it onto her hair. Having stationed witnesses to watch her, the man returned to Rabbi Akiva and said, 'Rabbi, to a woman like this—who uncovers her own hair for a tiny coin's worth of oil—must I pay four hundred zuz?!' Rabbi Akiva replied, 'You have said nothing of legal value! One who injures or humiliates oneself—even though it is forbidden to do so—is exempt from paying damages, whereas others who injure or humiliate that person are fully liable! Just as one who chops down his own saplings is exempt from paying while others who chop them down must pay, so too no one may use a poor person's desperate act to excuse humiliating her.'

Mishnah, Bava Kamma 8:6

INSPIRATIONAL STORIES:

❖ The legendary Rav of Antwerp, Rav Chaim Kreiswirth, related an incident that occurred at his sheva berachos. His close friend, Rav Hirschprung, was present at the simchah, and inevitably, the conversation turned to their shared obsession: learning Torah. Someone quoted a Gemara in Masechta Avodah Zarah, and an argument ensued as to its precise location, on which blatt that Gemara can be found. A crowd gathered around the two "iluyim of Lublin," both of whom were known across Poland for their fluency in all of shas. With shining eyes, the two friends sparred, maintaining their positions with all the confidence in the world, as someone hurried to bring a Gemara. In the world of prewar Poland, this was a most exhilarating form of entertainment. The Gemara was brought and the two young geonim looked inside. Rav Hirschprung

immediately saw that he was right, but at the same time, he also noticed something else: the new kallah standing in the background, watching the proceedings. He pointed to the Gemara and cried out, "Reb Chaim, you are correct!" Reb Chaim would retell the story and relate how he replied to Rav Hirschprung. "Reb Pinchas, you are not only a brilliant talmid chacham, you are a gentleman as well."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Rabbi Naftali Riff served for many years as Rav of Camden, New Jersey. He was an outstanding talmid chacham and had a place in his heart for every Jew. He would seek out the poor in his area and strive to help them to the best of his ability. Late one night, he went to a nearby neighborhood to slip an envelope containing money under a poor person's door. A policeman drove by and saw R' Riff bending down at the door. Not knowing the Rav, the officer suspected him of trying to break in. Before R' Riff could explain himself, the poor man, who had heard the commotion, opened the door. R' Riff knew that his explanation would cause the poor man some embarrassment. Therefore, he remained silent. It did not take long for the poor man to figure out what had happened. He asked the officer to step aside with him so that he would be out of the Rav's earshot. The poor man told the officer, "This man is a rabbi; all he wanted to do was help me out by slipping some money under my door. In fact, if you'll look over your shoulder, you'll notice that he is trying to drag the money back with his foot so that it won't be discovered." The officer looked over his shoulder, then apologized to R' Riff and drove off.

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ One day in Yeshivah, Zevi decided to lock some of his friends out of the shiurim room. He blocked the door with his foot, and when the boys tried opening the door, he called from inside that shiur was canceled for the day. Suddenly, he heard shouting from the hallway. "The Rosh Yeshivah, Rav Aharon Leib Shteinman, is at the door! Let him in!" His friends called loudly, but Zevi didn't believe them. Eventually Zevi opened the door and — lo and behold! — R' Aharon Leib was standing on the other side. As he entered the room, he turned his head and closed his eyes to avoid seeing the mischievous boy. The students thought R' Aharon Leib would address the issue in his shiur, but he didn't. Several weeks later, a bachur asked him why he didn't do anything to reprimand the boy who barred him from the room. R' Aharon Leib told him that he didn't care to know who the boy was; after all, most bachurim will naturally make trouble from time to time. Additionally, he felt that it wasn't proper to speak about the incident publicly, as he didn't want to embarrass the boy who blocked the door.

From Rav Aharon Leib, by R' Naftali Weinberger, published by ArtScroll Mesorah

❖ However, Rav Yehuda Zev Segal found little interest in stories which told of miraculous cures and happenings. Though such stories can serve to strengthen emunah (faith), the Rosh Yeshivah preferred anecdotes which portrayed behavior that can and should be emulated. "The purpose of a mauseh (story)" he once said, "is the lemaaseh (practical lesson) In a shmuess, the Rosh Yeshivah related a story involving the brother of R' Chaim of Sanz. Once, this tzuddik was a Shabbos guest at someone's home and was honored with being served first. When the tureen of cholent was placed before him, he realized that some kerosene had somehow found its way into the dish, making it absolutely repugnant. In his desire to save the cook from embarrassment, the tzaddik ate portion after portion until there was nothing left of the cholent. He did this even though it made him look very silly, in order to save the cook from embarrassment. The Rosh Yeshivah concluded, "Now that is a mofeis (wonder) from which we can all learn!"

The Manchester Rosh Yeshivah, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ In the frigid winter nights of Eastern Europe, it was the job of the shammas to tend to the shul's oven in the pre-dawn hours before others arrived. This way, when people began filing in at dawn to learn or recite Tehillim, the shul would already be warm. The shammas in Baranovich was a bit lazy and he would rely on wandering beggars who arrived in shul during the night to heat the oven. The problem was that often beggars would not arrive during the night, and when people came to shul in the morning, the room was frigid. Many complained about this, and it looked as if the shammas might lose

his job. Then suddenly, all complaints stopped. The shul was comfortably warm every morning. Everyone assumed that the shammas had taken their complaints seriously and was finally doing his job. The shammas assumed that the beggars were doing the job for him. No one suspected the truth — that the Rav, R' Yisrael Yaakov Lubchansky, was arising extra early so that the shul would be warm, thus satisfying everyone. One morning, the firewood was wet and R' Yisrael Yaakov had to blow on it so that it would burn well. While his head was in the oven door as he continued to blow the fire, the shammas walked in. Certain that it was a beggar who was tending the fire, the shammas, in a joking manner, gave the man a kick in his pants. R' Yisrael Yaakov knew that the shammas would be terribly embarrassed if he knew that he had kicked the Rav, so he pushed his face deeper into the oven until the shammas left the room. The smoke was burning his eyes and choking his lungs but he would not remove his head until the shammas had left. By the time the shammas walked away, a portion of R' Yisrael Yaakov's beard had burnt off.

Five Great Leaders, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Reb Mendel Kaplan was once discussing with his students the requirement to extend Shabbos into the week by delaying havdalah, when Reb Mendel related an experience that showed his great sensitivity towards other people's feelings. "One neighbor in Chicago went away one Shabbos, and towards the end of the day his wife came over and asked if she could hear me make havdalah. In those days, few people waited even an hour after nightfall and this woman appeared at my door barely half an hour after sunset. When I asked her if it wasn't a little early for Havdalah, she told me that her husband made havdalah at this time every week. Although it was still Shabbos for me, I thought to myself, 'Her husband is also frum and if I tell her it's still Shabbos for me, I'll be suggesting to her that there is something wrong with what her husband does.' I remembered this Gemara that we were discussing and made havdala for her without a candle."

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

❖ This method was indeed characteristic of Reb Elchonon Wasserman. He never reproved his students, but showed them what should have been done, pointing out when necessary where they had erred. At the Maariv service held in his house at the conclusion of Shabbos, a poor and rather pitiable person was present. His outward appearance was ludicrous and his weird gesticulations almost forced people to laugh. Some of those present were indeed unable to control themselves and burst out laughing. Reb Elchonon remained in his corner engrossed in prayer and seemingly unaware of what was taking place. When the service ended and the object of the laughter had left, Reb Elchonon confronted his students with a grave countenance. "Now suppose," he said, "that the person who was here were wealthy. Would you have laughed at him? Please listen closely. Had that man been rich would you have dared to laugh at him, ludicrous though his gestures may have been? Thus only because someone is poor — 'inferior' — people allow themselves to mock him. Is it fair to ridicule a wretched person just because he is poor?"

Reb Elchonon, By Rabbi Aharon Sorasky, published by ArtScroll Mesorah

❖ Even the flicker of a smile was weighed and measured in accordance with halachah. When Reb Elchonon Wasserman was in America he attended a conference of rabbis and distinguished laymen. Someone seated next to him was speaking in a very loud and raucous voice. He told a joke and exploded in laughter at his own wit. While most of the delegates treated him with scorn, Reb Elchonon acted with restraint, He permitted a polite smile to appear momentarily it the corner of his mouth. He felt that this much was required in view of "the importance of respecting the honor of human beings" (Berachos 19b). Rabbi Shlomo Heiman, a former Rosh Yeshivah in Baranovich, was present at that conference. A pupil asked him, "Doesn't Reb Elchonon react differently than other men?" Reb Shlomo answered, "Of course. Even an incident as trivial as this reflects his greatness. Even his smile indicates why he stands head and shoulders above everyone else. For Reb Elchonon

is the embodiment of Torah and if the Sages have taught that one is not permitted to fill his mouth with laughter in this world, then Reb Elchonon's very kidneys have become his two instructors, teaching him the permissible measure of laughter in every situation. So it was tonight."

Reb Elchonon, By Rabbi Aharon Sorasky, published by ArtScroll Mesorah

❖ Yiddishkeit itself was the most sublime experience, and the particulars of Yiddishkeit were the most glorious expressions of depth and meaning. Once, at Rav Hutner's Pesach seder, as the Rosh Yeshivah sat there, radiating nobility someone accidentally spilled a cup of wine all over the Rosh Yeshivah's (Rav Hutner's) kittel. The Rosh Yeshivah was quick to comment. "A kittel without wine on it is like a Yom Kippur machzor without tears."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Rav Nosson Tzvi Finkel and his wife were married in the Porat Yosef Yeshivah in 1964. There were hardly any catering halls or suitable wedding hotels in which to hold weddings during that time. Besides the many invited guests who attended, there was a special table where poor people sat in order to eat a good meal. This was the practice at every Finkel simchah. Others in need roamed around the wedding hall asking for tzedakah, and were made welcome. The following day a number of guests complained of an upset stomach, which we found out later was due to the chopped liver that was served as a first course. In spite of this Rav Beinush, hired the same caterer for his next daughter's wedding, which took place shortly after this one, so that the incident would not leave the man with a bad reputation.

Rav Nosson Tzvi, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ One day, the Chazon Ish and Reb Shlomo Kohen entered an apartment building in Bnei Brak. As they mounted the staircase, the loud voices of a husband and wife in the midst of an argument could, be heard from within one of the apartments. The Chazon Ish quickly turned and uncharacteristically rushed out the building as if running away from a fire. He told Reb Shlomo, "Were they to know that I heard, they would surely be embarrassed..."

The Chazon Ish, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rebbetzin Batsheva Kanievsky taught her neighbor Mrs. Malka Deutsch how to make Yerushalmi kugel. However, she feared that due to the young woman's inexperience, the new dish might flop and Mrs. Deutsch would be embarrassed. So, for the next few months, every Shabbos the Rebbetzin sent the Deutsch family Yerushalmi kugel and told Mrs. Deutsch to "taste my kugel and compare it to yours and see what can be done to improve my kugel."

Rebbetzin Kanievsky, By Naftali and Sarah Weinberger, published by ArtScroll Mesorah

❖ Reb Nachum Velvel inherited his father's power of speech, especially his power of vivid description. Once he was asked to speak at a simchah after a distinguished talmid chacham from Vilna. The preceding speaker had spoken very poorly, and Reb Nachum'Velvel absolutely refused to speak after him, despite numerous entreaties. He later explained to his family that he feared that he would embarrass the previous speaker."

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 86

❖ Rabbi Yehudah Borosan recalled that in the early 60's the front of the beis midrash was toward the dining room, and when one exited the heavy metal door behind the aron kodesh, he would enter the stairwell with the stairs to the left and Rav Tendler's office to the right. One afternoon, some boys went running wildly through the beis midrash to the stairs. As they charged through the heavy metal door, it hit Rav Tendler, who was standing in the stairwell, with a hard blow to his head. He immediately covered his face with his hands so not to see who the boys were, and sat down to regain his balance. He never investigated the incident, as he understood that they had not done it deliberately.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 412

❖ Why is the Rosh Yeshivah holding his hand like that, a talmid asked Rav Moshe Feinstein, who was obviously in pain. "When I got into the car for the ride to the yeshivah, the bachur who closed the door closed it on my fingers. " "But, Rebbe, you didn't even cry out." "No, I didn't cry out. I felt that calling attention to what happened would embarrass him."

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ A guest at Rebbe Akiva Eiger's Seder clumsily spilled his wine and, of course, was quite embarrassed. Rebbe Akiva Eiger waited a few moments and then unobtrusively shook the table, causing his own wine to spill. "There must be something wrong with the table," he said to his much relieved guest.

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Chaya Chana Cohen remembered accidentally spilling an entire pitcher of ice water over Rav Yosef Tendler, and he didn't flinch. He merely wiped himself dry as he continued the conversation.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 412

18. Not to hurt another's feelings

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 48

As the Torah says, And you shall not wrong one another (Vayikra 25:17, Parshas Behar).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is it permitted to remind someone about his troubled past?
- Is it permitted to remind someone of a family issue that may embarrass them?
- Is it permitted to ask someone a question that you know that they can't answer?

SEFER HAMITZVOS HAKATZAR

This prohibition dictates that one must never distress another person through hurtful words (ona'as devarim). For example, one must not say to a penitent who has reformed his ways (ba'al teshuvah), 'Remember your former deeds,' nor say to the descendant of righteous converts (geirei tzedek), 'Remember the deeds of your ancestors.' Likewise, one must not question someone regarding a complex matter of wisdom or Torah when one knows that he lacks knowledge in that area, solely to cause him embarrassment and distress.

Similarly, we are biblically forbidden to inflict emotional anguish, distress, or humiliation upon a fellow human being through our words in any manner whatsoever.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 338)

Speaking in a sensitive way to each other will bring peace to society. Having shalom, peace brings many brachos, blessings along with it. Violating this mitzvah will bring arguments and feuds to society, which will bring many curses with it.

ALSHICH

Every person has a piece of Hashem in him. One who hurts another person is not just paining a person but Hashem as well.

SFAS EMES

• In Parshas Kedoshim, Rashi explains why the Torah attaches the warning "and you shall fear your God" to verbal wronging. The Sfas Emes reveals that guarding oneself against verbal cruelty is the primary doorway through which authentic awe of Hashem enters the soul! As the Sfas Emes writes: Rashi teaches that regarding matters of the heart it says "and you shall fear your God"; simply, through fear of Hashem one can observe these inner duties; but the matter works also in reverse: through guarding oneself in matters of the heart such as avoiding verbal hurt, one merits true fear of heaven! Guarding your speech in private trains the heart in genuine awe of Heaven. It builds the spiritual muscle of pure faith (Sfas Emes, Vayikra, Kedoshim 5636).

• In Parshas Behar, the Torah places the command "You shall not wrong one another" immediately following the laws of Shemittah and Yovel. Why did Hashem link verbal sensitivity to the agricultural cycles of the land? The Sfas Emes explains that speech is not an isolated physical function. Speech is the spiritual bridge that connects distinct human souls into a single, unified organism. Just as the nerves and blood vessels connect the different limbs of a human body, so does speech weave the individual souls of Israel into one living being! The Sfas Emes writes: therefore Scripture linked the section of "you shall not wrong" to Shemittah and Yovel; for according to the unity among the souls of Israel, so is sacred time unified through Shemittah; and the tongue is that which connects all human beings together! The agricultural rest of Shemittah—when all property is shared in common—is only possible when people feel that they belong to one family. Gentle speech creates that family (Sfas Emes, Vayikra, Behar 5651).

• In Midrash Rabbah on Parshas Behar, our Sages quote the verse in Mishlei: "Death and life are in the power of the tongue." The Midrash adds an unforgettable piece of advice: "Let your tongue be soft toward one another; therefore Moshe warned: You shall not wrong one another!" The Sfas Emes connects this teaching to the famous rule of Rabbi Akiva: "You shall love your fellow as yourself — this is the great rule of the Torah." The Sfas Emes explains that the Torah could only be given to Israel when they stood around Mount Sinai "like one man with one heart." Unity is the only container capable of holding the blessing of Torah. Gentle, soft speech smooths away the rough splinters of our pride so that love can bind us together. It smooths away the rough splinters of our pride so that love can bind us together (Sfas Emes, Vayikra, Behar 5641).

• In another discourse on Parshas Behar, the Sfas Emes returns to the pairing of Ona'as Devarim and the Sabbatical year. Why did the Torah state the prohibition of wronging twice in the same chapter? The Sfas Emes explains that the first verse addresses commerce and real estate, while the second verse addresses the human heart. The Land of Israel is unlike any other country on earth. The Torah calls it a land that Hashem cares for

constantly: "the eyes of Hashem your God are always upon it" (Devarim 11:12). The soil of the Land of Israel cannot tolerate selfishness, anger, or interpersonal cruelty. The physical soil mirrors our emotional harmony. When we purge our homes of verbal cruelty, the Land responds by giving forth its fruits in abundance (Sfas Emes, Vayikra, Behar 5638).

MORAL DILEMMAS:

Two girls are talking lashon hara about a girl who just got engaged. Woman sitting behind says "thank you for the important info, I am the chasan's mother. I will cancel the shidduch" The girls start to cry and beg her not to do that and not to believe what she says. She then says she is not the mother but she could have been. Was that sheker or onas devarim? Did the woman do the right thing?

Answer: Rav Yitzchak Zilberstein rules that the woman acted permissibly and meritoriously. As the Chofetz Chaim (Hilchos Lashon Hara 6:4) and Aruch HaShulchan (Choshen Mishpat 228:1) explain, when one's intent is purely for the sake of Heaven to stop ongoing lashon hara and move the speakers to remorse so they will retract their slander and refrain from destroying an engagement, it is permitted to shock them into repentance, provided one subsequently reassures them once the lesson is learned.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 228

A devoted individual served as hospital director for ten years. Stricken by serious illness, he was temporarily replaced by an interim director who demonstrated superior administrative genius, resulting in vastly improved hospital operations and measurable increases in lifesaving efficiency. Upon fully recovering, the original director demanded his post back under his tenure rights (chazakah). Must the hospital reinstate the original director, or may the board retain the superior interim director to maximize patient survival?

Answer: Based on the Gemara in Yoma (13a), Tosafos, and Mishnah Berurah (153, end), a communal leader or administrator (parnas ha-memuneh al ha-tzibbur) who stepped aside temporarily due to illness (ones) returns to his post upon recovery, just as the Kohen Gadol returns after Yom Kippur. Even if the interim replacement proved more capable, the original director is entitled to reclaim his position, unless replacing the interim director would directly compromise patient survival (pikuach nefesh) while treating honorably the interim replacement.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 117

A resident living near Jerusalem contracted Palestinian laborers from Judea and Samaria to construct a home extension. Neighbors vehemently objected, expressing intense fear for their children's safety and claiming the presence of unfamiliar laborers constituted a communal hazard. The homeowner countered that the workers were legally vetted with official security permits and that hiring Jewish contractors would double his construction costs. Is the homeowner halachically required to heed the neighbors' objections and terminate the workers?

Answer: Rav Yitzchak Zilberstein rules that just as halachah consults medical experts in questions of pikuach nefesh on Yom Kippur (Yoma 82a), questions of neighborhood security must be evaluated by qualified security authorities. If the workers hold valid government security permits and local security officials confirm there is no concrete security threat, the neighbors cannot force the homeowner to halt construction, though it is proper to hire a guard on-site to calm the neighbors' fears.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 532

Mr. Davis was well known for the beautiful esrogim that he sold every year. Mr. Davis had a son named Yosef. Yosef was trying to get accepted into a certain Yeshivah. As soon as Yosef was accepted, Mr. Davis promised to give the Rosh Yeshivah a beautiful esrog every year for the rest of his life. He assumed that Yosef would do well there, and build a long term relationship with the Rosh Yeshivah. Unfortunately, things did not work out as planned. A short while later, Yosef was expelled from Yeshivah. Mr. Davis knew that he gave his word and he was happy to keep his pledge to give the Rosh Yeshivah a beautiful esrog the next year. However he had the following doubt. Perhaps if he gave the Rosh Yeshivah an esrog each year it would cause embarrassment to the Rosh Yeshivah. On the one hand, he needed to keep his word. On the other hand, it could cause embarrassment and pain to the Rosh Yeshivah, because it would remind him that he had expelled Yosef. What do you think?

Answer: Analyzing the case of an esrog merchant who promised to give his son's Rosh Yeshivah a choice esrog every year out of gratitude for accepting his son into the yeshivah, and shortly thereafter the son was no longer in the yeshivah, Rav Yitzchak Zilberstein cites the Rema (Even HaEzer 53:8), the Taz (Choshen Mishpat 60:3), and the Shevus Yaakov (2:142). He rules that even according to the Shevus Yaakov, because Mr. Davis obligated himself directly to the Rosh Yeshivah in gratitude (hakaras ha-tov) for the favor of accepting his son at the outset, that obligation took effect immediately and did not lapse; however, if presenting the esrog in person would cause distress or embarrassment to the Rosh Yeshivah, he should ask whether the Rosh Yeshivah wishes to forgo it or deliver it in a discreet manner that avoids causing pain.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 291

Adopted person wants to have relationship with biological parents, but it may hurt feeling of adopted parents. Is that ok?

Answer: Citing his brother-in-law Rav Chaim Kanievsky zt"l, Rav Yitzchak Zilberstein rules that halachically an adopted child is permitted — and indeed needs — to ascertain the identity of his biological parents in order to know his lineage (yichus) and forbidden marital relatives. Any waiver signed by the biological parents does not bind the child. However, because his adoptive parents raised him with devotion and brought him to Torah and Olam HaBa (Sefer Chassidim 585; Shach Yoreh De'ah 242:60), he owes them deep gratitude and honor, and must conduct any inquiry discreetly so as not to cause his adoptive parents pain.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 222

STORIES FROM OUR SAGES:

❖ An incident occurred with Rabban Gamliel, who announced: "Summon seven elders to meet me in the upper chamber (to deliberate on intercalating a leap month into the calendar)!" When he entered the chamber, he found that eight scholars had come in. Rabban Gamliel asked sternly: "Who is the one who entered without permission?" To prevent the uninvited eighth scholar from being publicly identified and humiliated in front of the assembly, the great sage Shmuel HaKatan immediately stood up on his feet—even though he was one of the invited elders—and said: "I am the one who came up without an invitation; I needed a halachic ruling, so I entered to ask about it!" Rabban Gamliel, realizing what Shmuel HaKatan had done to shield his colleague's dignity, declared to him warmly: "Even regarding Eldad and Medad—whom all Israel knew were only two prophets—had I been there, I would have said that you are worthy to be counted among them!" And out of respect, they spent the rest of that day discussing words of Torah so no one would be embarrassed, and formally intercalated the year on the following day.

Talmud Yerushalmi, Sanhedrin 1:2 (18c; cf. Talmud Bavli, Sanhedrin 11a)

❖ Plemo was very pious and he never sinned; thus, he was unafraid to curse Satan and defy him by saying, "An arrow in Satan's eye." Once, on Erev Yom Kippur, Satan disguised himself as a poor man, dressed in ragged clothes, and knocked at Plemo's door. When Plemo opened the door the man begged for food, whereupon Plemo gave him a loaf of bread. Satan requested, "On Erev Yom Kippur, when everyone sits at the table in the house, I shall remain outside alone?" whereupon Plemo gave him a seat at his table. Satan then covered his body with sores and pimples and began scratching himself. Plemo told Satan to act properly, and Satan then asked for a drink of wine. Upon receiving the wine, he began to cough and spit into the glass. Plemo shouted at him to leave his home, whereupon Satan swooned and feigned that he was dead. People began to cry out, "Plemo killed a man!" Plemo ran away and hid outside the city. Satan followed him to his hiding place, revealed his identity, and rebuked Plemo for having cursed him daily. He told Plemo that instead of saying "an arrow in Satan's eye," he should say, "May Heaven rebuke Satan (not to disturb me)!"

Talmud Bavli, Kiddushin 81a

INSPIRATIONAL STORIES:

❖ Rav Shlomo Freifeld was once on a fundraising trip and he ate supper at the home of a friend. The hostess served eggplant as one of the courses. Reb Shlomo could not tolerate eggplant, and he would break out in a rash if he ate it. The talmid that accompanied him was shocked to see Reb Shlomo calmly eating the vegetable Later on, he asked Reb Shlomo about it. "That woman prepared the dish in my honor, and her whole self-worth was dependent on my enjoying it." Then Reb Shlomo laughed. "If you eat something that a hostess makes for you, even if it kills you, it's called misa al Kiddush Hashem"

Reb Shlomo, By Rabbi Yisroel Besser, Published by Judaica Press

❖ There was a family in Eretz Yisrael with a newborn son whom they planned to name Yehonatan. The day before the bris, their next-door neighbors son, whose name was Yehonatan, tragically passed away. The new parents were not sure whether or not to use the name, and went to discuss it with Rabbi Shlomo Zalman Auerbach. They explained the situation, and said that they were worried about an ayin hara if they used the same name as the boy who was just niftar. R' Shlomo Zalman advised them not to use the name. After the couple left, Rav Shlomo Zalman's grandson asked him incredulously if there was really such a halachah or minhag. "You are correct to ask, " R' Shlomo Zalman responded. "I told them not to use the name for a different reason. Imagine in a few years when this new mother calls out to her son, 'Yehonatan, please come home!' Every time she calls him will be a dagger in the heart of the neighbor who will be in pain whenever she hears the name. Therefore, although there is no such halachah or minhag, the baby should not be called Yehonatan " ' Such was the concern of R' Shlomo Zalman for a woman he did not even know.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 220

❖ The Rabbi of Rozadov had a dedicated chassid who was childless, and who frequently importuned the Rabbi for a berachah (blessing) that he have a child. The Rabbi often blessed him, but the blessing did not materialize. One time the Rabbi's brother, the Rabbi of Zhikov, a chassidic master in his own right, visited Rozadov, and the chassid unburdened himself to him, stating that nothing in his life was fulfilling since he was childless. The Rabbi of Zhikov said, "If you will come to Zhikov and spend Rosh Hashanah (New Year) with me, I promise you that you will have a child. " The chassid then related this conversation to the Rabbi of Rozadov who said, "If my brother assured you that you will be blessed with a child, you can be confident that this will come true. By all means, do as he says, and go to Zhikov for Rosh Hashanah. " - On Rosh Hashanah, the Rabbi of Rozadov noted that the chassid was in shul (synagogue). "What are you doing here?" he asked. "You were supposed to be with my brother in Zhikov. " "I know, " the chassid said, "but I got to thinking that everyone knows that over the years you have been giving me a berachah for a child, but that berachah was not fulfilled. If I had gone to your brother for Rosh Hashanah and then did have a child, what would people say? 'The Rabbi of Zhikov is a greater

tzaddik than the Rabbi of Rozadov, because his blessings are more potent.' That might cause you to feel slighted. Just because I have a desire to have a child is no reason to cause you any distress." The Rabbi of Rozadov was deeply moved and said, "Well, in that case, I will promise you a child this year," and indeed that year a son was born to him. The Rabbi of Rozadov said, "Do not think that I am a miracle worker and that my berachah brought him a child. When a person is so concerned about another person's feelings that he is willing to give up an assurance of having a child, something which is his greatest desire in life, certainly that mitzvah merits his being amply rewarded. This chassid earned the blessing of a child because of his deep concern that I might have been slighted, and it was his merits and not mine that brought him this reward. "

Not Just Stories, By Rabbi Dr. Abraham J. Twerski

❖ A talmid who was already involved with a certain shidduch discussed the matter with Rav Pam and was advised not to pursue it. "Okay," said the talmid when the discussion had ended, "I'll call the shadchan (matchmaker) and tell him that I'm not interested." Rav Pam looked at his talmid in shock and disbelief. "'I'm not interested'?" Rav Pam could not fathom using such words, which imply utter rejection of the other party. "Say," he suggested, "that after pursuing it, you have come to the understanding that the shidduch is not 'tzugepast.'

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ The world-renowned posek, Rabbi Yosef Sholom Elyashiv of Jerusalem, was granted a fitting partner in life. Rebbetzin Chaya Sheina Elyashiv, daughter of the renowned tzaddik Rabbi Aryeh Levin, dedicated herself to the Torah study of her husband and children and to acts of kindness. R' Elyashiv sets aside one hour a day to allow anyone to visit him in his small Meah Shearim apartment and ask questions in Halachah. People are admitted into his study on a first-come, first-served basis. On a visit to Eretz Yisrael, Rabbi Nosson Scherman sought to ask R' Elyashiv a halachic question. As R' Scherman waited his turn, along with a number of others, Rebbetzin Elyashiv appeared. She went over to each person in the room and said, "I must ask the Rav something. Excuse me for going in ahead of you." Only after saying this to each person individually did Rebbetzin Elyashiv enter her husbands study.

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Reb Elchonon Wasserman himself related an incident illustrating the extreme care one must take so as not to disturb another's sleep. "Once when I was in Radun, Rabbi Moshe Londinsky, the Rosh Yeshivah, asked me to summon him from his room to join in reciting ' Kiddush Levanah. I went to call him but found him asleep over a sefer. I went to the Chofetz Chaim and asked him what I should do — wake him or not? He answered me with a trace of emotion in his voice: 'What? Wake someone from his sleep?' He said no more. It was then that I learned another of the seventy connotations of the Scriptural verse, 'You shall not vex one another.' ".

Reb Elchonon, By Rabbi Aharon Sorasky, published by ArtScroll Mesorah

❖ Rav Shach was once approached by a young kollel man whose wife had given birth to twin boys. He asked Rav Shach to be sandak for one of the boys, and Rav Shach responded that he would agree to be sandak for both of them. The yungerman explained to Rav Shach that his father-in-law was traveling in from Australia, and he would like to honor him with being the sandak for the other boy. Rav Shach explained that in that case it would be hard for him to accept being sandak at all. The young man honored Rav Shach with being sandak for both babies, and accorded his father-in-law another honor. Sometime later, the father asked Rav Shach for an explanation. "When the two boys are older," said Rav Shach, "I was concerned that one may feel badly that he did not have me as a sandak while his twin brother did. I therefore wanted to be sandak for both, or neither."

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 221

❖ R' Moshe Feinstein wrote a haskamah (endorsement) to a sefer which contained certain statements of which some disapproved. One hothead promptly wrote a pamphlet which degraded the sefer and its author and also contained some disrespectful comments about R' Moshe for his having endorsed the work. A terrible rumor was spread that the pamphlet had the sanction of the Satmar Rebbe. Upon learning of this, the Rebbe dispatched a distinguished delegation to R' Moshe to assure him that the rumor was patently false. R' Moshe received the delegation and said that he had not seen the pamphlet and would surely not believe the rumors being circulated. One of the Rebbe's emissaries mentioned that he had a copy of the pamphlet with him and asked if R' Moshe would care to see it. "Please do not show it to me," R' Moshe replied. "If I read it, I might become distressed. I don't want Heaven to punish the author for having caused a Jew distress."

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Reb Shneur Kotler was at a wedding in New York. He told the student who drove him to wait by the door of the hall. He had a very important meeting to attend in lakewood New Jersey and they must leave the moment the wedding ceremony is over. After the chuppah was over the student saw that Reb Shneur was not leaving. He walked over but Reb Shmuel indicated that he wanted to wait a while. 20 minutes passed, half an hour, an hour, in the end Reb Shneur waited until the end of the wedding. Afterwards he explained to the student why he changed his plan. At the chuppah he wasn't given any honor neither a berachah or anything else. Of course this meant nothing to him but if he left early the wedding planners might just have imagined that he felt insulted and it could worry them or possibly even cause hard feelings, G-d forbid. Preventing this was even more important than the meeting.

The Living Mishnas Reb Aharon, By Rabbi Yitzchak Dershowitz, Published by Feldheim

❖ When Reb Moshe Feinstein was in the hospital, someone who administered a treatment known to cause excruciating pain asked Reb Moshe how he was able to bear the suffering without crying out. He replied, "You are doing what must be done for my benefit. It is worthwhile for me to have a little more pain, rather than to cause you distress by crying out.

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Once, Rav Shlomo Zalman Auerbach was invited to attend a bar mitzvah, but responded that he had already agreed to attend a wedding that same night. The bar mitzvah boy's father was shocked when R' Shlomo Zalman appeared at the seudah. He explained, I made a special effort to come because I remembered that I had attended the seudos of your older sons. I did not want the bar mitzvah boy to feel hurt..."

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Zev Wilensky recalls when he was working on editing the shiurim that eventually were printed in Birkas Shmuel, Reb Baruch Ber Leibowitz asked him to ask his brother for help. His brother was the gaon R. Yonah (Karpilov), who was known as an outstanding genius and was then learning in the Mir Yeshivah. "Please ask him to help us write out the shiurim," Reb Baruch Ber said. The next day, Reb Baruch Ber called for R. Zev and asked him in a worried voice, "Did you speak with your brother already?" R. Wilensky answered in the negative. When Reb Baruch Ber heard that he was relieved. He explained, "It would be most appropriate for me to ask Reb Yonah for help, but it occurred to me that if the bachurim here see that I'm calling in Reb Yonah, they will feel awful. They will think to themselves that in my opinion, there are no bachurim in the yeshivah who are qualified for the task. Therefore, I have decided that it is not worthwhile for me to ask Reb Yonah."

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

❖ A number of years ago a recently engaged couple from Bnei Brak were looking to buy an apartment. The apartments they saw were prohibitively expensive. One of the fathers, (I am not sure if it was the chosson's father or the kalla's, PD) found a nice apartment and the asking price was within their range. The kallah asked what neighborhood it was in. When he told her, she then asked what the address was. Upon hearing the address she immediately rejected the idea of moving to

that apartment. The father asked why she cares so much not to live in that building. The kallah explained. "I have a friend and her older sister living in that building and both are having difficulty finding their shidduch. How can we move in there when every day they will see me happily married and they are still single." They agreed to take this question to Reb Chaim Kanievsky zt"l and he said that he cannot answer this question. Instead, he suggested that they go to Reb Aaron Leib Shteinman zt"l. When Rav Aaron Leib heard the question he told them to buy the apartment right away and rent it out to another family until her friend and her sister get engaged. After that they can move in. He then added that in the zechus of the kallah's sensitivity the two sisters will soon become engaged. They followed his advice and everything worked out as Reb Aaron Leib suggested.

Heard from Rabbi Paysach Krohn

❖ In Semmering, Austria one summer evening, the Rosh Yeshivah, Rav Yehuda Zev Segal, received a phone call from a woman. In America who sounded greatly distressed. The Rosh Yeshivah was preparing to daven Maariv and asked the woman to call back at 9:00 P.M. Later, someone noticed the Rosh Yeshivah sitting near the phone looking perplexed. The Woman had not phoned back at 9:00, and he was concerned that she had mistakenly thought that he had meant for her to call back at 9:00 her time — which would be in the middle of the night Semmering time. The Rosh Yeshivah said that he had no choice but to remain awake to receive the call, for if the woman were to phone back and receive no answer, it would surely add to her distress. Sure enough, the woman called at exactly 9:00 her time.

The Manchester Rosh Yeshivah, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ The Rosh Yeshivah, Rav Nosson Tzvi Finkel's gracious hosts in a European city relinquished their own personal bedroom to their esteemed guest. Alas, their young son was either unaware or forgetful of this arrangement and upon wakening in the middle of the night, crawled into his "father's" bed. With super-human strength the Rosh Yeshivah did not twitch nor move for the duration of the night as he remained awake and frozen — ever vigilant not to frighten the child.

For the Love of Torah, By Hanoch Teller, Published by Feldheim, p. 274

❖ For many years Rebbetzin Kanievsky shopped in the Vizhnitz Makolet, which was a 10-minute walk from her house. Then the Gross Makolet opened up near the Lederman Shul, a minute from her door. At first she continued shopping in the Vizhnitz Makolet. However, upon further reflection, she feared that the proprietor of the Gross Makolet next door might be offended. But how could she leave her old grocery without insulting its proprietor? The Rebbetzin solved this dilemma by evenly splitting her purchases between the two stores.

Rebbetzin Kanievsky, By Naftali and Sarah Weinberger, published by ArtScroll Mesorah

❖ Surrounded by a group of women one day, Rebbetzin Kanievsky mentioned that she was thirsty. No fewer than twelve women ran to the kitchen to fetch her some water! Not wishing to offend any of them, the Rebbetzin drank from each and every one of the twelve Cups before her. She must have been very thirsty — for mitzvos.

Rebbetzin Kanievsky, By Naftali and Sarah Weinberger, published by ArtScroll Mesorah

❖ Most importantly, Rav Mordechai Schwab taught by example, by his very essence and by the way he lived. He could be seen personally cleaning the chair that he had stood on in order to reach a sefer on the bookshelf. He was careful that the bottom of his shoes should not dirty the clothing of the person who would next sit on the chair. Rabbi Eliyahu Dworetsky related that when he watched Rav Mordechai clean the chair carefully, it reminded him of a Kohen cleaning the Altar in the Beis Hamikdash. He would dust the chair until he was sure it was completely clean.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

A. NOT TO BE INVOLVED IN A FEUD

(Torah Mandated Mitzvah), Sefer Chareidim 24-42

As it says "you should not be like Korach and his group" (Bamidbar 17:5, Parshas Korach)

SEFER CHAREIDIM

Whoever stubbornly perpetuates a quarrel or contentious dispute violates a biblical negative prohibition, as Scripture states: 'That he be not as Korach, and as his company' (Bamidbar 17:5; Sanhedrin 110a).

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• In Parshas Korach, the Mishnah in Pirkei Avos (5:17) forms the bedrock of the Sfas Emes's analysis: "Any dispute not for the sake of heaven will in the end not endure." Why does an unholy dispute have no enduring existence? The Sfas Emes explains that controversy originates in the heavenly attribute of strict judgment (middas ha-din). The natural world was designed with distinct boundaries, divisions, and differences. When we argue for the sake of heaven, their goal is to uncover truth. They use debate as a tool to reveal Hashem's will, and therefore their love increases at the end. But when an argument is driven by personal ego, pride, and self-interest, it taps directly into the unyielding severity of judgment! When a selfish feud rages, strict judgment prevails; when we yield for the sake of peace, the world endures (Sfas Emes, Bamidbar, Korach 5662).

• In the holy Zohar on Parshas Korach, our Sages make an astonishing statement: "Korach disputed against peace and against Shabbos, and the world exists only upon peace." How did Korach dispute against the holy Shabbos? His argument was with Moshe and Aharon regarding the priesthood! The Sfas Emes uncovers the mystical root of controversy. On the six workdays of creation, diverse forces exist in competition. Fire burns, water extinguishes, and earth absorbs. But when the holy Shabbos arrives, all opposing forces bow down before the Creator. Shabbos is called peace (Shabbos ikrei shalom) because on Shabbos, every creature nullifies its independent ego, recognizing that Hashem is the sole master of the world! Korach refused to accept his divinely assigned role, whereas true peace comes when each person humbles his ego before the Creator (Sfas Emes, Bamidbar, Korach 5635).

• Our Sages in the Gemara (Berachos 58a) teach a famous psychological truth: "Just as their faces are not identical to one another, so their minds and opinions are not identical to one another." Why did the Creator make human beings with such vast differences in temperament, outlook, and thought? The Sfas Emes explains that differences among people were not an accident; they were the intentional design of heaven! If every person were identical, there would be no possibility of genuine love, partnership, or unity. In Parshas Korach, the Sfas Emes explains that a holy dispute—such as the debates between Beis Hillel and Beis Shammai—respects these natural differences. Each school of thought expresses a genuine aspect of the divine will. In an unholy feud, a person believes that for him to be right, everyone else must be wrong! But true peace does not erase differences; true peace harmonizes them (Sfas Emes, Bamidbar, Korach 5647).

• In the Gemara (Kiddushin 30b), our Sages describe the fiery intensity of Torah study: Even a father and his son, or a master and his disciple, who study Torah together become enemies to one another during their fierce debate; yet they do not leave the study hall until they become beloved friends, as it is written: "Es vaheiv b'sufah" (Bamidbar 21:14)—there is love at the end! He explains that in the wars of Torah, neither party is fighting for personal victory. Both scholars are fighting for truth! Because their shared love is for the word of Hashem, their debate burns away all falsehood. When the clarity of truth emerges, their mutual love shines brighter than before. As the Sfas Emes writes: through the war of Torah they become beloved friends at the end; but Korach's dispute was not about truth, it was about power, and therefore its end was destruction! Debating Torah for the sake of Heaven refines the truth and deepens brotherhood, whereas a selfish feud seeks only personal victory (Sfas Emes, Bamidbar, Korach 5651).

• In the holy Zohar, our Sages explain the mystical roles of Aharon and Korach: "Aharon represents the right side (chesed, kindness), while Korach represents the left side (gevurah, strict judgment)." He explains that in the spiritual architecture of the world, strict judgment must always be subordinated to lovingkindness (gevurah yeminah). Judgment without kindness is destructive and unyielding. When the Levites were consecrated in the wilderness, Moshe performed the ceremony of waving (tenufah), lifting them up and waving them toward the altar. This waving symbolized the total submission of the left side of judgment to the right side of love! Even when a person feels his grievance is justified, the Torah teaches that strict insistence without compassion turns into destructive strife. The left hand must always yield to the right hand of kindness (Sfas Emes, Bamidbar, Korach 5653).

STORIES FROM OUR SAGES:

❖ An incident occurred involving Hillel the Elder, who brought his festival burnt-offering into the Temple courtyard on Yom Tov to lean his hands upon it (semichah). When aggressive students of Beis Shammai surrounded him and demanded: 'What is the nature of this animal?', Hillel gently shook its tail and deflected their confrontation for the sake of peace so no brawl would erupt in the House of God. Standing there was Baba ben Buta, one of the great disciples of Beis Shammai, who knew that the halachah actually followed Beis Hillel; he immediately ordered herds of prime sheep to be brought until the entire Temple courtyard was filled with offerings, announcing: 'Whoever wishes to bring burnt-offerings or peace-offerings, let him come take an animal and lean his hands upon it!' On that very day the halachah was established like Beis Hillel without a single dissenting voice.

Talmud Yerushalmi, Beitzah 2:4 (13a; cf. Talmud Bavli, Beitzah 20a)

INSPIRATIONAL STORIES:

❖ In the early years of this century, there lived a young couple in Jerusalem who were married for a number of years and did not have children. Both husband and wife prayed fervently that this blessing be granted them. In those days, the only way to do laundry was by hand. After each article had been thoroughly washed and wrung out, it would be hung on an outdoor line to dry. One day, this young woman washed her laundry and, as usual, hung the items on her line outside. After she went inside, a hot-tempered woman, who lived in a neighboring apartment entered the courtyard as she returned home. As she walked, she momentarily became entangled in the laundry which hung on the line. Perhaps the laundry was hanging lower than it should have been; or it may have been that the woman was engrossed in her thoughts and simply was not looking where she was walking. Whatever the case, her reaction was inexcusable. In a rage, she rushed to her apartment and returned to the courtyard with a pair of scissors. Without a moment's thought, she cut the clothesline and all the laundry fell to the dirt. A few minutes later, the first woman went outside to see if her laundry was dry. For a few moments she

stared open-mouthed in disbelief. When she noticed how the rope had obviously been cut, tears welled up in her eyes. Silently, she gathered up her laundry and brought it inside. As she began her second wash of the day, she vowed to herself not to tell her husband what had happened. Were he to find out, he would surely be distressed, and out of concern for his wife might seek to discover the identity of the perpetrator. Strife is like fire; one must do everything in one's power to avert it. And so. When her husband came home from the beis midrash that evening, she said not a word. But there was commotion in another home that night. A young child of the hot-tempered woman suddenly developed a high fever and his condition seemed serious. A doctor was summoned and the boy's father paid a visit to the city's Rav, Rabbi Yosef Chaim Sonnenfeld, in search of his blessing for the child's recovery. Hearing of the suddenness with which the child fell ill, R' Yosef Chaim asked if anything unusual had occurred at home in the hours beforehand. The husband did not know of anything, but said that he would ask his wife. Shamefacedly, the woman told her husband of her terrible act. Soon, both husband and wife were standing before R' Yosef Chaim. Upon hearing what had transpired, the Rav quickly donned his hat and coat. "Come," he beckoned to them "we have no time to lose. You must beg forgiveness immediately." He accompanied them to the woman's home. There, the woman who had cut the clothesline broke down and cried as she admitted her guilt to her neighbor. She said that Hashem had already punished her by afflicting her child with illness. Humbly, she begged forgiveness. The other woman accepted her apology and said that she forgave her with a full heart. The child's fever soon subsided. While all this was going on, R' Yosef Chaim became aware that the husband of the woman who had hung out the laundry was totally baffled by what was taking place. "You mean to say that your wife did not inform you of what had transpired?" the Rav asked. "That is correct. This is the first that I am hearing about it." It became clear to R' Yosef Chaim that it was the woman's righteousness which had prevented her from making mention of the incident. Deeply moved, he said, "In merit of your silence, may you be blessed with a son." One year later, the woman gave birth to a boy, whom they named Yosef Sholom. He is Rabbi Yosef Sholom Elyashiv, the renowned posek of Jerusalem.

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ The Bobover Rebbe's revulsion for machlokes and strife was to the extreme. He remarked on numerous occasions that he believed that a contributing cause of the Holocaust was the internecine fighting that took place in prewar Europe between different factions of the religious community. He would go to the furthest lengths to avoid even the hint of acrimony. It happened that some irresponsible Chassidim once circulated a defamatory leaflet maligning the Rav. At the Melaveh Malkah that week, the Rav made the following statement: "As you know, a scurrilous leaflet about me was distributed this week. I fully forgive those who wrote the leaflet. I want to make it clear, however, that if there be any among you who will seek to defend my honor and respond in any shape, form, or manner, I tell you now that I will not forgive you." And then, after a pause, he added, "Lo mehem velo hamonam (neither in this world nor in the next)" in the world to come." With such an admonition, the issue came to rest.

Torah Leaders, published by ArtScroll Mesorah

❖ The Manchester Rosh Yeshivah, Rabbi Yehudah Zev Segal, would relate a story that he had heard as a bachur. Rav Segal's grandfather, a textile manufacturer in Brisk, was known for his honesty. He ran a successful business and had many satisfied customers. His competitor was jealous and was openly hostile to Rabbi Segal's grandfather. A Russian soldier once came to the competitor's store to buy fabric, and was inadvertently short changed. Furious, he informed the authorities, who promptly sent an inspector to the store to check the weights. Through various connections, Rabbi Segal's grandfather became aware of what was happening. Although there was no reason to suspect that his competitor was actually using incorrectly balanced scales, he acted swiftly. Without hesitation, he grabbed his own scales, which he knew were impeccably accurate, and rushed them to his competitor's store, to insure that he would not be punished! This is the way someone behaves when he understands the catastrophe of machlokes.

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 341

❖ The director of a new organization was telling R' Aharon Leib that a representative of another, more established group had contacted him, complaining that the newer organization's name sounded too much like that of the older one. “Yes, it’s true,” he admitted, “they’ve been around longer and the names do sound somewhat similar..... But still!” ”So Why don't you just change the name of your organization?” R' Aharon Leib innocently inquired. "With all due respect,” the man replied, "if someone came to the Rosh Yeshivah and told him that his last name, Shteinman, bothers him and he wants the Rosh Yeshivah to change his last name to Buzaglo, would the Rosh Yeshivah change his name?” R' Aharon Leib looked the director in the eye and said, “Believe me, I would do anything to avoid machlokes. If my last name really bothered someone else and it would help another Jew if I changed my name to Buzaglo, I would gladly do it.”

From Rav Aharon Leib, by R' Naftali Weinberger, published by ArtScroll Mesorah

❖ In 1901, when Reb Moshe Feinstein was 6 years old, a pogrom forced Reb David, his family, and the other Jews of Uzda to run for their lives. When the Rav and his family returned six weeks later, they found that a talmid chacham who had come to the town in the interim had declared himself Rav and was occupying the Rav's seat in the main beis midrash. Reb David absolutely refused to involve himself in anything that smacked of machlokes. While the townspeople continued to recognize him as their Rav and he still maintained the Rav's yeast business, from then on Reb David and his sons davened in the town's chassidic shul. Thus, at a very young age, Reb Moshe learned to flee from strife and to get along with those whose background and customs differed from his own."

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Baruch Ber Leibowitz was born in Slutzk in 1867. He was close with the Rav of Slutzk, R' Yosef Ber Soleveitchik, the Beis Halevi. He entered Volozhin at 16 years of age and became one of the main students of R' Yosef Ber's son, R' Chaim Brisker. R' Baruch Ber married the daughter of R' Avraham Zimmerman, whom he succeeded as Rav of Halusk. In 1926 he re-established his yeshivah in Kaminetz, where it continued for 13 years. In 1929, R' Baruch Ber came to New York for a short time. It was not long before Mayor Jimmy Walker honored him with a ceremony at City Hall. He presented him with a key to the city and announced, "Rabbi Leibowitz is living proof that evolution is false. Only G-d could have created such a person!!" There are many amazing stories from his time in the U. S. A. An old man from Baltimore once told an interesting and personal story. He had been a student of Reb Baruch Ber in the Kaminetzer Yeshivah. When R' Baruch Ber was in Baltimore he stayed in his home. They spent all day together. One night they came home late, and the man went upstairs to check if R' Baruch Ber's room was in order. His wife was listening to the radio in their bedroom, and it was very loud. The man was embarrassed. "What are you doing? How can you blast the radio with my Rebbi downstairs? Turn it off." Then the man went downstairs to see if R' Baruch Ber needed anything before he retired for the night. R' Baruch Ber didn't understand a word of English, but he did recognize the tone of his student's voice as he spoke to his wife. "Did you learn to talk like that in my yeshivah? I cannot stay here. I'm not sleeping in this house tonight!" The man pleaded with Rav Baruch Ber to stay. Rav Baruch Ber relented and agreed to stay only after the man went back upstairs and apologized to his wife.

From Experience Greatness, By Rabbi Moshe Hubner

❖ Two groups of Chasidim who had a big machlokes. The Bobover Rebbe wanted to make shalom. One night he met with the head of one side, and the next night he would meet with the head of other group to express their position. Late that night, a vigilante from one of the factions who was upset that the Rebbe was making peace threw a brick through his window. Although he suspected who did it, the rebbe was not vindictive he didn't tell anyone. He called a 24 hour glass repair company. The glass store owner didn't believe it was really the Bobover Rebbe. The rebbe asked for him to come with complete secrecy and immediately. The man Yossi Rose came and fixed it. He asked what the big emergency was and why it was so secretive. The rebbe said that if it would have waited till the morning people would have known what happened and that would have inflamed the machlokes. To prevent a machlokes is an emergency of the highest degree.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 145

❖ Rav Avraham Niznik presided over much more than a beis din: his influence extended to all sectors of the city. He was an astute politician, yet at the same time totally devoid of wiliness. He viewed politics, machlokes, and disagreements that were part and parcel of his job as an av beis din with a certain appreciation. He shared a personal incident that underscored this sentiment. He once traveled to Eretz Yisrael to consult with the Chazon Ish regarding a decision that was troubling him. As he entered the room of the Chazon Ish, a delegation from a certain city was on the way out. They had come to consult with Chazon Ish about a machlokes that they were embroiled in regarding the city's Rabbanus. When Rav Niznik introduced himself. The Chazon Ish understood that he had likewise come in connection with the dispute. The Chazon Ish sighed and looked at him. "Machlokes is a difficult thing, but the truth is. It's healthy. A city without machlokes is a city where the people don't care." These words guided the Rav as he led a city many decades later. With a generous dose of optimism he would smile during times of turmoil. "It means that the people care."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ The only thing that worried Rav Tendler was machlokes, dispute. One of the gedolim in America asked Rav Tendler to become involved in a machlokes, but he refused. Despite his refusal, the rav sent a package with the proof that one side was correct; when it arrived Rav Tendler dropped it in the trash bin without opening it. "But it is from... " his son, Eliyahu, protested. "If he is spreading machlokes, I don't have to follow his guidance."

I Am Your Servant, By Rabbi Akiva Tendler, published by ArtScroll Mesorah, p. 340

❖ Reb Aryeh Levin was penniless at the time of his marriage. His parents were overseas and unable to help out financially, and as a new immigrant, he had not yet found a source of livelihood. Although they had the simplest of weddings (the impoverished Jews of Yerushalayim were hard-pressed to survive; they certainly didn't aspire to pretentious standards), it was still customary for the chassan to present his kallah with a small gift in the yichud room. R' Aryeh, however, lacked the wherewithal to purchase even a nominal present for his bride. So he made a unique offer instead. "Any time we have even the smallest disagreement," R' Aryeh declared, "I will yield to you." His kallah was so touched by his proposition that she promised R' Aryeh that she, in return, would do the same for him!

Rebbetzin Kanievsky, By Naftali and Sarah Weinberger, published by ArtScroll Mesorah

B. NOT TO BE INSOLENT AND RUDE

(Rabbinically Mandated Mitzvah), Sefer Chareidim 35-17

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Is brazenness ever a positive attribute? When is it negative?

SEFER CHAREIDIM

A person should be bold as a leopard to fulfill the will of his Father in Heaven (Pirkei Avos 5:20). In worldly and interpersonal affairs, however, Chazal teach that insolence and brazenness lead to Gehennom, whereas modesty, shamefacedness, and inner restraint lead to Gan Eden.

C. NOT TO PRESSURE SOMEONE TO DO SOMETHING HE DOESN'T WANT TO DO

(Torah Mandated Mitzvah), Sefer Chareidim 29-73

As the Torah says, and to your brothers, the children of Israel, a man toward his brothers, you shall not lord over him with hard work." (Vayikra 25:46, Parshas Behar)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Would it be permitted for a boss to pressure an employee for a favor if it does not relate to his job?
- Is it ever permitted to pressure someone to do something they don't want to do?

SEFER CHAREIDIM

A person is forbidden to subjugate or impose arbitrary servitude upon his fellow. If an individual stands in fear of you, or feels too ashamed or intimidated to decline your demands, you may not command him to perform any service, whether substantial or trivial, unless he does so with genuine goodwill or the act is directly for his own benefit. Even instructing such a person to warm a cup of water or sending him into the street on an errand to purchase a loaf of bread is halachically forbidden. If, however, an individual is acting corruptly or violating the law, one is permitted to issue directives to him as necessary to correct his conduct.

INSPIRATIONAL STORIES:

❖ As a testament to his deep sensitivity toward others, Rav Shimshon Pincus once let the following idea slip, seemingly unaware of the awe-inspiring nature of his nonchalant statement: "I never opened or closed a window if there were other people in the room with me -- even immediate family members. Just because I'm hot doesn't mean the other person isn't comfortable or even cold. Even if he wouldn't actually object to me opening the window, you never know if he just feels awkward about protesting." "So what did you do instead?" Rav Pincus was asked. He answered, "What's the question? If I was hot, I took off my jacket, and if I was cold, I put on a sweater."

From The Life of Rav Shimshon Dovid Pincus, Published by Feldheim

❖ Once, R' Shraga Frank was hosting some guests in the dining room of his home. When he wished to serve them tea, he rang the bell near his seat to summon the maid, but she did not appear. R' Shraga sounded the bell a few more times and received no response. One of the guests commented, "It seems that you are not tough enough with your hired help. Perhaps if your maid felt a bit of fear, she would not be so lax in her duties." R' Shraga smiled broadly. "Ah, but it is her laxity which makes me so happy! I am forever concerned lest I be guilty of being too harsh with my hired help and thereby transgress the commandment, 'You shall not rule over him overbearingly.' When the maid fails to respond to my call, it puts me at ease."

Shabbos Stories, Vol. 1, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ During one period, Rav Yehuda Zev Segal walked home from yeshivah each day, a twenty-minute walk, accompanied by a talmid. The Rosh Yeshivah would study from a sefer and discuss the subject matter with the talmid, who held on to the Rosh Yeshivah's hand and directed him along the way. One day, the Rosh Yeshivah seemed quite strained by the walk and the talmid looked toward each passing car in the hope that someone would stop for them. The Rosh Yeshivah, however, seemed to be studying with added concentration whenever he heard a car approaching. The talmid finally asked, "Would it not be better for the Rosh Yeshivah to look up? Chances are that if a driver would see the Rosh Yeshivah looking at him, he would stop and offer to drive us the rest of the way." The Rosh Yeshivah replied, "Rabbeinu Yonah states that a Jew must not subjugate his fellow men. If his fear is upon them, or if they are ashamed to violate his word, then he should not command

them to do anything that is not in accordance with their will and to their benefit...."' If a driver were to see me looking at him as he passes by, he might feel obligated to stop, even though he is in a hurry and really has no time to take me. Therefore, I am not looking up, so that only someone who really wants to stop will stop."

The Manchester Rosh Yeshivah, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Sam Sutton is the current president of SBH: Once, I wanted to approach a person for a donation to SBH. I told Joseph, "Let's go to that man and ask for a donation. We see him in synagogue, We see him on the street..." Joseph replied, "I really can't go to him." I asked, "Don't you know him?" "Yes, I know him, " he said. "Don't you have kids the same age?" I asked. "Yes, we did, " he answered. "So let's go to him," I insisted. He said, "I'd rather not. " "Why?" I asked. He said, reluctantly, "Well, I had some reason to help him." I'm not certain what Joseph had done for the man. He might have helped his son or his brother. Maybe there was a drug problem or a marital problem. I wasn't sure what it was. It seemed to be something important. Joseph wouldn't go ask the man for money for charity because he didn't want it to appear that he was taking advantage of the fact that he helped him. I promise you, this did not happen just once. It happened many times. "I can't ask him. You ask him yourself.". You can't imagine how many times this happened. "It's not the right time, wait another year, wait another two years. I just helped him last year. I... I can't ask him."

Joseph: How One Man Can Make a Difference, by Jack Doueck, Sephardic Press, p. 321

❖ When Reb Mendel Kaplan drove into a gas station he always drove to the pump nearest the attendant so the worker would not have to walk any further than necessary.

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

D. NOT TO RESPOND WHEN INSULTED

(Torah Mandated Mitzvah), Sefer Chareidim 24-29, 35-26

As the Torah says, "Do not respond to an argument, to turn away" (Shemos 23:2, Parshas Mishpatim)

SEFER CHAREIDIM

Scripture states: 'Do not respond to a grievance by turning aside' (Shemos 23:2). Rabbi Shlomo ibn Gabirol explained that this teaching corresponds to the counsel of King Shlomo: 'Do not venture forth hastily to argue' (Mishlei 25:8). Rather, a person should count himself among those who hear an insult yet refrain from retorting; for if one remains silent, the quarrel naturally subsides, whereas if one answers back, the contention intensifies.

Our Sages have instructed us to cultivate a generous, patient heart and to be slow to anger. One should aspire to be numbered among those who are insulted but do not insult in return, who hear their humiliation but do not respond, who act out of pure love for Hashem, and who rejoice even in the midst of suffering (Shabbos 88b).

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMCHAL — MESILAS YESHARIM (CHAPTER 11)

Our Sages interpret the verse "Toleh eretz al belimah" (Iyov 26:7) — "He hangs the earth upon nothingness" — as "al bolem piv b'she'as merivah": the entire world is sustained by the merit of one who restrains his mouth and remains silent during a dispute.

INSPIRATIONAL STORIES:

❖ A group of self—appointed zealots who were upset with one of R' Shteinman's public positions decided to exact revenge. Late one night, they spray-painted derogatory comments on the door outside his house. Not content with defacing the walls of his residence, they went on to vandalize several nearby buildings with graffiti mocking the Rosh Yeshivah. In the morning, R' Aharon Leib headed out to give a shiur in yeshivah. Since he didn't comment on the vandalism, his family assumed he didn't notice it. His student R' Yisrael Friedman took advantage of his absence and arranged to have the graffiti removed before R' Aharon Leib returned home. He paid a handsome sum to have a company stop work at another job and immediately head over to the Shteinmans' house. When R' Aharon Leib came home about two hours later, he surprised them all. "What happened to the graffiti," he asked, "and the writing against me, which was here on the house earlier?" A family member informed him that someone who cared about him and his dignity paid to have the brazen scribbles removed. R' Yisrael Friedman stepped into R' Aharon Leib's room and admitted that he was, indeed, responsible for the cleanup. "Actually," R' Aharon Leib told R' Yisrael, "although it bothered me, I am very happy that there were derogatory things written about me. You see, four years earlier, when I was in America, there were several occasions when people honored me publicly. I actually appreciated being shamed in public to counter the honor bestowed upon me in America," he said." R' Yisrael asked R' Aharon Leib to forgive him for removing the graffiti; he had simply reacted instinctively to delete the embarrassing words written about his Rosh Yeshivah. R' Aharon Leib told R' Yisrael that he understood his good intentions. "But please," he begged, "if it ever happens again that someone spray-paints comments or puts up derogatory posters about me, they should not be removed. I would like to have the kapparah of being embarrassed." R' Aharon Leib told R' Yisrael that the Rambam writes that righteous people appreciate being degraded and embarrassed; it brings humility, which eradicates the trait of gaavah, haughtiness. The Rambam adds that he saw in a sefer that a righteous person cited the happiest day in his life as being one on which he was publicly degraded and humiliated, and was able to refrain from getting upset at the person who shamed him, to detach himself from the humiliation and completely ignore the shamer."

From Rav Aharon Leib, by R' Naftali Weinberger, published by ArtScroll Mesorah

❖ Under the British mandate there was no more unity among the Jews of Israel (then called Palestine) than there is today. During his entire career, Rabbi Abraham Isaac Kook (eventually the first chief rabbi of the land) and his followers maintained close friendly relations with the Zionists, On the other hand the group of very pious Jews in Jerusalem called Neturei Karta ("guardians of the city") bitterly opposed and denounced the Zionists, and hence were always hostile toward Rabbi Kent. Once the daughter of one of the heads of Neturei Karta was stricken with a difficult and dangerous illness. The doctors who examined her had but one conclusion: She must be sent abroad, to Professor So-and-set in this-and-this country; he was the world's greatest specialist in his field. This leader of Neturei Karta made inquiries, and he learned that the professor in question was a very busy man; a great number of patients made demands on his time. If his daughter came to this renowned physician as just another patient, it was not likely that he would give her ease much attention. Moreover, the fee required was far beyond the man's means. But then the sick girl's father learned something more: The professor was a very great admirer of Rabbi Abraham Isaac Kook. Should the man receive a personal request from Rabbi Keck to treat the sick girl, he would put all else aside and devote himself to curing her. The girl's father was now definitely in a quandary. If he approached Rabbi Kook directly with a plea for a letter to the professor, he would die of embarrassment and shame. As a leader of Neturei Karta he had subjected Rabbi Kook to contumely and disgrace in public more than once. Then the man had an idea: He knew that Rabbi Kook bore Reb Aryeh Levin a profound affection and there was a strong bond of friendship between the two. He went to Reb Aryeh and asked him to kindly serve us a "go-between" and speak to Rabbi Kook for him. Needless to say, Reb Aryeh readily agreed and went err post haste to the renowned rabbi's house. Once Rabbi Kook understood the problem, he too readily agreed: "Of course I ant prepared to give the man a letter to the professor. What does this have to do with the difference of opinion between us?" He too" and pen and wrote the letter

carefully, taking pains to depict the girl's father in very favorable terms — because he had reason to resent the man, so that (as he explained to Reb Aryeh) "I will let no personal bias influence me as I write this." The precious letter in hand, Reb Aryeh left the room in great happiness at being the successful go between for such a great mitzvah, Leaving the house, he met two Zionist leaders who, he knew, could never forgive the extremist Jews of Jerusalem for their hostility to Rabbi Kook. He greeted them pleasantly and went his way. As he walked along, Reb Aryeh suddenly heard his name being called from Rabbi Kook's house, He was being summoned to return. In momentary confusion he thought that these two leaders whom he had met at the entrance might have persuaded Rabbi Kook to change his mind, aria he now wished to take the precious letter back. For a moment Reb Aryeh stood there hesitating, irresolute, Then he decided, "I cannot demur. If the rabbi calls me I must go"; and with trembling heart he returned. "I had another thought," said Rabbi Kook to him. "The trip abroad is very expensive. I remembered that there is a shipping line which respects my requests and recommendations, and gives a considerable discount in the fare to those in need, Let me give you a letter to that Company as well."

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

E. TO SPEAK SOFTLY TO ONE WHO IS ANGRY AT YOU

(Scripturally Mandated Mitzvah), Sefer Chareidim 38-5

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ What is the effect of this mitzvah?

SEFER CHAREIDIM

Chazal taught that a person should train himself to speak with gentleness, as King Shlomo stated: 'A soft answer turns away wrath' (Mishlei 15:1). When another addresses him with harsh or angry words, one should respond with soft, soothing speech to dissipate the tension.

STORIES FROM OUR SAGES:

❖ After the Sages removed the doorkeeper of the study hall and added hundreds of benches of eager students on the day Rabbi Elazar ben Azaryah was appointed head of the academy, Rabban Gamliel resolved in his heart: 'Since this is how matters stand, I will go personally and appease Rabbi Yehoshua!' When Rabban Gamliel arrived at Rabbi Yehoshua's humble home, he noticed that the walls of his house were blackened with soot. Rabban Gamliel exclaimed in surprise: 'From the walls of your house it is evident that you work as a charcoal-maker or smith to earn your bread!' Rabbi Yehoshua answered him poignantly: 'Woe to the generation of which you are the leader, that you do not even know the hardship of Torah scholars—how they support themselves and how they are sustained!' Humbled to the core, Rabban Gamliel bowed and said to him: 'I have wronged you—please forgive me!' At first Rabbi Yehoshua remained silent, until Rabban Gamliel pleaded: 'Do it for the honor of my father's house!' Immediately Rabbi Yehoshua forgave him, and the two great leaders were reconciled.

Talmud Bavli, Berachos 28a

❖ A certain Babylonian man moved up to the Land of Israel and married a local woman whose Aramaic dialect differed from his. One day he said to her, 'Cook for me two lentils (trei talpechei—meaning in his idiom a small pot of lentils)!' Taking his words literally, she cooked him exactly two single lentils. Furious, he said to her the next day, 'Go cook for me a whole bushel of lentils!' So she cooked him an enormous bushel. Exasperated, he told her, 'Go bring me two pumpkins (butzini—which in Aramaic can mean either pumpkins or candles)!' She went and brought him two burning candles. In his anger, he told her, 'Go break them on the head of the gate!' Now at that very moment, the great sage Bava ben Buta was

sitting at the city gate judging court cases. Taking her husband's words literally ('the head of Bava'), she went over and broke the two items right on the head of Bava ben Buta! Instead of getting angry, the gentle sage asked her calmly: 'What is this that you have done?' She replied innocently, 'My husband commanded me to do so!' Bava ben Buta smiled and blessed her: 'Since you have faithfully carried out the will of your husband, may the Omnipresent bless you with two sons like Bava ben Buta!'

Talmud Bavli, Nedarim 66b

INSPIRATIONAL STORIES:

❖ Dovid and Sarah Goldwasser were unable to have children for more than 20 years. They went to R' Chaim Kanievsky for his tefilos. R' Chaim was very warm but said that he was unable to help. They said "Is there anything we can do"? He said that if one is mavir al midosav, and is able to endure a pain of embarrassment and not respond, that it is a tremendous zechus. Perhaps if you get a berachah from someone who was humiliated but didn't respond, that person's tefillos may help. A few years later Baruch Lipnick and his wife Rivka were moving into a new apartment in the area of Bnei Brak. An eccentric woman said she hopes they are not moving in because she put a curse on the apartment. She explained that the owner of the apartment made some renovations that bothered her. They inquired about her problem and were told that the woman was being totally unreasonable. They settled in, but did not know any people in the area. They were invited to a local bar mitzvah and were hoping that at the seudah they might be able to make new friends. Suddenly the eccentric woman barged into the busy bar mitzvah and with everybody listening, screamed at Rivka telling her how bad she was for moving in when she told them not to. The harangue went on for two minutes. Suddenly Sarah Goldwasser turns to Rivka and says, I beg you please don't say anything. So she silently suffered the shame of indignity. After the woman left, Sara Goldwasser explained by telling her story and said that she has been waiting for four years to meet someone who was humiliated and didn't respond. I have finally met you. I beg you, can you give me a berachah for a child. Rivka gave her new friend a berachah. Miraculously, after 26 childless years, they were blessed with a child shortly afterward.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 235

❖ Bentzion Klatzko was married and learning in Kollel. They needed a new car, but could not afford one. After difficult saving, they finally scraped together a $1000 to buy a new used car. It was very little money, but Bentzion knew of an auction place in Queens where you can buy a car like that on auction, using cash. They drove from Monsey to Queens to buy the car. When they were there they saw the crowds of people. Mrs. Klatzko suggested to Bentzion that he keep the money in his shoe to prevent from being pickpocketed. He said it is no problem. He will put a lot of tissue in his pocket and a pickpocket will get the tissue instead. She wasn't convinced but didn't want to make it into an issue. When Bentzion was looking at one of the cars, a man told him to watch his pocket because he saw a man putting his hand near Bentzy's pocket. Bentzy checked his pocket, found all the tissue, but all the cash was gone. Sadly he turned to his wife that she was right and all the money was stolen. During the whole ride back to Monsey he was expecting her to say "I told you so", but she never did. Finally when they got close to home, he asked, why don't you just say it? "Say what?" she asked. "I told you so". She laughed and sweetly said that after it was done it would not have accomplished anything and just made him feel even worse than he already did. He quietly resolved in his heart to pay her back. A couple years later, Bentzion's sister got engaged. The wedding was going to be in Cleveland. He splurged and bought a new suit. He drove into Boro Park from Monsey and spent a whole day buying a new suit. When they packed the bags to drive to Cleveland, Bentzion asked his wife, did you pack the new suit? Yes, she said I put it in the car. Are you sure. Yes. They drove all the way to Cleveland. As they pulled in and began to unpack, Mrs. Klatzko slapped her head, "the suit, I left in the closet"! Bentzy wanted to say I asked you if you packed it, but remembered his wife's kindness during the car auction. He said no problem, I'll wear my weekday suit. Later that night Bentzy peeked into the kids bedroom and heard his wife telling his kids the story of the car auction and the story of the suit. She tearfully put her hands on her kids head and said, I daven to Hashem that you should

be a tzadik like your father. Bentzy told this story at his Shabbos table as an example of the love that comes with a Torah marriage. Later he was approached by a student. I want you to know that your story saved my marriage. I had a very difficult marriage, but when you told the story I resolved to behave like you and have a marriage like yours. Today we have a very happy marriage and have beautiful children.

Stories That Warm The Heart, By Rabbi Binyomin Penzik, Published by C.I.S. Publishers, p. 46

❖ Rav Yaakov Herman's son, Nachum Dovid bought Rav Herman an expensive, well-tailored kapote. He wore it for the first time on Shabbos. " Rav Yaakov Herman used to portion out the cholent for his orchim, and he himself would serve it to them. One of the orchim was emotionally unstable. When Rav Yaakov Herman placed the plate of hot cholent on the table in front of him, he took the large plate, clumped the contents all over your grandfather's new kapote, and shouted, 'I don't like this!'" All the orchim gasped out loud. Nachum Dovid, who bought the kapote, who was also seated at the table, was aghast at what had occurred. "The guest, frightened at what he had done, jumped from his chair and ran out of the house. Without even wiping off the hot, greasy cholent from the front of his kapote, Rav Yaakov Herman gave chase. "In a few minutes he returned with the orech, holding his hand and soothing him: 'I will give you another plate of chulent that you will like,' Rav Herman said kindly. When Rav Herman had wiped his kapote as much as is permissible on Shabbos, Nachum Dovid said to him, 'Papa, you need so much savlanus. Rav Herman answered, if you have rachmanus, you need no savlanus.

All for the Boss, By Ruchoma Shain, Published by Feldheim Publishers

F. NOT TO TAKE INSULTS TO HEART

(Scripturally Mandated Mitzvah), Sefer Chareidim 44-2

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ What is the consequence of taking an insult to heart?

SEFER CHAREIDIM

Scripture counsels: 'Also do not take to heart all words that are spoken, lest you hear your servant curse you' (Koheles 7:21). The wise sage explained that if you seek true tranquility, you must never take the critical words of people to heart, even if they utter curses against you and even if the insult comes from your own servant. For if you take their words to heart, you will succumb to anger, and the luminous light of wisdom within your neshamah will be darkened. A person should instead model himself after Hillel the Elder, who throughout his entire life never yielded to anger (Shabbos 30b).

INSPIRATIONAL STORIES:

❖ When in Minsk during the first World War, the Chazon Ish would pray in a beis midrash known as "Reb Isserke's Cheder," where Torah lectures were conducted throughout the day. The first time he entered the beis midrash was on a Sunday afternoon, as a group of men were preparing for a shiur that would soon begin. The Chazon Ish opened a Gemara and, because of his near-sightedness, brought it near his eyes. The sight of this simply attired young man scanning a page from up close struck the others as strange. To some, it seemed that he was searching without knowing what he was searching for. When the shiur was about to commence, the shamash went over to the Chazon Ish, took the Gemara out of his hands and said, "You'd be better off reciting Tehillim rather than turning pages of sefarim. In any case, this Gemara is needed for the shiur." The Chazon Ish nodded his head without saying a word. During the Torah reading the next morning,

the shamash asked the Chazon Ish his Hebrew name in order to call him to the Torah. Upon hearing "Avraham Yeshayah ben R' Shmaryahu Yosef," the shamash appeared shaken, for the scholars of Minsk already knew that the Kossowa Rav's illustrious son was in the city. As the Chazon Ish recited the concluding blessing for the Torah reading, the shamash was overcome with remorse. Tearfully, he begged the Chazon Ish for forgiveness. The Chazon Ish honestly could not understand what was troubling the man. "You were right to take away the Gemara; it belongs to the beis midrash and was needed for the shiur. As for reciting Tehillim, you were also correct; a Jew should recite Tehillim."

The Chazon Ish, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ To Rav Shlomo Rothenberg, the Rosh Yeshivah of Mountaindale, the dignity of a talmid was something precious and carefully protected. Even when his students made mistakes, he took great care never to embarrass them. One talmid, Reb Moishe Shapoff, recalled an unforgettable experience: "I once found myself sitting beside the Rosh Yeshivah during shiur. I was trying to catch my friend's attention without Rabbi Rothenberg noticing, so I gave my friend a little kick under the table. When he didn't respond, I kicked a bit harder. Still no reaction. Certain he simply wasn't getting the hint, I tried one last, strong kick. At that moment, I suddenly noticed Rabbi Rothenberg smiling at me. To my shock, I realized that the one I had been kicking the entire time was not my friend, but my revered rosh yeshivah himself! And throughout it all, he had remained silent, quietly enduring the pain so that I would not be shamed. That moment became a lifelong lesson for me. Rabbi Rothenberg was willing to bear discomfort rather than risk embarrassing a talmid."

Table Talk, Edition 455 (Parshas Reeh), by Rabbi Yitzi Weiner

G. NOT TO STARE AT SOMEONE WHILE HE IS EATING, AND THEREBY EMBARRASS HIM

(Rabbinically Mandated Mitzvah), Sefer Chareidim 45-8

SEFER CHAREIDIM

A person must not stare at the face of someone while he is eating, nor gaze intently at his portion, so as not to cause him shame or discomfort (Shulchan Aruch, Orach Chayim 170:4).

STORIES FROM OUR SAGES:

❖ A person should not bite into a slice of bread and place it back into the communal dish, nor bite into a slice and hand it to his fellow, because people's sensitivities are not all alike... An incident occurred with Rabbi Akiva, who was hosted at the home of a certain man. When the hot serving platter wobbled on the table, the host unthinkingly took a slice of bread and wedged it underneath the platter to prop it up (which is improper, as bread should not be treated disrespectfully). To prevent his host from feeling ashamed of his mistake, Rabbi Akiva immediately reached out, picked up that very slice of bread, and ate it! Not realizing why Rabbi Akiva had done so, the host asked him bluntly: "Master, do you have no other slice of bread to eat on the table except the slice with which I am propping up the platter?!" Rabbi Akiva answered gently: "I thought that you would feel scalded even by lukewarm water (that even a gentle hint that bread shouldn't be used as a prop would embarrass you, which is why I quietly ate it); now I see that you do not even notice boiling water!"

Derech Eretz Rabbah 9:1-2

INSPIRATIONAL STORIES:

❖ The Tchebiner Rav (Rav Dov Berish Weidenfeld) dispensed his money very willingly to others. But not only did he give money, he exuded deep sympathy, compassion and extraordinary respect to each individual in need. He wanted to do his utmost to preserve their dignity in spite of their difficult circumstances. The following is a beautiful illustration. Rav

Eliyahu Kreitwirth related that he was once in the Tchebiner Rav's study when a needy Jew came to the Rav to request a donation. Turning to his talmid, the Tchebiner Rav asked if he could lend him five liras, which Rav Eliyahu gladly gave him. The Rav gave the poor man the money and he left, happily. But as soon as the poor man left, the Rav opened a drawer that had money in it and promptly returned the sum. The talmid wondered why it was necessary for the Rav to borrow money if it was clear that he had a lot of money in the drawer. Noting his talmid's bemused expression, The Rav explained that the drawer held a large sum of money that was designated for an urgent cause. He was concerned that if the man would see him open the drawer and catch a glimpse of the wad of bills, he would feel disappointed and hurt by the "measly" donation of five liras.

From Sar Hatorah, The Tchebiner Rav By Chaim Rosenthal, Published by Israel Bookshop

H. NOT TO ENTER EVEN YOUR OWN HOME WITHOUT KNOCKING FIRST

(Rabbinically Mandated Mitzvah), Sefer Chareidim 50-7

SEFER CHAREIDIM

Chazal taught (Pesachim 112a) that the Holy One, blessed is He, detests when a person enters even his own home abruptly without knocking or announcing his arrival, and doing so when entering the home of another is all the more reprehensible. A person should always knock or signal before entering, respecting the privacy and dignity of the household.

RELATED HASHKAFAH TOPICS:

- Discuss why this is prohibited even if it is your own home.
- Discuss the concept of respecting people's privacy with regard to reading their mail, emails, messages, and looking into their windows

STORIES FROM OUR SAGES:

❖ A person should never enter his fellow's house suddenly without knocking; rather, everyone should learn proper courtesy from the Omnipresent, Who stood at the entrance of the Garden of Eden and called out to Adam first, 'Where are you?' (Bereishis 3:9). It once happened that four Elders traveled to the inner seat of the Roman government, where they had a philosopher friend: Rabban Gamliel, Rabbi Yehoshua, Rabbi Elazar ben Azaryah, and Rabbi Akiva. In the morning, Rabbi Yehoshua asked Rabban Gamliel, 'My master, do you wish for us to visit our friend the philosopher?' Rabban Gamliel replied, 'Yes.' Rabbi Yehoshua went and tapped politely on the door. Hearing the measured knock, the philosopher thought to himself, 'Such refined courtesy can only belong to a Torah sage!' Rabbi Yehoshua tapped a second time, and the philosopher rose and washed his face, hands, and feet. At the third tap, the philosopher opened the door and saw the Sages of Israel approaching in formation—Rabban Gamliel in the center, Rabbi Yehoshua and Rabbi Elazar ben Azaryah to his right, and Rabbi Akiva to his left. The philosopher deliberated within himself: 'How should I greet the Sages of Israel? If I say Peace be upon you, Rabban Gamliel, I slight the other Sages of Israel; if I say Peace be upon you, Sages of Israel, I fail to accord special honor to Rabban Gamliel!' When he reached them, he greeted them wisely: 'Peace be upon you, Sages of Israel, and to Rabban Gamliel at the head!'

Derech Eretz Rabbah 5:2

INSPIRATIONAL STORIES:

❖ Reb Moshe Feinstein's sensitivity when offering advice took on many forms. Once, a young man wrote a note to Reb Moshe, seeking his advice in a very delicate, personal problem. Upon receiving the note, Reb Moshe immediately took another piece of paper and wrote a response. The next day, he phoned the young man and asked that he meet him at Reb Moshe's apartment, where the Rosh Yeshivah climbed on a stool to take down an envelope which had been placed inside another envelope. "Here is the note that you sent me yesterday," he said. "I realize that it's very personal and I didn't want you to worry that some day in the future someone would read it. I am giving it back to you so that you can dispose of it yourself."

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Every morning Reb Shlomo Zalman Auerbach would walk to shul via a relatively lengthy, circuitous route. Although a far more direct path existed, leading from his house right to the shul entrance, he persisted in following his taxing roundabout pattern. There was much speculation on the subject since the direct footpath was indisputably on public property and his use of it would not have been an infringement of a private domain. It was a garden passage, adorned with flowers and maintained by the municipality; it was paved and terraced with steps for the convenience of all pedestrians. The Gaon's reasoning remained a mystery. Only the closest "insiders" were privy to the Gaon's thoughts on the matter. He contended that although the garden clearly was public property, the houses that lined this particular garden happened to be on ground level, unlike most of the other homes in Shaarei Chesed, which were built above the street level or set back from the street, and he feared that walking on a path where one might inadvertently look into people's homes would lead to hezek re'iyah — damage caused by an invasion of privacy. In addition, the Gaon was aware of the fact that the garden passage had not always been there. The municipality had decided one day to pave a path there, but had not first consulted the residents who would be affected by it. In all likelihood, they would not have been in favor of the Idea. Reb Shlomo Zalman did not wish to walk on a road which was a source of annoyance or worse to those residents.

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

I. NOT TO EAT FROM A MEAL IF THE HOST DOESN'T HAVE ENOUGH FOR HIMSELF

(Rabbinically Mandated Mitzvah), Sefer Chareidim 48-11

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ What if the host invited you of his own volition?

SEFER CHAREIDIM

It is strictly forbidden to partake of a meal when the host does not have sufficient food for his own household. This prohibition applies even if the host extended an invitation, provided he did so only out of embarrassment or social pressure rather than genuine generosity.

J. NOT TO TAKE FROM A MISERLY PERSON

(Scripturally Mandated Mitzvah), Sefer Chareidim 48-12

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ What if the person can afford to give the item away?

SEFER CHAREIDIM

Rabbi Yehoshua ben Levi taught: Whoever derives benefit from a miserly person violates a negative prohibition, as it is written: 'Do not eat the bread of one with an evil eye' (Mishlei 23:6). This applies to anyone who is tight-fisted and begrudges others, even if he possesses great wealth.

INSPIRATIONAL STORIES:

❖ During the summer, Rav Dovid Trenk would go to Camp Munk. The learning group he led was his chance to work with students who may not have gotten the help they needed during the school year. One summer, he had a boy in his learning group who stuttered severely. He called on the young man to answer a question and the boy slowly, determinedly, pushed through, articulating each word and saying the entire answer. "That was mamesh amazing, you're amazing," Rabbi Trenk exclaimed, and reached into his pocket. He took out a dollar bill and told the boy to go buy a soda as a treat. The boy left, and as soon as the door swung shut behind him, Rabbi Trenk turned to the other talmidim. "He's a hero, but you guys are also heroes: you waited, patiently, no one laughed, no one snickered, no one got impatient. We have a great opportunity this summer, and together, we're going to help our dear friend, okay, gentlemen?" In another incident, one year in the Adelphia Yeshivah, just before an off-Shabbos, a talmid asked Rabbi Trenk permission to take the public bus back home to New York, rather than the private charter bus arranged by the yeshivah. He didn't explain why he was asking, but Rabbi Trenk understood that it was because of the cheaper price, and money was tight. Rabbi Trenk turned down the request. Later in the day, he called over this bachur and appointed him as monitor on the yeshivah bus, responsible for collecting the money from the other students. "And of course," Rabbi Trenk added, "you know the bus monitor doesn't have to pay, you're doing us the favor."

From Just Love Them, The Life and Legacy of Rabbi Dovid Trenk, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

19. Not to hurt a stranger's feelings

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 49

As the Torah says, And a Ger you shall not wrong (Shemos 22:20, Parshas Mishpatim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Which is worse, to hurt the feeling of a resident, an immigrant, or a convert?

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way.

In addition, just as Hashem has special concern for the Ger, so should we.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RASHBAM

A Ger suffers much more than a regular Yisrael, if his or her feelings are hurt.

SEFER HACHINUCH (MITZVAH 63)

A regular Yisrael has family and relatives that can stand up for him and protect him. A Ger doesn't have that social network, so we have to be much more sensitive to him.

Additionally, if we mistreat him, we may push him away from Judaism and he may revert to his former ways.

Finally, when we treat a Ger like he is one of us, we develop beautiful middos. That is because treating a Ger sensitively requires more effort than relating to a regular Yisrael sensitively who has a large supportive network behind him. Developing beautiful character and middos brings Hashem's presence amongst us, and that presence brings Hashem's blessings.

RELATED HASHKAFAH TOPICS:

- Discuss how one of the reasons why we were slaves in Mitzraim was to be sensitized to the pain of the misfortunate. This is one understanding of why Hashem allows suffering in the world.

STORIES FROM OUR SAGES:

❖ When Aquila the Convert felt discouraged at hearing that 'God loves the convert to give him bread and a garment,' Rabbi Yehoshua comforted him warmly: 'Bread refers to the Torah, and a garment refers to the tallis; for a convert's descendants can sit in the Sanhedrin and marry into the priesthood!'

Yalkut Shimoni, Torah 123

INSPIRATIONAL STORIES:

❖ Rav Eliyahu Dushnitzer's son moved from Eretz Yisroel to America and gifted his father an orange grove in Ramat HaSharon to provide him with income. Soon afterward, however, a citrus crisis plunged the orchard into heavy deficits. Terrified of departing this world owing unpaid debts, Rav Eliyahu poured out his heart in tefillah to Hashem and asked others to pray on his behalf. One of his former kollel students, now in real estate, arranged for a wealthy American investor to inspect the orchard. No sooner had they boarded the bus from Petach Tikvah than Rav Eliyahu solemnly told the buyer, "I wish to fulfill the mitzvah of Lo Sonu Ish Es Amiso—not to deceive a customer. Several trees are insect-infested, others have dried up, and the soil has ditches from neglect. Moreover, our Sages warn that hiring workers without overseeing them in person leads to financial loss. If you plan to manage this grove from America, it is an unwise investment." Upon arriving, Rav Eliyahu personally guided the buyer to every decayed tree and ditch. Remarkably, the American remained eager to buy—until he took out heart medication and mentioned his heart condition. Immediately, Rav Eliyahu retracted the offer. "Since your heart condition prevents physical farm labor, and the grove is too small to support a full-time manager, buying it will force you into absentee management and certain financial loss," Rav Eliyahu explained apologetically. "The Torah does not allow me to sell it to you." Days later, Rav Eliyahu asked his close disciple, HaRav Sholom Shwadron, to gently remind a Jerusalem Talmud Torah principal whom Rav Eliyahu had asked to recite Tehillim daily with the schoolchildren. "I am certain he understandably forgot amidst his heavy communal burdens," Rav Eliyahu said with total conviction, "because the only thing missing is the pure tefillah of the tinokos shel beis rabban!" When Rav Sholom delivered the message, the principal admitted he had indeed forgotten, turned right back into the school, and recited Tehillim with the children. Within a week, a skilled local farmer bought the grove at full market price and enabled Rav Eliyahu to repay every debt.

Noble Lives Noble Deeds, Vol. 1, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ Shimon, a student of the Rosh Yeshivah Rav Aharon Schechter, once accompanied the Rosh Yeshivah to France for the wedding of a talmid named Moshe Hazane. After they landed back in America, they got their luggage and made their way towards the exit of the airport. A non Jewish man saw the Rosh Yeshivah, regal and all, and said, "Have a safe flight, Rabbi." The Rosh Yeshivah nodded and cordially said "Thank you." Then the Rosh Yeshivah turned around and walked the other way with his suitcase. Shimon followed and told the Rosh Yeshivah that he was headed the wrong way, deeper into the airport, instead of heading towards the exit. The Rosh Yeshivah responded that he was aware he walked the wrong way, but "how do you think that fellow would feel if he saw me exiting the airport, after wishing me to have a safe flight and he would realize I already returned..."

Table Talk, Edition 377 (Parshas Tetzaveh), by Rabbi Yitzi Weiner

20. Not to hurt the feelings of a widow or an orphan

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 51

As the Torah says, You shall not afflict any widow or orphan (Shemos 22:21, Parshas Mishpatim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Would this apply to the wealthy widow of a king, or to the children of very important people?
- Is this worse than insulting a regular person?
- What is the consequence of violating this prohibition?
- Is an orphan one who lost both parents or just one?
- Until when is one considered to be an orphan? Even when he is an adult?
- If a teacher has an orphan in his class and the child is being very rowdy, is the teacher allowed to discipline the child if it will hurt the child's feelings?
- Should the teacher discipline the child any differently than other children?

SEFER HAMITZVOS HAKATZAR

It is necessary to treat them with utmost respect, even if the widow or orphans are exceptionally wealthy. This obligation applies equally toward the widow or orphaned children of a monarch.

One must never cause them emotional distress or anguish through harsh words, and one must guard their property with even greater vigilance than one's own. If anyone provokes their grief, distresses their spirit, or — worse still — strikes or curses them, he violates this biblical prohibition. His severe punishment is stated explicitly in the Torah: 'My wrath will burn, and I will kill you with the sword, and your wives shall be widows, and your children fatherless' (Shemos 22:23).

A child is defined halachically as an orphan whether he has lost his father or his mother, retaining this status until he reaches physical maturity and becomes fully capable of managing all his personal affairs independently, like other adults.

It is permissible, however, to discipline an orphan for the sake of his Torah education or while training him in a trade, in order to guide him along an upright and honorable path.

Even so, one must treat them with exceptional gentleness, guiding and raising them patiently with compassion and lovingkindness. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way.

In addition, just as Hashem has special concern for the widow and the orphan, so should we.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 65)

An orphan and a widow have no one to stand up for them if they are oppressed. We therefore have to be much more sensitive towards them.

When we are careful about taking care of those who are disadvantaged, and can be easily taken advantage of, we develop beautiful middos because this requires more effort on our part.

RALBAG

If we don't take care of these people, they will be taken advantage of by society.

SFAS EMES

• In Parshas Beshalach, when the Jewish people were trapped at the Red Sea with the Egyptian army closing in behind them, Moshe cried out to Hashem. The Almighty answered: "Mah titz'ak eilai?" The Sfas Emes explains that when sorrow becomes overwhelming, a person may lose the ability to speak or compose words. Yet even then, his silent pain is heard! The Sfas Emes writes: in the Midrash "Why do you cry? Yitzchak gave two inheritances — Yaakov takes pride in the voice — and even in a great sorrow where one cannot cry aloud, the affliction itself is a language of prayer, for the children of Israel turn to Hashem by their very nature!" The widow and the orphan are Hashem's tender infants. Their tears move the heart of the Father of the world (Sfas Emes, Shemos, Beshalach 5635).

RELATED HASHKAFAH TOPICS:

- Discuss how the Torah says that the prayers of an orphan and widow are heard fastest because they rely on no one else to help them. That can be a model for our own tefilos to be effective.
- Discuss how our true madrega, our moral level can be determined by how we treat the people who can least defend themselves. If you are kind and sensitive to a powerful rich person that does not show your madrega because you have an external reason to treat them well.

MORAL DILEMMAS:

Eli was the president of a shul in a small community in Israel. His shul planned to organize an all-day learning event to engage the entire community -- both religious and non-religious members. Their goal was to involve as many Jews as possible. They had a great panel of well-known and charismatic speakers who would greatly inspire the community. In the flier for the event, Eli decided to include a statement: There will be no fundraising appeals made at this event. He

wrote this because he didn't want people to cynically assume that the event was a fundraising ploy. It was genuinely meant to be an opportunity to connect fellow Jews to their shared heritage. The day of the event arrived, and there was a massive turnout -- more than 1,000 people came. People were happy, smiling, and deeply engaged. Eli was thrilled by the large crowd and the positive atmosphere. As he was walking up to the podium, a woman from his congregation approached him. She said, "Eli, I know you're aware that my husband recently passed away. I'm a mother, and now a widow. My daughter is getting married soon, and I don't know how I will pay for her wedding. Do you think you could make an appeal at some point during the event to help my daughter get married? I'm desperate, and with the huge, unprecedented crowd here, this would be a great opportunity to easily raise funds for the wedding." Eli felt torn. On the one hand, he had publicly declared that he wouldn't make any fundraising appeals. But on the other hand, what he had meant was that there would be no appeals on behalf of the synagogue. This was different -- this was an appeal for a community member in need, and the event seemed like the best opportunity to help her. Eli wondered if it would be wrong to make the appeal, even though the flier had stated there would be no fundraising. Should he stick to his word, or was this an exceptional circumstance because it was not an appeal for the synagogue? In addition, when he wrote the flier, he hadn't known about this widow's situation. What do you think?

Answer: Regarding the question about the widow who asked to make an appeal, Rabbi Zilberstein writes that we find in the Gemara (Bava Kama 113a) that Rav Nachman taught when people come to the Yarchei Kallah, a semi-annual learning event, they should not be summoned to Beis Din while they are there. This is because if people think they might be summoned to Beis Din, they will be discouraged from attending the Yarchei Kallah. Rabbi Zilberstein applies this same principle here: if, after promising that no fundraising appeals would be made, an appeal is still made, people may be reluctant to attend future learning events. Therefore, we should avoid making a public appeal. Instead, the president should privately seek donors for the widow. If this is not possible, a significant donation should be given from the shul's funds. However, he should not go against his word by making a public appeal.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 327

In the 1920's in New York it was very common for new immigrants to work in the garment industry. One day a young woman approached a garment factory and went over to the owner and said, "Can I please have a job? It's urgent". The boss brought her to the manager and told the manager to test the girl to see if she would be a good employee and how experienced she was. The manager was a religious Jewish woman. She asked the girl, "Can you please show me a stitch?". The girl said, "Honestly I don't know how to sew". The manager told her, "It seems that you applied to the wrong job, for this job you need to know how to sew". The girl burst out in tears. She said," I am an orphan and I am all alone. I have been searching for a job and I can't find one. I'm starving, I'm very desperate, and I am at my wits end. If I don't find a job soon I'm going to die. Please help me, please. Train me to sew, I'm a quick learner and I will be one of the best employees you have". The manager was torn. It seemed like this was a matter bordering on life and death. She thought she could train her on her own time and teach her how to be an excellent seamstress. In a few weeks time she could be up to par. But on the other hand, if she would accept her when she didn't know how to sew, in the beginning she would be inefficient. Would she be allowed to tell the boss that this girl would be a good employee and be good for this job? On one hand she had the potential to be a good employee and it was a desperate situation, but on the other hand she should be hiring someone who would be a good employee immediately. What do you think?

Answer: Regarding the question about giving the young woman a job, Rabbi Zilberstein wrote in a similar case that if it is truly a matter of saving a life, the manager can give the woman the job, even though she is not yet trained. However, the woman would have to eventually return the salary that she got paid while she was not qualified. This is similar to the idea

> that one is allowed to steal to save his life, but he has to return the money afterwards.
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> *— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Three, p. 501 (Table Talk Halachic Archive, Edition 193 (Eikev))*

STORIES FROM OUR SAGES:

❖ It once happened that Binyamin the Righteous was appointed over the communal charity fund during years of severe famine. A poor woman came before him and pleaded, 'Master, sustain me!' He replied, 'By the Temple service, there is nothing left in the charity fund at all!' She cried out to him, 'Master, if you do not sustain me, a woman and her seven children are about to die of hunger!' Hearing this, Binyamin HaTzaddik stood up and supported her and her seven children out of his own private property. Years later, Binyamin HaTzaddik fell gravely ill and was near death. The Ministering Angels stood before the Holy One, blessed be He, and pleaded: 'Master of the Universe! You Yourself taught that whoever sustains a single soul in Israel is considered as though he sustained an entire world—shall Binyamin HaTzaddik, who kept a woman and her seven children alive during the years of famine, die after so few years?!' Immediately they tore up his decree in Heaven, and twenty-two years were added to his life!

Avos DeRabbi Natan 3:10 (cf. Talmud Bavli, Bava Basra 11a)

INSPIRATIONAL STORIES:

❖ The Klausenberger Rebbe (Rav Yekusiel Yehudah Halberstam) related: My older sister Pesel was widowed at a young age and returned to live in our father's (Rav Tzvi Hirsch Halberstam of Rudnik's) house. My father had a special relationship with her. Pesel noticed that the table in the room where my father received those seeking his counsel and blessing was so old and rickety that it wasn't befitting a person of his stature. Without consulting our father, she decided to raise money to buy a new table by collecting funds from our father's chassidim and admirers. She bought a table for seven rhenish (the local currency at the time), which was less than three dollars. She had it delivered when my father was not home. The next day, when he walked in and saw the table, he asked her where it had come from. She told him that she had raised seven rhenish among the chassidim and townspeople. Suddenly, my father's entire countenance changed. He became pale as chalk. In a voice choked with tears, he cried out, "In my entire life, I would never even entertain the thought of owning a table worth seven rhenish! Do you have any idea how many nefashos, how many Jewish souls, you can infuse with life with that money?" He broke down crying. If only I would be able to cry on the night of Yom Kippur and feel such longing for teshuvah as my father had at that moment! The Rebbe concluded, "As a child, I saw that table. I can tell you that in our times, we would be embarrassed to have such a simple table in our dining rooms..."

From The Klausenberger Rebbe, By Rabbi Avrohom Birnbaum, published by ArtScroll Mesorah

❖ On another occasion when sleep did not come and Rav Yaakov Herman found all his deeds correct that day, he tossed and turned in bed, seeking an explanation for his insomnia. A close relative was living with Rav Herman at the time, and he decided to wake him up. "What happened in the house today?" Rav Herman questioned the half-asleep relative. "Nothing, nothing at all," he replied. "Did anyone come to visit?" Rav Herman questioned further. "Your grandson, Avremal, came this afternoon." "Did he say he wanted anything?" Rav Herman asked. "No, he stayed for a few minutes and left." Papa did not let up. Finally, the relative admitted that he'd had a slight argument with Avremal and "in jest" told him not to come to the house anymore. "Get dressed! We're going to Avremal's house right now. He is an orphan and he might have been offended. We must ask his forgiveness," Rav Herman said firmly. "But it's the middle of the night," the relative remonstrated. "Avremal is surely fast asleep. He knew I didn't mean it seriously. We can go first thing in the morning." "When a wrong is done, you cannot wait. It must be corrected without delay," Rav Herman said sternly. Knowing Rav Herman, the relative did not argue further but got dressed. Off they went through the dark, silent streets of Yerushalayim. When they came to Avremal's building, Rav Herman looked up and saw that a small light was on in his living room. They climbed the two flights of stairs. Rav Herman knocked gently on Avremal's door. Avremal unlocked his door, opened it and asked in alarm, "Zeidy, what's

the matter? Why are you up in the middle of the night?" Rav Herman did not answer his questions, but asked Avremal, "Why are you up in the middle of the night?" "Oh, something was troubling me and I couldn't sleep," Avremal answered. Rav Herman then called to the relative, who was waiting in the hallway. He rushed in and blurted, "Avremal, you surely did not take me seriously when I told you not to come to your Zeidy's house anymore? If you did, I beg your forgiveness." Avremal forgave him. "Zeidy," Avremal said with deep emotion, "you've lifted a heavy stone from my heart by coming now. I couldn't bear the thought that I would not be welcome in your house, where I grew up."

All for the Boss, By Ruchoma Shain, Published by Feldheim Publishers

❖ Yitzchak and Rachel Briskman were happily married. After they had a son Moshe, Yitzchak died. When Moshe was 10 Rachel got leukemia and was dying. She went to Rebbetzin Elyashiv and said I have no one to turn to. Can you please make sure my son will be looked after when I die. Rebbetzin Elyashiv was extremely busy, but she promised to do all that she can. Rachel died. Moshe went to an orphanage. Reb. Elyashiv arranged for her brother Rafael Levine (R' Aryeh Levine's son) to learn with Moshe every week, give him presents and much simchah. One day Raphael passed away. All that simchah was gone. Moshe grew to become a "nebuch" and emotionally underdeveloped. Two years later a Talmid of Rav Elyashiv, R' Efraim Holzberg saw Moshe. He looked very sad. Moshe said he missed learning with Reb Refoel. Ephraim said he would learn with him. Ephraim went to his apartment and the smell was terrible. Moshe said that it hasn't been cleaned since Reb Refael died. He would not just learn with him, he would clean the bathrooms and the apartment when he would come. He treated him like his own child, because of his sister's commitment to a stranger.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 84

❖ Rebbetzin Herzog enjoyed a vibrant, exciting life, with the house always full of people, as long as her husband was alive. But with the passing of Rabbi Isaac Herzog, Chief Rabbi of Israel, the spark of the Rebbetzin's active communal life went cut. Gone were the days when Gedolim and prominent community leaders would come to call. As time went by few even bothered to inquire after her well-being. Reb Shlomo Zalman Auerbach was a noteworthy exception. Every Chol HaMoed, both Pesach and Sukkos, he came to give her holiday greetings and wish her well.

From Jerusalem His Word, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ Eliyahu Zlotnic was an orphan boy. It was a cold rainy day. All the kids in his class went to a nearby seller to buy tea. Eliyahu went with the boys but didn't get any. R' Aryeh Levin asked Eliyahu why he didn't also buy tea. He said he doesn't like the way tea tastes. R' Arye tells the seller that Eliyahu would like some tea, and he would pay for it. The seller said, but didn't he say he doesn't like the way tea tastes. R' Aryeh said, funny, I heard the very opposite I heard him say that he would love tea, but he just can't even afford the few pennies to buy it. You have to learn to listen with your heart.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 107

❖ Prior to the trip, Rabbi Sherer was told by Dr. Coleman that he should not shake hands with anyone. Despite that warning, Rabbi Sherer hugged Rabbi Simcha Kaufman, the head counselor at Camp Agudah. And he insisted on shaking hands with each of the special — needs campers. Rabbi Sherer had been a strong early supporter of providing a program for special needs children at Camp Agudah, in part to teach the other campers that the Jews with special needs are also part of Klal Yisrael. And he always felt a special connection to this particular group of campers. When his son Shimshon, who had driven from the city to join him" father at the boys camp, remonstrated with Rabbi Sherer for ignoring his doctor's orders, the latter replied, "These are my children. You can't deprive a father of hugging his children. I couldn't help myself."

Rabbi Sherer, By Rabbi Yonasan Rosenblum, published by ArtScroll Mesorah, p. 607

❖ Reb Shmuel Auerbach was living proof that when ego plays no role, there's no limit to the time, effort, and ingenuity one can invest on behalf of another. His honor didn't stand in the way of giving to others. To the contrary, it became yet another resource he could joyfully dedicate toward ensuring their wellbeing and happiness. A most unusual video once

made the rounds in Yerushalayim, featuring none other than Rav Shmuel Auerbach speaking about a metal bowl that had belonged to the Maharil Diskin, which he had used for kneading the dough for Pesach matzos. On the video and in an accompanying letter, Reb Shmuel vouched for its pedigree and great value and recommended it to collectors of Judaica. The video sparked some wonderment at what seemed to be the Rosh Yeshivah's sudden, strange foray into the world of antique Judaica collecting. The truth of the matter was that the kneading bowl had been in the possession of a distinguished Yerushalmi family for generations. But when a widowed family member desperately needed the funds to marry off her child, her relatives gave the item to a Judaica dealer to sell, with the profits going toward the wedding expenses. The dealer heard that Reb Shmuel was familiar with the item, and when he asked him to write a letter of endorsement and be filmed, too, he immediately agreed. Later, the dealer apologized to Reb Shmuel for having caused him to lower himself. But Reb Shmuel didn't understand the fellow's point. "I did this to be mechayeh an almanah, so what's the problem?" was all he could say.

From Reb Shmuel, by R' Eytan Kobre, published by Judaica Press

❖ Harav Eliyahu Moshe Shisgal, a distinguished maggid shiur in Mesivta Torah Vodaath, once met the "Professor of the East Side." As a result of that casual meeting, he became the Professor's closest confidant and extended an open-ended invitation to visit without prior notice, on par with other members of the Shisgal household. Who was the man with such a lofty title? On the Lower East Side, the neighborhood noted as the first stop in the "Golden Land" for hordes of Jewish immigrants, an odd individual was well-known throughout the neighborhood as "the Professor." Indeed, the title was well earned, for wherever he appeared he presented himself as a bona fide medical professional, while at the same time claiming to be a high-ranking military officer. There were cases when the "Professor" entered a hospital dressed in military uniform, barking orders to the nurses on duty. Generally, the staff was amused by his outbursts and either disregarded him or mocked him flippantly. No one considered him dangerous; he was regarded as a weird, unbalanced individual, who upon satisfying his fantasies, exited as quickly as he had entered. Once, a student of Rav Shisgal came to visit and found this strange individual in the Shisgal house. Anticipating the student's curiosity, Rav Shisgal preempted the situation. With a serious, straight face he turned to his student and said: "Let me introduce to you a dear friend of mine, the esteemed Professor." The Rav's demeanor and tone of voice evidenced a pride in his association with a person of such high rank and stature. Wanting to make sure that the student did not take his comments in a sarcastic way, Rav Shisgal commented: "I call him Professor, since that is the title by which he prefers to be addressed." The setting of the story took place in the early days of the electronic revolution. The distinguished "Professor" had with him a small transistor radio, which was a novelty in those days. He set the volume on his "toy" to the highest decibel, relentlessly alternating between stations. The "Professor" was greatly entertained with his performance, obviously assuming that his audience shared his sentiments. In reality, though, how does one manage to deal with this type of a predicament, and at the same time spare the "Professor's" feelings and his sense of pride in his accomplishments? Indeed, it is not an easy task. The Sages refer to this classic dilemma as "Break the barrel, yet save its wine." There is however, a solution, and it is outlined in Pirkei Avos (6:1): "Whoever engages in Torah study for His sake, merits many things He is called Friend, Beloved, he loves Hashem, he loves [His] creatures, he gladdens Hashem, he gladdens His creatures." As a faithful servant of Hashem, Harav Shisgal found the proper formula to persuade the man to close the radio without hurting his feelings. He bent his ear to the radio and asked unpretentiously, "Am I in effect picking up military signals on this transistor?" "Yes, yes," the man exclaimed excitedly. Pointing to the radio he said in a tone of supreme pride, "This is a top secret military receiver and I am among the select few who have been issued authorization to pick up the signals." "If so," Rav Shisgal commented nonchalantly, "I shouldn't be listening to these classified broadcasts." "Right, right," the Professor agreed and closed the radio instantaneously. His grin of satisfaction did not leave him even after leaving the Rav's house. That was the last time the Shisgal family was confronted with that problem.

Noble Lives Noble Deeds, Vol. 3, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ R' Yaakov Susman was a shochet who lived in the outskirts of Yerushalayim. He died suddenly leaving two young sons four and six. At the shiva Leah Susman met R' Arye Levine who offered to help in any way he can. She didn't expect anything to come of it. But the next day after shiva R' Arye came to the house and offered to take the boys to shul to say kadish for their father. The next morning he came again and offered to get them dressed so the mother can continue to sleep. He did this for almost a year. One day Rav Aryeh was sick, so he asked R' Yoel Brown to bring the boys to shul. r' Yoel went to the house to get them out. He walked them to shul but midway, Uri the younger brother stooped and refused to walk. R' Yoel wanted to convince him to walk. I don't understand, you go with R' Arye. Uri says that's because every morning R' Arye carries me on his shoulders."

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 140

❖ Mrs. R., an almanah, lived in an apartment on the third floor. The Pnei Menachem once passed by her door and noticed a garbage bag hanging from the doorknob. It was clear that the bag was waiting for someone to take it down the three flights to the dumpster. Imagine Mrs. R.'s surprise when she looked out the window and saw the Rosh Yeshivah in the street, about to toss her garbage into the dumpster!

From The Pnei Menachem, By Rabbi Avrohom Birnbaum, published by ArtScroll Mesorah

NOT TO HURT FINANCIALLY

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by not causing another any financial harm

21. Not to thieve

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 34

As the Torah says, you shall not steal (Vayikra 19:11, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is it permitted to use someone else's pen without their knowledge, even though the loss is minuscule?
- Is it less severe if you take from a non-Jew?
- Is it less wrong if you take from a child?
- Would you have to pay a child back in court?
- Is it ok to take something of someone else's for a joke?
- Is it ok to take it for just a few minutes with the intent of returning it right away? What if you intend to pay them its full value or more than its full value?
- Is it permitted to buy stolen merchandise? What if you only suspect that it is stolen?

SEFER HAMITZVOS HAKATZAR

The full halachic liability for theft applies to stealing any item worth at least a perutah (the minimal monetary value).

This prohibition applies universally, whether one steals from a fellow Jew, an adult, a minor, or a non-Jew.

If one steals an object worth at least a perutah, he is obligated under Torah law to return the stolen item or make full restitution.

Furthermore, it is biblically forbidden to steal any amount, even less than the value of a perutah, because the Torah prohibits taking a half-measure (chatzi shi'ur) of any forbidden act.

It is strictly forbidden to steal even in jest, or with the express intention of returning the item, or with the intention of paying double or providing full monetary compensation.

It is likewise forbidden to purchase any item that can be reasonably presumed to have been stolen, as this strengthens the hands of transgressors.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 229)

Theft and robbery destroys society.

Recanati.

A thief is guilty of thwarting the plans of Hashem. Hashem intended for this person to have these possessions and the thief is thwarting Hashem's desire.

SFAS EMES

• In Parshas Mishpatim, the Torah outlines the laws of custodianship. Why does the Torah mandate a double repayment (tashlumei kefel) for the thief, requiring him to pay twice what he took? The Sfas Emes reveals that these civil laws mirror our soul's work before the Creator. The Holy One gives each human being sacred vessels to guard. "Money" (kesef) symbolizes our inner yearning (kisufin). "Vessels" (keilim) represent our bodily organs and physical talents. When an individual succumbs to theft or sin, he steals Hashem's vessels for selfish gratification. But when he awakens to true repentance (teshuvah), he restores that energy to the service of Hashem with double devotion. Through sincere repentance, his faculties are doubly sanctified. When we master our impulses and guard our hands from dishonesty, we turn our earthly desires into vessels for the Divine Presence (Sfas Emes, Shemos, Mishpatim 5635).

• In Parshas Noach, the Torah describes the total moral collapse that precipitated the Flood: "And the earth was corrupt before Hashem, and the earth was filled with robbery" (Bereishis 6:11). Our Sages observe that while the generation was steeped in depravity, their judgment was sealed only over theft (gezel). The Sfas Emes cites his holy grandfather, the Chiddushei HaRim, who taught a staggering principle: Every single sin committed by human beings is essentially an act of robbery! Scripture proclaims: "The whole earth is full of His glory" (Yeshayahu 6:3). Every ounce of strength, every breath of air, and every particle of food belongs entirely to the Creator. When we steal our neighbor's money, we act as if we are independent masters who can seize reality by force. But when we refuse to touch a penny that is not ours, we acknowledge that Hashem alone provides for all living creatures (Sfas Emes, Bereishis, Noach 5631).

• When Moshe Rabbeinu ascended Mount Sinai to receive the Torah, the ministering angels challenged his presence, demanding: "What is a mortal born of woman doing among us?" (Shabbos 88b). Moshe asked the angels: What is written in the Torah? The Sfas Emes explains that Israel's souls originate in the highest spiritual realms. Yet Hashem clothed them in mortal bodies inside a physical world of commerce and competition. Angels live in pure spiritual light. They face no physical hunger, no bills to pay, and no marketplace temptations. The greatness of Israel lies precisely in their ability to engage in daily commerce, handle physical money, and remain scrupulously honest! Unlike the angels on high, human beings descend into the tests of the material world. By subduing greed in the noisy marketplace, our souls retrieve divine pearls from the depths of physical life (Sfas Emes, Bamidbar, Shelach 5645).

• Our Sages teach in Sanhedrin (108a) that the generation of the Flood violated every moral boundary. The generation of the Flood violated all laws, yet their decree was sealed only when they stretched forth their hands to steal. What gave the crime of robbery the decisive weight to destroy civilization? The Sfas Emes explains that sins against Hashem often remain quiet within the hidden recesses of human nature. But when people steal from one another, the suffering of the victims cries out continuously to heaven. Theft fills the earth with friction and discord, tearing apart the fabric of human brotherhood. The decree was sealed only over robbery. When a society tolerates theft, the strong prey upon the weak, and the earth becomes a wilderness of beasts. The commandment Lo Tignov is the protective wall that preserves our humanity (Sfas Emes, Bereishis, Noach 5636).

• In Parshas Mishpatim, the Torah describes a Hebrew servant who refuses to go free after six years. Scripture commands: "Then his master shall bring him to the judges, and he shall bring him to the door or to the doorpost, and his master shall bore his ear through with an awl" (Shemos 21:6). The Gemara (Kiddushin 22b) asks: Why was the ear singled out among all organs? Scripture commands that his master pierce his ear. Our Sages ask why the ear is punished if the hands committed the theft. The Chiddushei HaRim explained that his hands stole only because his ear failed to live by what it heard at Sinai! This principle teaches us that external honesty begins with internal listening. If we truly listen to the word of Hashem, the desire to take another person's money evaporates. Theft occurs when our physical senses disconnect from our spiritual understanding (Sfas Emes, Shemos, Mishpatim 5657).

RELATED HASHKAFAH TOPICS:

- Discuss the idea of not taking small things without asking, like using someone's tissues, pen, or instant coffee without permission.

MORAL DILEMMAS:

A chesed organization very similar to Ahavas Yisrael, placed a tzedakah box near the cash register at an expensive kosher restaurant. The restaurant catered to a wealthy clientele. The tzedakah box was in a very good location and it earned the chesed organization a lot of money. It was not uncommon for the tzedakah box to earn $500 one week in donations. It was the organization's most successful tzedakah box. One day Aron, one of the waiters at the restaurant, called Rabbi Saltzman, the director of the chesed organization. After introducing himself, Aron told the director the following: "I know that your organization has a tzedakah box in our restaurant. I want you to know that I often see the restaurant owner remove money from the box. When the owner wants to go outside for a smoke, he opens the tzedakah box, takes out a five dollar bill and buys cigarettes. I would like to tell him to stop but I'm afraid that I may lose my job." Rabbi Saltzman thanked Aron for the information and had the following dilemma. How should he handle the situation? Should he confront the restaurant owner? But then the owner may get angry and forbid the organization from leaving the tzedakah box there. Could he just forgive the loss of the money? In the big picture the organization was earning much more money than they were losing. It would seem to be "worth it" to just ignore the whole issue, and "keep the peace". But on the other hand, did Rabbi Saltzman have a right to forgive the theft? It wasn't his money to forgive. Perhaps he should confront the owner. Or perhaps he should remove the tzedakah box altogether to make sure there is no more theft. What do you think he should do? Forgive the owner and ignore it? Confront the owner? Remove the tzedakah box?

Answer: Regarding the question of the tzedakah box that had money stolen from it, Rav Zilberstein said that the charity administrator had an obligation to move the tzedakah box to a spot where it would not be a temptation for any theft. This is true even if the location was earning very much money.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Three, p. 165

A girl was suspended from school for coming late. She sent a letter to the president. The President sent a letter back to the girl to give to teacher. The teacher wanted to keep the letter because it was addressed to her. The girl said it was sent to her. Who is entitled to keep the letter?

Answer: Rav Yitzchak Zilberstein rules that although the letter was addressed to the teacher as an excuse note, the President had no intention of enriching the teacher with a valuable collector's autograph; rather, his intent was to do a kindness for the young student who wrote to him. Moreover, citing the Rosh and Tosafos (Bava Basra 63a), since the valuable item came about solely through the student's initiative, ownership of the valuable letter belongs to the student, not the teacher.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 307

Adam was a fundraiser for a large Jewish hospital in Baltimore, in the 1950's. He met with a wealthy philanthropist and asked for a contribution of $100,000. The philanthropist instead offered $5000. Adam was not ready to be dismissed so easily and began to put a lot of pressure on the philanthropist. Finally after much hemming and hawing the philanthropist wrote a check for $100,000. The hospital that Adam represented had an account in the same bank as the Philanthropist. Adam attempted to deposit the check the next day but was told that the account of the donor did not have enough money to cover the $100,000. Adam had a relationship with the bank manager and was able to ascertain that the donor's account needed another $10,000 to cover the check. Adam wrote a check of his own and deposited $10,000 into the donor's account. He then deposited the $100,000 check. A few days later Adam received a call from the donor. "I never intended to give you $100,000" He said. I purposely wrote a check that would bounce in order to stop you from pressuring me. Considering the fact that the donor never intended to donate the $100,000 is Adam required to return the money?

Answer: Rav Yitzchak Zilberstein rules that although a signed check ordinarily functions as a binding debt instrument, where the wealthy donor intentionally wrote a $100,000 check on an account containing only $90,000 as a ploy to get rid of an aggressive fundraiser who refused to leave, it is analogous to a gift extracted through unbearable pressure and embarrassment (Orach Chaim 170:13). Since the donor never genuinely intended to obligate himself, depositing $10,000 into the donor's account to force the check to clear is improper, and the fundraiser must return the $90,000.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 218

Michelle was a business woman who once stayed in an expensive NYC hotel. She woke up in the middle of the night and was very thirsty. She opened the complimentary mini refrigerator that she had in her hotel room and took out a bottle of water. The next morning she looked at the price listing for the contents of the refrigerator and to her dismay she saw that the bottle of water that she drank cost six dollars. "What a rip-off," she thought. "This is a regular bottle of water. Had I known this was so expensive I never would have drank this." Soon after, she walked across the street to a CVS, and bought the exact same bottle of water for one dollar. She replaced the bottle that she drank with an identical one. "Now it is like I never used the bottle," she rationalized to herself. "Had I known that the bottle was so expensive I never would have used it. No one said that I can't just replace the bottle. It is just like I never used the bottle. They have the same water in the same bottle. Later that day she mention this story to her daughter. "But Mommy, isn't that stealing"? Her daughter asked. Michelle was no longer so sure. On one hand she did drink the water. The hotel was

expecting money and not a replacement bottle. But on the other hand, she never would have used it if she knew the price. After the fact, instead of paying for the water, she replaced it with the exact same bottle. What do you think? Does she still have to pay for the water?

Answer: Regarding the question of whether the woman needs to pay for the water bottle, Rav Zilberstein answered that she has to pay the money and she can't simply replace the bottle. This is because she is not only paying for the water, but for the convenience of having it immediately.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Gittin, p. 329

Two yeshivah roommates shared a dormitory room. One roommate returned late at night parched with thirst. Seeing a full cup of water sitting on the counter, he drank it without asking permission, intending to refill it immediately afterward. Did he violate the prohibition of theft (gezel), and does the halachic prohibition of uncovered water (mayim megulim) apply in modern dormitories?

Answer: Yes, he should not have drunk it without permission. Rav Yitzchak Zilberstein rules that taking even an ordinary cup of water without consent can involve the prohibition of theft (gezel) unless explicit mutual permission exists, and drinking another's uncovered drink should be avoided.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 388

A man walked into a watch store carrying a crying baby and asked the clerk if she could hold the infant for just a moment. As soon as she took the baby, the man hurried out. Moments later, the clerk heard a woman outside crying frantically and searching for her missing baby. The clerk rushed out of the store to return the infant to its distressed mother. While the clerk was outside, an accomplice slipped into the unattended shop and stole cash and expensive watches from the register. Can the store owner hold the clerk or the mother financially liable for the theft that occurred while the baby was being returned?

Answer: Rav Yitzchak Zilberstein rules that the store clerk is exempt from paying for the stolen silver/merchandise. Even as a paid custodian (shomer sachar), she could never have anticipated such a bizarre ruse where a thief hands over a live infant as collateral and flees — a ploy that would have fooled the store owner himself — rendering it an unavoidable circumstance (ones) rather than negligence.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Metzia, p. 342

Avi went to a hotel in Israel overlooking the Dead Sea. He had a wonderful time at the hotel and especially enjoyed the fact that the hotel offered complimentary meals for the hotel's guests. Avi invited his friend Yaakov to join him at the hotel. The two met in the lobby and they spent some time together. For lunch Avi invited Yaakov to join him. He went to the hot buffet and filled up two plates with delicious food. Yaakov noticed the sign by the buffet table saying "For paying hotel guests only". They went to Avi's room together and sat down and enjoyed the view. Avi handed a plate to Yaakov saying, "Here, enjoy this meal". Yaakov said, "I'm not sure I'm allowed to eat this meal. I'm not a guest here and I didn't pay for it". Avi thought that it was okay. "It's like you're taking part of my meal. Nobody will mind. They have so much food here and a lot of it goes to waste anyway." Yaakov still felt that it was wrong to take the meal without paying for it. Avi said, "If you don't eat it then it'll go in the garbage. I'm putting it aside near the garbage cans to be thrown out." At this point Yaakov felt if it was going in the garbage he might as well eat it to save it from being wasted. It would be an aveirah of Baal tashchis to throw it out. Once Avi planned to throw it out, Yaakov felt justified in eating

it, to prevent it from being wasted. But Yaakov left the hotel feeling unsure. Did he have to go back to the hotel to offer to pay for the meal? On one hand it was going in the garbage and it was ownerless but on the other hand, he ate the hotel's food and he didn't pay for it. What do you think?

Answer: Regarding the question about the meal in the hotel, Rav Zilberstein wrote that it was not permitted for the man to take the meal. Even if it may go to the garbage eventually, the meal was the property of the hotel. The man should therefore pay the hotel for the food he ate.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 102

There were once two roommates who shared an apartment, Elisheva and Devorah. One night Elisheva came home very late after traveling, and returned to a darkened apartment. She was extremely thirsty from the trip and picked up a cup from the dining room table to fill with water. She filled the cup and drank the water thirstily. The next morning when Devorah woke up, she went to the dining room table and called out in alarm. "My contact lenses!". "What's wrong?", Elisheva asked. "I couldn't find my lens case last night", Devorah answered, "so I put my contacts in two cups on the dining room table". Apparently when Elisheva filled up the cup of water, there was a bit of liquid on the bottom and Elisheva unwittingly swallowed the contact lenses! This occurred during a time when contact lenses were quite expensive. Devorah said, "I think you might owe me the money to buy a new pair of lenses. A person is always responsible for damages they cause even if it was by accident." But Elisheva was not sure. "How was I supposed to know that there were contacts in the cups? You should not have left it on the table, and you should not have left them in a cup where they could get lost. I am exempt in this case". They brought the question to Rav Zilberstein. What do you think -- Is Elisheva obligated to pay for accidentally swallowing her roommate's lenses?

Answer: Regarding the question of the swallowed contacts, Rav Chaim Kanievsky answered that the "drinker" was obligated to pay for them because "adam muad leolam", a person is always obligated even for accidental damages. However, Rav Yosef Shalom Elyashiv Zt'l answered that the "drinker" was exempt. He gave a few reasons for this. One reason is that this was considered an "Ones," an unavoidable accident because she had no reason to imagine that contacts were in her cup.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 388 (Table Talk Edition 087)

Rob had a mixer delivered to the repair person. The repair person fixed it. Rob called the repair person and asked if it could be delivered back to him because it is very important. He said that if he wasn't home the mixer should be left at the neighbor's house. The delivery person went to Rob's house but no one was there. He went to the neighbor's house and no one was there so he left it at Rob's house at the front door assuming that Rob would come back right away. It turned out that the mixer got stolen. Rob wants the delivery person to pay for it. Does he have to?

Answer: The delivery person is exempt. As Rav Yitzchak Zilberstein rules, based on the Gemara in Bava Basra (46b) and Responsa Maharsham, since Rob urgently requested that the repaired mixer be delivered back to him that day and neither Rob nor his neighbor was home when the delivery person arrived, the delivery person who left it at Rob's front door assuming Rob would return shortly is exempt from paying when it was stolen.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 244

A man puts a box in a yeshivah of oil bottles to sell. He wants to sell 20 bottles for $19 each. Another man switches the sign from $19 to $20, so owner makes the same amount of money. All get sold out and he takes the last one. He uses the oil to light menorah. Does have to return $1 to each? Must the student return the extra dollar to each purchaser, and did he validly fulfill the mitzvah of Chanukah lights with the remaining oil?

Answer: Based on the Shulchan Aruch (Choshen Mishpat 185:1) and Sma (185:2), Rav Yitzchak Zilberstein rules that a bystander has no right to unilaterally raise the seller's posted price sign and pocket the difference (or take a free bottle), as 'how can one do business with his fellow's cow without permission?' All proceeds paid by buyers in reliance on the sign belong to the owner of the oil, unless the bystander refunds the overcharged buyers.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Metzia, p. 324

Yossi had $100,000. He gave it to Berel to change it at a bank for shekels when the exchange was 3.3. Berel uses his own shekels for exchange and gives him 330,000 shekels. Later price of the dollar falls to 4. Now Yossi wants to exchange 400,000 shekels for $100,000. Berel gives him the dollars (the same amount of dollars Yossi gave before) and makes a profit of $70,000. Yossi is angry so asked to borrow 70,000 shekels and kept it, saying it was his money the whole time. Is that ok?

Answer: HaGaon Rav Yitzchak Zilberstein resolves this financial dilemma (Veharev Na, Vol. 2, p. 309; Chashukei Chemed, Bava Basra 165a, p. 592) based on the classic ruling of the Machaneh Ephraim (Hilchos Sheluchein, Siman 20) and Mishpat Shalom (Choshen Mishpat 185:2): Although an agent generally cannot buy his principal's goods for himself (ein adam makneh l'atzmo; Shulchan Aruch C.M. 185:2), if the agent had already transferred his own money (the 330,000 shekels) to the sender at the current market rate before the dollar rose, the sender transferred ownership of the dollars to whoever paid the funds. At that moment, the agency terminated (nistayma hashelichus) and the agent acquired the dollars via kinyan chatzer. Consequently, the subsequent currency appreciation occurred entirely within the agent's property, and the 70,000 shekel profit belongs exclusively to Shimon. Reuven has no right to withhold the funds. (Veharev Na, Vol. 2, p. 309; Chashukei Chemed, Bava Basra 165a, p. 592)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 309; Chashukei Chemed, Bava Basra 165a, p. 592

Reb Eli Schwartz was very excited; he was about to publish a sefer, a Torah book, that he had worked on for many years. He had completed the manuscript and picked up the phone to reach out to his good friend Tzvi, who was a great Torah scholar. "Tzvi," Eli said, "would I be able to fax over a copy of the manuscript of my sefer for you to look over?" Tzvi said he'd be happy to look it over. Tzvi gave Eli his fax number, and Eli proceeded to scan all the pages of his book to send it over to Tzvi. Eli inputted Tzvi's number and sent the fax off. But, half an hour later, Eli got a call. "Is this Mr. Eli Schwartz?" the caller asked. "Yes," Eli said. The caller said, "I'm calling because I just received a fax of about 200 pages, and in the process, all of the ink in my machine was used up. In addition, nearly all the paper is used up. I need this machine very urgently for work and have to do a rush order for new ink and paper for my machine. I'd be very appreciative if you could compensate me for the wasted ink and paper that you caused." Eli was shocked; he didn't realize that he had dialed the wrong number and certainly didn't want to cause someone damage or a loss to their business. He wasn't sure what the Halachah would be. He later brought this question to Rav Zilberstein: Did he have the responsibility to pay for all the paper and ink? On one hand, it was his fault; he was responsible for accidentally putting in the wrong number. But on the other hand, you could argue that he didn't really cause damage; he sent a sefer. Maybe the recipient didn't want this information, but it was still a sefer. And secondly, one could argue that since the recipient's machine was turned on and always willing to receive faxes, they were always willing to pay for the ink and paper of the faxes received. Perhaps there was a built-in assumption that the owner of the fax pays for the ink and paper. What do you think?

Answer: Regarding the question about the sefer that was faxed and wasted all the person's paper and ink, Rabbi Zilberstein writes that the owner of the fax machine does have the right to demand compensation for the paper and ink. However, for the sake of honoring the Torah, it would be best if he did not consider it as damage. It would be best for him, to see it as an

> opportunity and that he received a free Torah sefer. So, while he has the right to demand compensation, it would be best if he does not insist on this right.
>
> *— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 404*

There was once a Yid living in Eretz Yisrael named Natan. Natan was not religious, and unfortunately, he became involved in stealing. One day, Natan saw an advertisement for a group trip from Eretz Yisrael to Kerestir, Hungary, to visit the kever of Reb Shayele of Kerestir and the famous guesthouse associated with him. Reb Shayele was renowned for his extraordinary hachnasas orchim. Even today, people travel to Kerestir throughout the year to daven at his kever and visit the place where so many Yidden were welcomed and fed. But Natan had a very different reason for joining the trip. He figured that while everyone else was busy davening, eating, or visiting the sites, he would slip into the rooms where the group was staying. He planned to go from room to room, search through wallets and drawers, and steal whatever cash he could find. The group arrived in Kerestir, and before long, Natan saw his opportunity. Almost everyone had left the dormitory area and was gathered elsewhere. This was his chance. Natan slipped into the first room. But when he walked in, he froze. Standing there was a non-Jewish Hungarian man with a large bag of cash. The man was reaching into the guests' drawers and stealing their money. Natan had just caught a thief red-handed. "If you don't get out of here right now," Natan shouted, "I'm calling the police!" The Hungarian panicked. He dropped the bag and ran. Natan looked down at the enormous bag of money. He could hardly believe his good fortune. This fellow just did all my work for me, Natan thought. I was planning to go room by room and collect the money myself. Now it's all sitting right here in one bag! Natan picked up the bag. Just then, another member of the group walked into the room. He saw the Hungarian fleeing down the hallway. Then he saw Natan standing there holding the bag of stolen cash. He immediately put two and two together. "Unbelievable!" he exclaimed. "You caught him! You came in while that man was robbing us, chased him away, and saved everyone's money!" Natan stood there silently. Within moments, word spread through the group. "Natan saved our money!" "He caught the robber!" "He's a hero!" The police were called, and the Hungarian thief was soon apprehended. Meanwhile, everyone surrounded Natan, thanking him and showering him with brachos. Natan simply played along. He never explained what he had really been planning to do. Then someone suggested, "We have to show Natan how grateful we are. He saved all of us from losing our money." The members of the group collected money together and presented Natan with a $5,000 reward. Natan was deeply moved. He had come to Kerestir intending to steal from these Yidden. Yet they trusted him completely. It never even crossed their minds that a fellow Jew might have entered those rooms for the same reason as the Hungarian thief. Instead, they treated him with warmth, gratitude, and generosity. The experience shook him. Eventually, Natan became a baal teshuvah and completely changed his life. But one question continued to bother him. He eventually came before Rav Yitzchak Zilberstein and told him the entire story. "I went to Kerestir intending to steal," Natan admitted. "I entered those rooms because I wanted to take everyone's money. But Hashem arranged things differently. Instead of stealing anything, I accidentally stopped the real thief and saved everyone's money. "Everyone thought I was a hero, and they gave me $5,000 as a reward. "But am I really allowed to keep it? "On the one hand, they gave me that money because they believed I had deliberately chased away the robber and saved them. Had they known that I myself had entered the room intending to steal, perhaps they never would have given me a penny. "On the other hand, when all is said and done, I actually did save their money. Because of me, the thief ran away and their money was recovered. My intentions were terrible, but the result was exactly what they were rewarding me for." Was the $5,000 given to Natan under false pretenses, since the group completely misunderstood his intentions? Or does Natan deserve the reward because, regardless of what he intended to do, he actually did chase away the thief and save their money? What do you think?

Answer: Regarding the question about the thief who became a hero, Rav Yitzchak Zilberstein answered that we find a similar idea with Og. Even though Og had bad intentions and hoped that Avraham would be killed, nevertheless, because his actions ultimately helped bring about Lot's rescue, he was rewarded. Although his intention was improper, in practice his actions brought benefit to others. Similarly, even though the thief's original intentions were bad, since his actions ultimately benefited and saved other people, he has a right to be rewarded for the good that he actually accomplished.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Nedarim, p. 821

Yosef lived in Israel and owned a parking lot in a busy area of town. Every day he would work from 9-5 managing his parking lot. He would sit in the front of the parking lot collecting money as people came in to park their cars. After 5 PM he would close the lot and go home. He would eat dinner and then spend the rest of the night learning Torah. He maintained this schedule for years. Manning his parking lot during the day and close it and then learn at night. Meir became aware of Yosef's consistent schedule. He realized that the parking lot was not being used all night and Yosef was never there at night. He took the initiative and decided that he would not let the parking lot go to waste. Without asking the owner, he set up his own sign at the entrance to Yosef's parking lot and began to attract cars to park there in the evening. Meir collected the money as the cars pulled in. Meir rationalized to himself that he wasn't taking anything away from Yosef, and the customers were gaining by getting access to parking spots. In his mind it was a win-win. He gained, the customers gained and Yosef did not lose anything. One day Yosef needed to attend a wedding. The wedding was close to his parking lot so he decided that he would park in his own lot. As he pulled up to his lot, a man asked for payment to enter the lot. It was Meir. "Excuse me, what are you doing in this parking lot"? Yosef demanded. Meir said, "What do you mean, I've been managing this lot for a while. "Well please leave, this is my parking lot. And not only that, I want you to make sure you pay me every penny that you collected for charging people to park in my lot." Meir suddenly realized that he was talking to the owner of the lot. He tried to muster as much charm as he was able and began to speak to Yosef. "You are right, this is your lot. But I didn't take any money from you. It was not being used at all and it was totally vacant. I was providing a service to the people of the neighborhood. This is an example of 'ze nehene ve ze lo chaser', where one person benefits and the other does not lose. I don't owe you anything as the money collected would not have gone to you. As Meir spoke a small crowd gathered around the car. One of the bystanders, a man named Eliezer, spoke up. I think another stakeholder needs to get the money back. Every single person who paid money to park here should get a refund, because they should not have been charged. The money should not go back to the owner of the lot, or the squatter, but to all the people who paid money to this man. What do you think? Who gets the money? Yosef, the owner of the lot, Meir the one who charged people at night, or the customers?

Answer: Regarding the question about the parking lot, Rav Zilberstein answered that the thief would have to pay all the customers he collected money from, as they never should have been charged. Because it is unlikely that he can find all of them, he should donate the money to "tzorchei rabim" something that will benefit the public.

— Source: Table Talk Edition #233 (Parshas Bamidbar)

Ari and his wife, who lived in Israel, once went to a kitchen remodeling showroom to look at display kitchens. They arrived at the showroom and were shown around by one of the employees. Ari's wife eventually found a display that they liked, and they wanted to buy it. They approached one of the store associates and asked him for the price. He said it would cost 20,000 shekels to redo the kitchen with this set. Then he lowered his voice and said, "For you, I have some inside information: very soon, a new kitchen remodeling store will be opening up down the block, and they will give you this exact same set for 20% off. So that'll be a savings of 4,000 shekels". Ari and his wife looked at each other, shocked. It seemed strange that the store associate would share this information, essentially giving sales away to a competitor, but they took his advice and decided to wait two weeks for the new store to open. Sure enough, two weeks

later, the new store opened. Ari and his wife went into the store, and who do you guess was the owner? It was that very same store associate. He greeted them warmly and said, "I remember you. I remember exactly the kitchen model you were looking at. Here you go, the price for you is 16,000 shekels." Ari and his wife were very excited to get such a huge discount. But then they thought about it. Was it right for this employee to tell them this information, essentially stealing them as customers from his former boss? Was it right for him to say, "Don't buy it here, buy it from me later on"? If he did the wrong thing, was it right for the couple to facilitate his wrong behavior? But on the other hand, even if it was wrong, did they have to spend an extra 4,000 shekels just to avoid this problem? So what do you think? Were Ari and his wife allowed to purchase this kitchen model for 16,000 shekels, saving 4,000 shekels by purchasing it from this competitor? On one hand, you could say they did not do the wrong thing; it was the associate who did wrong. But on the other hand, you could say they were facilitating his wrongdoing. And finally, perhaps it was not wrong at all for the associate to do what he did. He was helping people save a lot of money. What do you think?

Answer: Regarding the question about the employee who stole away the customers from his boss and wanted to sell his own kitchen to these customers, Rav Yitzchak Zilberstein answered as follows: It is forbidden for the employee to steal away the customer because he is taking away all the investment of effort and resources that the employer put into building the store. It was also forbidden for him to do that because he was paid to work for his employer, and instead, he was working for his own business. Not only is it forbidden for the employee to do this, but it would also be forbidden for the couple to buy the kitchen from him, even though it is much cheaper, because they would be facilitating his actions.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 236

Yosef came to the United States on a fundraising trip for his Yeshivah, which was in dire need of funds. He approached the home of a renowned philanthropist. As he was going up the steps, he met another fellow walking out. "Listen, my friend" said the man. "It looks like you are here collecting. Let me give you a tip. This gvir likes "geshmake divrei Torah". He asked me a question on a Gemara and I didn't know the answer. Let me give you my advice. Learn that Gemara, come up with an amazing pshat and when you come back, you will be prepared. That will really impress the gvir and he will likely be very generous with you." Yosef appreciated the tip and quickly went to a nearby shul and prepared that sugyah (topic). He had a very geshmak and lomdisheh pshat and was excited to be able to share it. Yosef then made his way to the gvir. Yosef was welcomed in with a smile, by the gvir. Sure enough the philanthropist opened with his question. "I was learning this Gemara and I had this question". He then proceeded to tell him the question. Yosef was excited to share his answer. "You know, I was actually just learning this sugyah. It is a great question. I have a really geshmake approach for you." Yosef then proceeded to excitedly tell the gvir his shtikel Torah. He gave it over with relish and enthusiasm. The gvir was visibly excited. He loved the dvar Torah. When Yosef then proceeded to talk about his Yeshivah, the gvir was extremely generous. He took out his checkbook and wrote a check that was far in excess of what Yosef ever expected to raise. Before accepting the check, Yosef was panic stricken with the following doubt. Was he allowed to accept the check? On one hand the man was willing to give him the money. But on the other hand, if he would be totally transparent with him and tell him the full story of how he met the other collector on his way in, and purposely prepared that exact sugyah, perhaps the gvir would feel fooled. Did Yosef have an obligation to tell the gvir the full story, and perhaps lose this opportunity? Would being silent about it be gneivas daas, deceiving the philanthropist? What do you think?

Answer: Regarding the question of the tzedakah collector who got a tip about a Torah question the gvir had, Rav Chaim Kanievsky answered that the man was allowed to accept the money.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 121 (Vayikra)

Chaim saw an opportunity to make some money before Chanukah. He was able to buy many bottles of oil in bulk. He placed bottles of pure olive oil in several shuls near his home, with a tzedakah box next to the oil. Each box had a paper sign saying that the bottles were 18 shekels each. Chaim knew that 18 shekels was a great deal. The same large bottles of oil were on sale in the stores for 40 shekels. On erev Chanukah, Ari went to shul and saw the box with oil for sale. The box had 20 bottles of oil and each was 18 shekels. Ari recognized the bargain and reached into his pocket to pay. But he realized that he had forgotten his cash at home. Ari felt that if he didn't buy the oil now he would not find a convenient opportunity later. He was then struck with an idea that he considered brilliant. There were 20 bottles of oil selling for 18 shekels. That meant that the owner intended to make 380 shekels profit. 18 shekels for a large bottle of olive oil was very cheap. People would be just as willing to spend 20 shekels or more. It was still much lower than the market value. Ari took out a marker and made a new sign saying that the price was 20 shekels per bottle. Now the owner would make 400 shekels. The extra 20 shekels would pay for Ari's bottle. All the other customers would be paying a little extra and they would cover the price of Ari's bottle. True, Ari never asked the owner if he could do this, but he was certain that the owner would only gain and not lose by this arrangement. Ari changed the sign and left. Sure enough later that day Ari noticed that all of the bottles were sold and the owner made 400 shekels, not just 380, and Ari's bottle was paid for by everyone else paying a bit more. In the evening, Ari lit his menorah together with his family. Later that night, feeling very proud of himself, he told his wife what he had done. His wife was very concerned. "I'm not sure if you were allowed to do that," she gently said. "It might have been a form of stealing because you never got permission to do that. If the oil was stolen, then we never fulfilled our mitzvah of lighting and we would have to light again. Perhaps the brachah was wasted." "In addition you might have been stealing from all of the other customers who paid 2 extra shekels because of you." "I'm not sure you're right", Ari countered. "It wasn't stealing. All of the customers saw the price and willingly paid it. And 20 shekels is still a rock bottom price for such large bottles of olive oil." A similar question was brought to Rav Zilberstein. What do you think. Was it stealing? Did Ari's family fulfill the mitzvah of lighting the menorah? Do they have to light again? Do they have to find a way to reimburse everyone who bought the oil?

Answer: Regarding the story of the man who raised the price of the oil, Rav Zilberstein answered in a similar case that what the man did was theft, because he didn't have the right to do business with another person's property. It was also theft from all of the people who paid extra for the oil, and he would have to find a way to return the money to them. Because it was theft, he would have to light again, but without a new Brachah.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Metzia, p. 324 (Table Talk Halachic Archive, Edition 162 (Chanukah))

Ari Stern and Donny Weiss were neighbors in an apartment building. Ari had to go on a two week trip to Europe. He gave his apartment key to Donny in case of an emergency, such as a fire. Ari told Donny explicitly not to open the apartment for anyone unless it was an emergency. While Ari was gone, Donny got a knock at his door. It was two delivery men, with a delivery of a black leather couch. The delivery man said, "We are here to deliver this couch that was ordered last week by Mr. Ari Stern. We came all this way and carried the couch up the steps, but no one is answering the door. Do you know where the owner is?" Donny told them that the owner was away for a while. The delivery man asked if there was a way to open the door. Donny reluctantly replied that he had the key but insisted that he couldn't open the door. The delivery man showed Donny the receipt proving that Ari had purchased it, and said, "Look we came all this way, you can watch us. We are just going to put the couch down and leave. We won't touch anything". Donny relented, and let the couch be placed inside. Sure enough, the delivery men put the couch in the living room and left. The next day the same delivery man came back. He was very apologetic. "I made an error with the order. Mr. Stern actually ordered a brown leather couch, not black. Is it ok If I quickly switch it?" Donny reluctantly

opened the door again and the delivery men quickly switched the couch. A few days later Ari returned home. Immediately after, Donny heard loud screaming coming from Ari's apartment. Ari's safe was broken into, he had been robbed of $100,000 in cash. The only thing that looked different, and showed that someone had been in his home, was the addition of a brown couch in his living room! When the dust settled, it turned out that this was all a plan hatched by devious thieves, who knew there was a large sum of money in the safe. A burglar was hidden inside the first couch. He was left alone to crack the safe for 24 hours. The next day he was removed inside of the couch, when they replaced it. It was all a clever ruse to rob Ari. Normally a watchman is liable for negligence. Is Donny liable for this loss when he was told explicitly not to open the door for anyone? Or do we say this loss was something that he never could have anticipated so he would not be liable to pay the $100,000 to Ari? What do you think. Is Donny liable for this loss?

Answer: Regarding the question of the clever safecrackers, Rav Chaim Kanievsky answered that the apartment watcher was not considered negligent in this case. It was not Poshea. However it was a gramma. Therefore the watcher would be exempt in Beis Din to pay anything, but would be obligated "midinei shomayim".

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 309 (Table Talk Halachic Archive, Edition 165 (Shemos))

A father bought his wife a ring. The wife lost it. The father gets very angry and says how irresponsible she is. The son bought a new ring to placate his angry father, but says he will pay the seller right back. Can he take the money from the father to pay it back?

Answer: Rav Yitzchak Zilberstein presented this question to his father-in-law, Rav Yosef Shalom Elyashiv zt"l, who ruled that if the father's intense anger and verbal abuse are causing the mother acute anguish and tears — which the Gemara (Kesubos 62b) warns brings heavenly punishment and mortal danger upon a husband — then the son is permitted to secretly take money from his father's wallet to buy a replacement ring. Just as a son may take money from a sick father's wallet without his knowledge to buy lifesaving medicine the father refuses to purchase, he may do so here to save his father from severe spiritual and physical danger and restore shalom bayis. However, if the father is not tormenting the mother and the mother is merely saddened by the loss of the ring, the son may not take his father's money without permission.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Beitzah, p. 391

A home insurance company only pays for a burglary if the alarm was on. A man didn't turn the alarm on, but the burglary was done by a known burglar whose specialty was to disarm alarms, do they still have to pay?

Answer: Based on the Gemara in Bava Metzia (106a) — where a tenant farmer who violated the landowner's stipulation to plant wheat and instead planted barley cannot claim exemption when a regional blight struck both wheat and barley, because violating an explicit condition forfeits his claim — Rav Yitzchak Zilberstein rules that when an insurance policy explicitly conditions burglary coverage on activating the alarm, the homeowner who failed to arm the alarm may not falsely claim insurance proceeds even if expert burglars would have bypassed the alarm anyway.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Metzia, p. 473

A woman forgot her baby's pacifier at her mother's home. The mother sent it by pasting a sandwich bag with the pacifier on the side of a city bus. The mother picked up the pacifier at the nearby bus stop. Was that gezel?

Answer: Based on the Shulchan Aruch (Choshen Mishpat 363:5) and Nesivos HaMishpat (363:6), Rav Yitzchak Zilberstein rules that the grandmother and mother are not obligated to pay the bus company. The exterior of a city bus is not rented out for parcel transport (eino asuy l'sachar), and taping a tiny lightweight pacifier to the outside caused zero wear or loss to the

bus company — making it a classic case of zeh neheneh v'zeh lo chaser (one benefits while the other suffers no loss), where one is exempt.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 234

Izzy lived in a condominium with six units. In the center of the complex, there was a pathway that connected to the sidewalk. The pathway was used to walk to each of the respective units. The pathway ended at a parking lot. Adjacent to the parking lot was a shul. People often used the pathway as a shortcut from the sidewalk to the parking lot and shul, saving them about two minutes of walking time. Izzy felt uncomfortable with strangers from the street using the pathway, as he was concerned about his privacy, potential noise, and people looking into his apartment. One day, when Izzy saw someone using the path as a shortcut, he politely told them that it was private property and asked them not to use it. The person replied that they had spoken to some of the other condo owners, who didn't mind people using the shortcut. Izzy, taken aback, asserted that he was also an owner and didn't want people walking through. The person apologized but mentioned that they had received permission from some other owners. Izzy felt uneasy about the situation and wondered if he had the right to stop people from using the pathway. On one hand, as a condo owner, he had rights to the path and could prevent people from using it. Does one owner's disapproval hold enough weight to block access, considering they have 1/6 of the ownership of the pathway? On the other hand, some of the other five owners may have permitted its use. Can people use the pathway as long as even one owner allows it? What do you think?

Answer: Since last week's dilemma of the shortcut is an issue that comes up in many communities we were advised that printing an answer to this specific case could be a cause of machlokes. TableTalk was designed to generate interesting Torah discussion and not to be used in deciding actual questions that should be taken to a Rov.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 195 (Table Talk Halachic Archive, Edition 335 (Mikeitz))

A physician developed innovative, lifesaving medical techniques and charged an admission fee of $500 per person to attend his instructional seminar. Is it permissible for other doctors to listen in on the lecture without paying by sitting in an adjacent room? If they do listen, are they halachically obligated to pay the admission fee?

Answer: Regarding the question of whether the doctor was allowed to eavesdrop on the medical conference, Rav Zilberstein answered that it was forbidden for him to listen in on the lecture, because that was "Hasagas Gevul". However because he didn't steal anything tangible, he doesn't have to pay anything back to the lecturer.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 365

A young genius works for a tech company. He takes things from the company freely, but is very valuable, and would go to competitor. Can the owners ignore it and allow him to steal?

Answer: HaGaon Rav Yitzchak Zilberstein resolves this corporate dilemma (Veharev Na, Vol. 2, p. 409; Chashukei Chemed, Bava Metzia 6a, p. 41–42): Under the seminal ruling of the Maharil Diskin (Kuntres Acharon 145), an employer is not required to incur catastrophic financial loss to prevent another adult from sinning under Lifnei Iver (placing a stumbling block), particularly through passive non-dismissal (shev v'al ta'aseh). However, to prevent the employee from actively committing the severe biblical transgression of theft (gezel), the company owners should explicitly or contractually designate company hardware and supplies up to a reasonable cap as legitimate employee fringe benefits or gift allowances (hefker /

mechilah). This formally removes the prohibition of theft from the equipment he takes, thereby protecting both the employee's soul and the company's financial viability. (Veharev Na, Vol. 2, p. 409; Chashukei Chemed, Bava Metzia 6a, p. 41-42)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 409; Chashukei Chemed, Bava Metzia 6a, p. 41–42

An elderly widower lived completely alone in a large suburban home. His children lived far away, his old friends had passed on, and days would pass without him speaking a single word to another human being. To alleviate his crushing loneliness, the elderly man devised a plan: he contacted several local real estate brokerages and listed his house for sale on the market, but set the asking price at an absurdly inflated, astronomical figure. In reality, he had absolutely no intention or desire to sell his home. His sole motive was to have real estate agents and prospective homebuyers schedule tours, walk through his rooms, sit in his living room, and converse with him over tea. For months, different visitors arrived each week, keeping him company and brightening his spirits. When a family member discovered what he was doing, they questioned the ethics of the arrangement: Does luring busy real estate brokers and buyers to tour a house under false pretenses constitute a violation of Ona'as Devarim (misleading people and causing frustration) or Gezel Zman (theft of others' valuable time)? What do you think?

Answer: Rav Yitzchak Zilberstein rules that the elderly man is permitted to continue listing his home for visits. While halachah strictly prohibits misleading merchants or wasting people's time through false commercial inquiries (Ona'as Devarim), this case is governed by an anan sahadi (an indisputable halachic presumption of common human decency). Halachah presumes that if these brokers and prospective buyers truly understood the elderly man's heartbreaking situation (matzav) and his desperate, agonizing loneliness, they would gladly and willingly volunteer thirty minutes of their day to visit him, sit with him, and bring light into his life as an act of pure chesed. Because anan sahadi establishes that ordinary people would willingly consent to give their time to comfort a solitary elder, it is not considered deception or theft of time. (Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 313)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 313

Mordechai once went to a supermarket after going swimming. That supermarket had a spate of shoplifting incidents and security was on a state of high alert. As Mordechai was shopping in the store, a security guard asked him if he could open up his gym bag. Mordechai happily obliged, The guard looked through the bag and quickly apologized. "I'm sorry for the inconvenience sir. We had a string of shoplifting incidents lately and we just needed to make sure that everything was in order. In order to compensate you for the inconvenience of searching your belongings, here is a special voucher for 50% off of your next shopping trip with us." Mordechai thanked the security guard. He was actually excited about the voucher and felt that it more than compensated him for the inconvenience. After Mordechai got home, word of the story spread quickly among his family and close friends. It was before a Yom Tov and Mordechai planned to do a big shopping trip soon. Soon enough Mordechai began getting requests from his cousins and neighbors, asking if he could pick something up for them to cash in on this big bargain. They would pay him back when he got home. The next time Mordechai went on his shopping trip, he filled his cart with nearly $1000 worth of purchases. Not only was he buying for himself, but also for his family and friends. Everything was half off. As he began scanning the items at the register, Mordechai had a flash of doubt. Was he allowed to do this? On one hand the store gave him this generous voucher and didn't put any limits on it. On the other hand, they gave it to him because of the inconvenience they gave to him. Perhaps the store did not intend for him to spread the bargain to others. Mordechai had thought that perhaps he should ask the manager, but he was afraid to find out what the manager would say. What do you think? Did Mordechai have the right to use this voucher given to him to buy for his friends and family?

Answer: Regarding the question of the voucher used for others, Rav Zilberstein said he was allowed to use it for others.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Two, p. 452 (Table Talk Halachic Archive, Edition 125 (Metzora))

One year, in a sleepaway camp, during the "three weeks", several campers in a bunkhouse began to complain that someone was using their shampoo without permission. The boys left their shampoo in cubbies by the shower and consistently found that there was less shampoo than when they left it. Five of the boys who had their shampoo stolen hatched the following plot to find the culprit. They purchased Gigi Hair removal lotion, a depilatory lotion, and squeezed it inside all of their shampoo bottles. They figured, that now if the thief uses their shampoo, he will remove much of his hair. And indeed they were correct. That night, as one of the bunkmates was using the shower they started to hear panicked screaming. "Ahh, my hair is falling out!" All the boys ran to the shower room to find Eliezer, one of their bunkmates, wrapped in towel with the hair of half of his head removed. The other side was still intact. Eliezer was mortified. But he was caught red handed. The next day the bunk mates had the following three questions: 1. Did they do the right thing or the wrong thing? On one hand they caught the thief and he likely wouldn't steal their shampoo again. But on the other hand they really humiliated him. 2. It was during the three weeks, and they caused Eliezer to lose his hair. Normally one cannot get a haircut during the three weeks. Did they do the wrong thing by making him lose his hair? 3. Was Eliezer allowed to cut the other side of his hair, to even out the cut. Could he cut his hair during the three weeks? Could he cut his peyos to even it out? What do you think?

Answer: Regarding the question of the boys who put depilatory lotion in their shampoo, Rav Zilberstein answered that this could not be done, unless there was no other way to stop the thief. If that was the only way to stop him, they can do that to save the thief from continuing to sin by stealing. It was not a problem with removing hair during the three weeks because that is not considered a haircut. And if the boy was embarrassed he could cut the other part even during the three weeks. There are some opinions that even allow removing peyos with a cream. Please note: do not apply this halachah in practice without consulting a competent Torah authority.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume Two, p. 427 (Table Talk Edition #78 (Parshas Nasso))

STORIES FROM OUR SAGES:

❖ It once happened that a man came before Rabbi Akiva and said to him: 'Rabbi, teach me the entire Torah all at once!' Rabbi Akiva answered him gently: 'My son, if Moshe Rabbeinu, peace be upon him, stayed upon Mount Sinai for forty days and forty nights before he learned the Torah, how can you ask me to teach you the entire Torah in a single moment? Nevertheless, my son, here is the foundational principle upon which the entire Torah stands: What is hateful to you, do not do to your fellow! If you do not want any person to harm you or what is yours, do not harm him; and if you do not want any person to take what belongs to you, never take what belongs to your fellow!' Taking Rabbi Akiva's words to heart, the man walked out and rejoined his former companions on the road. As they walked through the countryside, they came upon a harvested field full of bundles of grain; one companion snatched two bundles for himself and the second companion snatched two bundles, while Rabbi Akiva's student refused to touch a single stalk. Farther along the road, they came upon another field planted with cabbages; again his two companions each stole two cabbages, while he took nothing at all. His companions turned to him in surprise and asked: 'Why did you not take anything for yourself?' He answered them proudly: 'Because thus Rabbi Akiva taught me the whole Torah: What is hateful to you, do not do to your fellow! Just as I do not want anyone to steal what is mine, I will never lay a hand on what belongs to my neighbor!'

Avos DeRabbi Nosson, Recension B 26:3

INSPIRATIONAL STORIES:

❖ Although there was tension between them, the Rav of Kovno, Rav Leibel Shapiro, and Rav Yisrael Salanter maintained a peaceful relationship (Tenu'as HaMussar, ibid.). One way that Rav Leibel, zt"l, expressed his opposition was by occasionally sending Rav Yehoshua Heshel of Yanova, a powerful and influential orator, to speak in places where Rav Yisrael Salanter, zt"l, had spoken, in order to contradict his teachings (Tenu'as HaMussar, Volume 1, p. 181). Although they respected each other, Rav Leibel's opposition to the Mussar Movement was fierce. He declared shortly before his death that the merit of his opposition to the movement would be to his benefit when he stood before the Beis Din shel Ma'alah. An interesting anecdote is told that one day, Reb Yisrael appeared unusually tense. He was pacing about his room as if trying to find a solution to a difficult problem. It was obvious that he was exerting his mind to find a way out of the conundrum. He revealed what was bothering him to his talmid, Rav Itzel Blazer, who was there. "The Rav of Kovno is making a bris for his son now, and I didn't receive an invitation. What should I do? If I don't attend, word will get out that I was not invited, and it will cause a chillul Hashem. People will say that this is how talmidei chachamim behave toward one another. On the other hand, I am afraid of the prohibition of gezel; since I was not invited, I may not enter another man's house without permission." In the end, Rav Yisrael decided that he would go, basing his decision on the words of the Taz, where it states that a rav is committed to fulfilling the needs of the city. Since Rav Yisrael's entering the house of the rav represented something beneficial for the city, then the rav was committed to this as well. When Rav Yisrael arrived at Rav Leibel's house, the Rav of Kovno came outside to greet him warmly. "We have been waiting for your honor for a long time, and the bris has been delayed," he said. It turned out that Rav Leibel had indeed sent someone to invite Rav Yisrael, but the messenger had decided on his own that it was not fitting for the rav's adversary to attend the simchah, and he did not deliver the invitation.

From The Brisker Rav, by R' Shimon Yosef Meller, published by Feldheim

❖ Rav Pam and his youngest son, Asher, were on their way to Yeshivah on a frigid Sunday morning. They were running late and the walk to the subway would take about fifteen minutes. When a lone taxi came down the street, Rav Pam flagged it down and gave the subway station as their destination. They soon realized that the meter was not running. When Rav Pam asked the driver-about this, he replied, "Rabbi, I'm driving around for an hour looking for business. I can't afford to start the meter and report this trip!". "Please," Rav Pam pleaded, "start the meter. I cannot travel with you if you don't." The driver, however, refused to cooperate. " "If you don't turn on the meter," Rav Pam said, "I will have to leave the taxi." "You can't do that, Rabbi," the driver countered, "it's freezing outside." And he continued to drive with the meter off. At the next corner, Rav Pam said, "Please stop; I'm getting off here." He paid what would have been the full fare to the subway station, added a tip, and alighted from the cab along with his son. As they walked to the subway, Asher asked his father why he had paid the man so much. "To make sure that he would not feel we wronged him," Rav Pam replied.

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Aharon Kotler was the driving force behind the vaad hatzala. One evening after a meeting with the vaad and almost everyone has left a rabbi noticed that Rav Kotler was staying behind. He asked him about it and Rav Kotler explained to him that he doesn't have 10 cents for the subway. Keep in mind that the rabbi headed the vaad which dealt in millions of dollars. Also keep in mind that it was undoubtedly in the best interest of the vaad for the Rosh Yeshivah to come to meetings and yes to leave them when over. Anyone could have easily made a good case for granting permission to the Rosh Yeshivah to take the needed 10 cents from the vaad's coffers. A good case yes but to the Rosh Yeshivah the case was not good enough. The end of the story is that the other rabbi lent the Rosh Yeshivah 20 cents 10 cents for the subway and another 10 cents just in case he took the wrong train.

The Living Mishnas Reb Aharon, By Rabbi Yitzchak Dershowitz, Published by Feldheim

❖ Reb Yosef Shlomo Kahaneman never personally benefited from the yeshivah's assets. Once, while on a fundraising mission in Konigsberg, he wrote to his wife on yeshivah stationery and apologized that he could only relate "yeshivah business" so as not to be moiel b'kodesh — to benefit from consecrated charitable funds. He was in Memel when a friend informed him that he would be traveling to Eretz Yisrael and would be delighted to deliver something to the Rav's mother, who lived in Tel Aviv. Reb Yosef Shlomo was eager to take advantage of the offer, but first asked if he could borrow a pen in order to write a letter. The pen in his pocket, he explained, belonged to the yeshivah, and thus could not be used for any personal business.

Builders, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ Reb Aharon's son, Reb Shneur, who succeeded his father as rosh yeshivah, carried on the family tradition of impeccable honesty. Once a California millionaire with no relatives signed a check to the Lakewood Yeshivah after Reb Shneur had visited him and encouraged him to increase his yearly donation of one hundred dollars. The very same day, the Rosh Yeshivah received a call from the tycoon's aide, informing him that the benefactor had passed away before he could fill in the amount on the check. "Rabbi," the aide asked, "tell me how large a check you'd like. There are millions of dollars sitting in the bank and no heirs to collect them. It's either Sacramento or Lakewood." Reluctant to take more money than the donor might have intended to give, Reb Shneur promptly responded, "One hundred dollars, like every year."

Builders, By Rabbi Hanoch Teller, Published by Feldheim Publishers

❖ A talmid's parents sent airline tickets for Rav and Rebbetzin Gifter so they could attend the talmid's wedding in New York. Soon after the wedding, the talmid's parents received a check in the mail for exactly half of the ticket. The rosh hayeshivah explained that while he was in New York, he had attended to something for the sake of the yeshivah. It was therefore only proper that the yeshivah share in the cost of the ticket.

Rav Gifter, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ A Jew who steals something that is worth at least a perutah has violated the Torah prohibition of You shall not steal." According to Reb Baruch Ber Leibowitz, if someone steals something worth one hundred perutahs, he has violated the Torah commandment one hundred times, despite having done only one act of theft!

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

A. TO KEEP THE LAWS OF THE LAND

(Rabbinically Mandated Mitzvah), Kitzur Shulchan Aruch 182,16

KITZUR SHULCHAN ARUCH

The laws of the land must be kept as a law

MORAL DILEMMAS:

A religious municipal building inspector discovered severe structural and fire code violations in a newly constructed synagogue that could cause catastrophic collapse during crowded holiday gatherings. Synagogue administrators pleaded with him not to file an official report, arguing that government intervention would shut down the sanctuary and constitute a chilul Hashem. Is the inspector obligated to report the safety hazards?

Answer: Rav Yosef Shalom Elyashiv zt"l ruled to Rav Yitzchak Zilberstein that a synagogue board has no right to build an unpermitted, structurally hazardous expansion, as building safety codes are binding under dina d'malchusa dina and communal enactment (Bava Basra 8b), and where there is a safety hazard there is no prohibition against dismantling (lo sa'asun ken). In practice, to prevent a chillul Hashem where observers see a religious inspector demolishing a shul, the inspector should first warn the gabbaim and compel them through rabbinical authorities to immediately bring the structure up to code.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 43

Martin Luther King Jr. became famous when he intentionally broke certain laws in a non-violent way. This is called civil disobedience. One such example was in his Birmingham campaign in 1963 when he organized sit-ins at libraries and department store lunch counters. This means that protesters would sit down in libraries and department stores, and block the area, to protest. Martin Luther King Jr was calling attention to the lack of civil rights in America and to Jim Crow laws that discriminated against blacks in the South. Martin Luther King Jr. was knowingly breaking the law in order to protest the injustice in the South. According to the Torah, would it be permitted for a Jew to participate or organize a sit-in today to protest an unjust or immoral law? Would participating in a sit-in be forbidden because of Dina Demalchusa? On one hand they are breaking the law. On the other hand, however, it is only being broken to fix a problem in society. What do you think?

Answer: Regarding the question of using sit-ins as civil disobedience, we brought this question to Rav Tzvi Berkowitz. Rav Tzvi answered, "The end does not justify the means".

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 133 (Bamidbar)

Eli lived in a busy Jewish community. He woke up late and scrambled to make the last shacharis minyan in the community. He drove to shul, but the shul parking lot was completely full. He circled around a few times, but there were no open spots anywhere near the shul. He looked at the car clock with frustration and realized that he was going to miss the last minyan. He then eyed the handicapped parking spot, in the shul parking lot. The handicapped spot was right in front of the shul, and it was the perfect spot. It seemed that it wasn't being used that day, and Eli rationalized to himself that if it was empty, and it wasn't being used, it would be ok for him to park there. "In the worst-case scenario, if I get a ticket, I will pay the ticket, and that money will show how much I value davening with a minyan". Eli felt a bit conflicted about it, but he bit the bullet and parked in the handicapped spot. He made it in the nick of time for the minyan, and davened a very beautiful shacharis with a lot of kavanah. An hour later, Eli walked back to his car, and began to drive away. As he was pulling out there was a knock at his window. It was another member of the shul, Mr. Frankel. Eli rolled down his window, and Mr Frankel said quietly, "I think you might have to daven again, I don't think you fulfilled your mitzvah of tefilla today". "What do you mean?", Eli said. Mr. Frankel said, "I have a close relative who is handicapped and walks with a walker. To him, the handicapped spots are lifesavers. If someone like my relative came to shul and there was no handicapped spot open, he would either go through great pain and effort to walk to shul or he would turn around and go home. Because you parked in the shul's handicapped spot, it is likely that a handicapped person might either have gone through great pain to enter the shul, or missed davening because you took the spot. Parking in the handicapped spot is an aveira, a sin. Our Sages say that if one does a mitzvah by means of a sin, they do not fulfill the mitzvah. If someone steals a shofar and blows it in the shul no one fulfills their mitzvah. You davened today by doing a sin of taking the only handicapped spot. Therefore I think you should daven again", Mr. Frankel concluded. Eli felt terrible, but he was not sure Mr. Frankel was right. Did he have to daven again because he davened by parking in a handicapped spot? What do you think?

Answer: Regarding the question about parking in a handicapped spot, Rav Chaim Kanievsky said that the person should daven once again, but as a nedavah, because it was "k'ein mitzva haba beaveira", similar to a mitzva haba beaveira.

— Source: Rav Chaim Kanievsky. See Upiryo Matok Bereishis, p. 93 / Table Talk

INSPIRATIONAL STORIES:

❖ During World War I, the Russian government ordered all German nationals to report for internment. Three German bachurim studying in the Chofetz Chaim's yeshivah in Radin hid rather than face deportation to Siberia. In the summer of 1915, an agent provocateur befriended the students during a hike and secretly slipped a map of a Russian military fortress into the pocket of a young student named Ephraim Lebowitz. That night, military police arrested Ephraim for espionage, transferring him to prisons across Russia to face a capital treason trial in St. Petersburg. Though nearly eighty years old, the Chofetz Chaim traveled hundreds of kilometers to St. Petersburg accompanied by his devoted confidant Rav Yechezkel Sarna to hire a top defense attorney and testify personally on his student's behalf. To illustrate the Chofetz Chaim's unimpeachable integrity to the military tribunal, the defense attorney recounted a famous incident: when a man once asked the Chofetz Chaim to change a five-ruble note and bolted with the five single rubles without handing over the bill, the elderly sage ran after the thief shouting, "I forgive you wholeheartedly so you will not be guilty of theft!" "Do you really believe that tale?" the Chief Justice asked cynically. "No, Your Honor," the attorney replied shrewdly, "but do people tell such legends about you or me? Only a man of angelic righteousness inspires such stories during his own lifetime!" After the Chofetz Chaim returned to Radin, the military court commuted Ephraim's death sentence to twelve years of hard labor. To soften the blow for his aged master, Rav Yechezkel reported to the Chofetz Chaim that Ephraim had been sentenced to six years in prison. While everyone in the room burst into tears, the Chofetz Chaim thanked Hashem that the boy's life had been spared and remarked calmly: "They sentenced him to six years? What utter fools they are! Are they even assured of remaining in power for six weeks?" Exactly six weeks later, on 22 Adar 5677 (1917), Czar Nicholas II was forced to abdicate in the Russian Revolution, and every political prisoner—including Ephraim Lebowitz—walked free. Upon hearing this, Rav Chaim Brisker declared in awe: "The Chofetz Chaim's words deposed the Czar of Russia!"

Noble Lives Noble Deeds, Vol. 1, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ Harav Moshe Feinstein was one of the last highly respected rabbonim to leave the Soviet Union. Despite the unremitting harassment of the Communist government, he continued to lead his congregation in Lubon and to respond to a huge volume of halachic questions from throughout Russia for close to twenty years. After he came to America, he was once asked the reason for delaying his departure for so long, at a time when almost all other rabbis had left. Rav Moshe answered, in his typically direct style, that for the very reason that they left, he remained. "I realized that throughout my entire region not one Rav competent in Jewish law and jurisprudence remained. If I too emigrated, the region would be abandoned. Only when the situation became absolutely unbearable, I realized that staying on would not help the Jews. At that point, I could leave." That critical moment arrived in 5696/1936. Rav Moshe made various attempts to secure an exit visa from the government, but was consistently turned down. Realizing that an imminent threat to his life was looming and that the virulent anti-Semitic local authorities were bent on blocking his departure, he decided to try his luck in Moscow, where some of his friends had contacts with the appropriate governmental agencies. The big hurdle, however, was to get to Moscow — not a simple task. Even within Russia, an internal passport was required for travel, and that relatively minor document was not forthcoming. Rav Moshe came upon a novel plan. Disguising himself as a Russian peasant who would not arouse suspicion, he successfully evaded the authorities and arrived in the capital. Checking into a hotel was out of the question, since by law all travelers were required to have their identity cards stamped by the local police, authorizing their stay. However, he had siyata d'Shmaya — Divine assistance: immediately upon his arrival he was able to rent a room from a non-Jew who was ready to forgo all legal formalities, despite the dangers. He remained in Moscow for several weeks, subsisting on potatoes and water. Part of the day he was busy procuring the required documents, and the rest of the time he

spent in a local beis medrash, toiling in Torah. One day, Rav Moshe became so engrossed in a complex Talmudic subject that he lost track of time, not realizing that most of the night had passed. He decided that considering the lateness of the hour, it did not pay to retire to his lodgings. Instead, he spent the balance of the night learning in the shul. In the morning, after Shacharis, he returned to his quarters, apologizing to the owner for not returning for the night. "You apologize? Are you aware what great miracle happened to both of us last night?" the owner asked with palpable emotion. "In the early evening hours, secret service agents encircled the district in pursuit of undocumented residents. They went from house to house and it was impossible to escape them. Many people were hauled off to headquarters, and I need not tell you what awaits them there. Your absence saved both of us from long prison sentences, or worse."

Noble Lives Noble Deeds, Vol. 1, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ In general, The Brisker Rav was concerned about the well — being of everyone in his community and felt the sufferings of each and every individual — this, apart from the heavy responsibility of maintaining the spiritual integrity of the city and the community institutions. The following story serves as an informative example: A certain Jew, the father of many children, some still infants, made his living importing and exporting fabrics. One day, he was caught by the local police and accused of evading taxes. The threat of harsh punishment hung over him, since, in those days, penalties for tax crimes were particularly severe. He was in danger of being sentenced to exile and hard labor for a period of years. Upon hearing about the situation, The Brisker Rav became very concerned. Anti-Semitism was rampant, and the chances of the poor Jew getting a fair trial were next to nil. Immediately, The Brisker Rav called in a Jewish lawyer, one of the most important lawyers in the field. After the two were safely behind closed doors, he confided, "To my great distress, I have been caught transgressing such — and-such a tax law. I will soon be called to appear in court for it; what should I do?!" The lawyer, although he was among those who had left the fold and was leading a totally secular life, turned white when he heard these words. He knew what terrible punishments were in store for the Rav of Brisk for such a crime. After a long silence, he whispered to The Brisker Rav, that according to his extensive experience in such cases, there was little hope. "You should hope, Brisker Rav, for a lenient sentence," he said. After a few minutes contemplation, he said, "But there is still one possible way out. It is very dangerous, but, for you, I would be willing to attempt it. "Those in charge of the archives at the courthouse trust me; I have spent years working in the judicial system. My suggestion is that I find a fitting time to go in there, find the file containing the court case, steal it and destroy its contents. This is the only way to save you from a heavy sentence. "Indeed," he added, "there is a heavy risk involved. Woe to me and my family if I am caught. My career as a successful lawyer will be in ruins, and I will be liable for criminal charges and strict punishments. Even so, to save the Brisker Rav, I am prepared to risk my life." Only then did The Brisker Rav reveal that it was not he who had been caught, apologizing and explaining that he felt he needed to misrepresent the truth, because otherwise the lawyer never would have offered his plan. Now, of course, the lawyer's attitude changed. He was not prepared to take such risks for just anybody! The Brisker Rav, however, having discovered a way to save the man, refused to give up; he spoke at length with the lawyer, mentioning that indeed the poor man's troubles were really his, since he felt them as deeply as if they had been his own. With much persuasion, The Brisker Rav managed to convince the lawyer to make the attempt. The Brisker Rav promised him that he would not be caught while carrying out his plan, and gave him a berachah that nothing bad would happen to him. With the berachah and a promise that as a shaliach for such a great mitzvah he would surely come to no harm, the man stood by his word, and at an opportune time, he removed the file and burned its contents. The man's case disappeared into oblivion, and he retained his liberty. As a result of the lawyer's daring action, the case never came to court, and his life was saved."

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 188

❖ Another indication of the way The Brisker Rav related to the above statement of Chazal comes to us from R. Meshulam Dovid Soloveichik. This particular incident shows his dedication to protecting the life of his fellow Jew, regardless of the consequences to him personally. One Rosh Hashanah, at the height of prayers, a government messenger appeared at the Great Synagogue to summon The Brisker Rav. Members of the congregation questioned the man about his errand, and he

explained that a certain Jewish revolutionary had been sentenced to death in the local court, and The Brisker Rav was requested to come to the jail to say viduy with the man before they executed him. The sentence would not be carried out until The Brisker Rav came; the law dictated that a death sentence could not be carried out before the convicted man was allowed to say viduy with a rabbi if the condemned was a Jew or, to receive last rites from a priest if he was a Christian. The execution was scheduled for that very day The Brisker Rav was standing in prayer, and when he was informed of the urgent situation, he made a gesture with his hand that it was not possible for him to stop his prayers at that moment and that he could not accompany the messenger to the jail. The truth was that he could have stopped, but nevertheless, that was his response, for reasons that became clear soon after. And so, a number of those present went out to the messenger and explained carefully the significance of the Shemoneh Esrei prayer, and why a Jew is not allowed to leave the shul during the prayer. "Please wait until the rabbi finishes his prayer, and then he will come with you," they said. Half an hour passed, an hour, two hours, while the impatient messenger waited for The Brisker Rav to come out' How many more hours would pass before he finished his prayers? The messenger's patience finally ran out altogether, and he began to shout: How dare the rabbi continue to disobey an order and ignore his duty? When more time passed and The Brisker Rav still had not emerged, he called the gabbaim and warned them that if the rabbi would not come out immediately, he would be forced to arrest him on charges of "obstructing the war effort," an extremely serious offense. Inside the shul people were whispering to each other. They could not understand how the young rav could dare defy an official messenger from the government and stubbornly refuse to carry out his orders. But The Brisker Rav stood strong and continued to signal that he could not interrupt his prayers. As the hours passed, the members of the congregation realized that The Brisker Rav was not willing under any circumstances — to fulfill a function that would assist in the execution of a Jew. They knew that the messenger's threat was not an empty one, and he was very close to carrying it out. So the gabba'im worked out a plan. They would trick the messenger, informing him that there was a second rabbi in the community who could substitute for Rabbi Soloveichik. He could go to the convicted man and say viduy with him. They chose an elderly man from amongst the crowd and called him the "substitute rabbi." This man, fearing the government, quickly joined the messenger and went with him to the jail. He said viduy with the convicted man, and the death sentence was carried out immediately afterwards. A few minutes later, another messenger from the government burst into the shul, and to everyone's surprise he asked excitedly, "Has the rabbi already gone to the jail?" For it had come out that the death sentence on that revolutionary was a mistake; it had been rescinded! But for that poor Jew it was too late... This story, too, provides us with a vital lesson regarding the proper way to understand Chazal's statement — that even if a sharp sword is resting on a man's neck, he should not despair from begging for mercy. The Brisker Rav prolonging his prayers, his refusal to go and say viduy with the man — this behavior was illogical, it would seem. How long could he extend his prayers? How long could he leave the messenger waiting at the door? Did he not know that the authorities had the power to force him to follow the orders and that sooner or later the sentence would be carried out? The Brisker Rav took Chazal's words literally: If they speak about the most extreme case — when a sword is already on one's neck — and say that he should not despair, then there is no place for making calculations based on nature and logic, even in such situations." And indeed, The Brisker Rav's actions, it seems, had the power to save the poor condemned man. At that very moment when The Brisker Rav was standing like a stone wall, refusing to come, the mistake was discovered. A life could have been saved but for the lack of vision of others, and so the man perished. After that incident, people became aware of The Brisker Rav's great dedication to saving lives, and his extraordinary self-sacrifice won him tremendous admiration.

The Brisker Rav, By R' Shimon Yosef Meller, Published by Feldheim, p. 301

❖ In the city of Luban, Russia lived a sinister man who made it his life's mission to inform on his Jewish brothers and gaining favors from local government officials in return for juicy gossip and dirt on the Jews of the city. As a result of his information often fictitious and spiteful he caused great hardship to the residents of Luban. He was understandably a hated and feared man. His day finally came and the informant took ill and died. The Chevra Kadisha discovered a letter that was addressed to them where the deceased wrote " my fellow Jewish brothers I feel terrible for all that I have done to the people

of the city. I regret my actions. To complete my penitence I hereby request that in preparation for my burial my body be defiled and debased that I am to be buried outside the cemetery in an unbecoming manner. Although willing to happily accede to this request the members of The Chevra Kadisha were still unsure as to how to proceed. They decided to bring the matter before the rabbi of Luban, Rav Moshe Feinstein, and allow him to decide the matter. Rav Moshe thought about the question for a long moment and then made his ruling. "A human being is not the possessive owner of his body and is not in any position especially after his death to decide what is to be done with it. Therefore this man must be buried according to the normal standards of Jewish law with a proper burial within the confines of the Jewish cemetery. The Chevra Kadisha members however persisted in their arguments. But rabbi this man wants to do teshuvah. Why should we not take pity on him and allow his final request to be carried out. Rav Moshe waved them away. It is your responsibility to handle the dead according to the law and not by what the deceased writes. It's my responsibility as Rav of this city to ensure that this is properly carried out. As for how the heavenly court will look up on him and his feelings of regret, that is their business. The man was buried in the Jewish cemetery respectfully and with little fanfare. A number of days later a cemetery attendant noticed a group of uniformed men gathered around the grave of the former informant. They dug out his body and unwrapped the shroud to peer closely at his body. After a moment they rewrapped his shroud and reinterred him into his grave. The attendant walked over and asked them what they were doing. They explained that they had just received a posthumous letter from the man in question informing them that since his Jewish brothers hated him so for his frequent negative reports against them they would no doubt defile his body after his death and bury him with little or no respect outside the Jewish cemetery. He had hoped, he wrote, that the authorities would not let this grievance go unpunished. They had come to determine if he was right about the Jews but it seemed that all was in order and nothing further would be done. The Jewish Attendant ran to the synagogue and excitedly told over what he saw and how this evil man hoped to get his last laugh at the expense of the Jews of the city from beyond the grave. If not for the tenacious conformance of Rav Moshe to the letter of the Halachic law disaster would have befallen his people.

Heroes of Spirit, 100 Rabbinic Tales of the Holocaust. By Rabbi Dovid Hoffman

❖ Once Rav Itzele of Volozhin appeared as the head of a rabbinical delegation at the Czar's palace. When he arrived, the Czar presented him with the following query: "I know that you Jews say a prayer for the welfare of the Czar every Shabbos in your synagogue. I have seen a translation of this prayer, in which you beseech God to grant me success and victory in all my undertakings. But now I know that all these words are not recited earnestly, for I have become aware of the fact that Jews in other countries say the exact same prayer for their own ruler. How, then, can this prayer be explained? I have for several years now been at war with the Kaiser!' The Jews in Germany pray for his success every week as well. So both of your prayers cancel each other out. How can both of us be successful at the same time? Rav Itzele lost no time in responding to the Czar's question. "You said that you have seen the translation of the prayer." Rav Itzele began. "Certainly, then, you are aware that it begins with the words, 'He Who makes paths through the sea, and passages through the mighty waters — may He exalt and uplift... the great Czar, etc.' Of all the magnificent praises that we could say of Cod, why is it that the prayer chooses this particular, rather unusual description of God as the Guide of ships through the sea? Why is this phrase chosen to illustrate God's greatness? 'The answer," Rav Itzele continued, "is as follows. Imagine a sailor in the eastern part of the sea who wants to travel westward. He cannot set out upon his journey unless he has the cooperation of the winds! At that very same time, however, there is a sailor on the other end of the ocean who requires a westerly wind to carry him to the east! How then, is it possible that boats do in fact travel from one end of the sea to the other, in both directions, at the same time? This is indeed a marvel of nature that shows the greatness of God's might in the world, that He can allow the existence of two opposite forces to operate at the same time. This same attribute is applied by Him in His Divine guidance

of kings and rulers. God, in His great wisdom, can arrange that you will be blessed with victory and yet, at the same time, the Kaiser will also be triumphant!" Rav Itzele's sharp answer was enthusiastically accepted enabling him to benefit from a warm reception from the monarch, who was generally a bitter antagonist towards the Jews.

The Rosh Yeshivah Speaks, By Rabbi Chaim Pinchas Scheinberg, published by ArtScroll Mesorah

❖ Mr. Cohen was at a local pizza shop in the country. He had recently received a speeding ticket in the area and was wondering if anyone could help him. He related his problem to another Yid in the shop who told him, "Call up Rabbi Rothenberg from Mountaindale he could help you." And that's exactly what Mr. Cohen did. Rav Shlomo invited him to his home and listened to Mr. Cohen's story. Although the two had never met before, Rav Shlomo made Mr. Cohen feel as if he was his good friend. At the end of their conversation, Rav Shlomo took out a pen and paper and started writing the following in his beautiful handwriting: Honorable Judge, Mr. Cohen is a dear friend of mine and is a good driver. He is sorry for the violation that he committed. -Sincerely, Shlomo Rothenberg. (Just in case you're wondering how Mr. Cohen became Rav Shlomo's "dear friend" after meeting him only once... it was typical of Rav Shlomo to meet someone once or twice and become "friends for life"!) Rav Shlomo folded the paper and gave it to Mr. Cohen with instructions to give it to the judge in court. When Mr. Cohen was asked by the judge what he had to say for himself, he responded, "I have a letter." The judge opened it up and then glanced at the police officer who had given the ticket. The officer was quick to respond, "No, no, no, not this one-I'm not letting this one go!" The judge held up the letter and just pointed to it repeatedly, while looking straight at the officer, as if to say, "But what about the rabbi's letter?!" Again the officer shook his head in frustration and insisted, "I'm not letting this violation go." The judge pointed to the letter once more, as if it were the Constitution whose every word he had to obey. Finally, unable to withstand the pressure, the officer threw up his hands in defeat. “Okay, just let him go!" he said. Once again, Rav Shlomo's ahavas Yisrael worked wonders!

From Rav Shlomo Rothenberg, published by ArtScroll Mesorah

❖ In another incident, Rav Shlomo Rothenberg showed up at a friend's court case at seven in the morning. "What are you doing here?" asked the friend, puzzled. "I came to be here with you!" Rav Shlomo replied. He then asked the judge if he could say a few words on his friend's behalf: "I am willing to give the Mountaindale yeshivah as a collateral in order that my friend be released on bail." (The friend was indeed released on bail.) Even years later, whenever the friend thinks of this story, he becomes choked up. "Can you imagine? Rav Shlomo was willing to give up his beloved yeshivah in order to save me from prison!"

From Rav Shlomo Rothenberg, published by ArtScroll Mesorah

❖ A talmid once drove Rav Shlomo Freifeld somewhere in an ancient, beat up car. The back seat was ripped, so the bachur had covered over the loose stuffing with a large American flag. Rebbi noticed and reached into the rear seat. He removed the flag and carefully folded it up. "This represents the country you live in; treat it with respect."

Reb Shlomo, By Rabbi Yisroel Besser, Published by Judaica Press

❖ Rav Yaakov Kamenetsky was seen walking into a silver shop with a Kiddush cup. "The yeshivah gave me a solid silver becher as a gift," he explained. "I want to have it assessed so that I can know its true value and report it on my income taxes."

Reb Yaakov: The Life and Times of Reb Yaakov Kamenetsky, By Yonason Rosenblum, Published by Mesorah Publications

❖ During his time in America, Reb Elchonon Wasserman almost always chose to walk rather than take a cab, lest he deprive his beloved students back in Baranovich of any of the fruits of his collecting. He would not cross the street against a red light because of the halachic principle dana demalchusa dina (the law of the land is binding).

Rabbi Sherer, By Rabbi Yonasan Rosenblum, published by ArtScroll Mesorah, p. 59

22. To return what you stole

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 68

As the Torah says, he shall restore what he took by robbery (Vayikra 5:23, Parshas Vayikra).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If someone accidentally ate a few of someone else's potato chips, are they obligated to offer to pay for them? Is there a minimum amount that we assume people forgive?
- If someone swindled someone, and the victim passed away, who can the swindler make restitution to?
- If someone stole a bike, and the bike got destroyed, is it still possible to repay for the crime?

SEFER HAMITZVOS HAKATZAR

If a person robs or misappropriates an object worth at least a perutah (the minimal halachic monetary unit), he is commanded to restore the stolen article directly to its rightful owner.

If the victim of the robbery has passed away, the perpetrator is obligated to return the stolen object to the victim's halachic heirs.

If the stolen object was lost or destroyed, he must pay its monetary value. Included in this positive commandment is the obligation to return anything unlawfully acquired through theft, fraud, or commercial deception.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Chiddushei HaRim's foundational teaching begins with Hashem's absolute ownership of the universe. The Sfas Emes explains that true repentance (teshuvah) means returning all things to Hashem by recognizing Him as their true Master. We must fundamentally transform our attitude toward our possessions: we do not own our wealth; we are holding it in trust to serve our Father in Heaven. In 5631, on Parshas Noach, the Sfas Emes connects this with the famous teaching of our Sages: anyone who tastes food in this world without reciting a blessing is considered a thief (Berachos 35a). We cannot claim to return to Hashem while our pockets are still stuffed with our neighbor's stolen dollars! Repaying what was stolen gives our confession real teeth: we actively release what we wrongly claimed, humble our pride, and restore justice to our fellow man (Sfas Emes, Bereishis, Noach 5631).

• The Sfas Emes reveals a second vital dimension of repair in his teachings on Yom Kippur. Why does the holiest day of the year refuse to forgive us until we make peace with our neighbor? The Sfas Emes explains that all Jewish souls are organically bound to one another. Sin creates division and coldness. Some sins sever our connection with Hashem, while other sins drive a wedge between brother and brother. When someone steals from his neighbor, he does not just take a physical wallet; he wounds the trust and affection that should unite our people. The Torah belongs to the gathered assembly of Yaakov (kehalas Yaakov). Returning what was taken repairs the bank account, but heartfelt reconciliation heals the soul (Sfas Emes, Moadim, Yom Kippur 5651).

• The third dimension concerns the relationship between honest business and heartfelt prayer (tefillah). In 5654, the Sfas Emes explains that the true cure for dishonesty is faith and trust in Hashem (emunah and bitachon). Drawing upon the classic work Chovos HaLevavos, he reminds us that when we truly trust Hashem, we know that what is destined for us will reach us honestly. We do not need to cheat, lie, or take what belongs to another. This deep peace of mind frees our heart to focus on what really matters: closeness to Hashem. When we return stolen money and commit to absolute honesty, our hands become pure vessels, and our prayers rise straight to the Throne of Glory (Sfas Emes, Vayikra, Acharei Mos 5654).

RELATED HASHKAFAH TOPICS:

▪ Discuss the significance of the fact that it is much harder to return what you stole than to steal it in the first place. We are often ashamed of what people will think, but not about the essential immorality of stealing

MORAL DILEMMAS:

It was right before Tisha B'Av, when Donny went to a Jewish shoe store because he wanted to buy a new pair of Crocs for Tisha B'Av. He bought the Crocs, but when he wore them on Tisha B'Av, he realized that the two shoes were actually different. They were the same size and color, but they were from two different brands. It turned out that he had accidentally taken one shoe from each of two different sets, which meant those other two sets were now unsellable. After Tisha B'Av, he went back to the store and said, "I feel terrible. I accidentally took one shoe from two different sets. What do you want me to do?" The store owner replied, "I really appreciate your honesty, but I think you should pay for two pairs of shoes. Each pair costs $40, so I think you should pay $80." Danny responded, "Why should I pay for two pairs? I only took one pair of shoes -- just two shoes. Why should I pay for two full pairs?" So they agreed to bring the question to a Rav. The question is: Does Danny have to pay for two full pairs of shoes, since he made two pairs unsellable? Or does he only need to pay for one pair, because in the end, he only took two shoes? What do you think?

Answer: Regarding the question about the Crocs, Brooklyn posek, Rabbi Moshe Yosef Weiner answered as follows: He said that the responsibility for the sale of two separate Crocs really lies with the seller, not the buyer. Technically, the buyer would not have to pay anything. However, in order to avoid the seller holding a grudge against the buyer, it would be best for the buyer to pacify him by offering to pay for half of the second pair.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

A guest at an inn left a sum of cash lying exposed in his room. The innkeeper succumbed to temptation and stole the money. Stricken by intense remorse, the innkeeper realized on Shabbos that the guest was packing his luggage to depart permanently immediately after Havdalah, meaning the theft would never be repaired. May the innkeeper return the cash to the guest's pocket on Shabbos using an unusual manner (shinui) to fulfill the mitzvah of restitution (hashavas gezel)?

Answer: Regarding the question of whether a person is allowed to return money on Shabbos: This question was posed to Rav Shimon Sofer, the grandson of the Chasam Sofer (see His'orerus Teshuvah, Chelek Daled, Parshas Vayikra, cited by Rav Yitzchak Zilberstein in Shabbos B'Simcha, page 167; Chashukei Chemed, Pesachim 6a, p. 82). He responded that one should return the money on Shabbos, but it must be done with a shinui (an unusual or non-standard method). The reason is that this situation involves returning a loss to its rightful owner, the victim. In cases of financial loss (hefsed), it is permitted to perform a shevus d'shevus (a double Rabbinic prohibition). Since muktzeh is a Rabbinic prohibition, and performing the action with a shinui introduces a second Rabbinic layer, it is therefore permitted in this case. One should not wait until after Shabbos to return the money, because the person's yetzer hara may be too strong later, and he might lose the motivation to return it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 82

Chaim was a wealthy man. One day in Eretz Yisroel, a tzedakah collector came to his door holding his young child on his shoulders. Chaim asked the collector if he would like something to drink, and the man agreed. Chaim went to get him a drink. When he returned, he could not believe his eyes: the collector had taken an extremely expensive diamond bracelet that was lying on the table and put it into his pocket. Chaim immediately said, "Please return the bracelet right away." The man replied, "What are you talking about? I don't know what you mean." Realizing that he wasn't getting anywhere, Chaim acted on instinct. He grabbed the man's toddler from his shoulders and said, "I am not giving you back your child until you return the bracelet that I saw you take." Seeing that he had no choice, the collector conceded. He reached into his pocket and took out the bracelet he had stolen. Chaim then returned the child, and the man left. Later, Chaim began to question his actions. He remembered that there is a prohibition against kidnapping and wondered whether he had done the right thing. By taking and holding the child in order to retrieve the bracelet, had he violated the prohibition of kidnapping? Even though his goal was to recover his stolen property, was he permitted to act in that way? He brought this question to Rav Zilberstein. What do you think?

Answer: Regarding the question about the thief, Rav Zilberstein says that there is a mitzvah to stop a thief in order to prevent them from violating the prohibition of stealing. One is allowed to take certain actions to prevent the thief from continuing this prohibition. In addition, he writes that this would not be considered kidnapping, because everyone knows and can see where the toddler is.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 383

Avi went out to Maariv. Since he was planning to come a few minutes early he brought a sefer with him to learn before davening started. After davening maariv a friend began to chat with him. Avi spoke with his friend for a few minutes and left the shul and went home, holding the sefer he brought. When Avi arrived home he realized that he was holding two sefarim in his hand. One was the sefer that he took with him, and the other was the siddur that he used in shul. He realized that because he was busy talking with his friend, he accidentally picked up the siddur to bring home in addition to his own sefer. On the inside of the cover of the siddur it was written clearly: This siddur may not be brought outside the premises of the shul." Avi realized that he had accidentally stolen the siddur. He knew that he had a responsibility to return the siddur that he accidentally took. But he was tired and it was late, and he didn't feel up to going back to the shul that night. He wondered if it would be permitted to keep the siddur with him overnight and return the siddur the next day? Or perhaps because he took it without permission, did he have an obligation to return the siddur as soon as he realized it? On one hand, the members of the shul likely did not mind for him to keep it overnight. But on the other hand, perhaps the mitzvah to return what he stole requires him to return it as soon as possible? What do you think?

Answer: Regarding the question about the man who brought home the siddur from shul, Rav Tzvi Berkowitz answered as follows: He has an obligation to return the siddur because it belongs to the shul but this is not called stealing since he did not take it with any awareness that he had it. It would have the dinim of hashavas aveidah. He now has a mitzvah of hashavas aveidah. In this case he caused it to become an aveidah so he should return it right away. See Ketzos HaChoshen Siman 25:1.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Meir, an Israeli taxi driver who was always looking to make more money, would often cheat his customers. He would take the longest route possible in order to maximize the fare. He also tampered with the meter so that it charged more. He used all types of deceitful practices over his career. This continued until he retired. After retirement, Meir learned more about the Torah and became completely religious. He greatly regretted the crimes he had committed. He made a calculation that over the course of his career he stole about $50,000. He went to the Rav, and the Rav told him that the Talmud says that if somebody steals from the public, there is no way to pay back directly. Instead, he should pay for the needs of the public. The Rav informed him of a synagogue in the area that was looking to build a library, which just happened to need $50,000 -- the exact same amount that the taxi driver had stolen. So, Meir donated the money to the synagogue. About a year later, they built a beautiful library room in the synagogue. After his donation, the taxi driver visited the library and saw a giant plaque that said, "This was donated by the generous philanthropist Meir, who is a great supporter of Torah." Meir felt bad about that and thought perhaps it was wrong for them to have the sign because he did not donate the money out of generosity. He was doing it to make amends, not to be seen as a supporter of Torah. Meir wondered if it would be dishonest, Gneivas Daas, for them to praise him as a great supporter when he was just trying to repent for his thefts. He considered whether he should ask them to take down the sign, as they might not realize that his reason for donating the money was to make up for his past thefts, and not to be generous. What do you think?

Answer: Regarding the question about gneivas daas, regarding whether it's okay to have a plaque commemorating the generosity of the donor of the library, Rav Zilberstein wrote that it is not gneivas daas because most people wouldn't do what he did. His effort to try to do teshuvah and donate to the library is indeed generous.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 70

Benny was a fundraiser for a medical Gemach in Eretz Yisrael. The organization that he worked with provided medical equipment to needy people, and the organization had broad appeal among all Israelis. One month the organization was in great need of a fundraising push. Benny decided that he was going to distribute tzedakah boxes to as many stores as possible. One day he came to a kiosk in a busy commercial square. The kiosk sold drinks and snacks. Benny approached the owner of the kiosk. "Would it be ok if we put this Tzedakah box near the window of your kiosk?" Benny asked the proprietor. The owner, named Avi, said "Of course, I will call you when it gets filled up." Benny was grateful and went on his way. Three days later Benny gets a call. "Hi, it's Avi from the kiosk. I think you should pick up your Pushka box. It's filled to the brim". "Really", Benny, replied, with apparent joyful surprise in his voice. "Why did it get filled up so quickly? Most tzedakah boxes of ours take more than a month to fill." "Well", said Avi, "Every Friday night I organize a large poker game outside my kiosk. We get a big crowd and serve drinks. Last Friday when the crowd was really having fun with the poker game, I made an announcement that the organization that you work for does great work, and passed the pushka around. Many of the players gave very generously, and that is why it's full. I'm sure it is filled with some big bills as well". Benny was extremely grateful for Avi's help. But he felt conflicted. The organization needed the money, but could he take money from a gambling game played on Shabbos? On one hand, the organization could really benefit from the money. In addition, most pushka boxes take money from the "whole world" and there is no way to determine when the money was donated or how it was earned. Perhaps it was fine to keep the money. But on the other

hand, if he knew that it came from gambling, and he knew that it was earned on Shabbos, was he allowed to keep it? And if he could not keep it, how would he return it? Benny's question was brought to Rav Zilberstein. What do you think?

Answer: Regarding the question about the tzedakah box filled on Shabbos from a poker game, Rav Zilberstein said that the money should not be returned but it should not be used by the Gemach. Rather it should be designated to an organization that promotes the observance of Shabbos.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 407

Rachel was a teacher in a Jewish school. One day, she asked if she could borrow the school's expensive video camera. She was given permission, used it, and returned it to its place. However, after she returned it, the camera somehow went missing. Rachel became the primary suspect. She explained to the principals that she had returned it and it wasn't her fault, but Rachel felt that she was still being unfairly suspected by her superiors. Not too long after this incident, one of the teachers lost an expensive tennis bracelet. She lost it in the school, and people were looking all over the place to try to find it. Rachel feared that perhaps she was a suspect in this loss as well. One day, as she was leaving the school and going to her car, she noticed the lost tennis bracelet lying in the dirt. Her initial instinct was to pick it up and return it. But then she realized she didn't want to get involved. She was afraid that if she returned the bracelet, or even told someone about it, it would confirm that she was indeed a thief, responsible for both the missing camera and the missing bracelet. She wondered if she could just ignore it and pretend she didn't see it. She felt torn because there is a mitzvah (commandment) of returning lost objects and a mitzvah prohibiting ignoring a lost object that you can return. She wanted to know if, in this case, where she may be a suspect, she had the right to ignore the lost object and not get involved at all. On one hand, she shouldn't ignore the mitzvah of returning lost objects. On the other hand, she was worried that doing so could impact her life, her potential future employment prospects, and her reputation for shidduchim (marriage prospects). What do you think she should do?

Answer: Regarding the question about the lost bracelet, Rabbi Zilberstein wrote that even though there is a concept of being willing to endure suspicion in order to do a mitzvah (Shabbos 118b, and Shalmas Chaim Choshen Mishpat 42), in this case, because it may harm her employment prospects or her shidduch prospects, she is not obligated to harm herself in order to return the bracelet. She therefore has the right to ignore it on the ground and not get involved in returning it. (This is a different idea than zaken v'eino lefi kvodo.) Of course, if she can find a way to return the bracelet without harming herself, it would be a mitzvah to do that.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 179 (Table Talk Edition 395, Shelach)

Eitan lived in Israel. He had a rough childhood and as he grew older he became a proficient car thief. He knew how to break into cars and hotwire them. One day Eitan saw a beautiful BMW parked on the side of the road. In short order, he was able to get past the security system and hotwired the car. Off he drove. Ten minutes later he felt an urge to buy a drink and use the restroom. He parked near a convenience store to buy the drink, and got out of the car. As he approached the convenience store, to his utter shock, the car he walked out of exploded in a large fireball. Eitan ran away from the scene as fast as he could. After hearing news reports it turned out that the owner of the fancy BMW was being targeted by Russian and Georgian organized crime groups. The mafia was intent on killing the owner of the car. Because Eitan stole the car, he inadvertently saved the owner's life. After the full import of the story sunk in, and Eitan realized that he was driving a car with a bomb in it, and that his life was saved in the nick of time, he began to think much more deeply about his life and his lifestyle. He reached out to some religious family members and slowly he did teshuvah and began to lead a Torah observant lifestyle. Eventually Eitan told his life story to a Rav that he was close to.

When he reached this particular incident, he asked the Rav how he could do teshuvah to make up for the car that he stole. Did he have an obligation to pay back the owner for the car that he stole from him? On one hand he stole the car. But on the other hand, the car was going to be blown up shortly after. Perhaps the car had no value because it was about to be destroyed. Did Eitan have an obligation to reach out to the owner of the car to offer to pay for the whole car? What do you think?

Answer: Regarding the question about the car thief who stole a car that had a bomb in it, Rav Zilberstein writes that he is not obligated to pay the owner for the car. This is because he stole a car that was about to blow up and he stole a "broken vessel".

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 383 (Table Talk Halachic Archive, Edition 174 (Ki Tisa))

Avi was a taxi driver in Israel. One day, at the dispatch center, he got a call for a pickup about an hour away. The fare would earn him a lot of money. His friend Yoni, also a taxi driver, overheard the call. Things were slow for him, so Yoni decided to try to get the job first. He took down the address and raced there before Avi. When Yoni arrived at the address, he asked the waiting family, "Are you looking for a taxi?" They said yes, and got into his cab. Two minutes later, Avi pulled up and saw Yoni taking the passengers that were supposed to be his fare. Avi realized Yoni had stolen his customers! He tried arguing with Yoni, but Yoni ignored him and sped off. Yoni would likely earn $300 or $400 for that long trip, while Avi wasted his time driving there for nothing. Feeling angry, Avi headed home. But on the highway, he saw a taxi parked on the shoulder with its hazard lights flashing. To his surprise, it was Yoni's cab! Yoni was stranded with the customers still inside, needing a jump start. A dilemma flashed in Avi's mind. As a fellow Jew, he felt obligated to help Yoni who was in need. It was a fulfillment of the mitzvah of azov taazov imo. But by jump-starting Yoni's car, he would be enabling Yoni to complete the theft of his customers. Should Avi stop and jump start Yoni, even though Yoni had "stolen" from him? On one hand, leaving someone stranded was dangerous. On the other hand, helping Yoni meant facilitating the theft he had committed against Avi. What do you think?

Answer: Regarding the question of the taxi drivers, Rav Zilberstein wrote as follows. The driver who stole the ride violated a halacha called Ani Hamehapech Becharara. It is forbidden to do, but once it is done, the person does not have to return the customers to the original driver. Therefore, when they were stranded on the road, they should be helped. This is especially true because the mitzvah of "azov ta'azov imo" gives priority to someone who is a "son'ei," someone that you don't like.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 311 (Table Talk Edition #382 (Parshas Tzav))

There was a woman named Ilana, who had recently been widowed. She was left with two children, an older daughter and a young son. They were a poor family and struggled to make ends meet. Their financial situation was further strained by the impending wedding of Ilana's daughter, for which they could barely save. Ilana made great sacrifices, slowly but surely saving money for the wedding. She kept all the savings in an envelope, protected and treasured. One fateful night, a masked robber broke into their home. Somehow, he deduced where the cash was hidden. He crept to that spot, found the envelope, and stealthily slid it into his pocket, preparing to leave. As he began his exit, he turned to find a seven-year-old boy staring directly at him. This was Ilana's brother. The boy stared at the thief and confidently spoke, "I see you stealing the money for my sister's wedding. You should know that my mother is a poor widow and we live in desperate poverty. If you take this money, you're going to break my sister's heart and my mother's heart. Can you live with that?" His innocent yet potent words managed to penetrate the thief's heart. Feeling a pang of guilt, he apologized and returned the stolen money to the boy. The thief then made his way to the door, but before leaving, he turned around. He pulled out a thick wad of cash from his pocket and handed it to the boy, saying, "Here is some more money for your sister's wedding. I wish to participate in this mitzvah of Hachnasas Kalla, helping a poor orphan get

married." The following morning, the young boy showed his mother the returned envelope and the extra money. Overjoyed, Ilana now had enough money for the wedding. But she was left with a conundrum: could she keep this money? It was, after all, given to them by a thief and most likely stolen. Was it permitted to use this potentially stolen money for the wedding? Or should they not keep the money and donate it to a public charity instead, washing their hands of it? What do you think?

Answer: Regarding the question about the soft-hearted thief, Rav Zilberstein wrote as follows. Normally there is a prohibition to accept money from a thief. But Rav Zilberstein says that this is only lechatchila. But bideved, after the fact, once the mother has the money she is allowed to keep it. This is for two reasons. One: we do not know for sure that the money received was stolen. Perhaps it came from the thief's own money that was not stolen. And two, we have a concept of yiush and shinui reshus, that would allow the money to be kept.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 307

Ari, who lived in Israel, went to the bakery on Friday afternoon and purchased two large cheesecakes. The bakery wrapped the cheesecakes in paper, making them look like two rectangular bars. After Ari left the bakery, his next errand was to stop at the bank. He entered the bank carrying his cakes. Because there was a long line at the bank, he placed the cakes on a nearby shelf, keeping his hands over them. At that bank, there were two crooks looking for an opportunity. They saw Ari with these paper-wrapped items and were certain they were large bundles of cash, especially since Ari was guarding them carefully. One of the crooks approached Ari, holding a small bundle of cash, and said, "Excuse me, sir, I'm really bad at math. I have all these denominations -- 20s, 5s, and 10s -- and I keep messing up the total for my deposit. Could you please help me count this cash?" Ari, happy to help, took the cash and began to count. It amounted to 1,000 shekels. Meanwhile, as Ari was counting the money, the other crook grabbed the unguarded cheesecakes and both fled on a motorcycle, disappearing into the city. Ari lost his cheesecakes but was left holding the bundle of 1,000 shekels in cash. He realized he had been swindled but chuckled when he thought of the reaction the crooks would have when they realized they stole his cheesecakes and left 1,000 shekels in their place. Ari wondered what to do with the cash. Should he try to find the robbers? Could he keep the money? Did he have to return it to the bank? Did he have to donate it to public charity? Ari wanted to know if he had the right to keep the cash or if he had to do something else with it. What do you think?

Answer: Regarding the question about the robbers who stole the cakes and left the money, Rav Zilberstein said that the man left holding the money would not be allowed to keep the money. This is because it is called a Hefker BeTa'us, a mistaken abandonment. This is because they didn't mean to abandon the money, and because they never would have agreed to give so much money for two cakes. Instead, the man should keep enough money to compensate himself for the stolen cakes, and the balance of the money should be donated to a free loan gemach that serves the public until the thieves possibly return to claim the money.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 56 (Table Talk Edition 368)

Elisheva was happily married to a wonderful husband, Michoel. Michoel was the manager of the fish counter at a large local kosher supermarket. Elisheva had a wonderful relationship with her husband. He was kind, thoughtful, caring and sensitive. But there was one thing that greatly bothered Elisheva. Every Friday Michoel would come home with fresh trays of all sorts of herring. When Elisheva would ask him if he got permission from the store to bring home fish for their family he would always say that they don't mind and that he works so hard for them, it's the least they can do for him. Once he justified it by saying that the Torah requires that an animal be able to eat while it is working and you can't muzzle it while it's working. For sure the same is true for a person. Elisheva knew that Michoel was just

rationalizing it to himself, but the truth was without explicit permission from the store owner, taking food home without asking was theft. One day Elisheva met the owner of the kosher supermarket. She thanked him for employing her husband. "There is one thing, though", she said. "He comes home every day smelling strongly of fish. Is there a way you can transfer him to a different department?" Elisheva's goal was that perhaps if her husband was not working in the fish department, he wouldn't have the same opportunity to bring food home. The store owner gladly complied. But sure enough, Michoel was now put in charge of the butchery counter. And each week he would bring home delicious cuts of meat in honor of Shabbos. Elisheva felt that it was wrong to feed the stolen meat to her family. But every time she brought it up to her husband he dismissed it and rationalized it. Elisheva had the following idea. Each week, she would take some of the money that her husband earned and return it to the supermarket, saying that it was owed to the store. She didn't ask her husband about doing this and when she gave the money she didn't say why she owed it. She later wondered about this solution. Was she allowed to take the money her husband earned without asking him? Did giving the money to the supermarket even help to rectify the theft? What do you think?

Answer: Regarding the question about the husband who took home meat from the store he was working in, Rav Zilberstein wrote that his wife is allowed to use her husband's money to secretly pay for the meat.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 443

Once there was a man named Eli who had a subscription to a daily newspaper. One day, to his surprise, when he took the newspaper out of his mailbox, it was yesterday's newspaper! This went on day after day for a whole month - Eli would go to the mailbox and find yesterday's paper. He called up the newspaper publisher and told them about the problem, but the newspaper publisher said they had never heard of such a problem. They promised to make sure the delivery person brought the correct day's paper. But still, day after day, Eli kept receiving the previous day's news. Understandably, Eli was very frustrated at always getting the news a day late. One day Eli decided he had enough, and was going to get to the bottom of this. He set up a camera outside of his house to see what was happening. After reviewing the footage, Eli discovered that each day while he was away at Shacharis, his neighbor came over, took the brand new paper that had just been delivered, and switched it with yesterday's paper from his own home! Eli had caught his neighbor red-handed. Later, Eli went to his neighbor's house and confronted him about the newspaper switch. First, Eli asked the neighbor to please stop doing the switch going forward. Additionally, Eli requested that the neighbor pay him back for the past six weeks of old newspapers that Eli had unfairly received. In response, the neighbor argued that he didn't owe Eli any money. He pointed out that while he had taken Eli's newspapers, he had given them back to Eli the very next day. The neighbor referenced a teaching from the Gemara that states that if a person steals chametz before Pesach, and returns it after Pesach, they do not have to pay for the chametz even though it can no longer be eaten. "Just as with the chametz, I returned your papers - so why should I pay you?" argued the neighbor. Eli was now faced with a dilemma - did he have a right to demand payment for the switched newspapers? Or was the neighbor correct that by returning them a day later, he no longer owed him anything? What do you think?

Answer: Regarding the question about the newspaper, Rav Yitzchak Zilberstein wrote that it would not be sufficient to simply return the newspaper, because the whole purpose of news is to know what is new, what is current. Therefore, he would have to pay for all of the papers that he took, even though he returned them the next day.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 331

Shmuel stole money before Shabbos and was overcome with remorse on Shabbos morning. He wanted to return the stolen money to its rightful owner immediately on Shabbos, fearing that if he waited until after Shabbos, his yetzer hara might convince him to change his mind and keep the money. May Shmuel carry or handle the money in an

unusual way (shinui) on Shabbos in order to fulfill the mitzvah of returning stolen property before his remorse fades?

Answer: Regarding the question of whether a person is allowed to return money on Shabbos: This question was posed to Rav Shimon Sofer, the grandson of the Chasam Sofer (see His'orerus Teshuvah, Chelek Daled, Parshas Vayikra, cited by Rav Yitzchak Zilberstein in Shabbos B'Simcha, page 167; Chashukei Chemed, Pesachim 6a, p. 82). He responded that one should return the money on Shabbos, but it must be done with a shinui (an unusual or non-standard method). The reason is that this situation involves returning a loss to its rightful owner, the victim. In cases of financial loss (hefsed), it is permitted to perform a shevus d'shevus (a double Rabbinic prohibition). Since muktzeh is a Rabbinic prohibition, and performing the action with a shinui introduces a second Rabbinic layer, it is therefore permitted in this case. One should not wait until after Shabbos to return the money, because the person's yetzer hara may be too strong later, and he might lose the motivation to return it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 82

STORIES FROM OUR SAGES:

❖ Rabbi Yochanan said: In the days of Rebbi (Rabbi Yehudah HaNasi), this teaching was taught. For it was taught in a Braisa: An incident occurred involving a man who sought to do teshuvah (repentance) for what he had stolen. His wife said to him: 'Empty one! If you do teshuvah, even the belt around your waist will not belong to you!' Hearing this, he hesitated and refrained from doing teshuvah. At that hour, the Sages enacted: Regarding robbers and lenders with usury who come forward to return what they took, we do not accept it from them; and anyone who accepts it from them, the spirit of the Sages takes no pleasure in him.

Talmud Bavli, Bava Kamma 94b

23. Not to rob another

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 35

As the Torah says, nor shall you rob him (Vayikra 19:13, Parshas Kedoshim).

SEFER HAMITZVOS HAKATZAR

The full biblical prohibition against robbery (gezel) applies to taking any item worth at least a perutah. Nevertheless, robbing an item worth less than a perutah is also strictly forbidden by Torah law under the principle of chatzi shi'ur (a half-measure), even though court-enforced liability does not apply.

Chazal teach that whoever robs his fellow man of even the value of a single perutah is regarded as if he took his very soul and life.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 229)

Theft and robbery destroys society.

RELATED HASHKAFAH TOPICS:

- Which is worse, to mug somebody, or to secretly embezzle money?
- Why does the Torah consider it worse to do it secretly?

STORIES FROM OUR SAGES:

❖ An incident occurred involving Rabbi Elazar bar Rabbi Tzadok and Abba Shaul ben Botnit, who were shopkeepers in Jerusalem and used to fill their measuring vessels before Yom Tov and hand them to customers on Yom Tov. Over the years, three hundred barrels of oil accumulated from the residual drops that drained from the measuring cups after customers left. They brought all three hundred barrels before the treasurers in Jerusalem! The treasurers told them: 'You do not need to forfeit this, for your customers knowingly forgave those clinging drops!' They replied: 'Even so, we have no desire to keep a single drop that belonged to others!' The treasurers said to them: 'Since you have taken this stringent standard of holiness upon yourselves, dedicate those three hundred barrels to the public needs of the community!'

Talmud Yerushalmi, Beitzah 3:8 (17a)

INSPIRATIONAL STORIES:

❖ Shmuel Yehuda Lefkowitz was a nineteen-year-old student at Yeshivas Ner Yisrael in Baltimore who also attended University of Baltimore Law School in the evening. As he drove to college late one afternoon. He circled the area several times before finding a parking spot several blocks away from the law school. Walking briskly through the neighboring streets of downtown Baltimore to get to his class on time, Shmuel Yehuda noticed the sun was beginning to set, signaling that time was running out for him to daven Minchah. He searched for a secluded area where he would be able to daven undisturbed. This was no easy task, since downtown Baltimore is a crowded and busy district full of professionals and tourists, as well as homeless people. As the sky began to darken, Shmuel Yehuda was elated to discover a vacant building. After surveying it hastily for possible vagrants, Shmuel Yehuda decided that it looked like a safe refuge where he could daven. He found himself a quiet corner, closed his eyes, put his feet together, and began davening the Shemoneh Esrei. After a few moments, he sensed a presence looming behind him. Shmuel Yehuda did not flinch. He stood, immersed in prayer, concentrating on the meaning of each and every word. Suddenly, Shmuel Yehuda felt the stranger's hand groping around in his back pocket and then extracting his wallet. The stranger turned and fled from the deserted building. Unfazed and deep in prayer, Shmuel Yehuda calmly completed the Shemoneh Esrei. The moment he finished davening, Shmuel Yehuda took off at high speed chasing the pickpocket. A strong and muscular young man. Shmuel Yehuda was also fearless. He spotted a vagrant running out of the building. Quickly caught up to him, and forcefully tackled him to the ground. Without hesitation, he skillfully retrieved his stolen wallet from the man's hands. As Shmuel Yehuda began to walk away, he turned to take one quick glance at the man before him. As he looked into the vagrant's face, Shmuel Yehuda's anger disappeared and was replaced with pity. The man lying before him was poor, hungry, and crushed. In Shmuel Yehuda's eyes, there was only one thing left to do. He put his hand into his wallet, removed all the money it contained, and handed it to his attacker. Hurriedly, he continued on to college, leaving the pickpocket with a stunned look of disbelief on his face. Shmuel Yehuda's parents repeat this story with pride. Their son's compassion for a homeless person, even someone who robbed him, overrode all his other emotions. All that remained was his desire to help a downtrodden individual.

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

❖ In the early 1960s, Rav Mendel Kaplan, zt"l, was a Rebbi in Beis Medrash LeTorah in Chicago. Because Rav Mendel preferred that his children grow up in a larger Jewish community, his wife and family lived in New York City while he stayed in Chicago. Every other Thursday night. Rav Mendel would drive the hundreds of miles to New York to spend Shabbos with his family. Then he would drive back to Chicago on Sunday. Times were much safer in the sixties, and Rav Mendel did not hesitate to pick up hitchhikers who stood on the side of the road when he traveled back and forth from Chicago to New York. Rav Mendel radiated kindness and warmth and spoke with each hitchhiker as though he were an old friend. On one memorable trip, Rav Mendel stopped to pick up a hitchhiker along the way. This particular passenger seemed like a rough individual, but before long the two men were conversing comfortably. As was his custom, Rav Mendel stopped at a rest stop for a drink and bought one for the hitchhiker. After several hours. They arrived in New York. As the hitchhiker was about to get out of the car, he turned to Rav Mendel and said, "I want you to know that I had no intention of going anywhere when I hitched a ride with you. I spend my days flagging down drivers, and when I am about to get out of the car. I take out my gun and rob them. When I got a ride with you today, I had every intention of robbing you, too. But you were so kind to me that I just couldn't do it." And with that, he quickly got out of the car and walked away. Rav Mendel was speechless. He had spent hours with a dangerous man who could have killed him. However, with his genuine sense of concern and true kindness, Rav Mendel had warmed even this man's cold heart.

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

A. NOT TO USE A COLLATERAL

(Torah Mandated Mitzvah), Sefer Chareidim 29-14

SEFER CHAREIDIM

One who makes unauthorized use of a collateral (mashkon) or an entrusted deposit (pikadon) that he is guarding for another is halachically classified as a thief. Similarly, one who takes an article from his fellow's home — even intending to return it later — is deemed a thief. This applies even if he had no desire to steal the item or use it for himself, but took it merely to agitate his fellow, tease him, or teach him a lesson about safeguarding his property.

B. NOT TO BORROW WITHOUT ASKING PERMISSION

(Torah Mandated Mitzvah), Sefer Chareidim 29-18

SEFER CHAREIDIM

One who borrows an item without the explicit knowledge and consent of its owner is halachically classified as a robber (gazlan).

MORAL DILEMMAS:

There was once a man named Yaakov, who owned a large apartment building in Tel Aviv. One evening, he had to stay unusually late at work. As he was walking back to his car at night, he noticed something strange on the side of his building: a high-luminosity, high-definition laser projection coming from somewhere across the street. When he looked closer, he saw that the projection was displaying a slideshow on a white wall of his building. The slideshow showed an advertisement for a certain company for about 20 seconds, then switched to another company for 20 seconds, and then to another. The ads were very well-produced, but no one had ever asked Yaakov for permission to use his building in

this way. Curious, he decided to investigate. The next day, he went across the street to find the source of the projector and was directed to a man named Mordechai. Yaakov told Mordechai he was interested in advertising and asked what the rates were. Mordechai replied that it cost $500 per week. Yaakov was intrigued and asked how long Mordechai had been running this business. Mordechai said he had been doing it for the past two years. Yaakov quickly calculated: there were approximately five companies being advertised, each paying $500 per week. That worked out to about $260,000 over two years. Yaakov then said, "The truth is, it seems like you've made close to $260,000 over the past two years. I actually own the building you've been projecting onto, and you never asked me for permission. I want you to pay me that money. If you had asked me beforehand, I would have charged you for the right to project onto my building." Mordechai was caught off guard. "I didn't think you would mind," he said. "Besides, I didn't put anything permanent on your wall, it's just light, no paint or physical marks. There's no damage." He added, "I'm sorry I did it, but I'm not going to pay you the money." The question was then brought to Rav Yitzchak Zilberstein: Is Mordechai obligated to pay Yaakov, the owner of the building? What do you think? On one hand, he did not ask permission from the owner, and he did use his property. On the other hand, the owner wasn't using it at all, and the wall was just sitting unused, and it wasn't permanent — what do you think?

Answer: Regarding the question about the projection on the side of the wall, Rabbi Yitzchak Zilberstein answered that because the wall was not designated to be rented out for advertising, the person who used the wall does not have to give over the money to the owner of the building. However, from this point on, he should either cease immediately or pay for its use.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Volume Four, Hebrew edition, p. 53

Avraham was a Rabbi and Posek who lived in Yerushalayim. One evening, he was walking down the street when a person came rushing over to him. He introduced himself, "My name is Yaakov. I am hosting a Sheva Brachos, and we have 50 guests. We were serving chicken cutlets, but it turns out that the pans used to make the chicken cutlets may have been dairy." Yaakov proceeded to explain the question. The rabbi listened carefully and realized that this was a complicated question, and he needed to look up some sources in the proper sefarim (books). So Avraham said to him, "I really have to look at some sefarim to be able to answer you. I will have to go home." Then Yaakov said, "I really need to know the answer to this question right away. Maybe you could go into the nearby Judaica bookshop and use the sefarim there?" Avraham thought that was a great idea. He went to the bookshop, and there was a big sign on the door: "Dear customers, this is a bookshop and not a library. Please do not read any books unless you intend to buy them". Avraham was now in a bind. He wanted to answer Yaakov's question, and Yaakov needed to know the answer right away because he had all these guests. But the bookstore had a policy that one cannot use the books unless he plans to buy them. Avraham wondered if he had the right to go into the bookstore to look at the sefarim even though he did not intend to buy them. On one hand, you could say he can't do that. But on the other hand, even the bookstore owner has a responsibility to help this person resolve this question and fulfill the mitzvah. Maybe the bookstore owner has no right to forbid people from reading the sefarim. What do you think?

Answer: Regarding the question about using the seforim in the bookstore, Rav Zilberstein (U'Piryo Matok, Devarim page 254) wrote that because of the context we can assume that the owner would allow the rabbi to look at the seforim in order to answer the urgent question. This is because "kol Yisrael arevim ze la'ze", so the store owner also has to be concerned for this questioner to get his answer.

— Source: Table Talk Edition #401 (Parshas Devarim)

Rochel and her husband were marrying off their last son the Sunday before Pesach. Naturally, the aufruf was going to be on Shabbos Hagadol. Their oldest son lived out of town with his wife and eight children. They wanted to participate in the aufruf of their youngest brother but where would this family of 10 stay for Shabbos? Leah lived next door to Rochel and the two neighbors were close friends. It happened to be that Leah and her family were going out of town for Shabbos Hagadol. Rochel asked Leah if she could have her son and family stay in her apartment for that Shabbos. Rochel understood that this was a mighty large request and she, therefore, told Leah that she would pay her a proper rent for using the apartment. Leah agreed and they decided on an amount that would be appropriate. Rochel paid Leah immediately for the rental and asked for one favor from Leah. "Please do not tell my son or daughter-in-law that I have paid for the apartment. They would be upset if they knew that I paid for their accommodations. Leah agreed. Immediately after Shabbos Rochel's son and family returned home. Later Saturday night Leah and her family returned home and found their apartment in perfect order. However, Leah noticed a note on the dining room table with an exquisite pair of earrings. The note has been left by Rochel's daughter-in-law expressing her gratitude for opening her home to this large family on Shabbos Hagadol. Her note continued saying that as an appreciation for this great chessed she hopes that Leah will enjoy the earrings. Now Leah was troubled. On one hand, she very much liked the earrings, they were truly beautiful. However, they were given to her based on the assumption that she had so graciously left her apartment for free, receiving no compensation. Had the guest known that her mother-in-law paid a full price for the rental she most probably would not have given such an expensive gift. May Leah keep the earrings? Perhaps she should give them to Rochel, after all, it was Rochel who made the arrangements? Alternatively, perhaps Leah can reimburse Rochel the money she received from her as rent and thereby be worthy of the gift?

Answer: Regarding Leah who hosted her friend's family for Shabbos Hagadol, Rav Zilberstein answered that she may not keep the earrings since it was given based on an assumption which was not true. Even though it is accepted to leave a gift for a host but a gift of great value as those earrings were, would only be given if the guests thought that Leah was not paid for the use. Returning the rent to Rochel would not change the equation since the gift was given on a false assumption. If she wishes to reimburse the guest for those earrings somehow that would be acceptable. She may not, however, tell her that Rochel paid her.

— Source: Rav Yitzchak Zilberstein, Veharev Na Vol IV

Mordechai lived in a small yishuv in Eretz Yisrael and earned his livelihood by growing flowers in his yard. He had many different kinds of flowers. Every week he would cut them, load them into his truck, and take them to a nearby city. There he would sell them to people who wanted flowers likavod Shabbos. This was his parnassah, and each week he would make approximately 3,000 shekels. One day, he cut all the flowers, placed them into different buckets, and loaded them into the back of his truck. He started the truck but noticed that one of the tires felt strange. He got out and saw that, in fact, one of his tires was completely flat. It was very early in the morning, and no one else was around. He realized that if he didn't get to the city and sell the flowers on Erev Shabbos, he wouldn't be able to sell them later. By Sunday the flowers would no longer be fresh, and his entire week's earnings would be lost. There was no one he could call that early, and he really needed to leave. Then an idea struck him. He remembered learning in the Mishnayos (Bava Kama 81b) that our Sages say if a person has a barrel of honey, which is something very valuable, and his barrel cracked and is leaking, he is allowed to take someone else's barrel of wine, pour out the wine, and use the barrel to save his honey, as long as he fully pays for the loss of the wine. So maybe the same idea would apply here. There was another vehicle nearby that belonged to his neighbor, who he knew would be away for the next two weeks. Mordechai thought that he could jack up the car, remove one of the tires, and use it to replace his flat tire. He would then pay the full price

for the tire, even though it was a used tire, and leave the cash at his neighbor's house. This way he would be able to go sell the flowers. He knew that his neighbor wouldn't need the car while he was away, but his neighbor was unavailable to ask. Was he allowed to take the tire without permission, as long as he paid for it in full? What do you think?

Answer: Regarding the question about the truck, Rabbi Zilberstein cites the Terumas HaDeshen, who says that one is allowed to use another person's animal without asking permission in order to prevent a significant loss, as long as one pays for any expenses incurred. It seems that the example given by our Sages -- using a barrel of wine to save a barrel of oil -- can be applied in other cases as well. However, Rabbi Zilberstein adds that this may only be done if one is absolutely certain that the animal (or, in this case, the car) will not be needed. Otherwise, it could potentially lead to a case of pikuach nefesh, since someone might need their car for an emergency.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Bava Kamma, p. 438

Penina was a successful portrait photographer. One day she was invited by Chaya, the owner of a popular playgroup and daycare center to take pictures of all of the children in the daycare. Penina came to the playgroup with all of her photography equipment, including lighting, softboxes, and a brand new heavy cloth backdrop. The backdrop was stunning. It was a scene of trees and grass next to a blue lake. The backdrop looked like it was 3d, so when a person took a picture in front of the backdrop it looked exactly like they were in front of a gorgeous lake. Penina set up the photography equipment in a designated room that was out of the reach of the children. She took pictures of all of the children, and was ready to go. As she was finished, Chaya mentioned to Penina that 5 of the children were absent that day, and asked if it would be possible for Penina to come back the next morning. Penina looked at her schedule and realized that she was open the next day. "It's not a problem. I can come back tomorrow. Because it's the end of the day, would it be ok if we leave the photography equipment set up the way it is, and leave it for the shoot tomorrow? "Of course", Chaya said. Penina left and prepared to come back the next day. After Penina left, Chaya admired the photography background scene. It was really pretty. She had an idea. She had a niece who just turned bas mitzvah, she would love pictures near that backdrop. Chaya called her niece and she was thrilled. She quickly came over, and Chaya took a bunch of great pictures on her own camera in front of the professional backdrop. Chaya was happy and her niece was even happier. The next day Penina came back to photograph the last few children. After she finished the job, Penina began to pack up the equipment. As she was packing up, Chaya nonchalantly said, "Penina, I want to thank you so much for leaving the backdrop here last night. My niece came over and I was able to take such beautiful pictures of her. Here, look at these pics". But Penina reacted in a way that Chaya did not expect. "Hmm, you mean you used the backdrop while I was gone? In that case, we will have to add $250 to your invoice. You see, I rent out my equipment, and that is what it costs to rent out this backdrop. You might not realize it, but this backdrop is actually very expensive, and custom made" "What do you mean you are going to charge me for using the backdrop, I didn't even touch it. How can you charge me?" Chaya replied. If you look at our website, that is what we charge for this equipment rental. If you used the equipment, I'm afraid I will have to add that to your bill. It doesn't matter if you touched it or not, you used my equipment. This equipment is always used without touching it. Chaya felt that it was not fair to charge her if she didn't even touch the equipment and just took a picture of it behind her niece, but she agreed to pay if that is what the Halachah required. This question was brought to Rav Zilberstein. What do you think? Does Chaya have to pay for taking a picture in front of the backdrop?

Answer: Regarding the question about using the photographer's backdrop without permission, Rav Zilberstein wrote as follows. While there are cases in halachah where one would have to pay for benefiting from another's work or property, even if they did not touch it, in this case, it was not permitted to use the equipment without permission, but after the fact, if they

did use it to take a picture, they would not be liable to pay.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok, Bereishis, p. 149 (Table Talk Edition 279)

C. A BORROWER CANNOT LEND IT OUT TO ANOTHER WITHOUT EXPRESS PERMISSION

(Torah Mandated Mitzvah), Sefer Chareidim 29-19

SEFER CHAREIDIM

A borrower is strictly forbidden to lend an item he has borrowed to anyone else without the owner's express consent. If he transfers it to another party without permission, he is halachically classified as a robber.

D. NOT TO STEAL YOUR OWN ITEM BACK

(Torah Mandated Mitzvah), Sefer Chareidim 29-17

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is wrong with taking one's own item back?
- What should one do to retrieve their item?

SEFER CHAREIDIM

It is forbidden for a person to covertly steal back his own property from the hands of the thief who took it, lest he accustom himself to the habits and taste of theft. Rather, he must confront the thief openly, declare his rightful ownership, or seek redress through beis din.

MORAL DILEMMAS:

Aron was in sleepaway camp. He had a couple of roommates and was having a great time. One day while Aron was resting in his bunk bed, he saw his roommate Mordechai walk in. Mordechai looked around the room and it was clear that Mordechai thought that Aron was sleeping. Mordechai walked over to Aron's table stand and opened up Aron's wallet. Inside the wallet was a $100 bill. To Aron's shock, Mordechai looked around furtively, made sure that no one saw him, took the $100 bill and put it in his pocket. Aron didn't say anything because he was so shocked at the brazen theft. Later that day Aron approached Mordechai. "I know you came into the room and you thought everyone was sleeping, but I saw you take money out of my wallet. I demand that you give it back." Mordechai looked at him with derision and said "What are you talking about? You're making things up. You must be delusional. I never took any money". Aron knew that Mordechai was gaslighting him, but now that Mordechai had the money, it seemed that there was nothing that Aron could do. The next week was the camp's visiting day. Once again Aron was in his room, resting and reading a book when Mordechai's father walked in with a shopping bag that had a lot of nosh and snacks in it. Mordechai's father told Aron, "Would you mind giving this package to Mordechai? Mordechai forgot to take this with him when we were together. Aron said "not a problem I'll be happy to give him the package". When Mordechai's father went away Aron peeked into the shopping back. Inside the bag, in addition to snacks and junk food was an envelope marked money. Aron opened the envelope and saw that there were three hundred dollar bills in the envelope. Aron saw this is a great opportunity to get his money back. He knew for a fact that Mordechai stole $100 from him. He knew that if he simply

took a $100 bill from the envelope and gave the package to Mordechai, Mordechai might never be the wiser. This would be a way for him to get back his money peacefully. What do you think? Can Aron simply take his money back? Or would we say that Aron is not allowed to take matters into his own hands?

Answer: Regarding the question of whether it is permitted to take the money from the bag of the thief, Rav Zilberstein wrote that it appears that he cannot take the money, because until the son gets the bag, the bag is still the property of the father, not the son.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 207 (Chayei Sara)

Dovi was a generous businessman who live in Israel. People often asked him for donations or loans. One day, Aron came to Dovi and explained that he needed a large loan of $50,000. After doing his due diligence, Dovi gave Aron the loan with a contract promising repayment in six months. When six months passed, Dovi didn't hear from Aron. He tried reaching out but couldn't get through. Eventually, Dovi went to Aron's house. Aron played dumb and completely denied ever having received the loan. This continued, with Aron giving Dovi the runaround. Dovi realized he wouldn't get his money back easily. After looking deeper into the matter, Dovi discovered that Aron was a swindler who had cheated many others out of money and never repaid them. Though Dovi wasn't the type to fight, he still wanted to recover his money in a more clever and dignified way. One day, Dovi came up with an idea. He went to a medical gemach that lends out medical equipment and rented a wheelchair. He approached Aron while sitting in the wheelchair, pretending to be paralyzed. With a pained expression, Dovi tearfully explained: "I was in a terrible accident and became a paraplegic. I can't work and I'm completely disabled. I can't support my family. I beg you, please return the money you owe me. I'm desperate." His plea deeply moved Aron. Struck by guilt or pity, Aron went to the back room, brought out $50,000 in cash, and handed it to Dovi on the spot, saying, "I think I already paid you back, but here." Through this clever trick, Dovi managed to recover his money. Some time later, while studying Daf Yomi, Dovi came across a teaching of our Sages at the end of Meseches Peah that warned: "If a person pretends to be disabled, he will not leave this world until he actually becomes disabled." These words struck terror into Dovi's heart. He realized that he had indeed pretended to be disabled to get back his money. Would this mean he might eventually face serious danger or even become disabled in reality? With great trepidation, Dovi brought this question to Rav Zilberstein: Was it wrong for him to pretend to be disabled to recover his money? Is there anything he should do to repent for his actions? What do you think? Was Dovi justified, given that he had no other way to retrieve his money? Was his action permissible in such a desperate situation?

Answer: Regarding the question about the man who pretended to be disabled to retrieve his money, Rav Zilberstein writes that he actually performed a mitzvah by saving the borrower from theft. The punishment cited by the Gemara for someone who impersonates the disabled would not apply to someone who is doing a mitzvah.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 465

STORIES FROM OUR SAGES:

❖ Rabbi Yochanan ben Gudgedah testified before the Sages regarding several communal enactments, including the case of a stolen wooden roof-beam that a person had built into the structure of his mansion and now wished to repent and make restitution. Although strict Torah law states (Vayikra 5:23), "He shall restore the stolen article itself which he robbed," which would require tearing down the entire building to extract the beam, Rabbi Yochanan ben Gudgedah testified that the Sages

enacted that the victim receives the full monetary value of the beam in cash rather than forcing the penitent to demolish his house—as an "Enactment for the Penitent", so that people who erred would not be deterred from doing teshuvah and making full financial restitution!

Mishnah, Gittin 5:5

E. NOT TO PLAGIARIZE

(Scripturally Mandated Mitzvah), Sefer Chareidim 47-1

SEFER CHAREIDIM

Rabbi Chiya taught: Whoever fails to quote a teaching in the name of the one who originally stated it violates a negative biblical prohibition, as it is written: 'Do not rob the destitute because he is impoverished' (Mishlei 22:22).

INSPIRATIONAL STORIES:

❖ The Chelkas Yoav was a great tzadik who would answer many Shailos and Teshuvos. Every week students would ask shailos and hear how he would answer them. Kalman was the weakest of the group, but he would stay later than most to clarify fine points of the rebbe answers. One day the students see a manuscript that Kalman prepared. They saw that Kalman was planning to publish a sefer with many of the Shailos and Teshuvos that the Chelkas Yoav said, in his own name. They started to argue with him. The Chelkas Yoav was in the other room and heard what was going on. He later asked for all of the students to leave. All left but one student, R' Meir. R' Meir watched as the Chelkas Yoav took many pages of notebooks and began to bury them. R' Meir offered to help and picked up the rest of the notebooks. He saw that it was the pages of the Chelkas Yoav's own chidushim. "Rebbe why are you destroying your own chidushim?". He said. "These are my chidushim and they are extremely precious to me. But if anyone finds out that I was the originator of these chiddushim, Kalman's reputation will be destroyed forever and he would be devastated. That is something I cannot allow to happen".

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 103

F. NOT TO TRICK OTHERS

(Torah Mandated Mitzvah), Sefer Chareidim 29-20

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If a realtor shows a home that has some plumbing trouble, does the realtor have to tell the prospective customer about it, or can the realtor simply say that the home is being sold "as is"?
- Is one permitted to offer a gift to someone he knows will not accept the gift, in order to win his indebtedness?
- Is one permitted to invite someone to a wedding if they know that they will for sure not come?

SEFER CHAREIDIM

It is strictly forbidden to deceive anyone, whether through fraudulent deeds or misleading words alone; this prohibition applies equally when dealing with a non-Jew. Because Avshalom deceived three hearts — the heart of his father David, the heart of the beis din, and the heart of all of Israel — he was ultimately pierced through the heart by three spears, as recorded in the verse (II Shmuel 18:14).

One who deceives others through gneivas da'as (deception of the mind) is branded by Chazal as a thief, as Scripture testifies: 'And Avshalom stole the hearts of the men of Israel' (II Shmuel 15:6).

If a merchant knows that a defect exists in the merchandise he is selling, he is halachically obligated to disclose it fully to the prospective buyer.

One is forbidden to paint or polish an old item in a manner designed to create the false impression that it is brand new.

When selling meat, one is forbidden to inflate the intestines to make them appear plumper, or soak the meat in water to artificially inflate its size and weight.

One may not sell unslaughtered meat (neveilah) under the pretense that it was properly slaughtered kosher meat, even when selling it to a non-Jew who is legally permitted to consume unslaughtered meat.

One must not urge a friend to accept gifts when knowing with certainty that the recipient will decline them, creating a false impression of unreturned generosity.

Similarly, one must not press someone to join him for a meal when knowing in advance that the guest will refuse, thereby deceitfully currying favor.

MORAL DILEMMAS:

Mordechai was planning an overseas trip to London for two months. He lived in New York where there was a system of alternate side parking. This meant that every week he had to move his car to a different side of the street to accommodate for the street cleaning. He lived in an apartment building and didn't have a driveway. Because of this, to make this trip, he would have to park his car in a parking garage which cost 20 dollars a day. He came up with the following idea. He walked into a local small bank and asked the manager if he would be able to borrow $1000 dollars for two months. The manager answered that they didn't have an account with him, put they could give the loan if he would post a collateral. Mordechai answered that the only collateral he could give was his car. The manager agreed, and the bank kept the car in the bank parking lot for two months. When Mordechai returned from his trip, he returned the $1000, paid $20 dollars in interest and retrieved his car. In this manner he parked his car in their lot and saved close to $1200 by doing this. Was this practice permitted? Did he cheat the bank? What do you think?

Answer: This is not Genivas Daas.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 232

Mrs. Weiss was a very experienced educator. She applied for a position to teach in a prestigious public school. She was confident that they would appreciate what she had to offer and would get the job. The interview with the administration went extremely well. She knew that the school was about to make an offer. Mrs. Weiss was shomer Shabbos and would, of course, need to leave work early on Fridays and take off work for all the Yomim Tovim. She knew that once she got the job, the administration would let her take off the time for her religious needs; the school knew to be concerned about religious discrimination lawsuits and would be flexible with her. As the interview neared a close, Mrs. Weiss wondered if she should tell them ahead of time about the early Fridays and Yomim Tovim. Should she tell them before she was offered the position or could she wait until she had already secured the job? On one hand, the administration never asked her about the Jewish holidays in the interview. She answered all of their questions truthfully. On the other hand, she reasoned that if she volunteered the information about needing time off for religious reasons, it might harm her chances and she may not get offered the job. Is withholding the information misleading.

Perhaps it would be like selling a house where the present owner knows of a major flaw but conceals the information about it. What do you think? Does Mrs. Weiss have to tell the administration ahead of time about her religious scheduling needs?

Answer: Regarding the woman who was about to be offered the job in the public school, Rav Tzvi Berkowitz answered that she could wait until they make an offer but she should tell them before she accepts.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Aaron lived with his family in a small apartment. His family was growing, and they needed to expand their living quarters. They were desperately looking to purchase a home. In their community, there weren't many homes available. Finally, Aaron found a home that was for sale by the owner, who was another Jewish fellow. Aaron called the owner, whose name was David, and inquired about the price. David mentioned the price, and Aaron felt that it was a bit too high and out of his budget. Aaron asked David if the price was negotiable, but David said no. Aaron felt terrible that it was out of his reach. He thought that this home could have been perfect for him. Then he had an idea. What if a bunch of people could persuade David that the price was really too high? He sent a message to five of his closest friends and explained the situation. He said, "There is this house that I'm looking to buy, but the owner is firm on the price, and it's too high for me. Could you each call him on different days, and ask to see the house. Then after you see the house ask about the price. When he tells you the asking price, say something like, 'Are you dreaming? Do you think you can get such a high price for such a house?' Hopefully, if all these different people conveyed to David that the price was too high, he might agree to reconsider and sell it at a lower price." After Aaron set his plan in motion, his wife heard about it. She asked, "Are you sure you should do that?" Aaron replied, "Why not? They're just helping me negotiate the price." His wife said, "But you're sending all these people to pressure him. You'll be hurting his feelings and bothering him." Aaron responded, "This is business, and there's nothing wrong with me asking him to lower the price." His wife insisted that he ask a Rav if this practice was permitted according to the Torah. What do you think? Was it permitted for Aaron to send five of his friends to pressure David to lower the price?

Answer: Regarding the question about sending his friends to inquire about the house and ask about the price in order to convince him to lower the price, Rav Zilberstein writes that this is forbidden because of the prohibition of Onaas Devarim, of hurting another's feelings. It's forbidden to give the impression that one wants to buy something when they don't because it hurts the seller's feelings by raising their expectations and then dashing their hopes. It is also forbidden because they were being deceitful in order to get the owner to lower the price.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok, Devarim p. 220 (Table Talk Edition #397 (Parshas Chukas)

It was the year 2017, just after Rosh Hashanah, and a large crowd of about 60 people had gathered in the neighborhood of Bnei Brak, waiting for the 402 bus to take them to Yerushalayim. It was around 2:00 in the morning, and the group grew restless as it seemed no other buses were coming. They began to worry that they might have to spend the night on the street. Suddenly, in the distance, they saw a bus approaching. Excitement spread through the crowd -- perhaps it was their long-awaited 402! But as the bus drew closer, they realized it wasn't the 402 to Yerushalayim -- it was the 318, heading to the city of Rechovot. The bus stopped, and the driver opened the door, ready to take on anyone traveling to Rechovot. A few members of the crowd approached him. "Please, sir," they pleaded. "There are about 60 of us here, and we're desperate to get to Yerushalayim. Could you kindly switch your route from the 318 to the 402 and take us there?" The driver shook his head. "I'm sorry, I can't do that. I've been assigned to go to Rechovot." But the crowd persisted. "Please! We're begging you! If you don't help us, we'll be stuck here all night!" After much pleading, the driver finally relented. "Alright," he said with a small smile. "I'll switch the route for you." He changed the number on the front of the

bus to 402, and the crowd erupted in cheers. Everyone eagerly boarded the bus, grateful to be on their way to Yerushalayim. Throughout the ride, passengers kept going up to the driver, thanking him profusely for his kindness and for saving them from a long, uncomfortable night. The driver responded graciously each time, saying it was his pleasure to help. Eventually, the bus arrived in Yerushalayim, and everyone was dropped off safely. Just before the last passenger got off, he approached the driver with a puzzled expression. "Sir," he asked, "how were you able to switch your route like that? Won't the bus company see what you did? Don't they track your route with GPS? Won't you get in trouble for not following your assigned schedule?" The driver grinned and leaned in slightly. "Let me tell you a little secret," he said. "I was actually assigned to the 402 to Yerushalayim all along. I saw on the station's cameras that there was a huge crowd waiting here. From experience, I knew that if I arrived as the 402 from the start, everyone would be tired, grumpy, and maybe even rude. It would've been a rough trip for everyone. "So instead, I pretended to be the 318 bus to Rechovot. That way, you'd all think you convinced me to switch the route. And because of that, it turned out to be a much more pleasant ride for everyone involved." The passenger smiled, impressed by the driver's cleverness, but later found himself thinking about two questions: 1. Was the driver allowed to do what he did? Was it permitted for him to pretend to be the 318 bus just to improve the passengers' mood? Was this type of deception allowed according to the Torah? 2. Did the passengers have the right to pressure the driver to change his route? The driver had a job to follow specific routes. Was it proper for them to ask him to change his assigned route? What do you think?

Answer: Regarding the question about whether the bus driver was allowed to change the numbers on the bus, Rav Zilberstein wrote that he was permitted to do so because our Sages teach that it is sometimes allowed to alter the truth to promote peace and prevent improper complaints. Regarding whether the passengers were permitted to ask him to change the route, Rav Zilberstein explained that this, too, is allowed. The reasoning is that it is very likely the bus line managers would agree with their request, given the large number of needy people relying on the ride.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok, Devarim, p. 363

Rabbi Epstein was the head of a prominent yeshivah in Israel. Every year, he would travel to the United States on a fundraising trip. Due to his extremely busy schedule, he developed the practice of flying first class for these trips. Being in first class allowed him to prepare his lectures, talks, and other important material, making the most of his travel time. He considered this a worthwhile use of the yeshiva's funds. One year, as usual, Rabbi Epstein purchased a first-class ticket for his upcoming fundraising trip. On the day of the flight, however, when he arrived at the airport, the clerk informed him with great regret that the flight was overbooked and no first-class seats were available. She offered him a full refund for the first-class ticket and a complimentary coach-class seat instead. Rabbi Epstein accepted the refund and the coach ticket. Although the experience was less comfortable, he did his best to prepare his lectures during the flight. When he arrived in the U.S., he began his usual fundraising meetings. During one of these meetings with a well-known, generous donor, the donor asked him a direct question: "Tell me, Rabbi, what class did you fly in?" Surprised, Rabbi Epstein responded, "Why do you ask? What difference does it make?" The donor insisted, "Please, Rabbi, just answer the question. What class did you fly in?" Rabbi Epstein replied honestly, "I flew coach." The donor smiled with satisfaction and handed him an extremely generous donation of $50,000. Later, curious about the donor's unusual question, Rabbi Epstein asked a mutual friend why the donor had been so concerned about his flight class. The friend explained: "My friend has a personal principle. If the head of a yeshivah flies first class, he refuses to give them a penny. He believes that donating to an organization that uses money on such luxuries is a waste of his money." Rabbi Epstein was relieved but also began to wonder. Normally, he did fly first class; it was only by chance that he had not do so on this trip. The donor's exact question had been "What class did you fly in?" -- not "Do you usually fly first class?" This raised the question: Was Rabbi Epstein obligated to inform the donor that, under normal circumstances, he does

fly first class -- even though doing so might cost the yeshivah a large donation? On one hand, the donor never asked what he normally does. But on the other hand, had the donor known the truth, he might have never given such a large donation. What do you think?

Answer: Regarding the question about the Rabbi who flew first class, Rabbi Zilberstein answered that because the philanthropist asked, "Did you fly first class?" instead of "Do you usually fly first class?" the Rabbi answered truthfully by saying he did not fly first class. Since the philanthropist only asked about that specific situation and then proceeded to give the donation, the Rabbi responded honestly and was not required to disclose how he normally flies.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 479 (Table Talk Edition 420)

Elisheva had a friend, Zehava, who was engaged to get married. Elisheva wanted to buy Zehava a nice engagement present. She went to a gift shop and looked around. She saw many beautiful gifts on display. Then Elisheva noticed an expensive bottle of perfume that she knew Zehava wanted. The perfume had a price tag of 250 dollars. That was way out of her budget. Just then a voice came on over the loudspeaker. "Everyone is reminded that all gifts today are 50 percent off". Immediately Elisheva realized that the gift was within her budget. She picked up the bottle of perfume and brought it to the counter. "Can you please gift wrap this perfume?", Elisheva asked the clerk. "I'm giving it as a present." "Of course", answered the clerk, and he proceeded to wrap it up. "Would you like us to take the price tag off the item?" asked the clerk. "It's ok, it's not necessary", Elisheva answered, "you don't have to take it off". The clerk nicely wrapped the gift and handed it to Elisheva. Elisheva happily paid and walked out with the gift in a bag. The next day, as Elisheva was driving over to Zehava's house to give her the present, she had the following thought: Was she allowed to give the gift that had a price tag of 250 dollars on it if that was not the price that she paid? On the one hand, $250 was the original price, she just happened to get it during a sale. But on the other hand, Elisheva would be giving the impression that she spent much more for her friend than she really did. Perhaps that was being deceitful. Perhaps that was geneivas da'as. Perhaps she would be making Zahava much more indebted to her than she really ought to be. What do you think? Was Elisheva allowed to give her the gift with the price tag that was double the amount that she paid? Did she have to tell her what she really paid for it?

Answer: Regarding last week's question about the expensive engagement gift, Rav Zilberstein wrote that it would be permitted to leave the price tag on.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Tzvi's son Aryeh was in his mid-twenties, working at a job, and was looking to get married and start a family. In line with a practice upheld in many Orthodox communities, Aryeh compiled a shidduch resume, a detailed account of his personal and religious background, designed to assist matchmakers in finding him a compatible spouse. The shidduch resume also included five references who could attest to his character. Aryeh, however, encountered repeated setbacks. Several prospective matches turned him down without even meeting once, leaving Aryeh and his father Tzvi perplexed and wondering if perhaps one or more of the individuals vouching for Aryeh were not speaking favorably or were insufficiently enthusiastic in their endorsement. Father and son grappled with the difficult decision of which reference to remove from the resume. They could not remove all references because they did not have a large number of references available. In an effort to get to the bottom of the situation, Tzvi had an idea. He thought of approaching a friend who had a daughter of marriageable age, and ask this friend to pretend to be interested in setting up a shidduch with Aryeh, and to reach out to the references to gauge their genuine opinions. The friend could call all five of the references pretending to find out about Aryeh, and he could later report to them which reference was not saying great things. However, Aryeh and Tzvi found themselves torn about whether this strategy was permissible. On the one hand,

it involved dishonesty, because the friend was not really pursuing the shidduch. It might also cause one of the references to say lashon hara, sinful derogatory speech. The lashon hara would not be for a constructive purpose because there was no real shidduch under consideration. On the other hand, however, it could shed light on the enigmatic reasons behind Aryeh's unsuccessful attempts so far, and provide them with an opportunity to revise the reference list. This would enhance the prospects of a successful shidduch for Aryeh in the future. What do you think? Would employing such a scheme be permitted according to the Torah?

Answer: Regarding the question about having a friend call the references to see who was saying less than positive things Rav Tzvi Berkowitz answered that this should not be done.

— Source: Rav Tzvi Berkowitz / Table Talk Halachic Archive

Dina wanted to purchase a pair of dress shoes from Amazon.com. She found the shoes that she loved at a great price. Before she bought it however she wanted to make sure that style and size would be the right fit for her. She had an idea. She went to Nordstrom and asked the associate there to show her the same shoe. The associate found the exact same pair of shoes. They happened to be twice the price that Amazon was charging. Dina tried on the shoes and was happy to learn that they fit her perfectly. She thanked the associate and drove home very happy, excited to buy the shoes online. On her way home she felt a twinge of guilt. “Did I do the wrong thing”? “Was it permitted for me to ask the clerk to show me the shoes if I had no intention of buying it there? Was it permitted for me to try it on there if I planned to buy it elsewhere”? On one hand perhaps it was permitted because Nordstrom surely wants her to walk into the store, because she might buy something else. On the other hand, perhaps it is forbidden because she never had any intention to buy it from Nordstrom. If she would have been totally transparent with the store manager about her true intentions, perhaps the manager would not have allowed her to do it. What do you think?

Answer: Rabbi Zilberstein said that it was permitted to try the shoes on in the store.

— Source: Rav Yitzchak Zilberstein, Hebrew Edition of Veharev Na Volume Three (Table Talk Halachic Archive, Edition 50 (Chayei Sara))

STORIES FROM OUR SAGES:

❖ Mar Zutra ben R' Nachman was walking from Sichra to Mechoza and he met Rava and R' Safra, who were walking toward Sichra. Mar Zutra thought that Rava and R' Safra had been coming to greet him, and he asked them why they bothered themselves for him. R' Safra responded, "We did not know that you were coming; had we known, we would have put more effort into welcoming you." Rava asked R' Safra why he distressed Mar Zutra by explaining that they really were not expecting his arrival. R' Safra responded, "Should we mislead him and allow him to give us undeserved credit?"

Talmud Bavli, Chullin 94b

❖ Shmuel taught: It is strictly forbidden to deceive the mind of any human being —even the mind of a gentile! How was this teaching of Shmuel derived? From Shmuel's own conduct! Once, Shmuel was crossing a river on a ferryboat and said to his attendant, 'Reward the ferryman for his trouble.' The attendant gave the gentile ferryman a chicken, and when Shmuel found out how he had done it, Shmuel became deeply displeased with his attendant. Why was Shmuel upset? Abaye explained: Because the chicken was terefah (not kosher for a Jew to eat), and the attendant handed it to the ferryman as though it were kosher slaughtered meat that he had generously given up for him! Rava explained: Because Shmuel had told his attendant to give the ferryman a cup of unmixed wine, and the attendant gave him diluted wine while letting him think it was pure unmixed wine!

Talmud Bavli, Chullin 94a

INSPIRATIONAL STORIES:

❖ A Jew approached the Satmar Rebbe and told him that his wife had become seriously ill and that in addition, his children were handicapped. The man said that he had huge medical expenses that he was unable to meet. The Rebbe heard all this with tears streaming from his eyes. He took all the money in his possession, and gave it to the petitioner. He did not stop there. He asked the Rebbetzin to lend him all the money she had available and also took loans from other people who were then in the house. When his main attendant, Reb Yossel Ashkenazi, arrived at the Rebbe's house and heard the story, he said, "This man deceived you. He is a well-known trickster; his wife and children are perfectly healthy and they lack nothing..." As the Rebbe listened to this, his pained expression gave way to one of great joy. "Oh, thank you so much for telling me that! How happy I am that his wife and children are healthy," he said. "You have no idea how upset I was when I heard him tell me how sick they were.

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ When Rav Dovid Luria went on trial in Russia, falsely accused of treason for sending money to Palestine, under Turkish rule, the death penalty was lurking in the background. When the judges deliberated, they did so in French because no one else in the courtroom understood. Or so they thought. Rav Dovid Luria did know French, so he put his fingers in his ears to block out their conversation. To listen in without them knowing would be geneivas da'as, he felt. The judges demanded an explanation for his strange behavior. When they heard it, they freed him immediately. They said it's impossible for someone with that level of commitment to truth to be guilty of treason.

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ While living in Crown Heights, Rav Mordechai Schwab continued teaching in the Viener cheider, traveling by bus. Whenever he was delayed on his way to his job, he would make a note of it and report it to the office, so they would not pay him for any missed time.

From Rav Mordechai Schwab; A Tzadik In Monsey, By Yehoshua Schwab, Published by Adir Press

24. Not to steal land

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 85

As the Torah says, You shall not move your neighbor's landmark... in your inheritance which you shall inherit (Devarim 19:14, Parshas Shoftim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How can one steal land?
- Does this only apply in Israel to one's inheritance?

SEFER HAMITZVOS HAKATZAR

This prohibition forbids encroaching upon another person's property boundary. If one encroaches upon his neighbor's territory by even the breadth of a finger — whether within the Land of Israel or anywhere in the Diaspora — he is halachically classified as a robber (gazlan) if he seized it by force, and as a thief (ganav) if he encroached upon it covertly.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG

This is an additional prohibition on top of the general prohibition of stealing. This is in order to show the greatness and holiness of Eretz Yisrael, over other lands. It is much worse to steal in the holy land of Israel, than in other lands.

ABARBANEL

Hashem divided all of the land into 12 tribes, and Hashem wants each individual to have the land that is in his possession. One who changes the borders of his land is challenging Hashem's wisdom and design for how to apportion the land among the Jews.

SFAS EMES

• In Parshas Behar, the Torah sets forth the laws of the Jubilee (Yovel). Why did the Torah forbid the permanent sale of land in Eretz Yisrael? The Sfas Emes explains that every plot of land in Israel is tied to the spiritual root of a specific Jewish soul. When Joshua divided the land by lot and Divine inspiration, each family received the physical territory that matched its unique spiritual mission. A person may suffer poverty and sell his field for a time. But that sale can never be permanent! The Torah forbids this intrusion. It ensures that every family retains its rightful place in the divine family of Israel (Sfas Emes, Vayikra, Behar 5651).

• The Torah pairs two different titles in describing our relationship with Hashem on earth: "for you are strangers (geirim) and settlers (toshavim) with Me" (Vayikra 25:23). How can a person be both a temporary stranger and a permanent settler at the very same time? The Sfas Emes resolves this question with a luminous teaching on human existence. In physical reality, we are mere "strangers." We brought nothing into this world, and we take nothing with us when we leave. No mortal can claim absolute ownership over a single acre of the planet. But in our spiritual soul, we are "settlers" with Hashem. When we attach our hearts to Hashem, we dwell securely in His presence forever. By commanding us to leave our neighbor's landmark untouched, the Torah reminds us that we are all guests at the King's table. A humble guest does not grab food from his neighbor's plate (Sfas Emes, Vayikra, Behar 5659).

RELATED HASHKAFAH TOPICS:

▪ Discuss why it is worse to do an aveirah, a prohibition, in Eretz Yisrael than in other lands.

▪ Discuss the idea of Hasagas Geval when applied to competition

MORAL DILEMMAS:

In Israel there is a custom for many Jews to drive to Meron on Lag Baomer. Menachem owned a private bus service and posted flyers all around town advertising rides from Yerushalayim to Meron for 60 shekel, leaving at 9AM in front of Angel's bakery. Natan also owed a private bus. He pulled up in front of Angel's bakery at 8:50 AM, where many people had already been waiting. "I'm here for a ride to Meron he called out". Anybody interested?" All of the people who were waiting boarded his bus. At 9 AM Menachem pulled up, and to his dismay, only one passenger climbed aboard. "Where is everyone else" he asked. He was told that another bus had just left a few minutes ago. After some investigation Menachem was able to locate Natan. Menachem demanded that Natan pay him for all of the customers that he stole, or at the very least pay him for all of the advertising that he paid for. Natan countered that Menachem did not own the customers. I simply drove by and asked people if they would be interested in a ride to Meron. They joined my bus using their own free will. Did Natan do the wrong thing? Does he owe Menachem anything? Does he have to give him all of his profits? Should he have to pay for all of Menachem's advertising?

Answer: Natan did the wrong thing, and it is forbidden. However, he would not be obligated to pay him any of the profits. It would be right for Natan to pay something because he benefited from Shimon's efforts in advertising.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 287

A yeshivah constructed a magnificent multi-story educational building. Following completion, a neighboring homeowner discovered through a professional survey that the building's upper eaves and balconies extended twelve inches into his private airspace. The neighbor demanded that the overhanging concrete balconies be demolished. Can the neighbor compel demolition, or must he accept financial compensation for the airspace easement?

Answer: He has to accept the value. As Rav Yitzchak Zilberstein rules, under the rabbinic enactment for the repentant (Takanas HaShavin, Bava Kamma 95a) and standard communal building custom, once a multi-story yeshivah building has been constructed in good faith without protest during construction, the yeshivah is not required to demolish the overhanging balconies; instead, the neighbor must accept fair financial compensation for the airspace easement.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 223

A newly certified oral surgeon opened an advanced surgical clinic immediately adjacent to an established dental clinic that had served the neighborhood for decades. The veteran practitioner protested to Beis Din, arguing that the newcomer was drawing away his patient base and severely damaging his income. Can the established surgeon legally block the competitor under hasagas gevul?

Answer: Based on the Rosh (Bava Kamma 8:1), Beis Ephraim (Choshen Mishpat 27), and the ruling of Rav Yosef Shalom Elyashiv zt"l, Rav Yitzchak Zilberstein rules that a new specialist physician or oral surgeon is fully permitted to open a clinic next to an existing dentist. In medicine, patients require personal rapport and confidence in their doctor ('tzarich she-yehei la-choleh nachas ruach me-ha-rofei'), and increasing the availability of skilled medical care benefits public health without completely depriving the established practitioner of his livelihood.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 141

In Israel there is universal healthcare known as Kupat Cholim. The government pays for this health insurance. However there are four basic different private insurance groups that one can be a part of; M'uchedet, Makabi, Leumit and Klalit. This can be compared to the United States where Medicaid pays for the insurance but there are different Managed

Care organizations (MCOs), that one can join like Amerigroup, or Aetna. One of the private insurance groups under Kupat Cholim wanted to increase its subscriber base. This is because they would get more money from the Kupat Cholim with each new member. Let's call this group Olympia health. Olympia Health launched an initiative that every person who would leave the other healthcare groups to join their group would receive 200 shekel. This initiative was very successful and the other insurance groups lost many of their subscribers. One of the other insurance groups which we will call United Insurance, was very distressed at this practice. They needed to find a way to compete with Olympia. They came up with the following plan. They told the doctors that were in their network, that if anyone switched from nationwide to Olympia, then the doctors should no longer accept them. If the doctors would not agree to do this they would face sanctions from the insurance company. There were obviously very harsh tactics used by each of the insurance groups. When faced with this ultimatum from the insurance company, one of the doctors approached Rav Zilberstein with these questions. First of all was Olympia Insurance allowed to take customers away from United by paying them to switch? Second of all, would the doctor be permitted to listen to the insurance company and drop patients who were switching? And third, was United allowed to retaliate that way? What do you think?

Answer: Regarding the question about the two insurance companies, Rav Zilberstein writes that the first company is allowed to pay people to leave another company to join them. However, the second company is not allowed to demand that doctors drop patients who change insurance. Therefore the doctor should not comply with this request.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 137

Leah opened a hair and wig salon. She hired an inexperienced woman named Dina and trained her how to be a good wig stylist. Dina learned all the tricks of the trade from Leah and she was very charming and charismatic. Leah together with Dina grew the hair salon to be a very successful enterprise. They had hundreds of customers and were among the most popular spots in town. After 15 years of working with Leah, Dina realized that she had all the skills and know-how to go out on her own. One day she told Leah that she was going to leave and start her own business on the other end of town. Dina started her own hair and wig business with all the skills and training that Leah gave her. Her prices were similar to Leah's but because she was very popular and gregarious many of her old clientele that she met at Leah's establishment, left Leah and went to Dina. Eventually Leah called Dina and told her that it wasn't right for her to use the training that she gave her as well as her contacts to start her own business. This question was brought to Rav Zilberstein. On one hand they both lived in the town and they both had the right to start their own business. On the other hand was it okay for Dina to use the knowledge and contacts that she got from Leah to compete with her? What do you think?

Answer: Regarding the question of the wig stylist who took the trade secrets and clients and started a new business immediately, Rav Zilberstein wrote that what she did was wrong. He quotes the Minchas Yitzchak that the Beis din of the city should set up a non-compete period of a "number of years" and after those years the worker can start a similar competing business.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 132

Esti owned a successful hair and wig salon. She had five employees and thankfully she had a thriving business. One of her employees, Tehilla, was with Esti for more than 15 years. Tehilla was very experienced at her job, and was very dependable. Tehilla was also extremely loyal, having worked with Esti for more than 15 years. But there was a problem. Tehilla was much older than the rest of the employees. Tehilla was not as "with it", not as fashionable as the other workers. Because of her age, she was also not able to relate as well to the mostly younger clientele that came into Esti's salon. And finally, because Tehilla was getting older, she did not move and work as quickly as she used to. She was

much slower than the other employees. Esti considered telling Tehilla that she should retire or perhaps find a new place to work, but she just didn't have the heart to fire Tehilla. Every time Esti thought she would tell Tehilla that she would have to let her go, she just couldn't follow through with it, and Esti kept Tehilla on the staff. One day Tehilla came to Esti and asked if she could ask for Esti's advice. "Of course", Esti said. Tehilla began. "You might know that I have a pretty long commute to work here, and I work a whole day. As you know I'm not young anymore, I was thinking that perhaps I should find a new salon to work at that is much closer to my home and that would have lighter hours. But I'm not sure if I should go in that direction. I thought you might be able to give me your honest opinion since you know me so well." When Esti heard this, she thought that this was her perfect opportunity. She had been trying to find an opportunity to let Tehilla go, and now was the perfect time to do it. She should encourage her to find a job somewhere else. But then Esti stopped herself. Tehilla was looking for her honest advice. Advice that is in the best interest of Tehilla. The truth is that it would be difficult for Tehilla to find another job in a hair salon. Other owners were looking for young energetic people and Tehilla really didn't fit the bill. It would actually not be in her best interests to leave. Maybe she should give the best advice to Tehilla and tell her to stay. But on the other hand, if Tehilla stays, Esti might eventually overcome her hesitation and actually fire Tehilla. Perhaps it would be in Tehilla's best interest to leave now even if she can't find a new job, to avoid her getting fired which would likely be much more painful. Esti was not sure what the proper Torah approach was. This question was brought to Rav Yitzchak Zilberstein. What do you think?

Answer: Regarding the question about the employee, Rav Zilberstein wrote that the owner should say, "Leaving might be a good idea, but you should ask for a second opinion because I am not sure." The owner can not simply say that the employee should go because that is to the advantage of the owner, not the employee.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Gittin, p. 245

There was once a man named Avi who had an upcoming yahrtzeit for a loved one. To commemorate the day, he decided to make a large siyum. He wanted it to be a beautiful event, filled with Torah, food, and inspiration. Avi loved fish, so he planned a special salmon dinner for his guests. He invited 300 people and called a local fish market to arrange a huge order of fresh salmon. He asked the owner, Eldad, to prepare the fish several days before the event so everything would be ready on time. Eldad was excited about the large order. It was one of the biggest orders his store had ever received. He purchased a tremendous amount of fish and even borrowed money and hired extra workers to help prepare everything for the siyum. But then, on the day of the event, tragedy struck. A war broke out. Rockets began flying, alarms sounded, and people were told to remain indoors. Sadly, Avi had no choice. He called Eldad and said, "I feel terrible, but nobody is going to be able to come to the siyum. We have to cancel the event." Eldad was devastated. He had spent a large amount of money purchasing the fish, borrowed money to cover the order, and hired workers to prepare everything. Now he was left with hundreds of pounds of salmon and no customers. He worried that this mistake would put him out of business. But then his wife had an idea. "Instead of letting all this salmon go to waste," she said, "why don't we try something new? Let's turn it into salmon gefilte fish. Maybe people will like it." They followed her suggestion. They created a unique type of salmon gefilte fish and began selling it. To their surprise, customers loved it! The sales were incredible, and they recovered almost all of their money. They suffered only a small loss. But then something unexpected happened. Word spread about this amazing new salmon gefilte fish. People began coming from all over to buy it. Eldad's store became extremely successful. Within a short time, he became a very wealthy man. A few months later, Eldad called Avi. "There is still one thing we need to settle," he said. "The bill for the fish order that was canceled. You still owe me for that." Avi was surprised. "What do you mean?" Avi asked. "You sold the fish! You didn't lose any money. In fact, that canceled siyum turned your store into a huge success. You became wealthy because of that salmon. You should actually be thanking me. Maybe I should actually own a percentage of your new business because it all came because of me. Eldad replied, "But that's not fair. I invested the money, hired the

workers, and prepared the fish because of your order. The fact that something amazing happened afterward doesn't erase the fact that you never paid me for your order." They decided to bring the question to a Rav. Does Avi still have to pay for the canceled order, even though Eldad ended up becoming much more successful because of it? Or does Avi have a point? Since Eldad actually benefited from the situation and built his business because of the leftover salmon, perhaps Avi should not have to pay anything, and perhaps Avi should be paid by Eldad because of Eldad's profits. What do you think?

Answer: Regarding the question about the salmon gefilte fish, Rav Yitzchak Zilberstein answered that Avi does not have to pay for the entire order. Since Elad was able to sell the fish to others as gefilte fish, Avi is responsible only for the actual loss Elad ultimately suffered, meaning whatever amount Elad was unable to recover through those sales. For example, if the order cost Elad 100,000 shekels and he was able to sell the gefilte fish for 95,000 shekels, then Avi would have to pay 5,000 shekels. However, Rav Zilberstein added that since Avi's original order helped Elad launch what became a successful business, it would be a middas chassidus for Elad to give Avi a matanah nichbedes, a significant gift, in appreciation for the role Avi's order played in helping him build the business.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Nedarim, p. 544 (Table Talk Edition 501)

INSPIRATIONAL STORIES:

❖ Rav Moshe Heschel was the son of the Kapishnitzer Rebbe. He was a diamond seller. One day he met his friend Yitzchak who looked upset. What's wrong? I just got into the diamond business and I am having a hard time finding retailers who are looking to purchase stones, as well as a good source to buy diamonds at a low price. Moshe took out a paper and said "here, I can help you". He gave him a list of names of suppliers and purchasers. A few weeks later Moshe met Yitzchak again. He seemed much happier. "How are things going now"? Baruch Hashem business is great. I am so grateful for your list. But I have one question. When I started my business no one else gave me their list of contacts. They gave me advise, but never their contacts. Why did you give me the names of your own purchasers and suppliers? You actually gave me your parnasah. Moshe smiled and said, Gloib mir, vos iz mir ungreshriben, veste mir nisht tzinemen. Believe me, what is destined for me no one can take away. Hashem has already designated how much money I should make. No one can take that away.

Visions of Greatness, Vol. 2, By Rabbi Yosef Weiss, Published by CIS Publishers, p. 155

❖ Dovid Neumann was struggling financially. He went to his friend Levi Aronson for advice. Levi owned a successful Jewish bookstore. Levi listened and said why don't you start a Jewish bookstore. I have a lot of connections and I can give you some of my inventory to start. "Where would I open" Dovid asked? Right on the block, down the street. Levi helped him rent the store front. Levi schlepped the inventory to the new store. People were shocked at the chutzpah of someone opening a competing store so close, but were shocked to see their close friendship. But still David's store didn't pull a profit. Levi then suggested moving to a new area right near the grocery. He moved there and became very successful.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 95

❖ Rabbi Kanarek is dean of both Bnos Yisroel Elementary School and Bais Shaindel High School in Lakewood, New Jersey: I was Joseph Beyda's "teacher" in religious studies. I'll explain why the word teacher is in quotes. Joseph and I had a very close relationship. Once, he had a special request: "I have to travel to Bentonville, Arkansas," he explained, "and I don't want to skip out on my studies. Come with me on my trip, and we'll study together in our free moments." I agreed. Bentonville was the headquarters of Walmart, which had over two thousand stores. Joseph's relationship with them went way back, to when Walmart was only a small chain. As Walmart grew, so did Joseph's business. Joseph's firm was one of the main suppliers of linens for this huge chain. His annual appointments were nearly automatic. For new suppliers, however, it was a different story. Salespeople often had to wait months to get an appointment with a buyer — if they were fortunate

enough to get one at all. The linens department was practically closed to new salespeople, since the chain was very happy with Joseph's merchandise and had no reason to look elsewhere. Joseph and I arrived some time before the appointment, and we sat down to study together. Joseph, however, couldn't concentrate. His eyes were drawn to another man who was pacing back and forth in the waiting room. "Who's that?" I asked. "That's one of my competitors," Joseph replied. After several more minutes, Joseph got up and went over to the fellow. "Is something wrong?" The man sighed. "I've been trying to get an appointment for ages. Somehow I was under the impression that I had an appointment for today, but when I got here, it turned out that it was a misunderstanding. They don't want to see me." Joseph stood silently for a moment, deep in thought. "Let me see what I can do for you, "he said finally. He walked down the corridor to the buyer's office and poked his head inside. "Hi, Frank (this name is fictitious), it's me. Listen, why don't you see this other supplier?" "But I don't want to. I don't need his stuff. I'm happy with what you give me." "At least give him a chance," Joseph argued. "Why should I? And besides, he's your competitor! Why do you want me to give him a chance?" "That doesn't matter. There's room for everyone. Why shouldn't he make some money, too?" Frank finally agreed to see the other man, and Joseph came out with a smile. "Okay, he'll see you right now. Go in." The man looked bewildered. "Right now? But — but all my stuff is in the car! I don't have my samples ready!" "No problem!" Joseph said cheerfully. He turned to me: "Let's give him a hand." We ran to the competitor's car, took out the samples, raced back to the buyer's office and quickly set everything up. The man watched, open-mouthed. I was amazed at what I had seen. All this time I thought that I was the one teaching. Instead, it was Joseph who taught me the real lesson.

Joseph: How One Man Can Make a Difference, by Jack Doueck, Sephardic Press, p. 262

❖ Anyone living in New York will long remember where he or she was at 4:11 P.M. on August 14, 2003. On that notoriously hot and muggy day, more than fifty million people were left without power in a huge blackout that abruptly halted the subway system and darkened homes, offices, and businesses. While some places regained power within several hours, in others, people waited days for their electricity to be restored. When Klein's Kosher Ice Cream in Brooklyn lost its power that Thursday afternoon, Mr. Abba Klein, the owner, was understandably quite concerned. How long would the power outage last? He knew that his freezers had the ability to keep ice cream in a frozen state for about twenty-four hours given the 90-degree weather outside. Thankfully, power was restored to the Klein's warehouse early Friday morning, and none of the products were spoiled. As he watched other businesses losing thousands of dollars in ruined merchandise, Mr. Klein felt incredibly grateful for his stroke of good fortune. Instead of continuing business as usual on Friday morning, Mr. Klein called his son Pinchas into his office. "Hashem has been very kind to us; we could have taken a huge monetary loss," began Mr. Klein. "I would like you to find out if our competitor Mehadrin Ice Cream has electricity in its warehouse. Please call them and see if they need our help. Whatever profit we make selling ice cream is determined by Hashem. Helping our competitor will not affect how much money we will ultimately earn." After speaking with neighbors of Mehadrin, Pinchas ascertained that Mehadrin did not have any electricity, nor was there any power in the entire area. Pinchas then called Mr. Zalman Leib Farkas, the owner of Mehadrin, to offer him the use of Klein's frozen warehouse. Mr. Farkas could not believe his ears! His biggest competitor was making him an unbelievable offer. He thanked Pinchas for calling and accepted immediately. Mr. Farkas sent two large trucks filled with ice cream to Klein's warehouse. The Kleins rearranged their warehouse to make room for Mehadrin's ice cream. In addition, they hooked up special cables to run power from the warehouse to the two Mehadrin trucks. Although this was a difficult and costly task, it was done without hesitation. Mr. Farkas was overwhelmed with the magnitude of Mr. Klein's kindness. Because of Mr. Klein's gracious offer, Mr. Farkas was able to avert monumental losses. A shopper walking down the frozen food aisle of any kosher supermarket will see Klein's and Mehadrin ice creams displayed side by side. One might think the two companies are rivals, unless, of course, he knows the rest of the story...

For Goodness' Sake, By Rabbi Boruch Brull, Published by Feldheim Publishers

25. A worker cannot eat from the owner's field before the completion of the harvest

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 186

As the Torah says, but you shall not lift a sickle to your fellow's standing grain (Devarim 23:26, Parshas Ki Seitzei);

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Is the worker ever allowed to eat from the food that he works with?

SEFER HAMITZVOS HAKATZAR

Through the Oral Tradition, Chazal learned that so long as an agricultural laborer is actively occupied with harvesting, he may not raise the sickle or interrupt his work to eat of the produce before the designated completion of that labor task.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm

RELATED HASHKAFAH TOPICS:

▪ Discuss how the Torah protects the rights of the workers and as well as the rights of the employers.

26. When a worker is allowed to eat from the owner's field he cannot take for others

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 187

As the Torah says, but you shall not put any in your vessel (ibid 25, Parshas Ki Seitzei).

SEFER HAMITZVOS HAKATZAR

(See also the discussion in Positive Commandment §65). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm. While the Torah allows the worker to take for himself, taking for others without the consent of the owner would be considered theft.

27. Not to use inaccurate measurements

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 83

As the Torah says, You shall do no wrong in mishpat, in size, in weight, or in m'shurah (Vayikra 19:35, Parshas Kedoshim);

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Which types of measurements are included in this prohibition?
- Is there a small amount that one does not have to be careful about?
- Is it just as severe to cheat a gentile?
- What is each community required to do to ensure that scales and measurements are accurate?
- What should the inspectors do if they find an inaccurate measurement?
- Can the officials regulate the prices, and ensure that vendors don't charge too far above the market price?

SEFER HAMITZVOS HAKATZAR

Chazal taught that the scriptural phrase 'You shall do no injustice in judgment (mishpat)' (Vayikra 19:35) applies to the system of commercial measures, not solely to judicial rulings. The terms 'in length, in weight, or in measure' obligate a merchant to ensure that nothing is missing from the exact dimensions or weights established by the accepted standards of the region. Likewise, one must never mislead another in measuring land boundaries. The term 'meshurah' teaches that the Torah demands absolute precision even regarding minute liquid measurements, down to a single meshurah — which is merely one thirty-sixth of a log.

If one uses fraudulent measures, he violates an active positive commandment (mitzvas aseh)—'Just balances, just weights, a just eifah, and a just hin shall you have' (Vayikra 19:36) — in addition to transgressing this negative prohibition.

This prohibition applies universally: even if a merchant shortchanges a non-Jew in measure or weight, he violates this biblical law and is fully obligated to return the discrepancy.

It is likewise forbidden to mislead a non-Jew in monetary accounting; this deception is encompassed within the biblical condemnation: 'For everyone who does these things, everyone who acts unjustly, is an abomination to Hashem your God' (Devarim 25:16).

The beis din is obligated to appoint market inspectors (agoranomoi) to inspect shops and marketplaces, verify the accuracy of scales, weights, and measures, and regulate fair market pricing.

If a merchant is found in possession of inaccurate weights, measures, or scales, the inspectors are empowered to confiscate them and impose punitive fines.

If a merchant charges prices exceeding fair market rates for essential goods, the court-appointed officials must compel him to adhere strictly to the established market price.

The heavenly retribution for maintaining corrupt measures is more severe than the penalty for forbidden sexual relations (arayos), and one who uses false measures is regarded as though he denies the Exodus from Egypt. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm. Using inaccurate measurements is a form of theft. In addition, just as Hashem personifies truth, so should all of our actions exhibit truth and honesty.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

ABARBANEL

The Torah recalls the exodus from Egypt when mentioning the mitzvah of just measures to remind us that freedom is not equated with anarchy and injustice; rather it has to be equated with law and justice. Freedom does not mean that one can set his own standards.

RABBEINU MENACHEM RECANATI

For a scale to be accurate, both sides must be perfectly parallel. This is a message for man to be well balanced, follow the middle path and not go to extremes.

SFAS EMES

• In Parshas Ki Seitzei, the Torah places two topics side by side. First, it warns against keeping two different weights: "A perfect and just weight shall you have — For an abomination to Hashem your God are all who do such things" (Devarim 25:15-16). Immediately following, the text commands: "Remember what Amalek did to you on the way, when you came forth out of Egypt" (Devarim 25:17). Rashi cites the Midrash on these connected verses. That spiritual fracture weakens the covenant of Israel. It punches a hole in the divine shield, opening the door for Amalek, the power of cynicism and doubt, to attack the nation (Sfas Emes, Shemos, Ki Sisa 5631).

• Our Sages teach a foundational principle of faith: "In the measure that a person measures, so is it measured out to him" (middah k'neged middah). Why did our Sages use the imagery of measuring tools to describe Divine justice? The Sfas Emes explains that the Holy One created the entire universe with precise divine measures and weights. Every spark of life, every soul, and every blade of grass receives its exact portion from Heaven. When a merchant places a honest weight upon his scale, he aligns his shop with the heavenly order. As the Sfas Emes writes: in the measure that a man measures, so they measure to him; for the Holy One created all things with measure and weight; and when a person measures with righteousness, he awakens the supreme attribute of

righteousness above! He receives only the stolen pennies of this world, while losing the flow of life from above. But when an individual insists on absolute precision, Hashem pours out boundless blessing upon his home (Sfas Emes, Shemos, Terumah 5631).

• In a memorable discourse for Shabbos Zachor, the Sfas Emes examines the spiritual war between Israel and Amalek. The Sfas Emes explains that the entire world rests on this balance. When the children of Israel gave their half-shekel coins in the desert, Moshe Rabbeinu lifted the head of the nation. That collective act of charity tipped the scales of creation toward holiness. As the Sfas Emes writes: through the shekalim, Moshe Rabbeinu lifted up the head of Israel; and automatically Amalek was subdued, for they stand as two pans of a balance scale, one opposite the other, as Hashem designed the world! But when he checks his weights and balances with care, he tips the entire scale toward life. His quiet honesty in the marketplace helps defeat the forces of evil (Sfas Emes, Moadim, Parshas Zachor 5639).

• The Jewish calendar marks the month of Tishrei with the sign of the Scales (Moznayim). The Sfas Emes explains the deep connection between the scales of Rosh Hashanah and the scales on our counter. On the Day of Judgment, the Almighty sits upon the Throne of Justice, weighing each person's deeds with absolute truth. As the Sfas Emes writes: on Shavuos the light of the Tree of Life is revealed; but on Rosh Hashanah the attribute of the Scales is active, to weigh all human deeds in scales of righteousness, as Scripture states, "A just balance and scales belong to Hashem"! We ask Hashem to weigh us with mercy on Rosh Hashanah. By using honest weights in our shops, we show that we truly revere the King's scales of justice (Sfas Emes, Moadim, Rosh Hashanah 5638).

RELATED HASHKAFAH TOPICS:

- Discuss how the reason this aveirah is so bad is because you cannot return what you stole and you cannot do teshuvah. Discuss how this is a general principle in the Torah, that aveiros that you cannot do teshuvah for are considered to be much worse.
- Discuss the concept of what freedom means, and how it does not mean that one can do whatever he or she wants.
- Discuss the idea of not going to extremes.

MORAL DILEMMAS:

Avi owned a fish market in Israel. His store was adjacent to a vegetable store owned by an Israeli Arab named Malik, who was very friendly. Avi made sure to maintain a cordial relationship with him. Avi would shop by Malik occasionally, and always insisted on paying full price. Malik considered Avi a close friend, to the point that he felt entitled to certain favors. Every Friday, Malik would walk into Avi's store, pick out a bunch of the most expensive fish, place it on the scale, and expect a discount. For example, if the fish weighed 400 shekels, Malik would only pull out 300 shekels and pay, saying, "Come on, between two brothers like us, such close friends, what's a little money? You're not going to nickel and dime me." Avi never had the courage to protest, but over time, he began to resent Malik's presumptuousness. One day, Avi had an idea. He owned a strong industrial magnet that could alter the numbers displayed on the scale. He thought he could use it to make the scale show a higher weight than the actual one so that when Malik asked for his usual discount, the final price would come out to about the real price. This way, Malik would feel like he was getting a discount, and Avi wouldn't lose that much money. However, Avi wondered whether this was permitted. On one hand, he had been losing money due to Malik's impertinence. On the other hand, there is a prohibition against tampering with scales. He questioned whether it might be allowed in a case like this, where he was being constantly taken advantage of. What do you think?

Answer: Regarding the question about changing the scale, Rabbi Yitzchak Zilberstein answered as follows: While there are cases in halachah where one is allowed to use deception to protect themselves from someone trying to steal from them, this would not apply in the case of weights. Our Sages teach that changing weights is equivalent to a judge perverting justice, and this cannot be done simply to save money.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 301 (Table Talk Edition 406)

STORIES FROM OUR SAGES:

❖ Shmuel did not want to take advantage of a seasonal scarcity to obtain higher prices for his products, so he kept the prices low so that the other merchants would be forced to lower their prices (Bava Basra 90b). When after Pesach the merchants raised the price of pots in response to a high demand (for the Babylonian Jews did not use pots in which leaven had been cooked before the holiday), Shmuel warned them that if they did not take fair prices he would permit the use of the old pots (Pesachim 30a). When those who sold myrtle branches (for the Four Species in the Festival of Sukkos) charged exorbitant prices, Shmuel warned that unless they asked fair prices he would permit the use of damaged myrtle branches.

Talmud Bavli, Sukkah 34b

❖ The Sages taught in a Braisa: A grain merchant may not make his leveling rod (mechak, used to level off the top of a measuring bin of grain) out of hollow gourd-wood because it is too light and fails to level the grain properly for the buyer, nor out of heavy metal because it presses the grain down and cheats the seller; rather, he must make it out of balanced olive-wood, walnut, sycamore, or boxwood. Nor may he carve one side of the rod thick and the other side thin, nor sweep it across with a sudden slam or in tiny strokes to manipulate the measure. Regarding all these subtle marketplace tricks, Rabban Yochanan ben Zakkai exclaimed: "Woe to me if I teach these tricks publicly, and woe to me if I do not teach them! If I teach them, perhaps dishonest cheats will learn new ways to defraud customers; yet if I do not teach them, perhaps the cheats will say to themselves: 'The Torah scholars have no idea how our marketplace tricks work, so we can fool them!'" The scholars in the academy asked: Did Rabban Yochanan ben Zakkai ultimately teach and expose those tricks publicly or not? Rav Shmuel bar Rav Yitzchak answered: "He taught and exposed them publicly, relying on the verse in Hosea (14:10): 'For the ways of the Lord are upright, and the righteous shall walk in them (by using this knowledge to guard honesty), whereas transgressors shall stumble in them!'" And the Sages taught on the verse (Vayikra 19:35), "You shall do no unrighteousness in judgment, in length-measure, in weight, or in liquid-measure ": In length-measure means not measuring land for one brother in the summer when the measuring rope is dry and shrunken and for the other brother in the winter when the rope is damp and stretched; in weight means never hiding weights in salt to make them heavier; and in liquid-measure means never pouring oil or wine from high up to create foam that makes a half-full cup look full!

Talmud Bavli, Bava Basra 89b

A. TO USE ACCURATE MEASUREMENTS

(Torah Mandated Mitzvah), Sefer Chareidim 16-35

SEFER CHAREIDIM

There is a positive commandment to maintain scrupulously accurate scales, weights, and measures, as Scripture commands: 'Just balances, just weights, a just eifah, and a just hin shall you have' (Vayikra 19:36). The heavenly punishment for corrupting commercial standards is harsher than the retribution for forbidden relationships (arayos), and one who violates this commandment is considered as though he denies the historical reality and spiritual purpose of Yetzias Mitzrayim (the Exodus from Egypt).

STORIES FROM OUR SAGES:

❖ An incident occurred involving Abba Shaul ben Botnit, a righteous shopkeeper in Jerusalem, who used to fill his measuring vessels with oil and wine on the eve of Yom Tov and hand them to his customers on Yom Tov itself without mentioning measures or prices, and he used to do so even on the intermediate days of the festival (Chol HaMoed) so that his measuring vessels could drain completely into his customers' jars and so that his hours during the festival would remain free for Torah study!

Mishnah, Beitzah 3:8

INSPIRATIONAL STORIES:

❖ Rabbi David Ashear shared the following story: Eli, a businessman who deals in various lines of brand-name merchandise, told me about an order he received from a customer in Algeria for 10,000 pieces of Samsonite luggage. Eli typically doesn't ship goods before receiving full payment. The check for the Algerian order arrived, and it was for $833,000. Eli deposited it and then called his customer to acknowledge receipt and inquire about when and where to ship the merchandise. The customer did not answer his phone. Eli continued trying to contact him by phone and email, but there was no response. Nearly two weeks later, Eli received a phone call from the owner of a large chain of stores, who said he was expecting to receive the luggage from Eli's customer in Algeria. Unfortunately, the man had passed away suddenly. The store owner then asked, "May I buy the luggage directly from you for the price I was going to pay your customer? The total was about $900,000." "No problem," Eli replied. Once again, he waited to receive the check and then proceeded to ship the luggage. At that point, Eli had $833,000 sitting in his account, of which no one was aware. However, Eli did not want to keep the money. He consulted his Rabbi, who quoted the Shulchan Aruch and said, "This is a great opportunity to make a kiddush Hashem." That's exactly what Eli wanted to do. He called the wife of his deceased customer in Algeria and told her that he wanted to return some money that belonged to her late husband. She thanked him and, somewhat oddly, asked if they could continue their conversation via Skype because, even though Eli had called her, she was being charged for the call. Eli gladly initiated the face-to-face computer conversation, happy that the woman would see him and his large kippah. "Oh," she said, "I see you're Jewish." "Yes," he replied, "and I'm very happy to return this money to you." When he told her the substantial sum, she couldn't believe her ears. She thanked Eli profusely, and he mailed her the check. About a week and a half later, a stretch limousine pulled up in front of Eli's office. A man entered and practically prostrated himself on the floor before him. Eli was bewildered. "What is this about?" he asked, helping the man to his feet. The man explained that he was from Dubai and a first cousin of the woman to whom Eli had returned the payment. "You're an angel," he said. "I'm very wealthy, and I have many rich friends in Dubai. Because of your honesty, I want to open up a whole new world of business for you here." And that's exactly what happened. Over the past few years, Eli has made numerous multimillion-dollar sales to people in Dubai whom he had never met before. He has earned far more than the $833,000 he returned. Recently, he received an order from one of those customers for $11 million. Eli received and cashed the check, then called the customer to discuss shipping. However, he prefaced the conversation with a question. "I hope you don't mind me asking," he said. "I'm just curious. You've never met me, and I live on the other side of the world. How can you send me a check for $11 million, trusting that I'll send you the goods? I could just take the money and run." The man on the other end of the line replied, "Listen very carefully to what I'm about to tell you. You didn't take the money of a dead man. Do you expect me to suspect that you're going to take the money of a live man?" Eli has earned a great reputation. Dozens of non-Jews in Dubai are singing the praises of the Jewish people because of Eli's honesty. This is a true kiddush Hashem, and Eli has gained both in This World and the Next!

Table Talk, Edition 407 (Parshas Ki Savo), by Rabbi Yitzi Weiner

28. Not to even have an inaccurate weight in your possession

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 84

As the Torah says, You shall not have in your bag two kinds of stone weight… two kinds of measures, great and small (Devarim 25:13-14, Parshas Ki Seitzei)

SEFER HAMITZVOS HAKATZAR

It is strictly forbidden to keep inaccurate weights or deceitful measuring vessels in one's home or shop, even if one never intends to weigh or measure with them. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm. Using inaccurate measurements is a form of theft. In addition, just as Hashem personifies truth, so should all of our actions exhibit truth and honesty. In order to emulate Hashem, we want to stay as far as possible from even coming close to theft and dishonesty.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG

Not even having it in our possession helps us to develop a stronger sense of honesty, and keeps us far away from any connection to dishonesty.

ABARBANEL (IBID.)

If you have it in your possession you may be tempted to use it.

RELATED HASHKAFAH TOPICS:

▪ Discuss how this is a Torah paradigm for the idea of seyagim, protective fences, that Chazal make

INSPIRATIONAL STORIES:

❖ The Chofetz Chaim's grocery was the most unique store in Radin and probably the whole world. The Rebbetzin ran the store and he helped to keep the books so that there would be money for their needs and he would be able to study Torah without any support. But this was a store that not only lived up to the letter at the Jewish law concerning commerce but even went further. Only the best merchandise was sold and the weights and measures were always in the customer's favor. Customers flocked to the store but the flow of business made the Chofetz Chaim worry rather than celebrate. "How will the other storekeepers make a living?" he wondered. He therefore ordered his wife to keep the store closed except for the

few hours a day necessary for earning barely enough for their daily bread. But the plan did not work. Customers rearranged their shopping schedules so that they would be able to catch his store open and purchase their needs. Finally, he saw that there was no way in which he could avoid affecting other scorekeepers so he closed his business completely.

Who Wants Life?, By Rabbi Zelig Pliskin

29. Not to cheat or overcharge in business

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 47

As the Torah says, And if you sell something… or buy from your fellow's hand, you shall not wrong one another (Vayikra 25:14, Parshas Behar).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Onah refers to charging more than 20% of the market value. If someone didn't know that they were charging more than the market value would they have to return the difference?

SEFER HAMITZVOS HAKATZAR

Whether a seller overcharged or a buyer underpaid intentionally, or whether the price disparity occurred inadvertently without either party realizing that an overcharge existed, the party who benefited is halachically obligated to make full restitution.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• Our Sages teach in Shabbos (31a) that when a person arrives before the Heavenly Court, a crucial question is asked. The first question put to him is: "Did you conduct your business in faith (nasa'sa v'nasa'ta b'emunah)?" Why is commercial honesty the supreme examination of a human life? The Sfas Emes explains this priority through the blessing of Yaakov Avinu to Yehudah: "Yehudah, you are a lion's whelp; from the prey, my son, you have gone up" (Bereishis 49:9). Yosef HaTzaddik represents the pure ascetic who remains cloistered in sanctity. Yehudah, by contrast, represents the master of the physical marketplace who wrestles with worldly commerce. When a Jew deals honestly in business, refusing to take an unfair advantage of his customer, he proves that his faith is not just theoretical. The marketplace is where our faith is tested under heavy weight. When we keep our trade free from fraud, our bridge of faith stands strong and unshakeable (Sfas Emes, Bereishis, Vayechi 5653).

• In an illuminating discourse for Chanukah, the Sfas Emes examines the root of the word ona'ah (cheating). The Sfas Emes reveals a profound linguistic and conceptual secret. The name Yavan (Greece) shares the exact root letters of ona'ah (fraud and deception)! What is the true root of financial cheating? It is the Greek philosophy that external appearances are all that matter. A cheater uses slick rhetoric to dazzle the buyer's eyes, making an inferior product look valuable. He steals his brother's clear judgment. The mitzvah of ona'as mamon protects the pure oil of Jewish integrity. It demands that our words be crystal clear, matching inner reality with outer presentation (Sfas Emes, Moadim, Chanukah 5635).

• In Parshas Behar, the Torah introduces the laws of ona'ah right after the commandment of the Sabbatical year (Shemittah). The Sfas Emes explains the tragic irony of frantic greed. Why does a person resort to cheating his neighbor? Because he possesses an "evil eye" (ayin ra'ah). He is terrified that if he sells at a fair price, he will not make enough money to survive. He rushes to grab wealth through aggressive markups and deceitful claims. But what does the Torah promise? The Midrash warns that one who trades illegally in Sabbatical produce or cheats his brother will suffer financial ruin. Ill-gotten gains never bring enduring blessing. Lasting prosperity comes only when we trade with a generous spirit, rejoicing that our customer received a fair bargain (Sfas Emes, Vayikra, Behar 5652).

• In Parshas Chukas, the Sfas Emes examines a fascinating Talmudic passage in Shabbos (31a). The Gemara states: "A person stores a kav of chometin (preservative earth) in a heap of grain, and he does not worry about ona'ah." If a grain merchant mixes a measure of clean, salty earth into a large granary of wheat, the buyer cannot sue him for fraud, because the preservative earth protects the wheat from rotting! The Sfas Emes discovers a luminous spiritual lesson in this commercial rule. But an upright merchant invests in honesty. He treats fair dealing as the essential preservative that keeps his wealth clean and lasting across generations (Sfas Emes, Bamidbar, Chukas 5631).

• In Parshas Behar, the Torah links honesty to the presence of Hashem. Why does the Torah conclude the law of ona'ah with the solemn signature, "I am Hashem your God"? The Sfas Emes teaches that the Land of Israel exists in an intimate spiritual bond with the Creator across three dimensions: World, Year, and Soul (Olam, Shanah, Nefesh). In the dimension of World, the Land of Israel is the chosen dwelling place of the Shechinah. In the dimension of Year, the Sabbatical and Jubilee years sanctify time. In the dimension of Soul, the children of Israel are the bearers of the Divine Name. Honesty in business keeps our community connected as a pure vessel for the light of Heaven (Sfas Emes, Vayikra, Behar 5653).

RELATED HASHKAFAH TOPICS:

- Discuss the contrast between the secular concept of caveat emptor, buyer beware, and the Torah system, where it is not about avoiding getting caught but about avoiding doing the wrong thing.

MORAL DILEMMAS:

There was once a man named David. David woke up one morning with a toothache. Although David generally avoided dentists, he knew that he needed to see one. He scheduled an appointment with Dr. Stein. David walked in to the office in pain and very nervous. The dentist was not friendly or sympathetic. David was in pain and kept abruptly asking for details about the necessary treatments, and it was clear that Dr. Stein was quickly losing patience with his patient. David continued to rudely ask him questions, and in a moment of anger, Dr. Stein slapped David across the face. Dr. Stein immediately realized that he was liable to lose his job, or worse. He quickly apologized and offered David $5000 if

he would keep it a secret, and not press charges. David was quick to decline. “If you give me $50,000, I won’t repeat to anyone what happened here, and I won’t press charges”, he said. Dr. Stein was forced to agree, and paid David the $50,000. Later David wondered if what he did was permitted according to the Torah. Was he allowed to ask for so much money to forgo his right to press charges? Was that forbidden extortion?

Answer: Rav Yitzchak Zilberstein rules that the patient acted improperly and that demanding $50,000 under threat of exposure constitutes extortion. While the dentist committed a grave wrong and is halachically liable to pay damages for humiliation (boshes) and physical pain (tza'ar), the victim should have brought the dentist to a Beis Din to be properly assessed and compensated according to halachic standards. Extorting $50,000—an amount vastly exceeding any legitimate Beis Din assessment—by taking advantage of the dentist's terror of losing his medical license borders on theft (gezel), and retaining the excess funds is forbidden. However, Rav Zilberstein notes that his brother-in-law, Maran Sar HaTorah Rav Chaim Kanievsky zt"l, took a different view (ayin sham): Rav Chaim suggested that since a person possesses complete rights over his own reputation and silence, he is technically entitled to set whatever price he wishes to forgo his personal right to report an assailant to the authorities, so long as the agreement does not endanger the public. Nonetheless, all agree that the refined path of Torah (derech haTorah) is to seek justice through a Beis Din rather than demanding exorbitant hush money.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 296

Avi, who lived in Israel, saw a large advertisement for the local Jewish supermarket promoting carp fish for 15 shekels per kilo. Usually, it was 30 shekels per kilo, but the ad stated it had been reduced from 30 to 15 shekels, calling it a "great deal." Excited about the discount, Avi went to the store to purchase the fish. At the fish counter, he asked for six kilos. The clerk handed it to him, and Avi then requested that they grind it up, as his wife made delicious homemade gefilte fish. At the register, Avi expected to pay 15 X 6 = 90 shekels. He handed over his credit card, and the fish was rung up. However, when he received his receipt, the total came to 180 shekels. Confused, he questioned the price. The clerk explained, "Actually, the price is still 30 per kilo unless you meet the conditions of the sale. If you look closely, there is a star, and the fine print states that to get the 15-per-kilo price, you must buy 300 shekels' worth of fish. Until you reach that amount, the price remains at 30 per kilo, which is why your total is 180." Avi was surprised. "I didn't realize there was a condition," he said. "I never buy 300 shekels' worth of fish. I'd like my money back, please." The clerk, however, refused. "Sorry, but the fish has already been ground up, so we can't process a return." Avi later brought this issue to a rav for guidance. He argued that the condition wasn't stated clearly -- it was only written in fine print. He felt it was unfair that he was forced to pay the higher price and then unable to back out due to a lack of transparency. The store countered by saying that most customers understood the deal and that it was standard practice -- the discount only applied if all the conditions were met. What do you think? According to the Torah, is Avi entitled to a refund? Was the store being deceptive, or is this simply a case of a customer not reading the fine print carefully enough?

Answer: Regarding the question about the fine print for the fish sale, Rabbi Zilberstein answered that if most customers understood the details, then this person is not entitled to a refund. However, if most customers made the same mistake, then he is entitled to a refund.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok, Devarim, p. 171 (Table Talk Edition 428)

Akiva was in the market to buy a new used car. He saw an advertisement for a 2010 Volkswagen sedan, with the asking price of 20,000 shekels. Akiva was surprised because his research indicated that the going rate for a used car of that make, mileage, and age was really 40,000 shekels. He called up the seller, whose name was Yaakov, and expressed interest in buying the car. He then asked why the car was so cheap when the going rate was 40,000 shekels. Yaakov

answered, "I have to be completely transparent with you. There's a problem with the diesel injection system, which is very costly to repair. It will cost about 15,000 shekels to repair. Instead of selling it at the full price, I'm selling it for 20,000 shekels." Akiva thought about it and decided he was going to buy it anyway to see if maybe he could repair it at a good price. He bought the car, and it worked for the time being. A while after Akiva bought the car, he received a notice in the mail from the Volkswagen company, notifying him that there was a recall on the diesel injection system -- a problem worldwide for all Volkswagens. He could bring it to any Volkswagen dealer, and they would fix it for free. Sure enough, Akiva brought his car to the dealer, and they fixed the car up good as new. Akiva now had a 40,000 shekel car for the small price of 20,000 shekels. But now, Akiva wondered, was it okay for him to keep the car? The only reason the owner sold it was that he thought there was a major problem that would be very expensive to fix, but really, it could be fixed for free. Akiva wanted to know if he had to mention this to the seller. Did he have to offer to return it, or could he just be quiet and go on his merry way without mentioning anything to the seller? What do you think?

Answer: Regarding the question about the car recall, Rabbi Yitzchak Zilberstein answered as follows: It depends on when the recall was sent out. If the recall was issued while the first owner owned the car, then the sale would be considered a mistaken sale (a Mekach Ta'us), and they would have to void the sale. However, if the recall was issued after the person bought the car, then the sale would be valid, as the recall repairs were a separate benefit to the buyer and were not included the value of the car when it was sold.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim p. 240

There was a man named Yoni who was engaged to be married. He began his wedding preparations by visiting a high-end suit store, where an expensive suit caught his eye. He spoke with the store owner, Aaron, expressing his interest in the suit. However, he wished to take the suit home to try it on and evaluate how it looked. Aaron agreed, on one condition: if Yoni wore the suit outside, he was bound to purchase it. Yoni consented, promising to pay for the suit if he decided to wear it. A few days later, he returned the expensive suit to the store, stating that he had decided against purchasing it. Aaron questioned him, asking, "Are you certain you didn't wear it?" To this, Yoni confidently replied that he had not. Aaron, still suspicious that it was worn, suggested a rental option. If Yoni had worn the suit but didn't want to keep it, they could agree to a rental fee of 600 shekels. Despite this offer, Yoni assured Aaron that there was no need, insisting that he had not used the suit at all. As Aaron began to replace the suit on the store rack, he noticed an unusual, bulky item in the jacket pocket. Upon inspection, he discovered an envelope. Inside this envelope was a thousand shekels in cash and a note that read, "To our precious Chasan, use this money to help you build a Bayis Ne'eman Beyisrael, a loyal house in Israel." To Aaron, this seemed like incontrovertible proof that Yoni had worn the suit for his wedding and was trying to avoid paying for it. Aaron contemplated keeping 600 shekels from the envelope, equivalent to the owed rental fee, and returning the remainder. However, he faced a moral dilemma: he lacked definitive proof that Yoni had actually worn the suit for his wedding. While it seemed highly likely, there was a slim chance that Yoni had placed the envelope in the suit pocket without wearing the suit to the wedding. Left with this conundrum, the question remained: was Aaron entitled to keep the money or not? What do you think?

Answer: Regarding the question about the suit, Rabbi Zilberstein writes as follows. In this case, there does not seem to be sufficient proof to be sure that the young man used the suit for the wedding. Therefore, he would not be allowed to be tofes, to take the money out of the possession of the young man. Nonetheless, the Aruch HaShulchan writes that in this case where the money already comes into the hand of the one who was owed, he is allowed to keep the money owed to him.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 347

Daniel was looking to purchase a condo from Eli. Upon inspection, the apartment looked impeccable. It was stylish, large, and had modern amenities. He met all of the neighbors, and they seemed like wonderful people, reinforcing Daniel's decision to buy the condo. Excitedly, he signed all the necessary papers and moved in. However, on his first night, Daniel was jolted awake around 3 a.m. by the sound of crashing and screaming from the apartment above. Believing it might be a singular occurrence, he tried to dismiss it. Yet, the very next night, the same disturbance occurred at the same time. Curious and slightly unnerved, Daniel approached his upstairs neighbor the next morning, only to find him seemingly as ordinary as any other day. Upon further inquiry, he discovered an unexpected revelation: his upstairs neighbor was a somnambulist, a sleepwalker. He would involuntarily wake in the middle of the night, hurling pots and pans onto the floor, screaming, and then returning to his slumber as if nothing had happened. He was otherwise completely normal, but this strange condition was greatly affecting Daniel's sleep. When he confided in Eli about the issue, Eli admitted to being aware of the neighbor's nocturnal antics. Eli argued that the apartment itself was undeniably beautiful and everything else was in perfect order. As far as he was concerned, it was a good sale. However, feeling misled, Daniel wanted to back out of the sale, believing this pertinent information about the neighbor was deliberately withheld from him. So, here lies the question: Does Daniel have a valid reason to consider the sale a mekach taus, a fraudulent or faulty sale? Does he possess the right to back out? Or is Eli's claim, emphasizing the flawless condition of the apartment itself, substantial enough to counteract Daniel's concerns? What do you think?

Answer: Regarding the question about the noisy sleepwalker, Rav Zilberstein wrote that it is for sure wrong of the seller not to tell the buyer about the condition of the neighbor. However, after the fact, once the sale was done, the buyer would be unable to demand his money back in a Jewish court, because there are opinions that hold that Mekach Taus, a faulty sale, only applies when there is a flaw in the actual product, not things that are external to the product. If the product itself is flawless, then an external problem cannot be considered a Mekach Taus. Also, there is an opinion that it is not a Mekach Taus if the buyer could have discovered the flaw through a simple investigation or by asking the neighbors.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 397

Yaakov purchased a very nice suit from The Suitery, a Jewish-owned fine clothing store, for $500. He was very happy with his purchase and left it in his closet for a little while. About a week later, he passed by the store and saw that they were having a buy one, get one free sale. He thought, "What a shame! If I had bought my suit now, I could have gotten a free one". So, he went home, took his brand-new suit, and decided to return it -- planning to buy it back immediately in order to get the free one. As he stood in the store, preparing to go through with his plan, he started having second thoughts. Was this the right thing to do? First of all, was he abusing the store's return policy? Typically, returns are meant for cases where something is wrong with the product, but in this case, there was absolutely nothing wrong with the suit. Second, the whole purpose of the buy one, get one free sale was to attract new customers or encourage purchases. He had already bought the suit before the sale and certainly wasn't the intended target of this promotion. So Yaakov wondered -- according to the Torah, was he allowed to return the suit and repurchase it just to get a free one? On one hand, there was no explicit rule stating that he couldn't do this. But on the other hand, was this really the store's intention when they created their return policy and sale? What do you think?

Answer: Regarding the question about the "buy one, get one free" sale and whether it is permitted to return the purchased suit in order to keep the free suit, Rav Zilberstein answered that, technically speaking, there is nothing halachically forbidden about this. However, it is not proper to do so because it violates the principle of "speaking truth in your heart." This is similar to the famous story of Rav Safra, who was in the middle of reciting Shema when someone approached him with an offer to buy an item. Thinking that Rav Safra was not interested, the buyer kept increasing his offer. When Rav Safra

finished Shema, he insisted on selling the item for the original price, as that was the amount he had committed to in his heart. Similarly, in this case, when the person initially bought the suit, he was satisfied with it. Changing his mind later in order to exploit the sale would be an example of not upholding the truth in one's heart.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 168

Avraham, who lived in Eretz Yisrael, was a successful businessman, and he was known as a philanthropist and a ba'al tzedakah. He generously supported many yeshivas and mosdos. One Purim, as usual, many people came to Avraham's home to collect tzedakah, to give him mishloach manos, and to sit with him and have a lechaim. While the home was filled with guests, Avraham saw out the window that a dark car pulled up. The driver opened the back door, and an elderly gentleman was supported out. To Avraham's surprise and delight, it was one of the Gedolei Hador, one on the great Rosh Yeshivas of Eretz Yisrael. The Rosh Yeshivah was escorted into Avraham's home by a small entourage of people. Avraham was delighted to have a personal visit to his home by this Gadol. Avraham knew that he gave tzedakah to this Rosh Yeshivah's Yeshivah, and he assumed that the Gadol visited him personally to show his hakaras hatov, his gratitude, for Avraham's support. The gadol sat with Avraham and shared a few Divrei Torah with him. Avraham was so honored and delighted to have this personal visit. Before the gadol left, Avraham took out a large mishloach manos and a bottle of brandy. The brandy was an expensive and rare bottle that cost more than 300 dollars. Avraham told the Gadol, "I'm so honored that you came to my home personally, and here is a special bottle of brandy in honor of your visit." The Gadol thanked him and was escorted back to his car and driven away. That night, after Purim, Avraham was reminiscing with his friend about the wonderful Purim and about all the guests that came. Avraham told his friend, "thankfully, one of the Gedolim, personally came to visit me, and I gave him an expensive bottle of brandy to express my gratitude." The friend turn to Avraham with a smile and said, "you mean you didn't realize the shtick?" Avraham was surprised. "What do you mean?' The friend said, "that wasn't really the gadol. It was actually Chaim, our neighbor from down the block. He dressed exactly like that Gadol, matched his voice and way of dress, and was driven around town by a driver and entourage as a Purim shtick. Avraham could not believe his ears. He knew Chaim and he never in a million years would have thought the Gadol was really Chaim. Avraham picked up the phone and called Chaim up. "Chaim, was it really you who was dressed up like the Gadol?'. "Yes," Chaim said, "it was so nice that you played along so nicely, stayed in character, and didn't spoil the fun for everyone. Avraham said, "actually, you did such a good job that I really thought you were the gadol. One thing though, the bottle of brandy was very expensive and I saved it for a special occasion. Do you think you might be able to return it to me? "Oh, I'm so sorry," Chaim answered, "I, together with my family and friends, finished the brandy tonight at our Purim meal. It was exceptional, thank you. We had no idea that it was expensive. Avraham felt tricked. He wanted to ask Chaim to pay him the 300 dollars for the brandy. The only reason he gave it to Chaim was because Avraham thought he was the real Gadol. Perhaps he had a right to ask for the money back because the gift was given under false pretenses. Had Avraham really known that it was Chaim, he never would have given him the brandy. But on the other hand, Chaim was not intentionally deceiving Avraham. He was just dressed for Purim, and was doing Purim shtick. Furthermore, Chaim never knew that it was an expensive brandy. Had he known he might not have accepted it. Perhaps Avraham did not have a right to ask for the 300 dollars back. Avraham brought this question to a Rav. Did Avraham have a right to ask Chaim to repay him for the 300-dollar brandy that was given under false pretenses?

Answer: Regarding the question about the person who dressed up as a Gadol, Rav Zilberstein says that if this question had happened on any other day but Purim, it would have had a different answer. But because it happened on Purim, after the fact that he drank the brandy, he would not have to pay for it because the Rama (695) says that there is a special halachah on Purim that one is exempt from damages that happen in the course of Purim.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 473

There was a Yid we'll call Reb Dovid. Every year, Reb Dovid had a special minhag. He would try to purchase Chasan Torah, the final aliyah of the Torah, when the congregation finishes reading the entire Torah on Simchas Torah. It meant a great deal to him, and most years he succeeded in buying it. In his shul, the aliyos and other kibbudim were auctioned off on Shemini Atzeres. Chasan Torah was one of the most valuable honors, and the bidding could sometimes reach several thousand dollars. One year, Reb Dovid knew that he would not be present for the auction. An emergency would keep him away from shul. So he approached a good friend. "Would you please bid on Chasan Torah for me?" "Of course," his friend replied. "How high should I go?" "I usually spend around $2,000," Reb Dovid said, "but if necessary, you can go as high as $4,000. That is my absolute maximum." His friend agreed. Later that day, however, Reb Dovid began thinking again about the auction. He was so preoccupied with being away that he completely forgot he had already arranged for someone to bid for him. He met another friend and made the same request. "Could you bid on Chasan Torah for me? I usually pay around $2,000, but you can go up to as much as $4,000 if you have to." "No problem," the second friend said. Shemini Atzeres arrived, and the auction began. The bids for Chasan Torah climbed quickly. "One thousand!" "Fifteen hundred!" "Eighteen hundred!" "Two thousand!" At around $2,000, most of the shul stopped bidding. But two men continued. "$2,100!" "$2,200!" "$2,300!" Each one was determined to win the aliyah for Reb Dovid. Neither realized that the man bidding against him was working for the very same person! The price kept rising. "$2,800!" "$3,000!" "$3,500!" Finally, one of them called out, "$4,000!" The other friend immediately stopped. Four thousand dollars was also his limit. The auction was over. Reb Dovid had won Chasan Torah for $4,000. Later, Reb Dovid heard the good news. "You got it?" "Yes!" "Wonderful. How much?" "Four thousand dollars." "Four thousand?!" Reb Dovid exclaimed. "Why did it go so high?" His friend explained, "Everyone else dropped out at about $2,000, but there was one fellow who just would not stop bidding against me." Suddenly, Reb Dovid remembered. He had asked two different people to bid for him. In reality, once the rest of the shul stopped bidding, Reb Dovid might have won Chasan Torah for only a little more than $2,000. The only reason the price reached $4,000 was because his two agents had unknowingly bid against each other. The question was brought to Rav Yitzchak Zilberstein. Does Reb Dovid have to pay the full $4,000? On one hand, he clearly authorized each friend to bid up to $4,000. Both men followed his instructions exactly, and the winning bid was within the amount he had agreed to spend. On the other hand, the entire increase from around $2,000 to $4,000 came from an obvious mistake. Reb Dovid never intended to compete against himself! Perhaps this could be considered a mekach ta'us, a transaction made in error, and he should only have to pay a bit more than $2,000, which was approximately what the highest genuine competing bidder had offered. Is Reb Dovid responsible for the full $4,000 because his own shluchim, his own agents, caused the bidding war? Or should the extra amount be disregarded because the "competition" was never real? What do you think?

Answer: Regarding the question about the person who accidentally appointed two people to bid for Chasan Torah, Rav Zilberstein answered that the minui shlichus, the appointment of the second person as his agent, was not valid. He had forgotten that he had already appointed someone else, so the second appointment was made under a false impression. Therefore, the second person's bid was not valid, and he should only have to pay the amount that the first shliach bid above the rest of the shul.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Kesubos, p. 598

Ari was a successful antique dealer. He once went to a Jewish neighborhood to purchase different antiques. It was an area that had many antique shops. There was one antique shop that was unassuming and tucked into a corner. He realized he had never been in it. Ari went in and looked around. It was a small shop with many dusty antiques. But out of the corner of his eye, he spotted a silver bowl that he recognized. He pulled out his antiques catalog and realized that this bowl was a very limited edition and it was worth more than $200,000. Ari wanted to buy it, but he also wanted to get the best price for it. Ari watched as the store owner opened a bottle of milk. To Ari's great shock, the owner poured

the milk into this rare, expensive antique silver bowl. Then, a cat, presumably the owner's pet, came and drank from the bowl. This gave Ari an idea. It was clear that the store owner had no idea how valuable this antique was; he was simply using it as a dish for milk. Perhaps now, Ari thought, he could get this antique for an extremely cheap price. He could later sell it at the going rate and get rich from the profits. So Ari turned to the store owner and said, "Your cat is adorable. Can I buy it?" The owner said, "Well, it's my cat, my pet. I won't sell it for anything." But Ari pressed him. "Please, I'll give you $1,000 for it." The owner said, "I won't sell it for less than $5,000." Ari realized that $5,000 was a very steep price. But he also knew that if he paid the $5,000, he might easily get the owner to throw the bowl in for free. So Ari took out his wallet and paid him $5,000. Then Ari said, "Now that I have this cat, I need a bowl. Would you be able to throw in the cat's bowl?" The store owner refused. Ari persisted, "Okay, I'll give you $1,000 for the cat's bowl." The store owner still declined. "How about $2,000?" "No." "$10,000?" "No." Ari, perplexed, asked, "I don't understand. I'm offering you $15,000 for both the cat and the bowl, and $10,000 for just the bowl. Why won't you accept it?" The owner looked at Ari straight in the eyes and replied, "I'll tell you why. You see, I'm not in the business of selling antiques. I'm in the business of selling cats. To antique dealers like you who want to try to rip me off. Every day I sell a cat just like this one to someone exactly like you. Antique dealers think they can rip me off and cheat me out of my bowl." Ari paused to let the words sink in, then said, "Okay, in that case, if you're not selling me the bowl, can you please give me my money back? I don't really want a cat for $5,000." But the man retorted, "You understood the value of the cat and paid with full awareness. You can't back out from the deal." What do you think? According to the Torah, can Ari get his money back because he paid much more than the cat was worth, or was it not a faulty sale?

Answer: Regarding the question about the antique dealer who sold cats, Rav Zilberstein wrote that the sale is a good sale and the buyer cannot ask for his money back. Even though cats normally do not cost that much money, because the buyer purchased it knowing that it was not worth that much, with the intention of acquiring the silver bowl, then the buyer cannot claim that he was overcharged. In addition, even though it is clear that he only bought the cat for the intent of buying the bowl, that is considered devarim shebelav, (matters of the heart) which cannot have an impact in this case. Nonetheless, Beis Din should order the seller of the cats to refrain from selling cats in that manner, because it causes a loss to the antique dealers.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 51

Eli owned a condo that he wanted to sell. The problem was that he had a neighbor upstairs who made a lot of noise. The neighbor was not entirely emotionally healthy and would shout very often. As a result, whenever Eli had a potential buyer come to see the apartment, the prospective buyer would hear the neighbor screaming, and they would not come back. Even if the prospects came and the neighbor did not make any noise, Eli made it a priority to be transparent and disclose the fact that there was a noisy neighbor. When prospective buyers would hear that, they were scared off. One day Zalman came to see the apartment. Eli showed him around, and Zalman seemed very interested. Then Zalman heard the screaming from upstairs. Eli looked at Zalman sheepishly and told him that he had a problem with a noisy neighbor. Zalman said, "The apartment looks very nice, but the noisy neighbor is a real problem. How much are you asking for the condo?" "The asking price is 200,000," Eli said. Zalman said, "The neighbor issue is a real problem, and that price is too much for me, but I can offer you 150,000". Eli thought about it and agreed. So they committed to the deal. However, after leaving, Zalman felt a bit conflicted about the deal. The truth was that he didn't disclose to Eli the fact that he intended to buy the property on behalf of his brother, who was deaf and unable to hear. Zalman and his brother had already heard about this condo and the issue with the noisy neighbor. The issue of the noise was not a factor for his brother, but his brother felt that if he did the negotiations, he would not get the same discount because the noise was not a problem for him. That is why he had Zalman make the deal but not share that fact. Zalman brought this question to a Rav and wondered if he did the wrong thing and if he was obligated to offer

more money. What do you think the Torah would say in such a case? Did Zalman do the wrong thing by not disclosing that his deaf brother would be living in the condo? On the one hand, it might be a problem because that was not a problem for the brother, so the seller, Eli, might not have felt compelled to discount the price. But on the other hand, maybe it was acceptable to do it that way. If the deaf brother had done the negation, Eli would have asked for the going price, but really it was worth less because of the problem with the condo. So perhaps not disclosing that it was for the deaf brother was really helping them get the price that it was really worth. What do you think?

Answer: Regarding the question about buying the condo without mentioning that it was for the deaf brother, Rav Zilberstein said that this was not a problem, as the apartment was truly, objectively worth less because it had a flaw in it. This is because the value does not go based on who is buying it, but rather on the market value.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 352 (Table Talk Edition #301 (Parshas Shoftim))

STORIES FROM OUR SAGES:

❖ Rabbi Shimon ben Chalafta said: There was once an incident in Sichnin in which Rabbi Yehudah said to his son, “Go up and bring us dried figs from the barrel.” The son went up, reached his hand in, and found the barrel brimming with rich fig-honey that had oozed from the fruit. He called out, “Father, it is full of honey!” Rabbi Yehudah said to him, “Reach your hands deeper down, and you will bring up dried figs.” There was also a similar incident in Tzippori in which Rabbi Yose said to his son, “Go up and bring us dried figs from the upper loft,” and he went up and found the upper loft overflowing with honey. In Tzippori, Rabbi Chananyah was a honey merchant who sold both expensive bee honey and cheaper honey made from carobs and dates. On one occasion, customers bought honey from him assuming it was pure bee honey, when in fact they had been given carob-date honey. Several days later, those buyers happened to pass by his shop. Even though they had never noticed any difference, Rabbi Chananyah called them over and said to them: “So as not to mislead or deceive you, you should know that the honey I gave you was carob-date honey!” The buyers happily replied: “That is the very kind we wanted all along, for carob-date honey is best suited for our craft!” Even though the buyers completely waived any claim, Rabbi Chananyah refused to pocket the extra profit from a sale that had started with a misunderstanding; instead, he set that money aside and used it to build the great Study Hall (Beis Midrash) of Tzippori.

Talmud Yerushalmi, Pe'ah 7:3 (34b)

INSPIRATIONAL STORIES:

❖ A talmid of Slutzk recalls, "In 5677 (1917) I was twelve years old and was admitted to Yeshivas Slutzk. Due to my young age my father, asked Rav Isser Zalman to hire one of the best students to tutor me, for fair pay of course. This was necessary in order for me to reach the level most of the students were on. The Rosh Yeshivah suggested to my father one of the best young scholars, Elazar Menachem Man Shach. My father agreed and I started studying with him. After a period of time my father came to pay him as previously agreed. To his surprise, the young man refused to accept the money. 'It is true that I agreed to tutor your son,' he said, 'in order to help him achieve a higher level of study. But it was a mistaken transaction. Your son does not need me or any tutor. He is advancing to higher levels on his own, so no payment is due. "My father did not know what to do. He consulted Rav Isser Zalman, who was also at a loss as to how to persuade his student to accept the money. He went to Rav Aharon Kotler, who was then teaching in the yeshivah, and asked for his advice. Rav Aharon had a brilliant idea. He told Reb Elazar Menachem Man, 'If the boy is really gifted and does not need you to advance in his studies then let us test him. We will ask him to prepare the Tosafos in Bava Kamma, page 77a (a particularly difficult, long passage). If he is able to study it properly in a given amount of time, ' then you are right. But if he can't, that means that he needs your assistance and you deserve payment for your tutoring.' "Reb Elazar Menachem Man agreed to the trial, and I was asked to study the tough Tosafos on my own. Being so young, I didn't grasp Rav Aharon's intention, and I took the

challenge seriously. I struggled through the passage, putting tremendous effort into it, and when the Rosh Yeshivah tested me I knew it well. Reb Elazar Menachem Man's face beamed when he heard me. He was obviously delighted in be proven right. Needless to say, he refused to take money from my father despite his poverty."

Path to Greatness by Rabbi Asher Bergman, Published by Feldheim, p. 146

30. Not to cheat a stranger

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 50

As the Torah says, neither shall you oppress him (Shemos 22:20, Parshas Mishpatim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Which is worse, to overcharge a resident, or an immigrant?

SEFER HAMITZVOS HAKATZAR

This prohibition against defrauding a convert (ger tzedek) in monetary matters applies in addition to the general injunction against financial deception that protects all members of Klal Yisroel.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm. In addition, just as Hashem has special compassion for the Ger, so should we.

INSPIRATIONAL STORIES:

❖ Rav Dov Berish Weidenfeld was the Tchebiner Rav. He was also known as the "Dovev Meisharim". Before the Dovev Meisharim became a Rav, he was a "Baal Habos", a very successful businessman. Throughout years of managing a flourishing business, the Tchebiner Rav acquired a sterling reputation for his supreme honesty and integrity, which created a tremendous kiddush Hashem. He was always extremely precise, meticulously ensuring that he never overcharged his customers. Rav Tzvi Eisenstadt related that the Tchebiner Rav made a point of informing every customer of the quality of the merchandise, and beyond that, he would notify them if there was another product available on the market that he might obtain for a better price. From time to time the Tchebiner Rav was overheard telling a customer outright that he knew of a store with higher quality merchandise. He would then proceed to provide the customer with the exact address of his competitor. Once, two non-Jews from the village purchased items in his store. After they departed, the Tchebiner Rav realized in horror that he might have returned change to the wrong customer. Since he couldn't recall the identity of the buyer, he proceeded to return that sum to every single one of his non-Jewish customers.

From Sar Hatorah, The Tchebiner Rav By Chaim Rosenthal, Published by Israel Bookshop

❖ Shmuel Kramer ran an exciting day camp for elementary school age boys. There were 106 happy campers in his camp. For a day trip they went to Sky Zone and because they had so many campers Sky Zone gave them a significant discount for admission. Shmuel paid in advance for all 106 campers. As the nice fellow Shmuel is, he informed the parents that if they

wished to send any siblings along with the campers they could do so and he would pass along the discount to them. In fact quite a number of brothers joined them at Sky Zone. They all had a fun time and returned home at the expected time. After all the campers were gone, Shmuel remembered that he had not paid the extra admission for the siblings. When they arrived at Sky Zone all the boys, including the siblings all went in. There was no discussion about payment because all the campers had been paid for in advance. In the hustle and bustle of unloading the buses, organizing the children and getting them set up Shmuel had forgotten to pay for the extra siblings who had not paid. He felt horrible and called up Sky Zone immediately. He explained what had happened and that he would like to take care of the additional money that was still owed. The manager told him that he also realized that there were extra children who were not accounted for. "I knew that this is a Jewish camp. I was confident that I would be hearing from you once you realized the mistake."

Table Talk, Edition 300 (Parshas Reeh), by Rabbi Yitzi Weiner

31. Not to covet another's property and pressure him to sell it to you

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 40

As the Torah says, You shall not covet, etc. (Shemos 20 14, Parshas Yisro)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is desiring what someone else has, a violation of the prohibition against coveting?
- If you pay the full value for the item, would you be violating the prohibition of coveting? How about if you pay more than the full value?

SEFER HAMITZVOS HAKATZAR

The prohibition of coveting (lo sachmod) is transgressed when a person translates his desire into active pursuit. For instance, he enlists intermediaries, incessantly lobbies his fellow, and applies relentless pressure until the owner yields and allows him to acquire the desired object.

Even if he pays a generous, above-market price for the property, he nonetheless violates this biblical prohibition once he pressures the owner to part with it against his true will.

A frequent manifestation of this sin occurs when an engaged man pressures his future father-in-law before the wedding to provide additional funds or gifts that were never stipulated in the binding premarital agreement (tena'im). Even if the father-in-law eventually capitulates to avoid embarrassment or conflict, the prospective son-in-law has actively transgressed the prohibition against coveting.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm. Coveting means to extract someone's possession form them against their will. That is a form of financial harm. In addition, it coveting can likely lead to theft and other forms of injustice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 38)

As we see with the story of Achav and Navos, coveting another's property, may lead one to other aveiros. If the owner refuses to sell the property, one may resort to obtaining it by other unscrupulous ways, like cheating or even killing.

RABBEINU BACHYA

If a person develops a character that avoids even coveting another's property, then they will certainly avoid more overt injustice like theft.

SFAS EMES

• The Ibn Ezra famously asks how the Torah can command a mortal human being not to covet a beautiful object. He answers with a parable of a simple villager who sees the king's daughter. The villager never dreams of marrying the princess. He knows that such a match is impossible. The Sfas Emes offers a much deeper, spiritual resolution. Why did the Decalogue open with "I am Hashem your God" and conclude with "You shall not covet"? The opening and the conclusion are intimately connected! But the Torah teaches that our soul needs only Hashem. When our hearts are filled with the love of Hashem, our neighbor's property loses its magnetic pull (Sfas Emes, Shemos, Yisro 5636).

• In Parshas Ki Seitzei, the Torah makes an astonishing promise. How could the Torah guarantee that fierce neighboring enemies would not covet the unprotected Jewish farms? In his discourse on Pesach (5639), the Sfas Emes explains this miracle through a profound mystical mechanism. Where does human desire originate? All desire in creation fell from the Torah, which our Sages call the "Precious Vessel" (Kli Chemdah). The Hebrew word for land, eretz, is related to ratzon (will and desire). When the Jewish people ascend to Jerusalem, their hearts burn with passionate desire for Hashem and His Torah. We take the longing that was meant for Torah and attach it to an earthly object. But when we invest our passion in Torah study and prayer, foreign desires lose their power over us (Sfas Emes, Moadim, Pesach 5639).

• Our Sages note the structure of the Ten Commandments. "I am Hashem your God" pairs directly with "You shall not covet." Why did Hashem frame the Decalogue with these two specific commandments? The Sfas Emes explains that these two commands form the complete cycle of human rectitude. The first commandment reveals that Hashem is the Source of all existence. The tenth commandment ensures that all human desire returns to that same Source. The Midrash teaches that the Torah is more precious than pearls. The Holy One opened with "I am Hashem" and concluded with "You shall not covet." The essential rectification of man is that his desire should be

directed solely toward Hashem. The first commandment and the tenth commandment are the two pillars of our spiritual life. By keeping our hands from coveting what is not ours, we keep the arch of Torah standing strong (Sfas Emes, Bamidbar, Naso 5654).

• In Parshas Bamidbar, the Torah describes the assignment of the tribe of Levi: "Bring the tribe of Levi near, and present them before Aharon the priest, that they may minister to him" (Bamidbar 3:6). The Midrash comments on this dedication by quoting Tehillim (92:13): "The righteous shall flourish like a palm tree; he shall grow like a cedar in Lebanon." The Midrash explains the metaphor of the palm tree: "Just as the palm tree has a passionate longing for another palm, so too the righteous have a passionate longing—and what is their longing? It is directed toward the Holy One, blessed be He!" The Sfas Emes reflects upon this Midrash to reveal the psychology of the tzaddik. When our hearts yearn for closeness to Hashem, we feel no urge to covet another person's portion. When we are busy creating a masterpiece of Torah and kindness, we feel no urge to covet our neighbor's earthly possessions (Sfas Emes, Bamidbar, Bamidbar 5657).

• In Parshas Terumah, the Torah introduces the gifts for the Mishkan. Scripture commands: "Speak to the children of Israel, that they bring Me an offering: of every man whose heart makes him willing (asher yidvenu libo) you shall take My offering" (Shemos 25:2). The Midrash cites King Shlomo's words: "For I have given you good doctrine (lekach tov), forsake not My law" (Mishlei 4:2). In his discourse on Parshas Shekalim (5655), the Sfas Emes connects the willingness of the heart (nedivus lev) with the prohibition of Lo Sachmod. Generosity is the expansion of the soul, where a person gladly gives his treasures away for a higher purpose. When we open our hands to give charity, we cleanse our hearts from the poison of Lo Sachmod (Sfas Emes, Moadim, Parshas Shekalim 5655).

RELATED HASHKAFAH TOPICS:

- Discuss how the goal of this mitzvah is for us to appreciate what we have. That is what makes us happy and truly rich. Discuss the idea of eizahu ashir hasameach bechelko, that one is rich if he is joyous with his lot.

MORAL DILEMMAS:

Esti was a busy mother who lived in Lakewood, New Jersey. Like thousands of other women in her stage in life, she desperately needed a housekeeper, a cleaning lady, to help with the chores. The problem was that there were roughly ten to fifteen thousand women in the Lakewood area who needed cleaning ladies, and there were not more than 3000-5000 cleaning ladies available. This means that roughly three Lakewood women were competing for every cleaning lady in Lakewood. This obviously led to supply and demand problems. The going rate for cleaning help was 20 dollars an hour. Esti knew a capable and experienced cleaning lady who worked for someone in the neighborhood. Esti needed a cleaning lady every day, and she was willing to pay 25 or even 30 dollars an hour to get the help. Esti considered offering the cleaning lady 30 dollars an hour to come work for her instead. But then Esti felt very torn. If she sniped away another person's cleaning lady, there was a good chance that her neighbor won't be able to find a new one for a while. Even if she did find one, perhaps by offering so much more money, she would be raising the prices for everyone in the area, making it inaccessible for all but the wealthy. What do you think the Torah's perspective is on this question? Is Esti allowed to hire the neighbor's cleaning help if that will leave the neighbor with no help or unable to afford cleaning help in the future? This question was presented to Rav Tzvi Berkowitz. May a homeowner offer significantly higher wages to lure away a trusted household cleaning assistant who is already employed by an overburdened neighbor?

Answer: Regarding the question about poaching away the cleaning lady of another person, Rav Tzvi Berkowitz told us that this is discussed in the Nesivos Hamishpat Choshen Mishpat 237. The Nesivos implies that taking away another person's employee is a form of ani hamehapech becharara, of taking away something that another person intends to use. That is forbidden. The Shulchan Aruch cites an exception, and that is you can hire away the melamed of another person. But only before they made a kinyan, committing to the arrangement. After a kinyan is made on the deal, then you cannot even hire away a melamed of another person.

— Source: Table Talk Edition #302 (Parshas Ki Seitzei)

A. NOT TO BE JEALOUS

(Rabbinically Mandated Mitzvah), Sefer Chareidim 44-11

SEFER CHAREIDIM

Chazal teach in Pirkei Avos that jealousy, unbridled lust, and the pursuit of honor drive a person out of the world; this forfeiture encompasses both his well-being in this world and his eternal portion in Olam HaBa.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMCHAL — MESILAS YESHARIM (CHAPTER 11)

Jealousy is a total absence of wisdom: it yields absolutely no benefit and cannot diminish a single grain of the other person's blessing. Its only effect is that it poisons a person's ability to enjoy the abundant blessings and gifts he already possesses. The angels in Heaven experience unblemished simchah precisely because they harbor zero jealousy; before the final Redemption, Hashem will eradicate jealousy from our hearts so that all humanity can rejoice in each other's good.

INSPIRATIONAL STORIES:

❖ On the tenth commandment, "you shall not covet the Beis Halevi cites a question asked by the commentators: How can such a prohibition exist? How can a person be expected to overcome his nature? Is it really possible to conquer the natural feelings of one's heart for the object of his desire? In his answer, the Beis Halevi brings a parable: A person, overcome by a strong desire, sets out on his way to satisfy his longing. On the way, he must cross a frozen river. Of course, his yetzer is burning like a fire within him, and so he continues on, completely consumed by his lust. But as he moves forward on the slippery ice, his feet begin to slide out from under him. At that moment, all his desires leave him, replaced by fear that he will fall. The lust is gone. This is the way the Creator made man; a little fear has the ability to remove all the lusts and desires in the world. Now, if only a person will experience fear, based on the fact that the Torah has commanded him, "You shall not covet" even a little fear, like the fear a person has when he is about to fall — then his desire will disappear. Thus it is not an impossible challenge to use fear of Heaven to overcome one's own feelings. How fitting are the words to the one who said them, the Beis Halevi. His contemporaries described his tremendous fear of Heaven as being present at all times. They said he looked like a man walking on slick ice with Gehinnom open beneath him."

The Brisker Rav Vol. 2, By R' Shimon Yosef Meller, Published by Feldheim, p. 547

32. Not to covet another's property and make plans to obtain it

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 41

As the Torah says, Neither shall you crave, (Devarim 5:18, Parshas Va'eschanan).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How is this prohibition different than the prohibition of lo sachmod, not to covet?
- When does this prohibition graduate to lo sachmod?

SEFER HAMITZVOS HAKATZAR

This prohibition is in addition to the injunction, 'You shall not covet' (Shemos 20:14). A person transgresses the prohibition against craving (lo tis'aveh) when he plots internally how to acquire that item and resolves in his heart to execute his scheme.

In that instance, he has violated the injunction, 'Neither shall you crave' (Devarim 5:18), for craving is an internal transgression of the heart alone.

If he subsequently proceeds to acquire that object by pressuring its owner and dispatching friends to lobby him until he wrests it away, he transgresses the additional prohibition, 'You shall not covet' (Shemos 20:14).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

In our G-dlike love for all of Hashem's children, we don't want to harm anyone in any way, including any financial harm. Coveting means to extract someone's possession form them against their will. That is a form of financial harm. This mitzvah prevents us from coming close to coveting.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (3:40)

This prohibition leads to lo sachmod, which can lead to theft and other aveiros as we see from Achav and Navos.

IBN EZRA

When one feels jealous of another's possessions or wife, he should realize that is G-d's will that other person has that and he doesn't. What another person has should appear beyond reach. Another person's wife should appear to be impossibly beyond your reach just as your mother is beyond your reach.

NOT TO WITHHOLD WHAT YOU OWE

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by not harming others by withholding what we owe them.

SFAS EMES

• In Parshas Re'eh, the Torah discusses the permission to eat nonsacrificial meat (basar ta'avah): "When Hashem your God expands your border, as He promised you, and you say, 'I will eat meat,' because your soul desires to eat meat (ki te'aveh nafsh'cha le'echol basar), you may eat meat according to all the desire of your soul" (Devarim 12:20). The Sfas Emes explains that the soul craves the spark of Divine vitality hidden inside the food! The Holy One implanted desire into humanity so that our souls would hunger for Torah and closeness to Hashem. When a person is far from spiritual awareness, that holy hunger becomes distorted into physical greed. The Sfas Emes writes: regarding the verse "when your soul desires to eat meat": in truth, the Holy One placed desire in man so that he would yearn for Torah and the service of his Creator. You have misdirected your divine hunger toward an earthly target. Once you recognize this truth, the urge to scheme and calculate dissolves into thin air (Sfas Emes, Devarim, Re'eh 5656).

• In Parshas Beha'alosecha, the Torah describes the tragic downfall of the generation in the wilderness: "And the mixed multitude that was among them had a strong craving (hit'avu ta'avah); and the children of Israel also wept again, and said, 'Who will give us meat to eat?'" (Bamidbar 11:4). Following this sin, Hashem instructed Moshe to gather seventy elders to help bear the burden of the people. The Sfas Emes reflects upon King Shlomo's famous declaration in Koheles (7:29): "Hashem made man upright, but they have sought out many calculations." The human soul was created in a state of pure simplicity. A healthy soul is naturally content with what Hashem provides each day. The commandment Lo Sis'aveh frees us from this mental prison. It commands us to silence the scheming voice of ego and return to the simple joy of living before Hashem (Sfas Emes, Bamidbar, Beha'alosecha 5635).

• In their complaint for meat, the Israelites cried: "Who will feed us meat?" Rashi immediately asks a piercing question: Why were they crying for meat? Did they not possess abundant flocks of sheep and herds of cattle that accompanied them out of Egypt? Rashi answers: "They had plenty of cattle; they were merely seeking a pretext to grumble!" The Sfas Emes uncovers the spiritual root of this pretext. Why did the people invent an imaginary need when they already had plenty of meat? Because their craving was not driven by real physical hunger. It was driven by the selfish desire to indulge the ego (l'garmeihu). You are merely seeking a pretext to indulge your ego. Because selfish craving is rooted in ego rather than true need, acquiring one coveted object only fuels the appetite to scheme for another (Sfas Emes, Bamidbar, Beha'alosecha 5631).

• Following the sin of the meat, Scripture records the burial of the complainers: "And he called the name of that place Kivros HaTa'avah (the Graves of Craving), because there they buried the people that lusted" (Bamidbar 11:34). Why was the place named the "Graves of Craving" rather than the graves of the dead? The Sfas Emes cites the famous Mishnah in Pirkei Avos (4:21): "Envy, lust, and the pursuit of honor drive a man out of the world." Notice the precise sequence of these three vices. A person begins with lust (ta'avah). When he fails to satisfy his cravings, lust turns into envy (kin'ah) of his neighbor who possesses what he lacks. Envy then drives him into

pride and competition (kavod), until his entire life is ruined! If left unchecked in the heart, initial craving grows into bitter envy and destructive conflict. The command Lo Sis'aveh gives us the power to bury the desire immediately, protecting our soul from destruction (Sfas Emes, Bamidbar, Beha'alosecha 5644).

• Our Sages in Pirkei Avos (2:4) offer a famous maxim for spiritual mastery: "Make His will like your will, so that He may make your will like His will." The Sfas Emes explains that this Mishnah provides the ultimate method for rectifying human desire. A person cannot simply suppress his emotions and live as an unfeeling robot. The human heart needs passion! The Torah does not ask us to extinguish our will. It asks us to unite all our fragmented desires into one unified longing for Hashem. The Sfas Emes writes that "Make His will like your will" is the practical counsel for rectifying desire, ensuring that all one's longing is directed solely to the will of Hashem. When our hearts are filled with the glorious goal of serving Hashem, petty material cravings and worldly distractions lose all their hold over us (Sfas Emes, Bamidbar, Beha'alosecha 5633).

33. Not to deny when you owe someone money

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 36.

As the Torah says, neither shall you deal falsely (Vayikra 19:11, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Can a person falsely claim that a credit card charge was not made by them in order to reduce the payment?
- Would this prohibition apply if he denied that he found money when he really did?
- What are the consequences of this aveirah?

SEFER HAMITZVOS HAKATZAR

This is a biblical prohibition ('You shall not deal falsely' - Vayikra 19:11) forbidding anyone to falsely deny a monetary claim of at least a perutah. This prohibition encompasses every form of false monetary denial: whether concerning an article entrusted for safekeeping (pikadon), an unpaid loan, money acquired through robbery or fraud, or a lost object one found and retained. If the claimant demands its return and the defendant falsely denies the claim, he violates this negative commandment.

By perpetrating this fraudulent denial, he becomes halachically disqualified from serving as a valid witness or offering testimony in a beis din.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Like Hashem, we want to develop an honest character that always keeps our commitments and promises. In addition, like Hashem we don't want to harm people by not keeping our commitments.

INSPIRATIONAL STORIES:

❖ During his travels to sell his seforim, the Chofetz Chaim once hurriedly left his money before the Shabbos in the safekeeping of the local rabbi. On Sunday he parted with the rabbi who was amazed that he didn't ask him to return his deposit. When he finally caught up with the Chofetz Chaim's carriage he asked him to explain why he didn't request his money back. "When I left the money by you," explained the Chofetz Chaim, "it was too close to the Shabbos to get hold of witnesses. It is forbidden to deposit something with a person without witnesses because you tempt him to deny receiving it and you cause him to sin. So I made up my mind to give you the money as a gift." The astounded rabbi's offer of a return gift was refused out of a firm policy of not accepting gifts and only after the rabbi renounced ownership and cast it into the street did the Chofetz Chaim reclaim his money.

Who Wants Life?, By Rabbi Zelig Pliskin

34. Not to falsely swear that you do not owe money

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 30

As the Torah says, nor shall you lie one to another (Vayikra 19:11, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is the consequence of violating this prohibition?
- Does that consequence apply to all types of denying money?
- Is there no prohibition against swearing falsely about property?

SEFER HAMITZVOS HAKATZAR

If one is sued for movable property (excluding land or legal deeds) worth at least a perutah — under circumstances where an admission of the claim would legally obligate him to pay (excluding statutory fines) — and he falsely denies the claim and takes an oath, or the claimant adjures him with an oath and he falsely persists in his denial, he is liable, even if he did not respond 'Amen.'

This liability is known halachically as shevuas hapikadon (a false oath concerning an entrusted deposit or monetary obligation). Upon confessing his guilt, the transgressor is required to restore the principal amount along with an added fifth (chomesh), and bring a guilt offering (asham gezeilos).

Furthermore, whoever transgresses this prohibition simultaneously violates the general negative injunction, 'And you shall not swear falsely by My Name' (Vayikra 19:12), which governs false oaths.

If one falsely denies a claim involving real estate or contractual deeds and swears falsely, although he is exempt from the specific penalties and sacrificial atonement of a shevuas hapikadon (which halachically excludes land and documents), he nevertheless remains biblically liable for swearing falsely under the category of a false oath of expression (shevuas bituy).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Like Hashem, we want to develop an honest character that always keeps our commitment and promises. In addition, like Hashem we don't want to harm people by not keeping our commitments.

35. Not to withhold money that you owe

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 37

As the Torah says, You shall not wrongfully deprive your fellow (Vayikra 19:13, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Would this apply if you don't pay a worker his wages or if you don't pay a mortgage payment?

SEFER HAMITZVOS HAKATZAR

This prohibition ('You shall not withhold/oppress your fellow' - Vayikra 19:13) forbids retaining money or property that came into one's possession with the owner's initial consent and refusing to return or disburse it. For instance, if one holds funds from a loan he received or wages due to a hired worker, and the rightful owner cannot retrieve his money because the debtor exploits his power or intimidation to evade payment, the debtor violates this biblical prohibition of oshek.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Like Hashem, we want to develop an honest character that always keeps our commitment and promises. In addition, like Hashem we don't want to harm people by not keeping our commitments.

MORAL DILEMMAS:

Chaim, after drinking heavily on Purim afternoon, panicked that he had forgotten to give Matanos La'Evyonim. He called his friend and said, "I forgot to give matanos la'evyonim! Please give generously on my behalf and I will pay you back." The friend went ahead and donated $500 each to ten different charitable organizations ($5,000 in total). After Purim, when the friend asked for reimbursement, Chaim was stunned and replied, "I actually gave matanos la'evyonim myself before the meal! I must have been drunk when I called you, and you should have realized I never meant $5,000!" Is Chaim halachically obligated to reimburse his friend for the $5,000?

Answer: Rav Yitzchak Zilberstein distinguishes based on the classical halachic degrees of intoxication (Shulchan Aruch, Choshen Mishpat 235:22; Eruvin 65a). If Chaim reached the state of complete, incapacitating drunkenness—the status of 'shichruso shel Lot' (the intoxication of Lot), where a person is entirely devoid of da'as (conscious understanding) and legally comparable to a shoteh (an incompetent individual)—any commercial commitment, agency appointment (shlichus), or financial instruction he issued is legally void, and he is exempt from reimbursing his friend. Under such extreme intoxication, the friend had an obligation to recognize his total lack of competency and refrain from disbursing funds on his

say-so. However, if he was merely normally drunk ('shikur shelo higia l'shichruso shel Lot')—tipsy, merry, and impaired, but still retaining basic cognitive awareness of his surroundings—his verbal agency and financial commitments remain legally binding, and he is fully obligated to repay the entire $5,000 to his friend. (Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 192)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 192

A man owed $300,000 for an electronics purchase to Yehuda. Yehuda also had a bank debt of 300,000. Yehuda asked the man to pay it quickly because he has a bank debt. The man goes to the bank on his own and says he only has $250,000. Would they settle. Man tells Yehuda he took care of the $300,000 debt. Does he still have to pay the extra $50,000?

Answer: Based on the Rema (Choshen Mishpat 128:1 in the name of Mahari Weil) and Shulchan Aruch (Choshen Mishpat 86:1 regarding shi'abuda d'Rabbi Nassan), Rav Yitzchak Zilberstein rules that when the debtor paid off his creditor's full $300,000 bank debt by negotiating an early-settlement discount directly with the bank, the creditor's entire $300,000 liability to the bank was extinguished through the debtor's payment. It is considered as though the bank credited the account in full on the debtor's behalf, and the debtor is discharged from the entire $300,000 debt.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 248

A customer contacted a wholesale liquor distributor by phone, requested 'one Jack Daniel's, one Manischewitz, and one Moscato,' and provided his credit card details. A few days later, a commercial delivery arrived containing three full cases (twenty bottles each). The customer immediately contacted the vendor, explaining that he had intended to purchase only three individual bottles. The distributor replied that as a wholesaler, standard commercial parlance dictates that 'one' denotes one case; they agreed to accept a return of the unopened cases, but refused to absorb the $100 shipping fee. Who is halachically responsible for the return shipping costs?

Answer: Rav Yitzchak Zilberstein rules that if the customer ordered in good faith without knowing that in the wholesaler's trade jargon saying 'two' meant 'two crates' rather than two bottles, it was a mutual misunderstanding rather than negligence (peshi'ah) by the customer. Since no kinyan had taken place and the customer did not negligently cause the shipping expense (dina d'garmi), the customer cannot be forced to pay for the delivery of the unrequested crates.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 150

A visitor was spending Shabbos in an unfamiliar community and davened at a local synagogue. During the Torah reading, he was awarded an aliyah and pledged what he believed was a $200 donation to the shul. After Shabbos, the visitor handed a $200 check to the gabbai to fulfill his pledge. The gabbai looked at the check and said, "Excuse me, but your pledge was actually for $500, not $200." The visitor was surprised and insisted that he had only pledged $200. To settle the dispute, the gabbai calmly reached into his pocket, pulled out a digital audio recorder, and pressed play. Over the speaker came the clear recording of the aliyah auction from that very Shabbos morning, proving that the man had indeed said $500. The gabbai explained that because the shul had faced disputes over aliyah pledges in the past, they had installed a recording device to capture the auctions on Shabbos. The visitor was utterly shocked and outraged. "You are openly desecrating the holy Shabbos by recording our prayers!" he cried. "I would never in my life support a synagogue that commits chillul Shabbos!" In his fury, he snatched back his $200 check, tore it up, and refused to give them a single penny. Does he have a halachic right to withhold payment entirely, even for the $200 he originally intended to give? What do you think?

Answer: Rav Yitzchak Zilberstein rules that the man is entirely exempt from paying any portion of the pledge, including the $200. Under the principles of neder b'ta'os (a vow made under a fundamental mistake or false premise), a charitable pledge is legally void if an umdena d'muchsach (an absolute, self-evident legal presumption) exists that the donor would never have made the commitment had he known the true facts. An observant Jew has an absolute presumption that he would never pledge funds to support an institution that actively desecrates the Shabbos by recording services. Because his entire pledge was predicated on the assumption that he was supporting an observant house of prayer, the vow is retroactively null and void, and he is not required to pay anything to this shul.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 468

Aron lived in Israel. He walked into an antique store that was near his office and was impressed with the selection. He picked up an antique vase and admired it. Sadly, and inexplicably the vase slipped out of his hand and broke. The vase was very old and the asking price was a lot of money. Aron looked at the price tag which said 5000 shekels. Aron offered to pay for the vase of course. But he wondered if he had to pay the retail price that the seller was asking, 5000 shekels. Maybe he was only obligated to pay the price to replace the vase? Because? Because antique items have a big markup and the seller's price was presumably much less, perhaps 2500 shekel. What do you think? If someone damages an item in a store do they have to pay the replacement price, or the retail price?

Answer: Regarding last week's question of whether you pay the retail price or the price for a replacement, Rav Zilberstein says that it seems that he is obligated to pay the cost needed to replace the item, and not the final retail price.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 181 (Behar Bechukosai)

INSPIRATIONAL STORIES:

❖ News of the Brisker Rav's arrival in Switzerland spread quickly, and many came to him, some to ask his advice, others just to spend time in his presence. One of the Brisker Rav's visitors, a local Jew, came and asked The Brisker Rav a question. After giving his answer, The Brisker Rav asked him his name. "Sternevitch," he responded. "Sternevitch?" asked The Brisker Rav. His face changed completely, "Did you live in such-and-such a town before the war?" "Perhaps," The Brisker Rav continued, "one of your relatives lived there?" "Yes," he answered. "I had a cousin with the same name, and he lived in that town." The Brisker Rav's face lit up, and he quickly called his host, R. Wolf Rosengarten. "R. Wolf, we have to make a seudah! I have found Sternevitch!" Seeing the perplexed expressions on the faces of those present, The Brisker Rav explained "Toward the end of 5699 (1939), when the war began, we were stranded in Krenitze, the resort town where I would go every year for a vacation at the end of the summer. The war front was approaching, and everyone was escaping from the area. As we began our flight, I realized I didn't have enough money to continue the journey, and my son suggested that we stop in a local village and ask members of the local Jewish community for a loan. I, on the other hand, thought there was no need for this. I was sure Hashem would send us help where we were and there was no need to make extra efforts. 'Before the train that was to take us away from the danger zone would arrive, the money would be there! "And indeed, through Divine intervention, a Jew came up to us, and when he heard about our predicament, he lent us the money we needed. We asked his name, and he told us, 'Sternevitch, from such-and-such place.' I told him that as soon as we arrived home, we would send him the money with someone." At that point no one knew the scope of the war and the extent of the destruction that was about to descend upon Europe. The Brisker Rav assumed that after some time he would return to his home in Brisk and from there he would be able to send the payment to this good-hearted person. Of course, this was not to be: The Brisker Rav never returned to Brisk. "From the day I arrived in Eretz Yisrael until today, fifteen years have passed, and I've had no rest over this debt," The Brisker Rav continued. "Every time a guest comes to my house from anywhere in the world, I ask him if he knows a family by the name of Sternevitch. I've even attempted to locate a list of the survivors of that town and where they settled after the war, but all my efforts proved futile. "And so, I continued my search, the matter being

extremely distressing to me. I lost much sleep thinking about the loan: how will I face the beis din in Heaven after I die with an unpaid debt on my ledger? Now, finally, I have found a relative of that Jew who took care of me in my time of trouble, and after all the distress I've experienced, the opportunity has finally come to fulfill the mitzvah of paying off this debt that has worried me so — how can I not be ecstatic?" The astonished guest related to The Brisker Rav that his uncle and entire family had been killed in the Holocaust. He was the last Sternevitch. "In that case," the Rav declared, "You're the heir." He immediately calculated the sum of the old loan and paid the debt in full.

The Brisker Rav, Vol. 3, By R' Shimon Yosef Meller, Published by Feldheim, p. 458

❖ One day the Steipler Gaon (Rav Yaakov Yisrael Kanievsky) arrived in a taxi, by itself a rare event, at the base of the hill on which the Ponevezh Yeshivah is built. He asked someone to ask a certain married student of the yeshivah to do him the kindness of coming out to see him. The people who heard him sensed an urgency in his words, and the message soon reached the young man that the Steipler was waiting for him outside. A bit worried as to what he might want, the student hurried out to see why the leader of the generation had come to see him. When he got outside, the Steipler pressed two lirot into his hand. "Here's the money I borrowed from you when you came to visit me the other day and I didn't have anything to give someone who came asking for tzedakah. Now that I have the money to pay you back, I didn't want to waste any time." The young man asked in dumbfounded surprise, "Did the Rebbe have to put himself to such trouble in order to pay back such a small sum?" Everyone knew how weak the Steipler was at that time, and how much every step pained him. "Is it such a small thing to you?" he answered simply. "For the sake of these two small coins, would it be worth it for me to be sent back down to this world in another incarnation to pay them back?"

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 151

❖ A frum woman was in Minneapolis to go to the Mayo Clinic to do an important surgery on her scalp. Before the procedure she had to father her head with a special medical shampoo. When she came to the clinic in the evening before the procedure, the receptionist asked he if she used the shampoo. She said she forgot. The receptionist said they would have to reschedule the procedure for two months from now but they could not do it without the pre-treatment. In a panic she asked if she could run to a cvs and get it now. The receptionist said if she could get it that evening she could still get the surgery. She ran to the nearest cvs but they were closed. She saw a clerk in the store though. She banged on the door. The man came to the door. We are closed, he said. She explained she that needed to get the shampoo. He said the registers are closed, and he could not give it to her even if he wanted to. In desperation, she said her husband will come tomorrow morning and pay for it. The man, sensing how urgent it was relented and gave her the shampoo. The next morning while she was recovering her husband went to a cvs close to where he was staying. He was wearing a hat and clearly looked Jewish. He asked the clerk, "can I pay for a shampoo that my wife took in another cvs?". The man said it's the same chain and he could. The husband paid. The clerk then said to his colleague, "Hey Mike you owe me 50 bucks. That woman's husband paid for the shampoo. It became clear that the workers in the chain heard the story and wagered whether the husband would actually pay. Mike came to the register, That's not fair, If I had know that woman was Jewish I wouldn't have never made the bet. The husband was humbled at how honest these people, expected Jews to be.

Stories That Warm The Heart, By Rabbi Binyomin Penzik, Published by C.I.S. Publishers, p. 254

❖ My father, Rabbi Yaakov Yisrael Twerski (the Hornosteipoler Rebbe), used to tell a story about our ancestor, the tzaddik of Cherkassy, who once visited the home of a wealthy chassid. After a bit of conversation, he said, "Could you show me your stable?" The chassid took the Rabbi to the stable, and after looking at the horses, the Rabbi said, "I am in need of a horse. Could you spare me that one?" The chassid responded, "Rabbi, I will gladly give you any horse you desire, except for that one. That is my best workhorse, and if my wagon is ever stuck in the mud, it is this horse that pulls me out." They went back into the house, and the Rabbi asked the chassid, "Do you remember Hirsh Baruch, who died a short while ago?" " "Yes, I do, " the chassid said. "It is interesting that you mention him. He had borrowed money from me, which he never repaid. "

"Do you have a promissory note on that loan?" the Rabbi asked. "Yes, I have it among my papers, " the chassid said, and at the Rabbi's request, he produced the note. "Will you forgive the loan now?" the Rabbi asked. The chassid said, "What point is there in not forgiving it? It is no longer collectible, " and he proceeded to tear up the note. The Rabbi suggested they return to the stable, where they found that the workhorse had died. The Rabbi explained, "When Hirsh Baruch came before the Heavenly Tribunal, they decreed that he must make good his unpaid debt to you, and his neshamah then inhabited your workhorse. By forgiving the debt, you have set his neshamah free. "

Not Just Stories, By Rabbi Dr. Abraham J. Twerski

❖ Once at Minchah, in the middle of chazaras hashatz, the Satmar Rebbe (Rav Yoel Teitelbaum) suddenly called Reb Yossel Ashkenazi over to him and motioned to him to come up to his room for an urgent matter. What was so urgent that made the Rebbe leave in the middle of davening? Later, Reb Yossel reported that the Rebbe just remembered he had a debt to pay up that day. The Rebbe wanted to make sure payment was arranged before the stars came out."

The Extraordinary Life and Worldview of Rabbeinu Yoel Teitelbaum, By Rabbi Dovid Meisels, p. 214

❖ A reporter went to the hospital to interview a chareidi man who had been injured in the terrorist attack on the number 2 bus. After patiently answering questions, he asked the reporter a favor. "My three sons and I got on the back of the bus because the bus was so crowded. Then the bomb went off. Can you please send this to Egged so that we can pay our fares.

Touched By a Story Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

❖ For close to 35 years, Rebbetzin Kanievsky allowed someone from a moshav in northern Israel to come twice a week to sell fresh eggs from her steps on Rechov Rashbam. The moshavnik would pile up the crates of eggs, and people would pay the Rebbetzin. Batsheva lost a lot of money while doing this chessed, as people sometimes forgot to pay and the Rebbetzin always made sure the egg-seller received exact payment for all eggs — even if she had to take the money from her own pocket.

Rebbetzin Kanievsky, By Naftali and Sarah Weinberger, published by ArtScroll Mesorah

A. TO PAY WHAT YOU OWE

(Torah Mandated Mitzvah), Sefer Chareidim 16-25

As it says "the man that you collect from will take it out to you. (Devarim 24:15, Parshas Ki Seitzei)"

SEFER CHAREIDIM

Repaying a debt to one's creditor is an active mitzvah, as Scripture states: 'And the man to whom you make a loan shall bring forth the collateral to you outside' (Devarim 24:11). Conversely, one who borrows and willfully refuses to repay what he owes is branded wicked, as Scripture states: 'A wicked person borrows and does not repay' (Tehillim 37:21).

RELATED HASHKAFAH TOPICS:

- Do you get a mitzvah when you pay a credit card bill, or a utility bill?
- Is one allowed to declare bankruptcy?
- If a person does declare bankruptcy, should they still try to pay back if they have the money?

MORAL DILEMMAS:

Yanky went to a summer sleep-away camp. At the camp, there was a canteen. The canteen had a tab, a credit account for each of the customers and the campers would usually pay their tab after a few weeks. Yanky went to the canteen regularly and racked up a significant bill. Yanky left camp early and sadly forgot to pay the balance of his bill with the canteen. About six months later Yanky remembered that he still had an outstanding bill with the canteen. He reached out to the canteen director and asked the director if he could tell him how much he owed the canteen. The director replied that he no longer had the records from the summer and was unable to tell Yanky how much he owed, Yanky told him that he knew that it was more than 100 dollars and not more than $300. The director told him that he could split the difference and pay $200. Yanky was not sure what to do. He knew the director agreed to $200, but if he owed less than that amount perhaps the excess would be ribis (interest). What do you think?

Answer: Regarding the question of paying the canteen tab, Rav Shuchatowitz said that even if the agreed upon money will exceed the actual amount owed there will be no concern of ribis because the increase was based on p'shara, a compromise not due to s'char hamtanas maos, it is not a compensation for extending the duration of the loan.

— Source: Rav Mordechai Shuchatowitz / Table Talk

A husband prepared to purchase festive holiday apparel for his wife prior to Pesach in accordance with the biblical/rabbinic obligation of simchas Yom Tov. The wife requested that instead of buying her clothing, he gave her the cash so she could pay off an old personal debt. If the husband gives her the cash to settle her debt, does he fulfill the mitzvah of gladdening his wife on Yom Tov?

Answer: He does not fulfill his Mitzva with paying a debt.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 568

Over the course of a year, Yisachar wrote out many checks to pay for goods and services, as well as to give charity. He kept a careful register of every check that was written. At the end of the year, when Yisachar started to prepare his taxes he noticed that a few small checks written out to babysitters were never cashed. The same thing occurred with a ten dollar check written to a tailor for alterations. Similarly a few small checks written to meshulachim, tzedakah collectors, were never cashed. Some of the checks had not been cashed for close to a year and it seemed clear that they weren't being cashed for some reason. Perhaps they got lost. Yisachar had the following dilemma. Regarding the check made out to the tailor from whom he received a service. If the check was never cashed it would turn out that he never ended up paying for the service. Did Yisachar have an obligation to call the tailor to tell him that the check was not cashed? Would it be a form of stealing if he did not call him? Similarly with the tzedakah. By Yisachar giving the check to tzedakah, he made a commitment to give tzedakah. If they never cashed the check then he ended up not keeping his commitment, and never gave to that charity. Did Yisachar have an obligation to track down and call the tzedakah collectors and issue new checks? On one hand you can argue that they already received the checks. But on the other hand, if the checks were not cashed it turns out that Yisachar never paid anything. This question was brought to Rav Heineman. What do you think?

Answer: Regarding the question of the uncashed checks, Rav Heinemann answered as follows. If the check was to a private party, he does not have to reissue it, as the person forfeited their money by not cashing it. However, if it was to a Tzedaka, then he has to reissue the check, because the check constituted a commitment to give a certain amount of Tzedaka to that

> organization, and until the funds are withdrawn from his account, he has not fulfilled that commitment.
>
> *— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 153 (Bereishis)*

STORIES FROM OUR SAGES:

❖ Rava cited a Baraisa: It once happened that a certain pious man (chassid) purchased merchandise from one of two men, and afterward could not remember from which of the two he had bought it. When both merchants claimed the payment, the pious man came before Rabbi Tarfon to ask how to fulfill his obligation. Rabbi Tarfon ruled according to the strict letter of the law: 'Place the purchase money down between the two of them and walk away, and let them resolve it between themselves!' Still troubled in his conscience lest one of the men be wronged, the pious man went before Rabbi Akiva and asked him what to do. Rabbi Akiva told him: 'If you wish to clear yourself completely in the sight of Heaven (latzeis ידי שמים), you have no remedy until you pay the full purchase price to each and every one of the two men!' And the pious man gladly paid both men in full so that no doubt of dishonesty would remain on his soul.

Bava Kamma 206:10

INSPIRATIONAL STORIES:

❖ A bachur in Bais Shraga in Monsey once happened to see Reb Yaakov Kamenetsky on his way to the mailbox. He ran out of the yeshivah and asked Reb Yaakov whether he could mail the letter for him. Reb Yaakov thanked him for his offer but told him that since he was sending payment for a utility bill, mailing the letter was a part of the mitzvah of paying one's debts - priyas ba'al chav — and it was therefore preferable that he do the mitzvah himself rather than through an agent. He thus managed in one comment to reject help he considered unnecessary and to teach a lesson about the importance of paying one's debts and how a mitzvah should be performed.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ Rav Chaim ran a lending gemach in his home for many years. Not long ago, when he started feeling his age, Rav Chaim asked his son to take over. As Rav Chaim was handing over the documents and information, Rav Chaim shared an important piece of information with his son. "The Arizal tells us," he said, "that if someone lends another person money and the money is not paid back, then both of them — the borrower and the lender — are forced to return to this world so that the borrower can repay his loan. The reason the lender has to return," explained Rav Chaim, "is because he is also culpable for not being mochel the debt." His son waited to see where Rav Chaim was going with this. "Look here," Rav Chaim said, showing his son a list of names. "These names are the people who borrowed money from my gemach and never repaid the loan. They haven't paid until now, and chances are that it may never happen' I would like to be mochel their debts, but this money belongs to charity and I'm not able to do so. Please take this money," and here Rav Chaim handed his son a stack of his own personal cash, "and pay their debts to the gemach, so that neither I, nor they, have to return to this world to deal with the matter in the future."

Inside Their Homes

36. Not to delay payment to one's employees or delay payment for a service

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 38

As the Torah says, the wages of a hired man shall not remain with you [all night] until the morning (Vayikra 19:13, Parshas Kedoshim); and it says further, neither shall the sun go down on it (Devarim 24:15, Parshas Ki Seitzei),

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How long do you have to pay a day laborer who works for one day?
- How long do you have to pay a night laborer who works for one night?
- How long do you have to pay a laborer who worked for a few hours during the day?
- When do you have to pay a repairman who fixes your computer?
- Does the employer violate this prohibition if the worker never asks for his payment?
- Does the employer violate this prohibition if he doesn't have the money?
- Does the employer violate this prohibition if a third party is responsible to pay the workers?
- If a person rented a car would he violate this prohibition if he doesn't pay when he is expected to, or does this only apply to hiring workers, not tools?
- How severe is this prohibition?

SEFER HAMITZVOS HAKATZAR

If a worker was hired for the day, his wage is payable throughout the entire subsequent night, as Scripture states: 'The wages of a hired worker shall not remain with you all night until morning' (Vayikra 19:13).

If a worker was hired for the night, his wage is payable throughout the entire subsequent day, as Scripture states: 'On the same day you shall give him his wage, and the sun shall not set upon it' (Devarim 24:15).

A worker hired for specific hours of the day is payable at any time during the remainder of that day. A worker hired for specific hours of the night is payable at any time during the remainder of that night.

In the case of a craftsman hired to repair or manufacture an article, as long as the object remains in the craftsman's possession — even if the craftsman informed the owner that he completed the work — the owner commits no transgression if he has not yet paid.

If a worker does not actively demand payment from his employer, the employer commits no transgression by not paying immediately.

If the worker demanded his payment from the employer but the employer lacked the funds to pay him, or if the employer referred him to a third party who formally undertook the obligation to pay with the worker's consent, the employer is entirely free of guilt.

If an employer delays the wages of a hired worker beyond the allotted time, he violates the active positive commandment (mitzvas aseh): 'On the same day you shall give him his wage' (Devarim 24:15), and he transgresses this negative prohibition as well. If he delays payment even further beyond that deadline, he violates an injunction derived from Divrei Kabbalah (the Sacred Writings), as Scripture states: 'Do not say to your fellow, "Go, and return, and tomorrow I will give," when you have it with you' (Mishlei 3:28).

This law applies equally whether one owes wages for human labor or rental fees for domestic animals, tools, or utensils. The verses of the Torah apply to all of these cases alike: 'On the same day you shall give him his wage' (Devarim 24:15), 'neither shall the sun set upon it' (Devarim 24:15), and 'the wages of a hired worker shall not remain with you all night until morning' (Vayikra 19:13).

If someone wrongfully withholds the wages of a hired worker, Chazal consider it as though he has taken the worker's life. He violates all the negative prohibitions noted above, violates the active positive commandment, and transgresses the additional injunctions: 'You shall not oppress your fellow, nor rob him' (Vayikra 19:13). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Like Hashem, we want to develop an honest character that always keeps our commitment and promises. In addition, like Hashem we don't want to harm people by not keeping our commitments.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

ABARBANEL (VAYIKRA 19:12)

There is no greater form of theft than using someone's service, and then not pay them for it. It is theft of their service. It is like stealing the person, not simply an object.

RABBEINU MENACHEM RECANATI

Hashem allocates all creatures' daily sustenance. Therefore, one who withholds daily wages is frustrating the plans of Hashem.

Also just as a person expects prompt reward for his mitzvos in the world to come, so should he give prompt payment for services he received.

INSPIRATIONAL STORIES:

❖ Once, after performing a lengthy, complex repair on the roof, the plumber came down and found that the Rebbetzin was not home; only Rav Elyashiv was home, and he, of course, was engrossed in his learning. Not wanting to disturb Rav Elyashiv, the plumber left to his home in Bayit Vegan, resolving that he would not accept payment this time, That night, when he was already asleep he awoke to the sound of knocking at his door. It was Rebbetzin Leah Auerbach, coming with a mission from her father. You worked in the house today," she said, "and you weren't paid;"' He tried to argue with her, but it was to no avail. When Rebbetzin Auerbach returned home, she called her father immediately to inform him that the payment had been arranged, for he would not go to sleep until he knew that it had been settled.

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 219

37. To pay for a service when payment is expected

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 66

As the Torah says, On his day you shall give him his hire (Devarim 24:15, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Does this apply to Jews and non-Jews?

SEFER HAMITZVOS HAKATZAR

The commandment that 'on the same day you shall give him his wage' (Devarim 24:15) applies as well to a resident alien (geir toshav) — a non-Jew who has formally accepted the Seven Noahide Laws.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Like Hashem, we want to develop an honest character that always keeps our commitment and promises. In addition, like Hashem we don't want to harm people by not keeping our commitments.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAN (DEVARIM 24:15)

An employee is usually needy and needs his payment as soon as possible.

SEFER HACHINUCH (MITZVAH 588)

This mitzvah teaches us to develop the character of compassion and kindness, and how we should give every creature what it needs, when it needs it.

SFAS EMES

• The Sfas Emes begins with a Midrash that compares our mitzvos to assembling a menorah made of separate pieces (menorah shel perakim). Can it fulfill its purpose while lying in pieces on a table? The Sfas Emes explains that the reward belongs to a level of spiritual wholeness that we have not yet reached. He writes, it is impossible to receive the reward of the World to Come until the full vessel of completeness has been built. Just as the light of the menorah requires a finished vessel, the reward of eternity requires a person who has become capable of receiving it. They show us how Hashem treats those who labor in His service. By giving us Shabbos, the Creator fulfills the spirit of His own commandment: He gives His workers their reward on their day (Sfas Emes, Devarim, Eikev 5642).

MORAL DILEMMAS:

A man calls a stock broker to buy 1000 shares of a company cuny. The broker instead buys a company kuny. The next day the buyer calls to confirm and realized the mistake, but hears that kuny shot up and he made $500,000 dollars. He wants to sell it immediately. The broker says he deserves a significant percentage because if not for his mistake he never would have bought it. Does he deserve anything?

Answer: Based on the Shulchan Aruch (Choshen Mishpat 183:5), ordinarily if an agent deviates and buys a different item with the principal's money, any loss falls on the agent while any profit belongs to the owner of the money. However, Rav Yitzchak Zilberstein rules that where the investor immediately repudiated the unauthorized stock purchase upon hearing of the mistake and insisted that the broker bear the transaction on the broker's own account, it was clarified retroactively that the shares were held by the broker, and the subsequent windfall profit belongs to the broker.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 679

A school hired a professional fundraiser under an agreement granting him a ten percent commission on all contributions he secured. The fundraiser successfully cultivated a major philanthropist who pledged a substantial annual contribution. Sometime later, the school terminated the fundraiser's employment. Is the school still halachically obligated to pay the former fundraiser his ten percent commission on subsequent annual donations received from that donor?

Answer: Regarding the question about the fundraiser who wanted the commission for the lifetime of the donation, Rav Zilberstein answered that it seems that they would have to continue giving it to him even after he left.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 173

There was once a successful technology company in Israel that was run by religious Jews. The technology company had a brilliant coder, the best in his field. The coder was a genius and was the envy of the industry. There was one problem though. The coder had no respect for the company's money. Even though he was very skilled at coding, he would often take food home from the office pantry, office supplies like staplers, office paper and even small technology samples. He always assumed that nobody knew. But the owners and management were apprised of the situation and they felt torn. On one hand they felt that if they would confront the coder he might get angry or embarrassed and might leave the company. Not only would that be a great loss for the company but he would probably get picked up by the competition and they would have a competitive advantage over them. On the other hand if they wouldn't say anything then they were condoning his stealing. The owners wanted to know if they could simply not say anything and forgive the issue and pretend not to notice. What do you think? Can they allow this worker to continue stealing small items from the company or did they have to confront him and risk getting him angry and potentially going to the competition?

Answer: Regarding the question about the tech prodigy, Rav Zilberstein writes that letting things continue at the status quo is actually encouraging the worker to sin. This is true even if they forgive the theft. Therefore the management would have an obligation to let the man know that unless he stops his behaviour, he will be fired.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Two, p. 409

A professional prayer leader (shaliach tzibbur) accepted an engagement to lead the Yom Tov services in a distant congregation. After finalizing the agreement, he discovered that the synagogue's divider between men and women (mechitzah) was halachically invalid according to standard Orthodox codes. Is the chazan permitted to rescind his commitment, or is he bound by his initial pledge?

Answer: He is allowed to change his mind because he didn't know this when he agreed.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 514

A beis medrash is filled with sefarim. The yeshivah was going to hire people to sort it all out and pay $1000 for it. Boy offers to do it for $500. He bangs on the bima after a packed Maariv and asks everyone to put sefarim back on the shelves. It all gets done in ten minutes. Does he still get paid?

Answer: HaGaon Rav Yitzchak Zilberstein quotes the authoritative ruling of Maran HaGaon Rav Nissim Karelitz zt"l (Veharev Na, Vol. 2, p. 403; Chashukei Chemed, Bava Kamma 21a, p. 146): The student is not entitled to collect payment from the yeshivah! Although the student devised a clever shortcut, he enlisted the community's labor through Geneivas Da'as (deception), appealing to them to shelve books as volunteers for the sake of Heaven (l'shem shamayim) and the honor of the sefarim, while concealing that he was privately collecting a personal fee for their work. Had the students known he was profiting from their effort, they would have refused to do his job. Rav Nissim Karelitz ruled that a contract of employment (sechirus po'alim) does not obligate an employer to pay wages for tasks executed through deceit of the public. (Veharev Na, Vol. 2, p. 403; Chashukei Chemed, Bava Kamma 21a, p. 146)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 403; Chashukei Chemed, Bava Kamma 21a, p. 146

Ronit and Chanan both grew up in secular Israeli households. Early in their adulthood, an acquaintance named Boaz attempted to play matchmaker and introduced them. The initial date was an utter disaster; both felt zero mutual connection, parted ways in frustration, and never spoke again. Over the subsequent seven years, both individuals independently embarked on profound spiritual journeys, becoming deeply committed ba'alei teshuvah and immersing themselves in Torah and mitzvos. One afternoon, Chanan encountered Ronit's father at a Torah lecture and learned of her transformation. Chanan contacted her independently. When they met, they discovered that both had blossomed into the exact partners they had envisioned. They became engaged and were married. Boaz, the original matchmaker from seven years earlier, stepped forward and demanded a full matchmaker's fee (shadchanus), arguing that without his initial historical introduction, they would never have crossed paths?

Answer: Rav Yitzchak Zilberstein rules that Boaz, the original matchmaker from seven years earlier, is not entitled to shadchanus compensation from Ronit and Chanan. In halachah, a matchmaker is compensated for bringing about a viable, successful match. When Boaz's initial introduction ended in total rejection and seven years of complete separation, that original matchmaking effort was completely terminated. Their subsequent union seven years later — after both Ronit and Chanan independently became ba'alei teshuvah and reconnected through Ronit's father at a Torah lecture — constitutes an entirely new enterprise (panim chadashos), so while offering Boaz a modest token of appreciation is a refined middah, there is no halachic obligation to pay him shadchanus.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Nedarim, p. 680 (Table Talk Vol. 10, Parshas Shoftim & Ki Seitzei)

Avi was a young man who was recently engaged. He and his fiancé had money saved up to purchase a small starter home. During the engagement they reached out to a realtor to help them find a house. The realtor was happy to help them. He showed them a house and the couple thought that it was perfect. They agreed to purchase the house and signed the deal with the seller. Things were going smoothly until tragically, in the middle of the engagement, Avi and his fiancé got into a car accident. His fiancé was badly injured and shortly thereafter she passed away. Avi was devastated. He wasn't going to be getting married and he wasn't going to buy the house with her. Everyone was very understanding and the purchase of the house never went through. Two years later Avi met another woman, got engaged and got married. When they were ready to buy a house he reached out to the owners of the original home that he had been looking at. Sure enough, the house was still on the market. Because he wasn't using the realtor, the selling price was 6% cheaper and there were significant savings. Avi made a private deal with the seller of the house and was ready to move in with his new wife. Eventually the realtor heard about the sale. He approached Avi and said, "I don't

understand. How could you make a private deal with the seller? You owe me 6% of the cost of the house." "What do you mean?", Avi replied, "I didn't use you this time." "Of course you did", retorted the realtor. "You only knew about this house because I showed it to you two years ago." Avi replied, "Yes, but two years ago the whole deal fell through because of the terrible accident. It was canceled". "Still", argued the realtor, "I am entitled to my 6% fee for showing you the house". What do you think? Does Avi owe the realtor the money?

Answer: Regarding the question about the realtor, Rav Zilberstein wrote that since the first deal fell through because the fiancé passed away, the realtor was meyaesh, gave up hope, and the deal was over. When the man bought the house a second time it was a new deal and therefore the realtor is not entitled to his fee.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 516 (Table Talk Edition 197)

Shneur was engaged to be married, and the wedding was planned for two months ahead. Shneur's kallah's (fiance) name was Henny. In preparation for the wedding, Shneur bought 300 beautifully designed benchers to be given out at the wedding. They weren't typical benchers; they were designed beautifully, and really stood out. Shneur and his kallah were looking forward to giving them out. Shneur brought the 300 benchers to a professional who could emboss the chassan and kallah's names into the benchers, he wasn't simply going to use gold foil for the names, it was going to be embossed and pressed into the cover of the benchers and it would look beautiful. Shneur gave the embosser, named Ariel, the words to emboss on the covers and Ariel told Shneur that they would be ready in a week. A week later, Shneur came to pick up the benchers. The embossed design looked really stunning. But then Shneur noticed a glaring error that made his stomach drop. Instead of his kallah's name being initialized with a Heh (for Henya), it was embossed with a Samech (for Sonya). It was written as Sonya rather than Henya, (the full version of the shortened Henny). Shneur understood that his kallah would not accept the bencher being given out at the wedding that way. Shneur pointed out the error to Ariel. "Look, I think you accidentally wrote Sonya instead of Henya." Ariel looked closely and then blanched. "I'm so sorry for the error. I am happy to redo the embossing for free," Ariel said apologetically. But Shneur wasn't satisfied with that. He said: "My friend, these benchers were expensive, not only are they ruined and I can't give them out at the wedding and I can't return them, but these 300 benchers cost me close to 1000 dollars. I think you should pay me 1000 dollars to pay for the damage caused by your error, and after you buy new benchers I'd like you to emboss them again. " Ariel felt bad about what happened but he didn't want to spend so much money on damages. Just then he noticed the writing on the inside cover of the bencher. Ariel turned to Shneur. "Tell me, what nusach (version of the siddur text) do you and your kallah daven? Shneur seemed annoyed by the apparent non-sequitur. "I daven nusach Ashkenaz, but what relevance does that have to this discussion?", Shneur said. Ariel replied, "It's very relevant. You see on the inside of these benchers it is printed Nusach Edot HaMizrach. This is the nusach for Sephardic Jews. This is a Sephardic bencher and you would not have given it out anyway, and you would not have been able to return it even if I did the embossing just perfectly. Even if I didn't make a mistake, you would not have been able to use these benchers. Therefore I don't think I need to pay you for the damage. Shneur realized that Ariel had a point but he said, "but still, you damaged the benchers by adding the wrong words, until you added the wrong words, I would have been able to return them. Ariel replied, "I don't agree. Even if I would have listened to you exactly and written the words correctly you would have ruined benchers. I therefore caused no damage." They agreed to bring this question to a Rav. What do you think? Did Ariel the embosser have to pay Shneur for embossing the wrong words? Or does he not have to pay, because even if the words were correct, Shneur would not have been able to use them or give them out at the wedding? What do you think?

Answer: Regarding the question about the embosser who made a mistake, Rav Zilberstein answered that the embosser would not have to pay for the mistake, because even if he would have followed the directions exactly, the benchers would not have been useable and would not be returnable.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok, Bereishis, p. 471

Mr. Green owned a supermarket in Israel. He was very proud of the fact that it was a shomer Shabbos supermarket. Mr. Green wanted to sell it and retire. He hired a commercial real estate agent named Dan, who said that he was going to find a buyer for the supermarket. Because Dan was planning to show the facility to potential buyers, Mr Green gave Dan the keys. One Shabbos, Mr. Green was enjoying his Shabbos lunch when he got dozens of visitors telling him that his store was suddenly open, the lights were on, and people were walking in on Shabbos. Mr. Green was very confused. He later was able to clarify what happened. It turned out that his broker had shown the supermarket to a potential buyer on Shabbos, and those were the people walking in the store, and that's why the lights were on. It was very embarrassing for Mr. Green because he had always been very proud of owning and managing a shomer Shabbos store. After Shabbos, Mr. Green got a call from Dan, who was very excited and had great news: he had found a buyer who was interested in buying the supermarket. Mr. Green said, "Yeah, I heard. I've been meaning to talk to you about it. I want to be honest with you. I was greatly humiliated by the fact that the store was open on Shabbos, the lights were on, people were in, and people kept telling me the whole Shabbos that my store was open. I'll be honest with you, if you got him interested in making the purchase on Shabbos, I'm not even sure I'll be able to make the sale because it's a product of Shabbos desecration. And even if I am allowed to, honestly, I don't want to pay you your commission because you greatly humiliated me by opening the store on Shabbos." So, Mr. Green brought these two questions to Rav Zilberstein: 1. If the broker made the sale on Shabbos, is Mr. Green allowed to follow through with the sale? 2. Does Mr. Green have the right to withhold the commission from the broker because he was humiliated by the fact that it was open on Shabbos? What do you think?

Answer: Regarding the question about the agent who made the deal to sell the supermarket on Shabbos, Rav Zilberstein writes that because the actual sale was not done on Shabbos, it is not considered ma'aseh Shabbos, and the sale can go through. The agent is also entitled to his commission. However, Rav Zilberstein writes that it would be proper for the local beis din to fine the agent and give half of the commission to needy people who normally are shy about accepting tzedakah.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 373

Yanky was a property manager for a successful real estate firm. For some reason Yanky never had great chemistry with Nachum, his manager. One day while Yanky was sitting with several of his coworkers in the office, Nachum approached Yanky. "Yanky, it's just not working out with you here. Please pack up all your stuff and find a new place to work." Just like that, Yanky was fired. No warning, no explanation, and in public. Not only was Yanky out of work, he was deeply humiliated. Yanky felt very broken. Initially, he felt enormous resentment towards the company that fired him. But after a while, with the gentle and supportive encouragement of his wife, he decided that he wasn't going to feel sorry for himself. With his knowledge of the real estate industry, Yanky started a company of his own. It wasn't easy. But with hard work and enormous Siyata diShmaya, Divine assistance, within five years Yanky was the CEO of a very successful real estate firm. He had a large staff and his firm held close to a billion dollars in assets. One day, as Yanky was perusing a pile of job applications, he saw a familiar name. It was Nachum, the same Nachum who was his old boss. The same Nachum who caused him such trauma and pain. It was clear that Nachum had fallen on hard times himself and he was now applying for a new position in the new successful firm. Yanky asked the HR manager who conducted the initial job interview about Nachum. The HR manager said that Nachum appeared to be very experienced and qualified. He was equally qualified as the other applicants. Yanky had the following dilemma. Yanky did not hold a grudge against

Nachum. He forgave him. In fact, he felt gratitude to Nachum because he led Yanky to his current success. There is a concept in the Gemara that if one has to help two people load their packages, and both are equally needy, one should help the one he dislikes first in order to overcome his evil inclination (Baba Metzia 32b). In this case, should he specifically hire Nachum to demonstrate his complete forgiveness for what happened? Or would it be wise not to hire Nachum? Perhaps when Nachum realizes who the owner of the company is, it might be embarrassing to him and to Yanky and bring a feeling of awkwardness to the workplace. And even if Nachum already knew who the owner was, perhaps that would bring feelings of awkwardness into the team. Perhaps it would be best to hire someone who did not have such baggage and history. What do you think? If Nachum is qualified for the job, should Yanky go out of his way to hire him or not? See Hebrew V'harev Na Volume three page 282. Is an employer permitted to terminate a long-standing employee without advance notice or customary severance pay following a sudden operational downturn?

Answer: Regarding the question of whether the owner should hire his former boss who fired him, Rav Zilberstein answered, "It would be very fitting" to specifically hire him to overcome any lingering feelings of resentment. This would also show hakaras hatov for the role the former boss played in leading to the owner's current success.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Metzia, p. 63 (Table Talk Edition #137 (Parshas Korach))

Donny was a well-dressed American businessman who arrived in Israel. He flagged down a taxi to get a ride to his hotel. The taxi driver quoted him a very high price of $70 for the ride, when the ride normally cost the equivalent of $20. Donny pulled out a $100 bill, showed it to the driver and asked him if he had any change. “No, I don’t have any change” the driver said brusquely. Donny had an intuition that this driver was not honest. They arrived at the hotel when it was already dark. Donny started rummaging around the seats in the back. “I dropped the $100 dollar bill under the seat”, Donny said. “Do you perhaps have a flashlight to look for the $100”. “No! No flashlight”, the driver said impatiently. Donny asked the driver if he can wait a minute while he gets a flashlight from the hotel. Donny walked into the hotel lobby holding his handbag. As soon as Donny walked in, the driver quickly sped away, intending to keep the entire $100 in his car. It turns out that the driver was indeed dishonest. Donny, however watched the taxi pull away and chuckled slyly to himself. It turned out that Donny outsmarted the driver. Donny never truly lost the $100 bill. After he dropped the bill, he put it back in his pocket. The driver, driving away trying to steal from him, ended up losing the entire fare. That night, in the hotel, Donny told this story to his wife. Donny’s wife seemed horrified though. She argued to him that he had a responsibility to try to track down the driver and pay him for his fare. “Even though he drove off, trying to steal from you, he did it because you tricked him. You still have a mitzvah to pay him for his service.” Donny wasn’t sure his wife was right. He was happy to pay the driver but the driver drove off without asking for payment. The driver fooled himself. Who is right? Does Donny have a mitzvah to track down the driver and the cab company to pay the driver for his service of driving him home from the airport?

Answer: The passenger did not do the right thing, but after the fact he would not have to search for the driver. If the driver would approach him and ask for his fare he should pay him.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 82

Yanky had a job as a school bus driver. One day, he got a call from a Jewish school that wanted to hire him to drive their students on a three-hour, one-way trip to an alpine slide resort. They offered to pay $100 an hour, and Yanky agreed. The school mentioned that they had their own bus he could drive. When Yanky saw the bus, it looked old and rusted, so he asked, "Are you sure this bus can make the drive?" Moshe, the school administrator, assured him that it was fine. So, sure enough, Yanky drove a bus full of lively boys on the three-hour trip to the alpine slide park. He had been driving for two hours and 45 minutes when, all of a sudden, the bus broke down. They were close enough to the

destination that the boys, led by their teachers, made the rest of the way on foot. However, Yanky had to stay behind and wait for a mechanic and the tow truck to arrive, which added another three hours to his trip. Eventually, Yanky made his way back home. When he approached Moshe, the school administrator, for his payment, he said, "I know we agreed that for three hours you would pay me $100 an hour, but I ended up with a six-hour trip instead of a three-hour one. So, I'd like to be paid accordingly." Moshe responded, "On the contrary. We hired you to drive them all the way to the Alpine Slide Park, and you didn't even do that. They had to walk part of the way on foot. We actually think we should reduce your pay." They agreed to bring this question to a Rav. What do you think? Is Yanky entitled to be paid for six hours, or should he receive less pay because he wasn't able to complete the trip? What do you think?

Answer: Regarding the question about the broken bus, Rav Mordechai Shuchatowitz of the Baltimore Beis Din answered as follows: If Yanky could have stopped working when the bus broke down and left it to the administrator to deal with having the bus repaired, then he would get paid only for the actual driving time. But if it was understood that he was responsible to stay with the bus and get it repaired, then his job continued throughout that process, and he'd have to get paid for all of his work time. A hired worker is a shomer sachar on the employer's equipment (Mishna Bava Metzia 80b), and as such he is liable to do everything in his ability to protect the owner's property (Gemara 93b). Accordingly, Yanky could have been responsible to stay and get the bus repaired, and if so, he'd get paid for all of his time on the job.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

This story takes place in Eretz Yisrael. Meir was hired by the Likud, one of the political parties in Israel. His job on Election Day was to drive around Ramat Gan in a car provided by the party. The car had a large sign on top that read: "Vote Likud, Vote Likud." For this job, he was supposed to earn 500 shekels for the day, simply by driving around so people would see the campaign sign. So Meir starts driving at 7:30 in the morning. He spends hours driving around the city. Then, sometime around midday, a group of teenagers surrounds the car. They dance around it and fool around near the vehicle. Meir notices them, but he doesn't think much of it. He assumes they're just playing around and ignores them. What Meir doesn't realize is that the teenagers secretly place a large sticker over the original campaign sign. They cover "Vote Likud" and replace it with "Vote Avoda" -- essentially changing the message to support the opposing political party, Avoda, Labor. Meir has no idea this happened. The teenagers eventually leave, and he continues driving around the city for the rest of the day -- all the way until the polls close at around 7:00 PM. That night, Meir returns to party headquarters and asks to be paid. The manager, whom we'll call Aaron, says: "Meir, do you realize that for a large part of the day you were driving around advertising the opposite party?" Meir is shocked. He looks at the car and, for the first time, notices the sticker saying "Vote Avoda." He immediately realizes what the teenagers must have done. Meir says, "I honestly had no idea. You gave me the car with the proper sign. I was just doing my job. I didn't realize someone had changed it during the day." But Aaron replies, "I'm sorry, but we can't pay you. We hired you to drive around promoting Likud. Instead, you ended up promoting Avoda -- our political rival. That wasn't the agreement." Meir argues back: "What do you want from me? I did the work. I drove around the entire day." Aaron responds: "No -- your job wasn't merely to drive around. Your job was to drive around with a sign saying 'Vote Likud.' Since the sign ended up saying 'Vote Avoda,' the terms of the job were not fulfilled." This question was later brought before Rav Yitzchak Zilberstein: Is Meir entitled to be paid? On one hand, you could argue that he performed the physical labor he was hired to do. He drove around all day exactly as instructed, and the sabotage was completely beyond his control. On the other hand, perhaps the essence of the job was not merely driving, but specifically advertising Likud. Since the actual result was the opposite message, maybe the agreed-upon service was never fulfilled. So what do you think the Halachah is? Should Meir get paid or not?

Answer: Based on the Rambam (Hilchos Sechirus 9:8) and Nesivos HaMishpat (335:2), Rav Yitzchak Zilberstein rules that since the driver was hired to drive the loudspeaker/poster route and completed his assigned driving faithfully without realizing pranksters had pasted rival signs over the vehicle, he fulfilled his agency and the mishap falls on the employer; therefore, the political party must pay the driver his full agreed wage.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 610 (Table Talk Edition 492)

Dovid, who lived in Israel, ordered a cab to take him to the city of Afula, which is close to Teveria. The taxi came, and the driver said he would make the trip for a flat fee of 800 shekel since it was a far trip. Dovid agreed. A short while into the trip, the driver, Benny, began schmoozing with his passenger. "Why are you making this long trip? What are you planning on doing when you get to Afula?" he asked Dovid. Dovid responded that there was a very large shopping center there, and he felt it was worth the trip. As Dovid spoke, Benny realized that the shopping center that Dovid was talking about had recently closed down. Benny felt torn. He wanted the 800 shekel fare. But he didn't want this kind passenger to make the long trip for nothing. Benny decided that he didn't want Dovid to travel needlessly. Benny spoke up: "My friend, I am familiar with the shopping center in Afula. But, unfortunately, it is no longer open. It closed down recently." Dovid was disappointed but grateful that Benny told him before they had gone too far. Dovid asked Benny to please bring him back home. When they arrived home, Dovid said, "I am so grateful that you gave me this information and saved me from a pointless trip. We had settled on 800 shekel for this trip. So here's your 800 shekel." Benny responded, "But I didn't drive you to Afula! You only owe me 100 shekel, for the time you were in the car. " Dovid felt he needed to pay Benny the entire amount because that is what they agreed upon, and the fact that the shopping center was closed should not affect his commitment. On the other hand, Benny did not feel right taking that much money for such a short trip. Benny finally said to Dovid. I really don't feel comfortable talking the full amount. I will only accept it if you are halachically obligated to pay the full amount. This question was brought to Rav Zilberstein. What do you think? Does Dovid owe Benny the full 800 shekels they had agreed upon in the beginning? Or does he only owe him the smaller amount for the actual driving time? What do you think?

Answer: Regarding the question about the trip to Afula, Rav Zilberstein answered that the passenger had to pay the driver because he had already committed to paying for that trip.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Avodah Zarah, p. 467

Zev, who owned an apartment in Israel, received a call from Avi, his tenant. Avi reported that a pipe had burst in the apartment and needed emergency repairs. As was standard, Zev, as the landlord, was responsible for major repairs. He told Avi, "No problem. I know a very good plumber -- very talented, with excellent reviews. He's an Arab, and he can come by tomorrow morning." Avi responded, "Thanks for sending him, but no one will be home tomorrow morning. My wife and I will both be out, and I don't want him alone in the house, so that won't work." Zev said, "No problem. I'll come with him and stay while he works." Avi agreed. The next morning, Zev came with the plumber, whose name was Fadi. Fadi began the repairs and seemed competent and professional. In the middle of his work, Fadi asked, "Would you mind making me a cup of hot Turkish coffee?" Zev looked around the kitchen but couldn't find any Turkish coffee. He told Fadi, "I'm sorry, there's none here." Fadi replied, "I'm so tired, I'd do anything for some Turkish coffee." Wanting the plumber to do a good job and be in good spirits, Zev said, "No problem. There's a café on the corner. I'll be right back." Zev went, bought a large hot Turkish coffee, and returned to the apartment. But when he arrived, the door was slightly open. Fadi was gone. The apartment looked like it had been ransacked. Upon closer inspection, it became clear that Fadi had stolen everything of value, jewelry, cash, and more, and disappeared. Zev felt terrible. This was exactly what Avi had feared. He called Avi and explained what had happened, apologizing sincerely. Avi replied, "Thanks for letting

me know. So I assume you'll be covering the damages?" Zev said, "I'm happy to pay what I'm obligated to, but I'm not sure I'm actually liable. I wasn't being paid to watch the place. I was more like a shomer chinam, an unpaid guardian. According to halachah, a shomer chinam isn't responsible for theft." Avi disagreed. "I wouldn't have agreed to let him in if you hadn't said you'd stay with him. You left him alone. That's negligence. I think you are responsible." They decided to take the question to a Rav. So what do you think? Is Zev, the landlord, liable to pay for everything that was stolen by the plumber? On one hand, he brought the plumber in and left him alone, which seems clearly negligent. On the other hand, he never explicitly accepted financial responsibility. Also, arguably he's not liable under the rules of shomer chinam. Maybe, at most, it's grama, indirect causation, which doesn't always carry liability. What's the halachah? Should Zev have to pay for all of the loss?

Answer: Regarding the question about leaving the Arab plumber alone, Rav Zilberstein wrote that the landlord is liable for all of the damages. This is not even considered a grama, and he is liable in full.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Volume 4 (Table Talk Edition 452, Devarim)

Eli, who lived in Israel, visited his friend Zev at Zev's apartment. Zev's apartment was small. While Eli was talking with his friend, he accidentally elbowed a bottle of soy sauce. The bottle smashed against the wall, and soy sauce splattered all over it. They tried their best to clean it, but the soy sauce stained the wall badly. Eli came back the next day to try cleaning it again, but the stains wouldn't come out. The white wall was permanently stained. Eli told his friend Zev, "It's my fault. It's my responsibility. I will paint this entire room." So Eli bought a can of paint and painted the entire room, making it perfectly white. Zev said, "Okay," and left it at that. A couple of days later, Zev mentioned to Eli, "We love the apartment, it looks really nice now. But I'll tell you the truth. Now it's not even. One room is perfectly bright white, and the other rooms are a used, spotted and old white. Would you be able to paint the rest of the rooms so that they can match the one you did?" Eli replied, "I don't think I have to do that. I only damaged one room." Zev responded, "But you're supposed to restore it to the way it was before. Before, all the rooms were the same color, an older, used white. Now one room is fresh and spotless, and the others are not. I'd like you to restore it to how it was. If you can't restore it exactly, then at least make all the rooms equal." They decided to bring this question to Rav Zilberstein: Does Eli have a responsibility to paint all the walls so that they are equal? On one hand, Eli has a good argument, he only damaged one room and he fixed it. But on the other hand, Zev has a good argument, before the damage, all the rooms looked the same, and now they should look the same again. What do you think?

Answer: Analyzing the responsa cited in Divrei Geonim (Klal 96:58) and Zera Yaakov (Siman 67), Rav Yitzchak Zilberstein explains that because the four walls of a single room form one unified visual unit, if repainting only the stained wall leaves the room mismatched and unsightly, the damager must repaint the room so its walls match; however, the homeowner must deduct and pay for the value of the betterment (shevach) he receives from having his old walls newly painted.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 342 (Table Talk Edition 476)

Yehuda, who lives in Eretz Yisrael, called a taxi company at 12:00 PM to book a ride for 2:00 PM to take his family on an important trip. Shortly after making the booking, he received a call from the driver to confirm the address and time, and everything seemed set. About 30 minutes later, Yehuda received another call from someone else confirming the same details. The voice sounded familiar, but he didn't think much of it. Yehuda assumed it was just standard procedure. At 2:00 PM, a taxi pulled up to his house, and Yehuda and his family got in, ready to leave. Just as they were about to go, another taxi arrived at the same time and place. After some confusion, it became clear that the second taxi was actually the one Yehuda had originally booked at noon. Somehow, two drivers had been assigned to the same ride. Both drivers were understandably upset. Each had blocked out time in their schedule, traveled to Yehuda's house, and

expected to be paid. Yehuda was caught in the middle. One driver insisted, "I was the original booking, and I arrived on time! You need to pay me." The other argued, "I came first, you got in my taxi, and I made the trip to your home. You owe me for the service!" Yehuda now faced a dilemma. Should he pay both drivers, since both had shown up and expected compensation? Or should he pay only the driver who actually took him and his family to their destination? And which driver should he use -- the one who was booked first, or the one who arrived first? On one hand, each driver invested time and effort to fulfill Yehuda's request. The second driver was likely assigned by the company due to a misunderstanding, and it wasn't his fault that he was also sent. From a Torah standpoint, it might be fair to compensate both for their effort, as they were both ready and willing to provide the service. On the other hand, Yehuda will only benefit from the service of the driver who actually drove his family. It's not his responsibility to manage the taxi company's scheduling errors. And which driver should he use? The one who showed up first (and whose taxi he already entered) or the one with whom he had originally confirmed? What do you think Yehuda should do?

Answer: Regarding the question about the two taxis, Brooklyn Posek, Rabbi Moshe Yosef Weiner, answered that the taxi which arrived first should be the one used. However, the second taxi driver, who made the trip to pick them up, should be mollified with a small amount of money.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 193

Yehuda had an important event he had to attend. A car was unavailable, so he called a taxi to drive him to the event. It was a 15- minute drive, and the cab should have cost less than 50 dollars. Yehuda told the cabbie where to go, and they agreed to use the meter. The taxi ride went smoothly. However, the ride slowed down after the taxi went to the highway. Traffic slowed to a crawl. Eventually, traffic stopped entirely. It was literally like a parking lot. They were just sitting there. The taxi's meter was going up, and it was getting later and later. Yehuda was getting very anxious that he was missing his event. The taxi driver turned on the traffic report on the radio and heard that there was a major accident up ahead, and traffic was going to be entirely stopped for a while until the accident was cleared. The report suggested that it could take more than an hour. Finally, after waiting for 45 minutes, stuck on the highway, Yehuda decided that it would be faster for him to walk to the event, or at least walk closer and take another cab when he got closer. Yehuda told the driver that we would pay the amount on the meter and that he was going to walk the rest of the way. The meter suggested that he owed 100 dollars. But the driver wasn't happy. "Hey buddy, I fully understand that you want to get out. But we agreed at the beginning that I would take you all the way to your event. Based on the traffic reports, I will be stuck here for another hour or two because of your ride. Normally when a passenger gets out, I can just get another passenger. But not now. I can't accept 100 dollars because I will be in the car for more than an hour or more. I'd like to take you all the way to the event like we agreed, or else I'd like you to pay 200. That would cover my time." Yehuda understood the driver's argument. But that didn't sound fair. He wondered what the Torah's perspective was on this. On the one hand, he should pay 100 dollars because that is the amount of time he used the taxi. But on the other hand, maybe he should stay in the car until he arrived at the event as they agreed. Or, perhaps if he gets out, he should pay 200 because the driver would be driving all the time, stuck in traffic because of him. The driver could not just turn around and find another passenger like he normally would when a passenger stepped off. What do you think?

Answer: Regarding the question about the taxi stuck in traffic, Rav Zilberstein answered that the cabby did not have the right to ask for more money than the meter showed. He could not charge for the time he would be stuck in traffic. The nature of charging based on the meter is such that the passenger only has to pay for the time in the car and not for any other complications that might arise.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 340

Troy, a Filipino living in Eretz Yisrael, worked as a housekeeper for the Berger family every Thursday. One day Troy noticed that his employer Mr. Berger looked distraught. He loved his employer and it hurt him to see him so sad. "Mr. Berger, what is bothering you? Why such a sad face?" Mr. Berger shared, "My daughter Leora really wants to get married. She has been looking for a spouse for such a long time. It hurts me so much that she has been unsuccessful so far". As Mr. Berger spoke, Troy had a sense of deja vu. He heard this story before. Where was it from? Then he realized where it came from. Troy also worked as a janitor in a Yeshivah. There was a young man he knew who told him a similar story. Ezra, a young man at the yeshivah shared with him how he had just heard back from a shadchan about yet another failed shidduch attempt. Troy resolved that he would try to do something to help these people in his life. The next day Troy went to the yeshivah for his job. He found a friend of Ezra and asked him if he could kindly write on a sheet of paper a short bio and description of Ezra and to place Ezra's contact information on the bottom. The friend happily complied. Troy took this paper with him to the Berger's. He entered Mr. Berger's office and there was a sefer on the desk. He took his precious paper and placed it on the sefer with a silent prayer that his plan would lead to fruition. Sure enough a few hours later Mr. Berger went to his office and found the paper. He had no idea where it came from but the description sounded very nice and he felt like it was worth a chance. He picked up the phone and called the number on the paper. The story has a happy ending. Mr. Berger took the lead on the shidduch and connected his daughter to Ezra. After much effort on Mr. Berger's part, Ezra and Mr. Berger's daughter became engaged. The wedding was a few months later and they were an extremely happy couple. After the wedding was over Troy went over to Mr. Berger, with a smile. "Mr. Berger, I'm so happy that you took the initiative and called the number on that note I left for you". In a flash Mr. Berger understood that his Filipino housekeeper, Troy, was the anonymous shadchan. The following thought went through Mr. Berger's head. This was after the wedding and the wedding expenses already weighed on him. It was not a question in his mind that he would buy a very generous gift to express his hakaras hatov, his gratitude to Troy for suggesting the shidduch. But the custom is that the in-laws pay the shadchan a shadchanus, a fee of about $2000 for arranging the shidduch. In this case did he have to pay Troy the $2000 shadchanus? On one hand Troy was the one who secretly suggested it, but on the other hand, all Troy did was leave a note. The bulk of the work of being a shadchan was done by Mr. Berger. In addition, among Jews it was customary to expect a shadchanus, but Troy was a non-Jew and was not expecting any shadchanus. Perhaps he would not have to give the $2000 shadchanus. Maybe a simple, more modest gift would suffice. What do you think? Was Mr. Berger obligated to pay Troy the $2000 shadchanus?

Answer: Regarding the question about the Filipino "Shadchan", Rav Zilberstein answered that the father should give him a gift to express his sincere gratitude but he didn't have to give $2000 for shadchanus. This is because all the shadchan did was give an idea and did not do the work, so it is not clear that he did this to get paid. In addition, it is not the practice among non Jews to expect shadchanus, so in this case we can follow the expectations of non-Jews.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yevamos, p. 478

Gavriel was a wealthy man. He had a cousin, Shoshana, who had no parents and he wanted to help her get married and start a family. He set up a meeting with Mrs. Katz, a local shadchan. "Mrs. Katz", he began, "as you know, the going rate for shadchanus, (the fee that one pays to a shadchan after a successful shidduch), is $2000. But my Shoshana is really a very special girl. She is extremely frum and she needs a very special, unique boy. She needs a real yarei shomayim (G-d fearing person). If you find a real yarei shomayim for Shoshana I will pay you double the shadchunus, $4000. Mrs Katz was excited about the prospect and she pledged to get to work right away. She looked into her files and found a young man who she thought might fit the bill. The young man's name was Chaim. Mrs. Katz met with Chaim and she was impressed with how Chaim constantly talked about his strong emunah in Hashem, and how he wanted to devote his life to bringing nachas to Hashem. To Mrs. Katz he seemed like a real yarei shomayim. Mrs. Katz then did a bit of

research. She asked Chaim's friends if they would consider Chaim a yarei shomayim and they each enthusiastically affirmed that he was a yarei shomayim. With those facts in hand, Mrs. Katz proceeded to arrange the shidduch. Shoshana went out with Chaim once. Then again, and then again. The two seemed extremely happy with each other and before long, Chaim asked Shoshana to marry him. Chaim and Shoshana were ecstatic. Mrs Katz was extremely pleased. She was also looking forward to getting the special bonus for the shadchanus. Sure enough, Gavriel appeared at Mrs. Katz's home with an envelope, and handed it to her. Mrs. Katz opened it up and saw $2000. "Ahem", she cleared her throat. "Thank you so much for this. But I thought we agreed that you would give me, double, $4000, if I found Shoshana a yarei shomayim. I think it's clear that I fulfilled my side of the bargain. Look how happy she is with Chaim". Gavriel responded, "Yes I was greatly hoping that Chaim was a yarei shomayim. But I have been keeping my eye out on him. I have been watching him and I see that very often he comes late to davening. And very often he rushes to the end of davening. To me, that is a clear sign that he is not a yarei shomayim. I look at people's actions, not what they say." But Mrs. Katz retorted, "You can't make that assumption. I asked all his friends and they all said he is a yarei shomayim. I spoke to him and his yiras shomayim practically oozed out of him. How can you judge him because he came late to davening? How can you judge what is really going on in his heart? But Gavriel said, "To me, coming late to davening is a sign of a lack of yiras shomayim and that is what I meant when I made my deal with you. If he does not come on time to davening that does not meet my definition of yarei shomayim and therefore I am sadly unable to pay the bonus". Both Mrs. Katz and Gavriel agreed to bring the question to a Rav. What do you think? Should Mrs. Katz get the bonus because on the outside it appeared that Chaim was a yarei shomayim and that is the best that anyone can really do? Or should she not get it, because it was clear that the metric for yarei Shamayim in Gavriel's eyes, was coming on time to davening? It was clear that this is what he intended. Or can we argue that we don't care about the definition that Gavriel had in his heart, the main thing is what the term Yarei Shomayim means objectively?

Answer: Regarding the question about the matchmaker, Rav Zilberstein wrote that because they never defined what was meant by "Yarei Shomayim" the default would fall to what the man said he meant when he wanted Yarei Shamayim. If to him Yarei Shamayim meant coming to shul on time, then the shadchan would not be able to extract the extra 2000 from him in court.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 194 (Table Talk Halachic Archive, Edition 285 (Bo))

Avi was in the market to buy a penthouse apartment in Eretz Yisrael. He called a realtor and said he was looking for a penthouse apartment in Beit Shemesh. He wanted an apartment that had five bedrooms and three bathrooms. The realtor looked at his database and said that what he was looking for was not that common, but he had one great idea. The realtor proceeded to describe all of the details of the penthouse apartment to Avi. Avi asked the realtor if he could tell him the address of the apartment. The realtor said, "If you are serious, then let's make an appointment, and when you come into the office and sign the papers to officially commission me as a realtor, I will give you all the final details of the apartment, including the address and apartment number". Avi asked the realtor if he could at least give him the street that the penthouse was on. The realtor saw no harm in that as the street was a very long one, and there were hundreds of apartments on that block. "Sure, it's called Hakalanit Street," the realtor said. Avi then opened the phone book and called another realtor. It didn't hurt to have more than just one option. Avi told realtor number two what he was looking for. The realtor said, "What you are looking for is not that common, but I found one." The realtor then also proceeded to describe the details of the apartment. To Avi, the details sounded surprisingly similar to the first apartment described by realtor number one. Avi asked realtor number two if he could tell him the name of the street that this was on. "Sure," the realtor said, figuring that the street alone would not give away too much information. "The street is called Harakefet street." It sounded like it was a different street. But to Avi's mind, it was weird that both apartments sounded exactly the same. Avi opened up a map. Lo and behold, as he surmised, Hakalanit street and

Harakefet street were two intersecting streets. It might really be the same penthouse that both were talking about. Avi took a trip to the intersection of Hakalanit and Harakefet. Sure enough, there was just one apartment at that corner intersection. That building had just one penthouse suite. Avi went into the apartment building and knocked on the penthouse door. The owner opened the door. Avi asked him if he was looking to sell his apartment. The man said that he was. Avi offered him a price, and the man agreed. Soon enough, they finalized the sale, and Avi purchased it without having to use any of the realtors. Avi felt that it was providential and that he had great mazel. Both realtors never told him where the house was, but Avi was able to put two and two together and figure it out. After word got out that Avi had bought the penthouse, the first realtor approached Avi. He wanted a commission for helping Avi to make the purchase. Then the second realtor came to Avi. He wanted a commission for making the sale. Avi didn't know what to do. He did not intend to cut out the realtors; he just happened to figure it out by himself. Did he have to pay the first realtor? He was the one who first proposed the idea. But perhaps he should pay the second realtor because only after the second one told him the street did he know where it was. Perhaps he had to pay both? Perhaps he had to pay both, but they should each split one commission. Or finally, perhaps he did not have to pay either of them because, after all, he made the sale without them. He decided to bring this question to Rav Zilberstein. What do you think? Does he have to pay either of the realtors?

Answer: Regarding the question about the realtors, Rav Zilberstein said that the buyer would have to pay the realtors, even though they did not tell him outright where the apartment was. He should pay one commission and split it between the two realtors. He didn't have to pay each realtor full commission.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 373 (Table Talk Edition 304)

Donny, who had a job delivering meats for a butcher shop, was also a member of Hatzalah, a volunteer EMT service. One day, on Erev Yom Tov (the day before a Jewish holiday), as many people waited anxiously for their orders, Donny had just left to start his deliveries when he received an emergency call to help someone who had just been in a serious car accident nearby. In the middle of his route, Donny pulled over and responded to the call. He was able to stabilize the injured person and stayed with them until the ambulance arrived. Once the paramedics took over, Donny returned to his truck. When he checked his phone, he saw several missed calls from his boss. Donny called his boss back, and the first thing his boss said was, "Where were you? I saw you on the GPS, and your truck was sitting idle! People need their deliveries, and they're getting anxious because it's getting late." Donny explained, "There was an emergency. I'm an EMT, and I had to respond to the call." His boss replied, "I'm sorry, but I can't have you doing emergency calls while on the clock. If you want to keep working with Hatzalah as an EMT, you can't continue working for me." Donny felt it was unfair to be fired for his volunteer work with Hatzalah. It wasn't as if he had a choice -- if someone needed help and he had the skills to save them, he was obligated to act. According to the Torah, saving a life is a sacred duty, and in a sense, he was "coerced" by his religious obligation to stop, even during work hours. How could Donny be fired for doing what was required of him? But on the other hand, was the employer obligated to continue employing Donny if he could not be completely reliable to finish his deliveries on time? They decided to bring the question to a Rav. What do you think?

Answer: Regarding the question about the meat delivery driver, Rav Mordechai Shuchatowitz answered that Donny had a responsibility to disclose the fact that he worked for Hatzalah to his employer when applying for the job. He should not have disclosed this only after accepting a time-sensitive delivery that he could not guarantee to complete on time. Similarly, Rav Akiva Meister stated that the employer has the right to require a reliable driver for the job and is not obligated to continue employing someone who cannot be dependable.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Baruch needed a crown and went to his dentist, Dr. Stein. When the crown came in from the lab, Dr. Stein noticed that there was a flaw in the material. In fact, this was the second time this happened. The first time the crown came in with a flaw, Dr. Stein sent it back to the lab to be remade. However this time, Dr. Stein told Baruch, "You know what, let's go ahead and use this one, if it breaks we'll take care of it." Dr. Stein never explicitly said he would take care of it for free, but that was how Baruch understood it. Baruch understood that if it would break, Dr. Stein would replace it free of any charge. Understanding that he might have to get it replaced, Baruch agreed to use the flawed crown. Sure enough after about a year the crown broke because of the flaw. The lab agreed to replace the crown under warranty. However, the dental insurance company would not cover the costs of the reinstallation of the crown. When Baruch came back to Dr. Stein to get the crown replaced, the dentist realized that the reinstallation would not be covered by insurance. He asked Baruch if he was OK with paying $200 to cover his time for installing the new crown. After Dr. Stein asked him this question, Baruch felt torn. He felt that it was Dr. Stein's decision to use the flawed crown. He could have sent it back like he had done in the past. Furthermore, Dr. Stein implied that he wouldn't charge Baruch anything if the crown failed and needed to be replaced, by saying "if it breaks we will take care of it. Baruch never would have agreed to use the flawed crown if he thought he would have any responsibility. On the other hand, however, Baruch understood the possible risks and he consented to go ahead with it. Baruch wondered if he had an obligation to pay the $200 to replace the crown. What do you think?

Answer: Regarding the question of the flawed crown, in both scenarios, Rav Tzvi Berkowitz answered as follows. "Had the crown been returned to the manufacturer, what would the patient have had to pay? He [the patient] shouldn't be paying more than that."

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 152 (Zos Habracha)

Avi lived in the United States and he and his wife wanted to plan a family trip to celebrate his son's bar mitzvah on the bo bayom (the day of his birthday) in Eretz Yisrael at the Kosel. After davening at the Kosel, Avi wanted to take his family on a trip to the Old City in Yerushalayim. The problem was that this was in 2016 and it was a time when Jews were being stabbed frequently by our enemies. Avi decided that he was going to hire an armed guard to escort his family on their tour of the old city. Avi did a bit of research and it was recommended that he hire Ronen, who was a former special forces soldier and was very experienced as a bodyguard. Avi reached out to Ronen and they agreed that Ronen would be their bodyguard for the trip. The bar mitzvah day came and the bar mitzvah boy read the Torah beautifully at the Kosel. The family ate breakfast, and then a tour guide took them on a detailed extensive trip of all of the sites at the Old City. Ronen, the bodyguard, was with them with a very large, very visible semi-automatic rifle swung over his chest. The family saw all of the sites and had a great time. As the day came to a close, Avi paid Ronen 500 dollars for his services, and thanked him profusely. Before Ronen left, Avi said, "By the way, can I see your rifle? I used to be in the military myself and I'm a bit of an expert about guns. "Sure," Ronen said, and he handed his rifle to Avi. As Avi examined the rifle closely he realized that there was no magazine in the gun and the gun actually had no bullets. "Where is the magazine?", Avi asked. Ronen looked at Avi sheepishly. "In the middle of our trip, I realized that I forgot my magazines and my bullets at home. But I figured if I brandished my weapon openly, then no one would give us any trouble. And sure enough, I was right, we had a great day and no one caused us any trouble." Avi felt annoyed. "If I would have known that you would have been guarding us with no bullets, I never would have hired you. I would have hired your competitor. I think I'd like my money back." Ronen looked at him a bit offended. "But what difference does it make? We finished the trip and I watched you the whole day. I did my job and I guarded you, and everyone was safe. Avi responded, "You actually put all of our lives at risk. We knowingly went to an area that had a potential risk. I wanted an armed guard to protect my family. If something would have happened you would not have been able to stop them. We were just lucky that nothing happened. I think you should refund the money." Eventually, they agreed to

bring this question to a Rav and this question was sent to Rav Zilberstein. Did Ronen have to refund the money because he guarded them with no bullets? On one hand he did guard them and they were safe, and perhaps showing his gun did something. But on the other hand, going without any bullets was negligent on Ronen's part, and had Avi known that he would not have brought the proper "tools" for the job, he never would have hired him. What do you think?

Answer: Regarding the question about the bodyguard who forgot his bullets, Rav Zilberstein wrote that the bodyguard was negligent and risked the life of his clients. In a dangerous situation, no one would hire a guard with no bullets and therefore it was a mekach taus, a mistaken transaction. Therefore the guard should return the money.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Sanhedrin, p. 458

One morning, a crowd gathered outside a DMV office in Israel, eager to get an early start. They arrived at 7:50 AM, ten minutes before opening, to avoid the long wait. Nine people stood patiently in line when suddenly, a newcomer barged in front, ignoring the line. Attempts to remind him of the queue were met with indifference; he simply stood at the front, disregarding the protests. At 8:00 AM, three DMV clerks emerged, ready to organize the crowd into three lines. "The first person in this big line will head line one, the second will lead line two, and the third, line three," one clerk announced. "We'll continue alternating in this pattern." As it happened, the line-cutter found himself at the forefront of the first line. The three clerks ushered their lines inside, where two lines progressed swiftly, thanks to the clerks' efficiency. However, the first line, led by the inconsiderate line-cutter, moved at a snail's pace. The clerk, new to the job, apologized for the delay, struggling with the process. As time passed, the other lines emptied, their patrons served and gone, while the first line remained. Frustrated, the man who had cut the line eventually left, not having been served. The clerk remarked, "It's ironic, isn't it? Those you bypassed are done, yet here you are, unserved. Had they contested your place, they'd still be waiting." The clerk, named Avi, later confided in Rav Zilberstein. "I wasn't new at all," he admitted. "I've been here for years but acted slowly on purpose to teach him a lesson. I saw what he did on the security camera. He shouldn't benefit from cutting the line. Yet, I wonder if I did right." "On one hand, I taught him not to bully or cut the line. But on the other hand, it was at the expense of the people behind the line-cutter. In addition, as an hourly employee, was it permitted for me to deliberately delay my work?" What do you think?

Answer: Regarding the question about the clerk who made the bully wait a long time in line, Rav Zilberstein answered that if there was no manager available to deal with the bully, the clerk had the right to do what he did, even though it caused the people behind the bully to wait longer. Everyone in the community has a responsibility to do their part to hold bullies accountable and bring them to justice, and therefore, the clerk was allowed to make those people wait.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra," p. 297

Chaim and Esther were expecting a baby. It was their first child, and they were very excited. They decided together that they did not want to know the gender of the baby and that they wanted to be surprised when it was born. They scheduled their first appointment with the obstetrician and planned to go together. The visit went well, and the doctor said that everything looked good. They scheduled their second appointment after 15 weeks. When Esther made the appointment, she made it clear to the nurse that they did not want to know the gender of the baby when they did the sonogram. The nurse agreed. They came to the appointment, and the sonographer did the sonogram. They told the sonographer that they did not want to know the gender, and she agreed. Afterward, the doctor came in. He was an observant Jewish doctor. The doctor looked at them and, with a big smile, said, "so I see we are Baruch Hashem going to have a healthy baby girl b'sha'ah tovah." Chaim and Esther looked at each other. Did they hear that right? Cham said, "Can you please repeat that?". The doctor repeated what he said. Chaim became indignant. "Doctor, I'm honestly very

disturbed that you told us that. We specifically told your office that we did not want to know the gender and we wanted to be surprised". "Oops," the Doctor said, "you are right, I have that here in the notes. I'm so sorry I let that slip". Chaim said, "I'm really upset. We are not going to pay for this doctor's visit. We made the appointment with the specific condition that we do not learn the gender of the baby. You did not keep that condition so you did not provide the service we requested. It is like a person who orders pizza from a restaurant and receives a calzone instead. You did not deliver what we requested". The Doctor looked at Chaim in an amused way. He thought this young man's nerve and spunk were cute. "Well, Chaim," the Doctor said. "I hear your argument, I don't see it that way, obviously, and I think you should pay, but I'll, tell you what. Ask your Rav what he thinks and I'll do whatever he says." This question was brought before Rav Yosef Elyashiv. What do you think? Does Chaim not have to pay the doctor because the doctor did not provide the services that Chaim requested? Or does Chaim have to pay, because the primary service, checking that the baby was healthy, was provided?

Answer: Regarding the question about the ultrasound, Rav Yosef Elyashiv answered that although the doctor did the wrong thing regarding revealing the gender, nonetheless he properly did his job of checking if the baby was healthy and therefore the doctor needs to be paid.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 320

Eli applied for a new position in an office. He was experienced and was offered the job. Part of the terms of his employment offer was that his employer would provide lunches on the premises. In Eli's mind this was a great perk as he didn't have to spend time preparing lunch ahead of time and he didn't have to spend money to purchase a lunch. This perk helped tip his decision and Eli accepted the job. On the first day on the job Eli looked forward to lunch. Lo and behold the lunch was sushi. It looked very nice, it was prepared nicely, but Eli wasn't crazy about sushi. He picked at it a little, but the lunch wasn't very satisfying for him. The next day, Eli went to lunch and once again it was sushi. It was a different type of sushi, it was prepared differently but it was sushi and Eli was getting kind of sick of sushi. The next day, sure enough, it was sushi again. Eli inquired why the office always served sushi. They explained that the office made an arrangement with a nearby sushi restaurant, they got a very good bargain on the meals. Eli felt frustrated and misled. When he accepted the job he understood that the lunch provided was a typical lunch menu. Eli felt that sushi every day was not normal and he didn't feel like they were providing him with a reasonable lunch. When he brought this question to the manager the manager was apologetic, but he said it would cost the company a lot of money to get different types of meals. Eli felt that they had an obligation to serve a more typical lunch menu to honor the employee contract. Serving an exotic and gourmet menu was not "normal" and was not what he agreed to. Had he known this was what it was, he might not have accepted. This question was eventually brought to Rabbi Zilberstein. Who was correct? When the contract said it would provide lunch did it mean a typical lunch that is served to employees? On one hand, had Eli known it was sushi he might not have accepted the offer. But on the other hand, is the company obligated to provide a special meal for Eli because he felt this was not a normal meal? What do you think?

Answer: Regarding the question about the Sushi meal, Rav Zilberstein answered that the employer is obligated to provide a normal, typical meal that is typically eaten in that city.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 188 (Chukas)

Chaim needed his house painted and called Avi, a professional house painter, to give him an estimate. Avi inspected the house and quoted $5,000 for the entire job. Chaim grimaced and politely explained that $5,000 was simply too expensive for his current budget. Avi looked around and noticed a gorgeous painting hanging on the living room wall. "Tell you what," Avi proposed. "I love that artwork. If you give me that painting, I will paint your entire house and

consider it paid in full." Relieved and delighted, Chaim readily agreed, and Avi proceeded to paint the house meticulously from top to bottom. When the job was completed, Avi asked for the painting as agreed. Chaim, deeply embarrassed and apologetic, explained that when he told his wife about the deal, she was heartbroken. The painting had immense nostalgic and sentimental value to her family, and parting with it caused her immense distress. Chaim offered to pay Avi the full $5,000 in cash instead. Avi, however, insisted: "A deal is a deal. I only agreed to paint the house because I wanted that specific painting!" Does Chaim have to hand over the painting, or may he insist on paying cash? What do you think?

Answer: Rav Yitzchak Zilberstein rules that Chaim may pay the $5,000 in cash and is not obligated to surrender the painting. Under normal contract law, an employer may not unilaterally substitute payment with a different medium once a specific item has been agreed upon. However, because Chaim sincerely did not realize the profound sentimental attachment his wife had to the painting, his commitment was made under a genuine unforeseen mistake (oness). Since the $5,000 cash represents the full, fair market value of Avi's labor, Chaim is permitted to pay in cash to avoid devastating emotional pain to his wife.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 84

A merchant imported a huge shipping container filled with suits for a massive liquidation sale. To manage the immense inventory and assist customers, he hired two temporary day laborers on consecutive days. As payment for the first day's labor, the merchant compensated the first worker with a high-end, exquisitely tailored designer wool suit from the container. When the merchant hired the second worker the following morning for the exact same job, he promised him: "You will receive the exact same wage as yesterday's worker." At the end of the shift, the merchant handed the second worker two standard, budget-line suits, explaining that the combined market value of these two suits equaled the retail monetary value of yesterday's single designer suit. The second worker objected, insisting: "You promised me the exact same payment as yesterday's worker—I demand the single high-end designer suit, not two standard suits!" Is the merchant obligated to provide the single expensive designer suit, or can he fulfill his agreement with two standard suits of equivalent monetary value? What do you think?

Answer: Rav Yitzchak Zilberstein rules that the employer is obligated to give the second worker the single high-end designer suit, just as the first worker received. When an employer hires a worker promising "the same wage as your fellow received yesterday" without further qualification, the agreement is understood according to ordinary speech as referring to the identical quality and type of item given previously, not merely an abstract mathematical equivalent divided into cheaper goods. Because the worker accepted the job with the specific expectation of receiving the prestigious designer suit, the employer cannot unilaterally substitute two cheaper garments. (Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 125)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 125

A man was drunk on Purim and was lying on the sidewalk. He couldn't be woken up. A person called the hospital because he was concerned that the man may have been in danger. The man was brought to the hospital and woke up feeling just fine. He was presented with a big bill afterwards. The man in the hospital said that he didn't plan on paying the bill. He never asked to be sent to the hospital and he was fine the entire time. Other people overreacted. They should pay the bill... Who has to pay the hospital bill the one who called or the one who was treated in the hospital?

Answer: The patient needs to pay the bill.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 56

STORIES FROM OUR SAGES:

❖ The Mishnah teaches that one may not cosmetically doctor an aging servant or animal to deceive a buyer about its age. What is an example of this? Like the incident involving a certain elderly servant whose hair and beard had turned white with age. Wanting to be hired by a wealthy household, he went and dyed his head and his beard pitch-black so that he would appear young and vigorous. He came before the sage Rava and said to him: 'Acquire me as a worker for your household!' Rava declined and told him gently: 'Instead of hiring servants, I follow the teaching of the Mishnah: Let the poor of the town be members of your household!' The man then went before Rav Papa bar Shmuel, who did not realize how old he was and hired him. One day, Rav Papa bar Shmuel asked him to bring him a drink of water; the elderly man went, washed the black dye from his head and beard, and stepped forward with his snow-white hair gleaming. He said to his master with a smile: 'See—even though I am older than your father, I can still draw water and do an honest day's work!'

Bava Metzia 120:5

INSPIRATIONAL STORIES:

❖ Baruch Cohen, a Los Angeles trial attorney, was conducting discovery when he received a daunting 40-page Excel spreadsheet with numerous tabs. A forensic accountant estimated that analyzing it would cost approximately $25,000. Instead, Baruch uploaded the spreadsheet to ChatGPT and Claude, using carefully developed prompts. Within seventeen seconds, he received a detailed analysis with the answers he needed. The legal issue was resolved -- but another question remained: How should he bill the client? Baruch consulted several lawyers. They explained that "value billing" would be legitimate. Since the client had received the benefit of approximately $25,000 worth of professional analysis, they argued, charging based on that value would be reasonable. But Baruch was uneasy. "That's not the way a Ben Torah operates," he felt. Instead, he calculated the actual time spent. He billed for ten minutes developing prompts, a half-hour reviewing and verifying the results, and the seventeen seconds of AI processing. He also clearly stated on the invoice that he had used AI and saved the client an estimated $25,000 in forensic-accounting expenses. Several days later, the client called. He said that in all his years working with lawyers, he had never seen such billing. Many attorneys, he noted, might have found a way to charge substantially more because of the value they had provided. For Baruch, the invoice represented more than a financial decision. Every day he walks into court wearing a yarmulke, he knows he becomes an ambassador for something larger than himself. Clients, judges, opposing counsel, and experts may never open a sefer or attend a shiur, but they see how he behaves. They read his invoices. Every honest invoice can remind the world that Torah is not confined to shul. It accompanies us into our offices, trust accounts, billing systems, and the choices we make when no one is watching. This idea connects to the Yud Gimmel Middos, the Thirteen Attributes of Divine Mercy, which we recite repeatedly during Selichos and Yom Kippur. Rav Chaim Friedlander explains that their power lies not only in saying the words, but in committing ourselves to live by them. The Sefer HaChinuch teaches that one who attaches himself to Hashem's middah of emes, truth, connects to Hashem, the source of goodness and berachah. The same applies to all of Hashem's middos: chessed, compassion, patience, and truthfulness. By emulating Hashem's middos, we strengthen our connection to Him and draw berachah and simchah into our lives. When we distance ourselves from those middos, we invite the opposite -- worry, conflict, and pain.

From Rabbi Shraga Freedman

❖ Rabbi Avigdor Miller had great ahavas Yisrael. If a bachur asked if he could come over to discuss something private, or even if Rabbi Miller only suspected that the subject was of a sensitive nature, he would meet with the bachur while facing the wall, or inside his apartment with the door partially opened, without looking at him, explaining, "So that you shouldn't be embarrassed every time you see me". Rabbi Miller's ahavas Yisrael naturally extended to extreme concern for people's money. Once it was time for one of his vaadim to begin, and uncharacteristically he had not yet arrived. An attendee called him from the shul payphone and Rabbi Miller quickly came. After the vaad, he asked who had made the call. Afraid that he

had done something wrong, the bachur did not come. Rabbi Miller persisted, and finally the anxious young man confessed. Rav Miller quickly eased his mind and handed him a quarter. "You don't have to lose out because of my tardiness," he said. A group once came to ask Rav Miller to sign a letter of protest against a newspaper that was disrespectful to a great person. He told them he had to think about it and he specified a time for them to come back. When they returned, he handed them an envelope. They left, opened it and found that he had written a note saying that he decided "after much consideration" not to sign the petition since it would possibly be misunderstood as getting involved in controversy. Nevertheless, he enclosed $25 for traveling expenses since he had told them to come back for nothing.

From Rav Avigdor Miller, His Life and Revolution, By Yaakov Y. Hamburger, Published by Judaica Press

TO BE HONEST

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by being honest like Him

38. Not to lie (To speak the truth)

(Torah Mandated Mitzvah), Sefer Chareidim 12-26

As the Torah says, "Keep far from words of falsehood (Shemos 23:7, Parshas Mishpatim)".

SEFER CHAREIDIM

It is an active positive mitzvah to speak the truth, extending even to mundane worldly matters that bear no financial consequences. The verse indicates that it is forbidden to utter a falsehood even when it consists purely of spoken words with no monetary ramifications. Chazal taught that one who speaks falsehood is regarded as though he worships idols, as derived from Scriptural verses. However, for the purpose of establishing peace between individuals (darchei shalom), it is permissible to alter the truth, and doing so is considered a praiseworthy mitzvah.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem's most fundamental characteristic is truth, so should we develop a character that speaks, and lives the truth.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMCHAL — MESILAS YESHARIM (CHAPTER 11)

The Torah does not merely command us not to lie; it commands: "Midvar sheker tirchak" — "Distance yourself from any matter of falsehood" (Shemos 23:7), requiring us to stay far from exaggerations and misleading nuances. Emes represents enduring, eternal reality. Over a true man of truth (Ish Emes), the forces of death and destruction have no ultimate power.

SFAS EMES

• In Parshas Shoftim, the Torah commands: "Judges and officers shall you appoint for yourself in all your gates" (Devarim 16:18). The Sfas Emes explains that falsehood possesses an insidious, sticky nature. With other sins, the boundary line between forbidden and permitted is clear and sharp. But a lie is subtle. Falsehood can disguise itself as wisdom, diplomacy, or kindness. If a person stands close to falsehood, its toxic fumes seep into his thinking before he even realizes it! The Sfas Emes writes: "Judges and officers shall you appoint" is a promise that

every Jew has the power to appoint guards over himself. Falsehood distorts the moral compass of anyone who lingers near it, and the Torah's command to distance ourselves from it completely is our protective boundary (Sfas Emes, Devarim, Shoftim 5639).

• In Parshas Mishpatim, the Torah sets forth the civil laws that govern daily life: "Now these are the judgments which you shall set before them" (Shemos 21:1). The angel of Truth protested: "Do not create man, for he will be full of lies!" What did Hashem do? The Sfas Emes explains that this world was designed as a realm of concealment. In heaven, truth is self-evident. On earth, truth is buried beneath layers of illusion, politics, and commerce. The mission of Israel is to dig through the dirt of physical life, extract the hidden truth, and elevate it back to Hashem! The Sfas Emes writes: "Now these are the judgments": our Sages teach that just as the Ten Commandments were from Sinai, so too these civil laws are from Sinai. It is buried under the hustle of daily life. When we speak with scrupulous honesty, we brush away the sand and restore the King's throne to its rightful glory (Sfas Emes, Shemos, Mishpatim 5652).

• In Parshas Vayishlach, Yaakov Avinu wrestles with the mysterious angel of Eisav: "And Yaakov was left alone; and there wrestled a man with him until the breaking of the day" (Bereishis 32:25). The Sfas Emes explains the spiritual depth of this battle. The guardian angel of Eisav represents the power of falsehood and illusion in this world. Yaakov Avinu embodies the attribute of absolute truth: "You give truth to Yaakov" (Michah 7:20). The angel tried to bury Yaakov in the dust of earthly deceit. But because Yaakov was attached to truth, his dust reached all the way to the Throne of Glory! But truth is an unbroken vertical beam that connects earth to heaven. When you speak the truth, your words resonate before the Throne of Hashem (Sfas Emes, Bereishis, Vayishlach 5648).

• When the twin brothers were born, Scripture records: "And after that came his brother out, and his hand took hold on Eisav's heel (akev Eisav); and his name was called Yaakov" (Bereishis 25:26). Our Sages note an ancient linguistic proverb: "Truth has feet on which to stand; falsehood has no feet (kushta ka'i, shikra lo ka'i)." The Sfas Emes uncovers the secret of why falsehood is powerless on its own. The Hebrew word for heel is akev, which is the root of deception (akav). Why does the Talmud say that falsehood has no feet? Because a pure lie is so absurd that nobody would ever believe it! Their arguments have no solid ground beneath them. The moment you shine the bright light of Torah truth upon a lie, its stolen foundation crumbles, and the deceit falls flat on its face (Sfas Emes, Bereishis, Toldos 5656).

• In Parshas Vayeitzei, Yaakov flees from Eisav and encounters the place of the future Temple: "And he lighted upon the place (vayifga bamakom), and tarried there all night, because the sun was set" (Bereishis 28:11). The Sfas Emes answers with a breathtaking principle. Even inside the darkest exile, and even inside the midst of falsehood, there is a hidden point of truth that gives that moment existence! Hashem created the world so that truth can never be completely extinguished. When an upright person enters a corrupt environment and clings to his integrity, he activates that hidden point of truth. Your single spark of integrity carries more weight than all the surrounding falsehood. Like Yaakov in Lavan's house, your commitment to truth will outlast every crooked scheme (Sfas Emes, Bereishis, Vayeitzei 5639).

MORAL DILEMMAS:

Micha was laid off from his job and held a yard sale to help him pay his mortgage. A potential customer perused the items on the lawn and picked up a painting. “How much are you asking for this”, she asked. “$15 dollars”, he answers. “Only 50 dollars! She said. “What a bargain. I would have paid $100”. The lady handed Micha a $50 dollar bill. Micha wonders if he is obligated to tell her that he only asked for 15. He really could use the money though and he would rather not. What is his obligation? On one hand he told her $15 so accepting more would be dishonest. But on the other hand the lady thought that $50 was a bargain and she was willing to spend even more. What do you think?

Answer: He is allowed to accept the higher price.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 274

Shimon, an ambitious businessman, was presented with a major commercial real estate venture that required risking a significant portion of his capital. Feeling torn, he wrote a detailed letter to his revered Rosh Yeshivah, seeking his guidance and da'as Torah. The Rosh Yeshivah reviewed the proposal, felt the financial risk was far too great, and penned a clear letter advising Shimon to decline the deal. At the same time, the Rosh Yeshivah had written a letter to another talmid, bestowing a warm blessing for abundant success and prosperity in his new endeavors. In the flurry of the yeshivah office, the secretary inadvertently swapped the envelopes. Shimon opened his envelope to find the glowing letter: "May Hashem grant you tremendous hatzlachah and wealth in this worthy undertaking!" Heartened by what he believed was the Rosh Yeshivah's enthusiastic endorsement, Shimon went ahead with the deal. The investment proved to be a spectacular triumph, earning Shimon a substantial fortune. Overjoyed and filled with immense gratitude, Shimon sent a generous $50,000 donation to the yeshivah along with an effusive letter thanking the Rosh Yeshivah for his visionary counsel. When the Rosh Yeshivah received the donation, he immediately realized the clerical mix-up. Can the Rosh Yeshivah accept the donation and remain silent, or must he inform the businessman that his actual advice had been to reject the deal? What do you think?

Answer: Rav Yitzchak Zilberstein rules that the Rosh Yeshivah is permitted to accept the donation and remain silent. From the perspective of Divine Providence, Hashem orchestrated the events so that the businessman received the exact encouragement he needed through the vessel of the tzaddik and in the merit of the tzaddik. Because the businessman achieved genuine, extraordinary success through this guidance and gave the donation out of heartfelt joy and gratitude, there is no issue of deception (geneivas da'as), and the yeshivah may keep the funds.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 145

STORIES FROM OUR SAGES:

❖ R' Chiya bar Rav's mother acted vexatiously toward Rav, her husband. If Rav would ask her to cook lentils, she would deliberately cook legumes, and vice versa. Rav frequently sent Chiya to his mother to tell her what to cook. Chiya began reversing his father's order; if Rav told Chiya to tell her to cook lentils, he would tell her to cook legumes so that she would cook lentils. Rav began to wonder about the change of heart in his wife, and Chiya related to him what he had been doing. Rav told his son, "Do not do this so that you should not learn to lie."

Talmud Bavli, Yevamos 63a

❖ A woman once asked R' Chiya whether a certain coin was good currency. He responded that it was, but she returned the next day to tell him that she was unable to use it. Although R' Chiya was not strictly liable in court for the woman's loss, he

told Rav to "give her a good one in exchange for this and write it down in my books as a loss."

Talmud Bavli, Bava Kamma 99b

❖ Rabbi Shimon ben Chalafta was a keen investigator of natural wonders who conducted experiments to verify the verses of King Solomon. He read the verse (Proverbs 6:6–7): 'Go to the ant, you sluggard; study her ways and be wise—who, having no chief, overseer, or ruler, prepares her bread in the summer!' Rabbi Shimon ben Chalafta said to himself, 'Let me go and see whether it is truly so that ants have no king!' He went out at the height of the summer heat in Tammuz and spread his cloak over an anthill to cast cool shade upon it. One ant came out, saw the shade, placed a mark there, and went back inside to tell the other ants, 'Come out—shade has fallen!' Just then, Rabbi Shimon ben Chalafta pulled back his cloak, and the blazing sun beat down upon the ants when they emerged. Thinking that the first ant had lied to them, the ants surrounded it—proving, said Rabbi Shimon ben Chalafta, that ants have no king, for if they had a king, they would have waited for the king's decree! Yet Rav Acha bar Yaakov pointed out that perhaps their king was right there with them, or that it was the interregnum between one king and the next!

Talmud Bavli, Chullin 57b

INSPIRATIONAL STORIES:

❖ Upon arriving in the Holy Land after having gone through indescribable suffering in Auschwitz and other camps, Harav Yechezkel Shraga [Lipshitz] Halberstam settled in the city of Ramleh, prior to his eventual move to Yerushalayim. Despite the fact that his stay in the city was temporary, and notwithstanding his frail frame and general poor state of health, he managed to build, with his own hands, literally, a mikvah that conformed to all the stringencies of the Divrei Chaim, the renowned Sanzer Rav, the great-grandfather of Reb Yechezkel Shraga. Following is a quote from his preface to the sefer Divrei Shalom: "Blessed be Hashem Who has rescued me from the murderous hands of the Germans and of other nations, and from the extermination camps where millions of our brethren have breathed their last, may Hashem avenge their blood. During those bitter times, while in Auschwitz, Dachau, Grossraussen, Mildorf and other notorious camps, I witnessed daily the sight of many of our dear brothers who expired from starvation and disease. Many a time I was a smidgen away from death; however, Hashem in His great mercy spared me through a series of miracles." We will now relate one such miracle which occurred on the very first day of his arrival in Auschwitz. Standing in line, waiting for his turn to be scrutinized by the arch-murderer, the notorious beast Dr. Mengele, an S.S. officer passed through the line trying to verify who among the new arrivals was an experienced craftsman in any of several fields — construction, electric, plumbing, etc. Needless to say, everyone wished to qualify, realizing that it would provide them with more of a chance to be directed to the right, rather than to the gas chambers. Unfortunately, few succeeded, since the S.S. officer posed technical questions to weed out the pretenders. Reb Yechezkel Shraga decided to claim expertise in the field of construction. He persuaded a young man standing alongside him, who was actually employed in that field, to teach him any simple concept that comes to his mind regarding the building trade. The man readily agreed and taught him the basics of constructing a ninety-degree angle. When the S.S. officer passed by, Reb Yechezkel Shraga claimed to be a building tradesman, and miracle of miracles, the very question the officer posed was the formula for creating a right angle. The strategy succeeded; he was taken from the line and assigned to a work brigade. Remarkably, the officer commented, "All you dogs are liars. This fellow is the only honest man in the group, an experienced construction tradesman." At that moment Reb Yechezkel Shraga vowed that if Hashem would spare his life and he would see the light of freedom again, he would do everything within his power to utilize his "professional building skills" to construct a mikvah with every halachic requirement, including those stringencies of his great-grandfather, the Divrei Chaim. "The pious man," in the Ish Chassid liturgy sung at Melaveh Malkah, "prayed at midnight: 'Hashem, Creator of the world, help me finish this building.' As he was about to conclude, 'in accordance with

the architect's plans,' he realized that the building was miraculously completed." Similarly, the mikvah in Ramleh, a city not noted for its great dedication to Yiddishkeit, was completed by the great architect, Harav Yechezkel Shraga [Lipshitz] Halberstam, to the pride and joy of all the city's Torah-true residents.

Noble Lives Noble Deeds, Vol. 3, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ Rachamim was a lonely, unfortunate man who lived in the neighborhood. His life had been fraught with difficulties, and he was completely alone, with not a soul in the world other than... the Gerrer Rosh Yeshivah, Rav Pinchos Menachem Alter. Rachamim had a special minhag. He was in charge of coming to the Rosh Yeshivah's home once a month to fill him in on all the world news. He knew the Rosh Yeshivah had no other source for news, and throughout the month, he would prepare for his meeting, memorizing the important updates. After he would finish his extensive report, the Rosh Yeshivah would pay him for his "important service." In the summer of 1992, the Rosh Yeshivah became the Gerrer Rebbe. Rachamim, however, was unaware of the change in protocol and came to give his full-length news report as usual. The bachurim from Yeshivas Sfas Emes noticed him approaching the Rebbe's apartment and stopped him. They informed him that he could no longer just go upstairs to the Rosh Yeshivah's apartment—after all, he was now the Gerrer Rebbe. Rachamim, however, had his answer ready. "I happened to bump into the Rebbe yesterday, and he told me that I should not forget to come up to his apartment as I have always done." The bachurim couldn't believe their ears, but they let him go. How surprised they were when they saw that this visit was taking even longer than his regular visits! What important matter could the Rebbe have with this person who was so obviously down on his luck? They didn't have to wait long to find out. Rachamim emerged from the Rebbe's home with a radiant smile and glowing eyes. He explained, "This time, the Rebbe gave me an even larger sum of money than usual! The Rebbe told me that until now, he felt compelled to trouble me and ask me to give him the world news every month. Now that he has become the Gerrer Rebbe, however, there are other people who keep him informed, so he feels bad that I should trouble myself to come and tell him the news. But," Rachamim continued, "the Rebbe told me that I should keep coming to get money from him every month. That is one thing he is not willing to forgo." The Rebbe, with his heart and wisdom, had truly convinced Rachamim that he was performing a very necessary service. Rachamim fully believed that he had a very important job. How can we even contemplate the pleasure that Rachamim derived during all those years as the Rebbe's "special emissary" to update him on the news?

From The Pnei Menachem, By Rabbi Avrohom Birnbaum, published by ArtScroll Mesorah

❖ Rabbi Gisinger visited his Rebbe Reb Yaakov Kamenetsky on chol hamoed succos. His baby daughter was just learning how to walk. Rabbi Gisinger wanted to show his rebbe that the baby was starting to walk. He held out a candy and encouraged her to walk to his hand. The baby slowly walked to his hand. Then Rabbi Gisinger took a step back, and held his hand out for the baby to walk more. Reb Yaakov immediately chided, No, you have to give the baby the candy in the first spot. You implied that you would give it to her there and you have to do that. If you move it will teach her a basic form of lying, and the most important part of a child's chinuch must be emes. All of chinuch must be built upon emes.

Stories That Warm The Heart, By Rabbi Binyomin Penzik, Published by C.I.S. Publishers

❖ For Reb Yaakov Kamenetsky, no lie, no matter how small, was justified by the ends. A former talmid had planned to take a vacation day from work for Purim. His company, however, was particularly busy at that time and no days off were being granted. His only alternative was to say he was not feeling well by stretching the slight discomfort he anticipated feeling on Taanis Esther to cover the following day as well. When he presented his dilemma to Reb Yaakov, the latter told him simply, 'The Purim seudah is a mitzvah d'Rabbanan. 'From a false thing separate yourself (Shemos 23:7) is mandated by the Torah.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ The safety deposit boxes in a Montreal bank were burgled one weekend. People submitted claims of loss, and the bank directors, although not responsible by law, wanted to compensate their customers. However they had no way of determining if the claims were honest or exaggerated. There were seven deposit boxes that hadn't been broken into. The directors decided to call one of those people randomly selected and report that their box had been burgled. When the customer filed a claim, they would cheek to see how honest he was and project this as being the norm for the other customers. The person they called was Mrs. Bluestein, who happened to be a Shomer Shabbos Jew. She named the things taken without even one extraneous item. Concluding that people are basically honest, they awarded the customers whatever they claimed. The story was featured prominently in the city's major newspaper, creating an enormous kiddush Hashem.

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ The Brisker Rav's concern that he not be the source of falsehood was evident in his self-disciplined speech. He would avoid saying even what could indirectly cause some deviation from the truth. Once, as he was talking to someone, he began relating a story about a watchmaker he had known. He stopped, however, when he saw that despite his efforts, he could not remember the watchmaker's name. "Why stop?" he was asked. "Surely the story is worth being told. Not knowing the watchmaker's name won't lessen its effect!" "You're right. The watchmaker's name has nothing to do with the message of the story," answered The Brisker Rav. "Nevertheless, if I tell the story, most probably someone listening will forget that the name of the watchmaker was unknown and will retell it, ascribing it to some other watchmaker. I do not want to be the source of a sheker coming into the world.

The Brisker Rav, Vol. 3, By R' Shimon Yosef Meller, Published by Feldheim, p. 21

❖ In his later years, Rabbi Mandel visited a doctor's office, where he was to undergo a surgical procedure for the painful nerve condition from which he was suffering." The secretary handed him several papers, standard forms that he had signed on other occasions, for him to read and then sign. Rabbi Yaakov Mandel observed as his father lifted his eyeglasses as he strained to read the fine print. He was reading every line slowly and carefully. His son did not understand. What was there to read? These were standard forms, which most people signed in a matter of seconds. And the longer it took for him to read them, the later they would be admitted to see the doctor. R' Yaakov wondered if perhaps worry about the procedure itself was causing his father to be so cautious. "Tatte," he asked, "di hust moira (Are you afraid)?" "Yuh, ich hob moira (Yes, I am afraid)!' Rabbi Mandel replied. "But, Tatte, you have had this procedure a few times with good results! And this doctor performs it around ten times a day. Why are you worried?" Rabbi Mandel responded, "I am not afraid of the procedure; I am afraid of the Ribono shel Olam." He pointed to the bottom of the last page. Above the line for his signature it read, "I hereby affirm that I have read and understand all of the above. " He said, "You want me to sign that I have read the above when in fact I did not read it? You really want me to do such a thing?"

From Rabbi Manis Mandel: A Legendary Mechanech and Tzaddik, by Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Michel Ber Weismandel escaped Europe and was in Tangiers Algeria to try to raise awareness to save Jews in Europe. He was there before succos. He asked people when the market day to sell esrogim was. He was told it will be erev succos. Erev succos came and people gathered in the shul, with their colorful robes. A shamash took a burlap bag and dumped out what looked like esrogim. People just picked up an esrog and went home. No discriminating choosing, like in Europe. In addition the esrogim looked extremely plain. He thought that this community has no appreciation for the beauty of the mitzvah of esrog. He figured that this must be a community with a very low standard of Yiddishkeit. He waited for the next surprise to occur. By minchah a man wanted to daven as the shaliach tzibur. He began putting on the talis. Then the gabbai came to him, whispered something in his ear and took away the talis. Someone else davened instead. Rav Weismandel figured that he must have done something really bad like chillul Shabbos, or kefira to not be allowed to be the Chazen. He pressed someone to tell him why the man was disqualified. After some pressure the man whispered with shock, "Hu diber sheker - he told a lie. Rav Weismandel realized that he lived in an alternate universe than the one he had

in Eastern Europe. There they placed great emphasis on the hidurim of esrog, but didn't have the same emphasis on emes. In Tangiers they were yotze with a basic level of esrog, but had great hiddurim in emes. We should have as much hidurim in emes as we have for an esrog.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 203

❖ Scrupulous honesty was a fundamental feature of all of Rav Yosef Kahaneman's dealings. The Rav had a strange custom — he would have his meal on Rosh Hashanah night alone, without even his Rebbetzin keeping him company. When someone close to him asked him the reason for this, he explained how he came to adopt the practice. On the Rav's first visit to America, in 5689/1929, he spent Rosh Hashanah in Chicago, where he hoped to obtain a substantial donation from a certain wealthy Jew. On Rosh Hashanah night he went to pray in the man's beis hakneses and before the service started, the Rav introduced himself. The man honored the Ponevezher Rav with an invitation to his home that evening for the festive meal, but the Rav preferred not to accept. On the spur of the moment he told the man that regrettably, he was unable to accept the invitation because he had undertaken to have his meal on Rosh Hashanah night in solitude. From the day he said those words until the end of his life, he meticulously adhered to this practice, so as not to be "guilty of uttering a falsehood.

In Their Shadow, Vol. 3, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ Emes permeated all of the Brisker Rav's thoughts, actions and words. He was revolted by the slightest misrepresentation or false posturing, and would voice his disapproval when faced with this. For instance, he was not happy when he heard someone wish another, bon appétit, he would say, In truth people don't really mean this It is an empty expression said to be polite; one should not accustom oneself to speaking this way."

The Brisker Rav Vol. 3, By R' Shimon Yosef Meller, Published by Feldheim, p. 18

❖ Josh Glick went to rent a truck in a small Midwest town. He started pulling out his wallet to get his credit card and ID, but his ID was nowhere to be found. "Pull back your sleeve, buddy," ordered the proprietor. Josh did as he was told. "You got them marks on your arm [referring to the marks left by tefillin straps]. I don't need no ID from you."

Impact, Vol. 1, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ While studying in Slobodka, Rav Yaakov Kamenetsky was invited to spend Pesach with a certain family. He declined the invitation on the grounds that it was not his custom to eat gebroks, foods which contain matzah and liquids. Actually, it was the custom of R' Yaakov's family to eat gebroks and until that year, R' Yaakov himself ate gebroks. But from the time that he uttered the words "I don't eat gebroks" until he passed away, R' Yaakov never again ate gebroks, though he permitted his family to do so.

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rabbi Dessler arrived in America during Shevat of 1948. At customs, he was asked whether he had anything to declare. He replied that he was bringing a set of rubber blocks for his grandson. The customs authorities assumed that anyone who declared rubber blocks must be carrying contraband. They spent the next two hours searching all his belongings before concluding that he was just an exceptionally honest person."

Rav Dessler, By Rabbi Yonason Rosenblum, published by ArtScroll Mesorah, p. 266

❖ Rebbetzin Kanievsky avoided using the expression bubbe maaseh, which in Yiddish suggests that a fact or story is not reliable. The notion that grandmothers were associated with a lack of accuracy was foreign to her.

The Steipler, By Rabbi Moshe Sofer, Published by CIS, p. 174

A. NOT TO CAUSE DAMAGE WITH YOUR LIES, LIKE DENYING THAT YOU OWE SOMEONE MONEY, GIVING FALSE TESTIMONY, OR CHEATING

RABBEINU YONAH • SHA'AREI TESHUVAH (3:178)

The first category is that of the man of deceit, who has abandoned Torah and who works evil and destruction with his words, like one who utters a false denial in respect to his neighbor's pledge or deposit, or in respect to the wages of a laborer, as it is said. Neither shall you deal falsely, nor lie one to the other" (Vayikra 19:11). Similarly, one who bears false witness against his neighbor. It is said, "Thou shalt not bear false witness against thy neighbor" (Shemos 20:13). Included in this category is guile and deceit in business and in partnership, as it is said, "You shall not wrong one another" (Vayikra 25:14), and, "Oppression and guile depart not from her broad place" (Psalms 55: 12). The practitioner thereof is called "a man of iniquity" and "a base person"; and this class is one of the most reprehensible among the classes of the wicked, as mentioned in the "Gates of the Fear of Sin". The characteristics of this man of iniquity are winking of the eyes and pointing with the fingers, as it is said, "A base person, a man of iniquity, is he that walketh with a froward mouth; that winketh with his eyes, that scrapeth with his feet that pointeth with his fingers" (Proverbs 6: 12-13).

B. NOT TO PRETEND TO BE SOMEONE'S FRIEND IN ORDER TO TAKE ADVANTAGE OF HIM AND ULTIMATELY HARM HIM

RABBEINU YONAH • SHA'AREI TESHUVAH (3:179)

The second category consists of those who lie in such a manner that the lie itself involves no injury or loss to one's neighbor, but where the probability exists that the lie may be employed towards one's injury and harm, such as in the case of one who gives his neighbor the false impression that he is his affectionate and faithful friend, for the purpose of securing his trust and putting him off guard so that he can spring evil upon him, as it is said. "One speaketh peaceably to his neighbor with his mouth, but in his heart, he layeth wait for him" (Jeremiah 9:7), after which it is said. " 'Shall I not punish them for these things saith the Lord? 'Shall not my soul be avenged of such a nation as this?" (ibid., 8).

C. NOT TO LIE TO SOMEONE IN ORDER TO PREVENT HIM FROM GAINING, SO THAT YOU CAN TAKE THAT GAIN TO YOURSELF, OR NOT TO LIE TO BENEFIT FROM THE PERSON YOU LIE TO

RABBEINU YONAH • SHA'AREI TESHUVAH (3:180)

The third category consists of those who through subtlety and deceit attempt to keep some good from their neighbor and to direct it to themselves - not to steal or to seize from their neighbor what is his, but to eye his prospective good and prey upon it, to appropriate it for themselves through their lying words, or by means of their lies, to extract a gift from him. The punishment is essentially for lying, but the punishment for lying is greater when the lie results in a loss for another. In this case, the punishment is not as severe because one did not cause another to lose something which he has already acquired. Our Sages of blessed memory have said, "All who employ deception are akin to idol worshippers" (Sanhedrin 92a), as it is said, "My father will feel me and I shall seem to him as a deceiver" (Bereishis 26:12). And in connection with idol worship it is said, "They are vanity, a

work of deception, in the time of their visitation they shall perish" (Jeremiah 10: 15). Our Sages of blessed memory, in making the comparison to idol-worship, have carried the analogy to its outermost limit because of idolatry is supported by falsehood and assisted by deceit.

INSPIRATIONAL STORIES:

❖ Reb Yaakov Kamenetsky's career as a fundraiser was short lived. The Kollel for which he was collecting maintained an office in New York, which provided meshulachim (collectors) with lists of donors and receipts for their previous donations. At one of his first stops, Reb Yaakov handed a wealthy manufacturer what was purportedly his previous year's receipt. The man excused himself and went into an inner office. After some time, he returned with a canceled check for a smaller amount than that shown on the receipt. He then explained to an astonished Reb Yaakov that someone in the Kollel office had apparently issued a false receipt in order to encourage larger gifts the following year. Reb Yaakov quit his job on the spot, despite the need to pay off his debts and support his wife and six children, and the lack of any alternative source of income in America. 'I am no longer employed by this Kollel,' he told the startled manufacturer. When the manufacturer urged him to at least accept the smaller check, he refused, telling him that since he had resigned from his job he was no longer authorized to accept contributions for the Kollel. He also refused the man's generous offer of $200 to tide him over until he could find another job.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

D. NOT TO LIE BECAUSE ONE ENJOYS LYING, EVEN THOUGH NO ONE GETS HURT BY IT

RABBEINU YONAH • SHA'AREI TESHUVAH (3:181)

The fourth category consists of those who lie when they recount things they have heard and deliberately distort them. People like these derive no benefit from their lies nor injure others thereby, but pursue this pattern because they love falsehood rather than speaking righteousness. Occasionally they invent all of what they say. The punishment of such men is less severe in one respect, in that no one sustains a loss through their lying and rashness. But their punishment is very great in respect of their audacity and love of falsehood and their transgression is intensified because of their loving it in spite of its not serving any practical purpose.

Solomon, may Peace be upon him, said, "A false witness that breatheth out lies" (Proverbs 6:19). That means, if you see a man that breathes lies in conversing and in relating things, then know that this trait will lead him to testify falsely against his brother and to bear false testimony against him, as a result of his love of falsehood.

This category of falsehood was permitted for the sake of the fulfillment of mitzvos and in the pursuit of good and peace. Our Sages said that it is permissible to praise the bride in the presence of the groom and to say that she is beautiful and graceful, even though she is not (Kethuboth 17a). And they said, "It is permissible to lie in the interests of good will, as it is said. '(the brothers lied saying)... Your father did command before he died, saying: "Forgive I pray thee now, the transgression of your brethren, and their sin for the evil they have done to you" ' (Bereishis 50:16-17)" (Yevamos 65b).

There are some who unwittingly distort part of what they hear because they fail to listen with attentive discrimination. This too is an evil trait. Solomon, may Peace be upon him, said, "But the man that listens shall speak forever" (Proverbs 21:28). That is, the man that is attentive in hearing, and in listening for the essence of

what is spoken into his ears, so that he can repeat it correctly, and in whose mouth a deceiving tongue is not found "will speak forever," for people will love to listen to his words and they will never say to him, "Why do you keep on talking?"

E. NOT TO TELL SOMEONE THAT YOU WILL DO HIM A FAVOR AND NOT INTEND TO DO IT

RABBEINU YONAH • SHA'AREI TESHUVAH (3:182)

The fifth category consists of those who tell their neighbor that they will confer some benefit or gift upon him, and even while they speak with him, tell themselves that they will not do so. It is said. "Keep thy tongue from evil, and thy lips from speaking guile" (Psalms 34: 14), concerning which our Sages of blessed memory said, "We are hereby taught not to speak one thing with our mouth and another with our heart" (Bava Metzia 49a), And they said further that recanting one's word also constitutes a breach of faith. What one speaks with his mouth must be confirmed in his mind (Yerushalmi Bava Metzia 4; 2).

F. NOT TO PROMISE THAT YOU WILL HELP OR BENEFIT SOMEONE AND THEN NOT KEEP YOUR WORD

RABBEINU YONAH • SHA'AREI TESHUVAH (3:183)

The sixth category consists of those who assure their neighbor of some benefit and then not keep their word and nullify them. After one has told another that he will benefit him, employing terms of assurance, and gaining the other's trust, he must not break his pledge, for this is the way of falsehood. He is as one that breaks a covenant, as it says, "The remnant of Israel shall not do iniquity, nor speak lies, nor shall a deceitful tongue be found in their mouth" (Zephaniah 3:13).

The same applies to one who told his neighbor that he would give him a small gift, although no terms of assurance were used, our Sages saying that this constitutes a breach of faith because one who is so told relies on the other and trusts him, feeling that since the gift is a small one he will certainly receive it.

And if the one who is thus told is a poor man, although the gift pledged is a large one, going back upon the pledge constitutes a great evil because a vow has been made and it is said, "He shall not break his word" (Bamidbar 30:3).

Similarly, one who brags about himself in public on the gift he will give to another, as it were, praising himself for his magnanimity, in effect has made a promise. It is not right that he go back on his words once he has honored and praised himself through them, as it is written, "As vapors and wind without rain, so is he that boasteth himself of a false gift" (Proverbs 25:14). This means, just as men are made sad when the signs of rain appear, but no rain follows, so is it in respect to one who praises himself for a false gift; for his praising himself in this manner is a sign towards the fulfillment of his words. Therefore, he who was assured of the gift will be made sad, for his hope will have been disappointed.

INSPIRATIONAL STORIES:

❖ The regular daily minchah minyan organized for the Chazon Ish at his home was at 12:30. One day it was delayed until 12:45. Rav Shmuel Greineman approached the Chazon Ish with a dilemma. "I invited someone for a one o'clock appointment. If I daven Minchah now, I'll be late. If I leave, there won't be a minyan. What should I do?" Replied the Chazon Ish: "For anyone connected to the middah of emes, this isn't even a question. Cancel the minyan, but don't move one iota from speaking emes."

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

❖ Rav Yaakov Kamenetsky went to great lengths to honor his word. He agreed to attend the dedication of a new sefer Torah in Monsey, and later, the vort (engagement celebration) of one of his granddaughters was scheduled for the same day in Baltimore' R' Yaakov would not break his word, even for a grandchild's simchah (celebration). He traveled to Baltimore for Shabbos to celebrate with his family and returned to Monsey on Motzaei Shabbos so that he could attend the hachnasas sefer Torah the next day.

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rabbi Shalom Shechter was given the assignments of driving Rav Aharon Kotler back to New Jersey from New York. There was a rotation system using the school car or one of the few individually owned cars in the community at the time. He went up to the apartment to take Aaron but the Rebbetzin was worried. The weather was a bit rainy. It was certainly still possible to drive and most people would have considered it safe enough to drive in such weather but still in all the Rebbetzin was concerned. She therefore requested that Shalom let Rav Aharon off at the Port Authority bus station in Manhattan which would have to pass going to lakewood in those days and then pick him up at the Lakewood bus station and bring him to the yeshivah of course Reb Aharon and Reb Shalom agreed. Shortly after they began driving the weather cleared up. The Sun came out the streets dried up totally. All in all the driving weather became perfect. What would the next step be? Obviously now that there was no longer any hindrance to drive safely they would revert to the original and much less troublesome plan of going by car all the way. Rav Aharon however ever felt otherwise. Ich hub tzugezugt. I gave my word to my wife and a word obligates. On the way back, Rabbi Shalom's car broke down, and he had to call Lakewood to arrange for someone else to meet the Rosh Yeshivah!

The Living Mishnas Reb Aharon, By Rabbi Yitzchak Dershowitz, Published by Feldheim

G. NOT TO CLAIM THAT YOU DID SOMEONE A FAVOR OR BENEFIT WHEN YOU NEVER DID SO

RABBEINU YONAH • SHA'AREI TESHUVAH (3:184)

The seventh category consists of those who deceive their neighbor by telling him that they have done him a favor or spoken well of him when, in reality they have not done so. Our Sages of blessed memory have said, "It is forbidden to delude others, even gentiles (Gneivas Daas) " (Chullin 94a). The Sages of Israel account this sin as more severe than that of robbing a gentile because lying lips are extremely guilt ridden. We have been commanded to circumscribe ourselves in respect to the truth, because it is one of the foundations of the soul.

H. NOT TO BOAST THAT YOU HAVE VIRTUES THAT YOU DON'T HAVE

RABBEINU YONAH • SHA'AREI TESHUVAH (3:185)

The eighth category consists of those who pride themselves on qualities they do not possess. Solomon, may peace be upon him said, "Overbearing speech is not worthy of a boor; much less are lying lips for prince" (Proverbs 17:7). This means that, the boor has no cause to be proud and elevate himself because of the noble qualities of his ancestors it being stated in the preceding verse, "And the glory of children are their fathers." How much more so, then, must a philanthropist refrain from honoring himself through falsehood by saying, "Thus have I done, and this much have I lavished, and that much have I given" if he has not done so. Such behavior is shameful in anyone, and especially in a philanthropist. He thereby cheapens the charity which he has already performed by praising himself for what he has not done, thus supplying testimony that his motive in all of his previous acts of charity was the acquisition of prestige and praise.

Our Sages of blessed memory have said that if one is honored in a manner merited by those who have a knowledge of two tractates of the Talmud, when he has a knowledge of only one, it is incumbent upon him to say, "I know only one" (Yerushalmi, end of Shvi'ith). And it is certainly forbidden to glorify oneself falsely by saying, "We have learned many such things."

INSPIRATIONAL STORIES:

❖ When Reb Baruch Ber Leibowitz was a candidate for the position of rosh yeshivah of Knesses Beis Yitzchak in Slabodka, the yeshivah management asked him to deliver a shiur, so that they would be able to appraise his Torah knowledge-and style of learning and teaching, He chose to say a simple shiur, worried that if he said one of his best shiurim, he would be guilty of misleading people. He feared that maybe the hanhalah would appoint him rosh yeshivah on the assumption that all of his shiurim were on such a high level, when really, some were much simpler. In fact, the hanhalah was quite disappointed by the shiur that he gave, for Reb Baruch Ber was known as the primary disciple of the Grach and had a reputation for much more depth and brilliance. When word of the incident reached the Grach, he immediately sent a letter to Reb Baruch Ber telling him to say a different shiur — one of his best. Reb Baruch Ber obeyed and the yeshivah management was extremely pleased, not simply because his reputation in Torah had been confirmed, but also because they recognized that not only was Reb Baruch Ber brilliant, but was also a tzaddik and very honest.

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

I. NOT TO TELL ANY UNTRUTH EVEN IF YOU HAVE A NEED TO AND IT DOESN'T HARM ANYONE

RABBEINU YONAH • SHA'AREI TESHUVAH (3:186)

The ninth category consists of those who do not lie in recounting what they have heard or in relating incidents, but who fabricate in accordance with their needs, without causing another to lose thereby. They gain a certain benefit by lying, even though they do not profit monetarily in doing so. Our Sages have said that this, too, is forbidden (Yevamoth 63a), as it is said, "They have taught their tongue to speak lies" (Jeremiah 9:4). Their punishment, however, is not as great as that of those who lie for no reason whatsoever, a class we have discussed in the fourth category.

> These are the categories of the class of liars. We have already introduced principles governing the conduct of a man of truth. These principles are foundations for the soul.

RELATED HASHKAFAH TOPICS:

- Pirkei Avos says that the world stands on truth. Discuss how society is built on trusting each other otherwise it will fall apart. For example we trust the ingredient labels in our food, we trust the inspections on our cars, and we trust that builders followed the building codes. If we couldn't trust each other we would be frozen.
- Discuss the idea of Hashem's seal being Emes, and how being honest is essential in emulating Hashem.

STORIES FROM OUR SAGES:

❖ Rava said: "At first I used to think that there is no place of complete, unblemished truth in the world. Then a certain Torah scholar named Rav Tavut—and some say his name was Rav Tavyomi—who was so truthful that even if people had offered him all the treasures of the world he would never alter a word of his speech, told me his own experience: 'Once I came to a certain town whose name was Kushta. None of its inhabitants ever altered a single word from the truth, and in that merit, no person from that town ever passed away before his full, ripe time! I married a woman from their town, and we were blessed with two sons. One day, my wife was sitting in the house washing her hair when a neighbor woman came and knocked at the door asking to speak with her. Thinking that it would be impolite to say that my wife was washing her hair, I told the neighbor simply: "She is not here right now." Soon afterward, our two sons passed away. The townspeople of Kushta came before me and asked in astonishment: "What happened—why has such a tragedy occurred in our town for the first time?" I recounted to them exactly what I had said at the door. The townspeople said to me: "We beg of you, please depart from our town, and do not incite the Angel of Death against these people by introducing even a single untrue statement!"'"

Talmud Bavli, Sanhedrin 97a

INSPIRATIONAL STORIES:

❖ Rav Yehuda Davis, the founder of the Yeshivah of Mountaindale, was a gadol who lived in Baltimore in the early 1900s. He was responsible for convincing Rav Avigdor Miller to learn in Slabodka. He was also responsible for convincing Rav Mordechai Gifter to leave America to learn in Telshe. Possessed with a brilliant mind, young Yehuda earned a Phi Beta Kappa award to Johns Hopkins University. He was a star on the basketball team as well as a world-class swimmer. At Johns Hopkins, he attended classes on philosophy, which were taught by an unaffiliated Jewish professor. When it came time to take the exam, the professor warned Yehuda, "You can't take the exam unless you remove your Jew cap." Of course, Yehuda didn't listen, and the professor failed him. Not only that, but the professor convinced all the other professors to fail him, too. As a result of this incident, Yehuda decided to leave Johns Hopkins. After Yehuda had learned in Slabodka for a year, the Rosh Yeshivah of Slabodka, Rav Eizik Sher, advised him to complain to the president of Johns Hopkins about what had transpired the previous year. Yehuda approached the president and confidently stated, "I didn't study for the past year, but I'm ready to take all of the exams right now!" Sure enough, Rabbi Davis took them, did superbly, and was awarded his degree. When he was attending Johns Hopkins University, Rabbi Davis's class was once carrying out an experiment with an amoeba. The technician set up the microscope, and each student got a chance to look at the amazing species. Everyone oohed and aahed as they peered into the lens, marveling at the wonders of creation. When it was Rabbi Davis's turn to use the microscope, he looked in and proclaimed, "I don't see anything. There's nothing there." "What do you mean?" asked the professor angrily. "Everyone else in this room saw the amoeba!" But Rabbi Davis insisted, "I don't see a thing!" Finally, the professor decided to ask the technician to come take a look. When the technician peered inside, he gasped and apologized.

"I'm terribly sorry. I forgot to insert the amoeba into the microscope!" Though the rest of the class pretended to grasp what they thought the others did in order not to appear foolish, Yehuda, whose very being was emes, did not follow the crowd. He followed the truth.

From You Made My Life, By R' Nachman Rothenberg, Published by Israel Bookshop

J. TO ALTER THE TRUTH IF IT WILL PROMOTE PEACE

(Scripturally Mandated Mitzvah), Sefer Chareidim 38-8

SEFER CHAREIDIM

A person is commanded to alter the truth when necessary for the sake of peace, as Scripture records: 'And Shmuel said: How can I go? If Shaul hears of it, he will kill me. And Hashem said: Take a heifer with you, and say, "I have come to sacrifice to Hashem"' (I Shmuel 16:2). From this narrative, Chazal demonstrated that Hashem Himself instructed Shmuel to conceal the full truth in order to preserve peace and prevent lethal conflict.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• In Parshas Toldos, Yaakov Avinu stands before his father Yitzchak to receive the blessings of the firstborn. When Yitzchak asks, "Who are you, my son?" Yaakov answers: "I am Eisav your firstborn" (Bereishis 27:19). The Midrash applies to Yaakov at that harrowing moment the verse in Tehillim (120:2): "Hashem, save my soul from a lying lip, from a deceitful tongue!" Why did Yaakov pray for his soul to be saved if he was acting under his mother's prophetic command? The Sfas Emes resolves this puzzle with an unforgettable spiritual insight. Altering a detail for the sake of peace is permitted only when motivated purely by the fear of Heaven, healing wounds and restoring harmony (Sfas Emes, Bereishis, Toldos 5635).

• The Torah records that when Yitzchak discovered that Yaakov had taken the blessings through clever disguise, he did not revoke them. Our Sages teach in Berachos (17a): "A person should always be resourceful in the fear of Heaven (arom b'yirah)." Why was Yaakov's tactical disguise pleasing in the eyes of Hashem? The Sfas Emes explains that everything in moral life depends upon the destination of the heart. He proves this by contrasting it with the sinner in Yoma (85b): "One who says, 'I will sin and then repent,' is not granted the opportunity to repent." Why does even the holy power of repentance fail to help such a person? Because he used repentance as an instrument to facilitate sin! We are being resourceful in our fear of Heaven. Our pure intention brings forth the ultimate truth of peace in our communities (Sfas Emes, Bereishis, Toldos 5633).

RELATED HASHKAFAH TOPICS:

▪ Discuss why you should be allowed to distort the truth for shalom.

MORAL DILEMMAS:

Eli and Zahava were a young, newly married couple. Shortly after their wedding a cousin of Eli gave the couple a wedding gift. It was a set of delicate china. The set was service for 12 and it had 60 pieces. One Friday afternoon Zahava asked her husband Eli if he would mind bringing the new dinnerware to the keilim mikvah to be toiveled. (The general

custom is to toivel china without a berachah) Of course Eli complied. He brought the set to the mikvah and toiveled all of them. After he was done, and started putting the dinnerware back into the case, one of the small cups slipped and fell to the ground. It shattered. "At least we have 59 other pieces", Eli thought to himself. In the car Eli wondered if he should tell his wife that one of the small dishes broke and it was no longer a complete set. If he didn't say anything, she would probably not notice it for a very long time. Even if she ever did notice, it would be after such a long time that she would likely not care. But if he would tell her now, she may feel bad about their wedding gift being broken and no longer a complete set. If he didn't say anything, perhaps that was a lack of transparency with his wife. Also perhaps he had an obligation to tell her because he broke something that belonged partially to her. What do you think the Torah would say. Should he tell her or not?

Answer: Regarding the question of whether he should tell his wife Rav Tzvi Berkowitz answered as follows: "Why should he tell his wife if it will cause her pain? He doesn't owe her money for having broken it (unless he was negligent and we consider her a partner in the china set.) Most probably she would not seek reimbursement even if she had a right.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

There was once a widow who desperately wanted to get married but was having a very difficult time. A rabbi wanted to help her. He told people that she was his cousin and that made people more interested in dating her. Was this lie permitted? If someone marries her, would he be marrying her under false pretenses?

Answer: It was permitted. Rav Yitzchak Zilberstein rules that altering the truth is permissible for the sake of facilitating marriage (l'hachnis kallah) and promoting shalom, provided it does not conceal a serious halachic flaw or medical defect; hence, the marriage is completely valid.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 104

Eliezer was a professional photographer. He was hired to take pictures at the Bar Mitzvah of the Shapiro family. The parents told Eliezer that it was critically important for them that he takes pictures of the bar mitzvah boy dancing with their Rav. Eliezer assured them that he would do that. At the bar mitzvah, Eliezer was busy snapping away. He took what he thought was a great shot of the Bar Mitzvah boy dancing with the Rav, just as the Shapiros requested. Later that night Eliezer uploaded the pictures to his laptop. To his great frustration all of the pictures of the bar mitzvah boy dancing with the Rav came out extremely blurry. It is possible that the settings on his camera (ISO too low, or aperture too wide) were not set right for those conditions. In either case, the pictures were entirely unusable. But being proficient at Photoshop it was fairly easy for Eliezer to do a “headswap” and digitally recreate the shot. He was able to put the head of the Rav onto the body of a person dancing with the bar mitzvah boy. After a half hour of work Eliezer was extremely satisfied with his Photoshop work. His new creation looked exactly as if the bar mitzvah boy was dancing with the Rav. No one would be able to tell the difference. Eliezer was about to email the gallery of the pictures to the Shapiros when he was struck with pangs of conscience. Was it permitted for him to send them the photoshopped image? On one hand, here was an accurate representation of the bar mitzvah boy dancing with the Rav. It looked entirely realistic. The family never asked for a specific pose and this would meet their needs. In addition if the family learned that their requested pictures did not come out, they would be disappointed and very upset for a very long time. If they were never told about it, they would never be upset about it. They would be blissfully unaware. But being told that it was photoshopped would make them feel that they missed out. Perhaps this would be a perfect example of being able to change the truth a bit for the sake of peace. On the other hand, this picture was not an authentic representation of the simchah. He created it on his laptop. Perhaps that would be an example of gneivas daas, of tricking his

customers. Did Eliezer have an obligation to tell the Shapiros that the picture was photoshopped? Was he allowed to give them the pictures without mentioning anything, if that will make them happy? Should he tell them the truth and make them upset? Maybe here was example of "it's better not to know."?

Answer: HaGaon Rav Yitzchak Zilberstein quotes the authoritative ruling of Maran HaGaon Rav Yosef Shalom Elyashiv zt"l (Veharev Na, Vol. 2, p. 496; Chashukei Chemed, Gittin 75a, p. 457): L'chatchilah (at the outset), a photographer is strictly forbidden to deliver a photoshopped composite without the client's knowledge because of Geneivas Da'as (deceit), as clients contract for authentic documentary records of their simchah. However, b'di'eved (after the fact), if the photographer already delivered the photoshopped portrait and the family is overjoyed with the result, he is not required to reveal the secret or refund his fee! Rav Elyashiv explained that the family received the core emotional benefit they sought—a tangible, joyous souvenir commemorating that the great Rav danced with their son—and disclosing the truth now would cause devastating heartbreak without any constructive purpose. (Veharev Na, Vol. 2, p. 496; Chashukei Chemed, Gittin 75a, p. 457)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 496; Chashukei Chemed, Gittin 75a, p. 457

One day Sarah was woken up by her ten year old son who said he had a very bad headache. He was having persistent headaches and Sarah was concerned that maybe something was seriously wrong with her son. She took her son to the emergency room. As is the case in many emergency rooms, it was busy and they were going to have to wait in line because of triage. Sarah was very concerned about her son and did not want to wait. She wanted to be able to get him the best care as soon as possible. She went to the triage nurse and said, "My son is having extreme headaches, it is very urgent. He is my only son, born after 15 years of marriage. Please, he is my only son and this is so important to me, please can you see him immediately, and then have him seen by the best doctors in the hospital?" The triage nurse had pity on her and allowed her to jump the line. Her son was indeed seen immediately by the best doctor in the hospital. They indeed needed to do an emergency surgery and thankfully everything turned out well in the end. Later Sarah told the story to her husband. "How could you tell them that he is an only child, born after 15 years of marriage? That's not true. We also have daughters, and he was born without any difficulty". Sarah replied that she said he was their only son and she didn't mention that she had daughters too. It was also true that the son was born after 15 years of marriage. "I told a white lie to make sure he would be seen as soon as possible and that he would get the best care available. One is allowed to lie for the sake of peace, and making sure he would get the best medical care is an example of pursuing peace." Sarah's husband wasn't so sure. What do you think? Is one allowed to tell a white lie for the sake of getting quicker and better care? Is that called lying for peace?

Answer: Regarding the question about the emergency room, Rav Zilberstein wrote as follows. If it was a Jewish hospital, the mother should not have tricked them, because there is a chazaka that the doctors would do their best job even if she wouldn't urge them with her story. Nonetheless we cannot fault the mother for doing what she did. However, concluded Rav Zilberstein, there are hospitals in the world, that will not give elderly patients above the age of eighty or seventy, the best care. In that case it would be a mitzvah to lie and say that the patient is really younger.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 196 (Ki Seitzei)

One day Dr. Avi, a doctor from an urgent care clinic, called Rav Zilberstein with the following dilemma. Chaim, a friend of Avi, came into the clinic and told the doctor that he hurt his arm and thought he might have broken it. The staff did an x-ray and saw that it was not broken. Chaim then turned to his friend, "Listen, you may be right that it's not broken, but please give me a cast anyway. I will pay for all of the expenses. It's really important and it may prevent me from losing my marriage." Chaim then told the following story: Chaim was married and had a good relationship with his wife. However, he started staying late at work schmoozing with his friends about the news and politics. His

wife asked him to please come home for dinner on time so that he could help her with the kids. Chaim promised to come on time, but the allure of schmoozing with his buddies after work was too strong. One day, after coming home late, he got into a huge argument with his wife. Chaim realized that he would not be able to continue with his relationship like this. He promised his wife that he would shape up and be home on time. The next week he had a great streak. He was home on time four days in a row. But on Thursday, as he was walking out of work, he started talking to his colleagues. One thing led to another and before he realized it, he was an hour late. Chaim knew that if he came home late without a good justification it would cause very serious damage, perhaps permanent damage, to his marriage. On his way home he had an idea. His arm was hurting, so he stopped at the urgent care clinic to get it checked. After Avi told him it was not broken, Chaim begged, "I need to tell my wife that I came home late because of an emergency and I needed a cast. If I don't have the cast there is a good chance my marriage will be lost. I will pay for all of the costs. Please give me a cast anyway, even if there is technically not a break." "But that would be dishonest", Avi argued. "You are right", Chaim replied, "but the Torah says you are allowed to lie for the sake of shalom bayis." Avi was very torn about whether he should give Chaim the cast. He picked up the phone and called Rav Zilberstein with this question. What do you think? Can Dr. Avi give Chaim the cast if Chaim doesn't medically need it, and he would be facilitating the dishonesty? Or would we say that this is an example of lying for the sake of shalom bayis?

Answer: Regarding the question about the man who requested a cast, Rav Zilberstein answered as follows. If the doctor knows the person well enough that he suspects that it might help him with his shalom bayis he can give him the cast. However he has to first make sure that he is not harming anyone else in a way that may be illegal or immoral.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 206 (Vayeira)

Sarah had a close-knit group of friends. One day, one of the girls in the circle, named Dina, became friends with a girl named Devorah. Over the weeks, Sarah noticed that this relationship was not a good one. Both Dina and Devorah were having a negative influence on each other, and they began to change their behavior and act out in unhealthy and decidedly unspiritual ways. Convinced that the relationship between Dina and Devorah was harmful, Sarah tried her best to convince Dina that Devorah was not a good influence, but Dina refused to listen. Sadly, Sarah watched as Dina and Devorah spiraled into a cycle of decline. Finally, Sarah had an idea. She recalled how Aaron Hakohen in the Torah would bring peace between two quarreling friends, and she decided to try the opposite. One day, she spoke to Devorah and said, "Do you really think that Dina is your friend? You should know that behind your back, she says all these horrible things about you." Devorah was shocked. Then Sarah went to Dina and said, "Do you really think that Devorah is your friend? Behind your back, she tells me all these horrible things about you." Dina was equally shocked. Sure enough, Sarah's plan worked. Dina and Devorah had a falling out and stopped talking to each other. Dina quickly bounced back and rejoined her old circle of friends. Very quickly, she returned to her old, healthy, spiritual, and positive self. Sarah was happy that she helped her friend Dina. However, when she saw how Dina and Devorah were not talking to each other, she felt bad. She had truly broken up their relationship. She wondered if she did the right thing. On one hand, she broke up an unhealthy relationship, but on the other hand, she told lies and made up things that weren't true. Although the result was positive, she literally lied to break up the relationship. This question was brought to Rav Zilberstein. What do you think?

Answer: Regarding the question about whether a girl can say untrue things in order to break a harmful friendship, Rav Zilberstein writes as follows. The Ksav Sofer writes that this is exactly what Aron Hacohen would do. It says that he was ohev shalom and rodef shalom, he loved peace and pursued peace. What is being added by the term "Pursue peace"? The Ksav Sofer says this means that Aron was rodef shalom, to try to destroy the peace. That when Aron saw shalom between people who were causing a harmful influence, he would try to break up the friendship. He would try to break up the friendship in

> exactly the opposite way that he would bring peace. He would say to each person that really the other isn't really their friend. Therefore, in theory, this can be applied. However, it must be applied very carefully, only with the careful guidance of a Rav. One cannot make this decision on their own, but there is such a concept that sometimes you can use this practice in order to break a harmful friendship.
>
> *— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim p. 227*

STORIES FROM OUR SAGES:

❖ "A time to seek" (Koheles 3:6) — in a time of peace; "and a time to lose" — in a time of war. "A time to keep" — in a good hour; "and a time to cast away" — in a bad hour. There was once an incident involving a merchant who was sailing across the sea together with his son, carrying with him a locked strongbox of gold dinars. Because the sailors had seated the merchant and his son down in a dark corner of the ship's hold where they could not be seen, the merchant overheard the voices of the sailors conspiring with one another: "As soon as we reach the open sea, we will kill them, throw their bodies into the sea, and take this chest of gold dinars from him!" What did that merchant do? To make the sailors think he was acting out of fury rather than out of fear of them, he staged a loud, heated quarrel with his own son (pretending that this money was the cause of their argument), seized the chest of gold dinars, and hurled it into the sea right in front of the sailors' eyes! Seeing the treasure sink to the bottom of the sea, the sailors no longer had any reason to harm them. As soon as the ship docked at the port city of Caesarea, the merchant went straight to the Roman governor (proconsul) and filed a complaint against the sailors. The governor had the sailors thrown into prison, interrogated them until their murder plot was proven, and ordered them to pay the merchant back his entire chest of gold dinars. Astonished, the sailors asked the merchant: "From where did you learn this wisdom by which we were judged liable?" He answered them: "From Solomon, King of Israel, as it is written: 'A time to keep, and a time to cast away' (Koheles 3:6)!"

Midrash Rabbah — Koheles Rabbah 3:6:1

INSPIRATIONAL STORIES:

❖ It is fitting to note that as a result of this "guided tour" of the remnant of the Beis hamikdash, two children were rescued from a secular lifestyle. The bachurim of the Chevron Yeshivah somehow found out that a group of the Tehran Children was coming to the Kosel, and they decided to get there first and wait for them. They wanted to see with their own eyes these refugees about whom everyone was up in arms, get a firsthand impression of them and, if possible, give them a few words of encouragement. It is indeed quite possible that the "young Jerusalem resident" mentioned above was one of those talmidim. At any rate, as the bachurim watched, two children suddenly broke away from the group. Looking back to make sure they were not noticed by the madrichim, they approached Yitzchok Greenberg, one of the talmidim from Chevron: "Save us! Save us!" they whispered urgently. The startled young man gathered his wits about him and quietly asked the children for their names and the name of their camp. The children informed him that they were brothers, twelve and nine years old, and that they were staying in a transit camp in a kibbutz in the north. The madrichim were refusing to allow them to learn Torah, despite the pleading of the elder brother. He was fighting a losing battle against them, and he very much wanted to learn in a yeshivah. "Please save us," begged the boy. With the boys' cries still ringing in his ears, Yitzchok Greenberg made his way to The Brisker Rav's home to consult with him. The Brisker Rav sat with the bachur for a long time, discussing the options. In the end, he decided that Yitzchok should pose as the boys' uncle. To avoid suspicion, he should arrive at the camp with his head uncovered, and thus, looking like a chalutz, those in charge would not seek to prevent the meeting. "It seems," continued The Brisker Rav, "that the older one is intelligent, and when they tell him that his uncle wants to meet him and he sees you from a distance, he will understand what to do. He will run to you joyfully, just as a nephew would upon seeing his beloved uncle after so many years. The administrators of the place will surely believe you." And so it was. Yitzchok arrived at the gates of the camp dressed up as a totally secular youth, and was allowed to meet his "nephew" right

away. Just as The Brisker Rav predicted, the boy played his part perfectly, running straight into R. Yitzchok's outstretched arms, reciprocating his warm and emotional hug. Yitzchok visited the children in the camp a few more times, and indeed, he was finally allowed to take charge of them. The question was who would be the official guardian of the children, since Yitzchok was still a minor. The Chazon Ish was asked to help, and he called on R. Moshe Chaim Okun, a man of means, whose enthusiasm for holy matters was well known to the Chazon Ish. He took it on himself to be responsible for the upkeep of the children. Thus two precious children were rescued from that camp. As the years went by, they both grew into talmidei chachamim, and all of their offspring are religious, Torah-learning Jews to this day.

The Brisker Rav, Vol. 2, By R' Shimon Yosef Meller, Published by Feldheim, p. 310

K. TO MEAN WHAT YOU SAY

(Torah Mandated Mitzvah), Sefer Chareidim 12-59

As it says "you shall have a just hin (yes)" (Vayikra 19:36, Parshas Kedoshim)

SEFER CHAREIDIM

It is an active positive mitzvah for a person's speech and inner thoughts to be in total harmony, ensuring that he does not utter one thing with his mouth while harboring something else in his heart (echad ba'peh ve'echad ba'lev). As Scripture states: 'A just balance, just weights, a just ephah, and a just hin shall you have' (Vayikra 19:36). Chazal expounded this verse (Bava Metzia 49a) as an allusion to the word hin: your 'yes' (hen) must be righteous, and your 'no' (lav) must likewise be righteous.

MORAL DILEMMAS:

A prospective tenant agreed to lease a luxury apartment after the landlord assured him that the living room had a fourteen-foot ceiling. Relying on this assurance, the tenant commissioned custom twelve-foot wall cabinetry. Upon moving in, the tenant discovered the ceiling was only ten feet high, rendering the expensive cabinetry completely unusable. Is the landlord legally liable for the financial loss suffered by the tenant?

Answer: Based on the Mishnah in Bava Basra (106a) and Rashbam — which rule that when a seller shows the buyer the physical room or field ('b'simanav u'v'metzarav') and states an approximate measurement, a discrepancy of less than one-sixth (sh'tus) does not void the agreement — Rav Yitzchak Zilberstein rules that if the measurement discrepancy was less than one-sixth and the tenant saw the apartment in person, the lease remains valid and the landlord is not liable for the tenant's furniture moving expenses, since a buyer requiring an exact millimeter fit for a custom cabinet must measure it himself.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 426

STORIES FROM OUR SAGES:

❖ King David asked in Psalms (15:1–2): "Lord, who may sojourn in Your tent? Who may dwell upon Your holy mountain? He who walks wholeheartedly, works righteousness, and speaks truth in his heart." The Gemara illustrates each phrase with a living model: "He who works righteousness"—such as Abba Chilkiyah (who when hired as a day laborer refused to pause his hoeing even for a moment to greet visitors, so he would not steal a single minute of his employer's time). "And speaks truth in his heart"—such as Rav Safra! As preserved in the Geonic tradition of Rav Achai Gaon's She'iltot and Rashi: Rav Safra once had an item for sale, and a buyer came and offered him a fair price for it while Rav Safra was in the middle of

reciting Kriyas Shema and could not speak. In his heart, Rav Safra agreed to sell it at that price. Thinking that Rav Safra's silence meant he was holding out for more money, the buyer raised his bid higher and higher. As soon as Rav Safra finished reciting the Shema, he said to the buyer: "Take the item for the first, lower price you offered—for at that moment I had already resolved in my heart to sell it to you for that amount, and I will not take an extra coin!"

Talmud Bavli, Makkos 24a (with Rashi & She'iltot Parshas Vayechi 36)

INSPIRATIONAL STORIES:

❖ A girl lost a towel on a class trip. The mother, was upset at the school for their careless supervision over the property of others. She called the teacher. "What did it look like?" asked the teacher. "It was white, " said the mother, "with 'Holiday Inn' written across it."

Living in His Image Contemporary Torah Anthology

L. NOT TO GIVE FALSE FLATTERY

(Torah Mandated Mitzvah), Sefer Chareidim 24-48

As it says, "Do not contaminate (tachnifu) the land" (Bamidbar 35:33, Parshas Masei).

SEFER CHAREIDIM

This is a grave warning against the sin of false flattery (chanifah). Chazal taught (Sotah 42a) that flatterers are among the four groups that will not receive the Divine Presence (Shechinah). One who flatters the wicked brings fierce wrath upon the world and causes his prayers to be rejected. When King Agrippas read from the Sefer Torah before the congregation during Hakhel and reached the verse, 'You may not place over yourself a foreign man who is not your brother' (Devarim 17:15), tears streamed from his eyes due to his lineage. The people called out to him, 'Do not fear, Agrippas! You are our brother, you are our brother!' Chazal taught (Sotah 41b) that at that very moment, the Jewish people incurred a decree of devastation because they indulged in sycophantic flattery. Although they lacked the political power to depose him from the throne, they were nonetheless obligated to remain silent. The root iniquity of flattery lies in elevating human approval and social favor above the honor and truth of Hashem.

STORIES FROM OUR SAGES:

❖ Akavya ben Mahalalel testified regarding four halachic matters. The Sages said to him: 'Akavya, retract the four rulings you have maintained, and we will appoint you Head of the Court (Av Beis Din) over Israel!' He replied to them: 'It is better for me to be called a fool all my days than to become wicked before the Omnipresent for even a single hour—so that people should never say, "He retracted his Torah conviction for the sake of political office!"'... Rabbi Yehudah said: 'Heaven forbid that Akavya was excommunicated! For the Temple Courtyard never closed upon any man in Israel greater in wisdom and dread of sin than Akavya ben Mahalalel.' At the hour of his death, Akavya said to his son: 'My son, retract those four rulings that I used to state.' His son asked him: 'Father, why then did you yourself not retract them?' Akavya answered: 'I heard my ruling from the mouths of the majority of my teachers, and my colleagues heard their ruling from the mouths of the majority of their teachers. I stood fast by my received tradition, and they stood fast by theirs. You, however, heard my view from the mouth of a single individual—me—and you heard their view from the mouths of the many. It is right to set aside

the words of a single individual and hold fast to the words of the majority!' His son then said: 'Father, commend me to your colleagues.' Akavya replied: 'I will not commend you.' His son asked: 'Did you find some blemish in me?' He replied: 'No—your own deeds will draw you near, and your own deeds will distance you!'

Mishnah, Eduyos 5:6–7

INSPIRATIONAL STORIES:

❖ A philanthropist went to Rav Chaim Kanievsky accompanied by the heads of several organizations he supported. He requested a berachah for some personal matters. "How much do you learn every day?" Rav Chaim inquired. The philanthropist, who knew he did not set aside adequate time for Torah learning, tried to change the subject. Rav Chaim, undeterred, told him that he should make it a point to find time to learn. The heads of the charities squirmed in their seats. This man was accustomed to glowing praise, not direct rebuke! Who knew how he would react and how this encounter would affect his donations in the future? To their great surprise, at the end of the visit, the philanthropist said, "The most inspiring part of my trip to Israel was this visit and meeting someone who did not flatter me. I intend to start learning Torah daily, right away!"

From Rav Chaim, By R' Naftali Weinberger, Published by Artscroll

39. Not to give false testimony

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 39

As the Torah says, You shall not bear false witness against your fellow (Shemos 20:13, Parshas Yisro).

QUESTIONS ADDRESSED BY THE HALACHAH

- Is a witness permitted to testify what he heard from very honest people?
- If one hires a witness to give false testimony, is he violating this prohibition?
- If one withholds testimony that can help a defendant in court, and because he keeps quiet the defendant is found guilty, is the witness doing a form of silent false testimony?

SEFER HAMITZVOS HAKATZAR

If an individual delivers testimony in court based upon hearsay — relating what he heard from others, even if he heard it from exceptionally trustworthy and pious individuals — he violates this negative prohibition, as the Torah requires witnesses to testify solely to what they personally witnessed firsthand.

If a person hires false witnesses to testify, or if an individual suppresses his knowledge and withholds testimony in court, he is exempt from the penal jurisdiction of human courts (patur mi'dinei adam), but he remains strictly accountable and culpable under the laws of Heaven (chayav b'dinei Shamayim).

This mitzvah applies in all places, at all times, for anyone who is halachically qualified to offer testimony.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem's most fundamental characteristic is Truth, so should we develop a character that speaks, and lives the truth.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 37)

A society cannot function if people cannot trust anything because of falsehood. If people give false testimony, the justice system will fall apart.

SFAS EMES

• In a discourse for Shabbos Zachor, the Sfas Emes examines a remarkable teaching from the holy Zohar. Which utterance corresponds to the ninth commandment, "Lo sa'aneh v'rei'acha eid shaker"? The Sfas Emes explains that testimony is not limited to words spoken in a court. The Jewish people themselves are the living testimony of the Creator. Scripture proclaims: "You are My witnesses, says Hashem" (Yeshayahu 43:10). When a person refines his character and lives with integrity, his spiritual form shines with the likeness of his Maker. But when a person bears false witness, he corrupts his own spiritual form. When we speak the truth, we reflect the King of kings. When we bear false witness, we degrade the royal image within our souls (Sfas Emes, Moadim, Parshas Zachor 5654).

• In Parshas Pekudei, the Torah concludes the construction of the Sanctuary: "These are the reckonings of the Tabernacle, the Tabernacle of the Testimony" (Shemos 38:21). Why is the Sanctuary called the Tabernacle of Testimony (Mishkan HaEdus)? The Sfas Emes explains that le-ma'anehu also relates to ma'on, an earthly dwelling place. From the dawn of time, Hashem desired a dwelling place in the lower world. How is that sanctuary constructed? It is built through faithful testimony! When witnesses stand in court and speak the truth, they establish reality. In Tractate Makkos, the Sages call witnesses mekayemei ha-davar — those who establish the matter. When witnesses speak the truth, they bring the presence of Hashem down to earth. But when a false witness lies, he drives the Divine Presence away (Sfas Emes, Shemos, Pekudei 5652).

• In Parshas Shoftim, the Torah presents the laws of courts, justice, and the punishment of plotting witnesses (eidim zomemim). Why are the courts of justice placed next to the pilgrim festivals? The Sfas Emes explains that just as the three festivals establish sacred time, so three virtues sustain the world. Our Sages teach: "Upon three things the world stands: upon truth, upon justice, and upon peace" (Avos 1:18). These three pillars govern world, year, and soul (olam, shanah, nefesh). The pillar of truth corresponds to pursuing justice. The pillar of peace corresponds to the Supreme Court in Jerusalem. That is why the Torah commands us to purge the evil from our midst. We must root out the corrupting influence of falsehood before it undermines our shared world (Sfas Emes, Devarim, Shoftim 5653).

MORAL DILEMMAS:

Rob approached Simon brandishing an IOU note claiming Simon owed him $1,000. Simon knew with absolute certainty that his signature had been forged and that he owed nothing. Realizing that corrupt secular courts or crooked arbiters might enforce the forged document, Simon wondered: Is he permitted to forge a receipt showing the loan was

repaid, or hire false witnesses to neutralize the fraudulent claim?

Answer: It is not permitted for him to do that.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 604

40. Not to swear falsely

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 31

As the Torah says, And you shall not swear by My name falsely (Vayikra 19:12, Parshas Kedoshim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Would a person violate this prohibition if they swear about something that is impossible?

SEFER HAMITZVOS HAKATZAR

This oath is classified halachically as an oath of utterance (shevuas bitui). A person incurs liability for this transgression if he takes a false oath regarding matter-of-fact actions that are physically possible to perform, whether referring to the past or to the future:

Regarding past events, for example, he swears falsely: 'I ate,' or 'I threw a stone into the sea,' or 'So-and-so spoke with so-and-so'; or conversely, he swears: 'I did not eat,' or 'I did not throw a stone into the sea,' or 'So-and-so did not speak with so-and-so.'

Regarding future commitments, for example, he swears: 'I will eat,' or 'I will not eat,' or 'I will throw a stone into the sea,' or 'I will not throw it,' and he subsequently violates his oath.

If an individual swears falsely regarding any of these declarations — either by lying about a past event or by failing to fulfill his oath concerning a future action — he violates this negative prohibition, as Scripture warns: 'You shall not swear falsely by My Name' (Vayikra 19:12).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem's most fundamental characteristic is Truth, so should we develop a character that speaks, and lives by the truth.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

IBN EZRA (SHEMOS 20:7)

The idea of swearing in G-d's name to corroborate the truth of something is saying, "Just as Hashem's existence is true, so are these words true". When a person swears falsely, it is like denying the truth of Hashem's existence.

R' HIRSCH

The concept of a shevuah, an oath is saying "If I am being dishonest, I submit myself to divine punishment". Swearing falsely opens oneself to severe divine intervention.

SFAS EMES

• In Parshas Matos, the Sfas Emes examines the classic Midrash on the verse in Yirmiyahu (4:2): "And you shall swear: As Hashem lives, in truth, in justice, and in righteousness." The Midrash delivers a startling ruling: The Holy One said to Israel: Do not imagine that you are permitted to swear by My Name even in truth. The Sfas Emes explains that Hashem is the ultimate Source of all reality. When a Jew swears by the Name of Hashem, he attaches his temporary earthly statement to the eternal, unchanging truth of the Creator. Only an individual whose heart is thoroughly purified of personal desire can invoke that holy Name without distortion. When a person swears falsely, he takes the eternal, unchanging Name of the living God and drags it into a fleeting lie. He proclaims that the God of truth endorses a falsehood (Sfas Emes, Bamidbar, Matos 5658).

• In another discourse on Parshas Matos, the Sfas Emes delves deeper into the words of the Midrash. The Sfas Emes explains that human words are naturally shifting and frail. An ordinary human promise can easily be forgotten or altered by changing circumstances. But the Torah of Hashem is eternal and unshakeable (Toras Emes). When a Jew takes a valid oath, he infuses his human speech with the unchanging permanence of the Torah! The Midrash teaches that one may not swear even in truth until he empties his heart to serve Hashem alone. An oath is our soul's alignment with Divine truth. A false oath twists the needle, bringing spiritual ruin (Sfas Emes, Bamidbar, Matos 5656).

• In an early discourse on Parshas Matos, the Sfas Emes investigates the Hebrew word for oath: shevuah. What is the inner linguistic root of shevuah? The Sfas Emes cites his holy grandfather, the Chiddushei HaRim, who revealed a stunning secret: shevuah comes from the word sheva (seven)! The Chiddushei HaRim taught that the human personality consists of seven emotional attributes (middos), corresponding to the seven days of Creation. In our everyday lives, these seven traits often pull in opposing directions. Kindness urges us to give, while discipline urges us to withhold; ambition drives us forward, while hesitation holds us back. Swearing falsely shatters that inner unity. By honoring our oaths and shunning falsehood, we keep the orchestra of our soul in perfect harmony with Hashem (Sfas Emes, Bamidbar, Matos 5632).

RELATED HASHKAFAH TOPICS:

▪ If we suspect that a person may not be telling the truth, why should swearing help? If we trust him he should not have to swear, and if we suspect him, why should saying the words "I swear" change anything?

INSPIRATIONAL STORIES:

❖ In Nimiza, Romania, prior to assuming the prestigious rabbinical position of Riskeve, an incident took place that publicly highlighted his intelligence and perceptiveness. A youth from one of the towns near Nimiza entered into a business venture and in the process befriended many of the town's gentiles. He once traveled on business to Klausenburg together with a gentile friend and the gentile's wife. With darkness approaching, they stopped at a roadside inn and rented two rooms, one for the young man and the other for the couple. They awoke at sunrise to resume their travels, but upon checking his belongings, the gentile realized that his wallet with all his money was missing. Needless to say, the most obvious suspect was the Jewish lad. The police were summoned and they arrested the youth. Only after intensive

intervention by the Jewish community leaders was he released until the trial date. With such great misfortune befalling him, the boy was desperate for advice and help, and he turned to Rav Avrohom Shlomo for assistance. The Rav listened attentively to his account, and harshly chastised him for his permissive attitude in traveling in the company of a gentile and his wife, which is not only contrary to halachah [Rambam's hilchos rotzeiach u'shmiras ha-nefesh. During Harav Avrohom Shlomo Katz's tenure as Rav of nefesh 12:7] but is also contrary to minimum moral standards. The youth was sincerely remorseful and promised to mend his ways by allocating significant periods of time for Torah study. Upon examining all facets of the story, the Rav was convinced of the boy's integrity regarding the missing money, and came up with an innovative approach to proving his innocence. He suggested that the lad propose to the gentile that he take the case out of the civil legal system and have the matter arbitrated by the Rav. In doing so, the matter would be resolved speedily and at minimum cost to the parties involved. As far as objectivity is concerned, he suggested that the gentile make inquiries among his friends to ascertain that a truly fair trial would be held in the Rav's rabbinical court. After a few days, the gentile came back with a positive reply, and a date was set for a meeting in the rabbi's chambers. The gentile presented his case and, as expected, the boy denied the claim that he had stolen the money. After intensive cross-examination, the Rav handed down his verdict that the lad must take a religious oath that he is innocent of the theft. The swearing session was scheduled to take place in the main synagogue and in the presence of all interested parties. When the appointed day came, the synagogue was fully packed with spectators, Jews and gentiles who came en masse to observe the scene. The women's gallery was also filled to capacity, including the gentile's wife. A deathly silence permeated the sanctuary as the shammos lit large black candles, removed a Torah scroll from the ark and placed it into the Rav's hands. The Rav turned to the youth and addressed him in a forceful voice: "Pay heed, that within a few short minutes you will take hold of this Torah scroll and swear in the name of Hashem that you did not lay a hand on the missing wallet and its contents. "Our Torah stipulates dreadful repercussions for oaths of this magnitude. Should you swear falsely, terrible curses shall befall you — diseases, poverty and misfortunes — followed by a terrible death. On the other hand, should you be innocent, then the oath you will be taking will cause all of these misfortunes to rest on the head of the actual perpetrator of the crime." The youth approached the Rav and with trembling hands was about to clutch the Torah, when suddenly loud shrieks echoed from the women's gallery. A woman was screeching, "Stop, stop! For Heaven's sake, don't swear!" All eyes and ears turned upward to the origin of the commotion. The woman became hysterical. "I beg you not to swear," she wailed. "I promise to return the entire amount I stole from my husband, but for Heaven's sake, don't swear! Don't bring death and misfortune upon me!" The Rav's brilliant plan had worked.

Noble Lives Noble Deeds, Vol. 1, By Rabbi Dovid Silber, published by ArtScroll Mesorah

A. TO SWEAR IN THE NAME OF HASHEM AND NOT IN THE NAME OF OTHERS

(Torah Mandated Mitzvah), Sefer Chareidim 12-54

As it says, "And in his name you shall swear (Devarim 6:13, Parshas Va'eschanan)".

SEFER CHAREIDIM

Scripture states: 'And by His Name shall you swear' (Devarim 6:13). The Rambam (Sefer HaMitzvos, Aseh 7) explains that when a beis din obligates an individual to take an oath, it is an active positive mitzvah to swear truthfully in the Name of Hashem, thereby sanctifying His Great Name and affirming His sovereign providence.

Other commentators explain this verse as a direct command that whenever an oath is taken, one must swear solely in the Name of Hashem and never in the name of false deities, nor may one associate (shituf) the Name of Hashem with any created entity or foreign power.

Still others maintain that this mitzvah is fulfilled when a person swears in the Name of Hashem to generate a public sanctification of the Divine Name (Kiddush Hashem), just as Eliyahu HaNavi did when he stood before King Achav and proclaimed with an oath: 'As Hashem, the God of Israel, lives, before Whom I stand, there shall not be dew nor rain these years, except according to my word' (I Melachim 17:1).

B. NOT TO AGREE TO TAKE A FALSE OATH IN ORDER TO SCARE THE OPPOSING LITIGANT

(Torah Mandated Mitzvah), Sefer Chareidim 24-6

As it says "do not accept" (Devarim 5:11, Parshas Va'eschanan)

SEFER CHAREIDIM

If the beis din imposes an oath upon a litigant and he knows that he cannot swear truthfully, it is strictly forbidden for him to agree to take the oath merely to intimidate his opponent into dropping the claim, even if he has no intention of actually uttering the oath. Chazal derived this prohibition from the verse: 'You shall not take [lo tisa] the Name of Hashem your God in vain' (Devarim 5:11), interpreting the word tisa to mean: do not even accept or take upon yourself the commitment to swear falsely.

41. Not to swear in vain

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 29

As the Torah says, You shall not take the name of Hashem your God in vain (Shemos 20:7, Parshas Yisro).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How is a vain oath different than a false oath?
- If someone swears that a rock is a tree, is that a false oath or a vain oath?
- If a person swears not to do a mitzvah, or swears to do an aveirah, is that oath binding?

SEFER HAMITZVOS HAKATZAR

An oath taken in vain (shevuas shav) is divided into four distinct halachic categories:

First, swearing contrary to an established and universally known reality; for example, swearing that a man is a woman, or that a block of stone is solid gold.

Second, swearing pointlessly to affirm an obvious fact that is self-evident to all; for example, taking an oath that a stone is a stone, or that a tree is a tree.

Third, swearing to annul or violate a commandment of the Torah; for example, taking an oath not to put on tefillin or not to sit in a sukkah, since every Jew is already bound by oath from Mount Sinai to fulfill all the mitzvos.

Fourth, swearing to perform an act that is humanly impossible to accomplish; for example, swearing that he will not sleep for three consecutive days and nights, or that he will abstain entirely from food for seven consecutive days.

Regarding each of these four categories, if an individual took the oath intentionally (b'meizid), he violates this biblical prohibition; if he acted unwittingly (b'shogeg), he is exempt from corporal punishment.

If a person recites a blessing in vain (berachah levatalah) or pronounces the Holy Name of Hashem needlessly, he violates this negative prohibition, as Scripture warns: 'You shall not take the Name of Hashem your God in vain' (Shemos 20:7).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem's most fundamental characteristic is Truth, so should we develop a character that speaks, and lives by the truth. Because an oath is so important to keep, it should only be made when absolutely necessary. If it is made unnecessarily, and too often we might accidentally not swear truthfully.

In addition, not saying Hashem's name in vain teaches us to have respect for Hashem. Respect for Hashem is a basic prerequisite and motivation to keeping all of the mitzvos, which help to perfect our character.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 30)

We should not say Hashem's name for no reason because this will minimize our reverence for Him.

SFORNO

It is disrespectful to Hashem when one makes an oath in His name when an oath is unnecessary.

SFAS EMES

• In a discourse for the month of Elul, the Sfas Emes reflects on the third commandment of the Decalogue: "Lo sisa es shem Hashem Elokecha lashav." He notes the literal meaning of the Hebrew verb tisa—"you shall not lift" or "you shall not carry." Why does the Torah speak of carrying the Name of Hashem? The Sfas Emes explains that the Holy One invested His own Name into the souls of Israel. In philosophical terms, this is ko'ach ha-po'el ba-nif'al—the strength of the Creator remains permanently active inside the creation. The name "Yisrael" itself ends with the holy name "Keil." Every breath of life we take is drawn from the Holy One. To take an oath in vain means to take this holy life-force and carry it toward nothingness (shav)! The Name of Hashem is the living source of our vitality. When we guard our speech from vanity, we keep that holy current flowing into sacred deeds (Sfas Emes, Moadim, Shavuos 5636).

• In Parshas Yisro, the Sfas Emes ponders the structure of the Ten Commandments. Why are these two commandments placed side by side? The Sfas Emes explains that Shabbos is the great sign of creation. On Shabbos, we bear witness that Hashem created the world from absolute nothingness (yesh me-ayin) in six days and rested on the seventh. The root of all vanity (shav) is the illusion that the physical world exists on its own

without Hashem. When a person swears in vain, he disconnects speech from the Living Source. Swearing in vain treats the Creator's holy Name as casual speech. Observing Shabbos and guarding our speech is our royal tribute to the Master Artist of the universe (Sfas Emes, Shemos, Yisro 5656).

• In a festival discourse for Shavuos, the Sfas Emes cites the holy Zohar on the purity of the festival night. The Zohar teaches that one must guard the heavenly purity that descends on the night of Shavuos. Sivan is called Twins, hinting at the Written and Oral Torah. Shavuos relates to oaths, for the Holy One forged a covenant with us. We must guard this covenant and never profane it through false or vain oaths. The Name of Hashem is the seal of our covenant with Hashem. By guarding it from vanity, we keep the gold of our covenant untarnished (Sfas Emes, Moadim, Shavuos 5664).

• In Parshas Tazria, the Sfas Emes explores the classic Midrash: "Back and front You formed me" (Tehillim 139:5). Why was the human being created with such dual potential? The Sfas Emes explains that man includes within himself both higher and lower realms. The soul descends from heaven into a mortal body. Why did Hashem send the soul down into this physical world? He sent it so that man could toil in Torah and elevate earthly life! Our Sages taught: "There is no free man except one who occupies himself with the study of Torah." When a person pursues vanity, his soul is dragged down into triviality. This teaching expands the commandment Lo Sisa into a philosophy of life. The Name of Hashem is stamped upon our very soul (Sfas Emes, Vayikra, Tazria 5656).

A. NOT TO CAUSE ANOTHER TO SWEAR FOR NO REASON

(Torah Mandated Mitzvah), Sefer Chareidim 24-9.

SEFER CHAREIDIM

It is strictly forbidden to cause a fellow person to take an oath needlessly. For example, if a claimant knows that a defendant owes him nothing, yet he files a fabricated monetary claim in beis din that compels the defendant to take an oath to secure his exoneration, the claimant transgresses this prohibition by causing the Holy Name of Hashem to be invoked without justification.

B. TO AVOID SWEARING FOR MUNDANE PURPOSES, UNLESS REQUIRED BY THE COURTS

(Torah Mandated Mitzvah), Sefer Chareidim 24-5.

As it says "do not take Hashem your G-d's name in vain, (Devarim 5:11, Parshas Va'eschanan).

SEFER CHAREIDIM

It is forbidden to swear needlessly even to an absolute truth, as Scripture states: 'You shall not take the Name of Hashem your God in vain' (Devarim 5:11). However, if an individual is formally obligated by the beis din to take an oath in the course of judicial proceedings, he should comply and swear truthfully.

INSPIRATIONAL STORIES:

❖ Rabbi Chajkel shared the leadership of his community with his close friend and study partner, Rabbi Azriel the dayan. One day, while Rabbi Azriel was in Rabbi Chajkel's study, a woman entrusted 500 rubles to Rabbi Chajkel for safekeeping before leaving town. Later that day, Rabbi Chajkel searched his desk, drawers, and pockets, but the 500 rubles had vanished. With a heavy heart, he went to Rabbi Azriel. "You and I were the only ones in the room," Rabbi Chajkel sighed. "Although you are beyond suspicion, halachah obligates me as a guardian to require that you take an oath that you did not take the money." Rabbi Azriel turned pale. "Take an oath, Reb Chajkel? Please give me a little time to think." That evening, Rabbi Azriel returned and placed 275 rubles on the table: "That is all I have." Rabbi Chajkel was stunned and grieved—he knew Rabbi Azriel was impoverished and under immense pressure to pay his daughter's upcoming wedding dowry. Had his saintly friend momentarily succumbed to temptation, intending to borrow the funds temporarily? "I cannot compromise with another's money," Rabbi Chajkel said firmly. "Either the full 500 rubles are returned, or you must swear." The next day, Rabbi Azriel brought another 125 rubles and a 30-day promissory note for the final 100 rubles, which Rabbi Chajkel accepted. For the next several days, Rabbi Chajkel could scarcely bear to look at his friend. On Friday afternoon, as Rabbi Chajkel straightened the crooked Mizrach plaque on his study wall in honor of Shabbos, the envelope containing the woman's 500 rubles fell out from behind the frame! Remembering in a flash that he himself had tucked it there, Rabbi Chajkel let out a shriek and fainted. Revived by his family, he wept bitterly and ran through the streets to the shul where the congregation had gathered for Minchah. Mounting the bimah in tears, Rabbi Chajkel pounded on the lectern: "Hear me, holy congregation! For twenty years I have been your rav, yet I am unworthy to stand before you—I falsely suspected that tzaddik, Reb Azriel, of taking money I myself had hidden!" Throwing open the Aron HaKodesh, he sobbed, "Only You, Hashem, and Reb Azriel can forgive me!" Rabbi Azriel hurried up, embraced his friend, and said gently, "Calm yourself, Reb Chajkel! There is nothing to forgive. No one else was in the room, so halachah left you no choice but to demand an oath. When I heard that I would have to swear in Hashem's Name—even though I knew I would be swearing the absolute truth—I trembled to my core. Never in my life have I uttered an oath. So I took the 250 rubles I had borrowed for my daughter's dowry, sold my wife's jewelry for 25 rubles, and sold my entire Torah library for 125 rubles. I am forever grateful to you, Reb Chajkel, for accepting my promissory note for the last 100 rubles and sparing me from the awesome gravity of taking even a truthful oath!"

Not Just Stories, By Rabbi Dr. Abraham J. Twerski

C. TO SWEAR TO DO A MITZVAH

(Torah Mandated Mitzvah), Sefer Chareidim 12-55

SEFER CHAREIDIM

Subsumed within the mitzvah to cling to Hashem and revere Him (Devarim 10:20) is the praiseworthy act of taking an oath to reinforce one's commitment to fulfill a mitzvah. This principle is exemplified by King David, who declared: 'I have sworn, and I will confirm it, to observe Your righteous judgments' (Tehillim 119:106). Similarly, Boaz took an oath to conquer his inclination and act with absolute righteousness, proclaiming: 'As Hashem lives, remain until the morning' (Rus 3:13).

42. To fulfill your personal vows

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 39

As the Torah says Whatever has passed your lips you shall keep and do, as you have vowed (Devarim 23:24, Parshas Ki Seitzei); and it says further, he shall do according to all that proceeds out of his mouth (Bamidbar 30:3, Parshas Mattos).

SEFER HAMITZVOS HAKATZAR

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem's most fundamental characteristic is Truth, so should we develop a character that speaks, and lives by the truth.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Sfas Emes examines the exact wording of the Torah with great sensitivity. Why does the Torah add the letter chaf, meaning "in the manner of" or "similar to"? The Sfas Emes explains that our spoken speech can reach heights of spiritual clarity that our heavy physical bodies struggle to match. When we pray or learn, our souls fly high. But when Monday morning arrives, our physical limbs feel sluggish and slow. Our sacred task is to bring our physical deeds as close as possible to our spiritual vision. When a person purifies himself, Hashem places words of prayer and wisdom directly onto his lips. Once heaven grants us that holy inspiration, our mission is to translate that divine gift into real-world kindness and devotion (Sfas Emes, Bamidbar, Matos 5639).

• Why did the Torah place the laws of nedarim at the very conclusion of the forty years in the wilderness? The Sfas Emes reveals that this placement was intentional. Throughout four decades of wandering in the desert, Moshe Rabbeinu's holy teachings slowly soaked into the hearts of the Jewish people, until their speech was pure enough to carry the holy Name of Hashem. As our ancestors stood poised to enter the Promised Land, they were stepping into a new era. Our mouths become responsible for the holiness they create. The wisdom we learn in the study hall must shape every promise we speak and every action we take (Sfas Emes, Bamidbar, Matos 5661).

• The Torah gives human speech an awe-inspiring authority: through a neder, a person can create a new spiritual prohibition on permitted objects (chiddush ha-isur). The Sfas Emes compares this wondrous power to the Oral Torah (Torah Shebe'al Peh), where our holy Sages draw forth hidden divine depths from the written text. When a person who is spiritually prepared makes a truthful vow, his words align directly with the divine will. The Sfas Emes writes that such a person merits to bring a holy prohibition into the world through his own mouth! Immense preparation must come first: a life steeped in Torah and mitzvos prepares our soul so that the divine wisdom within us can blossom. When we honor a vow, we respect the sacred authority that the Torah placed inside our own vocal cords (Sfas Emes, Bamidbar, Matos 5646).

• The holiness of human speech begins with the holy soul (neshamah). The Sfas Emes explains that the breath that becomes speech carries our deepest spiritual vitality into the physical universe. When we speak words of Torah, heartfelt prayer, or a sincere vow to serve Hashem, what happens? Our spoken words have the power to bind the heavy deeds of the physical body directly to the soul! When we keep our vows, the physical body learns to follow the soul's direction. The spiritual damage reaches straight back into the soul itself. This is why the Torah calls a broken promise a profanation: it drags the divine breath of heaven down into the mud of carelessness (Sfas Emes, Bamidbar, Matos 5660).

• Why have Jews throughout history made vows in times of crisis (tzarah)? The Sfas Emes explains that when we make a vow in pain, we are crying out: "Master of the World, grant us life and health so that we can serve You with joy!" That yearning for holiness already begins to lift our souls out of the darkness. In his teachings on Parshas Shekalim, he explains that simply accepting a mitzvah makes a person somewhat free, even before the mitzvah is performed. Through Torah and tefillah, the sweet voice of Yaakov shatters the narrow constraints of exile. We learn that true relief begins the moment we dedicate our lives to a higher purpose (Sfas Emes, Moadim, Parshas Shekalim 5637).

MORAL DILEMMAS:

Chana had a pair of candlesticks that were passed down to her from her grandmother. The candlesticks were a family heirloom that originated from the 18th century. One week, after cleaning up from Shabbos, Channa was unable to find the candlesticks. She frantically checked every corner of the house, but the pair was not found. In a panic she made a neder, a vow, to herself. "Hashem, if I find the candlesticks I vow to give $1000 to tzedakah." The next morning Chana had the idea to check the garbage. After sorting through the garbage she found one of the two candlesticks, wrapped up in a table cloth. She carefully searched the rest of the garbage but did not find the other one. Chana kept looking every day for the next week but did not succeed in finding the second one. She still hoped to find it, and was very sad that the other half was still lost. Chana had the question if she had to fulfill any part of her vow. She made a vow to pay $1000 to tzedakah if she found the candlesticks. Now that she found one, was she obligated to give $500 to fulfill her vow. Perhaps she was only obligated to fulfill her vow if she found both, and because she didn't find the other half she does not have to fulfill the vow at all yet? On one hand she found part of what she lost, and perhaps she should pay half the vow. But on the other hand, she vowed to pay after she found the candlesticks. That implied that the obligation kicked in only after she found both. What do you think?

Answer: She should pay $500. Rav Yitzchak Zilberstein explains in Veharev Na that the vow to donate applies proportionately to the recovery of each heirloom; having retrieved half of the lost treasure, she has realized half the vowed benefit and is obligated to donate half the pledged sum.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 370

Before he passed away, a generous benefactor donated a very large sum of money to establish a trust fund to assist needy people to purchase matzah for Pesach. Chaim, the fund administrator, once got a very interesting request. Yosef approached Chaim with the following story. Yosef's father sadly needed important dental work done. Until the dental work (such as bridge work or dentures) was done, Yosef's father was unable to chew anything hard and was therefore unable to chew matzah. When Yosef asked if the fund would be able to defray the cost of the expensive dental work,

Chaim wasn't sure. On one hand, it was a "hechsher mitzvah" to allow Yosef's father to fulfill the mitzvah of eating matzoh. On the other hand, however, the fund's resources were specifically dedicated to purchasing matzah. Chaim wanted to know if he could use the fund for this purpose. What do you think?

Answer: Regarding the question of whether funds designated for the mitzvah of eating matzah can be used to defray the costs of dental work to be able to eat matzah, Rav Zilberstein said they could, because the dental work was a hechsher mitzvah (to enable a person to eat matzah).

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

A woman was told by the doctors that she had a deadly form of cancer. She made a neder that if she gets cured from the cancer that she will donate $50,000 to tzedaka. At the next visit the doctors told her that her cancer was not really dangerous. She wonders if she still has to give the money because it turned out that she made the commitment under false pretenses. Does she have to give the money?

Answer: She should pay it because it is possible that her promise made her better.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 336

Yonasan, an elderly and distinguished businessman, owned a beautiful summer home in the mountains. It had a breathtaking view. Yonasan also owned the small home on the adjacent property. One day Yonasan decided to sell the adjacent property. The buyers, the Berger family, who were religious Jews, were eager to purchase the property. Yonasan agreed to the sale on one important condition. "I bought these properties because of the view", he said. "I can only sell you the property if you agree not to add an extra floor to the home. If you do so, that would obstruct the view and that would take away much of the value of our home, to us." The Bergers agreed to make the purchase with that condition. Over the years the Bergers kept their side of the bargain. They honored their word even when space began to get tight and they indeed wanted to add an additional floor. One year Yonasan passed away and left his property to his children. After the dust settled, the Bergers approached Yonasan's children with the following request, "We bought the house with the express condition that we would not build an extension. We honored this agreement even though it was difficult for us. But now that your father is no longer with us we would like to make the extension". Yonasan's children were not comfortable with the idea. The deal was a deal and there was no expiration clause that stipulated that anything would change after their father's death. This question was brought to Rav Zilberstein. What do you think? Can the Bergers make the extension after Yonasan's death? Do they have to honor their word even after his death?

Answer: Regarding the question of putting an addition on the home, Rav Zilberstein writes that it seems that this is binding even after the seller dies.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 535 (Table Talk Halachic Archive, Edition 108 (Chayei Sarah))

There was once a teenage boy named Eliyahu. He grew up in a non-religious home, but as he grew older he eventually became Torah observant and Shomer Shabbos. One Shabbos Eliyahu was walking when he noticed a hundred dollar bill on the ground. His visceral instinct was to pick it up. But he remembered that he was committed to keeping Shabbos, and that one was not allowed to handle money on Shabbos. This was a big test for him. One voice in his head said he should pick it up, but his conscience told him that the right thing to do was to leave it alone. After conquering his Yetzer Hara, Eliyahu said a short prayer to Hashem: "Hashem, I am going to leave the bill here. Please keep it here until after Shabbos is over. If, when I come back it is still here, I promise to give $20 to tzedakah." As soon as Shabbos

was over Eliyahu hurried over to the place where the bill was lying. To his elation the bill was still there! Eliyahu picked it up, but something felt funny. Although the face of the bill had Benjamin Franklin's picture, it felt like plain paper. He turned it over and saw that it was not really a 100 dollar bill. It was actually an ad for a landscaping company that was advertising 100 dollars off for the first time one uses the service. Eliyahu found the story very funny and laughed to himself. Hashem indeed kept it there until after Shabbos. But then Eliyahu wondered if he had an obligation to give the 20 dollars to tzedakah. On one hand, Hashem kept it there all Shabbos like he asked for. But on the other hand, in his mind he intended to give 20 dollars if he earned a hundred dollars. In this case, perhaps because he never gained any money, he would be exempt? What do you think?

Answer: Based on the Rema (Yoreh De'ah 258:2) and the Shach (Yoreh De'ah 251:9) — which establish that in all vows of tzedakah we follow the clear assessment of intent (umdana) — Rav Yitzchak Zilberstein rules that the boy is completely exempt from paying the tzedakah vow. Because it is self-evident (anan sahadei) that he vowed the money solely on the premise that he had found a real $100 bill, and the bill turned out to be a worthless advertising flyer, it was a neder b'ta'us (a vow made in error) and never took effect.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Avodah Zarah, p. 137 (Table Talk Halachic Archive, Edition 085 (Matos Masei))

There was once a Chassidish band leader named Nachman who lived in Eretz Yisrael. One day, he received a call from a man who said, "I'm making a wedding, and I'd love to invite you to play with your band at the wedding." Nachman said, "Of course." They took down the information, the man put down a deposit, and Nachman was excited about the gig. The wedding day arrived. Nachman and his five-piece band got set up. Slowly, the guests arrived, and the waiters began setting everything up. After all the preparations were finished, Nachman noticed that there was no mechitzah at the dance floor. The wedding had already started, so Nachman went over to the baal simchah and said, "Sholom Aleichem. I'm just curious, where is the mechitzah for the dancing?" The father said, "Oh, we don't do a mechitzah. We're not planning to have one." Nachman said, "No mechitzah? What do you mean? You hired a frum band." The father replied, "Yes, we love Chassidish music, but we're not Orthodox, and we're not planning to have a mechitzah." Nachman said, "I'm sorry, but I can't play if there's no mechitzah. It's not tznius for me, and I won't be able to play." The father became very tense and said, "I am a very aggressive lawyer, and if you quit on me now and humiliate me, I'm going to sue you for every last cent you have." Nachman did not know what to do. He did not want to be sued, but he also did not want to play at a wedding without a mechitzah. He felt very unsure. The rabbi who was the mesader kiddushin saw the disagreement and came over. He said, "What seems to be the problem?" Nachman explained, "I was supposed to play, but there is no mechitzah, and I'm not playing without one. The father said he is going to sue me." The rabbi said, "Okay, here's what we're going to do. The baal simchah is not going to sue you, and you are going to play. But how are you going to be paid? Instead of being paid with money, you will be paid by their agreeing to have a mechitzah. In other words, there will be a mechitzah, but it won't cost them anything." Nachman felt he had no choice. He did not want to be sued, so he agreed. They "paid" him by putting up the mechitzah. Once it was in place, Nachman and his band played their hearts out. It was a gorgeous, inspiring wedding. Everyone left with tremendous simchah, on a real high. Nachman did not hear from them again for a while. About a year later, Nachman received another call. It was an unfamiliar voice, and the person said, "I'm making a pidyon haben. Could you and your band please play at the pidyon haben for our child?" Nachman said, "Of course." But this time, he had learned his lesson. He asked, "Will there be a mechitzah?" The man said, "Of course! It's a frum pidyon haben." So Nachman came with his band and set up. And lo and behold, what did he discover? The proud father and mother of the baby were the very same couple whose wedding he had played at a year earlier. Now, they were completely religious. It turned out that because of the wedding, because the band had played with a mechitzah, and the experience had been so inspiring, the couple had been set on a path of

growth. Over the past year, they had become completely frum. Nachman had made such a Kiddush Hashem. He had helped bring this family to complete teshuvah. Nachman was very excited to hear the story. He also met the grandfather, the man who had originally hired him for the wedding. After the pidyon haben, the baby's father, the former chassan, paid Nachman for his services. Nachman then went over to the grandfather and said, "You know, I'm so happy to hear this story, and I'm happy everything turned out so well. The truth is, last year, when I agreed to play for nothing, I didn't really mean it. I only did it because I was forced, since you were going to sue me. But now that it seems you are no longer in a litigious mood, I would be very grateful if you could please pay me for my services at the wedding. I would be grateful if one of you would pay, either you, the son, or you, the father." The son turned red and said, "I'm sorry, but I didn't hire you, and I really can't afford another fee." The father said, "I'm sorry, but I'm not going to pay you. To be honest, I didn't actually benefit. I didn't enjoy having you play with that mechitzah. Maybe other people benefited and enjoyed it, and perhaps they should pay you. But I personally did not benefit." Nachman still felt that he should be paid, since he had only agreed to play for free because he was under pressure. So the question is: After the fact, does Nachman have the right to ask for payment from the son or from the father? Does the son have a responsibility to pay Nachman for his services? Does the father have a responsibility to pay him? Or do we say that although they agreed under duress, they nevertheless agreed, and now it is too late, Nachman has no right to claim payment for the wedding? What do you think?

Answer: Regarding the question about the wedding band, Rav Yitzchak Zilberstein writes that the band leader is not allowed to ask for additional payment for the wedding for two reasons. First, he was already miya'yesh about getting paid. Second, he had already been paid through the tremendous Kiddush Hashem that he caused.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Nedarim, p. 518 (Table Talk Edition 498)

Eli had a dream to become a professional chazzan, not just for one particular type of shul. He wanted to master the different tunes and styles used for Rosh Hashanah, Yom Kippur, Shabbos, and Rosh Chodesh in many different communities. Wherever he traveled, he could serve as chazzan and hopefully earn a living from his skill. Eli approached a world-famous chazzan and asked if he would be willing to take him on as a student. The chazzan thought for a moment and then said, "I can teach you a thousand different songs and tunes, covering all kinds of communities and occasions." Eli's eyes lit up. That was exactly what he was looking for. Then the chazzan named his price. It was an astronomical amount of money. Still, Eli began calculating. If he really learned a thousand different tunes and became a skilled, versatile chazzan, he could eventually earn back the money through the many opportunities that would become available to him. He agreed. Week after week, for several months, Eli met with this chazzan. He practiced the different nuschaos and melodies, carefully recording and reviewing everything he learned. Finally, one day, the chazzan closed his music book and said, "That's it. I've taught you everything I know." Eli was surprised. "Everything?" He checked his records. "Wait a second," he said. "You promised to teach me a thousand songs. I counted them. You taught me only a little more than eight hundred!" The chazzan smiled. "When I said 'a thousand,' I didn't mean exactly one thousand. People use numbers like that as a figure of speech. I meant that I would teach you a tremendous number of songs, close to a thousand. And that is exactly what I did." Eli strongly disagreed. "I paid you an enormous amount of money because you specifically told me I would receive a thousand songs. If you only taught me about eight hundred, then either teach me the rest or return part of my money!" What do you think? When the chazzan promised "a thousand songs," was that a binding promise of exactly 1,000? If so, must he teach Eli the missing songs, or refund the portion of the tuition corresponding to what Eli never received? Was "a thousand" simply a figure of speech meaning a very large number, in which case the chazzan fulfilled his agreement and owes Eli nothing?

Answer: Regarding the question about the chazzan and the thousand songs, Rav Yitzchak Zilberstein presented the question to Rav Chaim Kanievsky. Rav Chaim answered that when someone uses the expression "a thousand" in this type of context, it does not necessarily mean exactly one thousand. Rather, it can be a guzma, an expression of exaggeration used to mean "a very large number." Therefore, if the chazzan provided approximately 800 songs, that can still be considered fulfillment of the commitment to provide "a thousand songs." The chazzan who taught him the songs would therefore not be required to pay back the difference.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Nedarim, p. 551 (Table Talk Edition 510)

There was once a non-Jewish woman named Deborah who lived in the United States. One day, she was not feeling well, so she went to the doctor. After running tests, the doctors discovered that she had a very advanced form of cancer. They told her, "This is extremely aggressive. As far as we can tell, there is no real hope. You should get your affairs in order and prepare to leave this world." In her desperation, Deborah cried out to Hashem. She said, "G-d, if You cure me of this cancer, which the doctors have given up on, I swear to You that I will become Jewish. I will study, convert, and become part of the Jewish people." That was her plea to Hashem. And then, incredibly, within a short time, Deborah made a miraculous recovery. It was so remarkable that the doctors themselves said, "This is a medical miracle. We do not understand it. We have never seen anything like this before." She was completely healed. Now she had to keep her word. Deborah reached out to a local rabbi and rebbetzin and told them that she wanted to convert. She was sincere. They began teaching her, arranged chavrusas for her, and helped her begin the process of geirus. The process of geirus can be very demanding. A person who wants to become Jewish has to learn many halachos, including hilchos Shabbos and hilchos kashrus. It requires commitment, discipline, and real sacrifice. But Deborah was serious, and she continued learning diligently. Her parents, however, were not supportive. When they found out what she was doing, they were deeply upset. To them, her decision to become Jewish felt like a rejection of their beliefs and of the way they had raised her. They felt hurt, insulted, and completely opposed to the idea. This was very painful for Deborah. Still, she persevered. She kept learning, kept growing, and came closer and closer to the day of her conversion. She had already learned a great deal and was almost ready. Perhaps she needed just one more test, or a little more preparation, before she could go to the mikvah and be accepted by the Beis Din. Then, suddenly, she told the Rebbetzin who had been working with her, "I am sorry. I just cannot go through with this. It is too much. It is going to break my parents' hearts." And she quit. She gave up on the conversion and returned to living as a non-Jew. This was not what anyone had expected. The rebbetzin knew the whole story. She knew that Deborah had begun the geirus process because of the oath she had made. Deborah had sworn that if Hashem healed her, she would convert. The rebbetzin was very concerned. Breaking an oath is a serious matter. It can be a very severe aveirah. So the following question was brought to Rav Chaim Kanievsky. Normally, we know that we do not proselytize. We do not try to convince people to become Jewish. In fact, the geirus process is intentionally serious and demanding because we want to make sure that the person truly wants to join Klal Yisrael. But perhaps this case was different. Here, Deborah had sworn that she would become Jewish. She was already very close to completing the process, and perhaps all she needed was some encouragement and support to follow through. Should they try to persuade her to change her mind and continue with the geirus process? On one hand, we do not normally encourage a non-Jew to convert. On the other hand, perhaps this situation was different because she had made an oath. If she did not convert, she would be breaking that oath, and violating an oath can have very serious consequences. So the question brought before Rav Chaim Kanievsky was this: Do they now have an obligation to try to convince Deborah to complete the geirus process? What do you think?

Answer: Regarding the question about the woman who wanted to convert, Rabbi Chaim Kanievsky answered that they should encourage her to continue to convert because even a non-Jew has an obligation not to break her oath.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Eruvin, p. 256

There was a doctor in Eretz Yisroel who was traditional, but not religious. He was also a humanitarian. He had offices in different cities in Israel, and on different days he would travel to different hospitals to see patients. On Monday he would be in one city, on Tuesday in another city, and so on. That was his practice. One day, while he was driving in the course of his work helping people, a young boy suddenly ran into the street right in front of his car. The doctor tried to stop, but he hit the boy. Sadly, the boy passed away. The doctor, who spent his entire day helping people, was completely distraught. He remembered a teaching he had once learned: Megalgilin zechus al yedei zakai, v'chov al yedei chayav, that good things are brought about through good people, and difficult or painful things are brought about through those who are not worthy. He began thinking, "Why in the world would Hashem cause me to kill somebody? How could this be?" He fell into a deep depression. He stayed home and stopped traveling to the hospitals. Patients were waiting for him in different cities, but he was not seeing anyone. A huge backlog built up, and no one was able to console him. One day, a friend came to him and said, "You know, there is a traditional idea that when someone passes away, people learn Mishnayos for the neshamah. Maybe you should commit to learning Mishnayos for a year. Perhaps that will help you feel a little better about the whole situation." For some reason, the idea appealed to him. But he hesitated. "I'm not so good at Mishnayos," he said. "That would be very hard for me." "No, no," his friend said. "You can do it. You can take a Kehati Mishnayos, and you'll manage." With some hesitation, the doctor agreed. "Okay," he said. "I want to do that. I'll learn le'ilui nishmas this boy who passed away. I'll learn Mishnayos for a year." He chose Pirkei Avos, something more manageable, but it was still a big undertaking for him. It was not easy. Still, it helped him feel a little better. Eventually, he went back to work, and things began to settle down. A short while later, he learned the story behind the story. The boy who had run into the street was the son of a well-known Arab terrorist, a man who had killed or attempted to kill Jews. This was the terrorist's son who had run into the street and, tragically, had been killed. Who knows what Hashem's plan was? But the doctor realized that the child had not been Jewish. He was the son of a terrorist, a murderer. Now the doctor felt conflicted. He had committed himself to learning Mishnayos for the rest of the year for the soul of an ostensibly Jewish boy, but now he was no longer sure if he should continue. Was it appropriate? Was he still obligated? It was not an easy question for him. So he brought the question to Rav Chaim Kanievsky. He asked, "What should I do in this case? I committed to learning Mishnayos for the child of a terrorist. What should I do?" What do you think?

Answer: Regarding the question about the doctor who accidentally hit a boy who ran in the street, Rav Chaim Kanievsky answered that even though this was a neder made under false pretenses -- and we find in the Gemara that a neder under false pretenses is not binding because this is a mitzvah and it is the very important mitzvah of Torah that is obligated at every moment, the doctor must still complete the year of his commitment of learning Mishnayos.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Berachos, p. 62 (Table Talk Edition 495)

Ari once called his friend Dani, "I'm hosting a big event tonight, but I'm stuck at work. Could I ask you for a huge favor? Here's a list, could you please go to the grocery store and buy everything I need for the party? I'll pay you back tonight." Dani replied, "No problem." He went to the supermarket and filled up the shopping cart according to the list. By the time he finished, the cart was completely full, about 2,000 shekels' worth of products. As he approached the counter to check out, he heard an announcement over the loudspeaker: "Hello, this is Rami Levy, the owner of this supermarket. We're running a special promotion that we offer periodically. For the next three minutes, anyone with a

completely full shopping cart can come to the checkout and receive their entire cart for free." Dani happened to have a completely full shopping cart, and he was very excited, he had a chance to win. But then he thought, "all this 2,000-shekel merchandise will go to Ari. Why don't I keep this cart for myself, and then come back and fill another cart for him? I'll get 2,000 shekels' worth of groceries for free, and the second cart will be for Ari." Then he reconsidered: "Maybe I can't do that. For the past hour, I've been filling this cart with Ari in mind. Perhaps I can't suddenly decide that it's all for me and then start a new cart for him." Or perhaps it doesn't make a difference that he originally had Ari in mind? After all, the groceries don't belong to Ari yet, and Dani has the right to keep this cart for himself and start a new one for Ari. This question was brought to Rav Yitzchak Zilberstein. What do you think?

Answer: Regarding the question about the shopping cart, Rav Zilberstein answers as follows: Whenever a sale is completed, there are two parties involved: the seller and the buyer. When a buyer picks up an item in order to purchase it, the halachah is that the buyer can still back out. However, at that point, the seller must be committed to the sale and can no longer back out. In our case, when the messenger picked up all the items and filled the cart, he was picking them up on behalf of the sender, his friend. At that point, even though the buyer does not yet own the items, the seller is already committed to selling them to the sender. Therefore, all the items that were picked up were acquired on behalf of the sender, and the messenger may not use them for himself, because the seller was committed to the sender At the end of the teshuvah, Rav Zilberstein notes that there is a consideration that the messenger and the sender might need to split the shopping cart. However, he concludes with "tzarich iyun" (the matter requires further analysis). Certainly, the messenger cannot keep the entire cart for himself. It most likely all belongs to the sender, though there is a possibility that they would need to split it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Nedarim, p. 335

Chaim was the gabbai of a large shul. He was privy to the shul's financial situation and was made aware that the shul was in dire need of funds and was unable to make its next major payment. It was really a problem of cash flow. There were many pledges that were made over the course of the year, pledges for aliyos and the like, and many of the people did not yet fulfill them. It seemed that there was an excess of $10,000 in unredeemed pledges. If all those people would somehow honor their pledges, the shul would be in healthier financial shape. Chaim had an idea. That Friday night, when the shul was full and they were about to start Maariv, Chaim went up to the bimah and made an announcement. "Rabbosai, the shul will be having a once in a lifetime sale". That got everyone's attention. "The shul is in dire need of funds. Anyone who gives in their pledge by this Tuesday can take 20 percent off their pledge. For example, if someone pledged 100 dollars, he can fulfill his pledge with just 80 dollars." The "pledge sale" caused quite a stir. Sure enough before that Tuesday the shul received an excess of 8000 dollars in unredeemed pledges. Chaim felt proud of himself. In the past when he went up and made an urgent appeal for shul funds, he did not get such an enthusiastic response. In his eyes the campaign was a great success. A few days later Chaim was approached by a few members of the shul, who had the following question. "Chaim, we have no doubt you made your sale with the best of intentions. We are also grateful that the campaign was so successful. But we are not sure if you are allowed to offer a sale on shul pledges. A pledge is between the one who made the pledge and HaShem. If you give them a discount, they still have a mitzvah to keep their pledge. It wasn't as if they bought something that can be forgiven by the seller. If a person makes a pledge to give 100 dollars to tzedakah, another person can't come and say he can deduct from his pledge." In addition, they claimed, "Although you are a shul officer and a shul employee, you don't have the right to forgive such a large amount of money that belongs to the shul collectively. It is not your money to forgive." But Chaim felt that offering the discount was better than not getting much of the money at all. That is what would happen if the status quo would have been kept. What do you think? Did Chaim have the right to offer "a sale", a discount on the shul pledges?

Answer: Regarding the question of the discount on shul pledges Rav Zilberstein answered that there is a safek, a doubt, whether they have to keep their full pledge, or whether a discount can work. Therefore he gave the following unique answer. What the people who pay most of their pledges should do is commit to attending a shiur. Then it would be as if the shul forgave their debts in exchange for them taking the time to learn Torah.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Two, p. 178 (Table Talk Edition #163 (Parshas Vayigash))

On Simchas Torah, Donny was at a shul that auctioned off four kibudim, Hagbah and Gelilah, for both days of Shemini Atzeres and Simchas Torah. Donny won the auction with a $2,000 bid, which was $500 for each kibud. On the first day, when they were giving out Hagbah and Gelilah, the gabbai asked Donny whom he wanted to do Hagbah. Donny pointed to someone, and that person was chosen. Then, when the gabbai asked who should do Gelilah, Donny pointed to someone else, but the gabbai accidentally picked the wrong person. Well, what can you do? The next day, the gabbai made sure to pick the right people. Donny pointed them out, and they received the kibudim correctly. After Yom Tov, Donny went to pay his pledge. He gave the treasurer $2,000, but the treasurer said, "Oh, actually, you only owe $1,500." Donny asked, "What do you mean? I pledged $2,000." The treasurer explained, "Yes, but the gabbai already paid $500 because he felt responsible, he accidentally gave the wrong person the honor." The treasurer continued, "Since the gabbai made the mistake, he didn't want the shul to lose out, so he covered the $500 himself. Therefore, you only need to pay $1,500." Donny was shocked at the gabbai's righteousness and fairness. He went over to him and said, "I didn't mean for you to pay the $500, you really don't have to do that." The gabbai replied, "No, it's only fair. You pledged $2,000, which means $500 per kibud. Why should you have to pay for the one where you didn't get to honor the person you chose?" Donny said, "I understand that, but maybe the shul should cover it instead. Why should you have to pay? I didn't get any benefit from that mistake, but I also don't think it's fair for you to lose money over it. I want to reimburse you the extra $500 you paid." The gabbai answered, "I'll only accept it if that's what halachah requires." So they brought the question to a Rav. Who do you think is responsible in this case? When the gabbai mistakenly gave the wrong person the honor, who should bear the cost? Should Donny pay the full amount? Should the gabbai be responsible for the $500? Or should the shul absorb the loss so Donny only has to pay $1,500? What do you think?

Answer: Regarding the question about the Gabbai who made a mistake and gave away one Hagbah to the wrong person, Rav Akiva Meister answered that since the Gabbai is not a paid employee, he has less responsibility and is not obligated to pay for the error. In this case, the man who bought the kibbudim should pay 1,500, and the shul should be willing to accept the loss. Of course, if the Gabbai wants to pay, he's allowed to, but he is not required to.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 466 (Vayeira)

STORIES FROM OUR SAGES:

❖ A man may marry a woman and stipulate with her that she will sustain him, support him, and enable him to study Torah. It once happened with Yehoshua, the son of Rabbi Akiva, that he married a woman and entered into a mutual agreement with her that she would support and sustain him while he devoted himself to studying Torah. Subsequently, years of severe drought and famine struck the land, and the couple had to divide their remaining property to survive. She began to bring a complaint regarding his support before the Sages. When Yehoshua was summoned and stood before the Rabbinical Court (Beis Din), rather than argue against his wife, he declared to the judges: 'She is more trusted and credible to me than any person in the world!' Hearing her husband's complete trust and integrity, she said to the Sages: 'In truth, he certainly stipulated this agreement with me from the very beginning!' And the Sages ruled that once a clear mutual covenant has been made, it stands firm.

Tosefta Kesubos 4:7

INSPIRATIONAL STORIES:

❖ During a major campaign for the yeshivah, two respected philanthropists were sitting in Reb Dovid Feinstein's house making calls. They would solicit their wealthy friends, and once the pledge was made, they would hand the phone to Reb Dovid, who would give a berachah to the donor. One young entrepreneur answered the phone, and when he heard who was calling, he started to describe his own successes. Thrilled to be speaking with two noted philanthropists, he was eager to impress, and he described how large sums of money seemed to come from every deal he did. They asked him for $72,000 and he agreed instantly. They passed the phone to Reb Dovid, who had heard the whole conversation, but he asked them to put it on hold. "I don't want to take his money," the Rosh Yeshivah said. "I feel that someone who talks that way, with such pride about how much he has, probably doesn't have very much money at all. Let's leave it. "But he is waiting on the phone for his berachah," one of the askanim pointed out. "Tell him that in the meantime, the funding came through from somewhere else and we're covered, but since Hakadosh Baruch Hu sees a machshavah tovah, a good thought, as if it was fulfilled, I would like to give him a berachah just the same..."

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

❖ An Israeli prime minister was asked in a nationally broadcast interview about certain commitments he had made during the election campaign. "Sir," asked the interviewer, "before you were elected you promised you'd do such-and-such, but it still hasn't happened. What do you have to say about that?" "I never promised to keep my promise," the prime minister said without batting an eyelash. This is really what every neder is.

Impact, Vol. 2, By Rabbi Dovid Kaplan, Published by Feldheim Publishers

43. Not to violate one's personal vow

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 184

As the Torah says, When a man vows a vow. He shall not break his word (Bamidbar 30:3, Parshas Mattos).

SEFER HAMITZVOS HAKATZAR

See the section on positive commandments (§39). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem's most fundamental characteristic is Truth, so should we develop a character that speaks, and lives by the truth.

STORIES FROM OUR SAGES:

❖ An incident occurred involving a young child who consecrated his iron spade 'to Heaven,' and his father brought him before Rabbi Akiva to examine whether the child truly understood to Whom he had made his vow. Rabbi Akiva tested the boy, asking: 'My son, to whom did you consecrate it? Perhaps to the sun, the moon, the stars, or the constellations, because they shine so beautifully in the sky?' The child answered: 'No! I consecrated it only to the One to Whom the iron belongs,

blessed be He!' Rabbi Akiva blessed the boy and exclaimed: 'We have examined him well—his consecration is valid!'

Tosefta, Niddah 5:7

INSPIRATIONAL STORIES:

❖ Reb Shayele Kerestir was known as a ba'al mofes, a tzadik who can bring about miraculous yeshuos. A young man who had been helped through a difficult situation by Reb Shayele, told his father about the wondrous Rebbe of Kerestir. Curious by nature, the father decided to go observe the tzaddik for himself. He spent two weeks in Kerestir, watching the stream of humanity flowing into Reb Shayele's chambers in search of salvation, imbibing the sacred atmosphere and hearing the extraordinary stories. Yet amazed as he was, he couldn't identify any outstanding trait of the Rebbe's that had earned him the Divine gift of the ability to help so many people. Finally, the visitor thought of a Chassidishe vort on the pasuk "Lo yachel devaro, k'chol hayotzei mi'piv ya'aseh." One should not violate his word; according to whatever comes out of his mouth, he shall do (Bamidbar 3:30). The seforim explain that one who is careful to keep his word, never to lie, receives a gift from Heaven that "whatever comes out of his mouth," Hashem shall do! As this fellow considered that this might be Reb Shayele's secret, the door to the Rebbe's room suddenly opened. "You already heard the vort on Lo yachel devaro?" the Rebbe asked him. "Because that is indeed the way it is."

From Reb Shayaleh, by Rabbi Yisrael Besser, Published by Feldheim Publishers

A. TO REFRAIN FROM MAKING UNNECESSARY VOWS

(Torah Mandated Mitzvah), Sefer Chareidim 12-58

As it says, "if you refrain from making vows, you will not have a sin (Devarim 23:23, Parshas Ki Seitzei)".

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Why is it better to avoid making vows?

SEFER CHAREIDIM

There is an important mitzvah to refrain from making vows, as a vow easily becomes a spiritual stumbling block if a person fails to fulfill his pledged word or delays its execution. As Scripture states: 'If you refrain from vowing, you will commit no sin' (Devarim 23:23), from which Chazal deduced that if one does make a vow, sin will inevitably follow. It is far superior to act with righteousness and generosity without formal vowing. However, during times of acute distress — as demonstrated by Yaakov Avinu when he journeyed into exile, as Scripture states: 'And Yaakov made a vow, saying…' (Bereishis 28:20) — or when communal leaders convene to institute binding vows to reinforce religious observance and erect protective fences for the mitzvos, making a vow is entirely permissible.

STORIES FROM OUR SAGES:

❖ It was taught in a Braisa: Shimon HaTzaddik declared: "In all my days as High Priest, I never partook of the guilt-offering of a Nazirite (because people usually make vows impulsively in anger or distress and quickly regret them)—except for one single Nazirite! Once, a young man came up to the Temple from the South as a Nazirite, and I saw that he had beautiful eyes, a handsome appearance, and thick locks of hair arranged in flowing curls. I asked him: 'My son, why did you see fit to shave and destroy this splendid hair of yours by taking a Nazirite vow?' He answered me: 'I was a shepherd for my

father in my hometown. One day I went to draw water from the spring, looked down at my reflection in the water, and suddenly my evil inclination surged up within me in vanity and sought to drive me from the world! I immediately said to my reflection: "Wicked one! Why do you boast and preen in a world that is not yours, over a body that is destined to return to dust? By the Temple service, I vow to shave off these curls for the sake of Heaven!"' Immediately I rose, kissed him upon his head, and said to him: 'My son, may there be many more Nazirites like you in Israel! Regarding you Scripture declares (Bamidbar 6:2): "When a man sets himself apart to vow the vow of a Nazirite, to consecrate himself unto the Lord!"'"

Talmud Bavli, Nedarim 9b (cf. Tosefta Nazir 4:7)

44. Not to delay the fulfillment of one's vows

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 185

As the Torah says, When you make a vow. You shall not delay to pay it (Devarim 23:22, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How long does one have to fulfill his vows?
- If one says to himself that he will give charity, is that a vow?
- How long does he have to give the charity he pledged?
- What if there are no poor people available?
- Does he have to set it aside if he stipulated that he will give charity when the next poor person comes?

SEFER HAMITZVOS HAKATZAR

A person does not violate this negative prohibition against delaying vows (bal te'acher) until three consecutive pilgrimage festivals (regalim) have elapsed without his fulfilling the pledged offering.

Charity (tzedakah) is likewise governed by the legal framework of vows. However, regarding tzedakah, if a person delays payment, he violates the injunction, 'You shall not delay to pay it' (Devarim 23:22) immediately, because poor people are readily accessible. If no impoverished individuals are present at that moment, he must set the money aside at once and hold it in trust until a poor person is found.

However, if he explicitly stipulated at the time of his pledge that he would not obligate himself to pay until he personally encountered a needy person, he is not required to set the funds aside in advance.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem's most fundamental characteristic is Truth, so should we develop a character that speaks, and lives by the truth. If one delays a vow, he may eventually not keep it.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

KLI YAKAR

If one delays payment of the vow he may eventually find himself looking for excuses and find pretexts to avoid paying it. One should instead fulfill it right away.

STORIES FROM OUR SAGES:

❖ The Mishnah teaches: If a person vows, 'My weight is upon me for the Temple,' he donates his weight—in silver if he specified silver, or in gold if he specified gold. It once happened that the mother of Yirmatyah vowed when her daughter was ill, 'If my daughter recovers, my daughter's weight in gold is upon me!' When her daughter recovered, the mother ascended to Jerusalem with her, and they weighed her in gold! And how does one weigh a person's limb or body cleanly and respectfully? As the Talmud explains, one places the limb or person into a barrel filled with water up to a marked line, measures the displaced water, and weighs an equal volume of meat and bone on the scale!

Mishnah, Arachin 5:1 (cf. Talmud Bavli, Yoma 78a)

45. To go to a Chacham or a court, the trustees of your vows, for annulment

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 40.

As the Torah says, When a man vows a vow to Hashem, etc. (Bamidbar 30:3, Parshas Mattos).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If one makes a vow to himself is there a way he can get the vow annulled?
- Who can annul it?
- Are there any conditions to be able to annul it?

SEFER HAMITZVOS HAKATZAR

This commandment teaches that if a person who uttered a vow experiences genuine remorse and regrets what transpired, he must approach a qualified expert scholar (chacham mumcheh), or a tribunal of three laymen (sheloshah hedyotos) if an expert scholar is unavailable, to seek formal annulment.

He must state before them: 'I took an oath, or formulated a vow, regarding such-and-such a matter, and I have come to regret it. Had I known that I would experience such distress over this matter, or that these circumstances would unfold, I would never have taken the vow or oath.'

The scholar or the three laymen then inquire of him: 'Do you truly feel remorse over having made this vow from the very outset?' When he responds, 'Yes,' they declare to him: 'It is released to you,' 'It is forgiven to you,' or 'It is permissible to you.'

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem's most fundamental characteristic is Truth, so should we develop a character that speaks, and lives by the truth. We must normally keep our vows. However the Torah inserted a clause into every vow that they are only binding with the implicit agreement of the court system or a chacham. If they agree to annul the vow, it was never binding in the first place and one is not bound to it. Keeping a vow unless we receive the annulment of the proper authorities is a way we demonstrate our G-dlike commitment to keeping the truth.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAV SAMSON RAPHAEL HIRSCH — CHOREV (CHAPTER 70)

The courts and the chachamim are the trustees of our vows. The Torah gives them the veto power over our vows, and they can only be binding if they implicitly agree to it.

SFAS EMES

• The Sfas Emes begins with the internal design of the human being. In a maamar from 5639, the Sfas Emes explains the authority of the chacham through this spiritual order. Why can a Torah scholar release a vow that the speaker cannot undo? Because the speech of the chacham belongs to a higher spiritual realm than the speech of the person who made the vow! The person who spoke the vow cannot simply change his mind when his mood shifts. The power of speech to bind and the power of the chacham to release flow from the very same principle: speech must always answer to the wisdom of Torah (Sfas Emes, Bamidbar, Matos 5639).

• In 5654, the Sfas Emes compares a vow to the construction of a building (binyan). When we speak a holy commitment, our words erect an actual spiritual structure in the unseen world. The Sfas Emes explains that the chacham lives on a higher floor of spiritual reality. His consciousness reaches a world and a stature above the level where our vow was spoken. When we stand before him, he looks down upon the structure from above. From that elevated vantage point, he can dissolve what was built below. What seems like an immovable wall to us is easily opened by one who stands above the roof (Sfas Emes, Bamidbar, Matos 5654).

• This insight helps us understand the profound difference between breaking a promise and receiving a halachic release. What happens when a person simply walks away from his vow? He acts like a rebel, trampling a sacred structure as though his words carry no weight. He drags the gift of speech into the dust. Hatarah operates in a completely different way. Our Sages teach: the chacham uproots the vow from its very root! He does not give us permission to ignore our word. Instead, by investigating our original intention, he uncovers an unforeseen circumstance (pesach or charatah). The release honors the holiness of speech. It reminds us that our words are answerable to a divine authority far greater than our private ego (Sfas Emes, Bamidbar, Matos 5654).

• Where does the chacham receive this astonishing authority? In 5656, the Sfas Emes identifies the true fountain of this power: the Torah of Truth (Toras Emes). The Sfas Emes explains that a talmid chacham, who has spent his life absorbing the living waters of Torah, carries that higher divine authority. Look at the harmony here: the Torah is present on both sides of the encounter! The Torah gives our personal speech the power to create a binding obligation. And the Torah gives the chacham the wisdom to release that obligation when circumstances demand it. Our words are never autonomous; they live and breathe within the great ocean of Hashem's Torah (Sfas Emes, Bamidbar, Matos 5656).

STORIES FROM OUR SAGES:

❖ It once happened that a man made a rash vow forbidding himself from deriving any benefit from his sister's daughter because poverty and hardship had left her looking plain and unkempt. They brought the young woman into the household of Rabbi Yishmael, where they cared for her, nourished her, and adorned her until her natural beauty shone forth. Rabbi Yishmael then called the man and asked him, 'My son, did you vow against this young woman?' The man exclaimed, 'No! Had I known she was so lovely, I would never have vowed!' And Rabbi Yishmael released him from his vow so they could marry in joy. In that hour Rabbi Yishmael wept and declared: 'The daughters of Israel are truly beautiful, and it is only poverty that makes them appear plain!' And when Rabbi Yishmael passed away, the daughters of Israel raised a lamentation over him, saying: 'Daughters of Israel, weep over Rabbi Yishmael!'

Mishnah, Nedarim 9:10

❖ The aggadah relates that R' Yehoshua entered Gan Eden alive: when it came time for him to die, the Angel of Death was told to grant his wish. R' Yehoshua ben Levi asked to be shown his place in Gan Eden (Paradise). When the Angel of Death agreed to his request, R' Yehoshua said, "Give me your knife so that you do not kill me on the way," whereupon the Angel handed him his knife. When they arrived at the gates of Gan Eden, R' Yehoshua jumped inside Paradise. The Angel of Death grabbed hold of the hem of his cloak and R' Yehoshua said, "I swear that I will not go back." The Holy One, blessed is He, said, "If he ever asked for an oath of his to be annulled, he must return, but if not, he need not return." R' Yehoshua was allowed to remain. The Angel of Death asked him to return the knife, and R' Yehoshua refused until a heavenly voice ordered him to return it. Elijah heralded R' Yehoshua's arrival, announcing, "Make room for the son of Levi, make room for the son of Levi! R' Yehoshua observed R' Shimon ben Yochai sitting on thirteen golden tables. R' Shimon asked, "Are you the son of Levi?" "Yes," he replied. "Has a rainbow ever appeared in your lifetime?" asked R' Shimon ben Yochai. "Yes," R' Yehoshua replied. "If so," said R' Shimon, "You are not the son of Levi" (since a rainbow, which is a sign that the people of the generation deserve destruction, should not appear during the lifetime of a saint whose merit alone is sufficient to save the world from destruction). In reality, a rainbow had never appeared in his lifetime, but he did not want to take credit for himself.

Talmud Bavli, Kesubos 77b

INSPIRATIONAL STORIES:

❖ Perhaps nothing better attests to the paramount importance that Reb Yaakov Kamenetsky placed on his wife's needs than his willingness to break his own minhagim to keep from hurting her feelings. Shortly after his second marriage, Shavuos fell on Friday. The Rebbetzin prepared an elaborate milchig Kiddush, including a number of cheese dishes. She was unaware that Reb Yaakov had a family mining never to eat cheese on Friday, and that he scrupulously followed this mining even though he was unsure of its origin. His discomfiture must have shown as the served the Kiddush because she immediately asked, 'Is something wrong?' He quickly regained his composure and replied, 'No, no, nothing. I just wasn't prepared for such a beautiful Kiddush. As soon as the Rebbetzin left the mom, Reb Yaakov turned to three talmidim and asked them to be mattir neder (release him from an implied vow not to eat cheese on Friday) so that he could eat the cheese dishes. He explained to them that a heter was appropriate since he would never have accepted the minhag upon himself if he had known that one day it would cause someone else pain. Since it was their first year of marriage, during which a wife is particularly eager to please her husband, he felt that mentioning his minhag then would be perceived as a criticism — - even though there was no way that the Rebbetzin could possibly have known of it. At the appropriate time, Reb Yaakov informed the Rebbetzin of his custom of not eating cheese on Friday, which he continued to observe.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

JUDICIAL JUSTICE

SECTION OVERVIEW

The mitzvos in this section all ask us to emulate Hashem by establishing a just and fair system of judicial justice

46. To appoint judges and law enforcement

(Torah Mandated Mitzvah), Sefer Chareidim 12-53

As it says "you shall place judges and enforcers in all of your gates" (Devarim 16:18, Parshas Shoftim)

SEFER CHAREIDIM

It is an active positive mitzvah to establish a judiciary by appointing judges (dayanim) in every district and city, as Scripture commands: 'Judges and officers you shall appoint for yourself in all your gates' (Devarim 16:18). It is likewise an obligatory mitzvah to appoint law enforcement officers (shotrim) who ensure compliance with the law and enforce the rulings and decrees issued by the judges.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

OHR HACHAIM

The ability for a city to appoint judges over itself is a test of the health of its society. Only if the community is healthy will it appoint judges, and waive its superior position and humbly submit itself to the judges' wisdom and authority.

MORAL DILEMMAS:

A rabbi who served on a three-judge rabbinical court (Beis Din) presiding over conversions was discovered to have engaged in a clandestine adulterous affair during the period he sat on the bench. Does his severe moral failure retroactively disqualify the conversions he certified, requiring the converts to undergo a new immersion (tevilah) and recertification with blessings?

Answer: Rav Yosef Shalom Elyashiv zt"l ruled to Rav Yitzchak Zilberstein that a dayan who secretly committed grave sins is disqualified from serving on a Beis Din. However, regarding conversions performed in the past before his misconduct was exposed: so long as the convert had a valid kabbalas ol mitzvos (sincere acceptance of the yoke of mitzvos) and immersion,

the conversion remains valid b'di'avad if three kosher witnesses or observant bystanders were present at the tevillah, or under the view that conversion in our times requires three hedyotos.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 83

A shul had a policy that if clothing or books were left in the shul for more than 30 days, they became ownerless. Every year the shul had a sale of the books and clothing that were left there over the past year. One day Yehuda went to his friend Tzvi's house. On the shelf of Tzvi's house was a sefer. The sefer looked oddly familiar. Yehuda opened the sefer to the second to last page and found his handwriting in it. It was notes he had written around a year ago. Yehuda realized that this was his long lost sefer. Yehuda asked Tzvi where he got the sefer. "Oh, I bought it at the shul sale. Every year they sell seforim that were left around the shul." Yehuda responded, "Actually this is my sefer. Look, it has my handwriting and my notes." "Yes", Tzvi replied, "but I paid for it. It is mine now." Yehuda retorted, "What do you mean you paid for it? It was my book. What right do you have to buy my book?" Tzvi responded, "But the shul's policy is that lost items are ownerless". Yehuda replied, "Yes, but this is definitely my book. The shul doesn't have a right to sell my book." Yehuda decided that he was going to keep the sefer. After walking out of Tzvi's house he wondered if he did the right thing. On one hand, he knew for sure that it was his book. But on the other hand Tzvi bought it from the shul. The shul had a policy that all leftover items become ownerless. Perhaps if Yehuda used that shul, he was implicitly agreeing to the policy. This question was brought to Rav Zilberstein. What do you think? Can Yehuda keep his book?

Answer: Rav Zilberstein answered that if the practice of selling leftover seforim was not well known in the city, the purchaser would have an obligation to return it to the original owner.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 525 (Table Talk Edition 141)

Shortly after World War Two, two wealthy Lithuanians were put on trial for collaborating with the Nazis and killing more than twenty Jews. The accused killers looked to hire an accomplished lawyer. The most prominent lawyer they could find was a Jewish lawyer. The Jewish lawyer, who we will call Mr. Klein, agreed to accept the case and defend them if they would pay him a very large sum of money. The Lithuanian killers agreed. Sure enough Mr. Klein prepared a case to get the killers off scott free. The Jewish survivors living in Lithuania were appalled that a fellow Jew would help to defend and exonerate people who were known to have murdered Jews. They felt that it sent a terrible message that Jews would stoop so low to do anything for money. The Jewish community ostracized this lawyer for agreeing to take the case and defend the killers. One day, Attorney Klein walked into the only remaining shul in Kovna, called the Housman's Kloiz, to be the chazzan. Mr Klein, who didn't always go to shul had a yahrzeit for his father and wanted to be the chazzan in his father's merit. (It is not clear if his father was killed in the Holocaust or not.) When Mr. Klein went to the amud to begin, the rest of the people in the shul promptly walked out of the sanctuary and davened by themselves in an adjacent room. They refused to have this lawyer lead them in prayer. "A prayer leader has to be "merutza im hatzibur" -- has to be accepted by the community to represent them in prayer. This traitor does not represent us, they declared. "Also, a prayer leader cannot be a wicked person, and he is a wicked person. Mr Klein, who was left alone, in need of a minyan to say Kadish for his father, began to cry out of humiliation." Rav Ephraim Oshry who was living in Kovna at the time, was approached and asked if the people of the shul did the right thing. First of all, was it okay for Mr. Klein to take the case to be a defense attorney for known Jewish murderers? Perhaps one can argue that being their defense attorney would ascertain that they get true justice through adversarial process of a prosecution and defense. Second of all, was the community right that someone who was not accepted by the community cannot be their representative as the prayer leader?

Answer: Regarding the question of the Kovna Lawyer, Rav Oshry answered that Jews have a responsibility to do whatever they can to make the killers of the Holocaust be brought to justice and they are not allowed to do anything that may allow them to escape justice. In this case Rav Oshry said that a person who does this should not be the shaliach tzibbur. What happened in the end is interesting. Rav Oshry spoke "from his heart" to the lawyer and the lawyer realized his error. The lawyer became a baal teshuvah and davened with the tzibbur every day after that. After a while, the lawyer moved away from Kovna because he was scared that the murderers would take revenge on him for abandoning the case.

— Source: Rav Ephraim Oshry, Shu"t MiMa'amakim Book 4, Chapter 15

Immediately after the war, a Jew named Elliot approached R' Oshry with the following question. He had witnessed his entire family murdered by the Lithuanian watchman of his apartment. He had now heard reports that this murderer was on the run and was hiding in a nearby city. Should he spend whatever money he had to track down this murder and bring him to justice? Should he perhaps use his money and time in more forward looking ways? Should he use the money to build a family, or for education? In general should the surviving Jews be spending money to pursue and identify the murderers of Jews? Should the resources be used for more compelling causes? Would pursuing these killers perhaps cause a backlash of hatred and danger toward the surviving Jews in Europe?

Answer: Citing Shu"t Tzemach Tzedek HaYashan (Siman 19)—which rules that relatives and communal leaders must pursue a gentile murderer and spend funds to bring him to justice so that Jewish blood is never treated as cheap or abandoned (hefker)—Rav Ephraim Oshry instructed the survivor not to rest or spare any financial expense or physical effort until he tracked down the Lithuanian collaborator who had murdered his parents, brothers, and sisters, while exercising care not to endanger the broader Jewish community. Several weeks later, the survivor located the murderer hiding in a forest near Birštonas and eliminated him with a hand grenade; Rav Oshry then advised the survivor to flee Soviet-controlled Lithuania immediately via Poland to Eretz Yisrael so he would not be arrested by the authorities or targeted by the murderer's relatives.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 4, Siman 14

47. A judge over Jews and any leader over Jews must be born a Jew

(Torah Mandated Mitzvah), Sefer Chareidim 24-60

As it says, "you cannot place upon you a strange person" (Devarim 17:15, Parshas Shoftim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Do both parents of the leader have to be Jewish?
- Is there a difference between a king and a judge regarding this mitzvah?

SEFER CHAREIDIM

It is a negative mitzvah not to appoint anyone to a position of judicial or communal authority (serarah) over the Jewish people unless he is of native Jewish lineage — at minimum possessing a Jewish mother. A convert (ger) may not be appointed to an office of authority over the community, as Scripture states: 'You may not place over yourself a foreign man who is not your brother' (Devarim 17:15), which Chazal expounded to mean that all

> appointments of authority must be drawn from 'the midst of your brothers' (mi-kerev achecha). With respect to the monarchy, the halachah is even more rigorous: a king may not be coronated unless both his father and his mother are native-born Jews.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice. This mitzvah helps to ensure that the judge has the best disposition and respect in order to properly administer justice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RASHBAM

If the leader is not Jewish he may sway the Jews towards another religion.

SEFER HACHINUCH (MITZVAH 498)

The leader should be someone who is a descendant of Abraham who has inherited the character traits of compassion, truth, justice, and morality. The character of an ancestor gets transmitted to his descendants.

RALBAG

If the judge or king is a convert he may still return to his former ways.

In addition it is necessary for a leader to be respected and a convert many not carry the respect of the people as much a one born a Yisrael.

STORIES FROM OUR SAGES:

❖ Reish Lakish was born in Tzippori, where, as a child, he saw R' Yehudah HaNassi, although he did not study from him (Talmud Yerushalmi, Beitzah 5:2). He was very strong, and in his youth he sold himself to men from Lod who hired participants in gladiatorial contests (Talmud Yerushalmi, Gittin 4:9-b). He became associated with bandits and became the leader of the group that occupied themselves with killing cannibals. R' Yochanan, who was extremely handsome, was once bathing in the Jordan River and Reish Lakish observed him from the opposite shore. Reish Lakish thought it was a beautiful woman he was seeing, and he leaped over the river. R' Yochanan said, "Your strength should be used for Torah." Reish Lakish responded, "Your beauty should be for women!" R' Yochanan promised Reish Lakish that he would give him his sister, who was even more beautiful than R' Yochanan, as a wife if Reish Lakish would abandon his ways and study Torah. Reish Lakish agreed, and he immersed himself in Torah by day and by night, becoming one of the greatest leaders in Torah of the generation (Bava Metzia 84a; Eruvin 65). He reviewed his studies forty times before having a lesson with R' Yochanan (Taanis 8a). His mind was so totally occupied with Torah thoughts that he often walked out of the techum on Shabbos without realizing it (Talmud Yerushalmi, Berachos 5:1). He went to the south for a while to study from Bar Kapparah (Pesachim 15a), R' Yehoshua ben Levi (Talmud Yerushalmi, Moed Katan 2:4), R' Oshaiah (Yevamos 57a), and R' Efes (Eruvin 65b). He earned a livelihood as an orchard guard (MK 17a; Talmud Yerushalmi, Moed Katan 3:1, 81d). Once when R' Ammi was captured by bandits, Reish Lakish, who was already a great Torah scholar, saved him. On another occasion, Reish Lakish retrieved R' Yochanan's possessions, which were taken by thieves (Talmud Yerushalmi, Terumos 8:10).

Reish Lakish also transmitted in the name of his ancestors that "any city that does not have schoolchildren studying Torah in it is destroyed" (Shabbos 119b). He lived a simple life of poverty, and when he died, the only earthly possession he left behind was a small amount of saffron.

Talmud Bavli, Gittin 47a

48. Not to appoint an unqualified judge

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 64.

As the Torah says, you shall not respect people in judgment (Devarim 1:17, Parshas Devarim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Not everyone can appoint judges. Who then is this mitzvah addressed to?
- What is the definition of an "unqualified judge"?
- What are the qualifications that a judge must have?

SEFER HAMITZVOS HAKATZAR

Chazal expounded in the Midrash (Sifrei, Devarim 1:17) that this negative prohibition is addressed directly to the authority responsible for appointing judges, commanding him not to show personal favoritism or bias when selecting a dayan.

He must not say: 'So-and-so is handsome, or wealthy, or physically mighty, or accomplished in secular disciplines and other worldly pursuits,' when those attributes are unrelated to mastery of Torah and reverence of Heaven (yiras Shamayim).

Rather, a qualified judge must possess the following essential qualities:

He must be exceptionally wise and deeply learned in Torah;

He must be genuinely reverent toward Heaven (yerei Shamayim);

He must possess an absolute, uncompromising hatred of bribery (sonei batza);

He must master and subdue his evil inclination (yetzer hara);

He must possess a courageous, resolute, and fearless heart to rescue the oppressed and victimized from the hand of their oppressor.

These are the indispensable virtues that a judge must embody. If an appointing authority installs a judge based on extraneous worldly considerations rather than these spiritual and halachic prerequisites, he violates this biblical prohibition.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice. This mitzvah helps to ensure that the judge has the best character in order to properly administer justice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RASHI

If one appoints an unqualified judge it will result in the guilty being found innocent and the innocent being found guilty.

RALBAG

We need people who can best lead and direct the Jewish people.

49. To adjudicate claims between two parties

(Torah Mandated Mitzvah), Sefer Chareidim 12-33

SEFER CHAREIDIM

There is an active positive mitzvah for the courts (beis din) to adjudicate all civil disputes and monetary claims between litigants. While many early authorities count all civil and commercial laws under a single comprehensive mitzvah of judicial adjudication, the Rambam and Ramban enumerate eleven distinct positive mitzvos governing specific categories of monetary law. They are:

The laws governing an unpaid custodian (shomer chinam);

The laws governing a paid custodian (shomer sachar) and a renter (socher);

The laws governing a borrower (sho'el);

The laws governing commercial transactions, buying, and selling (din mekach u'mimkar);

The laws governing claims, admissions, and denials between litigants (din to'en ve-nit'an);

The laws governing the restoration of stolen property and penalties for theft (dinei gezeilah ve-geneivah);

The four primary categories of tort liability and property damage (arba'ah avos nezikin), comprising the damage caused by an ox (shor);

The damage caused by an excavated pit in a public domain (bor);

The damage caused by an animal grazing or consuming crops (shein / maveh), as well as direct human damage (adam ha-mazik);

The damage caused by a spreading fire (eish);

The laws governing inheritance and the division of estates (dinei yerushos);

The laws governing bodily injury and physical assault (dinei chovel ba-chaveiro) — requiring compensation for damage, pain, medical expenses, loss of livelihood, and humiliation — constitute a twelfth distinct mitzvah.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Sfas Emes opens with an apparent contradiction between the priestly blessing and the words of Moshe Rabbeinu. "Nullify your will before His will, so that He nullifies the will of others before your will." The Sfas Emes examines the phrase "when Israel performs the will of the Omnipresent". He explains that this does not describe routine compliance with bare rules. It describes wholehearted devotion, free from selfish calculation, seeking only to bring joy to the Creator. When we conduct our daily dealings with this generous spirit, we bring a new reality into our world. In response, the Almighty fans that flame into a bright light of mercy. He views us through the beauty of our soul rather than the cold ledger of our mistakes (Sfas Emes, Bamidbar, Naso 5637).

• The Torah opens the portion of civil law with the connective letter vav: "And these are the ordinances that you shall place before them". The Sfas Emes explains that we cannot truly receive the Written Torah except through peace. The Jewish people must be joined in complete unity. The verse in Tehillim 29:11 declares: "Hashem will give strength to His people; Hashem will bless His people with peace." "Strength" represents the Written Torah: "peace" represents the living spring of the Oral Torah, over which we bless: "and eternal life He planted within our midst." His sacred task is to reveal the hidden spring of truth within the dispute. He guides both parties past their claims into the light of brotherhood (Sfas Emes, Shemos, Mishpatim 5648).

• In his discourse for Rosh Hashanah—the Jewish New Year and day of universal judgment—in 5663, the Sfas Emes explores the inner design of Divine judgment. How does human wisdom penetrate the solemnity of the Day of Judgment to discover joy? To demonstrate this, the Sfas Emes examines the letters of the Hebrew language. The word for judgment is Din, spelled Dalet, Yud, Nun. When one examines the "filling" letters—the letters that complete the spelling of each character's name—a hidden secret emerges. The letter Dalet is filled by Lamed-Tav, whose numerical value is 30 + 400 = 430. The letter Yud is filled by Vav-Dalet, whose numerical value is 6 + 4 = 10. We do not stand outside the courtroom demanding our narrow rights. We step inside the line of judgment, where justice dissolves into the radiant warmth of the Divine countenance (Sfas Emes, Moadim, Rosh Hashanah 5663).

• The arrival of Yisro in the wilderness is linked by our Sages to the verse in Mishlei 27:10: "Do not forsake your friend and your father's friend." Rashi asks: "What news did Yisro hear that caused him to come and convert?" The Sfas Emes explains that when Israel stood at the Red Sea and Mount Sinai, we accepted the Torah with unbounded devotion. We stepped far beyond baseline duty. This self-surpassing commitment produced a remarkable spiritual phenomenon: an overflow of holiness described as a "surplus fragrance." In the Midrash on Shir HaShirim, our Sages compare this to a king's son whose royal spice-flask leaves a lingering scent wherever he walks: The residual fragrance of past dedication returns. It guides our soul back to our Father in Heaven (Sfas Emes, Shemos, Yisro 5639).

• In Parshas Mishpatim in 5634, the Sfas Emes addresses judicial integrity in the verse: "And these are the ordinances that you shall place before them" (Shemos 21:1). Why, then, does the realization of this redemption take so long throughout the centuries of exile? The Sfas Emes reveals a searching truth. The capacity of the Heavenly Court to execute strict justice against evil depends directly upon our own conduct. Do we conduct our lives with upright justice below? If we conduct our financial, communal, and legal affairs with integrity—balancing the pursuit of truth with the peaceful path of compromise—we establish the throne of judgment on earth. By establishing a society rooted in both truth and peace, we remove the stain of injustice from our midst. We allow Hashem to reveal His ultimate justice and bring an end to cruelty across the globe (Sfas Emes, Shemos, Mishpatim 5634).

MORAL DILEMMAS:

Chava would bring her young children to a pre-nursery playgroup across the street from her. Morah Mimi was a wonderful Morah and the kids loved her. One year, shortly before Shavuos Morah Mimi opened her door. At the door was Chava holding a large tray. "Morah Mimi, we are so grateful to you for all of your wonderful work, I bought you a tray of cheese danishes for Shavuos. I hope you enjoy them." Morah Mimi was very grateful and profusely thanked Chava. Morah Mimi put the cheese danishes in the refrigerator. The truth was that in her family they didn't really enjoy cheese products. The cheese danishes sat in the fridge for two weeks but they were not touched. After being in the fridge for a while they got spoiled and Morah Mimi threw them out in the garbage. About three weeks later Morah Mimi realized that Chava was unusually late with her monthly payment. She was usually very prompt and on time, but this month it seemed unusually late. "She probably just forgot about it", Morah Mimi thought, and sent Chava a short message reminding her about the monthly payment for the playgroup. Chava came over a few minutes later. "I was surprised about your message," Chava said. "I personally handed you the payment three weeks ago. Don't you remember, when I gave you the cheese danishes I left an envelope right under the danishes with the cash for our payment? Morah Mimi felt terrible. Because she didn't eat the danishes she never saw the envelope with the cash of her payment. When she threw out the danishes she also threw out cash Morah Mimi now felt very conflicted. Did she have a right to ask for the payment again? On one hand, she did receive it from Chava and she actively destroyed the money that was given to her. But on the other hand, Chava never explicitly told her that her payment was there. Perhaps that was not considered paying and she would have to pay again? Morah Mimi wondered if she had a right to ask for the money again? What do you think?

Answer: Regarding the question about the money that was placed in the danishes, Rav Zilberstein wrote that the woman who paid would have to pay again. This is because if the recipient did not know she got paid, it is like she did not get paid.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 427

Sarah served as the administrator for a Kimpeturin Home, a convalescent home dedicated to supporting new mothers during their postpartum recovery. One day, Sarah received an anonymous phone call. It was from a blocked number, providing no indication of the caller's identity. The caller, a woman, queried, "Is there a Mrs. Cohen staying with you? I've heard she's facing financial difficulties, and I'd like to cover the cost of her entire stay." Sarah quickly checked the registry and confirmed, "Yes, we do have a Mrs. Cohen, but her stay has been fully paid for." This news seemed to upset the caller, who hung up abruptly. However, only two minutes later, Sarah discovered her error. Upon inspecting the ledger more closely, she realized there were two Mrs. Cohens at the Kimpeturin home. While one had indeed paid in full, the other had not. It dawned on Sarah that the latter was probably the woman the anonymous benefactor had

intended to help. Due to Sarah's mistake, this woman had potentially missed out on a $2,000 gift. Regret flooded Sarah. She questioned whether she was obligated to cover the cost herself, given she was the one who had caused the woman to lose the benefit. On one hand, it was an innocent mistake, and she didn't cause Mrs. Cohen the loss, she just accidentally prevented her from getting a benefit. But on the other hand, she did cause a needy person to lose 2,000 dollars. What do you think?

Answer: Regarding the question about the Kimpeturin Home, Rav Zilberstein answered that the receptionist would not have to pay for the woman's stay because she did not cause her a loss, only a menias revech, a prevention of a gain. Nonetheless, it would be Midas Chassidus, a matter of piety, to pay her for the loss.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 305

Eitan was an observant investigative reporter who lived in Eretz Yisrael. At the time, there were growing public doubts about police responses to security situations. Eitan decided to conduct an investigative report on police tactics in response to cheifetz chashud, suspicious objects. He wanted to examine their response times, their procedures, and how they ultimately neutralized such threats. To do this, Eitan took a briefcase, strapped wires and batteries to the outside of it, and placed it in the middle of a busy highway. He then stayed nearby to observe and record the police response. After a short time, someone reported the cheifetz chashud. The police arrived, blocked off the entire road, and eventually succeeded in clearing the suspicious object. Traffic was stopped for a significant period, causing major inconvenience and frustration. Eitan later published an article detailing the police response. The report caused a large public outcry and ultimately had a significant impact, leading to improvements in police response times for these types of security situations. Sometime afterward, Eitan learned that because of the road closure he caused, a person sitting in traffic missed a non-refundable flight and lost a substantial amount of money. Eitan then wondered: Did he have an obligation to find this person and compensate him for the loss? On the one hand, his actions produced a major public benefit by improving security procedures. On the other hand, he acted on his own initiative, he was not appointed by any authority, and his actions directly caused a fellow Jew a significant financial loss. Did Eitan have an obligation to pay for that loss? What do you think?

Answer: Regarding the question about the investigative journalist who left a suspicious briefcase, Rabbi Zilberstein answered that the journalist did the wrong thing. However, after the fact, it turned out that he performed a mitzvah of saving lives. Therefore, one could argue that since he accidentally performed a mitzvah, he should not be obligated to pay at all. Rabbi Zilberstein says that this issue is still a tzarich iyun (requires further analysis). Nevertheless, he says that it would seem that the journalist would still be required to pay for the loss midinei Shamayim.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 316

Chana bought a new MP3 player. She was excited about it and tried to figure out how to download music to it. She struggled to figure out which cables to use, and couldn't figure out which drivers to install. She asked her friend Devorah to help her download the music. Devorah told her, "I am not sure I know what to do, but I will give it a try if you want." Chana agreed. Sadly, Devorah plugged the wrong wire into the wrong jack and ended up with breakfast, that is, toasting the MP3 player. The player was ruined, and the warranty didn't cover this kind of damage. Chana was understandably upset and asked Devorah to buy her a new MP3 player. But Devorah replied, "I told you I wasn't sure how to fix it, and you agreed to let me try to fix it anyway." Does Devorah have to pay for a new MP3 player? On one hand we have a rule that says that people are always responsible for damages they cause. But on the other hand, in this case, Chana knew that Devorah didn't know how to do it and she told her to go ahead with it anyway. What do you think?

Answer: Regarding the question of the broken MP3 player Rav Tzvi Berkowitz answered as follows: "She would not have to pay since she said that she wasn't sure what to do and the owner wanted her to try."

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 115 (Mishpatim)

There were once two high school classmates Yehuda and Eli in the school lunchroom. Yehuda began to needling and teasing Eli in front of his friends. Eli was very insulted and abruptly went over to Yehuda and shoved him as hard as he could. Yehuda had great instincts, and as he fell, he grabbed Eli's sleeve so that he wouldn't fall hard on the ground. As Yehuda fell, he tore the entire sleeve off of Eli's expensive sport jacket. With righteous indignation Eli cried out "you tore my sleeve off. You owe me a new jacket". "What do you mean I owe you a new jacket, you shoved me. It was your fault" Yehuda replied. "Yes, but you didn't have to tear off my sleeve. You are liable for the damages." According to the Torah, is Yehuda obligated to pay Eli for tearing his sport jacket. On one hand, he did tear the jacket, and a person is generally liable for all damages he causes even if it is unintentional. But on the other hand, he only tore the jacket because he was shoved by Eli. What do you think?

Answer: No, Yehuda is completely exempt from paying. Rav Yitzchak Zilberstein explains that because Yehuda was violently shoved and grabbed Eli's sleeve in an instinctive reflex to prevent physical injury to himself, halachah considers him blameless (onus) and he bears no financial liability for damages caused in self-preservation.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 388 (Table Talk Edition 058)

Before World War II, two factory partners borrowed a large sum of money from Reuven and signed a formal promissory note (shtar) listing the borrowers as "Feivel and Shimon, owners of the factory." After the Holocaust—in which Shimon perished without heirs and the surviving partner passed away—Reuven's heir presented the promissory note to the surviving partner's children for collection. The children acknowledged that their father was Shimon's partner and co-owner of the factory, but argued that their father's name was Pinchas, not Feivel. Reuven's heir contended that many Holocaust survivors changed their names when crossing borders after the war, and since their father was undisputedly Shimon's factory partner, he was clearly the second borrower. Can the lender's heir collect the debt from the estate?

Answer: HaGaon Rav Yitzchak Zilberstein (Chashukei Chemed, Bava Basra, p. 586) rules, based on the Kovetz Shiurim (Bava Basra, Siman 590), that as long as there is no inherent flaw in the validity of the promissory note itself (ein re'usa b'guf ha-shtar), we attribute even a discrepancy to uphold the validity of the note. Since it is undisputed that their father was Shimon's partner in the factory and it was common for survivors to change their names after the Holocaust, there is basis beyond the strict letter of the law (lifnim mishuras hadin) to attribute the name difference to a wartime name change and obligate the heirs to pay their father's debt, though the matter requires further analysis (tzarich iyun).

— Source: HaGaon Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 586

Uber is a taxi service that engages regular people to use their own cars to drive people around. Moshe made extra income on the side by driving his car for Uber. One day Moshe had a great idea. Instead of waiting for people to call him, he would drive to busy bus stops where there were many people around. He would then offer to give rides to the people waiting for a bus and offer very cheap prices. Often people would take him up on the offer and go with him rather than wait for the bus. Moshe told his strategy to his wife, Dina: "I've been making a nice side hustle this way", he told her proudly. But Dina felt conflicted by Moshe's technique. "Is it okay to take away customers from the bus company?", she asked her husband. "Perhaps this is a form of stealing their business." It wasn't like the people were

walking on the street", she continued. "They were waiting at the bus stop." What do you think? Is Moshe allowed to specifically target people waiting for a bus? On one hand, the bus company didn't own any of the customers. But on the other hand, he is going to the bus stop with the intention of swiping away their customers. What do you think?

Answer: Regarding the question of the Uber driver taking passengers from the bus stop, Rav Zilberstein answered as follows. If the bus comes on time, and when it arrives there are usually enough seats available, then it would be theft for the Uber driver to take people away from the bus stop. This is because the bus company invested money in the bus stops and bus overhangs and those bus stops were attracting customers. Taking those customers was a form of theft.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 136 (Table Talk Halachic Archive, Edition 110 (Shemos))

Sam was a Jewish owner of a very successful technology company. He built a large and thriving business. There was also another Jewish owner of a huge technology company named Mark. Wanting to compete with Sam, Mark approached the top AI researchers at Sam's company and offered them $100 million to leave and join his company -- and they did. Sam went to Mark and said, "What are you doing? You can't just take my employees." Mark responded, "You don't own them. You could also offer them more money. It's a free country, and I'm allowed to do this." What is the Torah perspective on this situation? There's the concept of ani hamehapech b'charara -- you're not allowed to jump in and buy something if another person is in the process of acquiring it. There's also the principle of hasagas gevul -- you are not permitted to encroach on another person's livelihood or property. However, perhaps those principles don't apply here. Ani hamehapech b'charara typically refers to interfering when someone is actively trying to acquire something, and in this case, people cannot be "owned." Hasagas gevul might not apply either, since Sam's company remains highly successful and lucrative. Perhaps it is not forbidden. What do you think the Torah's approach would be in this scenario? Is Mark allowed to "poach" and lure away Sam's employees?

Answer: Regarding the question about Mark Zuckerberg and Sam Altman, The Minchas Yitzchak (5, 77) writes that poaching away another person's employees is an "Avlah Gedolah, a great injustice". In the words of another prominent posek, "A blanket hetter to poach employees, could destabilize many businesses, and would enable those with deeper pockets to strangle their competition by soliciting away their critical staff. "

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 541

Yoni, who lived in Israel, was interested in purchasing a lottery ticket. He called the local convenience store and told the clerk "I don't have time to come in to pick up a lottery ticket but can I pay for it now and text you the numbers"? The clerk said that it was not a problem. The man took Yoni's credit card information and Yoni texted him the numbers. Later that day, to Yoni's incredible excitement, the numbers announced on the radio were the ones that he chose. The prize was $1,000,000! Yoni went to the store to pick up the ticket so that he could redeem it for the prize money. To his utter dismay, on the ticket that he was given, one of the numbers was off. It turned out that the clerk copied the number from the text wrong, and was one number off. Because of that error Yoni lost the million dollar prize. Yoni turned to the clerk and said, " I think you owe me $1,000,000 because your mistake made me lose $1,000,000". The clerk said, "I'm really sorry, I feel terrible about my mistake. I made a mistake, and I can pay you for the cost of the ticket, but I am not obligated to pay you a million dollars!" This question was brought to Rabbi Zilberstein. What do you think? Does the clerk have to pay Yoni for the damage of copying the wrong number? Is he even obligated to return the money that Yoni spent on the lottery ticket?

Answer: Regarding the question about the lotto, Rav Zilberstein wrote that the clerk is not obligated to pay anything. This is because if the buyer was supposed to win, he would win with the changed number.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Three, p. 378

Akiva owned a car, which he maintained well and relied on daily. One afternoon, his friend Dovi asked if he could borrow the car to run a few errands. Akiva agreed, but with a clear condition: "Please take good care of it and make sure it's safe." Dovi accepted the terms, drove the car, and later parked it on the street near his home. A few hours later, when Dovi returned to where he had parked, the car was gone. He immediately called the police, who confirmed that the car had been stolen. Despite their investigation, the car was never recovered. A few days later, Akiva approached Dovi and said: "Look, I only carry liability and collision coverage on my insurance. I never added comprehensive coverage, which means theft isn't covered. So the car is gone, and I'm not getting a penny from insurance. That was a real loss for me. Since it was under your care when it was stolen, I believe you're responsible and should compensate me for the full value of the car." Dovi was taken aback. He replied: "Wait, I didn't know you didn't have comprehensive insurance. I assumed you did, since most people carry it, especially for theft. If I had known there was no coverage, I never would have agreed to borrow it. I thought I was just borrowing a car, not taking on full liability for its entire value. I don't think I should be responsible. I borrowed it based on what I assumed were normal conditions." They agreed to bring the question to Rav Zilberstein. What do you think?

Answer: Regarding the question about the stolen car and insurance, Rav Yitzchak Zilberstein says that according to the Machaneh Ephraim, the borrower (Dovi) is still responsible to pay Akiva. However, according to the Ohr Sameach, he would be exempt. As for what to do in practice, Rav Zilberstein says that this is a tzarich iyun (requires further study).

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 246

A man owned two matching two-story residential homes directly across the street from one another. He sold one house, inserting an explicit clause in the contract reserving all future rooftop air rights (shiyur) to himself, intending that neither he nor the buyer would ever add a third story that could obstruct sunlight. Years later, can the original owner add a third story to his own retained home across the street without the buyer's consent?

Answer: It seems that both cannot add the third story.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 535

Yoel and Baruch were friends in High School. Yoel knew that Baruch loved Schmerling milk chocolate. One day Yoel decided to play a practical joke on Baruch. Yoel gave his friend Baruch a certificate offering a $500 rebate on $500 worth of chocolates purchased from the Schmerling Chocolate company. The certificate said Schmerling would offer a full rebate on $500 spent on the chocolate. Baruch loved Schmerling Chocolate and he was very excited to get this rebate. Baruch bought $500 worth of candy bars and he enjoyed them with his friends. Soon after he mailed the rebate certificate to the company. However to Baruch's great chagrin, the Schmerling company sent it back saying that it was not a real rebate certificate. It was fake. Baruch, who felt that he was scammed, went to Yoel and confronted him. Baruch asked Yoel to pay him back the $500 that he spent. "I never would have spent $500 on chocolate if I had not been given this fake certificate from you. You caused me this great loss of money." Yoel agreed that it was fake, and that he was just playing a joke. However, he argued that Baruch still ate and enjoyed the chocolate. "Why should I pay for all

of the chocolate if you ate it and enjoyed it?", Yoel argued. Baruch still felt that he should be repaid all of the money because he wouldn't have spent the money had Yoel not tricked him. Who is right? Does Yoel have to pay Baruch the $500 dollars for the chocolate?

Answer: Regarding the question of the chocolate, Rav Zilberstein answered that the prankster Yoel has to pay the victim Baruch for causing him to buy the chocolate. However Baruch still has to pay for some of it because he benefited from the chocolate. Baruch who benefited should pay for one third of the chocolate, and Yoel should pay two thirds.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Shabbos, p. 609 (Table Talk Edition 210)

Once, a teenage girl named Esther borrowed a pair of earrings that cost $1000 from her friend Devorah. Sadly, Esther lost one of the earrings. She wasn't able to find similar earrings to replace the loss so she had to pay for the loss. Esther wondered how much she must pay her friend Devorah for losing one of her earrings. She had three options: If Devorah were to sell the single earring that Esther did not lose, she would receive $300. Since the earrings were identical, does Esther have to pay her friend $300 – the value of the single earring that she lost? Or perhaps she must pay $700 - the damage that she caused by losing one. Remember, the value of the set was $1000, but now the remaining earring is only valued at $300, so Devorah had a loss of $700. Or does Esther have to pay $500 - half of the total cost of the pair. They brought this question to Rav Yitzchak Zilberstein to decide. What do you think?

Answer: It seems that she should pay the loss of the total, which is $700.

— Source: Rav Yitzchak Zilberstein, Hebrew edition of Veharev Na Volume One, p. 303 (Table Talk Edition 034)

A commercial merchant leased a prominent retail storefront on a vibrant shopping avenue for an entire year, paying the rent fully in advance. Mid-year, he no longer required the location, but chose to keep the storefront shuttered and dark because maintaining the loss provided him with a substantial corporate tax deduction. Can neighboring business owners force him to sublease or open the shop to prevent the commercial decline of the street?

Answer: It seems that he cannot. As Rav Yitzchak Zilberstein rules, analyzing the Chazon Ish (Bava Kamma 23:36) and Mish HaTorah (Bava Metzia 75), when a merchant leases a storefront in a busy commercial center, leaving the store dark and shuttered for half a year diminishes the foot traffic and commercial reputation (shem) of the shopping street and causes tangible depreciation to the property and neighboring merchants; therefore, he cannot leave it vacant and dark in a manner that harms the center.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 533

Avi, a young entrepreneur, started a vending machine business. He noticed that there was no such machine at a certain Tziyun (gravesite) of a great tzadik to which thousands of people flock annually on the yahrzeit of this tzadik. He set up three machines that dispense snacks and drinks. As the yahrzeit approached, Avi went out to the tziyun to fill his machines. When he arrived he saw a large vending machine next to his that was loaded with snacks. Evidently, he had a competitor. Naturally, Avi was incensed at the chutzpa of the owner of the new machine. He called the number on the new machine but there was no answer. There was not even a voicemail on which to leave a message. The day after the yahrzeit the competitor came out to collect his sales anticipating a large amount of cash. However, when he arrived and opened his machine, it was still loaded with snacks. He checked the machine and noticed that on the slot where the money is supposed to be placed there was an "Out of Order" sign. After doing his homework and checking the security cameras he realized that our friend Avi was the culprit. He immediately contacted Avi and argued that he is responsible to pay the lost earnings. Avi, however, argued that since he placed his machines at the location first, the

competitor had no right to place his machine there. Furthermore, Avi argued that he was only a grama, he did not cause direct damage, he only placed a simple note on the machine. Was the competitor wrong for placing his machine next to Avi's? Was Avi justified in protecting his turf? Does Avi need to reimburse his competitor for any losses?

Answer: Regarding the competing snack machines; If there is enough business for two stores one may open a competitive store alongside an existing store. However it is minhag chasidus not to do so. The Pischei Choshen (CM 89:1) argues that in a large market it is absolutely acceptable to do so, not even minhag chasidus. Therefore, Avi acted inappropriately but cannot be required to pay since it was only grama. In dinei Shamayim he will be held responsible to pay.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 294

Seven friends wanted to listen to an outdoor concert. They decided to sit on the roof of someone's car. They never asked permission from the owner. An eighth boy decided to join his friends on the roof and then the roof broke. The owner came and demanded that all of the kids pay for the damage. The friends say that only the eighth boy should pay because it broke only after he came. Does he have to pay all the damage, or just an eighth?

Answer: They all have to pay an eighth.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 262

Rachel was the cook for a girls' seminary. There were about a hundred girls in the seminary, and Rachel was responsible for providing all the food. Her responsibility included ordering the food. Naturally, she ordered the food in bulk orders thereby saving money. Rachel had her own family, a family of five. When she would order a hundred of something, like a hundred cheeses, she would order five extra at the cheaper wholesale price and then immediately reimburse the seminary for her personal orders. One day before one of the holidays, she placed an order for one hundred delicious cheese Bourekas from the bakery, and as she usually did, she ordered five extra for her family at the cheaper price. The order was delivered, and Rachel wasn't around in the morning. The box of cheese Bourekas was dropped off at the door of the seminary. The girls at the seminary took them in, and they almost correctly assumed that all of them were for the seminary. They distributed and enjoyed them, including the extra five that Rachel had ordered for her family. When Rachel heard that the entire delivery, including her personal order, was consumed, she chuckled. She was glad that the girls enjoyed them, but she had the following question: She had ordered five extra units intending to pay back the seminary. In this case, since she didn't end up using them, she wondered if she still needed to reimburse the seminary for those five extra Bourekas. On one hand, the seminary did not need those extra five, and she ordered them just for her family and maybe she should pay for them, even though she didn't benefit. On the other hand, since the seminary girls enjoyed them, maybe the seminary should be responsible, and she wouldn't need to pay for the extra Bourekas. What do you think? The answer may surprise you?

Answer: Regarding the question about the burekas, Rav Zilberstein wrote that the cook would have to pay for the extra ones that she ordered even though they were eaten by the students.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Sarah lived in Florida and owned an Airbnb home near the ocean. She fixed it up to look beautiful; it was renovated and had nice amenities like an arcade room and a hot tub. She had a good business renting out the home on Airbnb. One day, a family named the Winklers rented the home for a Shabbos weekend. They paid $1000 in advance for the weekend. The Winkler children were excited about the arcade room and the hot tub and were very much looking forward to spending Shabbos in this vacation home. The Winklers drove to the Airbnb, unpacked, and everyone got

ready for Shabbos. They were greatly looking forward to the experience. About 10 minutes before sundown, all of a sudden, the power went out. At first, the Winklers thought that it was just their house, but then they realized that the power went out in the entire town. It was cold and there was no light, but with optimism and good cheer, the Winklers were able to have a good time over Shabbos despite the power being out. Eventually, after Shabbos, the power came back on. When Sarah, the owner, heard that the power was out the whole Shabbos, she felt terrible. She imagined that they didn't have a very good time. Sarah wondered if she was obligated to give them a complete refund for their visit. On one hand, the house was perfectly fine; everything in the house worked, and it was the town's problem that the power went out. But on the other hand, she wasn't able to provide what was advertised: a beautiful home with lights, heat, an arcade room, and those things were unavailable because the power was out. So, perhaps she did have a responsibility to refund them. What do you think?

Answer: Regarding the question about the Airbnb, Rav Mordechai Shuchatowitz of the Baltimore Beis Din answered as follows: The house that the Winklers rented and used that weekend was not defective. The power outage was not related to this particular house, and was not something that they should have been notified about beforehand. It was their mazal that the outage occurred when they were there, and the rental payment was made properly.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

A telecommunications company offered all apartment owners in a residential cooperative building a monthly stipend of $100 each in exchange for leasing roof space to install a commercial cellular transmission tower. A majority of the tenants enthusiastically agreed and signed the contract. However, several neighbors in the building and adjacent properties objected vigorously, citing concerns over potential long-term electromagnetic radiation, diminished property aesthetics, and personal apprehension. Does a majority of co-owners have the legal and halachic right to approve the installation over the protest of dissenting residents?

Answer: Rav Yitzchak Zilberstein rules that a majority of apartment owners cannot force dissenting residents to install a commercial cellular transmission tower on their shared residential roof. Even if experts debate the radiation risk, Citing Rabbi Chaim Soloveitchik of Brisk on II Melachim (6:17), genuine ongoing fear and anxiety inside one's own home is itself a form of bodily harm (nezek l'gufo), so any resident has the right to veto leasing the roof for a cell tower.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 169

One of Mordechai's sources of livelihood was an apartment that he rented out. Dov was interested in renting the apartment. He spoke to Mordechai and inquired about the dimensions of the apartment. Mordechai described how it was very nice and that it had several rooms and it also had a tall, elegant 14 foot ceiling in the living room. Dov was interested. He signed the contract and prepared to move in. After Dov moved his furniture in, he ordered a beautiful antique 14 foot bookcase to place in his living room. When the bookcase parts arrived he hired a handyman to assemble the bookcase. To Dov's chagrin, the bookcase, which was 14 feet, didn't exactly fit in the room. The handyman explained that the living room was slightly less than 14 feet tall, it was 13 3/4 feet tall and it did not fit. The handyman needed to get paid for his time and Dov was unable to return the bookcase. He lost a significant amount of money on the bookcase and the handyman. Dov was upset at Mordechai who told him that the ceiling was 14 feet tall. When Mordechai heard Dov's complaint he replied, "I'm so sorry I didn't know that you needed exact measurements. When I said 14 feet I meant it in general terms. I rounded it up. I didn't mean to tell you the precise and specific measurements." Dov wanted to know if Mordechai was obligated to pay for his loss. What do you think?

Answer: Regarding last week's question of the bookshelf that did not fit, Rav Zilberstein wrote in a similar case that it was the buyer's obligation to measure the room before he ordered the furniture.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 426

Please enjoy the following interesting mitzvah dilemma. Eli was the owner of an office building, and he leased one of the offices to a tenant named Zev. Although Zev paid rent for his office space, he didn't always work there, often preferring to work from home. He would only show up at the office occasionally. One fateful day, a massive flood occurred, affecting many offices in Eli's building, including Zev's. Many of the offices on the premises became temporarily unusable due to the floodwater. After two arduous weeks, the staff managed to drain the water and repair the offices, returning them to their original condition. Luckily, there was no permanent damage, and after those two weeks, operations were back to normal. During this period, Zev happened to be working from home and didn't visit the office. Upon his return, he found no trace of the flood incident. Eli bumped into Zev and casually told him the story of the flood, assuring him that everything had been taken care of and his office was in perfect condition. Zev then did something surprising. He asked Eli for a refund for half the month's rent because the office was unusable. This caught Eli by surprise. Eli couldn't understand Zev's request, as Zev wasn't aware of the incident and wouldn't have known about it if Eli hadn't informed him. Zev, however, argued that he paid rent for the ability to use the office at any time, which he couldn't have done during the flood. They agreed to bring this question to a Rav for resolution. What do you think? Does Eli, the owner, have to give a refund to Zev for the office? On one hand, Zev was completely oblivious to the flood, and he did not miss any days in the office as a result. But on the other hand, Zev's office was flooded and unusable for two weeks, so maybe he should get a refund?

Answer: Regarding the question about the flood in the office, Rav Tzvi Berkowitz answered that the owner should give a refund for the time it was flooded. To emphasize the point Rav Tzvi said: "What is he paying rent for? If the building burnt down he should also pay rent?"

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Binyamin and Daniel were neighbors. One day Binyamin asked Daniel if he could borrow his vacuum cleaner. Daniel of course obliged and directed Binyamin to the vacuum cleaner in his closet. It was a fairly new model that was bought less than a year ago. Binyamin took the vacuum cleaner to his home and plugged it in. To his chagrin, the vacuum cleaner did not work. Apparently it was broken before he borrowed it. Binyamin put the vacuum in his closet and moved on to another task. Binyamin forgot about the vacuum cleaner. Three months later, Daniel called Binyamin. "Hey Binyamin, do you by any chance have our vacuum cleaner? I have been looking for it for a while and I couldn't find it". "Oh I'm so sorry", said Binyamin. "When I borrowed it, it wasn't working and I put it in my closet and forgot about it. I will bring it right over". Binyamin brought the vacuum cleaner over to Daniel's home. Daniel opened the door with a frustrated look on his face. "I just got off the phone with the vacuum company. They won't replace the vacuum because we are one week past the warranty". "So frustrating!", Binyamin felt very bad. He didn't break the vacuum cleaner, but he was responsible for Daniel losing his money. Because he kept it so many months in his home, he caused Daniel to miss the warranty. Binyamin wondered if he had an obligation to pay Daniel. On one hand he didn't break it directly. But on the other hand, by him keeping it in his home for so long, he caused Daniel to lose his money because the warranty expired. What do you think?

Answer: Regarding the question of the vacuum cleaner and the expired warranty, Rav Zilberstein answered that the borrower would be obligated to pay for the vacuum, midinei shomayim. However this obligation would not be enforced in a Beis Din.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 601 (Table Talk Halachic Archive, Edition 117 (Tetzaveh))

Avi lived in a villa in Eretz Yisrael that had a breathtaking view of the Jerusalem hills. He loved sitting on his porch and looking out at the gorgeous view of Eretz Yisrael. One day, Chaim, Avi's neighbor from across the street came over. "Avi, I hope that you are doing well. I just want to let you know that we are planning to do some construction and we will be extending our mirpeset, our porch. I know it is in front of your home, so I just wanted to check in with you to make sure it's okay." Avi replied, "Actually I appreciate you letting me know. I would very much appreciate if you don't build the extension. One of the main features of my home is the view and what you are describing will obstruct our view." Chaim felt very conflicted. His family needed the extra space and the new extension was very exciting to them. The extension was on his own property, and it seemed like he had every right to build it. But on the other hand, did he have a right to block his neighbor's beautiful view? According to the Torah, was he allowed to build the extension now that he knew it meant so much to Avi? What do you think? Is Chaim allowed to build?

Answer: Regarding the question about whether its permitted to build an extension that will block a neighbors view, Rav Zilberstein quotes the Mabi"t that one should not do this lechatchila.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 150 (Table Talk Halachic Archive, Edition 134 (Nasso))

David and Ari were neighbors who shared a duplex home with a backyard. One day one of the kids was playing in the backyard and he came back to the house with black and grimy hands. David looked carefully at his son and the black grime. The grime didn't look like normal mud. After investigating, David realized that there was an underground crude oil well in their yard. David contacted a representative from the oil company. The representative from the oil company came down and immediately made an offer to purchase and develop the property. Speaking to both David and Ari, the representative offered 20 million dollars to purchase the shared property and the nascent well. The oil rep gave them a week to think about the offer. David was very eager to accept the offer. He and Ari would split the proceeds and they would move to a new home. They would make off with a very lucrative profit. But Ari was not interested. "Yes, I will make a lot of money," he said, "but I don't have the headspace and strength to move to a new home. I don't want to sell my property." "But Ari," David argued, "If you don't agree, you are making me lose this deal." You can refuse for yourself, but you don't have a right to refuse and make me lose $10 million." "What do you mean I don't have a right to refuse?" Ari argued. "You can't force me to sell my land." David responded, "You don't have a right to make me lose so much money." This question was brought to Rav Zilberstein. What do you think? Is Ari forced to sell the property? Is he allowed to refuse to sell it if it will make his neighbor lose this extremely lucrative deal of 10 million dollars?

Answer: Regarding the question of whether one is allowed to refuse to sell the house if it will cause his neighbor to lose an enormous amount Rav Zilberstein says that this may fall under one of the applications of "kofin al midas sdom". Therefore if the gain is very great and the effort is small compared to the great gain, the Beis Din could coerce the owner to sell.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 64 (Table Talk Edition 138)

Avi was driving his car when he saw another Jew waiting on the side of the road with his thumb out, looking for a ride. He stopped the car and asked the man where he was going. The man replied that he was headed to a particular neighborhood. Avi responded, "I'm headed in that direction and would be happy to drive you there." The hitchhiker

was very grateful. As Avi was driving, he realized that he needed to make a quick stop. He stopped in an area where there was no parking available. So he pulled over in a no-parking zone and said to his passenger, "Please stay here, in the driver's seat in case a police comes. If they see you they won't give us a ticket. I'll be back in 15 minutes, and we'll continue the ride." The hitchhiker agreed. After finishing his business, Avi returned 15 minutes later to find that the hitchhiker was nowhere to be seen. There was also a hefty $300 ticket on his windshield. Soon after, the hitchhiker returned, and Avi asked where he had gone. The hitchhiker replied, "I had to daven minchah. It was shkiah, sundown, so I ran to a nearby shul." Avi exclaimed, "That was a very expensive prayer because you now have to pay for my $300 ticket!" The hitchhiker responded, "I agreed to wait in the car, but I didn't agree to miss davening. And anyway, you're not paying me. I just did you a favor to watch out for any police. I'm not obligated to pay you 300 dollars. Avi retorted, "You agreed to watch the car. How could you leave, that was negligence?" The hitchhiker said, "I didn't want to miss davening." What do you think: is the hitchhiker obligated to pay for the ticket?

Answer: Regarding the question about the hitchhiker who left the car to daven minchah, Rav Zilberstein wrote that the hitchhiker is liable to pay the fine. This is because the hitchhiker can be considered to be a shomer sachar, a paid watchman, who is liable even for a grama, an indirect damage. He is being "paid" to watch the car with the free ride. In addition, the hitchhiker, the paid watchman, stands in the place of the owner. Because the car was parked in a no-parking zone, and the hitchhiker was responsible for it while there, the hitchhiker is liable for any damage or fines that come because of the illegal parking. Rav Zilberstein wrote that the hitchhiker should have ideally told the car owner that he needed to daven minchah before the owner left, but if not, he should have stayed sitting in the car, and davened minchah alone, while sitting.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra p. 45

Yaakov was a stamp collector and he had a very rare collection of stamps. One day Eli, a stamp connoisseur as well, asked if he could visit Yaakov and look at his collection. Eli came over and admired Yaakov's stamps. Yaakov took out two stamps from behind a glass frame. "Eli, do you see these stamps, there are the only two of their kind in the entire world." "Yes," Eli said, "I know. I am aware of their value. They are each worth 2000 dollars because they are so rare." "Can I look at them a bit more closely?" Eli asked. "Sure" Yaakov said. Eli picked up one of the stamps and held it close to his face. Suddenly Eli took a lighter out of his pocket. "You don't mind if I light up here", Eli said, and he proceeded to burn up one of the rare stamps! Poof! The stamp burned to ash in a matter of seconds. Yaakov could not believe what he just saw. "How could you have burned my rare stamp?," Yaakov cried. Eli said, "Yaakov please calm down. I caused you no harm. In fact, I greatly helped you. You see up till now each of the stamps was worth $2000 because they were so rare. But now that this stamp is the only one left in the world it is worth far more. I know that it is now worth a million dollars! In fact, I know someone that might want to buy it from you". But Yaakov replied, "I don't care how much this is worth now. You had no right to destroy one of the stamps. I'd like you to pay for the damage you did, of course". But Eli replied with a smile. "What damage? I didn't cause you any loss. Now instead of having two stamps worth $4,000 total, you have one stamp worth 1 million dollars. I helped you, why should I pay you?" "I don't care about the value", Yaakov retorted. "I had two stamps that meant a lot to me, and now you destroyed one." Eli, replied, "perhaps you should pay me for greatly increasing the value of your assets!" This question was brought before Rav Yitzchok Zilberstein. Granted that it was not nice of Eli to destroy the stamp without asking. But after the fact, did Eli have to pay Yaakov for burning his stamp? He burned his property but he actually increased the value of his assets. Perhaps Yaakov would have to pay Eli for increasing the value of his stamps?

Answer: Regarding last week's question about the burned stamp, Rav Zilberstein wrote that it appears that after the fact, the burner would not have to pay the market value of the stamp to the victim because he actually increased the market value of

the remaining stamp. Instead he would just have to pay the face value listed on the stamp.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 44

Yaakov was a businessman who loved learning. One day, he was on a flight from Eretz Yisroel to Chutz La'aretz. As soon as the plane took off, he took out his Gemara, planning to learn, do Daf Yomi, and review what he had studied. He noticed that around him, people were trying to turn on their screens to watch videos on the monitors in front of them, but they weren't successful. People looked frustrated, repeatedly pressing buttons, but nothing happened. He heard complaints that the screens weren't working. It turned out that, for whatever reason, the power to the screens was out, so no one was able to watch any in-flight entertainment. Yaakov actually thought it was amazing. This way, he could learn in peace. He wouldn't get distracted or see anything inappropriate. He was thrilled that the video monitors weren't working. Meanwhile, other passengers continued to complain. At the end of the flight, the crew made an announcement: anyone who was inconvenienced by the lack of in-flight entertainment could submit a request for reimbursement. Yaakov now faced a dilemma. The reimbursement implied that passengers were upset or inconvenienced, but the truth was that he was actually delighted that there was no entertainment. In fact, he might have been willing to pay extra for such a distraction-free flight! So he wondered: was he allowed to request the reimbursement like everyone else? Could he accept money for "missing out" on something he didn't want in the first place? On one hand, you could argue that he shouldn't, he wasn't damaged or deprived in any way. On the other hand, the offer was made to all passengers equally, without distinction. You could also argue that, in theory, he could have watched a kosher video if the screens had worked, so perhaps he's still entitled to it. What do you think? Is Yaakov allowed to request reimbursement like everyone else?

Answer: Regarding the question about reimbursement for the videos: Rav Yitzchak Zilberstein explained that the price of a ticket already covers several items, including the cost of gasoline, snacks, and the rights to show the videos. The company pays licensing fees to the owners of the videos, and that cost is built into the ticket price. Since this passenger was not able to use or benefit from the video, there is no reason to charge him for it. Therefore, he is entitled to a reimbursement.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume Four Hebrew Edition, p. 356

Two families who lived in Eretz Yisrael became mechutanim, their children became engaged. The mechutanim went to a wedding hall in Bnei Brak to book the hall. They chose a date on a Sunday in Elul. They didn't make any deposit but the manager wrote the date down in his calendar and confirmed that the two families reserved the hall. The mechutanim sent out invitations for the wedding and hired a five piece band. A week before the wedding they called the hall about their plans. The manager said emphatically that their wedding was not on Sunday but on Monday. That was when he penciled them in. There was another wedding scheduled for Sunday and that party already paid in full. After talking to the family, the manager realized that he made a mistake. He penciled in Monday when it was supposed to be Sunday. According to the Torah, who gets priority, the family who paid in full first or the family who ordered it first? The manager was extremely apologetic. The Mechutanim graciously decided to choose another hall in Yerushalayim, but because it was such short notice it cost double the price. According to the Torah does the manager who made the mistake have to pay the difference in price, or do the mechutanim bear the costs? Because the mechutanim moved the wedding to Yerushalayim, they were sadly forced to cancel the five piece band. This was because in Yerushalayim the custom is not to play live music at the wedding (as a reminder of the churban). Because they canceled the band at such short notice, that band could not get another gig. Do the mechutanim have to pay for the band they never used? If they do have to pay the band, who would have to pay for the band, the manager who

caused this whole mess or the family? So we have three questions: Which family takes priority to the hall, the one who reserved it first or the one who paid in full first? Does the manager have to pay for the additional cost for the new hall? Is there an obligation to pay the canceled band? If yes, who pays, the manager or the mechutanim?

Answer: Regarding the question of the wedding hall mixup, Rav Zilberstein answered that the family who paid for the hall, takes precedence over the one who just reserved it. The manager does not have to pay for the higher price for the new hall, because it was a grama. The band, who did not play does not have to be paid because this was an Ones, an unavoidable accident.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Yoma, p. 93 (Table Talk Edition #145)

Yossi and his wife lived in a community where the virus was spreading rapidly. Many of their neighbors fell victim to the virus. Naturally, they were greatly concerned and remained in their apartment without ever leaving it except on rare occasions. Their children, all married, refrained from visiting them as well. After some time, they began suffering from cabin fever and decided that they needed to leave the city and rent a flat in the country. Yossi's friend, Moish, had a flat in Tzfas which he rented out for vacationers. Yossi called Moish to ask if his apartment was available. His friend responded that it had been rented out for two weeks and the renters just left yesterday, so if he wanted it he could have it. They agreed on a price and it was a deal. In anticipation of Yossi and his wife, Moish did a thorough job of cleaning up the apartment. The next day Yossi and his wife headed up to Tzfas looking forward to a badly needed two week respite. A few days after they arrived both Yossi and his wife came down with symptoms of Corona. They had themselves tested and, in fact, they had contracted the virus. With much regret, Yossi and his wife headed right back to their own home. It was discovered that the previous renters had contracted the virus and were living there for two weeks with the virus. Unfortunately, Moish did not know that the earlier tenants were infected and did not disinfect the apartment. Yossi called Moish and told him that he had no intention of paying for the apartment. The only reason they were going on vacation was to escape the virus infected city. They would never have rented an infected apartment! The doctors were all saying that the germs can linger for a while if it is not disinfected. Moish, on the other hand, argued that he did clean the apartment and was never asked to disinfect it. If Yossi wished to have a disinfected apartment he should have requested it or taken care of it himself. Is Yossi responsible to pay for the rental?

Answer: Regarding the question about the Corona-infected apartment; the rule that governs this situation is that it is the responsibility of the owner of the rental to do whatever is expected of him to take care of. Naturally, this matter changes from location to location and from time to time. In this case, in 2020, since nobody would move into an apartment that was not disinfected, the vacationers would not be liable to pay for the rental.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Yaakov was walking through Yerushalayim one evening when a stranger approached him and said, "Could you please help me? There is a vort in this building, and it is mamash a nebach. Hardly anyone came. Both families are poor, and it would be a tremendous chesed if you could come in and help be mesameach the chassan and kallah." Yaakov hesitated. "I don't know them. I was just walking down the street." The man urged him, "It doesn't make a difference. You're a ben Torah. Just come in. They'll feel so good." Yaakov agreed, thinking, "Let's do a mitzvah." Inside, the room was nearly empty and very quiet. The man told Yaakov, "Nu, start a niggun!" Yaakov began singing "Od Yishama," and slowly the room came alive. Then the man urged him to sing another song, and the simchah grew warmer. Then the man said, "Nu, say a few words about the chassan." Yaakov whispered, "I don't know him at all." But the man pushed him, "Just look at him. He looks like a nice ben Torah. You'll do great." Finally, Yaakov got up and praised the chassan's ehrlichkeit, menschlichkeit, hasmadah, and yiras Shamayim. In truth, he was making it up. He reasoned that since Chazal teach us

to praise a kallah, perhaps it was permitted here too, in order to bring simchah. The kallah's father was deeply moved by the speech, and when the vort ended, he gave Yaakov an envelope with 1,000 shekels inside. About a year later, Yaakov heard that the couple had gotten divorced. It turned out that the chassan was the opposite of everything Yaakov had said. He lacked yiras Shamayim, had poor middos, and was not honest. Yaakov felt terrible. Had he been allowed to praise the chassan when he did not know if his words were true? And since the kallah's father had given him the money because of that speech, did Yaakov have to return the 1,000 shekels? That was the question he brought to Rav Zilberstein. What do you think?

Answer: Regarding the question about the empty vort, Rav Zilberstein (C'C Nedarim page 554) answered that it was permitted for the speaker to praise the Chassan even though he did not know him personally. This is similar to what Chazal teach regarding the mitzvah to praise a bride. However, regarding the money the speaker received, Rav Zilberstein ruled that he should return it. The father did not give him the money merely because he had delivered a good speech. He gave it because he believed that his daughter was marrying a good person. Since it later became clear that the groom was not a good person, the money had been given under false pretenses. Therefore, the speaker should return it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Nedarim, p. 554 (Table Talk Edition 500)

Refael had a jewelry business that was doing well. He wanted to expand it so he rented a storefront from Shmuel, who owned a small retail strip mall. Shmuel offered Refael a deal. If he would pay for the year's rent in advance he would give him a significant deduction. Refael agreed and paid for the entire year up front. Before Refael moved into the new storefront, he realized that he didn't really need the new storefront anymore since most of his business was coming from online and phone purchases. Refael considered asking for a refund from Shmuel but decided that having the storefront was beneficial for him for tax purposes. The expense of the store gave him a tax deduction and put him in a lower tax bracket, saving him a lot of money. For a while Refael left the storefront vacant. After a while, Shmuel, the owner of the strip mall reached out to Refael. "Refael why aren't you moving into the store? It has been empty for quite a while. Is something wrong with it?" Refael replied that things changed and that he didn't really need to use the storefront but he kept it for tax purposes. Shmuel replied, "I really hope that you move in soon. Having that storefront vacant, lowers the appeal and the value of my entire mall. When there's a vacant store other businesses won't rent my other available properties in the strip mall. Please move in because by leaving it vacant you are causing me damage". Refael said, "You know there was never any clause in our contract that I had to occupy the property. It's enough that I paid you in full". Shmuel responded, "That is true, but you don't have a right to damage my entire real estate holding. By leaving it empty you are causing me a great deal of financial damage." What do you think? Does Refael have a right to leave the storefront vacant? Or is he not allowed to keep it vacant as it is causing Shmuel damage?

Answer: Regarding the question about leaving a store vacant, Rav Zilberstein answered that it would not be permitted, as it damages the reputation of the mall. That would not be considered a Gramma, rather it would be a Garmi.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 533

Sarah, a young woman, caught a serious virus that caused swelling in her brain. Because of this illness, she developed a condition called post-viral aphasia. The virus damaged the part of her brain that controls speech. Sarah could still understand what people were saying to her, but she could not form words herself. She simply could not speak. It was a heartbreaking situation. Some time later, unrelated to the virus, Chaim was driving his car. He was not paying enough attention and accidentally hit Sarah. She was thrown into the air and landed hard on the ground. She broke several bones and hit her head and was rushed to the hospital. Over time, she slowly recovered from her broken bones and other injuries. However, during her recovery something remarkable happened. Hashem gave the human brain an

amazing ability to adapt and reorganize itself after an injury. Sometimes when one part of the brain is damaged, other parts can learn to take over the lost function. In Sarah's case, the virus had damaged the speech centers on the left side of her brain. While her brain was healing from the accident, it began to reorganize. Other areas of the brain gradually started doing the work of producing speech. New pathways formed that allowed her brain to send speech signals again. Little by little, Sarah began to speak. Before the accident, she could not talk at all. After her recovery, she could. Chaim felt terrible about what he had done. He knew that his careless driving had caused Sarah serious injuries. After she recovered, he wanted to offer to pay her compensation for the harm he caused. But an unusual question came up. Does Chaim actually have to pay? On one hand, he clearly caused real damage. Sarah suffered broken bones, pain, and a dangerous head injury because of his mistake. On the other hand, during the recovery from that very injury, Sarah's brain reorganized and she regained her ability to speak, something she had lost before the accident. In a certain way, Chaim permanently helped Sarah. What do you think? Should Chaim be required to pay for the harm he caused? Or could someone argue that, in the end, the accident actually left Sarah better off than she was before?

Answer: Regarding the question about the accident, Rabbi Yitzchak Zilberstein answered that two things happened at the same time. First, he banged her head, and with that he cured her inability to speak. Second, at the same time, he also broke her bones. Therefore, he does not have to pay for what happened to her head, because that actually helped her, but he does have to pay dmei chavalah for the damage to her bones.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed Bava Kamma, p. 416

Avraham once went into a Jewish-owned appliance store. He saw a dishwasher that he liked and asked the owner for the price. "It's 600 dollars", Elazar, the store owner answered. "600 dollars, that seems like a steep price to me", Avraham countered. Elazar replied, "The truth is this machine is the newest model and it is top of the line. 600 is actually the cheapest you can find for this model. But I will make you a deal. If you can find this model at any other local store for a cheaper price, I will match that price and take off an additional 100 dollars! Avraham was intrigued by the challenge and told Elazar that he had a deal. About a week later, Avraham walked into a competing appliance store. Sure enough, he saw the exact same dishwasher. Looking at the price tag, Avraham was pleased to see that the listed price was $480. Avraham quickly took a picture of the price tag and went to Elazar's store. "Last week we made a deal and look what I found", Avraham said. "The same machine is going for 480". Elazar looked at the picture and shrugged. "A deal is a deal", he said. "I will be totally honest that I'm surprised at the price, but I will honor my deal. You can take it for $380, 100 less than their price. Avraham was delighted that he was able to get such a steep discount of $380, all the way from $600. He saved 220 dollars. The machine was delivered to Avraham's home and everything seemed fine. A short while later, Avraham walked into the second appliance store. He saw his dishwasher there and was surprised to see a price tag of $600, just like it was in Elazar's store. Avraham inquired about the price to the owner. "Wasn't the price $480"? "Oh, last week we had a once-a-year anniversary sale. Everything in the store was 20 percent off for a week. But these are our normal prices. Avraham now felt that he had a dilemma. The cheaper price of the dishwasher was not a regular price, but a special unique promotion. He wondered if he had the right to keep the 220 dollars that he saved, or was he obligated to return it to Elazar. On one hand, Elazar said that if he found a cheaper price, he would match it, and give an additional discount. But on the other hand, this wasn't the normal price of the machine, it was just a special promotion. What do you think, did Avraham have the right to keep the money that he saved?

Answer: Regarding the question about the price matching, Rav Zilberstein wrote that based on the halachah in Even Haezer 114, 1, the price the seller meant was the normal price, and not a price based on a special promotion. Therefore the buyer would have to return the money.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

Chaim was in his early thirties and he just got engaged to be married. He had a difficult life as both of his parents were no longer living. One parent passed away when he was a child and another passed away when he was in his twenties. This meant that Chaim had the responsibility to make preparations for his wedding by himself. He met with Binyamin, the manager of a Simchah hall that offered both the hall as well as catering services. Chaim told Binyamin that he wanted to order 200 plates for the wedding dinner. He was planning to have a relatively small wedding. Binyamin told him that would not be a problem at all. Chaim mailed out all the invitations. However, Chaim was very gregarious and friendly. When meeting a friend before the wedding he would tell them to come, and they could always make room for one more person. He made this generous invitation to quite a few friends. In his mind, Chaim rationalized that even though he only ordered 200 plates, in a worst-case scenario people could always share a bit of the meal. The day of the wedding arrived and the wedding hall was electric. Friends streamed in and there was a palpable joy in the wedding hall. When it came time for dinner, people sat down and every seat was taken. There were still quite a few people who did not have seats. Binyamin, the manager, watched this carefully. He knew that he had prepared 200 plates. He made a quick count. There were at least 150 more people waiting to be seated. There were far more people than Chaim accounted for, and more than he had prepared for. They were all standing around waiting to be seated. Binyamin felt that if he didn't take care of them, it would look very bad for his catering business and it would look like he had not prepared properly. Luckily Binyamin had food in the refrigerator that was prepared for another simchah the next day. Binyamin quickly had his waiters bring out more tables, seats, plates, and food. Soon enough all 350 people were seated and had a fantastic time at the simchah. The wedding was joyous and very uplifting, Everyone had a great time. The next day, Binyamin called Chaim up. "Chaim, Mazel Tov on your marriage, I'd like to settle the account. You of course recall that you only ordered 200 plates for the wedding. I counted, however, and there were at least 350 people who needed to be seated and fed. It was clear that more people came than we expected. I know that money is tight, so I will give you a present. I will donate 50 plates for free. However, I will have to charge you for 300 plates and not 200." Chaim made a quick calculation of the costs and realized the wedding was going to cost a lot more than he expected. Chaim replied, "I really appreciate your gracious offer, but why did you serve 350 plates? I never asked for that. I expected all the extra guests to either not eat that much or share the food with the others." Binyamin politely laughed. "I'm sorry Chaim, that's not how that works. People can't and don't share food at a wedding. If I didn't feed the extra guests it would have looked terrible for my business. It would have caused me a great loss. If you accidentally invited more than 200 people, then I have to feed them and charge you for it." They both agreed to bring this question to a Rav. What do you think? Does Chaim have to pay for 300 plates even though he only ordered 200? On the one hand, Chaim did invite more than 200 guests, so maybe he should pay for the extras. But on the other hand, Binyamin unilaterally brought out the food without first getting a commitment from Chaim. Can he charge for that? What do you think?

Answer: Regarding the question about the groom who invited extra guests to his wedding, Rav Zilberstein writes that the groom should not have to pay for the extra meals because they agreed initially to only 200 meals and made no agreement about extra guests. However, if the additional guests gave cash wedding gifts that are at least equal to the price of the meal, then the cash should be given to the caterer to pay for the extra meals. Please note that of course, a caterer has a right to stipulate in the initial contract that if extra guests come, the groom is required to pay for it.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 420

There was once a man named Nachman who lived in Eretz Yisrael and owned two successful businesses across the street from each other. One business was a grocery store, and the other was a home goods store. Eventually, Nachman wanted to cut down on his business and move to chutz la'aretz to be with his extended family. So, he decided to sell his household goods business and keep the grocery store. After a search, he found a potential renter named Moshe, who wanted to lease the property. Moshe agreed to a five-year lease on very favorable terms. Moshe initially ran a household

supply store but soon realized that it wasn't doing well financially. After consulting some experts, he decided to change the business. Rather than a home goods store, he was going to open a grocery store. He invested in and advertised the grand opening of his grocery store, which was across the street from his landlord's grocery store. Eventually, word reached Nachman, the landlord. Nachman met with Moshe and said, "I can't believe you. Are you trying to compete with me on my own property?" Moshe said, "I spoke to a rabbi, and he said it's not a problem of unfair competition or hasagas gevul. There's plenty of business to go around, and each of us can have a good, successful livelihood." Nachman replied, "OK, it could be that's permitted, but it was clearly understood when I gave you this lease that I wouldn't want you to compete with me in my own store." Moshe responded, "This was never discussed in the lease. I'm not breaking any terms of the lease, and I don't see why you could forbid me from selling groceries." Nachman insisted, "It's obvious you can't compete with me on my own property. It's clearly not what I intended when I signed this lease with you. If you insist on selling groceries, I need to ask you to leave the property." Moshe replied, "But it's permitted according to halachah to have the grocery store." Nachman asked, "But did you tell the Rav that your landlord is your competitor?" They agreed to bring this question to a Rav. What do you think? Is the owner allowed to kick the renter out of the lease if he created a competing store, even if it was permitted halachically? Or do we say that as long as he didn't break the lease, he is allowed to have any store he wants? What do you think?

Answer: Regarding the question about the person who began a competing store against his landlord, Rav Zilberstein wrote that there is a clear understanding an Umdenah, that a person does not want to lease his property to somebody who will compete against him and affect his business. Therefore, if the new grocery does affect the business of the landlord, the landlord is allowed to break the lease.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim p. 133

Eli was a successful businessman who lived in Eretz Yisrael. He learned that the best way to give tzedakah (charity) was in a manner that the recipient does not know who is giving, and the giver does not know who is receiving. This way, the recipient is protected from any embarrassment. One day, Eli went to his local grocery store and said, "I would like to give tzedakah anonymously. If you know of a customer who is struggling financially, I would like to pay their grocery bill -- up to 2,000 shekels every month. Every two months, I'll give you 4,000 shekels to cover the cost." The grocery store owner, Morty, thought this was very generous and said, "I know just the right person who would be a great candidate for this tzedakah." Morty then reached out to one of his customers, Zev, and told him, "I know a generous benefactor who wants to give tzedakah anonymously. He would like to cover your grocery bill -- up to 2,000 shekels per month -- and every two months, he will send me the payment." Zev was deeply grateful and gladly accepted. For the next two years, everything went smoothly. Every two months, the grocery store received an automatic payment from Eli, covering Zev's grocery bill. Zev was happy, the grocery store was happy, and Eli was happy that he was in a position to give such tzedakah. However, one month, Morty attempted to charge Eli, but the payment was unsuccessful. He tried calling him but couldn't get through. Since the payment of 4,000 shekels was a significant amount, Morty was concerned because he needed the money to manage his cash flow. So, Morty went to Eli's home and finally found him there. Eli looked troubled and said, "I've been embarrassed to face you recently. My business has taken a serious downturn, and I actually owe an enormous amount of money. I'm actually bankrupt. I'm so sorry, but I just can't make the 4,000-shekel payment this time. I simply don't have the money." Morty understood Eli's situation, but he still needed the money. So, he went to Zev and said, "I know this is the last thing you want to hear, but the benefactor who has been covering your grocery bill for the past two years is out of money. You've already used two months' worth of groceries, and I'm really struggling with my cash flow. I need you to pay the 4,000 shekels this time." Zev was shocked. "What do you mean? You're the one who came to me and told me that you found someone willing to do this. How can you now ask me to pay for it? This was your idea, and you assured me that someone else would always cover it. How is

this suddenly my responsibility?" Morty responded, "I totally understand how you feel, but the bottom line is that you were the one who benefited from it. I need the money, and since the benefactor can no longer pay, I have no choice but to ask you." They agreed to bring this question to a rav. What do you think? Does Zev, the poor recipient, have to pay the 4,000 shekels for the groceries he received? Or is this entirely Eli's responsibility, and Zev is not responsible at all?

Answer: Regarding the question about the benefactor being unable to continue his commitment to paying for the poor person's groceries, Rav Zilberstein answered as follows: "There is a built-in understanding that the poor person is the customer and that someone else is covering the cost of their groceries. Additionally, there is an implicit understanding (umdenah) that if the benefactor can no longer pay, the groceries will not be free. Instead, the person who benefited from them will be responsible for the payment. The poor person should have anticipated that at some point, the benefactor might not pay, and he is responsible. Therefore, in this case, the poor person would have the obligation to pay for the groceries."

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 182

Zev worked for a company that gave their employees a company car to drive to meet their customers. The company's policy was that if the car would get a ticket for anything that was the company's fault, like an expired registration or broken taillight, then the company would cover any fines. But if the driver gets a ticket for something that was the driver's fault, like a traffic infraction, then the driver is obligated to pay for it. One day Zev was driving, and he did not pay proper attention to the speed limit where he was driving. The speed limit was much lower than usual because of nearby construction. Zev sped by a police cruiser that was waiting in a thicket. The police quickly turned his lights on and, on the loudspeaker, told Zev to pull over. The police officer came to Zev's window and said, "do you know you were driving almost double the posted limit in a construction zone? The penalty is two points on your license and a doubled fine." That turned out to be 300 hundred dollars. Zev went pale. He could not afford the extra 300 dollars. He also could not afford any more points on his license as it would likely increase the rate of his insurance premiums. Zev had nothing else to do but be completely honest with the officer. "Officer, you are one hundred percent right. I did the wrong thing by speeding. I won't try to make any excuses for it. But I will be completely candid with you. I have seven children. I pay private school tuition for each of them. We have huge bills for clothing and food. I will be totally straight. I really can't afford a 300-dollar ticket. I also can't afford one more cent on my insurance premiums. My teenage children drive, and my insurance premiums are already sky-high, I beg you. Please give me a ticket. But can you please give me a ticket for something else that would not be that expensive and give me points?" Zev's words came straight from his heart, and they penetrated the officer's heart. The officer pulled off his aviator glasses and gave a friendly smile. "I can relate to you, sir. Let me see what I can do." The officer walked around the car and came back a minute later. "This is what I can do. Instead of a ticket for speeding, I can give you a ticket for the broken taillight." Zev thanked the officer profusely for his kindness in giving him a less severe ticket. On his way home, Zev thought about the ticket. Because he got a ticket for the taillight, his company would cover the costs of the ticket. But then Zev wondered if he should pay for the ticket. Because although the taillight was the company's responsibility, the only reason why they got the ticket was that he was speeding and because he asked for another ticket. Zev wondered if he had to pay his company for the ticket. What do you think?

Answer: Regarding the question about the parking ticket, this question was asked to two Rabanim, Rav Yitzchak Zilberstein, and Rav Nissim Karelitz. Rav Zilberstein answered that the driver would not have to pay for the fine because the taillight was the responsibility of the company. However, Rav Karelitz answered that the driver would have to pay the fine because he was the one who did the infraction that attracted the police officer.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 441 (Table Talk Edition 312)

Rachel had a daughter who was in desperate need of a kidney donation. Rachel got tested and was told that her kidney would be a good match for her daughter. Rachel agreed to pay the enormous medical fees involved with removing her kidney and transferring it to her daughter. Unfortunately the surgical team made an error and took out the kidney from the wrong side. This is known as a "wrong site surgery" and it happens occasionally. The kidney that was removed was not a good match for Rachel's daughter. Rachel was of course extremely upset and after the surgery she began proceedings to sue the surgeon for malpractice and restitution. She also refused to pay the doctor, Dr. Weiskoff, for the expensive procedure. She felt that the procedure was a total waste and a disaster. But this story has a fascinating ending. Tests were done on the mistakenly removed kidney and it turned out that it was highly cancerous. Had the doctors removed the correct kidney, Rachel would have lost both kidneys, the one that was removed and the one that was cancerous. Now she only lost the kidney that was cancerous and her life was clearly saved by the doctor's mistake. It was apparently clear divine providence that caused the doctor's mistake that saved her life. After this story was revealed, Dr. Weiskoff asked Rachel to drop her malpractice and restitution lawsuit. In addition he asked her to pay for the procedure because it turned out that the procedure was essential and it saved her life. Rachel however argued that even though he saved her life, she never asked him to remove that kidney so she refused to pay him for the procedure. In addition he damaged her without her consent so he was liable for malpractice. However Dr. Weiskoff argued that she should pay him for saving her, and he never actually damaged her, he saved her. Who is right? If the doctor did a procedure that unwittingly saved her life is she obligated to pay him for it? Does she have to drop her suit?

Answer: Regarding the questions about the kidney miracle, Rav Elyashiv Zt"l answered that the doctor is exempt to pay any damages, and the woman is obligated to pay the doctor. But she is obligated to pay the costs of removing a cancer and not the more expensive costs of a kidney transplant.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 418 (Table Talk Halachic Archive, Edition 213 (Vayigash))

Naftali lived in Israel during the intifada, when sadly, terrorist attacks were a relatively frequent occurrence. Naftali suffered from chronic back pain. He went to different doctors but they were unable to solve his chronic pain. Finally, one doctor suggested that he try TENS Therapy. TENS or Transcutaneous Electrical Nerve stimulator, is a therapy that can help stop chronic back pain in some people. This is done by attaching several electrodes to the body that stimulate the painful area. The TENS device sends electrical pulses through the skin to start the body's own painkillers. The electrical pulses can release endorphins and other substances to stop pain signals in the brain. Naftali decided that he had nothing to lose and decided to try the treatment. The TENS machine was not very common. He had to borrow the device from a well known Medical Device Gemach, similar to Yad Sarah. He borrowed the device and began trying the treatment every day. The treatment had to be done while walking or jogging so Naftali would walk around his neighborhood with the TENS machine in a gym bag, with wires attached to his body. The therapy was going great and the pain was beginning to subside. But perhaps this wasn't the best "look" to walk around with in Israel. One day Naftali was taking his daily brisk walk holding the gym bag with the electrodes attached to his body. He passed Yaron, a tough guy with a lot of military training. When Yaron saw Naftali with the wires attached to his body coming out of a gym bag, he was certain that Naftali was a terrorist carrying a suicide bomb. Yaron tackled Naftali, pushing him to the ground, ripped the cords off of him, and smashed the gym bag to the ground. Yaron was certain he had stopped a terrorist plot, but to his shock Naftali got off the ground, and showed Yaron the contents of the bag. It was not a bomb, it was just a simple medical device. The TENS machine was totally smashed. Naftali forgave Yaron for the misunderstanding but politely explained to Yaron that the device did not belong to him. Naftali asked Yaron to pay the $1000 for the replacement of the TENS unit. "Mah, Pitom, not so fast" retorted Yaron." I'm sorry I made the mistake but this was really your negligence. It was foolish of you to walk around with this machine during the intifada when

Israelis everywhere are on high alert for terrorism. Naftali argued that this was a mainstream treatment and Yaron had no right to break the device. This question was brought to Rav Zilberstein. What do you think? Did Yaron have to pay for breaking the TENS Unit, or was it Naftali's negligence and is Yaron perhaps exempt?

Answer: Regarding the question about the TENS unit, Rav Zilberstein wrote that the "tackler" should have been more observant and aware that it was really a sick man with a medical device, and he is therefore liable to pay for the damage.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 204 (Noach)

Eli, who lived in Israel, was struggling financially. He was in dire need of money to cover his rent payments for the past few months and didn't have anything to do. In desperation he went to an unofficial lender who was known as a loan shark. Eli asked to borrow $2000 and promised to pay it back within a month. The loan shark said, "Do you have anything that is valuable, like a car, to be used as collateral?". Eli said that he didn't have a car but he had a small scooter-motorcycle. The man agreed that it could be a collateral, but he explained to Eli that as long as he got paid back on time everything would be fine. However if he did not have the money on time he would take the motorcycle and burn it. If he still did not pay him back he would start with more serious things. Eli knew that he should get away from these underhanded people but he felt like he had no other choice. With confidence that he would have money to pay back, he borrowed the money. Lo and behold the deadline arrived and sadly Eli did not have the money. He knew that the loan sharks would come after his motorcycle. Eli had an idea. Instead of parking it outside where it was normally kept, he hid it inside his apartment building in a small closet underneath the steps. The closet was certainly not the place for motorcycles and he figured that the thugs would not be able to find it. Sadly though in the middle of the night he woke up with the sound of alarms and a strong smell of smoke. He ran out of his apartment and there was a fire burning in the stairwell. The fire department was there putting it out. It turned out that indeed when the gangsters did not find his motorcycle parked outside, they found it inside and they burned it while it was inside the closet. The fire caused an enormous damage, with repair costs close to $100,000. When the neighbors heard what caused the fire they demanded that Eli pay for the huge cost of the damage. They felt that he had no business getting involved with gangsters and even after he did, he had no business putting his motorcycle in the closet. Eli agreed that he should not have gotten involved, but still, he didn't cause the fire; it was the thugs. What do you think?

Answer: Regarding last week's question about the man who brought the scooter into the apartment, Rav Zilberstein wrote that he would not be able to be forced to pay in Beis Din, but because it was a grama, he would be liable for the damage midinei shomayim.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 363

Eli was new to Yeshivah. He was joining first year beis medrash and didn't know anyone yet. He walked into his assigned classroom and put his leather shoulder bag on a chair by a desk. Eli then stepped away from the desk and walked to the other side of the room. In his briefcase he had a tablet because the Yeshivah would occasionally learn remotely over Zoom. Mordechai came into the classroom. He saw Eli's shoulder bag on the chair and picked it up. "Who put this bag on my seat?", he exclaimed, and then proceeded to throw the briefcase a few feet away to an empty desk. Mordechai didn't know that there was a fragile electronic device in the shoulder bag. Pinny, another student, saw Mordechai throw the bag, picked up the bag and said, "Why are you putting his bag near my desk?" Pinny then proceeded to throw Eli's bag to a third, empty seat. Eli watched the incident with horror and embarrassment. He went over to his shoulder bag and opened it up. As he feared, the electronic tablet inside was broken. Eli went over to Pinny, the last person who threw the bag and said. "I think you just broke my tablet, I believe you need to pay me for a new one". When Pinny realized what happened he felt bad but countered, "I didn't know there was a tablet in the bag. I

don't think I broke it though. Mordechai threw it first. He likely broke it when he threw it. I'm sure it was broken when I threw it". When Mordechai heard the accusation he said, "I'm really sorry about the tablet but it must have broken when it was thrown the second time. I only threw it very gently and I didn't hear anything when it fell. That second blow must have cracked the tablet". Poor Eli now has a broken tablet and both of the negligent people claim the other broke it. Who has to pay for the broken tablet? Is it the first person who threw it? Is it the second person who threw it? Do they both have to pay half? Or perhaps neither has to pay because it's impossible to prove who broke it? What do you think?

Answer: Regarding the question about the broken laptop, Rav Zilberstein answered as follows. Normally we would use the principle of Hamotzi Mechaveiro Alav Haraiya, that the burden of proof would be on the owner of the laptop to prove which person broke it. However, in this case we can say it was an "umdena", presumption, that one broke it, and use that to obligate him to pay. Therefore if the first person threw it far enough to potentially break it, the first person would be liable to pay even though we don't have proof that he broke it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 497

Avi, like many religious Jews, had many white shirts to bring to the cleaners. He brought his shirts to the cleaners and the cleaners had a sign saying "please make sure to remove all belongings from your garments." The cleaners did not wish to bear any responsibility for forgotten items. Avi handed in 10 of his shirts and looked forward to getting them back in a few days. A few days later he went back to the cleaners. When he gave them his ticket the owner looked at him and said, "We need to talk". It turned out that when Avi gave in his shirts he left a blue pen in his shirt pocket. When the cleaners employees put his shirts into the laundry they did not notice the pen. When the shirt was being laundered the ink opened up and spilled out into the entire batch of laundry. The ink was permanent. Not only did it stain all of Avi's shirts with permanent ink, it stained all of the 90 other shirts that were in the machine. When those other patrons came to get their shirts and saw that their shirts were ruined they were understandably very upset at the owner. In all, 40 other cleaners patrons were very angry at the cleaners for ruining their shirts. The owner was apologetic but argued that he wasn't responsible for it because another customer left a pen in his pocket. The customers, however, were not pacified and he now had 40 very angry customers. The owner wanted Avi to pay for the damage to all of the shirts. "What am I supposed to do? All these people are asking me for money. It's not my fault it's your fault", he said. Avi felt bad about the situation but he didn't feel that it was his responsibility to pay for all the shirts. Even though he made the mistake of leaving his pen in his pocket, the cleaners employee was the one who actually caused the damage. He was the one that put the shirts in the machine and turned the machine on. He was the one who should have found the pen. He was the one who actually caused the damage. This question was eventually brought to Rav Zilberstein. What do you think? Does Avi have to pay for all of the damaged shirts, or does the cleaners have to pay for them?

Answer: Regarding the question of the dry cleaners, Rav Tzvi Berkowitz answered that it is the cleaner's responsibility. He is responsible because he put all the shirts together so he has a responsibility to the other people. Correction: Last week I mistakenly wrote that this question was brought to Rav Zilberstein. A similar case was brought to him, but it was not this case.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 191 (Devarim)

Gavriel and Zevulun were two multi-millionaire business owners. A business deal they engaged in went sour somehow, and each side claimed that the other owed him a million dollars. They were amicable about the dispute, and they both agreed to go to a Beis Din, a Jewish court, to adjudicate the case. The Beis Din was going to give a p'sak, a ruling, on the

15th day of Cheshvan. Gavriel, of course, was very keen on winning the case. He went to his Rosh Yeshivah, his Rebbe, and told him the story. He then said, Rebbe, here is a 5000 dollar donation to the yeshivah. I'd like to ask you to please daven that I am successful in my upcoming case in front of Beis Din. The Rosh Yeshivah gladly agreed and said he would daven for Gavriel's success. The day of the court case arrived. The Beis Din came to a determination: The winner of the million-dollar case was Zevulun! Gavriel had to give Zevulun the money. Zevulun was, of course, heartened, and Gavriel was chagrined. Nevertheless, Gavriel, of course, agreed to the Beis Din's decision. As Gavriel walked away from the Beis Din, he overheard Zevulun talking on the phone. Gavriel could not believe what he was hearing. Zevulun was talking to a Rosh Yeshivah, and he thanked him for his tefilos for the success of his case. Zevulun was sure that it was in the merit of the Rosh Yeshivah's prayers that he was successful in the case. But to Gavriel's shock, Zevulun was talking to the exact same Rosh Yeshivah that he went to. It became clear to Gavriel that the same Rosh Yeshivah was davening for both parties to be successful in their case. Gavriel felt hurt, and he went to the Rosh Yeshivah himself. "Rebbe, I gave you $5000 to daven for me. Ok, I understand that I might not have won, but once you accepted my donation, how could you also daven that my opponent should win? That is like davening that I should NOT win. So perhaps you should return my donation because by davening for my opponent, you are doing the opposite of why I gave you the donation." The Rosh Yeshivah felt, though, that there was nothing wrong with davening for the success of both parties. Both parties should have success; one will have the success that they will win the case, and the other will have the success that they will not violate the prohibition of keeping the money for the other. The Rosh Yeshivah sent this question to another Gadol. Was it ok to daven for the success of both parties in a dispute? If one party gave him money to daven for him, was he allowed to still daven for the other party's success?

Answer: Regarding the question about the Rav who davened for both sides of a din Torah (court case), Rav Zilberstein wrote that it is permitted to daven that both balei din (both litigants), have hatzlacha (success). One will win the money that belongs to him and one will win by not violating the severe prohibition of theft.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok, p. 387

Ari went to shul one Shabbos. After the reading of the Torah, the gabbai, the shul official, went over to Ari and asked him if he would like to do hagbah, to lift the Torah. Ari declined saying that he had a sore shoulder. “Come on, don’t chicken out”. “You can do it” the gabbai pressured him. “I really can’t do it, my shoulder is killing me,” Ari protested. “Stop making up excuses” the gabbai chided. “You can do it”. At this point, his exchange with the gabbai was attracting the curious interest of many people around him, Ari felt embarrassed to say no. Succumbing to the gabbai’s pressure, Ari went up to the Torah and tried to do the hagbah. As Ari held the Torah high in the air, he felt a sharp pop in his shoulder. The Torah nearly fell to the ground. Luckily there were people standing around Ari who were able to catch the Torah in time. Ari felt humiliated. More immediately, his shoulder was now in extreme pain. Ari later went to the doctor. It turned out that Ari dislocated his shoulder. The doctor required Ari to undergo a regiment of surgery and then physical therapy. Because of all of these medical concerns, Ari also had to miss many days of work. Between the new medical and therapy bills, and the lost wages at work, the ill-fated pressured hagbah cost Ari close to $20,000 in damages. In frustration Ari approached the gabbai with this development. “I think you have to pay me for all of the financial damages. I only did the hagbah because you pressured me. I told you my shoulder was sore, but you didn’t listen.” I only gave in because you were embarrassing me in front of my friends.” The gabbai now felt bad about what happened. “I am sorry that you got hurt, and all this happened. I really am. But I don’t think I have to pay all this money. After all, even though I pressured you, you still chose to do the hagbah. You didn’t have to listen to me. What do you think? Is the gabai obligated?

Answer: "The High Pressure Hagba" Rabbi Zilberstein writes that the Gabai did the wrong thing, but he is not obligated to pay for the damage. This is because Ari should not have listened to the Gabai.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 322 (Table Talk Edition 12, Parshas Yisro)

Dovid was newly engaged and planning a beautiful wedding in Yerushalayim. He was studying at a yeshiva in Haifa, in northern Israel, and wanted to make sure his friends had transportation to attend the wedding. So, Dovid gave money to his friend Meir and asked him to rent a 50-seat bus to bring everyone down on the day of the wedding. Meir did as promised -- he ordered the bus and spread the word around the yeshiva that he was reserving seats for the trip. However, when the day of the wedding arrived, only about 35 of the 50 seats were reserved. It turned out there was another event that conflicted with the wedding, so not everyone could make it. With only 35 out of 50 seats filled, Meir and his friends set out for Yerushalayim. Along the way, they saw a large group of yeshiva students waiting at a bus stop. Meir had their bus stop and asked the students what they were waiting for. They replied that they were waiting for a regular bus to take them to a wedding in Yerushalayim. When he asked which wedding hall, they mentioned a location near the hall where they were headed. Meir said, "I'll be honest with you -- we have 15 extra seats. If each of you pays 50 shekels, you can have a spot on our bus." The students agreed, and 12 of them joined, collectively paying Meir 600 shekels. The trip was uneventful, and they arrived in Yerushalayim, with everyone heading to their respective wedding halls. A couple of days after the wedding, Meir went over to Dovid and handed him the 600 shekels, saying, "This belongs to you. We had 15 extra seats, and we were able to sell most of them, so since you rented the bus, the money should go to you." But Dovid replied, "Thank you so much, I don't think it belongs to me. I was fine with having 15 empty seats. You took the initiative to sell those extra seats, so the money should go to you." Meir insisted, "No, I think it belongs to you. You rented the bus, and anyway, you could use the money." Each of them thought the other deserved the money. So, they agreed to bring the question to a rabbi: Who is entitled to the money? Is it Dovid, who rented and paid for the bus, or Meir, who took the initiative to sell the extra seats? What do you think?

Answer: Regarding the question about the wedding and the person who sold the extra bus tickets, Rabbi Zilberstein answered that the money rightfully goes to the chasan, who paid for renting the bus.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Devarim, p. 445 (Table Talk Edition #415)

Seven friends were once spending time with each other. As lunch approached they decided to send someone to pick up a slice of pizza for each of them. Aliza, one of the friends volunteered to pick up the pizza. Each friend gave Aliza money for one slice. When Aliza arrived at the pizza store she saw a sign in the store advertising a new promotion. For every pizza pie purchased, one will get a state scratch-it lotto ticket where one can win up to $5000. Aliza was given money for seven slices. Aliza decided to buy an additional slice and get a whole pie instead of seven slices. She used her own money for the difference in price. After she was given the pizza pie and the scratch-off lotto, she sat down and scratched the ticket. To her great surprise, she saw that she won the $5000. She returned to her friends and excitedly told them that she won. She told them that she used her own money to buy the whole pie and earned the ticket on her own. "Whoa, do you mean to tell us that you used our money to buy that pie. Then we should split the $5000 equally into seven parts," her friends argued. "I don't agree", Aliza countered. "You would never have won the prize if I had ordered seven slices like you asked me to. I used my extra money for the additional slice and that is why I won. I should get the entire prize money himself." Who is right? Does Aliza get all of the winnings or just a seventh? On one hand without Aliza adding her own money, they never would have gotten any ticket. On the other hand, she won with the aid of their money. What do you think?

Answer: It appears that Yaakov should win the entire prize, but it is proper to share some of it with his friends because they helped him win it.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 663

There were once two neighbors Meir and Avraham, who shared a duplex with a large driveway. There was a problem of car thefts in the area. One day, Meir asked Avraham if he would agree to install a security camera system, and split the costs. "I'm going to pass", Avraham said. "I don't believe that security cameras prevent thefts. I have the money for this, but I just don't see it as a priority. So Meir went ahead and installed the security camera system on his own. The system and installation cost $3000. Again Meir asked Avraham if he would split the costs, but Avraham declined. Sure enough, a year later Avraham's car was stolen from in front of the house. The police did an investigation but they gave up on recovering the car. Avraham sheepishly asked Meir if he could give over the camera footage to the investigators to help them find the car. Meir said, "I will give it to you only on condition that you agree to pay me $1500 to split the cost of the system. You said you didn't need the security system, but now that you are needing it, and now that you are using it, you need to pay me." Avraham was of course frustrated. Avraham said, "You have a mitzvah of Hashavas Aveidah to help me find my stolen car. You can't charge me for that. You have an obligation to help me. You are extorting me". But Meir replied, "You said you didn't need it but now that you need it, please split the cost." Later Meir felt a bit guilty about not sharing the footage. Did he have an obligation to share it if his neighbor would not pay for it? What do you think? On one hand it looks like Meir has an obligation to help his friend. It also looks like he is extorting his friend, in his time of great need. But on the other hand, Meir paid a lot of money for the system. Why should Avraham benefit from it, if he refused to pay for it?

Answer: Regarding the question about the security camera, Rav Zilberstein writes that the neighbor would not be obligated to share the footage for free, and he has a right to ask his neighbor to share the costs of the system.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 146

Zev lived in the United States and planned to travel with his family to Eretz Yisrael for the summer. Zev reached out to Arye who had a very nice apartment available for rent for the summer. He told Arye that he wanted to rent the apartment for 20 days. Arye replied that the cost was 150 dollars a day, so if he started for 20 days it would be a total of 3000 dollars. Zev agreed on the price. When Zev arrived in Eretz Yisrael, he met with Arye to get the keys to the apartment and to pay in advance for the rental. Zev handed Arye an envelope with $3000 in cash. Arye was of course very pleased. After giving him the money, Zev said, "there is a chance that we may have to stay a day or two longer than we expected. I have some business that I might need to conclude and it may delay our departure a bit." Still in a good mood from the large sale, Arye said warmly, "Zev, if you need to stay a day or two extra, it is my gift. On me. It won't cost you anything." Zev and his family had a wonderful time in Israel. Finally, the 20th day arrived and Arye noticed that Zev and his family did not leave. They stayed until day 22 and they still did not leave. Zev's family continued to stay in the apartment. Days 23, 24, and 25 passed and they were still there. Arye didn't say anything because he took it for granted that they planned to stay longer and each day they stayed was more income for him. Finally, after staying for a total of 26 days, Zev came over to Arye to return the keys, "My sincere apologies, we got held up", Zev said. "Here is the money for the extra days we stayed." Arye looked at the cash in Zev's hand and saw that he was offering $600. "Thank you," Arye said, "but I think you might have forgotten. You stayed a total of 6 days extra so the total should be $900, 150 for each of the six days." Zev replied, "but you told me that I can have two days as a gift. So the first 2 days of our extra days were free and the next 4 days I am paying for". But Arye replied, "I only said you can have a day or two as a gift if you stayed for up to two days at the end. I did not mean that you could stay for nearly an extra week. The

whole reason why I didn't kick you out after the 22 days was because I understood that you would pay for it". Zev replied that he didn't see it that way. He understood that they were getting two free days no matter what. Both Zev and Arye agreed to bring this question to a Rav. What do you think? Does Zev have to pay an extra 900 for staying an extra six days or can he pay only 600 because two days were free?

Answer: Regarding the question about the renter who overstayed his visit, Rav Zilberstein answered that the owner would have to give the last two days for free even though the visitor stayed for extra days.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Peah-Demai-Kilayim, p. 446

Malky was a lonely woman. She was married for many years but had no children. Her husband passed away and she lived all alone. There were stray cats in her neighborhood and she began to leave food out for them. Soon enough dozens and dozens of cats came to her house each day to eat. The cats loved Malky and Malky loved them. The cats were her best friends. This went on for a few years and Malky became known as The Cat Lady. One day Malky decided that she was ready to downsize. Her home was too large for just her and she wanted to move into a small apartment that was more suitable for her needs. She sold her home and found a small apartment nearby to rent. The owner lived in the upstairs apartment and she rented the lower one, on the ground level. Malky had a significant amount of money from the sale of her previous home, and she paid the landlord all the rent for a year in advance. The landlord, Mr. Kushner, was very pleased. Malky moved and everyone seemed happy. One morning, soon after Malky moved in, Mr. Kushner walked out of his house and opened the gate outside his front yard. There, on the sidewalk, outside of his property, were at least 30 cats. Mr. Kushner didn't understand why so many cats were there all of a sudden. But soon enough Malka came out with a bowl of milk and some cat food for the cats. "Here Chaim, here Chana, here, Yoni, I have your breakfast for you", Malky spoke soothingly to the cats. It was clear that Malky was the source of all of the cats. "I'm sorry, Malky, I'm afraid I can't allow you to have so many cats here in front of my property. It's a safety hazard and many people in the area are scared of stray cats", Mr. Kushner said. Malky answered, "But these cats are my friends. They can't get inside your property and they wait patiently for me outside your property. You can't force me to chase them away from an area outside your property, can you?". But Mr. Kushner said, "Malky, I'm sorry but this really can't continue. If you don't get rid of these cats, I'm going to have to ask you to leave." "But you can't kick me out", Malky said, "I already paid for the whole year in advance." Mr. Kushner was not sure what to do and brought this question to Rav Zilberstein. What do you think? Is Malky allowed to have cats outside the landlord's property? Or did Mr. Kushner have a right to force her to get rid of the cats, and if she does not comply, to refund her money and ask her to leave?

Answer: Regarding the question about the woman who brought many cats to the front of her apartment, Rav Zilberstein wrote that if this bothers people, even if this is in front of her apartment, in the public area, then it would be considered a mekach taus, and the landlord can retract the contract and she would have to leave.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Volume One (Table Talk Edition 271)

Eli lived in a close-knit neighborhood. One day before Yom Tov an email went out that people in his neighborhood were creating a group to make a bulk order of chicken. By joining as a group they could buy chicken at wholesale prices and save a significant amount of money. Soon, more than 50 families joined up to make this bulk poultry order. The chicken was going to be picked up from a processing plant that was about 45 minutes away. They needed someone with a vehicle big enough to pick up all the chicken. Eli owned a 15-seater Ford Transit. Yaakov, an organizer of the group order, approached Eli and asked if he would be open to making the pickup. "Would you be able to pick up the order? If you do so, we will pay you 1000 shekels for your time and effort. It would also be a huge favor for all of us." Eli agreed. He could use the extra money and was also glad to help. "Oh, one other thing, would it be okay if you lay out the

money with your credit or debit card, then when we come to pick up the chicken we will each pay you?," Yaakov asked. Eli realized that this was a huge ask, but he agreed to this additional request. Soon after, Eli emptied his van of all of the seats. He drove to the chicken plant and the workers filled his van completely with all of the chickens. In a short time, Eli was on his way back home to bring the chickens to the members of his group bulk order. But on the highway, a police cruiser noticed that the passenger van was packed with boxes. It did not look typical to the officer, and the officer flashed his lights and ordered Eli to pull over. Eli was unconcerned because he knew he had nothing illegal in his car. The Officer opened the van and saw all of the chickens. "Where is the refrigeration system in this van?", the officer asked Eli. Refrigeration? This is a regular van that I use every day for carpool. I don't have any refrigeration. Well, the department of health requires that a poultry shipment needs to be done in a refrigerated vehicle. I'm afraid I will have to give you a citation and confiscate this food. But I was just picking up the chicken for my neighbors, I am not selling it. I didn't know about this law, I'm not a retailer, I'm just a regular citizen. The officer said, "That is a good excuse, and perhaps the judge will be lenient on you. But in the interim here is your summons, the hearing is tomorrow." To Eli's horror, the officer proceeded to confiscate the van and all its contents. Eli went to the hearing the next day. The judge seemed sympathetic and said, "Since this is your first time, rather than the 1600 shekel fine, I will cut it in half. You need to just pay an 800 shekel fine". By the time the proceedings were over all of the chickens were no longer edible. Eli called Yaakov the organizer and shared this tale of woe. "Yaakov, I laid out all the money for the chickens, I laid out 10,000 shekels. I need to be reimbursed for that. I also was promised 1000 for my time and effort, I need to be reimbursed for that. I also need to be reimbursed for the 800 shekel fine. Yaakov was very sympathetic but thought out loud. "This is really a frustrating situation. We are dealing with three separate claims. Hmm, regarding the 10,000 that you laid out, you are asking for all of us to pay 10,000 for chicken we never got. The truth is we paid you to make the delivery so you are a paid watchman, a shomer sachar. A shomer sachar is responsible to pay if it was lost or stolen. I wonder if we have an obligation to pay you. Regarding the 1000 for the delivery, I wonder if we have to pay you because we never got our delivery. And regarding the fine, you were the driver so perhaps that is your responsibility. I'm not saying we won't pay, I'm just wondering if we really have to. Eli heard Yaakov's argument but strongly felt that he should not be left responsible for the 10,000, because it was totally out of his control. For the 1,000 he felt he did the job as best as he could. And for the fine, again it was out of his control, and in addition, they all were in this together and they should share the responsibility to pay the fine. Eli and Yaakov agreed to ask a Rav and do whatever the Torah requires them to do. This question was brought to Rav Zilberstein. What do you think? Should Eli be reimbursed for the 10,000 for the chicken? For the 1,000 for his work? For the 800 for the fine?

Answer: Regarding the question about the chicken order, Rav Zilberstein answered as follows: Regarding the reimbursement of the payment for the whole order, as well as the payment for his work, he should be reimbursed and paid in full. This is because when they sent him they all agreed to send him in an unrefrigerated van so the driver was not liable for that. However for the payment of the fine, the driver is responsible for that because he caused it.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 181

Eli was making a bris and rented a catering hall for the afternoon event. He also hired waiters to serve the guests. The catering hall was responsible for providing the food. All the food prepared for the bris was placed in a warmer clearly labeled "Bris." There was also going to be a Sheva Brachos in the same hall later that night. The food for that event was placed in a separate warmer. When the bris began and everyone gathered, the waiters brought out the meals. However, instead of taking food from the warmer labeled "Bris," they mistakenly took the food from the warmer labeled "Sheva Brachos." The food intended for the bris was simple chicken, while the food prepared for the Sheva Brachos was steak and much more expensive meat. Not realizing their mistake, the waiters served all of the expensive Sheva Brachos meals to the bris guests. The guests praised Eli, saying they had never tasted such good bris food and that it was the

best bris they had ever attended. Eli was very happy. Later, the owner of the catering hall discovered that all the food intended for the Sheva Brachos had been eaten. He then had to scramble to prepare replacement food for the evening event. Once everything settled, it was unclear who was financially responsible for the mistake. Eli met with the catering hall owner to discuss who should pay the several-thousand-dollar difference. Eli argued that the waiters were at fault and should pay, since they made the mistake. The catering hall owner argued that Eli, as the host of the bris, was responsible. Eli then suggested that perhaps the guests who ate and benefited from the expensive food should have to pay for what they ate. Another possible argument was that the catering hall owner should be responsible for leaving two similar sets of meals in a way that allowed confusion. They agreed to bring the case to a rav. Who do you think is responsible for the loss? Eli, the host? The waiters who served the wrong food? The guests who ate and benefited from it? The catering hall owner?

Answer: Regarding the question about the catering mix-up, Rabbi Mordechai Shuchatowitz answered as follows. Neither Eli, nor the guests, not the hall owner did anything wrong, and they bear no responsibility for the mishap. Assuming that the waiters were people who know what "Bris" and "Sheva Brachos" mean, they were negligent in taking the Sheva Brachos food and serving it mistakenly but wrongfully at the Bris. Although unintentional, it was essentially "gezel b'shogeig", theft by negligent mistake, for which a person is liable, in keeping with the well known rule of Adom Muad L'Olam. However, their liability would be limited to the actual value of the food they took, not the full amount the caterer would have been paid for serving the Sheva Brachos meal [Menias Revach, withholding profit], nor for additional costs he may have incurred in procuring and preparing replacement food for the Sheva Brachos event [Gramma]. Amongst the waiters, their individual liability might depend on their equal participation in taking the wrong food as opposed to having a head waiter in charge of the others, in which case further Halachic clarification would be necessary.

— Source: Rav Mordechai Shuchatowitz / Table Talk

Eliezer was the organizer of a Chinese auction that supported a wonderful tzedakah organization. The auction had about 15 prizes. The grand prize was a used car. Eliezer went to a local car salesman and asked if he would be willing to sell the organization a car for a good deal in order to use it in the auction. The car salesman said, "I heard about your organization. You are doing good work. Here is a relatively new used Camry. It is worth 30 thousand dollars. I will give you a deal and sell it to you for just $25,000. Eliezer was very grateful for the offer and purchased the car for the auction. Eliezer was responsible for the printing and publishing of the promotional brochures for the auction. On the front page was a large picture of the grand prize Camry, with the text, "Used Camry worth 30,000" underneath it. The auction day came and the organization sold many tickets. They raised close to a million dollars on top of their costs to support the tzedakah organization. The winner of the car was Gavriel. As soon as he won the car he brought it to his mechanic to look over. The mechanic checked out the car history and did a close inspection. It turned out that the car had been in a major accident in the past. Its engine was broken and repaired. This greatly reduced the car's value. The car was not worth $30 thousand dollars like the Chinese auctioneers advertised. It was only worth $10,000. Gavriel approached Eliezer with the following concern. "Eliezer I bought dozens and dozens of tickets for the auction and I put all of them in the car prize. I spent a lot of money on the tickets because I really wanted that Camry that was worth 30,000. However, it turns out that the car is actually worth just 10,000. Would it be possible for you to pay me 20,000 to make up the difference between the real value of the car, and the number that you advertised? When Eliezer learned that the car was worth less than he advertised, he felt terrible. It turned out he was ripped off by this used car salesman. He tried to get in touch with the car salesman but he suddenly disappeared. Eliezer understood Gavriel's concern but wondered if he really had to pay the $20,000 difference. On one hand, he advertised a car and he gave the winner the car. But on the other hand, he advertised that it had a value of $30,000. Perhaps if the value was just $10,000 he should pay the $20,000 difference? What do you think?

Answer: Regarding the question about the car that was worth less than advertised, Rav Zilberstein answered that the organization does not have to pay the difference. This is because a person's true intent when paying money for a raffle is not to buy the prize but to give tzedakah. However the organizers did do the wrong thing by not checking first to determine the value of the car.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 267

There was once an old age home in Israel that was very successful. However, the police department was running an investigation to determine whether it was violating certain health codes in its practices. The police department had strong suspicions but needed proof that the old age home was breaking the law and the codes. So, they deployed an undercover agent to find proof. The undercover agent's name was Avi, and he applied for a job in the old age home as the IT director. Avi was very proficient in this field, and the director of the nursing home interviewed him and gladly hired him. Avi was put in charge of all the IT and did an exemplary job. His boss and all the employees were really pleased with his performance, and he got along well with everybody. In the meantime, while Avi was at work, he was able to surreptitiously hide cameras in strategic places to be able to find absolute proof that the company was breaking the codes. Avi was getting a double salary. He was paid generously by the old age home for his IT work, but he was also getting paid by the Police Department for his job as an investigator. Finally, after three months, Avi had all the proof that he needed and he presented his report and his proof to his superiors in the police department. Using this proof, they saw that indeed the home was violating many laws, and they shut down the old age home. The director of the old age home was facing numerous indictments for breaking the law. Avi now had the following question: He was responsible for shutting down the old age home. He wanted to know if he was allowed to keep the salary from the old age home. On one hand, he did his job very well and they paid him for his job. But on the other hand, the whole purpose of his job was to shut down the old age home. Had his superiors known that, they never would have hired him had they known his real intentions. Therefore, perhaps he was hired under false pretenses, and he was not allowed to keep the money. This is a question that Avi brought Rav Zilberstein: Was he allowed to keep the money that he earned from the old age home that was used as the cover for his undercover investigation work?

Answer: Regarding the question about the secret investigator, Rav Yitzchak Zilberstein writes that because the investigator was doing the mitzvah of eliminating corruption (Biarta Hara Mikirbecha) and keeping the people in the old age home out of danger (Lo Samod Al Dam Re'acha), he was doing the right thing and he is allowed to keep the money of the extra salary.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 331

Israel's light rail system was an exciting and transformational project. Construction was underway in many parts of the country. The light rail was set to be built adjacent to the city of Ramat Gan. The construction went on every day. Unfortunately, the construction brought up an enormous amount of soil and dirt. The residents of Ramat Gan who lived on Hakablan Street lived closest to the construction site. Whenever anyone on the street would open their windows, large amounts of dust would go into their apartments. It was the summer and keeping all the windows closed was not feasible. The residents were really suffering and frustrated. Many people of the Ramat Gan community began to object to the construction project because the dust was so problematic. In response to the uproar, the construction company made an announcement that a new, complimentary air conditioner unit would be allotted to each apartment on Hakablan Street in order to help them for the summer. The air conditioning units would cool down the apartments during the summer, and they would also filter out the dust. The company said it was the least they could do for the inconvenience and frustration of the residents. In a short time, hundreds of brand new air conditioner units were distributed, one to each of the apartments on the street. Leah lived in one of the Hakablan street apartments. She didn't own the apartment but rented it from Mrs. Green. Leah, like everyone else on her street, got one of the brand

new air conditioning units from the construction company. About a year after the light rail construction in Ramat Gan was completed, Leah found a new apartment, which she planned to buy, in a new city. Mrs. Green, Leah's landlord, came to say goodbye to Leah on the day she moved out. Mrs. Green saw the air conditioner being loaded into the moving truck. "Is that the air conditioner that was given by the construction company because of the light rail dust?" Mrs. Green asked Leah. "Yes," Leah answered. "It works really well and I'm grateful that they gave these free air conditioners to all the residents on the street. It is really the least they could do for all the suffering we endured during the construction. Before the air conditioners were given out we had so much dust in our lungs". "I don't think you can take that," Mrs. Green said quietly. "The construction company gave one to each apartment. You can't take the unit with you when you leave", Mrs. Green said. "What do you mean?" Leah replied. "It was given to the resident of the apartment, not to the apartment itself. "I don't agree. It was given to the owners of the apartments and you were not the owner." They both agreed to bring this question to a Rav. What do you think? Can Leah keep the air conditioner? On one hand, you can argue that it should go to the one who actually lived there and who actually suffered from the dust. In that case, it should go to Leah. But on the other hand, perhaps they were given to the owners of the apartments, and in that case it should go to Mrs. Green. What do you think?

Answer: Regarding the question about the light rail and the air conditioners, Rav Zilberstein wrote that the air conditioners belong to the renter and not the landlord. This is because he paid full rent even though he was suffering from the dust.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 112

Avi owned a barbershop. One day it was busy with five customers waiting for their haircuts. Suddenly, a large man in a wrinkled suit and greasy, slicked-back hair came into the barbershop. He seemed very distressed and perturbed. He turned to Avi and said, "I'm in a big hurry. I'll pay you double for the haircut. I'll pay you $40 for the haircut instead of $20 if you let me skip the line and give me the next haircut." Avi turned to the man and said, "My good sir, it's not up to me. There are five people before you. You'd have to ask them if they would let you cut in line. If you cut in line, you'll be wasting their time." So the man turned to Avi and said, "Okay, that's fine. You'll be making $20 for each of them, but I will pay for their haircuts and double it. I will pay you $40 for each of the five, so you'll make $200 instead of $100. I'll pay for the other haircuts if you let me cut in line." Avi then turned to the men and said, "He's offering to pay for your haircut. You'll get a free haircut if you let him go first, and he'll pay me double for them. Do you mind if he goes first?" All five men looked at each other and agreed, "It's worth waiting a few extra minutes for a free haircut," they said. So they let the man go first. The big man sat down, got his haircut, and then pulled out a $20 bill, saying, "Thanks for the haircut, man," and he quickly left. Avi and all the other men realized that they were duped. The man had promised to pay $240 but only paid $20. So, the five customers said, "Well, we hope you'll keep your end of the bargain. You promised us that we'd get a free haircut if we let him go first. We did. We kept our end of the bargain; he went first. Now, we hope you'll be giving all five of us a free haircut." But Avi wasn't so sure. "I don't know. I only told you that because I thought he was going to pay, but now that he didn't, why should you get it for free?" But they said, "No, you have to keep your word. Your word is your word. You said if we let him go first, we'd get it for free. You never made it conditional on the fact that he's paying." So, this question was brought to Rav Zilberstein. Does Avi have to give the five customers a free haircut even though he never got paid? Or do the five have to pay for their haircuts because the only reason Avi made the promise was because he thought he would get paid. Now that he didn't, perhaps he would not have to give it to them for free. What do you think?

Answer: Regarding the question about the man who wanted to cut in line at the barber, Rabbi Zilberstein answered that the five people would still have to pay the barber for the haircut. This is because when the man asked to cut in line, the deal was not really between the man and the barber, but rather between the man and the five people waiting. He was essentially

paying them for their rights to that spot. Because it was a deal between the man and the five people waiting, it was the responsibility of the five people waiting to ask the man to pay before he got the haircut, and to make sure the barber gets paid. Since he didn't pay before, he still owes the money to the barber and therefore the five should pay the barber.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive

There was once a Yid named Eitan who was sitting in his neighborhood shul and learning. Suddenly, the door burst open with great force. An Arab robber entered the shul with a gun in his hand. He pointed the gun at Eitan and threatened him: “Open the locked Aron Kodesh and give me a Sefer Torah. If you don’t, I will kill you.” Eitan was not the gabbai of the shul, but he did have a key to the Aron Kodesh. This was because he was in charge of the neitz minyan in the shul, and he would open the Aron Kodesh on the days when they leined from the Torah. Eitan was not foolish at all. He understood that he could not run away. He also knew that giving a Sefer Torah to the robber was out of the question. But then a clever idea came into his mind. Slowly, he walked toward the front of the shul. But instead of going to the Aron Kodesh, he turned to the cabinet where they kept the sifrei Neviim. He knew that this non-Jewish robber would not know the difference between a Sefer Torah and a Sefer Navi, since they looked similar. Eitan also felt that it was easier to give him a Sefer Navi, because it has a lower level of kedushah than a Sefer Torah, and it also costs much less than a Sefer Torah. The robber grabbed a few sifrei Neviim and ran outside. After the robber ran away with the Neviim, Eitan called the gabbai and excitedly told him what had happened. He added, “Because of my clever idea, the shul did not lose such a huge amount of money!” Eitan expected the gabbai to praise him for his quick thinking. But he was shocked when he heard the gabbai cry out in distress. The gabbai shouted, “What did you do?! The Sefer Torah had a tracking device on it, which shows where it is at every moment. It was also insured. So I was not so worried if the robber stole the Sefer Torah, because either I would have been able to find it, or the insurance would have paid me back for it. But the Neviim do not have tracking devices. I have no idea where they are. They also were not insured. So I want you to pay me back for their value.” Eitan said to him, “Why should I have to pay you? I was only trying to help you!” They decided to go to a din Torah before my grandfather, shlita, and ask: Does Eitan have to pay for the Neviim?

Answer: Regarding the question about the stolen Sefer Torah, Rabbi Zilberstein answered that the person who gave the Haftorah did the right thing, and he does not have to pay anything for the loss to the shul. This is because the decision he made under the threat of a gun is considered to be an ones, and we do not apply the principle of adam muad l'olam; therefore, he is exempt. Secondly, he made the right calculation: it is better to give away a Haftorah than to give a Torah, because the robber may desecrate the Torah.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 491

Yoni owned a very successful jewelry and diamond business. He sold diamonds wholesale and retail and often had large amounts of cash in the store. One day Eliezer, Yoni's close friend, came into the store. Eliezer mentioned in passing that he was driving downtown. When Yoni heard that Eliezer was driving downtown, he said: "Eliezer, when you go downtown could you do me a favor and bring this package to one of our suppliers? It is an envelope with a lot of cash." "Sure" said Eliezer. Eliezer made the trip downtown. During the drive, he saw lights flashing behind him. He was being pulled over. When the officer came to the window he told Eliezer that his registration sticker was expired. But when the officer looked into the car he noticed the envelope with bundles of cash. The officer thought the envelope looked suspicious and decided to investigate the envelope further. After calling the case into the station, the officer was told that the serial numbers on the bills matched serial numbers that were counterfeit. After some brief investigation it became clear that indeed much of the money in the envelope was counterfeit bills. Sadly, Eliezer got arrested. Eliezer was freed on bail, and after hiring an attorney, he was eventually acquitted of all the charges. It turned out that a

customer of Yoni was the source of the counterfeit bills. In total, with the fees for posting bail, and the legal fees, Eliezer lost close to $20,000 dollars. Yoni of course felt terrible about the story. He wanted to know if he had an obligation to pay Eliezer for all the damage that was caused. One on hand, Eliezer got into legal trouble because Yoni asked him to transfer the money. But on the other hand, Eliezer got pulled over because he had an expired registration. Had the registration not been expired, there is a good chance Eliezer would not have been arrested. This question was brought to Rav Zilberstein. What do you think? Does Yoni have an obligation to pay Eliezer for the financial damage he caused him?

Answer: Regarding the question of the counterfeit money, Rav Zilberstein answered that the store owner was not obligated to pay.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 154

A religious Jew named Chaim, who lived in Israel, needed urgent medical treatment on Shabbos. There was a doctor who lived nearby who was an expert in that field. He was Jewish but not religious. Chaim knocked on his door and told the doctor of his urgent need for treatment. The doctor said "I can help you but I need to be paid before I do the treatment". Chaim asked if he could pay right after Shabbos, but the doctor said that the only way he would perform the procedure was if Chaim would pay upfront. Chaim knew that one is allowed to violate the Shabbos in the case of a medical emergency. He quickly went home and got his checkbook. He asked the doctor how much the fee was. "500 Shekels", the doctor answered. Chaim opened his checkbook and wrote 1000 shekels. "Excuse me, I think you made a mistake. I said 500 not 1000", said the doctor. "Yes," answered Chaim. "But to write 500 in Hebrew is 7 letters (חמש מאות). To write 1,000 in Hebrew is just 3 letters (אלף). That is why I wrote 1,000." The doctor was quiet, and quite impressed. He proceeded to perform the medical procedure. Chaim was healed and went home happily. Later that day, the doctor thought for a long time about what had transpired. This religious Jew was willing to spend 500 extra shekels in order to avoid writing 4 letters on Shabbos. The doctor was so moved that he resolved to learn more about the significance of Shabbos. Sure enough, after a while, the doctor became shomer Shabbos because of this story. During the doctor's tshuva journey, he met with Rav Zilberstein. He told him the whole story outlined above and asked two questions. First, was the doctor allowed to cash the check? On one hand, Chaim willingly gave him the 1000 shekel. But on the other hand Chaim didn't really want to spend that much money, he just didn't want to write unnecessarily on Shabbos. The second question he asked was if Chaim's decision to write a 1000 shekels rather than 500 is what the halacha really requires one to do, or was Chaim being extra stringent? Does the halacha require one to spend more money in order to write less letters?

Answer: Regarding the question about the check with the extra 500 shekels, Rav Zilberstein writes that the doctor is allowed to deposit and keep the money, and that the patient did not have an obligation to spend the extra money if it would be difficult to do so. It was of course a great mitzvah and a Kidush Hashem.

— Source: Rav Yitzchak Zilberstein, Hebrew Veharev Na Volume Two, p. 375 (Table Talk Edition #218 (Parshas Beshalach))

Two families lived in a two-family home. One day, oil was discovered beneath the property. One family wished to sell the property to capitalize on the discovery, but the other family refused. Can the family wishing to sell compel the other family to agree to the sale?

Answer: They can if the bother is not too great and the gain is great.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 64

A man was shopping in a department store in Israel. He was trying in clothes when the store closed a bit early and he got locked inside. He was stuck in the store can he break the glass? Also that night he had yahrtzeit. Can he make a minyan with people outside?

Answer: Based on the Gemara in Bava Kamma (28a) and Shulchan Aruch (Choshen Mishpat 412:2), Rav Yitzchak Zilberstein rules that a customer who was inadvertently locked inside a store overnight (especially before Shabbos or Yom Tov, or without food and water) is not required to remain imprisoned until the next day; if he cannot reach the owner by phone to open the door, he is permitted to break the lock or door to free himself, and afterwards he must take reasonable steps to notify the owner or guard the entrance so thieves do not loot the store.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 344

Sarah had a friend, Rachel, who once asked to borrow her car. Sarah said, "Sure not a problem", and she handed Rachel her keys. Rachel came back a few hours later with a greatly distressed look on her face. She also held a ticket of $800. "What happened?", Sarah asked her. Rachel said this is what happened: I was driving on the highway and I got an important phone call. I answered the call and shortly after I remembered that our state recently prohibited driving while using a cell phone. I tried to finish the call, and of course, I passed a police officer. The police officer saw me on the phone and turned his lights on, pulled me over and asked me for my registration. I passed him the registration that was in the glove compartments and he came back a few minutes later with a big frown. He said, "Ma'am, this registration has been expired for the past four years. What I'm going to do for you is I'm going to drop the ticket for driving while on the phone. Instead, for every year that registration was expired, I'm going to give you a ticket for $200. Therefore I'm gonna write you a ticket for $800." "I tried to explain to the officer that it wasn't my car but he was not sympathetic. So I'm sorry but here is your $800 ticket because you didn't get your registration updated", Rachel concluded. Sarah felt very uncomfortable. "Why should I have to pay this huge ticket? I have been driving for the past four years and there was never a problem. I never got pulled over, and I never make any careless choices that would attract the police. You got pulled over because you carelessly were talking on your phone. You have to pay the $800 because it was your carelessness that caused the ticket. I never would have gotten the ticket. But Rachel replied that she wasn't the owner of the car and it wasn't her responsibility to update the registration. Why should she pay for the ticket for this expired registration if that was not up to her? This question was brought to Rav Yitzchak Zilberstein. What do you think? Who is responsible to pay for the ticket, the one who owned the car and neglected to renew the registration or the one who got the ticket because she was carelessly on the phone?

Answer: Regarding the question of the expired registration, Rav Zilberstein wrote that the owner of the car has to pay the fine.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 70 (Table Talk Edition 250)

STORIES FROM OUR SAGES:

❖ Alexander of Macedon once traveled to the distant land of the King of Katzia. The king showed him vast stores of gold and silver, and Alexander said: 'I do not need your gold or silver—I came only to see your customs and how you judge cases!' While they were speaking, two men came before the king for judgment. One said: 'My lord, I bought a ruined plot of land from this man, and as I was digging in it to lay foundations, I found a buried treasure of gold! I told him: Take your treasure, for I bought only a ruin, not a treasure!' The seller answered: 'Not so! I sold you the ruin and everything inside it from the depths to the sky, and I fear taking what is not mine!' The King of Katzia called one of the men and asked, 'Do you have a son?' 'Yes,' he replied. He asked the other, 'Do you have a daughter?' 'Yes,' he replied. The king ruled: 'Let your son

marry his daughter, and let the treasure belong to both of them!' Seeing Alexander's astonishment, the king asked him: 'How would you have judged this case in your land?' Alexander admitted: 'We would have executed both of them as fools and confiscated the treasure for the royal treasury!' The King of Katzia then set a table before Alexander with loaves of gold and poultry of gold. Alexander exclaimed, 'Do I eat gold?!' The king replied, 'Then why do you love gold so much?' The king asked him, 'Does the sun shine in your country? Does rain fall in your country? Are there small farm animals in your country?' When Alexander said yes, the king declared: 'Then it is only in the merit of those innocent animals that the sun shines and the rain falls upon you!'

Talmud Yerushalmi, Bava Metzia 2:5 (8c; cf. Talmud Bavli, Tamid 32b)

INSPIRATIONAL STORIES:

❖ Rav Chaim Ze'ev Charash, the maggid of Riga, related the following story which illustrates Reb Chaim Soloveitchik of Brisk's sensitivity and integrity. Reb Chaim traveled to Riga, the capital of Latvia, and was invited to conduct a din Torah there that involved the brothers Berlin, well-known gvirim, rich men of the city. After giving his judgment, Reb Chaim was preparing to leave for Brisk when the litigants presented him with the payment for his work, amounting to several hundred rubles. Though they pleaded with him, the rav refused to accept a single kopek. He insisted as well that they not send any money after him to Brisk, saying that it would be expensive for him to send the money back by mail. He did at least accept reimbursement for his travel expenses. After some weeks had passed, Reb Chaim returned to Riga. He arrived at the Berlin home very early in the morning while most residents of the city were still asleep. Who was knocking on the door at such an hour? How surprised they were to see the rav of Brisk standing there. Reb Chaim explained simply, "I came to accept the money that you wanted to give me for presiding over the din Torah. I must leave immediately." The wealthy men were pleased to give him the amount he was due, and the rav hurried back to Brisk. Only later was it revealed why he had suddenly appeared in Riga. It turned out that he had been asked to pray for a poor woman who was soon to give birth, and whose life was in danger. The Jewish doctor of Brisk, Dr. Sharshavsky, had advised them to call for a specialist from Berlin, Germany, who could treat the patient and save her life. However, the woman did not have the means to pay him. Reb Chaim was not satisfied with solely praying for the woman's health; he considered what other efforts could be made to save her life. Then he came upon the idea to go back to Riga and accept the money that had been offered him there. Surely, for such a situation it was permissible, and possibly an obligation, to accept payment.

From The Brisker Rav, by R' Shimon Yosef Meller, published by Feldheim

❖ The Sm"a (so named for the acronym of the title of his commentary on Shulchan Aruch, Sefer Meiros Einayim) was once involved in a din Torah. Before he entered the beis din, he prepared what he considered winning arguments on his behalf and he was shocked when the dayanim ruled in favor of his opponent. "Can you explain why I'm wrong?" the Sm"a asked. Apparently unaware of the identity of the man standing before him, the Av Beis Din took out a Shulchan Aruch pointed to a comment from the Shach, upon which he had based his ruling against the Sm"a. "How wondrous are the words of Chazal," exclaimed the Sm"a. "They said that a person cannot see past his own interests — - and because I had a personal interest in this case, I didn't remember my own comment on the Shulchan Aruch!"

Rav Ovadia, By Rabbi Yehuda Heimowitz, published by ArtScroll Mesorah

❖ Seeing how desperately ill their rebbe was, the chassidim wanted to summon a medical specialist:' perhaps he would still be able to do something. The patient was Reb Yekusiel Yehudah Teitelbaum, the author of Yitav Lev, and the grandson of Reb Moshe Teitelbaum of Ujhely. He would not hear of the suggestion, and said: "Let me tell you a story that happened in Poland about two hundred years ago." This is the story he told his chassidim. Rabbi Yoel Sirkes, the celebrated author of Bayis Chadash, one day visited his renowned son… in-law, Rabbi David ben Shmuel HaLevi, the author of Turei Zahav. (The two scholars are commonly known by the acronyms of the titles of their legal commentaries, as Bach and Taz, respectively.) The entire town turned out to welcome him. One young scholar alone did not step forward to extend the traditional

greeting of "Shalom." "How is that possible?" Rabbi David ben Shmuel protested. The young man answered that he had been informed by the mouth of Eliyahu the Prophet, of blessed memory, that the visiting luminary had been placed by heaven (God forbid!) under a ban. The reason was that when he was once passing through a certain town he encountered two men who were arguing about a wagon full of wood that one of them had bought from the other. The purchaser held that the agreed price was three gold coins, while the seller claimed that they had agreed on three gold coins and one-tenth. Seeing Rabbi Yoel Sirkes, they had asked him to adjudicate their lawsuit. "What sum is under dispute?" the famed rabbi asked. "A tenth of a gold coin," they said. "And should I be held up in the middle of a journey," he protested, "for litigation involving a tenth of a coin?" The accusing angels in heaven made much of his retort, for the rule the Sages teach us is, "A suit involving one copper coin is to be treated as earnestly as a suit involving a hundred coins." Having now heard such a story about his father-in-law, Rabbi Shmuel asked him whether the account of it was true - and indeed it was. It was clear to them both that this young man had been caused by Divine Providence to be present at this time and place in order that the misdeed should be set right, and a rabbinical court of three was immediately constituted, and charged with annulling the ban. Rabbi Yoel then said to the young man: "Since I see that in the eyes of heaven you are a man of some stature, I would ask a favor of you. I would like to give you the manuscript of my commentary on the Arba'ah Turim, which I plan to publish under the title Bayis Chadash. Before it goes to press, I would like you to look over it and to give me your opinion on it." Some time later Rabbi Yoel asked him if he had completed his perusal of the manuscript and if he was ready to return it. "I won't want to return it to you even in twenty years' time," said the young man. "Why so?" asked Rabbi Yoel. "If the book does not meet with your approval, then please tell me, for did I not give it to you in order to hear your critical comments?" "Your book is good and does good," the young man assured him. "However, as soon as you publish it and distribute it around the world, you will have completed your life's task of tikkun, of setting yourself in order: you will have nothing more to do in This World. And that is precisely why I want to delay its publication - so that you should continue living with us here." "If that is what is holding you back," said Rabbi Yoel, "then I hereby commit my soul to my Creator, and will not delay the publication of the boo for the reason you give, because the world needs it." The young man had no option but to return the manuscript to its author, who proceeded to have it published, volume by volume, beginning in 1631. And in 1640, soon after the appearance of the final volume, Rabbi Yoel Sirkes passed away. Reb Yekusiel Yehudah had completed his story. "And so it is with me, too," he said to the chassidim who stood anxiously around his sickbed. "If with the help of the Almighty I have already set my spiritual affairs aright, then I have nothing more to do in This World - and I do not want you to call another doctor.

A Treasury of Chassidic Tales on the Festivals, By Rabbi Shlomo Yosef Zevin, published by ArtScroll Mesorah, p. 177

❖ Nosson Grossman lived in Yerushalayim in 1949. It was very hard to earn a living. He made a livelihood by selling milk door to door. After a while he developed a steady milk route and was able to make a meager but sufficient parnasah to support his family. But tragically he became ill, and the doctors said he had to be hospitalized for several weeks. A few days after he was admitted to the hospital he heard that his competitor, Pinchas Ravitz began selling milk on his route. Nosson said it makes sense. Someone has to do it and I can't be there for my customers. Hashem will provide for my parnasah in another way. After a few weeks he was finally able to return home. On the first night home he began to think about new options for a livelihood now that his milk route was taken over. Suddenly a man knocked at the door. It was Pinchas Ravitz, his competitor. "How can I help you". He took out a large stack of bills, "I have your money". What money. "Well, while you were sick I decided to continue your milk route so that you can continue to have a parnasah. "I can't take it is your money you did all of the work", said Nossen. "No it was your customers and I did it for you, said Pinchas. They each refused to give in and decided to go to a Din Torah. Pinchas insisted that Nosson take the money and Nossen insisted that it belonged to Pinchas.

Visions of Greatness, Vol. 2, By Rabbi Yosef Weiss, Published by CIS Publishers, p. 135

❖ Two women once came to Reb Archik, the Rav of Lomza, with a din Torah.' They were neighbors who shared a clothesline and now each claimed an entire wash as her own. Reb Archik told them to leave the laundry with him and he would announce his psak (verdict) the following morning. After the women left, he took some of his own clothing and mixed it with the bundle they had left. The next day he called in one of the women and she immediately picked out her laundry, separating Reb Archik's from it, stating "These are not mine." When the other woman's turn came, she looked over the laundry and stated with a conviction that betrayed her dishonesty: "The entire laundry is mine!" The city of Lomza was in a stir over the practical wisdom of their Rav.

The Torah Personality, By Rabbi Nisson Wolpin, Published by Mesorah Publications

❖ One day two young women came to Rav Yisrael Belsky's classroom for a din Torah. One had bought a very expensive sheitel and had given it to the other woman to cut. The first woman said that the second one had ruined the sheitel and wanted compensation. Both women were very refined. They came with prepared written presentations articulating their respective points of view. It was obvious that their husbands, who were talmidei chachamim, had provided the material for these presentations. Rav Belsky and his fellow dayanim were able to resolve the dispute in a way that left both parties happy. Usually when a case was settled, the psak would be recorded in a few short lines. This time, however, Rav Belsky turned to the other dayanim after the women had left and said, "We are going to write in detail everything that was discussed. The psak will be around five or six pages." He later explained why: It was obvious that the women's husbands had provided their respective arguments. It was quite possible that one or both husbands were upset that their wives had become involved in such a dispute. Rav Belsky could envision a husband having told his wife, "I'll tell you what to argue, but I am not going to court with you. Resolve it on your own." When the woman would return home with the compromised psak, her husband might become upset. "You don't know how to argue a case! If I would have been there, there would not have been a compromise. We would have won." Rav Belsky hoped that by writing a detailed report of the proceedings, they would be showing the husbands that their resolution was correct; therefore, there was no reason for them to be upset.

From Rav Belsky, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

A. NOT TO JUDGE ALONE

(Rabbinically Mandated Mitzvah), Sefer Chareidim 47-18

SEFER CHAREIDIM

It is taught in Pirkei Avos: 'Do not judge alone, for none may judge alone except One' (Avos 4:8). Accordingly, a judge is forbidden to sit as a solitary adjudicator over monetary disputes, even if he is an expert scholar, unless both litigants explicitly accepted him upon themselves, for singular, solitary judgment belongs exclusively to the Master of the Universe.

INSPIRATIONAL STORIES:

❖ R' Alter Koppel, a student of Rav Baruch Ber Liebowitz, related the following story: On the day after Yom Kippur, "Rav Baruch Ber called me down and asked me to bring two of his dayanim. I asked him: 'You always ask for three dayanim. Why only two today?' Rav Baruch Ber replied, 'For today's purpose, I am counting you in.' When we sat around his table, Rav Baruch Ber began: His daughter had been engaged to a bachur from the yeshivah. His name was R' Itcheh. He was a great scholar, tall and handsome. Rav Baruch Ber had even bought R' Itcheh a new hat and suit. The day after the engagement, Rav Baruch Ber called him in and said, 'R' Itcheh, it is improper for you to remain in the same city as your bride. It's best you for you to go to another yeshivah until the wedding. The bachur then went to the Volozhin Yeshivah. There in Volozhin

a wealthy man set his eyes upon R' Itcheh and decided he wanted him for his daughter." When the bachur met the daughter of the wealthy man, he decided that the rich man's daughter's better looks were enough of a consideration to jilt his bride. The scoundrel agreed to the wealthy man's proposition and he returned the gifts Rav Baruch Ber had given him. But then with no small measure of chutzpah, R' Itcheh asked Rav Baruch Ber, his rebbe, for a letter of recommendation. So what did our Rebbi want of us? He explained: 'You know my misfortune. 'But I want to send a nice letter about the young man because he is, after all, an outstanding scholar. However, I cannot rely on my own judgment as to what to write because I may be holding a grudge against him deep in my heart. I have prepared a letter and I ask you to look it over to see if I did the young man justice. We looked at the letter and saw what our master had written: He is a Sinai Veoker Harim - widely knowledgeable and (possessed of such acuity as to be) able to "uproot mountains" (through pilpul)' and 'Baal midos Tovos (a person of fine character') and other superlatives. I was only 16 years old at the time but I remember it like yesterday. It was so painful. In my eyes, Rav Baruch Ber had passed a test akin to Akeidas Yitzchok. After what the bachur did to him, he still ruminates about whether he is giving him enough honor!" Rav Baruch Ber then wanted the Alter's son R' Maisheh Finkel to marry this daughter but that did not work out. Eventually, she married R' Yitzchak Turetz - in 5679 [1919]. She did not marry until 13 years later!

As told by Rav Nossen Kamenetsky, zt"l

50. To obey the ruling of the judges

(Torah Mandated Mitzvah), Sefer Chareidim 11-6

As it says "to the judge that will be in those days (Devarim 17:9. Parshas Shoftim)"

SEFER CHAREIDIM

It is an active positive mitzvah to heed and obey the rulings, decrees, and enactments of the authorized judges (dayanim) and rabbinic leaders established over Klal Yisroel in every generation, as Scripture commands: 'And you shall act according to the word that they tell you... and you shall take care to perform according to all that they instruct you' (Devarim 17:10).

STORIES FROM OUR SAGES:

❖ Rabban Gamliel kept diagrams of the shapes of the crescent moon on a tablet and on the wall of his upper chamber to examine witnesses who came to testify about the new moon. Once, two witnesses testified that they saw the old moon in the east in the morning and the new moon in the west in the evening. Rabbi Yochanan ben Nuri declared them false witnesses, yet when they came to Yavneh, Rabban Gamliel accepted their testimony. On another occasion, two witnesses testified that they saw the moon at its expected time, yet on the following night it was not visible. Rabban Gamliel accepted them, but Rabbi Dosa ben Harkinas objected, 'They are false witnesses! How can people testify that a woman has given birth when the next day her belly is still swollen?' Rabbi Yehoshua agreed: 'I see the logic of your words.' Hearing this, Rabban Gamliel sent an order to Rabbi Yehoshua: 'I decree upon you to appear before me carrying your walking stick and your money on the day that Yom Kippur falls according to your calculation!' Rabbi Akiva went and found Rabbi Yehoshua deeply distressed. Rabbi Akiva comforted him by expounding the verse, 'These are the appointed festivals of Hashem, holy convocations, which you shall proclaim' (Vayikra 23:4)—teaching that whether the court proclaims them at their proper time or not, Hashem recognizes no festivals other than those sanctified by the court. Rabbi Yehoshua then visited Rabbi

Dosa ben Harkinas, who told him: 'If we question the court of Rabban Gamliel, we would have to question every single court that has stood from the days of Moshe until now! Every court of three in Israel carries the binding authority of the court of Moshe.' Convinced, Rabbi Yehoshua took his walking stick and his money in his hand and traveled to Yavneh to Rabban Gamliel on the very day he had calculated to be Yom Kippur. Rabban Gamliel rose, kissed him on his head, and said to him: 'Come in peace, my master and my disciple—my master in wisdom, and my disciple because you accepted my words!'

Mishnah, Rosh Hashanah 2:8–9

❖ Shimon ben Shetach once saw a man holding a sword and pursuing another man. Shimon followed them and saw the murdered man dying and the sword dripping with blood in the hand of the pursuer. Shimon said, "What can I do? I have no power over your life. The Torah says, 'By the mouth of two witnesses... shall he that is to die be put to death' (Devarim 17:6), but He who knows man's thoughts will punish the murderer." Before they left, a snake bit the murderer and he died (Sanhedrin 37b). Later, enemies of Shimon ben Shetach plotted vengeance and gave false witness against Shimon's son, who was thereupon sentenced to death. When he was on his way to be stoned, the witnesses confessed their perjury. Shimon wanted to have the sentence reversed, but his son said, "Father, if you want salvation to come through you, let the law take its course."

Talmud Yerushalmi, Sanhedrin 6:3

INSPIRATIONAL STORIES:

❖ Once, a Rosh Yeshivah came to discuss something with Reb Moshe Feinstein. While being ushered in, the visitor was told that Reb Moshe had been lying down, for he was ill. Later, Reb Moshe told his visitor the source of his illness. "I was compelled to say something that caused anguish to another Jew," he said painfully. As much as he respected Reb Moshe as a man of truth, the visitor found this difficult to believe — until Reb Moshe explained himself: He had been judging a dispute and had stated his opinion. The party he had ruled against could not accept Reb Moshe's decision and continued to adamantly defend his position. Finally, Reb Moshe was forced to remark, "You must realize that it is difficult for a person to see things objectively when he has a personal interest in a matter." Reb Moshe feared that the man might have felt hurt by this comment. It was this that had caused him to become physically ill.

Reb Moshe, Expanded Edition, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

51. A judge cannot make any perversions of justice

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 69

As the Torah says, You shall do no injustice in judgment (Vayikra 19:15, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What are perversions of justice?
- Is it wrong to delay verdict on a case more than necessary? Who is that injustice towards?

SEFER HAMITZVOS HAKATZAR

This negative commandment warns a judge never to pervert justice — neither by acquitting the guilty party nor by finding the innocent party liable, as Scripture states: 'You shall do no injustice in judgment' (Vayikra 19:15).

Included within this prohibition is the injunction against unjust delay of a verdict (inui ha-din). Once the correct ruling becomes clear to the judge, if he deliberately prolongs deliberations on self-evident matters to cause anguish or distress to one of the litigants, he is guilty of perverting justice.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 233)

Only through justice can society and civilization be maintained.

OHR HACHAIM

Hashem allocates all of the financial means that a person will get at the beginning of the year. Hashem expects that people will secure those means through the channels of justice. But when a judge perverts justice and awards money to one who is not entitled to it, he is frustrating Hashem's plans for mankind.

SFAS EMES

• In Parshas Shoftim, the Sfas Emes examines the classic Midrash on the verse: "Lo sateh mishpat" — "You shall not pervert judgment." The Midrash delivers a chilling warning: "Know that justice is one of the three pillars of the world; if you pervert judgment, know that you shake the entire universe!" Why does a flawed judicial ruling in a small village dispute have the power to shake the heavens? According to the Gerer Rebbe, the world stands upon three foundational pillars: Torah, Avodah (service), and Gemillus Chassadim (deeds of loving-kindness), which correspond to Truth, Justice, and Peace. A judge does not just resolve a monetary quarrel. He holds up one of the three legs that support reality! When a judge speaks the truth, he strengthens the pillars of heaven. But when he perverts justice, he introduces instability into the universe (Sfas Emes, Devarim, Shoftim 5653).

• In a luminous discourse on Parshas Shoftim, the Sfas Emes meditates on the famous double command: "Tzedek tzedek tirdof" — "Justice, justice shall you pursue." Why did the Torah double the word tzedek? Our Sages explain: "Pursue justice with justice" (rdof tzedek b'tzedek)—meaning that even the pursuit of justice must be conducted through righteous methods, never through falsehood! Why is the word doubled? Truth is infinite, the Gerer Rebbe teaches, because Hashem Himself is the God of truth. In the realm of falsehood, a person can achieve quick, deceptive victories. But falsehood has no feet (sheker ein lo raglayim); it collapses under its own weight. A judge who bends the rules to achieve what he considers a "good" verdict has corrupted the very essence of justice. Hashem does not need our clever tricks to vindicate the truth (Sfas Emes, Devarim, Shoftim 5631).

• In Parshas Shoftim, the Sfas Emes explores a deep mystery of Jewish law. Why does the Midrash say that perverting justice shakes the world, while Scripture promises that executing true justice brings life and peace? But the Sfas Emes reveals a profound secret: it is precisely through strict, unbending justice in the earthly courtroom that Divine mercy is awakened in heaven! When judges execute honest judgment down below, the demonic forces of accusation are silenced. But when judges compromise justice on earth, harsh judgment is

unleashed from above! In the Midrash: "If you tilt the judgment, know that the world shakes, for it is one of its legs." Our Sages taught that when judgment is executed below, there is no need for harsh judgment from Above. When a judge rules strictly according to the Torah, he cleanses society of crime and oppression. He removes the spiritual blockage that prevents Hashem's blessing from reaching the world (Sfas Emes, Devarim, Shoftim 5633).

• Turning once more to Parshas Shoftim, the Sfas Emes addresses the psychology of the seeker of truth. Why does the verse say: "Tzedek tzedek tirdof" — "Justice, justice shall you pursue"? The word "pursue" (tirdof) implies that justice is running away from you! Here the Rebbe points out that when a judge studies a case and attains an initial insight into the truth, his work has only just begun! The greatest danger in judgment is complacency. Once a judge thinks, "I already understand this case perfectly," his mind closes. Human bias and subtle self-interest immediately creep into his thoughts. The command to continually pursue justice reminds a judge to never grow complacent. By constantly checking our motives, we keep our judgments aligned with Hashem (Sfas Emes, Devarim, Shoftim 5635).

• In Parshas Shoftim, the Sfas Emes raises a fascinating question on the words: "Lo sateh mishpat" — "You shall not tilt (or pervert) judgment." How can a mortal judge "tilt" judgment? To unlock this verse, the Sfas Emes reveals that the word mishpat refers to the natural spiritual order that Hashem implanted within the souls of Israel. Scripture proclaims: "He declares His words to Yaakov, His laws and His judgments to Israel" (Tehillim 147:19). The judgments of the Torah are not arbitrary decrees; they are the natural laws of the Jewish soul. The judge who perverts justice does not just wrong the disputing parties; he inflicts spiritual violence upon his own heart. He forces his soul to live a lie, cutting himself off from the wellspring of Divine life (Sfas Emes, Devarim, Shoftim 5634).

STORIES FROM OUR SAGES:

❖ The Mishnah states: As for a known cheat, even if he states the identifying marks of a lost object, one must not give it to him. Our Sages taught: Originally, anyone who lost an object would simply state its identifying marks and take it back. Once impostors proliferated (who overheard neighbors describing their lost items and claimed them falsely), the Sages enacted that the court tells the claimant: “Go out and bring witnesses who know that you are not a cheat, and then take your lost object.” This is illustrated by the incident in which the father of Rav Papa lost his donkey, and others found it and brought it to court. He came before the judge Rabbah bar Rav Huna and stated its identifying marks. Rabbah bar Rav Huna said to him: “Go bring witnesses that you are not a cheat, and take your donkey.” He went and brought character witnesses. Wanting to test whether these witnesses were sharp and perceptive enough to recognize a cheat, Rabbah bar Rav Huna deliberately phrased the standard court question backwards and asked them: “Do you know about this man that he is a cheat?” Assuming that the great judge was asking the standard court question — “Do you know that he is NOT a cheat?” — the witnesses immediately answered: “Yes!” Startled, the father of Rav Papa turned to his witnesses and cried out: “Am I a cheat?!” The witnesses replied to him: “We meant to say, ‘Yes, we know that you are NOT a cheat!’” Even though witnesses in court are normally never allowed to retract or change their first statement once spoken, Rabbah bar Rav Huna ruled: “Here, it stands to reason that from the very first moment they meant he is honest — for a person does not bring character witnesses to court to testify against himself!” And he returned the donkey to the father of Rav Papa.

Talmud Bavli, Bava Metzia 28b

52. The judge cannot be intimidated by any of the litigants

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 72.

As the Torah says, you shall not be afraid of the presence of any man (Devarim 1:17, Parshas Devarim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Can a judge avoid condemning a mafia leader because of fear of retaliation?
- Can the judge not want to take the case because it involves a dangerous person?
- If a student is sitting in front of his teacher and sees his teacher making a ruling that seems questionable, should the student remain silent?

SEFER HAMITZVOS HAKATZAR

A judge is forbidden to be intimidated by any litigant standing before him, even if that person is formidable, violent, or powerful; the judge must never compromise the truth out of fear that the litigant might harm him, as Scripture warns: 'You shall not dread any man, for judgment belongs to God' (Devarim 1:17).

So long as the judge has not yet determined where the truth lies, he is permitted to recuse himself from the proceeding, declaring: 'I am not obligated to adjudicate your dispute.' However, once he has heard the litigants' claims and recognized which way the law inclines, he has no right to withdraw from the case out of fear of either party.

Included within this prohibition is the duty of a student sitting before his master during a judicial proceeding: if he perceives an argument that vindicates the poor litigant and disadvantages the wealthy one, yet he remains silent out of intimidation or deference, he violates this negative commandment.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

ABARBANEL (DEVARIM 1:17)

If a judge is afraid, he may come to make a perversion of justice.

SFAS EMES

• In Parshas Shoftim, the Sfas Emes ponders the famous Midrashic parable: A king owned an exquisite royal orchard (pardes). The Sfas Emes explains that Hashem implanted His own Divine presence within the judges of Israel! When an upright judge sits in judgment, he is supported by a power far higher than nature. Therefore, how could he possibly fear any mortal man? In the Midrash: "Hashem loves judgment, and loves Yaakov, and

handed the orchard over to them." Scripture says "the judgment is Hashem's"—meaning that when judgment was given to Israel, it was given as a heavenly power. If a judge thinks, "I am just an ordinary person trying to survive in a hostile town," he will tremble before the threats of powerful men. But when he remembers that he represents the King of the universe, mortal intimidation loses all power over his heart (Sfas Emes, Devarim, Shoftim 5647).

• In Parshas Mishpatim, the Sfas Emes investigates Rashi's classic opening comment: "And these are the judgments which you shall set before them" (Shemos 21:1). Rashi explains: "Just as the first commandments were given at Sinai, so these civil laws were given at Sinai." Why was it necessary to emphasize that commercial laws and property disputes were given at Sinai? The Sfas Emes cites the foundational principle: "The judgment is Hashem's." In truth, human minds can never arrive at absolute, divine justice on their own. Left to human intellect, laws become tools of the strong to exploit the weak. But at Mount Sinai, the Jewish people received the Torah and accepted the yoke of Heaven upon their souls! Through that sacred covenant, Hashem granted Jewish courts the authority to decide matters of life and death, poverty and wealth. He is not making up rules to please his neighbors or protect his career. He is simply articulating the eternal will of Hashem that was revealed at Sinai (Sfas Emes, Shemos, Mishpatim 5653).

RELATED HASHKAFAH TOPICS:

▪ Discuss the idea of not being afraid of doing what is right, because you are to trust that Hashem will help you.

STORIES FROM OUR SAGES:

❖ Reish Lakish ruled that a Nassi who sins is flogged. The Nassi got angry and Reish Lakish fled. When the Nassi went to the beis midrash and asked R' Yochanan to deliver words of Torah, R' Yochanan made the motion of clapping with one hand. R' Yehudah Nesiah asked, "Can a person clap with one hand?" R' Yochanan answered, "And can I lecture alone without Reish Lakish?" The Nassi himself went to welcome Reish Lakish's return. Reish Lakish displayed honor toward him and said, "You are like your Creator: when the Holy One came to take Israel out of Egypt, He did not send a messenger or an angel, but He came on His own." When the Nassi asked him why he made a decision that degraded the honor of the Nassi, Reish Lakish responded, "Do you think that fear would prevent me from teaching God's Torah?"

Talmud Yerushalmi, Sanhedrin 2:1

INSPIRATIONAL STORIES:

❖ Once, a meeting took place in Rav Pam's home at which were present a well-known maggid shiur and a businessman who was a wealthy contributor to many worthy causes. At one point, the two disagreed sharply over a certain point. The businessman became agitated and said something derogatory to the maggid shiur. Rav Pam rapped on the table and said, "Such words will not be heard in my house! This man is a talmid chacham, a marbitz Torah (disseminator of Torah) and has guided many talmidim over the years — you must speak to him with derech eretz." The discussion resumed and no further outbursts occurred. Many have noted that Rav Pam was able to voice his feelings in situations where others may have been afraid to do so for fear of potential fallout. The above incident is a case in point. The businessman was someone from whom Rav Pam himself would occasionally solicit tzedakah. Yet Rav Pam did not consider the possibility that by reproving the man, he might cause him to give less, or nothing at all, the next time he would be asked. If the situation called for defending the honor of Torah, nothing else mattered. For his part, the businessman knew that Rav Pam's words flowed from a heart that was pure and kind, and that if he had spoken out forcefully, he had felt that this is what the Torah required him to do.

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

53. A judge cannot accept bribes or flattery

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 71

As the Torah says, You shall take no bribe (Shemos 23:8, Parshas Mishpatim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If the judge knows that he will side in favor of one party, and that party offers him a present, can the judge accept it because the present won't sway his judgment?
- What must the judge do with the gift?
- Is a litigant allowed to flatter the judge? Would that be considered bribery?
- Is this a prohibition only against taking bribes? Is it permitted to give bribes?
- If bribery is forbidden, how can the judge get paid for his work?

SEFER HAMITZVOS HAKATZAR

A judge is strictly forbidden to accept a bribe (shochad), even if he intends to judge truthfully and render an entirely accurate verdict, as Scripture states: 'And you shall take no bribe' (Shemos 23:8).

If a judge did take a bribe, he is halachically obligated to return it to the giver, and his judgment is rendered null and void.

Even a 'bribe of words' (shochad devarim) — such as flattery, excessive praise, or performing an unearned personal favor for the judge — is strictly forbidden.

Furthermore, anyone who offers a bribe violates the negative commandment: 'You shall not place a stumbling block before the blind' (Vayikra 19:14), by causing the judge to stumble into a grave transgression.

It is permissible, however, for a judge to accept compensation equally from both litigants as compensation for lost labor (sechar batala), provided it is publicly evident that he is being pulled away from his gainful occupation to adjudicate their dispute.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice. Bribery leads to injustice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

TALMUD KESUBOS 105B

When one accepts bribes, he feels close to that person, and is considered like a part of him, and one can't see a negative thing about himself.

SEFER HACHINUCH (MITZVAH 83)

Even if one takes a gift to administer a true judgment, he is developing an extremely bad habit that may be used to pervert justice in the future.

SFAS EMES

• In Parshas Shoftim, the Sfas Emes ponders Rashi's perplexing comment on the verse: "You shall not take a bribe" — even to judge truly (afilu lishpot tzedek). The Sfas Emes explains that true justice (mishpat) is the delicate middle path between opposing extremes. To reach absolute truth, a judge must genuinely weigh both sides with an open, untethered mind. If a judge accepts a gift, his mind is locked onto one side before the trial even begins! Rashi comments that taking a bribe is forbidden even to judge truly, because it is impossible not to tilt in his favor. Even a small gift subtly tilts the heart. By refusing gifts and flattery, the judge keeps the balance of truth completely clean (Sfas Emes, Devarim, Shoftim 5635).

• In another discourse on Parshas Shoftim, the Sfas Emes meditates on the destructive power of a bribe: "For the bribe blinds the eyes of the wise and twists the words of the righteous" (Devarim 16:19). If a bribe can blind the greatest Torah scholars and turn righteous leaders into fools, how can any human being ever hope to see clearly? The Sfas Emes reveals a radiant spiritual principle: the measure of goodness is five hundred times greater than the measure of punishment (middah tovah merubah). If a tiny, corrupt bribe has the power to blind a wise scholar, imagine the magnificent spiritual illumination that descends upon a person who toils to eradicate every trace of personal bias from his heart! It is an active gateway to spiritual wisdom. When we cleanse our minds of selfish motives, Hashem grants us a profound clarity that pierces through the fog of confusion (Sfas Emes, Devarim, Shoftim 5642).

• In Parshas Mishpatim, the Sfas Emes examines the opening verse: "And these are the judgments which you shall set before them" (Shemos 21:1). The Midrash cites the verse: "He declares His word to Yaakov, His laws and His judgments to Israel" (Tehillim 147:19). The Sfas Emes asks: Why did Hashem entrust His own judicial authority to mortal judges? Scripture declares: "For the judgment is Hashem's" (Devarim 1:17). The presence of Hashem rests in the courtroom only so long as the judge functions as an impartial servant of Heaven. But what happens the moment a judge accepts a gift or seeks personal honor from one of the parties? The moment self-interest enters his heart, the judgment ceases to belong to Hashem; it becomes the judge's personal enterprise! The biased judge pushes the Divine Presence out of the courtroom and puts his own ego on the throne. But the upright judge practices self-nullification (bittul), allowing the light of Hashem to shine through his rulings (Sfas Emes, Shemos, Mishpatim 5644).

• In Parshas Shoftim, the Sfas Emes points out a profound connection in the biblical text. What connects ascending to Jerusalem three times a year to the integrity of a judge? The Sfas Emes explains that the three pilgrimage festivals correspond to the three holy Patriarchs: Avraham represents the right scale of loving-kindness and merit; Yitzchak represents the left scale of strict scrutiny and obligation; and Yaakov represents the central pillar of Truth that harmonizes and decides between them! By ascending to the Sanctuary, the people absorbed this threefold balance. That is why a Jewish court requires at least three judges, and why even a single judge must hold all three perspectives in his mind. An upright judge looks at the disputing parties through the

> kindness of Avraham, tests the claims through the rigorous scrutiny of Yitzchak, and crowns the verdict with the pure truth of Yaakov. Bribery shatters this harmony, leaving only narrow selfishness (Sfas Emes, Devarim, Shoftim 5654).

RELATED HASHKAFAH TOPICS:

- Discuss the implication of being blind to your own faults, and the consequent importance of having a mentor who can guide you, and accepting constructive criticism.

STORIES FROM OUR SAGES:

❖ The Sages taught in a Braisa: The verse (Shemos 23:8), "And you shall take no bribe," does not mean only a bribe of money; even a "bribe of words" or a small personal courtesy is forbidden to a judge! How so? Like the incident when the sage Shmuel was crossing a river on a ferry-plank, and a man came up and extended his hand to steady him as he stepped ashore. Shmuel asked him: "What brings you here today?" The man said: "I have a lawsuit to be judged before you." Shmuel immediately told him: "I am disqualified from judging your case because you steadied my hand!" Likewise, Ameimar was sitting in court judging cases when a stray feather floated down and landed on his head. A man stepped forward and gently brushed it off. Ameimar asked: "What brings you here?" He said: "I have a lawsuit before you." Ameimar said: "I am disqualified from judging your case!" Similarly, Mar Ukva once had a bit of spittle on the ground in front of him, and a man came and covered it with dirt out of respect; when Mar Ukva learned the man had a lawsuit, he recused himself at once. And Rabbi Yishmael bar Rabbi Yose had a sharecropper who managed his orchard and used to bring him a basket of figs from Rabbi Yishmael's own trees every Friday afternoon in honor of Shabbos. One week, the sharecropper brought him the basket of fruit a day early, on Thursday! Rabbi Yishmael asked him: "Why is today different from every other week?" The sharecropper replied: "I have a lawsuit to be tried in town today, so I thought along my way I would bring the Master his basket of fruit." Rabbi Yishmael refused to accept even his own fruit from him and told him: "I am disqualified from judging your case!" He appointed another pair of sages to judge the case. Yet as Rabbi Yishmael paced back and forth listening to the trial from the side, he caught himself thinking: "Oh, if my sharecropper wants to win, he could make this legal argument, or he could make that argument!" Shocked at his own heart's bias, Rabbi Yishmael exclaimed: "May the spirit of those who accept bribes despair! If I—who did not even accept the basket of fruit, and even had I accepted it, would only have been taking fruit from my own orchard—found my heart tilting in his favor simply because he brought it a day early, how much more so one who actually accepts a bribe!"

Talmud Bavli, Kesubos 105b

INSPIRATIONAL STORIES:

❖ Rav Zevy Golombeck told the following powerful story. My brother-in-law once came to my father's home a few days before Pesach. My father said, "I can't even afford basic necessities for Pesach. I'm going to have to borrow money." They were sitting together, talking about where to borrow from. While they were discussing it, there was a knock on the door. A parent of one of my father's talmidim, my father was the mashgiach ruchani in the Philadelphia Yeshivah, walked in and said, "Pesach is coming, and I know the hanhalah needs help. So I'm giving you checks for all the rebbeim. But because you put in extra effort for my child, I'm giving you a double check." My brother-in-law was amazed. Hashgachah pratis! They were just discussing how my father didn't have money, and in walks someone handing him exactly what he needs, double. But after the man left, my father took the stack of checks, found the two that had his name on them, and tore them to shreds. My brother-in-law was shocked. "What are you doing? You just said you need the money!" My father said, "I do need the money. But when HaKadosh Baruch Hu decreed how much money I'll make on Rosh Hashanah, He didn't have this in mind. Why? Because my job as mashgiach is to give mussar to the talmidim. If a parent gives me money, I might not treat

his son properly. Let's say his son deserves a mussar shmuess -- I might hold back because I feel indebted. That's called shochad. That's not fair. I must treat every talmid equally. This money could influence me not to do my job right. That's not parnassah. That's a bribe. And this is not what was meant for me on Rosh Hashanah. I'll find another way to pay for Pesach." How do we understand such clarity? There's only one answer: someone who lives with real emunah and bitachon. Someone who sees money not as a goal, not as a value in itself, but simply as a cheftza -- a tool to serve Hashem. And that's how he paskened, this money would not bring him closer to Hashem, it would pull him further. So he rejected it.

Table Talk, Edition 452 (Parshas Devarim), by Rabbi Yitzi Weiner

54. A judge must treat both litigants equally

(Torah Mandated Mitzvah), Sefer Chareidim 12-56

As it says, "With justice you shall judge" (Vayikra 19:15, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Can one litigant be allowed to speak longer than the other?

SEFER CHAREIDIM

Scripture commands: 'With righteousness you shall judge your fellow' (Vayikra 19:15). This is an explicit admonition requiring the judge to treat both litigants with absolute equality in every judicial procedure: one litigant may not be permitted to sit while the other is forced to stand, nor may one party be granted unlimited time to present his claims while the other is told to curtail his words.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we have a just and fair judicial system.

RELATED HASHKAFAH TOPICS:

▪ Discuss the idea of the blindfolded "Lady Justice" which is a Jewish concept.

STORIES FROM OUR SAGES:

❖ Ulla taught: Witnesses in court must always give their testimony standing up, as it is written (Devarim 19:17): "And the two men shall stand." And during the final verdict, the judges sit while both litigants stand equally before the court, as it is written (Shemos 18:13): "And Moshe sat to judge the people, and the people stood." During the arguments, both litigants must be treated with complete equality—the court may never let one litigant sit while the other stands, lest the standing litigant feel intimidated and his arguments become choked up! Once, the wife of the great sage Rav Huna had a lawsuit before Rav Nachman. Rav Nachman faced a dilemma: "How shall I act when she enters the courtroom? If I rise before her out of Torah respect, her opponent will feel intimidated and his arguments will become choked up; yet if I do not rise before her, I violate the law that the wife of a Torah scholar must be honored like a Torah scholar himself!" So Rav Nachman instructed his attendant: "As soon as she steps toward the door, release a young goose so it flutters toward me—and I will stand up as though rising from the startling goose, so that she receives her honor while her opponent does not feel intimidated!" And Rabbah bar Rav Huna taught: When a Torah scholar and an unlearned person have a lawsuit with

one another, the court invites both of them to sit; and the Torah scholar must never arrive early and sit conversing with the judge before his opponent arrives, lest it appear as though he is privately presenting his case in the absence of the other party!

Talmud Bavli, Shevuos 30a–b

55. A judge should not show more respect for important people

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 70

As the Torah says, nor shall you favor the great (Vayikra 19:15, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ If a great Torah scholar comes before a court, should the judge give more respect to the scholar than to his opponent?

SEFER HAMITZVOS HAKATZAR

This prohibition warns a judge that when two litigants appear before him in a lawsuit — one prominent and esteemed, and the other humble and undistinguished — he must not show deference to the eminent figure, accord him special honor, or welcome him more cordially than his opponent; neither may he extend a warmer greeting to the one than to the other (Vayikra 19:15).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we have a just and fair judicial system.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — HILCHOS SANHEDRIN 2,4

When one litigant sees the other litigant being honored and respected, he clams up and can't express his argument properly.

RALBAG

When one sees the other litigant respected, it causes him great distress and pain, and because of the distress, he is unable to express his argument.

INSPIRATIONAL STORIES:

❖ Rav Meir Chodosh, the Mashgiach of the Chevron Yeshivah, once met a member of Israel's Supreme Court, who asked him a question. The justice wanted to know what amount of money would be considered shochad, the bribery that the Torah forbids a judge from accepting from litigants. Rav Meir told him that even a few pennies would be considered

shochad, disqualifying a judge from hearing a case. The justice was disturbed by this answer. "Does the Torah have so little faith in man?" he asked. "Are the judges of the Torah so weak that a few shekels can cloud their judgment?" Rather than answer, Rav Meir asked a question of his own. "If I were standing before you in judgment, and just before the case I handed you the gift of a Parker pen, would that affect your verdict?" The judge was offended by the suggestion. "Do you think that a pen that costs a hundred shekels could influence me?" he asked in disbelief. "Do you think we are such small people?" "And what if I handed you an envelope with ten thousand dollars inside it?" Rav Meir asked. "That is a different story," the judge conceded, "and I could hear that it might impact the judge's conclusion." "So what you yourself are telling me," Rav Meir said, "is that the justice system in Israel is filled with judges who are so ungrateful that it would take ten thousand dollars to get them to feel some sort of appreciation toward another person, while the judges of the Torah feel beholden to those who benefit them in any amount. Tell me," the mashgiach concluded, "who is the small person?"

From Reb Baruch Mordche, By R' Yisroel Besser, published by ArtScroll Mesorah

A. A JUDGE CANNOT SHOW FAVORITISM TOWARDS ONE PARTY

(Torah Mandated Mitzvah), Sefer Chareidim 24-37.

As it says, "A rachil should not go among your people" (Vayikra 19:16, Parshas Kedoshim).

SEFER CHAREIDIM

Scripture warns: 'You shall not go as a talebearer (rachil) among your people' (Vayikra 19:16). Chazal homiletically interpreted the word rachil as a compound phrase: rach lazeh — a warning to a judge not to be soft (rach) and gentle to one litigant while being stern and harsh (kasheh) to the other. A judge must never validate or defer to the claims of one litigant over another before hearing both sides impartially.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• In Parshas Shoftim, the Sfas Emes examines the command to appoint judges and officers (Shoftim v'shotrim titein lecha). He explains that taking no bribe even to judge truly is a hint to cast away personal bias when doing mitzvos. The essence of judgment is to expel one's own self-interest so that the truth may be revealed! This profound insight directly explains the prohibition of showing favoritism (hakaros panim). Why does the Torah forbid a judge from favoring one party? Favoritism is an internal bribe! To produce true judgment (mishpat), the judge must empty himself of personal attachments. He must stand before both parties as if they were complete strangers (Sfas Emes, Devarim, Shoftim 5638).

STORIES FROM OUR SAGES:

❖ A high-ranking Roman commander (ducenarius) once sent Rabbi Yudan Nesi'ah a silver platter piled high with gold dinars on a pagan festival day. So as not to offend the commander and endanger the community, Rabbi Yudan Nesi'ah took a single coin from the platter and returned all the rest. He then asked Rabbi Shimon ben Lakish (Reish Lakish) what the law required regarding that one coin, and Reish Lakish ruled: 'He must take the value of that coin and cast it into the Dead Sea so as to derive zero benefit from a pagan festival gift!'

Talmud Yerushalmi, Avodah Zarah 1:1 (2b)

56. A judge should not side with the poor

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 66.

As the Torah says, neither shall you favor a poor man in his cause (Shemos 23:3, Parshas Mishpatim); and it says further, you shall not respect the person of the poor (Vayikra 19:15, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- There is a mitzvah to give charity to the poor anonymously. Can a judge side with a poor person in order to use that as a way to secretly give charity?

SEFER HAMITZVOS HAKATZAR

This negative commandment warns a judge never to pervert the law out of misplaced sympathy for the poor, telling himself: 'This litigant is an impoverished pauper, and since the wealthy litigant and I are obligated to support him anyway, I will acquit him in court so that he may support himself with dignity.' Justice must never be skewed to achieve charitable ends (Shemos 23:3, Vayikra 19:15).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we have a just and fair judicial system.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG (VAYIKRA 19:15)

This mitzvah will help promote an orderly and just society.

A. JUDGES CANNOT HAVE SUBJECTIVE PITY AND REFRAIN FROM PROPERLY ADMINISTERING JUSTICE

(Torah Mandated Mitzvah), Sefer Chareidim 21-36.

As it says, "You shall cut off her hand (fine her) your eyes should not have pity" (Devarim 25:12, Parshas Ki Seitzei).

SEFER CHAREIDIM

Scripture states: 'Then you shall cut off her hand — that is, impose a monetary penalty upon her; your eye shall not show pity' (Devarim 25:12). This verse commands the court never to withhold lawful punishment out of subjective compassion for a guilty party. Judges must not rationalize: 'This offense occurred unexpectedly or unintentionally, so why should we fine him or administer lashes to him?' Lawful justice must be administered

without sentimentality.

57. A judge should not side against the wicked

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 67.

As the Torah says, You shall not pervert the judgment of your poor in his suit (Shemos 23:6, Parshas Mishpatim).

QUESTIONS ADDRESSED BY THE HALACHAH.

- If two people are arguing in a court and one of them has a history of criminal behavior, can we look at the person's history and assume that he is guilty?

SEFER HAMITZVOS HAKATZAR

Scripture commands: 'You shall not subvert the judgment of your destitute in his grievance' (Shemos 23:6). Chazal interpreted 'your destitute' (evyoncha) as referring to someone who is spiritually impoverished — a person destitute in mitzvos. A judge is strictly forbidden to say: 'Since this litigant is a chronic sinner and a wicked man, I will bend the judgment against him.'

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just and fair judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice.

RELATED HASHKAFAH TOPICS:

- What can we learn from the fact that the Torah refers to a wicked person as the poor person?

58. Not to be unjust to the stranger and orphan

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 68

As the Torah says, You shall not pervert the judgment of a Ger or an orphan (Devarim 24:17, Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Which is worse, to be unjust to a regular person, or towards the widow and orphan?

SEFER HAMITZVOS HAKATZAR

If a judge perverts the judgment of a convert (ger) or an orphan, he violates two distinct negative commandments: the general prohibition, 'You shall do no injustice in judgment' (Vayikra 19:15), and the specific commandment, 'You shall not subvert the judgment of the stranger or the orphan' (Devarim 24:17). This prohibition applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, and holds the guilty accountable, so should we have a just and fair judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG

This mitzvah will promote justice and help prevent theft and corruption.

STORIES FROM OUR SAGES:

❖ The sharecropper who managed the estate of the wealthy Bar Ziza once deposited a pound of gold for safekeeping with a certain bailee. Shortly afterward, both Bar Ziza and his sharecropper passed away, and the bailee was unsure whether the gold belonged to the sharecropper's estate or to Bar Ziza's orphans. The case came before Rabbi Yishmael bar Rabbi Yose. He declared: "Who does not know that the sharecropper had no such gold of his own, and that everything in the hands of Bar Ziza's manager belonged to Bar Ziza? Let the gold be given to the orphaned sons of Bar Ziza!" Now Bar Ziza had left behind both grown sons and young minor orphans. To make sure the older brothers could not take advantage of the young children's share, Rabbi Yishmael bar Rabbi Yose ruled: "Let the grown sons take only their half of the gold now, and let the other half remain safely guarded in trust until the young orphans grow up, when they shall receive their full half!"

Talmud Yerushalmi, Bava Kamma 6:7 (5c)

INSPIRATIONAL STORIES:

❖ The father-in-law of an avreich who attended R' Aharon Leib Shteinman's shiurim passed away at a young age. After each shiur, R' Aharon Leib would ask the young man, "How is your mother-in-law feeling? Is everything well with her?" When this had gone on for a while, the avreich asked his mother-in-law if she or her late husband knew R' Aharon Leib. "No," she replied, "I think he is probably confusing me with someone else." More time went by, and R' Aharon Leib continued to inquire about her welfare. The avreich finally asked him if he knew his mother-in-law or her family. R' Aharon Leib replied, "I don't know them at all. I heard that your father-in-law passed away at a young age, and I feel pain for his almanah. I inquire about her after the shiur; hopefully, you will tell her that I am asking. Until now she had a husband who inquired daily about her welfare, but she has lost that. I was also hoping that if a stranger asks how she is faring, you would also inquire, or ask your wife to ask about her wellbeing. This way, the new almanah will realize that there are people who care about her and are sincerely concerned for her welfare."

From Rav Aharon Leib, by Naftali Weinberg, published by ArtScroll Mesorah

59. The judge cannot hear the claim of one litigant if the other is not present

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 65.

As the Torah says, You shall not take up a false report (Shemos 23:1, Ki Sitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If two people have a legal dispute, do both parties have to be present before one presents a claim to the court?
- Is this a prohibition on the judge alone? Can one litigant speak without the other present if the judge doesn't believe him?
- What is the idea behind this mitzvah? If the idea is that you can't believe information that may be falsely incriminating, is that limited to the court?

SEFER HAMITZVOS HAKATZAR

A litigant is strictly warned not to present his arguments to the judge before his adversary arrives, for the verse 'You shall not bear (lo sisa) a false report' (Shemos 23:1) is vocalized homiletically as lo sasi — 'you shall not cause to be borne.' Just as the judge is forbidden to hear one party in the absence of the other, so too the litigant is forbidden to plead his case ex parte.

Included within this prohibition is the ban against accepting or circulating evil slander (lashon hara), as well as the prohibition against providing false testimony in court. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we have a just and fair judicial system. Prohibiting ex parte communication ensures that the proceedings will be fair and just.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 74)

One litigant is more likely to lie if his opposing litigant is not present to challenge his claims.

Additionally, this mitzvah teaches us to keep far away from anything we suspect may be false.

INSPIRATIONAL STORIES:

❖ Rav Yitzchak Zilberstein related that a couple from abroad came to Rav Elyashiv to discuss an urgent matter. Their son was engaged and they had just discovered that their future daughter-in-law was suffering from a serious illness. The other side had concealed this information prior to the engagement. "What should we do?" they asked Rav Elyashiv. "Should we call off the shiduch?". "Who said this is the truth?" Rav Elyashiv replied. "Bring the other side, and then we'll know." The

parents showed Rav Elyashiv a medical document containing the girl's name and her diagnosis, but Rav Elyashiv would not budge. Perhaps the document is forged," he said. "Come with the other side, or go together to a rav in your city, and he will rule for you." He refused to issue a response without hearing the other side of the story.

Rav Elyashiv, By Yehuda and Malky Heimowitz, published by ArtScroll Mesorah, p. 394

A. IF THE JUDGE DID HEAR ONE'S CLAIM BEFORE THE OTHER IS PRESENT, THEN HE CANNOT BELIEVE IT

(Torah Mandated Mitzvah), Sefer Chareidim 21-24

As the Torah says, "Do not carry a bad report" (Shemos 23:1, Parshas Mishpatim)

SEFER CHAREIDIM

Targum Onkelos renders the verse lo sisa shema shav (Shemos 23:1) as 'You shall not accept a false report.' We are explicitly admonished here against accepting or believing evil reports (lashon hara) concerning our fellow Jew. The grave consequence of this sin is illustrated by King David: when he credited the slanderous report of Tziva against Mefiboshes and commanded that Mefiboshes' estate be divided with Tziva (Shmuel II 19:30), a heavenly voice (bas kol) proclaimed: 'Rechavam and Yarov'am shall divide the kingdom' (Shabbos 56a).

Nonetheless, while one is strictly forbidden to believe an unverified derogatory report as established fact, if someone warns you that another person intends to harm you, you are halachically permitted and required to take heed and take necessary precautions to protect yourself.

Included within this biblical admonition is a vital safeguard for judicial integrity: if a judge erred and listened to the claims of one litigant before the opposing party was present, he is commanded to banish those arguments entirely from his mind and give them no credence. When both parties ultimately stand before him in beis din, they must appear as absolute equals in his eyes.

B. ONE LITIGANT CANNOT TALK BEFORE THE OTHER IS PRESENT

(Torah Mandated Mitzvah), Sefer Chareidim 24-34

As it says, "Do not bear a bad report" (Shemos 23:1, Parshas Mishpatim).

SEFER CHAREIDIM

This prohibition serves as a direct admonition to every litigant: one is strictly forbidden to present his claims or discuss the merits of his case with the judge until his opposing litigant is physically present alongside him before the beis din.

60. To testify if you know information that will help a court case

(Torah Mandated Mitzvah), Sefer Chareidim 12-31

As it says, "If he is a witness and saw or knew, if he does not tell of it, he will bear his sin" (Vayikra 5:1, Parshas Vayikra)

SEFER CHAREIDIM

If a person possesses eyewitness or factual testimony concerning his fellow man, it is a positive commandment for him to appear and testify in beis din whenever the court's judgment can be rendered on the basis of his testimony, as Scripture states: 'If he is a witness, having seen or known the matter, yet he does not disclose it, he shall bear his iniquity' (Vayikra 5:1).

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• In Parshas Pekudei, the Sfas Emes ponders the opening verse of the Tabernacle's audit: "These are the reckonings of the Tabernacle, the Tabernacle of the Testimony" (Shemos 38:21). Why are both the Tabernacle and the Tablets called "the Testimony" (ha-edus)? He explains that there are two distinct realms of human perception. "Seeing" represents physical perception in the material world below. "Knowing" represents the inner, spiritual comprehension of the soul above. All of creation was called into being to testify to the Creator! When a Jew stands before a court and testifies about what he has seen or known, he unites these two realms. When we report what our eyes saw in the marketplace, we elevate a physical event into the realm of sacred truth. We demonstrate that our physical life is accountable to the spiritual order of the Torah (Sfas Emes, Shemos, Pekudei 5643).

• In Parshas Yisro, the Sfas Emes addresses the famous Talmudic rule in Tractate Kesubos (20a): "A man may write down his testimony in a document and later testify from it, even after many years." Although a witness might forget the details with the passage of time, reviewing the signed document jogs his memory, allowing him to testify with confidence. The Sfas Emes explains that all Jewish souls stood at Mount Sinai and heard the proclamation: "I am Hashem your God" (Shemos 20:2). At that moment, absolute truth was etched into the spiritual memory of every Jew. But when the soul descends into earthly life, the noise and distractions of the world cause it to forget its divine origin! The written Torah serves as that enduring document of reminder (shtar). When a person steps forward to verify a transaction from years ago, he rescues an obscured fact from the darkness of time. He proves that truth is not swallowed by the passing years (Sfas Emes, Shemos, Yisro 5660).

• In Parshas Vayikra, the Sfas Emes meditates on the solemn warning: "If he does not tell it (im lo yagid), then he shall bear his iniquity" (Vayikra 5:1). Why does the verse use the word yagid (tell or declare) rather than the common word yedabeir (speak)? The Sfas Emes reveals that haggadah comes from the root of drawing down (hamshachah), as in the phrase gid (a flowing vein or channel). When a person possesses knowledge of a court case, that truth remains locked in the private chambers of his mind. So long as it stays hidden, it cannot rescue the oppressed or restore stolen property. The commandment yagid obligates the witness to channel that hidden

truth out of his mind and articulate it through spoken words! If Hashem granted you the ability to witness a transaction, He gave you that knowledge so you could act as His agent in bringing clarity to the world. To remain silent is to hoard Hashem's light (Sfas Emes, Vayikra, Vayikra 5637).

• Observe the beauty of this pathway: in a festival discourse for Shavuos, the Sfas Emes examines the rabbinic concept of mushba v'omeid me-har Sinai—every Jew is already sworn and standing from Mount Sinai to fulfill the commandments. Why does the festival of Shavuos relate specifically to the law of the witness (shevuas ha-edus)? The Sfas Emes explains that when the Torah says, "And a soul sins and hears the voice of an oath (v'sham'ah kol alah)", it refers to the great oath of Sinai! When the court administers an oath to a reluctant witness, demanding that he reveal what he knows, the court is not inventing a new obligation. The judges are simply awakening the ancient oath that his soul already took at Sinai! Stepping up to the witness stand is our post of duty. By speaking the truth, we fulfill our sworn allegiance to the King of kings (Sfas Emes, Moadim, Shavuos 5655).

• In Parshas Shekalim, the Sfas Emes explores the profound teaching of the Sages on the verse: "Hashem has made everything for His purpose (le-ma'anehu)" (Mishlei 16:4). The Sages expound: "For His testimony (le-eduso)." How does testimony function across all realms of existence? The Sfas Emes explains that reality is structured around three dimensions: Space (Olam), Time (Shanah), and Soul (Nefesh). In the dimension of Space, the Tabernacle of Testimony (Mishkan HaEdus) serves as the witness to Hashem's presence. In the dimension of Time, the holy day of Shabbos serves as the eternal witness. And in the dimension of Soul, the witness who stands in our Jewish courts of law provides that testimony! When we testify truthfully about a property dispute, we bring the holiness of the Tabernacle and the sanctity of Shabbos into our human personality! We are completing the third leg of creation's testimony (Sfas Emes, Moadim, Parshas Shekalim 5646).

MORAL DILEMMAS:

Reuven holds twenty promissory notes (shtaros) against different borrowers. Two witnesses come forward and testify that they know with certainty that one of the twenty promissory notes in Reuven's portfolio has already been paid off, though they do not remember which one. May Reuven still use the remaining promissory notes to collect from the borrowers?

Answer: HaGaon Rav Yitzchak Zilberstein (Chashukei Chemed, Bava Basra, p. 610) rules, based on the Gemara (Bava Basra 173a) and the Sha'ar HaMishpat (Choshen Mishpat 84:4), that Reuven cannot use any of the promissory notes to collect. Because it is established through witnesses that he is improperly holding a paid promissory note (shtar parua) in violation of "Do not keep iniquity in your tent" (Job 11:14), his portfolio loses its halachic presumption of validity (chazkas kashrus), and every single note is weakened and treated like an undocumented oral loan from which he cannot force collection.

— Source: HaGaon Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 610

During the Middle Ages there were once two non Jewish neighbors, Robert and Anthony, who owned land next to each other. One day Robert went away on a trip for many months. When he came back home he noticed that his land was a bit smaller than it had been before he left. The hedge of bushes that was a border between their yard was pushed up about 10 feet and his neighbor Anthony had moved his property into the land he usurped from Robert. When Robert approached Anthony about his theft, Anthony vehemently denied moving the border. Robert decided he was going to bring Anthony before the King to adjudicate their claim. The King listened to both sides' arguments and wasn't sure how to judge. He asked his advisor, a Jewish sage, to help him determine who was correct in this case. The

Jewish advisor and the King went to the land of the two neighbors and asked that the hedge be removed from between the two lands. After it was removed the advisor asked Robert to show them where he believed the original border was. Robert made a mark with a shoe to show where the border was. Then the Jewish advisor asked Robert if he could bring out one of his donkeys. The advisor told him to make the donkey run. Robert patted the back of the donkey and urged it to run. The donkey ran, but it did not stop where the hedge was. Rather it stopped running exactly where Robert had claimed that the original boundary was. The Jewish advisor exclaimed that it seemed that the donkey was used to running this far. He said, "Let's investigate further". The Jewish advisor then asked that they dig the ground under where the donkey stopped. Underneath the ground they found the roots of a hedge. They found that the roots of this hedge went all the way across the yard. It seemed clear that this was a spot that originally had a hedge border going across the yard. The Sage said "it seems clear that this was the original border of the yard and the evidence supports Robert's claim". Anthony was very ashamed. The King was extremely impressed at the wisdom of the Jewish sage and this caused a great kiddush Hashem. Rav Zilberstein then asked what would happen if this story happened between two Jewish protagonists and one of them came before a beis din and tried to prove it was his by using the proof of the donkey and the roots. Normally, according to the Torah we say that in order to extract money from someone you need witnesses or a document. Would circumstantial evidence like this be enough to prove that his property was really larger? What do you think? Could such proof be used in any capacity in a Beis Din?

Answer: Regarding the question about the King and the donkey, Rav Zilberstein brought this question to his father in law, Rav Yosef Elyashiv. Rav Elyashiv answered that the signs of the donkey and the roots are called "Umdena". We are unable to extract money with an Umdena and so it would not be sufficient in Beis Din to extract the land.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 276

STORIES FROM OUR SAGES:

❖ An incident occurred involving a man who stood atop a mountain ridge and cried out: 'So-and-so, the son of So-and-so, from such-and-such a town has died!' When people climbed up to the ridge, they found no one there, yet the Sages permitted his widow to remarry based on that voice. And another incident occurred in Tzalmon, where a man cried out: 'I am So-and-so, son of So-and-so; a snake has bitten me, and I am dying!' When they went to examine him, his face was already swollen beyond recognition, yet the Sages permitted his wife to remarry.

Mishnah, Yevamos 16:6

A. TO TESTIFY STANDING UP

(Torah Mandated Mitzvah), Sefer Chareidim 18-8

As it says, "The two men should stand" (Devarim 19:17, Parshas Shoftim)

SEFER CHAREIDIM

It is an active positive commandment for anyone who possesses evidence to testify before the court (beis din). Furthermore, it is a distinct halachic requirement for witnesses to deliver their testimony while standing upright, as Scripture states: 'And the two men between whom the controversy lies shall stand before Hashem' (Devarim 19:17).

B. NOT TO WITHHOLD TESTIMONY THAT CAN CAUSE SOMEONE MONETARY LOSS

(Torah Mandated Mitzvah), Sefer Chareidim 24-81

As it says "do not stand by your fellow's blood (Dam)" (Vayikra 19:16, Parshas Kedoshim)

SEFER CHAREIDIM

The Sefer HaChinuch writes that included within the prohibition, 'You shall not stand idly by the blood of your fellow' (Vayikra 19:16), is the strict obligation not to withhold testimony that would cause another financial loss. In Torah terminology, the word for blood (dam) is closely linked to monetary sustenance (damim), for stripping a person of his rightful property threatens his vital livelihood.

The Midrash Halachah (Sifra/Toras Kohanim) expounds: From where do we derive that if a person possesses evidence on behalf of his fellow, he is forbidden to remain silent? Because Scripture explicitly commands: 'You shall not stand idly by the blood of your fellow' (Vayikra 19:16).

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we have a just and fair judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice. Hashem knows all of the factual details of a case and can consequently make a just decision. The courts want to emulate this to the greatest degree that they can. Relying on the testimony of eyewitnesses ensures that the information that the court receives is as correct as possible, so that the court can make a just and G-dlike decision.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RABBEINU BACHYA

When one withholds testimony he is obstructing justice and thereby prevents Hashem's will from influencing the course of world events.

STORIES FROM OUR SAGES:

❖ “A partner with a thief hates his own soul; he hears the oath of adjuration and dares not testify” (Mishlei 29:24). Rabbi Shimon said: Why does King Solomon say that a partner who takes a small cut from a thief ‘hates his own soul’? They told a parable — to what may this be compared? To a burglar who came sneaking out of his neighbor’s house carrying stolen silver vessels, and another neighbor happened to meet him in the alley. The neighbor asked him: “What are you carrying there?” To buy his silence, the thief whispered to him: “Here, take your share of the loot, and do not tell anyone that you saw me!” Some time later, the homeowner whose property had been stolen came to the synagogue, proclaimed a public oath of adjuration (requiring anyone who witnessed the theft to step forward), and confronted that neighbor: “I place you under a solemn oath to testify if you saw anyone coming out of my house carrying my vessels!” Because the neighbor had accepted hush-money from the thief, he was trapped: if he told the truth, he would expose himself as an accomplice! So he swore falsely: “I swear that I do not know what you are talking about!” Regarding this it is said: “A partner with a thief hates his own soul; he hears the oath and dares not testify” — and when the thief is caught, his partner is condemned along with him and forfeits his own soul! There was also an incident with a Roman governor who used to execute the receivers of stolen

goods (the fences who hid stolen property) while releasing the thieves, and all the citizens criticized him, saying that he was not judging fairly. What did the governor do? He issued a proclamation throughout the province: "Let all the people gather at the stadium arena!" When the crowd assembled, he brought out weasels and placed portions of meat before them in the middle of the arena; the weasels immediately grabbed the meat and dragged it down into their burrows in the ground. The next day, he again issued a proclamation: "Let all the people gather at the stadium arena!" This time, before releasing the weasels and placing the meat before them, he had his men plug up all the burrows in the ground. The weasels grabbed the portions of meat in their teeth, ran to their holes, found every hole blocked up, and carried the meat right back to the exact spot they had taken it from — proving before everyone's eyes that theft only exists when receivers provide a hiding place for the stolen goods!

Yalkut Shimoni on Mishlei 962:16 (cf. Tosefta Bava Kamma 7:13 & Vayikra Rabbah 6:2)

61. Not to accept testimony of less than two witnesses

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 73.

As the Torah says, A single witness shall not stand up against a man for any iniquity or for any sin (Devarim 19:15, Parshas Shoftim).

SEFER HAMITZVOS HAKATZAR

This negative commandment prohibits a court from imposing monetary liability, lashes, or capital punishment based upon the testimony of a single witness, as Scripture states: 'A single witness shall not stand up against a man for any iniquity or for any sin' (Devarim 19:15).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we have a just and fair judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice. Hashem knows all of the factual details of the case and can consequently make a just decision. The courts want to emulate this to the greatest degree that they can. Relying in the aligned testimony of two witnesses ensures that the information that the court receives is as correct as possible, so that the court can make a just and G-dlike decision.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 523)

One person may give a false testimony about another because he may be upset or some other reason. However, it is a chazaka, experience has demonstrated, that among Jews, it is very difficult for two people to corroborate a false testimony together.

ABARBANEL

If one man is on trial, we need two people to prove his guilt because otherwise it will be one man's word against another.

SFAS EMES

• In Parshas Pekudei, the Sfas Emes investigates the title given to the Tabernacle: "Mishkan HaEdus" — the Tabernacle of Testimony (Shemos 38:21). Why was the Sanctuary called the Tabernacle of Testimony? The Sfas Emes explains that the Sanctuary was built through the testimony of Israel. Scripture states: "You are My witnesses, says Hashem" (Yeshayahu 43:10). The Sfas Emes connects this principle to the courtroom rule: "At the mouth of two witnesses shall a matter be established (yakum davar)" (Devarim 19:15). In Tractate Makkos, our Sages call witnesses mekayemei ha-davar—those who establish the matter. Two witnesses provide that objective confirmation. By combining two distinct viewpoints, our courts behold the solid depth of truth (Sfas Emes, Shemos, Pekudei 5657).

• In Parshas Bo, the Sfas Emes examines the command given to Moshe before the final plagues: "That you may tell in the ears of your son and your son's son what I have wrought in Egypt" (Shemos 10:2). Why did Hashem perform the miracles of the Exodus in a manner that required human storytelling to preserve their memory? The Sfas Emes cites the verse in Tehillim (85:12): "Truth shall sprout from the earth, and righteousness shall look down from heaven." Divine truth does not fall on our world like lightning. Rather, Hashem desires that truth sprout from the earth below through our human speech! The rule that "at the mouth of two witnesses shall a matter be established" reflects this divine partnership. The two witnesses fulfill this partnership by establishing truth on earth. Through their joint testimony, the tree of justice takes root in our community (Sfas Emes, Shemos, Bo 5661).

• In a festival discourse for Sukkos, the Sfas Emes reflects on the Mishnah in Tractate Sukkah (41a): "The lulav was taken in the Holy Temple for seven days, but in the provinces for only one day; after the destruction of the Temple, Rabban Yochanan ben Zakkai instituted that it be taken in the provinces for seven days in remembrance of the Sanctuary." The Sfas Emes explains that on the first day of the festival, special divine light descends to help us. On the remaining six days, we must toil through our own efforts to draw down that light. He reveals a fundamental rule: nothing in the world can stand on a single force alone! It always requires two complementary powers: human effort and Divine grace. In the spiritual structure of creation, a single force cannot establish permanent existence. Only when two independent forces join hands can truth achieve permanence (Sfas Emes, Moadim, Sukkos 5652).

A. ONE WITNESS CANNOT GIVE TESTIMONY WITHOUT A PARTNER

(Torah Mandated Mitzvah), Sefer Chareidim 24-31, 74

SEFER CHAREIDIM

A solitary witness is strictly forbidden to step forward and testify about an individual's wrongdoing without a second witness. The Gemara relates that when Zigud testified alone that Tuvia had committed a sin, Rav Pappa ordered Zigud to be lashed, proclaiming: 'Tuvia sinned, yet Zigud is lashed?!' Because the testimony of a single

witness cannot legally convict anyone of a transgression, stepping forward alone achieves nothing other than spreading an evil name (shem ra) against one's fellow (Pesachim 113b).

In monetary litigation, however, the testimony of a single witness possesses legal standing: while two witnesses establish financial liability and compel payment, a single witness obligates the defendant to take a biblical oath (shevuah) to counter the claim.

B. THE COURT MUST CROSS EXAMINE THE WITNESSES

(Torah Mandated Mitzvah), Sefer Chareidim 12-32

As it says "you shall inquire, investigate, and ask very well" (Devarim 13:15, Parshas Re'eh).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ Are there times when the courts should not cross examine the witnesses?

SEFER CHAREIDIM

It is an active positive commandment for the judges of a court (beis din) to rigorously investigate and cross-examine witnesses through formal interrogation (derishah va-chakirah). By biblical law, this meticulous examination is mandatory in monetary disputes (dinei mamonos) just as it is in capital cases (dinei nefashos). However, to prevent lenders from refusing to extend credit out of fear that their claims could never be easily validated, our Sages suspended the requirement of exhaustive cross-examination for ordinary monetary cases — 'so as not to lock the door in the face of prospective borrowers' (Sanhedrin 32a).

Nevertheless, whenever a monetary lawsuit arouses suspicion of fraud or deceit (din merumeh), the judges are halachically obligated to reinstate the full rigor of biblical law, conducting exhaustive cross-examinations to expose falsehood and bring the truth to light (Sanhedrin 32b).

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• In Parshas Bamidbar, the Sfas Emes examines the classic Midrash on the verse: "Your righteousness is like the mighty mountains; Your judgments are like the great deep" (Tehillim 36:7). The Midrash connects Hashem's deep judgments to our courtroom questioning: In which day? The Sfas Emes explains that Israel was created to clarify the truth of Hashem's kingship in our physical world. Physical reality is built out of time and space. Falsehood thrives when stories remain murky and broad. When our courts demand the exact day, month, and place, the judges drag the claim into the bright light of reality! The court's rigorous inquiries anchor every claim in concrete time and place. By testing every detail, our courts ensure that only genuine truth can stand (Sfas Emes, Bamidbar, Bamidbar 5636).

• In Parshas Balak, the Sfas Emes reflects on the words of our Sages in Tractate Berachos (12b): "The Sages sought to establish the section of Balak in the daily recitation of Shema, but omitted it only because of the burden on the congregation." Why did our Sages desire to link the story of Balak and Bilam to our central declaration of faith in Shema? The Sfas Emes explains that Bilam attempted to confuse our minds through subtle tricks. To

achieve clear faith, we must refine our faculty of knowledge (da'as) from every angle. This inner mental work is the exact counterpart to the court's cross-examination of witnesses! A judge cannot simply say, "I trust my gut feeling." He must turn the claim over and over, testing it from north, south, east, and west. A lazy judge jumps to conclusions based on an emotional reaction or smooth words. But the Torah commands us to dig deep beneath the surface until the truth is crystal clear (Sfas Emes, Bamidbar, Balak 5659).

• In Parshas Pinchas, the Sfas Emes explores the census of the tribes of Israel, where Hashem added His own Name to the tribal names (Ha-Chanochi, Ha-Palu'i) to testify to their purity. Rashi explains that the nations mocked Israel, claiming their families were compromised in Egypt. Hashem placed His royal seal upon them as an irrefutable testimony. The Sfas Emes connects this divine seal to a fundamental rule of halachah: testimony is valid in a Jewish court only if it is open to potential refutation (edus she-atah yachol lehazimah). If witnesses testify in a vague way that makes it impossible to prove them plotting liars—such as saying, "We saw him commit a crime, but we do not know on what day or in what city"—their testimony is legally void! The seven inquiries are that rigorous test. When testimony survives the cross-examination of the judges, our courts can rely on it with total peace of mind (Sfas Emes, Bamidbar, Pinchas 5643).

• In Parshas Bamidbar, the Sfas Emes reflects on the camp of the twelve tribes around the Sanctuary, each marching under its own flag (degel). Citing the Midrash on Tehillim (20:6), "We will sing in Your salvation, and in the Name of our God we will raise our banners," he asks: What is the spiritual work of the banners? The Sfas Emes reveals that each flag represents a distinct way of clarifying truth in the world. He compares this labor to our six working days of the week. During the workdays, we toil in the physical world. We sort through nature, time, and circumstance to uncover holiness. That labor is the exact spiritual equivalent of derishah v'chakirah! Only after we diligently investigate and clarify our earthly lives can we enter into the holy peace of Shabbos. That patient sifting is derishah v'chakirah. Through our patient labor of sorting truth from error, we uncover the royal treasures of Hashem (Sfas Emes, Bamidbar, Bamidbar 5641).

STORIES FROM OUR SAGES:

❖ The Mishnah teaches: The more thoroughly a judge cross-examines witnesses, the more praiseworthy he is! It once happened that Ben Zakkai cross-examined witnesses in a capital case right down to the stems of the figs on the tree beneath which they claimed the event occurred—asking whether the fig stems were thin or thick, and whether the figs were white or black—thereby exposing a contradiction in their testimony and saving an innocent life!

Mishnah, Sanhedrin 5:2

62. Not to accept the testimony of a relative of one of the litigants

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 74

As the Torah says, Fathers shall not be put to death through children (Devarim 24:16, Parshas Ki Seitzei)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What does this verse mean? Does it mean that children can't kill parents?
- Is this prohibition limited to children testifying against parents?

SEFER HAMITZVOS HAKATZAR

Scripture states: 'Fathers shall not be put to death for the sins of their children, nor shall children be put to death for the sins of their fathers' (Devarim 24:16). The Oral Tradition expounds that this verse prohibits the court from accepting the testimony of sons against their fathers, or fathers against their sons, in capital and monetary cases alike.

This disqualification applies equally to all close relatives (pesulei kurvah), who are biblically disqualified from testifying for or against one another. This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we have a just and fair judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice. Hashem knows all of the factual details of the case and can consequently make a just decision. The courts want to emulate this to the greatest degree that they can. Disqualifying witnesses that may be prejudiced ensures that the information that the court receives is as correct as possible, so that the court can make a just and G-dlike decision.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 589)

We want to have witnesses who are free of any suspicion that the process was not just. Even if the testimony is to the detriment of the relative it can't be accepted because we don't want to start a bad precedent and habit.

Additionally, relatives live among each other and if they get into an argument and report on each other, it can cause tremendous family strife. It can also cause strife if one is fearful that his relatives might report on him.

ABARBANEL (DEVARIM 24:16)

If a relative would be required to testify against another relative, that would force people to compromise against their naturally just and compassionate nature which urges one to care for and look out for his family. This would instead create suspicion and mistrust in a family.

RELATED HASHKAFAH TOPICS:

- Discuss how we see that in the Torah's scale of values we see that shalom bayis, having domestic harmony is more important than having witnesses available.
- Discuss the environment in dictatorial regimes like the USSR or China, where one is always fearful that his neighbor, friend, or relative might inform on him to the government.

63. Not to accept the testimony of a wicked person

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 75

As the Torah says, You shall not set your hand with the wicked to be a malicious witness (Shemos 23:1, Parshas Mishpatim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If two people are planning to testify about something that they have witnessed, but one of the witnesses has a history of being dishonest in the past, is it permitted for the other to testify with him if he knows that what they are testifying is the truth?
- If two people are planning on testifying together, one is planning to say the correct story and the other is planning to testify about details that he didn't see himself, but knows are true, is it permitted to join with him?

SEFER HAMITZVOS HAKATZAR

If a qualified, observant witness knows that a co-witness is a wicked person (rasha) who is disqualified from testifying, yet the judges are unaware of his sinful character, he is strictly forbidden to join with him to deliver testimony — even if the testimony itself is entirely truthful — in accordance with the prohibition: 'Do not join hands with the wicked to be a corrupt witness' (Shemos 23:1).

All the more so, if a person knows that a prospective co-witness intends to utter false testimony, he is categorically forbidden to join him in testifying before the court.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we have a just and fair judicial system, which can investigate to find out the truth, and hold the guilty accountable to justice. Hashem knows all of the factual details of the case and can consequently make a just decision. The courts want to emulate this to the greatest degree that they can. Disqualifying witnesses that may not be credible ensures that the information that the court receives is as correct as possible, so that the court can make a just and G-dlike decision.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG

A person who doesn't have yiras shomayim, fear of heaven, will likely not have a fear of lying either.

SEFER HACHINUCH (MITZVAH 72)

A person who doesn't care about even his or her own welfare will not be concerned about other people's welfare. A person who doesn't care about his own welfare by doing wicked things, will not care about another's welfare and ensure that he is testifying accurately.

SFAS EMES

• In Parshas Chukas, the Sfas Emes explores the rule that personal interest disqualifies a witness (noge'a pasul l'edus). The Sfas Emes explains that a true witness must be free of all self-interest. He explains that Hashem chose Israel to testify to the Creator. He gave us the Shabbos, which is called testimony. The reason is that anyone with a personal stake is barred from testifying. When people act only for selfish gain, their testimony is flawed. But when a Jew keeps the mitzvos with self-sacrifice, choosing honesty over fraud and Shabbos over profit, the world sees that Hashem's truth is real. By pushing away self-interest, we become trustworthy witnesses for heaven and earth (Sfas Emes, Bamidbar, Chukas 5637).

• In a famous discourse for Shabbos Shuvah, the Sfas Emes examines an old rabbinic custom. He explains why a witness must inspect his own heart and return to Hashem before his testimony can stand. In our legal history, rabbinic courts urged witnesses to repent before signing critical documents. When witnesses signed a bill of divorce (get), the judges warned them to inspect their deeds. They did teshuvah so that no hidden sin would spoil the document (Choshen Mishpat 34). The moment a person regrets his bad deeds and chooses a life of truth, he becomes a kosher witness once more. He reconnects his soul to the light of Sinai and reclaims his sacred voice (Sfas Emes, Moadim, Shabbos Teshuvah 5661).

RELATED HASHKAFAH TOPICS:

- Discuss the concept of how if a person does not care about themselves, they likely will not care about others. That is one reason why it is important to care about yourself.
- Discuss the idea of how it is only yiras shomayim that will keep a person honest. Without yiras shomayim, honesty just stems from the fear of being caught, not from the inherent immorality of lying.

64. To observe the Torah's modes of acquisition

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 67

As the Torah says, And if you sell something to your fellow or buy from your fellow's hand, etc. (Vayikra 25:14, Parshas Behar)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Consider the following case. A person went to a car dealership to purchase a car, and paid for the car, but before he could drive the car away, someone driving in the lot crashed into the car. Who is responsible for the loss the customer or the seller?
- What someone purchased real estate by paying for it, but before he was able to move into the home, the property caught fire, who is responsible the seller or the buyer?

SEFER HAMITZVOS HAKATZAR

It is a positive commandment to adjudicate all transactions of buying and selling according to the legal mechanisms established by the Torah. This means that there are defined conditions under which a commercial transaction between buyer and seller takes binding legal effect, and other circumstances under which it is

rendered null and void. The court is commanded to judge all commercial disputes according to the Torah's explicit statutes, as Scripture states: 'And if you sell anything to your fellow or acquire anything from your fellow's hand, you shall not wrong one another' (Vayikra 25:14) — for commerce is a perpetual necessity of human society, without which civilized life could not endure for even a single day.

Real estate and landed property (karka) can be legally acquired through three primary mechanisms:

First, through the transfer of monetary payment (kesef);

Second, through a legal contract or deed of purchase (shtar);

Third, through an overt physical demonstration of ownership (chazakah).

Movable property (metaltelin) and domestic animals can likewise be legally acquired through specific modes of physical transfer:

By pulling or drawing the item into one's possession (meshichah);

And most decisively, by physically lifting the object (hagbahah), as well as through other halachically established modes of transfer.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we behave in a fair and just way. These laws ensure that our social and civic exchanges such as sales, gifts, and other exchanges are conducted in a just and fair way.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 336)

Only with justice and fairness can society maintain itself.

SFAS EMES

• In Pirkei Avos, Ben Zoma asks a famous question: Who is truly rich? But the Sfas Emes reveals a much deeper spiritual principle. He writes: our entire desire for our possessions should flow from the knowledge that Hashem uniquely designated this specific portion for us! Think about what this means. A person does not need to frantically chase after someone else's wealth. Because what belongs to our neighbor could never help our soul! But the faithful person knows that the inner life (chiyus) of all his possessions comes directly from Hashem. When we treat our property as a sacred trust from Hashem, our possessions become open vessels for divine blessing (Sfas Emes, Shemos, Pekudei 5632).

• The Sfas Emes explores an actual commercial law in his teachings on the Giving of the Torah. When Moshe ascended to Mount Sinai, the verse says: "You ascended on high, you took captivity, you received gifts among men" (Tehillim 68:19). The Midrash immediately notices a puzzle: The verse uses two opposite terms! The word lakachta means you acquired or took something, while matanos means you received free gifts! Was the Torah an earned purchase or an unearned gift? To resolve this question, the Sfas Emes analyzes the fascinating halachah of

dina d'bar metzra. I have chosen to give this gift to the Children of Israel because I love them! What a breathtaking insight into Jewish law: commercial sales deal with cold finances, but gifts express the warm love of the heart (Sfas Emes, Shemos, Yisro 5658).

• This dynamic between acquisition (lekichah) and gift (matanah) explains one of the greatest riddles of Torah study. In 5650 and 5658, the Sfas Emes explains that this is why the Torah is called both an acquisition and a gift. Human effort does not purchase the gift, but it prepares our minds to receive it. He extends this principle to Shabbos and the World to Come. Shabbos is called a precious gift (matanah tovah), yet we must prepare our meals during the six weekdays to taste its holiness. Sometimes, Hashem gives us an unearned gift first—just as He gave our ancestors the Torah at Sinai—so that the gift itself will inspire us to rise higher. Whether effort comes before the gift or the gift sparks the effort, we learn that genuine growth requires our active partnership with Hashem (Sfas Emes, Shemos, Yisro 5650).

• When Avraham Avinu purchased the Cave of Machpelah from Ephron the Hittite, the Torah uses a striking phrase: "And the field of Ephron arose" (Bereishis 23:17). Why does the Torah say the field "arose"? In 5661–5662, the Sfas Emes explains that our mother Sarah spent her entire life preparing for the World to Come. Her burial in Machpelah brought that holy preparation into physical reality. Quoting the Zohar, he teaches that Avraham's purchase brought a spiritual repair (tikun) to Adam and Chavah, who were buried there. Adam and Chavah had brought mortality into the world, but Avraham and Sarah infused the earth with the promise of the resurrection of the dead (techiyas ha-meisim). The deed of sale becomes a bridge between heaven and earth. By using our property for hospitality, Torah study, and family warmth, we make the physical soil arise in holiness (Sfas Emes, Bereishis, Chayei Sarah 5662).

• When Hashem commanded our ancestors to build the Mishkan, the Torah uses unexpected language: "Speak to the children of Israel, that they shall take for Me an offering" (Shemos 25:2). Why did Hashem tell them to take an offering, rather than give an offering? The Sfas Emes answers with an unforgettable principle: our entire purpose in taking or acquiring any material object in this world should be to give it back to Hashem! Every one of us needs food, clothing, shelter, and income. We must go to work and acquire the physical necessities of life. But why do we acquire them? The Sfas Emes teaches that the phrase “And let them take for Me” (ve-yikchu li) reveals the secret: we take into our hands only so that we can give to Hashem! When a merchant buys merchandise so that he can earn money to pay tuition, feed his family, and give tzedakah, his business transactions become holy offerings. Material possessions find their true purpose the moment they are dedicated to a higher cause (Sfas Emes, Shemos, Terumah 5632).

MORAL DILEMMAS:

Avraham and Yosef were friends. Yosef asked Avraham for a favor. "Would you be willing to pick up a set of Sifsei Chaim when you go to the seforim store? I can give you my credit card to pay for it." "Sure", Avraham replied, and he took the credit card and went to the Judaica store. Avraham found the set that Yosef wanted. There was only one left. He took it and went to wait at the register. When his turn came to pay, Avraham swiped Yosef's card. After a pause, the cashier told Avraham that the card was declined. Avraham was embarrassed and unsure of what to do next. There was a tall, dark-skinned man in line behind him who noticed Avraham's embarrassment. He spoke up, "Here is $100 to pay for the set. See it as a gift from G-d." The man passed the hundred-dollar bill to the cashier and paid for the set of sefarim. Avraham was extremely grateful to the kind man and thanked him profusely. As Avraham left the store, he wondered to himself if he could now keep the set of sefarim for himself. "Am I obligated to give the set of sefarim to

Yosef? After all, the stranger who paid for it intended to help me. Why should Yosef get them? He can buy a set when his credit card is working." Maybe I can keep it for myself. But on the other hand, Avraham intended the whole time to buy it for Yosef. A minute before the man paid, Avraham was still intending to buy this set on behalf of Yosef. What do you think? Is Avraham obligated to give the sefarim to Yosef?

Answer: Regarding the question Rabbi Tzvi Berkowitz said that this Halachah is discussed in Bava Metzia 9B. Rabbi Shuchatowitz answered that Avraham, the one who went to the bookstore, took the books for his friend. Only after the books were paid for did he think that he could keep it. Since at the time of the money transfer he took it for his friend, the friend gets the books.

— Source: Rav Tzvi Berkowitz / Table Talk

Dovid went to a Jewish owned appliance store. He saw a nice refrigerator that was on sale. Dovid paid for the refrigerator with the understanding that the sale was final as it was on clearance. Dovid went home and asked the store to deliver the refrigerator to his home. The store had their non-Jewish delivery man drive the truck over. On the way a car smashed into the delivery truck. No one was severely injured but the refrigerator in the truck got badly damaged. Dovid wondered who was responsible for the loss of the refrigerator. On one hand he paid for it. But on the other hand it had not been delivered to his home yet. Or maybe you could argue that the driver was acting on his behalf by taking it to Dovid's home. Was the refrigerator destroyed in Dovid's possession, or was it destroyed while still in the possession of the store? Does the store have an obligation to replace the refrigerator? What do you think?

Answer: Regarding the question about the refrigerator delivery, Rav Zilberstein writes that if the delivery person would be hired or paid by the buyer, then the buyer would acquire the refrigerator as soon as the driver moves it. This is because of the principle of Yad Poel Keyad Baal Habayis, even if the driver is not Jewish. In that case the responsibility for the damage would not be in the hands of the seller. However if the driver is the employee of the sender, then the buyer would only acquire the refrigerator after it comes to his property, and the damage would be the responsibility of the seller.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 371

In Veharev Na IV (page 347) the following Din Torah between two sixth grade boys is discussed. Itamar received a Rubik's Cube from his father and brought it to school. He spent an entire recess trying to figure out how to make each side one color only. Seeing that it was absolutely impossible and completely frustrated, he tossed it into the garbage. The next day Nesanel came to school with a Rubik's Cube as well. Itamar thought that perhaps Nesanel had found his Rubik's Cube and took it for himself. "Hey, Nesanel, where did you get that Rubik's Cube from?" asked Itamar. "Oh, I got it from the garbage, why do you ask?" "Well, that is my Rubik's Cube and I want it back!" "I know it was yours but I saw you toss it in the garbage yesterday. So, too bad, once you tossed it in the garbage, it's hefker, it is no longer yours!" The bickering went on for some time until they decided to bring the case to the Rav. Does it make a difference how long it was in the garbage? Does it make a difference who gave it to Itamar in the first place? Does it make a difference what kind of garbage it was in? Does it make a difference which of the boys is older? Does it make a difference how expensive the Rubik's Cube is?

Answer: Regarding the question of Itamar's Rubik's cube which he tossed in the garage and was later retrieved by Nesanel the answer is as follows. Since these boys are below Bar Mitzvah, they are unable to relinquish their ownership by simple hefker and Nesanel must return it to Itamar. However, if the garbage can was a large dumpster where people do not usually go to retrieve anything, it is considered lost from everybody. Therefore, even if it was a katan who tossed it into the

dumpster, the Rubik's cube would be considered hefker.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 341 (Shelach)

Rob suffered an acute medical emergency and was forced to sell his apartment and furnishings quickly to travel to America for life-saving surgery. Simon agreed to purchase the property. Later, an expensive heirloom sofa disappeared from the premises, with each party claiming the disappearance occurred while under the other's legal ownership. Who bears the burden of proof regarding the missing furniture?

Answer: Based on the Mishnah in Bava Metzia (100a), Shulchan Aruch (Choshen Mishpat 223:1), Sema (224:3), Taz, and Rivash (373), Rav Yitzchak Zilberstein rules that because the validity of the apartment sale itself is undisputed and the doubt concerns only whether the disputed sofa was included in the sale, we apply the fundamental principle of ha-motzi me-chaveiro alav ha-re'ayah (the burden of proof rests upon the claimant seeking to extract property from the party in physical possession). Since the furniture is currently in Simon's possession inside the apartment, Rob bears the burden of proof to demonstrate that it was not included in the sale — unless there is a clear circumstantial presumption (umdena barurah) that only the items present during their initial walkthrough were intended.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 577

There was an organization in Eretz Yisrael that held an annual raffle. Each ticket cost 360 shekels, and the grand prize was a fully furnished apartment in Teverya overlooking the Kinneret. It was a popular raffle, and every year one very lucky person would win this incredible prize: a fully furnished apartment for life. The principals of the organization gathered together, and everything was recorded on video. They reached into a large box of raffle tickets and pulled out a name: Mr. Moshe Greenberg. They looked up his information and noticed that when he purchased the ticket, he had used a credit card that, for some reason, did not go through. Perhaps there was a technical glitch, but although he attempted to pay, the payment failed. They decided to call him. They wanted to inform him that he had won, but also to let him know that his ticket had not been paid for. They picked up the phone and called Mr. Greenberg. When he answered, they said, "Thank you so much for participating in the apartment raffle. Before we get to our main point, we just want to let you know that the credit card did not go through. Do you have another card number you can give us?" Mr. Greenberg replied, "If it didn't go through, so be it. I'm very sorry. I just can't pay for the ticket at the moment. Have a good day. I have to run. Bye-bye." He hung up. They never even had a chance to tell him the next part, that he had won this enormous prize. Now they were left wondering: Do they have an obligation to call him back and say, "If you pay for your ticket, you will win this prize"? Or do they say no, he never paid for the ticket and clearly showed no interest in supporting the organization. Perhaps, then, they should draw a new ticket and find a new winner. This question was brought to Rav Zilberstein. The organizers were unsure how to proceed. On one hand, one could argue that he truly won the raffle, and once he knows that he won, he would make every effort to pay. Therefore, he deserves to be informed. On the other hand, one could argue that if the entire purpose of the raffle was to support the organization, and he did not want to do so, he should not win the prize. That was the shaila. What do you think?

Answer: Regarding the question about the raffle, Rav Yitzchak Zilberstein (VH"N Vol. 4 p. 145) answered that the person does not win the raffle because the organization will not demand that he pay for the raffle after he said he is not interested. Therefore they should draw the winning ticket again.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume Four Hebrew Edition, p. 141

Eli, the owner of a successful jewelry store, wanted to buy out the other jewelry store in town, owned by Marty. His intent was to have a monopoly on jewelry stores in his town. He went to Marty and said, "I would like to offer you $2 million to buy your business." Marty said it was a good offer, but he wasn't interested in selling. Eli was disappointed, but he didn't give up. He tried to find another way to convince Marty to sell the business. Eli learned through the grapevine that Marty was very interested in astrology and astrological signs, and he would read the horoscope every day. (Please note that this is not permitted according to the Torah, but Marty likely didn't know this.) Eli thought that he could use this angle to try to convince Marty. He learned that Marty's birthday was in October, and his astrological sign was Libra, in Hebrew known as Moznaim. Eli then went to the chief editor of the local city newspaper. He asked if he could meet with the person who writes the daily horoscope column. The editor was happy to introduce him to the writer. Eli offered the writer $5000 to do the following, "Tomorrow's horoscope for Libra should say that if they have a good business opportunity, they should jump on it because it will be very successful." The writer, who wasn't used to getting paid such large amounts of cash, agreed to include that note in his horoscope. The next day in the paper, the horoscope column said exactly what Eli had requested. A few hours after the paper was delivered, Eli called Marty and said, "Any chance you would reconsider my offer? $2 million is a very generous offer, more than the market value." Marty said, "OK, I agree." Quickly Eli met Marty, and they signed the papers; the lawyers were present, and Marty sold the business. Eli is now the proud owner of two jewelry stores in the town, he had successfully bought out his competition. About six months later, Marty happened to bump into the horoscope writer. Marty was telling him how he reads his column all the time and, in fact, he follows his advice. He went on to say that one time, he followed his advice and was very successful; he sold his business for $2 million. The writer, who was feeling guilty about this the whole time, said, "I'll tell you the truth. The reason why I wrote that specific column was that I was actually paid to do so. A man named Eli actually paid me to write that." With this information, Marty now fully understood what had happened. It became clear that Eli had paid off the writer, and that influenced his decision to sell. Marty felt very deceived and manipulated. Marty called up Eli and said, "I heard what you did. You paid off the writer to change the horoscope article. Because of that, I want to back out. I never would have done the sale unless that article had come out. I want my business back, and I want to give you your money back." Eli replied, "I admit it, I did the wrong thing. I shouldn't have tricked you. But what's done is done, and that's not the reason you sold. You never conditioned the sale of the business on the horoscope, so even though I did the wrong thing by tricking you with the horoscope, that shouldn't affect the sale." Marty disagreed, feeling that he was deceived and he deserved to reverse the sale. They agreed to refer this question to a rabbi, and this question was brought to Rabbi Zilberstein. What do you think? Granted that Eli did the wrong thing, but after the fact, should the sale be reversed? Should Marty get his business back? Or do we say that since Marty did not stipulate that he agreed to sell only because of the horoscope, the sale is therefore not based on the horoscope and what's done is done and it can't be undone?

Answer: Regarding the question about the horoscope ruse, Rav Zilberstein wrote that the buyer who paid the horoscope writer to convince the seller to sell violated a prohibition of Geneivas Daas. Nonetheless, because the seller never made a condition that he was selling it because of the advice of the horoscope, therefore, even though that may have been his thoughts, since it wasn't explicitly stated as a condition of the sale, he could not back out. Consequently, the buyer would not need to reverse the sale and could keep the business.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Vayikra, p. 344

Noah owned a sports memorabilia business. He sold sports memorabilia online as well as through Amazon. One day Noah received an order from a customer with a Jewish sounding last name. The order was for a signed poster of a famous basketball player who played for the Los Angeles Lakers. The customer placed the order and entered his credit card information. Noah now had a week to process the order. Two days after Noah received this order for the signed

NBA poster, the news broke that this basketball player was killed with his daughter in a sudden helicopter crash. Millions of people mourned his death. Noah immediately realized that the value of the signed poster was now at least 100 times more than the price that he was getting. Noah quickly notified the customer that he was going to cancel the sale. Noah later told this story to his nephew who went to a Torah day school. The nephew wondered if Noah was allowed to cancel the sale, according to the Torah. On one hand, you can say that had he known that the NBA player would pass away he never would have sold it. In addition, the customer never actually acquired ownership of the poster because he had not yet received it. All the customer did was place an online order. But on the other hand, Noah agreed to sell it. Perhaps backing out would be considered an example of Mi Sheparah, where one is not allowed to back out of a deal after giving a verbal commitment to do so. What do you think? According to the Torah would Noah be allowed to cancel the sale of the signed NBA poster?

Answer: Regarding the sale of the basketball poster Rav Mordechai Shuchatowitz said as follows: If at the time the merchant received funds from the credit card he already had the poster, there was a kinyan kesef and the merchant is subject to a mi shepara and is advised not to back out. If however, at the time of receipt of funds the merchant did not have the poster there was no kinyan kesef and he is not subject to a mi shepara. Nevertheless, there might be a problem of m'chusar amana where one should not back out of a deal that he entered into. However, since m'chusar amana does not apply if the value of the merchandise jumps drastically and unexpectedly, which is what happened with the poster, the merchant would be in full right to back out.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 168 (Beshalach)

Meir sold his car to Naftali. When he showed the car, the car had a GPS attached to the windshield. When Naftali received the car, he expected it to have a GPS. Meir said that he never intended to include the GPS. Is a GPS included in the sale of the car?

Answer: Based on the Mishnah in Bava Basra (73a) and the Kol HaRemez, Rav Yitzchak Zilberstein distinguishes between two types of GPS navigation devices: a portable, suction-mounted GPS unit is not considered an integral part of the vehicle (since one can drive the car without it), so the seller may keep it unless it was explicitly included in the sale. By contrast, a built-in dashboard navigation system installed by the manufacturer is part of the car itself and is included in the sale.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 332

Dov had a snow blower that he almost never used. It just sat in his garage taking up space. He posted a message on a community email list that he has a snow blower that he is happy to give away. Aaron saw the email message and quickly responded that he would love to have it. Dov quickly called Aaron to let him know that he was passing by Aaron's house that day and he was happy to drop it off. Aaron didn't answer, but Dov figured that he was passing Aaron's house anyway, so he decided to just drop it off. Dov was happy that he could clear out his garage finally and that someone would be able to put the snow blower to good use. An hour later Dov stopped in front of Aaron's home. After ringing the bell with no answer he pushed the snow blower to the backyard. The backyard was fenced in. He left the snow blower in Aaron's backyard right by the back door. Dov drove off happily. Later that day, Dov remembered that his Rav had once mentioned to him in passing that he could really use a snow blower but could not afford one. Dov had much gratitude to his Rav who helped him countless times before. He decided he would quickly return to Aaron's house to take the snow blower back and bring it to the Rav's house. When he returned to Aaron's house he found it exactly where he left it. As Dov wheeled the snow blower back, he had the following doubt run through his head. "Was he allowed to take it back? On one hand he already gave it to Aaron and left it in his yard. But on the other

hand Aaron didn't even know that he received it. Was leaving the snow blower in Aaron's yard, sufficient to allow Aaron to acquire it? Would it be theft for Dov to take it back? What do you think, can Dov take it back to give to his Rav?

Answer: Regarding the snow blower question, Rav Shuchatowitz answered that a chatzar, a yard, can acquire something on behalf of its owner even if the owner is not aware of it. However, that is only when it is a guarded chatzar, such as a fenced-in yard. In contrast, an open front porch which is not guarded does not acquire for the owner. Therefore, in our story, where the snowblower was placed in the fenced-in backyard, the recipient acquired it and the original owner has no right to take away.

— Source: Table Talk Edition #79 (Parshas Behaloscha)

STORIES FROM OUR SAGES:

❖ It once happened that a man in Beis Choron had a father who was forbidden by a vow from deriving any benefit from his son's property. When the man was celebrating his own son's wedding, he wanted his father to be able to attend the wedding banquet. So he said to his friend: 'Here, this courtyard and this wedding banquet are given to you as a gift—but they are before you ONLY so that my father may come in and eat with us at the feast!' His friend replied instantly: 'If they are truly mine, then behold, I consecrate them all to Heaven!' The son protested: 'Did I give you my property so that you would consecrate it to Heaven?!' His friend answered: 'You never really gave me your property at all—except so that you and your father could eat and drink and make peace with each other while the sin of the broken vow would hang on his head!' When the matter came before the Sages, they ruled: Any gift that does not allow the recipient even to consecrate it if he wishes is not a genuine gift!

Mishnah, Nedarim 5:6

INSPIRATIONAL STORIES:

❖ When discussing the various kinyanim (methods of acquisition) through which one can acquire an item, Rav Pam smiled and asked, "And how is one koneh (acquires) a talmid?" That is, what methods should a rebbi use to bring out the best in his talmidim? He answered, "With meshichah (pulling, i.e., by drawing the talmid close) and hagbahah (lifting, i.e., by instilling confidence in the talmid and raising his self-esteem).

Rav Pam: The Life and Ideals of Rav Avrohom Yaakov Hakohen Pam, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

65. To observe the laws of inheritance

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 73

As the Torah says, If a man dies and has no son, then you shall transfer his inheritance to his daughter (Bamidbar 27:8, Parshas Pinchas).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- A person dies and leaves a large estate. There are two relatives alive, the deceased's father, and the deceased's daughter. Who inherits the estate?
- What if the deceased's grand children are alive, and the deceased's father is alive, who takes priority?
- If there are three sons, how is it divided?

▪ If a wife dies and leaves and estate, and she has sons from another marriage, who takes priority, the husband or the sons?

▪ If a man dies and has a son and daughter, which takes priority?

SEFER HAMITZVOS HAKATZAR

According to biblical inheritance law, a son takes precedence over a daughter, and all lineal descendants of a son take precedence over a daughter (Bamidbar 27:8).

If there are no sons or descendants of sons, a daughter inherits; a daughter and all her lineal descendants take precedence over the deceased person's father.

Included within this commandment is the obligation to grant the firstborn son (bechor) a double portion (pi shenayim) of his father's estate (Devarim 21:17).

By rabbinic enactment (d'Rabbanan), a husband inherits his deceased wife's estate, taking precedence over all other potential heirs.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem is just, so should we behave in a fair and just way. These laws ensure that inheritance is conducted in fair and just way.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (3:42)

This mitzvah teaches us that taking care of family and those we are close to takes priority before taking care of others.

SEFER HACHINUCH (MITZVAH 400)

Hashem gave everyone resources in order to fulfill their purpose in life. Man should have lived forever, but death was introduced because of chet, sin. Therefore, the resources instead go to those who extend from him in order to continue the purpose that they were given for.

If there are no children, then the property will go to those family members who may have been the merit that brought the deceased person these possessions. Those relatives have more rights to this property than others.

SFAS EMES

• What really happens when a righteous person leaves this world? Why did Korach have to die in such an unusual way? The Sfas Emes explains that when an ordinary person passes away, his presence is never completely lost to the world! His children step into his shoes. Through them, his spiritual power (ko'ach) and his place (makom) continue to live on inside the community. A parent's good deeds echo down through his descendants. Why, then, was Korach swallowed alive into the depths of the earth? Because Korach knew that great descendants—including

the Prophet Shmuel—would emerge from his family. We inherit their spiritual vitality, their character traits, and their unfinished mission in the world. When we live with integrity, our parents' souls continue to shine through our deeds (Sfas Emes, Bamidbar, Korach 5636).

• In Parshas Pinchas, Hashem said to Moshe: "The daughters of Tzelafchad speak correctly." Why did the Almighty feel it necessary to praise their words? Once Hashem decided to grant their request, could He not have simply commanded Moshe to give them the land? The Sfas Emes reveals a wondrous secret: to teach us that the law itself was brought into being through their sincere speech! The daughters of Tzelafchad did not invent new laws. Hashem gave the Torah. Yet their burning love for Eretz Yisrael created the spiritual vessel that pulled this divine revelation down from heaven into our world! The Sfas Emes explains that this marked a historic turning point for our people. The Sfas Emes calls this the fresh awakening from below. When our hearts burn with genuine love for Hashem, our sincere questions help reveal new depths of Torah wisdom (Sfas Emes, Bamidbar, Pinchas 5642).

• In 5663, the Sfas Emes examines the sequence of parashiyos in Pinchas. First comes the inheritance of the daughters of Tzelafchad. Immediately afterward, Hashem tells Moshe to ascend the mountain and appoint Yehoshua as his successor. Why are these two events placed side by side? Our Sages share a classic comparison: Moshe's face was like the sun, while Yehoshua's face was like the moon (Bava Basra 75a). The sun radiates its own direct, blinding light, while the moon receives light from the sun and reflects it into the dark night. The daughters receiving the land and Yehoshua receiving the leadership were two expressions of the exact same transition. The sun had set, and the moon was rising to illuminate the journey ahead (Sfas Emes, Bamidbar, Pinchas 5663).

• In Parshas Pinchas, after the plague, Hashem commanded a census of the Jewish people. Rashi notes that Hashem placed the letters of His own holy Name—the letter Hei at the beginning and the letter Yud at the end—around each family name (such as Ha-Chanochi, Ha-Palu'i). Why did the Almighty sign His personal Name upon every family? He answers that the inheritance of Eretz Yisrael belongs exclusively to those who carry the spiritual imprint of Avraham, Yitzchak, and Yaakov! Our connection to the land is not based on military conquest. It is a family inheritance rooted in the covenant of circumcision (bris milah). The letters of Hashem's Name on their families testified that the covenant of Abraham was alive in their flesh. We inherit the Promised Land because the holy blood of our Forefathers runs in our veins (Sfas Emes, Bamidbar, Pinchas 5661).

• When Avraham Avinu was ninety-nine years old, he poured out his heart to Hashem: "What will You give me, seeing that I go childless, and the steward of my house is Eliezer of Damascus?" (Bereishis 15:2). Why was our father Avraham so brokenhearted? The Sfas Emes explains that Avraham was worried about the transmission of his Torah. His devoted servant Eliezer drank thirstily from his wisdom, drawing water from his master's well. But Eliezer could only receive the teachings Avraham had already attained. Hashem knew that Avraham was about to undergo the holy transformation of bris milah. Through circumcision, Avraham would become a brand-new creation and receive the Torah of truth (Toras Emes). Hashem reassured him: "The one who comes from your own body shall inherit you!" A true Jewish inheritance does not just pass down old memories; it equips the next generation to climb to heights their parents could only dream of (Sfas Emes, Bereishis, Lech Lecha 5646).

RELATED HASHKAFAH TOPICS:

- Discuss the concept of taking care of your own family before you do chesed for others.
- Why is it so prevalent that people volunteer for others, but ignore their family?

- "We should have lived forever, except chet introduced the concept of death". Discuss the concept of the immortality in the future world after the messianic era.
- Discuss why a daughter only gets an inheritance if there are no sons.

MORAL DILEMMAS:

Mark was an elderly wealthy businessman. He had an estranged relationship with his son Rob. He would often complain that his son never visited him or cared for him. As Mark got older Rob needed someone to take care of his father so he hired a Jewish man named Avi to care for him. Avi decided to himself that he would not tell Mark that he was hired. Rob agreed with this decision. One day Avi came to Mark's front yard and offered to help him with some chores. Mark obliged. The next day Avi offered to help with some more chores. Again, Mark obliged. Eventually this relationship developed and Avi began to take care of all of Mark's needs. Avi never revealed that he was a steward being paid by Rob. Avi did an exemplary job and Mark really loved Avi. Eventually Mark passed away. Because Mark's relationship with his son Rob was estranged, Mark left his entire estate to his good friend Avi who took such good care of him for so many years so diligently. He left nothing to his son Rob. When Rob found out that Avi was being bequeathed his father's will he strongly objected. Avi fooled his father, Rob argued. Had his father known that he was an employee and not just a friend he never would have bequeathed everything to him. Rob argued that the will, bequeathing the money to Avi should be invalidated because Avi deceived Mark by not telling him that he was being paid. Avi however argued that he should not be given the money because he was a friend, but rather because he did such a good job. Mark would have given him the money regardless. What do you think? Does Avi get the money? On one hand he should receive the will for he truly cared for Mark and did a great job. But on the other hand perhaps by not being completely transparent about why he was there, he was being deceitful and does not deserve the money. What do you think?

Answer: Regarding the question about the steward/home aid, Rabbi Zilberstein writes that if the home aid was being paid by the son, and he was only working because he was being paid, then the inheritance should go to the son.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Megillah, p. 146

A Jewish traveler driving along an American interstate pulled off at a cemetery solely to use the restroom facilities located at the far end of the grounds. While walking toward the building, he encountered a levayah procession moving in the exact same direction. Not wanting to cause a chillul Hashem by appearing callous or indifferent to a fellow Jew's final journey, he joined the procession and accompanied the casket to the gravesite. While standing among the mourners, an estate attorney approached him and quietly recorded his name and contact details. Several weeks later, the man was stunned to receive an official letter and a check for $100,000 from the deceased's estate. It turned out that the deceased was a wealthy, solitary individual who had no immediate family and dreaded being buried in total loneliness. In his will, he had stipulated that his fortune be distributed among anyone who personally attended his funeral. The traveler found himself facing an acute halachic dilemma: Since he had entered the cemetery purely for personal bodily needs and had only joined the procession out of social etiquette and the desire to avoid a chillul Hashem, is he halachically entitled to keep the $100,000 bequest under the terms of the will, or must the money be surrendered to the estate and the legal heirs?

Answer: Based on the Netziv (Ha'amek She'eilah) — who explains that the honor of the deceased (kevod ha-mes) is enhanced whenever another Jew walks four cubits with the bier, regardless of what initially brought him to the cemetery — Rav Yitzchak Zilberstein rules that since the deceased's will granted a share to everyone who attended the funeral and thereby

honored him, and the traveler genuinely joined and accompanied the procession for four cubits, he fulfilled the condition of the bequest and is permitted to keep the $100,000 check.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Peah-Demai-Kilayim, p. 40

For many years under the rule of the Czars, the Russian authorities would draft people into the army. For some period of time they issued "kvetentsias" which could be bought for a price. These kvetentsias were documents which exempted the bearer from the draft. Since it was not limited to a specific person there was a market for kvetentsias. Eventually the period of the kvetentsias closed and they were only given out under extremely rare circumstances. Naturally, the value of the kvetentsia skyrocketed. There was a family with many sons who had a kvetentsia. The father was about to pass away and in his will delineated that the kvetentsia should be used for the youngest son, as the older sons were already too old for military service and would not be drafted. Eventually the father passed away and the son inherited the kvetentsia. When the youngest son was called to register It turned out that he did not need to use his kvetentsia because he was medically exempt. He decided that he would sell it and keep the money. When the brothers heard about it they objected. They argued that the only reason why the father left it to him was for him to use it to prevent him from going to the army. If he wasn't going to use it then it should be given to all of them to share equally and they should be able to equally share in the profits of the sale. This question was brought to the Rogatchover Gaon. What do you think? Can the son sell it and keep all the money, or would the proceeds of the sale go to all of the brothers?

Answer: Regarding the question about the draft exemption, the Ragatchover responded based on Nazir 24A that a husband commits himself for anything the wife might need. However, for something that she has no need he never accepted responsibility. Based on this he said that the father was only concerned about his son's welfare. If he does not need it, it was never given to him, and therefore the proceeds should be split between all the children.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 215 (Shemos)

A frum man got rid of all of his chametz on Pesach, and made a bitul on all of his chametz. On Pesach he learned that his father who was not religious died and the son now inherited a company that manufactures chametz. You can't sell chametz found on Pesach. Does the son who inherited the chametz have to destroy all of it, if it will be a loss of millions of dollars? Does he get automatic ownership as soon as the father dies?

Answer: If he was mevatel his chametz before Pesach, that can help.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 56

Two Jewish families shared a cramped apartment in the Warsaw Ghetto. One day, one of the families was rounded up and all were executed. The family that perished left many of their valuables in the room. The surviving family had the following moral dilemma. The husband said to his wife, “Food is very scarce. Perhaps we would be able to sell some of the valuables that were left over in order to obtain a little more food. The owners of the possessions are no longer living. The valuables seem to be ownerless. But the wife responded, “But perhaps there are some unknown relatives living somewhere in the world who were entitled to these possessions. Would it be theft from those people if we used or sold the possessions? Can one argue that the unnamed inheritors relinquished their claims because it was impossible to access the ghetto? The husband answered, “There were no claims to these items, so I think they are ownerless, and we can keep it. Additionally, even if there were inheritors, maybe they would relinquish their claim because the ghetto is

inaccessible to them." The wife finally replied, I still think it might be stealing from the inheritors if we use the valuables. Rather than take the valuables as one would expect, they brought this question to Rav Oshry to hear what the Torah would answer in such a case. How would you decide this question?

Answer: Rav Ephraim Oshry ruled that the surviving roommate was completely permitted to take the remaining household items of the murdered family and sell them to buy food for his starving children, and that even if a distant heir of that family were to surface after the war, he would have no obligation to reimburse him. Citing Bava Kamma 114a, Rambam (Hilchos Gezeilah 6:6), and Shulchan Aruch (Choshen Mishpat 259:7)—that one who rescues property from a pillaging gentile army or an unstoppable flood (zuto shel yam) acquires it completely because the owners despair (ye'ush) of ever recovering it—Rav Oshry explained that after a Nazi liquidation Aktion, German troops systematically looted everything of value and abandoned the rest, so any hypothetical distant relatives had certainly despaired of the belongings (and unlike holy books, whose true value gentiles do not recognize, Shu"t Chut HaMeshulash, ordinary household articles are fully acquired). Moreover, it is a certainty that the martyred roommates would rejoice that their remnants sustained the lives of Jewish children rather than falling into the hands of their murderers.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 3, Siman 4

A woman was married to a doctor. She was very wealthy from a previous marriage. When she had a severe seizure, her husband gave her the anti-seizure medication, but he gave her too much, and she died as a result. The husband was imprisoned because of his mistake. The question was if he should be allowed to inherit his wife's fortune. He was directly responsible for her death. Should he still inherit her?

Answer: Analyzing the Rambam (Hilchos Mamrim 7:14) and Radbaz regarding whether a sinner forfeits his Torah right of inheritance, Rav Yitzchak Zilberstein rules that where the doctor's fatal medication error was an unintentional tragic accident (shogeg) while trying to save his wife during a seizure rather than intentional murder, Chazal did not confiscate the husband's biblical right of inheritance, though it is fitting for him to dedicate a generous portion of the estate to charity and Torah in memory of her soul.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 255

STORIES FROM OUR SAGES:

❖ Until the age of twenty-two (or twenty-eight) Elazar ben Hurkenus worked on the estates of his wealthy father. One day he decided to begin studying Torah. Upon telling the idea to his father, his father, Horkenus, laughed at him, saying, "You are already twenty-eight years old, and you want to start studying Torah now?! Go and take a wife, and your children will go to school." Eliezer was disappointed, and he cried frequently until Elijah the prophet appeared to him and told him to go to Yerushalayim and study from R' Yochanan ben Zakkai. Before he left, he was plowing the field when a cow broke her leg. Eliezer took this as a sign from Heaven, and he immediately went to Yerushalayim. He studied diligently with R' Yochanan, but, since he had left home without taking any money, he had no food. R' Yochanan noticed a bad odor on his breath, and he asked R' Yehoshua and R' Yose HaKohen to make inquiries about R' Eliezer. They discovered that he had been eating dirt, and when R' Yochanan was informed, he made sure that R' Eliezer was provided with proper food. R' Eliezer became one of R' Yochanan's outstanding students. After a while, Horkenus decided to go to Yerushalayim to take a vow to deprive his runaway son of his inheritance. When he entered the beis midrash, he found his son sitting at the head and "his countenance was as luminous as the light of the sun." When R' Eliezer finished expounding the Torah, R' Yochanan kissed him and said, 'Fortunate are Avraham, Yitzchak, and Yaakov that this has descended from them." Horkenus observed this and decided to bequeath the whole of his fortune to R' Eliezer, but R' Eliezer refused to accept more than his brothers.

Pesikta Rabbasi, Parah 56b-57a

A. TO GIVE THE FIRSTBORN A DOUBLE PORTION

(Torah Mandated Mitzvah), Sefer Chareidim 12-45

As it says " You shall recognize the firstborn to give him a double portion" (Devarim 21:17, Parshas Ki Seitzei).

SEFER CHAREIDIM

It is an active positive commandment (mitzvas aseh) for a father to assign a double portion (pi shenayim) of his estate to his halachic firstborn son. If a father attempts to reassign the birthright and strip the firstborn of his rightful inheritance, he violates an active positive commandment (Devarim 21:17).

Furthermore, the father is commanded to openly recognize and acknowledge his true firstborn son (yakir) during his lifetime, declaring his status and instructing that he be awarded his rightful double portion in the inheritance.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAV SAMSON RAPHAEL HIRSCH

When a father dies, the Torah wants it to create the least disruption possible. While the father was alive he owned and managed the entire estate and the other sons were dependent on him. Now that he has died, the Torah wants the firstborn to have a larger portion to fill the role of the father as the leader of the family.

MORAL DILEMMAS:

Baruch owned a food distribution business. He had large factories and warehouses filled with chametz items. It was a million-dollar business. Every year Baruch would of course sell the chametz in his factories to a non-Jew. One Pesach after all the chametz was sold Baruch passed away in his sleep. Baruch had two sons, Eli and Yoni. Eli was the bechor. When all the dust was settled after the funeral, Eli and Yoni discussed the yerusha of their father's holdings. Eli assumed that he would get a double portion of the value of the factories. "But I'm not so sure about that", Yoni countered. At the time of Abba's death, the factory was not owned by him, it was in the possession of the non-Jew who bought it. That means that when he died, Abba did not own the factory it was just "coming to him". A bechor only takes a double portion of what the father owns, not what is coming to him. That is called Raui." But Eli replied, "I'm not sure you are right. Even though it was sold to the non-Jew, we knew it would come back to our father's possession. It is therefore like muchzak, and it is like it is assumed to be in the fathers possession". What do you think? Does the bechor get pi shnayim, a double portion from the chametz that was sold on Pesach?

Answer: Regarding the question about whether a firstborn inherits a double portion of the chometz that was sold, Rav Zilberstein cites the Shoel U'meishiv that he does inherit it, because in some respects it was considered in the father's possession. However Rav Elyashiv felt that this was a difficult psak, so Rav Zilberstein leaves it with a "Tzarich Iyun", requiring further study.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 175 (Table Talk Edition 225)

NATIONAL ADMINISTRATION OF JUSTICE

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by helping to perfect the world by eliminating the evil values that Amalek has introduced into society.

66. To remember what Amalek did

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 76.

As the Torah says, Remember what Amalek did to you (Devarim 25:17, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ How are we supposed to remember what Amalek did?

SEFER HAMITZVOS HAKATZAR

We are commanded to verbally articulate and remember the wicked deeds of Amalek and his unprovoked ambush against Klal Yisroel upon our exodus from Egypt, as Scripture states: 'Remember what Amalek did to you on the way, when you came forth out of Egypt' (Devarim 25:17). This verbal recitation ensures that the memory of his malicious cruelty remains vivid in our hearts.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem punishes the evil and eliminates evil in order to lead the world to a destiny in which all mankind become close to Hashem by being G-dly, Similarly, Hashem commanded us to eliminate a people who are evil and have spread evil values across the world. We do this with our court system and eliminate criminals, and we do this as a nation as well. As an act of justice, in order to perfect the world, Hashem commanded us to eliminate this people and the evil values that they have espoused. Although we no longer know who Amalek is, we can observe this in a partial way by eliminating the evil Amalek values from our hearts, and from society. Remembering what they have done helps to ensure that we remember why this people and its teachings have to be eradicated before the world can be perfected.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• What is the ultimate motive behind our battle against Amalek? Is it personal revenge for an ancient ambush? The Sfas Emes reveals that our primary concern is the honor of the Almighty. Our Sages teach that Hashem's Name and Throne remain incomplete as long as the memory of Amalek exists in the world: the divine hand is

upon the Throne of Hashem (Rashi on Shemos 17:16). Each generation has a unique divine light that is meant to shine into the world. We are not driven by petty human hatred. We fight to remove the dark clouds of cynicism and cruelty so that Hashem's presence will be revealed to all mankind (Sfas Emes, Moadim, Parshas Zachor 5646).

• The Sfas Emes describes Amalek as the very root of spiritual forgetfulness. What does spiritual forgetfulness really mean? It is not just forgetting where we put our keys or failing to remember a page of Gemara. A person can be a brilliant scholar and still suffer from spiritual forgetfulness! Spiritual forgetfulness means living as if Hashem were not present in this room right now. It means knowing the Torah in our head while acting with anger, greed, or selfishness in our daily deeds. Remembering Amalek trains us to tear down the wall between our intellectual knowledge and our daily behavior. Through constant remembrance, the living wisdom of Torah floods every corner of our lives (Sfas Emes, Shemos, Tetzaveh 5658).

• Why did our Sages insist that the mitzvah of remembering Amalek must be spoken aloud with our lips (zachor b'peh)? In 5653, the Sfas Emes explains that human speech draws its deepest power from the Torah. Look at what happens on Friday night: when we speak the words of Kiddush with our lips, we draw down the blessing and holiness of Shabbos into our physical homes! In that exact same way, when we pronounce the words of Parshas Zachor aloud, our holy speech calls down divine judgment upon the forces of cruelty. Our words are not empty sounds in the air; they are spiritual instruments that reshape the world. When we read this parshah on Shabbos, our speech unites with the holiness of the day to banish evil from the universe (Sfas Emes, Moadim, Parshas Zachor 5653).

• Why did the Torah use the identical command “remembrance” (zachor) for both Shabbos and Amalek? At the Ten Commandments, the Torah commands: "Remember the day of Shabbos to keep it holy" (Shemos 20:8). The Sfas Emes reveals that these two remembrances complete one another. Our Sages teach that if our ancestors had properly observed the very first Shabbos in the wilderness, no nation could ever have harmed them (Shabbos 118b). Amalek attacked only after they desecrated that first holy day. By reading Parshas Zachor on Shabbos, we repair the ancient breach of Refidim! The holy serenity of Shabbos reconnects our souls to the Almighty, giving us the spiritual power to triumph over all adversity (Sfas Emes, Moadim, Parshas Zachor 5646).

• In Parshas Ki Seitzei, the Torah places the remembrance of Miriam’s lashon hara right beside the remembrance of Amalek. Why are these two remembrances placed side by side? The Sfas Emes explains that they correspond to the two sacred covenants of the human body: the covenant of the tongue (bris ha-lashon) and the covenant of the flesh (bris milah). When Amalek attacked our ancestors, our Sages tell us that he cast the severed flesh of their circumcision toward heaven in mockery. Amalek sought to destroy our personal purity and our speech. Remembering Amalek inspires us to guard both covenants: we protect our bodies with moral purity, and we sanctify our speech with words of kindness and prayer (Sfas Emes, Devarim, Ki Seitzei 5656).

67. Not to forget what Amalek did

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 194

As the Torah says, Remember what Amalek did to you… you shall not forget (Devarim 25:17,19, Parshas Ki Seitzei)

SEFER HAMITZVOS HAKATZAR

This negative commandment warns us never to allow the memory of Amalek's cruelty to fade from our hearts, for we are strictly forbidden to forget his enduring enmity and hatred toward Klal Yisroel, as Scripture states: 'You shall not forget' (Devarim 25:19). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem punishes the evil and eliminates evil in order to lead the world to a destiny in which all mankind become close to Hashem by being G-dly, Similarly, Hashem commanded us to eliminate a people who are evil and have spread evil values across the world. We do this with our court system and eliminate criminals, and we do this as a nation as well. As an act of justice, in order to perfect the world, Hashem commanded us to eliminate this people and the evil values that they have espoused. Although we no longer know who Amalek is, we can observe this in a partial way by eliminating the evil Amalek values from our hearts, and from society. Remembering what they have done helps to ensure that we remember why this people and its teachings have to be eradicated before the world can be perfected.

STORIES FROM OUR SAGES:

❖ Rabbi Yose recounted an incident involving Rabbi Yochanan ben Nuri, who read the Megillah at night in Sepphoris, and the Sages replied that a time of mortal danger is no proof for standard halachah. Rabbi Shimon ben Elazar recounted a further incident involving Rabbi Meir, who traveled to Asia to intercalate the year and did not find a Hebrew Megillah scroll there; Rabbi Meir wrote out the entire Megillah from memory onto parchment and then read it aloud from that written scroll.

Tosefta, Megillah 2:2

68. To destroy Amalek and his remembrance

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 77

As the Torah says, you shall blot out the remembrance of Amalek (Devarim 25:19, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

▪ How can we do this?

SEFER HAMITZVOS HAKATZAR

In our era, we can no longer identify the biological lineage of Amalek with certainty, until Eliyahu HaNavi arrives and reveals their identity. At that time, Klal Yisroel will fulfill the biblical commandment to obliterate every trace of Amalek from beneath the heavens (Devarim 25:19). May Hashem privilege us to witness the arrival of Eliyahu HaNavi and the coming of Mashiach Tzidkeinu, speedily in our days; amen.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem punishes the evil and eliminates evil in order to lead the world to a destiny in which all mankind become close to Hashem by being G-dly, similarly, Hashem commanded us to eliminate a people who are evil and have spread evil values across the world. We do this with our court system and eliminate criminals, and we do this as a nation as well. As act of justice, in order to perfect the world, Hashem commanded us to eliminate this people and the evil values that they have espoused.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

IBN EZRA (SHEMOS 17:14)

Amalek destroyed the yiras shamayim, the reverence for Hashem that all of the nations had after the Jews left Mitzrayim. They did that by attacking Klal Yisrael right before they received the Torah. Hashem wants to punish them for negatively influencing all of humanity.

RAMBAN (DEVARIM 25:19)

Amalek attacked the Bnei Yisrael simply to eliminate the divine presence that the Jews bring to the world. They attacked simply to fight against Hashem. Hashem wants to bring them to justice.

Additionally, warfare is considered strange to the Jewish way of life. It was Amalek who first required the Jews to battle at war.

PACHAD YITZCHAK PURIM 1

Just as the Benei Yisrael are a force that spreads the respect for Hashem and Torah values, across the world, Amalek is a counter force spreads the denigration of Hashem and Torah values.

RAV SAMSON RAPHAEL HIRSCH

Amalek spread the values of glorification of violence and immorality throughout the world.

SFAS EMES

• Why does the Torah place the joyful mitzvah of bringing the first fruits (bikkurim) immediately after the command to destroy Amalek? When a farmer brings his first ripe figs to the Temple, he lifts them up and proclaims that Hashem is the sole source of all blessing. The Sfas Emes explains that before we can dedicate our first fruits to Hashem, we must first crush Amalek's false illusion of independence! Our holy mission is to clarify that every beginning in this world belongs to Hashem alone. When a creature takes credit for his own success, his accomplishments wither and die. But when we offer our beginnings to the Creator, we anchor our physical lives in eternity (Sfas Emes, Devarim, Ki Savo 5635).

• What effect does the destruction of Amalek have on the rest of humanity? The Sfas Emes explains that the Exodus from Egypt was intended to inspire all nations to turn toward their Creator. But Amalek deliberately jumped into the path, fighting to sabotage humanity's march toward Mount Sinai. The Sfas Emes makes a vital distinction: other nations possess an inner spark through which they can eventually recognize Hashem's kingship

and find their rightful place in the world. It is the removal of the toxic parasite that prevents humanity from recognizing its Father in Heaven. When Amalek falls, the whole world can finally unite in peace and song (Sfas Emes, Shemos, Yisro 5635).

• Why does the Torah repeat that Amalek attacked on the road? The Sfas Emes explains that Amalek specializes in ambushing people midway through their journey! How often do we start a mitzvah with fiery enthusiasm, only to let our resolve fizzle out before we finish the deed? The Exodus from Egypt freed our speech, and Sinai elevated our minds. But the ultimate goal was to carry that holy inspiration into our daily physical actions. Amalek stood on the road, trying to strangle our good intentions before they could bear fruit. Destroying Amalek gives us the staying power to complete what we start. It ensures that our holy memories turn into living, breathing deeds (Sfas Emes, Moadim, Parshas Zachor 5654).

• Our Sages teach that Hashem's Name and Throne are incomplete as long as Amalek exists. How do we rebuild that holy Throne? The Sfas Emes explains that Hashem's Name represents the holy Torah, whose words are woven from divine names; while Hashem's Throne represents Jerusalem and the holy Temple (Beis HaMikdash). Amalek blocks both: he stops us from learning Torah with joy, and he fights to destroy the holy Temple. When Haman was hanged, what happened? Our people embraced the Torah with renewed passion, and the road was cleared to rebuild the Second Temple! By defeating evil, we rebuild the palace of Hashem on earth and bring divine harmony into human history (Sfas Emes, Moadim, Purim 5642).

• Why did the Almighty command human beings to destroy Amalek? Could Hashem not destroy the wicked with a single breath of wind? The Chiddushei HaRim explains that Hashem gave us the mitzvah to bestow upon us the glory of partnership. In Parshas Ki Seitzei, Hashem says "you shall blot out" (timcheh), while earlier He promised "I will blot out" (emcheh). Hashem planted royal treasures inside our souls, and He wants us to discover our own greatness through sacred effort. Our faithful actions below partner with divine power above, bringing the light of redemption into the physical world (Sfas Emes, Devarim, Ki Seitzei 5659).

RELATED HASHKAFAH TOPICS:

- Discuss how just as Yisrael is a nation that spreads the light of Kedushah, Amalek is a counterforce that spreads the darkness of tumah.
- Discuss why the elimination of Amalek is connected with the perfection of the world, and Hashem's "full throne".
- Discuss how we destroy Amalek today by eliminating his values from our heart.
- Discuss how destroying Amalek can be reconciled with Hashem's quality of compassion.

STORIES FROM OUR SAGES:

❖ Expounding the verse, 'If it please the king, let it be written to destroy them' (Esther 3:9), Reish Lakish said: When Haman the Wicked said to King Achashverosh, 'Come, let us destroy Israel from the world,' Achashverosh replied to him: 'You cannot prevail against them, because their God never forsakes them utterly! Come and see what He did to the earlier kings before us who stretched out their hands against them—monarchs far greater and mightier than we are! Whoever comes against them to blot them out or plots against them is himself obliterated from the world and becomes a proverb for all generations. How much more so we, who are not even their equals! Leave off speaking of this matter.' Even so, Haman the Wicked kept pestering Achashverosh hour after hour with evil counsel against Israel. Finally Achashverosh said to him: 'Since you persist, let us consult the sages and the magicians.' Immediately he sent and gathered all the wise men of the nations of the world. When they came before him, Achashverosh asked them: 'Do you wish that we destroy this nation from

the world?' All of them cried out in unison: 'Who is he and where is the man whose heart dares to do such a thing? If you destroy Israel from the world, the world itself cannot endure, for the universe exists only for the sake of the Torah that was given to Israel, as it is written: If not for My covenant day and night, I would not have appointed the laws of heaven and earth (Jeremiah 33:25)! Moreover, all idol-worshiping nations are called strangers before the Holy One, blessed be He, whereas Israel are called His close ones (Psalms 148:14) and His children (Devarim 14:1). Go reflect on what happened to Pharaoh and Sennacherib!' Immediately Haman answered them: 'The God who drowned Pharaoh in the sea and performed those miracles you heard of has already grown old and can do nothing—for Nebuchadnezzar already went up, destroyed His House, burned His Sanctuary, and exiled Israel among the nations, as it is written: They say, God does not see, the God of Jacob does not pay heed (Psalms 94:7).' As soon as Haman spoke thus, they accepted his words and signed the royal letters.

Midrash Esther Rabbah 7:13 (on Esther 3:9)

INSPIRATIONAL STORIES:

❖ When the Bobover Rebbe's chair — the chair in which he sat hour after hour, engaged in his holy Work began to show signs of wear, with its stuffing oozing out, he refused offers of a new one. "We must repair this one," said a gabbai, "it is unbecoming for the Rav to sit in such a chair." The Bobover Rebbe disagreed. "Chazal tell us that, as long as Amalek obstructs Hashem's total dominion over the World, Hashem's throne, His chair, is not complete; it is lacking. His chair isn't whole, and mine should be?"

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

SEDER THREE • SECTION ONE: EMULATING HASHEM

PEKUDIM: STEWARDSHIP OF CREATION

Superrational Commandments of Mishpat and Stewardship Toward the Animal, Plant, and Inanimate Worlds That are in our Care

OVERVIEW

The Almighty's justice and concern isn't limited to people alone. It extends to all of His creatures. Therefore, in our quest to emulate the Almighty, we have to be just toward all creatures as well. This takes us to the third category of mitzvos called Pekudim, concluding the discipline of Bein Adam LeChaveiro. Pekudim are mitzvos of justice to the subordinate creatures that Hashem put in our care; either to inanimate objects, to plants, to animals, or to our very body. According to Rabbi Samson Raphael Hirsch, the word pekudim comes from the word pikadon, which means something that is entrusted in your care. These commandments are all commandments that ask us to act justly and wisely toward the objects that Hashem placed in our stewardship.

Now, mishpat (justice) toward other humans is very straightforward. We all understand what is unjust about being robbed or assaulted. But we can't intuitively relate to what is just toward an animal or plant, because we are not animals or plants. That is the reason why some of the mitzvos in this category may seem incomprehensible to us. We can't relate to what is just or unjust towards plants and animals because we don't share their nature. We need the infinite wisdom of the Almighty, who knows the true inner nature of all of His creations, to reveal to us what is just or what is not just towards them. In this category of mitzvos the Almighty gives us a glimpse into the inner nature of the plant and animal world and reveals to us what would be just or unjust toward these creatures.

For example, the first mitzvah in this category is the mitzvah of baal tashchis. Baal tashchis is a prohibition against needlessly destroying anything that has value. Everything was created by the Almighty for a purpose, and destroying that object senselessly would be injustice toward that object. Another example is the aveirah (prohibition) of causing harm or pain to animals. Needlessly causing pain to any animal is injustice toward the animal.

We then come to the aveirah of kilaim, which prohibits grafting, and crossbreeding different plants. When we get to this mitzvah we are puzzled. What is wrong with that? What could be wrong with grafting an orange with a grapefruit to make a tangelo? What would be wrong with genetically modifying vegetables to make them resistant to cold?

Let's use the following analogy to address that question. Imagine that you designed a computer and ask for me to look at it. I unscrew the case and begin to fiddle around with its innards. I pull out a wire and cross it with another one. You try to stop me but it is too late. "What's the problem", I say to you. "Look, the computer still works". But you reply, "Listen, I created the computer, and although to an observer it may seem as if the computer is still working fine, because I designed the computer, I understand the internal damage that your meddling caused".

The same is true with our natural world. Although we observers may not understand what is wrong with crossbreeding plants, the Designer of this intricate universe has told us not to cross those lines. Although we don't understand what is wrong with it, that is simply a result of our own limited understanding of the inner workings and the delicate balance of the natural world. If we shared the Almighty's infinite knowledge of the inner workings of plants, it would be clear to us how crossing the lines of these plants is destructive to the world, and therefore unjust.

The same is true for many other mitzvos in this category that relate to plants and animals. They seem incomprehensible to us because we are unaware of their inner nature. But if we understood their inner nature the same way their Designer does, these mitzvos would be as rational and intuitive to us as the prohibition of murder.

This category of mitzvos also has mitzvos that require us to care for our health and treat our bodies in a just way. Contrary to what we intuitively think, the Torah teaches that our bodies do not fully belong to us. Our body is a tool given to us by the Creator in order to accomplish our mission on earth. It can be compared to a company car a corporation gives to one of its salesmen. The car is given in order to accomplish a job. Because our bodies truly belong to Hashem, we have to care for it and make sure that it is healthy and fit to fulfill its purpose. We are also not allowed to needlessly and unjustly harm our bodies. This perspective can help us understand the mitzvos of guarding one's health, not wounding one's body, and not getting a tattoo. These are all examples of justice towards the things that are given to us as a pikadon, for us to guard in our care.

MISHPAT TO ALL OF HASHEM'S CREATURES

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by acting with justice and sensitivity toward the plant world and other inanimate objects that are in our stewardship

1. Not to needlessly cut down trees or needlessly destroy anything useful

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 191

As the Torah says, When you besiege a city… you shall not destroy its trees (Devarim 20:19, Parshas Shoftim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is this only prohibited during a time of a siege?
- Is this prohibition limited to trees?
- Can one cut down a fruit tree that is harming other trees?
- Can one cut down a fruit tree to process the wood, if its wood is worth more than its fruit?

SEFER HAMITZVOS HAKATZAR

This biblical prohibition is not limited to wartime siege alone; rather, whenever someone destructively chops down a fruit-bearing tree, he violates this negative commandment (ba'al tashchis).

By rabbinic enactment, this prohibition extends to all wanton waste: anyone who smashes a useful utensil, tears a wearable garment, demolishes a sound structure, or ruins edible food in a destructive manner is liable for rabbinic lashes of disobedience (makas mardus).

A barren tree that does not bear fruit may be felled for any purpose, such as firewood, even if there is no urgent need for its lumber. Likewise, an aged fruit tree that yields only a meager, negligible crop — less than a quarter of a kav of olives or a kav of dates — such that it is no longer worth the labor of cultivation, may be cut down and put to use.

It is also permissible to cut down a productive fruit tree if doing so serves a constructive purpose:

If it is harming other, more valuable trees;

If it causes substantial damage to adjacent fields;

Or if the monetary value of its timber significantly exceeds the value of its fruit harvest.

For the Torah forbade felling a tree only when it is performed as an act of wanton vandalism and destruction (derech hashchasah).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem doesn't needlessly destroy or harm anything, we should act the same towards all of Hashem's creations.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 529)

Godly people want the good of all of Hashem's creatures and should not desire to destroy even something as small as a mustard seed.

ABARBANEL (DEVARIM 20)

A strong being should not take advantage of his powerful position and harm a weaker one.

RAMCHAL — MESILAS YESHARIM (CHAPTER 1)

Adam was placed in the world to protect it and not destroy it. All of nature rejoices when it is elevated and used for a mitzvah. That is why the stones yearned to be used by Yaakov Avinu when he lay down to sleep. We bear a sacred responsibility to care for the entire world.

SFAS EMES

• When the Torah forbids cutting down fruit-bearing trees during a siege ('Lo sashchis es eitzah — Ki ha-adam eitz ha-sadeh', Devarim 20:19), the Sfas Emes in Parashas Shoftim (5651) points to the deep spiritual parallel between the human soul and the fruit tree. Every human being is planted in this world to bear spiritual fruit through Torah and mitzvos; honoring the fruit-bearing capacity of trees in the physical orchard trains us to reverence the generative life-force that Hashem planted throughout creation. Destroying a fruit tree out of anger, impatience, or wastefulness severs a channel of divine blessing that was meant to nourish the world. By guarding trees and useful resources from needless destruction, a Jew testifies that every productive vessel in nature belongs to the Creator and serves a sacred purpose (Sfas Emes, Devarim, Shoftim 5651).

• In Parashas Bereishis (5634), the Sfas Emes explains that Hashem placed Adam in the Garden of Eden 'le-ovdah u-le-shomrah'—to cultivate it and to guard it against corruption. Every useful object in the material world contains a spark of divine wisdom that sustains its existence and allows human beings to use it for the service of Heaven. When a person squanders or ruins useful things (bal tashchis), he treats the world as leaderless and unowned. Careful stewardship over food, clothing, and household vessels expresses our gratitude to the Giver of all blessing and turns material possessions into instruments of holiness (Sfas Emes, Bereishis, Bereishis 5634).

• Why did Hashem command Noach to spend a hundred and twenty years building the Ark and gathering food for every species rather than saving them through an instant miracle? In Parashas Noach (5636), the Sfas Emes teaches that Hashem desired to rebuild the world through human compassion and painstaking conservation of life. Whereas the generation of the Flood corrupted the earth by abusing its gifts for selfish indulgence, Noach became a partner in renewal by treasuring every seed and creature. Fulfilling bal tashchis continues that covenant of stewardship in our daily lives (Sfas Emes, Bereishis, Noach 5636).

• The Talmud (Shabbos 105b) teaches that one who tears his garments or smashes his vessels in a fit of rage is regarded as though he worshiped idols. In Parashas Re'eh (5648), the Sfas Emes explains that the root of avodah zarah is surrendering one's inner self-mastery to a foreign, unbridled impulse. By forbidding us from venting frustration or carelessness upon physical objects, the mitzvah of bal tashchis places a protective fence around the human heart. Treating our possessions with calm dignity disciplines the temper and preserves the peace of the home (Sfas Emes, Devarim, Re'eh 5648).

• In Parashas Bechukosai (5646), the Sfas Emes writes that when Israel walks in the statutes of the Torah, even the trees of the field and the soil of the earth rejoice because they are elevated into the service of their Maker. Nothing in creation was formed for vanity or waste (la-tohu lo vera'ah). Whenever we conserve food, repair what is worn, and prevent needless waste, we affirm that every crumb and thread has a role to play in revealing Hashem's kingdom upon earth (Sfas Emes, Vayikra, Bechukosai 5646).

RELATED HASHKAFAH TOPICS:

- Discuss how the concept of Hashem's unity teaches us that everything that was created by Hashem has a purpose.
- Discuss the idea that every creature has a malach, a spiritual representative that fulfills Hashem's will, behind it, and when you destroy it needlessly you destroy that malach.
- Discuss the idea of not wasting food or not wasting money.

MORAL DILEMMAS:

There were two brothers who were the children of a great chasidishe Rebbe. They had a talis that they inherited from their great father. Each one, however, wanted to use the talis. They decided that it would be best to split the talis in half. Each piece would not be usable as a talis but at least they would each have a sentimental heirloom from their father. They then wondered if cutting the talis - which was perfectly usable, would be a problem of baal tashchis. It is forbidden to needlessly destroy a useable item. On the one hand they were destroying the talis. But on the other hand it would still have the sentimental value and each piece can serve as an heirloom. Perhaps that would not be considered baal tashchis. What do you think? Is it permitted to cut the talis?

Answer: Regarding the question of cutting the talis, according to Rav Yaakov Kamenetsky in Emes L'Yaakov (Bava Basra 3a) it would indeed be baal tashchis to cut the useable talis in half.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 87

Yoni lived in a large Jewish community. He ordered a large food order from a very large Jewish owned grocery store. The order arrived at his home with all the food items that he ordered. However, after careful inspection Yoni noticed that there was an extra large bag of shredded cheese. He knew that he didn't order this item and it was clear that it was accidentally placed in his order. He called up the grocery store to speak to the manager. The manager came to the phone and Yoni told him that there was an extra bag of cheese in his order. The manager said, "OK, in that case, next time you come by just return it and drop it off". Yoni said, "That's fine, I'm happy to do that, but don't you have a new "no return policy" because of the coronavirus situation?" The manager said, "Actually you're right. In that case you could just return it and we will throw it out." So Yoni asked "Do you want me to drive to your store just so you can throw it out?" The manager said "It's fine if you just throw it out yourself at your home." Yoni told the manager, "If it's going to get thrown out, would it be OK if I keep it and not let it go to waste?" The manager replied "Certainly not, if you keep it we will have to charge you for it. Please throw it out." Yoni had two questions. One; is he allowed to throw it out

right away, and then reclaim it and use it? On one hand, he would be acquiring from hefker, from something that is ownerless. But on the other hand the store clearly said if he keeps it they will charge him for it. And question number two; was he even allowed to throw it out? Perhaps that constitutes wasting and is subject to the mitzvah of baal tashchis? What do you think?

Answer: Regarding the question about the extra cheese sent by the store, Rav Tzvi Berkowitz answered as follows. Yoni, the one who received the cheese, is allowed to keep it without paying. This is because it was worthless to the owner because he was not allowed to take it back. Effectively, the store threw it out when they mistakenly sent it. In that case, Yoni can keep it.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 183 (Shavuos)

Shoshana was the cook in a girls' sleepaway camp. She tried her best to be cognizant about food waste. She also tried her best to save the camp money. Shoshana wanted to purchase frozen French fries for the 200 girls in the camp. She went to the store and had two options before her. She could buy frozen French fries in bulk for 50 dollars. That would make French fries for 300 people and there would be a lot of leftover French fries. This would inevitably lead to some of the French fries getting wasted. Her second option was to buy 40 small bags of fries which would be enough for 200 people. That would lead to much less waste but buying the individual bags would cost a total of 120 dollars, not 50. Shoshana had the following dilemma. Which would be a bigger mitzvah? To avoid bal tashchis of the food, and pay a bit more to avoid waste? Or would it be a bigger mitzvah to avoid wasting money, and pay less money even if some food would end up getting wasted. Which is preferred to avoid wasting food or to avoid wasting money? This question was brought to Rav Nesanel Kostelitz. What do you think is preferred?

Answer: Regarding the question of which is worse, wasting money or wasting food, Rav Nesanel Kostelitz answers as follows. The Chofetz Chaim in the Biur Halachah Siman 529 says it's very important to make sure not to waste money, and that it is very important to be careful on what you spend. Therefore, if they would buy french fries and not use them all and they get ruined, that is shev v'al taaseh, ruining it in a passive way. However, spending wasted money is wasting in a kum ve'eseh, in an active way. Therefore they should buy more for less money.

— Source: Rav Yitzchak Zilberstein / Table Talk Halachic Archive, Edition 154 (Noach)

STORIES FROM OUR SAGES:

❖ Rabbi Yochanan said: All the days of that righteous man, he used to ponder the meaning of the verse in Psalms (126:1): "A Song of Ascents: When the Lord brought back the captivity of Zion, we were like dreamers." Choni wondered: "Is it really possible for a person to sleep and dream for seventy years (the length of the Babylonian Exile)?" One day, as Choni was walking along the road, he saw an elderly man planting a carob tree. Choni asked him: "This tree—how many years does it take before it bears fruit?" The man replied: "Seventy years." Choni asked him: "Is it so clear to you that you are going to live another seventy years to eat from it?" The elderly man answered him: "I found a world already filled with full-grown carob trees when I was born! Just as my ancestors planted trees for me, so too I am planting for my children and grandchildren (ki heichi di-shetalu li avahati shetali nami li-vera'i)!" Choni sat down to eat a piece of bread, sleep overcame him, and a rocky formation rose up around him, hiding him from sight so that he slept undisturbed for seventy years. When he woke up, he saw a man gathering carobs from that very carob tree! Choni asked him: "Are you the man who planted this tree?" The young man replied: "I am his grandson!" Choni realized at once: "From this I see that I have slept for seventy years!" Looking around, he saw that his own donkey had given birth to generations of foals. Choni walked to his house and asked: "Is the son of Choni HaMe'aggel alive?" They told him: "His son is no longer in the world, but his grandson is alive!" When he told them, "I am Choni HaMe'aggel," they could not believe him. He walked to the study hall and heard the scholars saying: "Our halachic teachings today are as clear and luminous as they were in the days of Choni HaMe'aggel—for

whenever he entered the study hall, he resolved every difficulty the Sages had!" Yet when he told them who he was, they did not believe him or accord him the fellowship he had known; broken-hearted, he prayed for mercy and passed from the world. Rava remarked: "This is the meaning of the folk proverb: 'Either companionship or death!'"

Talmud Bavli, Taanis 23a

INSPIRATIONAL STORIES:

❖ Harav Yisrael Zev Gustman had a habit of personally watering the garden in front of his Yerushalayim yeshivah, which included a variety of plants, flowers and shrubbery. Although his students tried to dissuade him, noting that it was not becoming for the Rosh Yeshivah to indulge in work generally relegated to the maintenance crew, Rav Gustman insisted on watering the plants himself. One of his close disciples approached Rav Gustman at an opportune moment and asked him why he was so adamant in performing manual labor, especially in light of the fact that he never wasted a minute that could be used for the study of Torah or its dissemination. "Let me explain," Rav Gustman said, with palpable emotion. "You are surely aware that before the war I served as a member of Harav Chaim Ozer Grodzinski's rabbinical court in Vilna. Our relationship was totally professional. We discussed rabbinical law or congregational matters, both local and worldwide. Many of our discussions and deliberations took place in the municipal botanical gardens of Vilna, situated adjacent to the Jewish community headquarters. "One time, while discussing an important matter, Rav Chaim Ozer unexpectedly turned to me and began explaining the various plants and shrubs in the garden. He detailed their nutritious and medicinal value and identified which ones are dangerous to human touch or consumption. "As a junior member of the court, I did not feel it appropriate to question this great sage as to what had motivated him to suddenly interject such an insignificant matter in our discussion. "Years passed and the Holocaust overtook us. Like all European Jews, I found myself hounded and hunted down like a wild beast. For long periods of time I hid in the thicket of the forest, using the trees as my only shield against detection. How, you might wonder, did I sustain myself throughout this time? The answer is, the shrubbery and undergrowth of the trees were my only means of nourishment. Only then did I realize the Divine wisdom and prophetic perception of my great mentor, Rav Chaim Ozer, whose lessons in the basics of botany literally sustained me during those trying years. "That is the reason I water the plants personally. It is my way of saying 'thank you,' of expressing my gratitude to these same plants for having nourished me in time of need."

Noble Lives Noble Deeds, Vol. 1, By Rabbi Dovid Silber, published by ArtScroll Mesorah

❖ In his memoirs Reb Aryeh Levin wrote: I recall the early days, from 1905 onward, when it was granted me by the grace of the blessed Lord to go up to the holy land, and I came to Jaffa. There I first went to visit our great master R. Abraham Isaac Kook (of blessed memory), who received me with good cheer, as was his hallowed custom to receive everyone. We talked together about themes of Torah study. After an early minchah he went out, as his hallowed custom was, to walk a bit in the fields and gather his thoughts; and following him on the way I plucked some branch or flower. Our great master was taken aback; and then he told me gently, "Believe me: In all of my days I have taken care never to pluck a blade of grass or flower needlessly, when it had the ability to grow or blossom. You know the teaching of the Sages that there is not a single blade of grass below, here on earth, which does not have a heavenly force (or angel) above telling it, Grow! Every sprout and leaf and grass says something, conveys some meaning. Every stone whispers some inner, hidden message in the silence. Every creation utters its song in praise of the Creator." His words which were spoken from his pure and holy heart engraved themselves deep within me. From that day on I began to feel a strong sense of compassion for every one of Hashem's creatures.

A Tzadik in Our Times, By Simcha Raz, Published by Feldheim

❖ Rav Yaakov Edelstein often told the following story during the week of Parashas Shoftim, which commands that when we lay siege to a certain city, we may not damage the surrounding trees: לֹא תַשְׁחִית אֶת עֵצָהּ — You shall not destroy its trees (Devarim 20:19). Chazal explain that this isn't just a prohibition against chopping down trees but against causing any

wanton destruction, which is referred to as the prohibition of "bal tashchis." Don't damage something that gives you benefit or destroy something that has a purpose. Be sensitive to every detail in our world; even a pad of paper or a disposable cup. "When I was young, the Chazon Ish told me to write down several lines that he would dictate to me, word for word. He told me to take a pad of writing paper from his desk and start writing. He saw me place the pen on the first line of the page, and then he stopped me and said, 'Not like that. Write the words on the bottom five rows of the page.' Why? So that the sheet of paper would remain attached to the pad at the top and could still be used after he cut off the bottom five rows. I learned from him how one needs to be sensitive to the environment, to material objects."

From Reaching To Heaven By Yedidya Meir and Sivan Rahav-Meir, published by ArtScroll Mesorah

❖ Rav Freifeld would often take his talmidim on nature walks. Many years later a talmid recalled those excursions as "the most pleasant hours of my life. When we were with Rav Freifeld. Everything was open for discussion, yet everything was holy, sublime. He translated his wonder and appreciation at the splendor of this world into feelings of inspiration, inspiring all of us along with him. Once, deep in the mountains, We saw a sparkling clear blue stream. He asked us to excuse him for a moment, exclaiming enthusiastically, "I doubt if anyone ever immersed themselves in this brook since the beginning of time. I must go toivel!

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ Rabbi Yisrael of Salant was a guest at someone's home, and when he performed the ritual washing of the hands before the meal, he used the minimum of water required by halachah. When his students pointed out that halachah praises one who uses large quantities of water for the hand-washing, R' Yisrael replied, "Yes, but one cannot be more stringent at another person's expense. If I use a more copious amount, the person who fetches the water from the well may have to make an extra trip. If I wish to go beyond the requirements for hand-washing, it must be at my own expense and not someone else's." Our priorities may depend on our evaluation of our spiritual needs. We may sometimes take too much for granted, and neglect important aspects of our spirituality.

Not Just Stories By Rabbi Dr. Avraham Twersky

2. Not to hybridize two forms of plants

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 107

As the Torah says, you shall not sow your field with different kinds of seed (Vayikra 19:19, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Does this verse only prohibit mixing seeds, or grafting trees as well?
- Many laws that apply to the agriculture only apply in Israel. Is this prohibited only in Israel?
- Is it permitted to graft a plant to a tree?
- Is it permitted to graft two kinds of trees?
- Are the produce forbidden as well?
- Can the one who violated this mitzvah and who grafted them benefit from the produce?
- Are there certain kinds of mixtures that forbid the produce?
- Can you feed a mixture of grain and grapes to your dog?
- Is this a rabbinical law or a Torah law?

SEFER HAMITZVOS HAKATZAR

The biblical prohibition against sowing mixed agricultural seeds (kilayim) applies exclusively within Eretz Yisroel. In the Diaspora, it is permissible to plant different varieties of seeds side by side.

In contrast, cross-grafting different species of fruit trees — such as grafting an esrog branch onto an apple tree — is strictly forbidden everywhere, whether in Eretz Yisroel or in the Diaspora. Likewise, it is globally forbidden to graft a branch of a tree onto a vegetable plant or a vegetable plant onto a tree.

Even if one transgressed the law and planted mixed seeds or grafted forbidden trees, the resulting produce is nevertheless permitted for consumption and benefit, even for the person who committed the forbidden act.

However, with regard to mixed species in a vineyard (kilei hakerem) — which refers to interplanting grain or vegetables alongside grapevines — the Torah imposes a far stricter ban: it is forbidden to sow them, to eat their yield, or to derive any benefit from them whatsoever. Within Eretz Yisroel, this threefold prohibition is mandated by Torah law (d'Oraisa); in the Diaspora, it is binding by rabbinic decree (d'Rabbanan).

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem doesn't needlessly destroy or harm anything, we should act the same. There are times that it may not be clear to us how some of these behaviors harm the world, but these mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust towards these creatures.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

BECHOR SHOR (VAYIKRA 19:19)

Hashem created the laws of nature with a perfect balance. We should not modify that perfection.

RAV SAMSON RAPHAEL HIRSCH

Natural law is really the law of Hashem. We should not force nature to reproduce in ways that it naturally avoids. That is forcing nature to violate its "mitzvos" and that shows disrespect toward Hashem's mitzvos.

SFAS EMES

• In Parashas Kedoshim (5637), on the Midrash 'Yishlach ezrecha mi-kodesh', the Sfas Emes explains that the prohibition against grafting two distinct species of trees (harkavas ilan) safeguards the unique heavenly channel assigned to each species. When human beings honor the boundaries established by the Creator at the beginning of time, Heaven responds by sending pure, unblemished blessing to the work of their hands (Sfas Emes, Vayikra, Kedoshim 5637).

• Commenting on the completion of creation ('Vayechulu—hagu sigei' in Parashas Bereishis, 5635), the Sfas Emes teaches that the task of humanity after the primordial sin is to clarify and separate holy sparks from confusion, not to fuse separate species together. Avoiding the grafting of incompatible trees keeps the natural order clear and transparent to its Divine source (Sfas Emes, Bereishis, Bereishis 5635).

• In Parashas Shemini (5649), the Sfas Emes notes that Israel's special attachment to the Living God ('deveikim ba-chayim') is expressed through havdalah—holy discernment between what is permitted and what must remain separate. Refusing to graft one species of tree onto another imprints that discipline of sacred distinction upon the agricultural landscape (Sfas Emes, Vayikra, Shemini 5649).

• In Parashas Kedoshim (5635), on Rashi's principle that every boundary of restraint creates holiness, the Sfas Emes explains that even in the botanical world, holding back from forbidden combinations elevates human mastery. By refraining from altering the Creator's design for momentary agricultural gain, we sanctify the orchard itself (Sfas Emes, Vayikra, Kedoshim 5635).

• Why did the Sages ordain that on the first of Adar the courts proclaim a warning concerning kil'ayim just as the trees and fields awaken from winter? In Parashas Shekalim (5653), the Sfas Emes explains that before the new sap rises in the trees, Israel must first purify the vessels of nature from forbidden admixture so the spring growth flows entirely in holiness (Sfas Emes, Moadim, Parshas Shekalim 5653).

RELATED HASHKAFAH TOPICS:

- Discuss the concept of being able to use nature as a model of consistently keeping the laws of Hashem. This is the theme of Kiddush levana, sasim usmeichim lasos retzon konam.
- Would the Torah allow genetic modification?

STORIES FROM OUR SAGES:

❖ "If my land cries out against me, and its furrows weep together" (Iyov 31:38). The Holy One, blessed be He, said to Iyov: "Iyov, does any human being own anything of the earth other than four cubits (six feet) of ground at the time of his death — and yet you say, 'If my land cries out against me,' as though the vast earth belonged to you?!" Rabbi Chiya Rabbah said: This may be compared to someone who was holding a large cloak (tallis) for sale at the market fair. A man walked by, pointed at the garment, and declared: "That cloak is mine — it was tailored for me!" The seller handed it to him and said: "Go ahead and wrap yourself in it! If its length and measure fit your body, then it is indeed yours; but if it is vastly larger than your body, then it was never tailored for you and is not yours!" So too, the Holy One, blessed be He, said to Iyov: "Only four cubits of earth fit a human body! 'Do I not fill the heavens and the earth?' (Yirmiyahu 23:24) — and yet you call the land 'my land' as if it were tailored for you!" At that moment Iyov answered humbly: "Master of the Universe! I never meant to claim the earth as my own possession. Rather, this is what I meant: 'If my land cries out against me' because I failed to separate its tithes properly; 'and its furrows weep together' because I planted forbidden mixtures of seeds (kilayim) in it; 'if I have eaten its yield without payment' (Iyov 31:39) — referring to the Second Tithe (Ma'aser Sheni); 'or caused the soul of its rightful owners to sigh' — referring to the Poor Man's Tithe (Ma'aser Ani), for the poor are the true owners of their tithe! If I did not fulfill all these mitzvos faithfully, then 'let thistles grow instead of wheat' (Iyov 31:40)!" Therefore Moshe exhorts Israel: "You shall surely tithe (Asser te'asser)" (Devarim 14:22).

Midrash Tanchuma Buber, Re'eh 13:1 (cf. Tanchuma Re'eh 15:1 & Yalkut Shimoni on Job 918:8)

INSPIRATIONAL STORIES:

❖ One day Baruch Baumgarten in Tel Aviv saw the Sadigere Rebbe sweeping the streets. He went over and asked why the rebbe was doing such a menial thing. The rebbe invited him in and told him a story. A few years earlier when the Nazis invaded Vienna, they gathered all of the most prominent dignitaries, rabbis and lay leaders and made them polish the streets. They beat them and made fun of them. As I was cleaning the streets, I began to smile and laugh. When someone

asked how I could laugh, I answered, 'They think that I am cleaning their world. They are wrong. I am really cleaning and beautifying Hashem's world. It is not theirs. I then resolved to similarly beautify and clean Hashem's special land, Eretz Yisrael.

Touched by a Story, Vol. 2, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 274

A. NOT TO EVEN BENEFIT FROM A MIXTURE OF GRAIN AND GRAPES

(Torah Mandated Mitzvah), Sefer Chareidim 49-7

SEFER CHAREIDIM

By rabbinic decree, any mixture of grain or vegetables intentionally planted by hand alongside grapevines outside Eretz Yisroel (kilei hakerem b'Chutz La'Aretz) is strictly forbidden from all use and benefit (assur b'hana'ah).

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• When our forefather Yaakov blessed his son Yehudah on his deathbed, he described Jewish leadership through the vineyard. The Sfas Emes explains with luminous clarity: Deep within every single person, Hashem implanted a hidden, innermost point of purity that can never be altered or traded away. That unchanging core is called the vine (gefen). Flowing outward from that core, our noble character traits are called the choice vine branch (sorekah). As the prophet Yirmiyahu (2:21) proclaims: "I planted you a choice vine, wholly a seed of truth." When the Torah tells the farmer, "You shall not sow your vineyard with mixed seeds," it asks us to honor in our fields the very loyalty that Hashem planted inside our souls (Sfas Emes, Bereishis, Vayechi 5636).

• Why does the Torah law against planting mixed seeds in a vineyard apply specifically in the Land of Israel? The Sfas Emes explains: A grapevine accepts no other species! Just as the vine refuses to fuse with another plant, the children of Israel are fitted uniquely for the Land of Israel. There alone can we take deep root and bear our finest spiritual fruit. In all other lands, we live as temporary guests. Even more remarkably, the Sfas Emes points out that this relationship is mutual. In the same way, planting an alien seed in the vineyard violates the covenant between the vine and its soil. To bear sweet fruit, the vineyard must remain dedicated to its authentic purpose (Sfas Emes, Bamidbar, Masei 5662).

• In a discourse for Shabbos Shekalim (5634), the Sfas Emes explores the opening Mishnah of Tractate Shekalim (1:1): "On the first of Adar, the court announces regarding the shekalim and regarding the kilayim." Why did the ancient court pair the communal half-shekel donation with inspections against mixed seeds? The Sfas Emes explains that both commands prepare us for the festival of freedom, Pesach. The half-shekel donation breaks our natural selfishness, while the prohibition of kilayim frees our world from spiritual imprisonment. He explains that when a person gives generously from his own pocket, he breaks free of all narrow boundaries. By announcing both shekalim and kilayim, the court helps every Jew step out of spiritual confinement. Just as the half-shekel unites every Jew in shared generosity, guarding against kilayim preserves the pure harmony of creation (Sfas Emes, Moadim, Parshas Shekalim 5634).

• In Parshas Shemini, the Sfas Emes illuminates the unique stringency of mixed seeds in a vineyard. He explains that when Hashem took us out of Egypt, He separated our souls from the mixture of good and evil. So too, He established distinct species across creation. True redemption means escaping the prison of confusion. That is why mixed seeds are called kilayim, from the word for prison. The food of our people must flow directly from the pure root of life! What belongs to one species disrupts the delicate spiritual balance of another. By banning benefit from kil'ei hakerem, the Torah preserves the delicate gears of our souls (Sfas Emes, Vayikra, Shemini 5649).

• In another discourse for Shabbos Shekalim (5656), the Sfas Emes returns to the announcement made on the first of Adar. He explains why the inspection for kilayim takes place specifically in the late winter, as spring begins to thaw the earth. In the agricultural cycle, winter is the time when seeds lie hidden beneath the frozen soil. In the month of Adar, the first green shoots push their way upward through the mud. At this delicate stage, the good grain and the wild weeds look remarkably similar! That is the spiritual challenge of kilayim. It demands that we inspect the subtle seeds taking root in our minds (Sfas Emes, Moadim, Parshas Shekalim 5656).

STORIES FROM OUR SAGES:

❖ If a farmer trains a grapevine to drape over part of a fruit tree, it is permitted to sow grain under the remaining part of the tree where the vine does not reach. An incident occurred when Rabbi Yehoshua traveled to visit Rabbi Yishmael in the village of Kefar Aziz. Rabbi Yishmael walked with him out into the orchard, showed him a grapevine draped over one branch of a fig tree, and asked him: "May I sow seed beneath the remaining branches of this fig tree where the vine does not hang?" Rabbi Yehoshua answered him: "It is permitted." Rabbi Yishmael then brought him up from there to Beis HaMagniyah and showed him a grapevine draped over part of a wooden crossbeam extending from a sycamore trunk that held many beams. Rabbi Yehoshua ruled: "Directly beneath this single beam where the vine hangs, sowing seed is forbidden as kilayim, whereas beneath all the other beams it is permitted!" And Rabbi Yose recounted: An incident occurred with a man who unlawfully sowed grain inside his neighbor's vineyard during the Sabbatical year (when fields are open to all), and when the case came before Rabbi Akiva, he ruled that the intruder's act could not forbid the owner's vineyard, declaring: "A person cannot render forbidden through kilayim something that does not belong to him!"

Mishnah, Kilayim 6:4 & 7:5

3. Not to pick the fruit of a tree until the tree's fourth year

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 105

As the Torah says, three years it shall be as forbidden to you, it shall not be eaten (Vayikra 19:23, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If one has a tree in their orchard, but is unsure if it is within its first three years or not, does he have to be stringent and not eat its fruit?
- Is there a difference with this mitzvah between Israel and lands out of Israel?

SEFER HAMITZVOS HAKATZAR

In Eretz Yisroel, the prohibition of orlah — the fruit produced by a tree during its first three years — is so stringent that even fruit of doubtful status (safek orlah) is biblically forbidden from consumption and benefit.

Beyond the borders of Eretz Yisroel, an oral halachah transmitted directly to Moshe at Mount Sinai (Halachah L'Moshe MiSinai) establishes a unique leniency: only fruit known with absolute certainty to be orlah is forbidden, whereas any fruit of doubtful status is entirely permissible.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem doesn't needlessly destroy or harm anything, we should act the same. There are times that it may not be clear to us how some of these behaviors harm the world, but these mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust towards these creatures.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

ALSHICH

A tree produces fruit for its own purposes. During the first three years of the tree's production we are not to disturb nature by picking it, and rather leave it to its task.

RAV SAMSON RAPHAEL HIRSCH — CHOREV

The trees need the fruit for their own use as well. For the first three years we are to leave the fruit for the natural purpose of its species. This reminds us of the consciousness that this tree is firstly a creature of Hashem, not just a means for our enjoyment. This also reminds us that we do not own all of nature. Hashem just gave it to us to use properly in order to serve Hashem and help perfect the world.

KLI YAKAR

Vegetation and fruit were created during the third stage (day) of the creation of the world. It only became visible on the fourth stage when the sun and moon shone their light.

In order to recall this order of creation we do not eat the fruit until after the third year.

BECHOR SHOR (VAYIKRA 19:23)

We should only eat our fruit after we can bring it to Yerushalayim to express our thanks to Hashem. The fruit is too insignificant and unfit to bring until the fourth year, so it should not be eaten until you could go to Yerushalayim to express that thanks.

IBN EZRA

Eating Orlah has the same effect on us as eating non-kosher food. It makes us tamei, and blocks (orlah) our conscience.

Additionally, fruit from the very early stages of the tree are unhealthy to eat.

SFAS EMES

• In his discourse of 5650, the Sfas Emes connects the planting of orchards to a famous verse in Mishlei. How does holding fast to a tree of life connect to letting fruit rot on a young branch? The Sfas Emes explains that the Torah is far more than a collection of rules; it is divine counsel teaching us how to find authentic life in a world of confusion. After the first sin, genuine spiritual vitality withdrew behind heavy coverings. A person looking at a physical orchard sees only wood, leaves, and sugar. He might easily imagine that nature operates on its own mechanical power. It is a heavenly blessing that rises completely above the narrow constraints of nature. When we hold ourselves back for the sake of heaven, Hashem opens the reservoirs of bounty, pouring a sweet and unceasing vitality into our trees (Sfas Emes, Vayikra, Kedoshim 5650).

• In Parshas Kedoshim 5649, the Sfas Emes takes us straight back to the beginning of human history to uncover why young fruit trees require three years of waiting. The Sfas Emes reveals a far deeper truth: these two trees exist within every single corner of creation! The Tree of Life represents pure divine vitality, while the Tree of Knowledge represents our human choice between good and evil. When Adam sinned by eating from the tree prematurely, he caused good and evil to become intermingled throughout the entire world. By holding back our hands and refusing to swallow the fruit in haste, we allow the pure vitality of the tree to rise to the surface. We teach our physical senses that food does not belong to our base appetites; it belongs to the Creator who gives it life (Sfas Emes, Vayikra, Kedoshim 5649).

• In his rich discourse of 5653, the Sfas Emes investigates why the Torah commands us to plant trees immediately upon entering the Holy Land. Why was planting trees the very first task assigned to our nation? The Sfas Emes teaches that the physical world is designed like an outer garment that conceals an inner wellspring of holiness. Nowhere is this truer than in Eretz Yisrael. The soil of the Holy Land contains a unique fountain of godliness, but that fountain is hidden beneath the rough surface of physical nature. To uncover that fountain, a person must perform a spiritual circumcision on the land! In time, holy Shabbos brings the extra soul. And in the human body, the covenant of circumcision opens our hearts to the light of Hashem (Sfas Emes, Vayikra, Kedoshim 5653).

• In 5651, the Sfas Emes examines a striking passage in the Midrash Rabbah. The Sfas Emes explains that the mission of the Jewish people is to take the cursed soil of this earth and lift it up into a fountain of blessing. When our ancestors conquered the Land of Israel, they redeemed the earth from the hands of the seven Canaanite nations, turning an unholy wilderness into a kingdom of priests. In the very same way, every Jewish farmer who plants a vineyard repeats that national redemption on his own private property! The Sfas Emes also adds that just as genuine repentance turns past sins into merits, our patient waiting during the three years of orlah turns those years into active preparation. They become years of living blessing that draw down endless bounty for the future (Sfas Emes, Vayikra, Kedoshim 5651).

• In 5654, the Sfas Emes offers a fascinating insight based on a deep teaching from the Zohar in Parshas Mikeitz. The Zohar states that during years of widespread famine and suffering, a husband and wife should pause their marital relations. Because when destructive forces hold sway in the world, releasing holy life into the universe

> risks feeding those destructive forces. A person must temporarily seal the fountain until the danger passes. Notice how this spiritual law operates: the Sfas Emes applies this profound principle directly to the laws of orlah. That is why the Torah writes: "to add its produce to you." The blessing flows directly to you, the faithful servant of Hashem, and not a single drop is lost to the forces of waste (Sfas Emes, Vayikra, Kedoshim 5654).

INSPIRATIONAL STORIES:

❖ Reb Mendel Kaplan would say, "Did you know that food is entitled to the same respect as sefarim? In the time of the Gemara, people wouldn't leave food on the street; they would pick it up or put it to the side. One year on Tu BeShvat, the new year for fruit trees, Reb Mendel told the class the following: "If you really want to do the trees a favor and give them merits, then when you hold a fruit in your hand; take a careful look at it and about how kind Hashem is to create such a fruit. That's the greatest merit the tree can have. When you recite the blessing in a rush and stuff the fruit into your mouth as quickly as possible, the tree barely has any merit at all."

Reb Mendel, By Rabbi Yisroel Greenwald, published by ArtScroll Mesorah

MISHPAT TO ANIMALS

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem's justice and compassion toward the animal world that is in our stewardship.

4. Not to crossbreed two different types of animals

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 142

As the Torah says, You shall not let your cattle breed with a different kind (Vayikra 19:19, Parshas Kedoshim);

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- The verse refers to cattle. Does this mitzvah only apply to cattle?
- How about different types of birds?

SEFER HAMITZVOS HAKATZAR

Chazal received through the Oral Tradition that the prohibition against crossbreeding different species of domestic animals (behemah) applies equally to wild beasts (chayah) and fowl (ofos).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teach us to emulate Hashem's justice towards the animal world. There are times that it may not be clear to us how some of these behaviors are unjust to the animal world, but that is simply because we lack the perspective that the animals have. These mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (3:49)

In order to force two animals who don't normally mate together, to mate together, human's have to manually force the two animals to mate. That activity is a lowly activity that we should avoid.

BECHOR SHOR (VAYIKRA 19:19)

All of the laws of nature are perfect. By mating two animals of different species together one will create new creatures that do not follow the normal laws of nature, because the new offspring can not give birth. Hashem does not want us to create things that don't follow the normal and perfect rules of nature.

RAMBAN (VAYIKRA 19:19)

By creating new species of animals, one is denying the fact that Hashem already created the world with a perfect balance of creatures, and he are disturbing that perfect balance.

RAV SAMSON RAPHAEL HIRSCH

All of nature naturally follows the will that Hashem implanted in them. It is unjust for us to force nature to violate the laws that Hashem gave to them.

SFAS EMES

• In Parashas Shekalim (5656), on the Mishnah 'Be-echad be-Adar mashmi'in al ha-shekalim ve-al ha-kil'ayim', the Sfas Emes explains that just as Israel must guard the purity of their inner generosity before bringing the half-shekel, they must guard their flocks and herds from forbidden crossbreeding (kil'ei behemah). Preserving the clear boundaries of living creatures keeps the world's vitality uncorrupted (Sfas Emes, Moadim, Parshas Shekalim 5656).

• Returning to the proclamation of Adar in Parashas Shekalim (5653), the Sfas Emes teaches that the power of kil'ayim lies in recognizing that every living creature was fashioned by Hashem with its own specific purpose and nature. Refusing to crossbreed different species of animals honors the divine decree that sustains each creature's life-force (Sfas Emes, Moadim, Parshas Shekalim 5653).

• In Parashas Kedoshim (5635), the Sfas Emes connects the opening declaration of the verse—'Es chukosai tishmoru' ('My statutes you shall observe: your animal you shall not mate with a diverse kind,' Vayikra 19:19)—with the overarching theme of personal holiness. By ensuring that even the animals in his possession mate only according to their natural kind, a person reinforces the sanctity and fidelity of his own home (Sfas Emes, Vayikra, Kedoshim 5635).

• In Parashas Shemini (5649), on Rashi's comment 'Zos ha-chayah—lefi she-Bnei Yisrael deveikim ba-chayim', the Sfas Emes explains that true life flows from attachment to the Creator's authentic order. When a Jew prevents the crossbreeding of diverse animal species, he protects the pure stream of vitality that Hashem breathed into each living kind (Sfas Emes, Vayikra, Shemini 5649).

• In Parashas Kedoshim (5637), commenting on the verse 'May He send your help from the Sanctuary' (yishlach ezrecha mi-kodesh, Tehillim 20:3), the Sfas Emes teaches that although the statutes of kil'ayim are suprarational decrees (chukim) whose full inner workings lie in the supernal Sanctuary on high, observing them faithfully in our barns and pastures draws down divine illumination and blessing into our everyday livelihood (Sfas Emes, Vayikra, Kedoshim 5637).

RELATED HASHKAFAH TOPICS:

- Discuss the Torah's perspective that the rules of nature were created with a perfect balance. The ecology is a perfectly balanced system, and we should not mess with that equilibrium.
- What would the Halachah be regarding genetic engineering?

5. To ease the pain of a suffering animal

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 70

As the Torah says, If you see the donkey of one that you hate lying under its burden… you shall surely help with him (Shemos 23:5, Parshas Mishpatim)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What if the animal's owner was negligent and loaded the animal with more than it could carry? Is one still obligated to help in that case?
- Does one have to do this even if the owner will not compensate him for his time?
- What if a person would be embarrassed to be seen unloading a donkey on the street? Which is more important the pain of the donkey, or the potential human suffering?
- If one unloaded the donkey, and helped to load it, and it collapsed again, does he have to unload it again? Is there a limit?
- What should one do in that case to make sure that the donkey doesn't collapse again?
- Does the owner have the right to forgive him from his escort, if we are really concerned for the welfare of the animal?

SEFER HAMITZVOS HAKATZAR

One is obligated to relieve the animal's distress and unload its burden (perikah), even if its owner loaded it with a burden far exceeding its normal capacity.

This assistance must be rendered free of charge, without demanding or accepting any remuneration.

However, an elder or a distinguished scholar whose personal dignity would be compromised by performing manual unloading in public is exempt, provided it is beneath his dignity to unload even his own beast in similar circumstances.

If one unloaded the animal and helped reload it, and it subsequently collapsed again, he remains obligated to unload and reload it repeatedly — even a hundred times — as Scripture emphasizes: "You shall surely help along with him" (Shemos 23:5).

When assisting with reloading (te'inah), one must accompany the owner along the road up to the distance of a Persian parasang (parsah) to ensure that the load remains secure and stable, unless the owner explicitly says: "I no longer require your assistance."

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 80)

This mitzvah teaches us to have compassion for all of Hashem's creatures.

SFAS EMES

• In Parshas Vayeitzei (Bereishis 29:2–10), Yaakov Avinu arrives at the well in Charan after fleeing from his brother Eisav. He finds three flocks of sheep lying helpless beside the well, unable to drink because a giant boulder covers the mouth of the cistern: The local shepherds stand around passively, waiting for all the herds to arrive so they can combine their strength to budge the stone. When Rachel arrives with her father's sheep, what does Yaakov do? "And Yaakov stepped forward and rolled the stone from the mouth of the well, and watered the sheep of Lavan" (Bereishis 29:10). Rashi comments that Yaakov rolled that massive boulder away with the effortless ease of a man "removing a small cork from the mouth of a bottle" (Sfas Emes, Devarim, Ki Seitzei 5643).

• In Shemos (23:5), the Torah commands: "When you see the donkey of your enemy crouching beneath its burden, and you would refrain from helping, you shall surely help him," and in Devarim (22:4) it adds: "You shall not see the donkey of your brother or his ox falling on the road and turn your eyes away from them." The Torah uses the evocative term his'almus—averting our gaze, pretending not to notice, deliberately looking away to escape responsibility (Sfas Emes, Devarim, Ki Seitzei 5643).

• Seen in this sacred light, in Parshas Ki Seitzei, the Sfas Emes examines the Torah's double command regarding roadside distress: "You shall not see your brother's donkey or his ox fallen down by the way, and hide yourself from them; you shall surely lift them up with him" (Devarim 22:4). Why does the verse say "and hide yourself" (v'his'alamta)? The Sfas Emes explains that human nature often seeks to avoid another person's pain. When a person sees a suffering creature, an inner voice whispers: "Look away! Do not get involved!" This impulse to look away is the voice of the evil inclination trying to shut our hearts. He explains that when a person feels the desire to ignore the scene, he should realize that this apathy is the evil inclination trying to harden his heart. Therefore the Torah commands: "You shall surely lift them up!" A person must force himself to awaken compassion (Sfas Emes, Devarim, Ki Seitzei 5638).

• In Parshas Ki Seitzei, the Sfas Emes returns to the command: "Hakeim takim imo" — "You shall surely help him lift them up again" (Devarim 22:4). He links this mitzvah to the mystery of Divine companionship during our nation's long exile. The prophet Yeshayahu proclaims: "I dwell in the high and holy place, with him also that is of a contrite and humble spirit, to revive the spirit of the humble" (Yeshayahu 57:15). He writes that when a person helps his neighbor, fulfilling the teaching to bear the yoke with one's fellow, he merits Divine assistance from Heaven. Scripture emphasizes "with him"—meaning he never leaves his brother alone. In the same way, the Holy One dwells with the crushed, carrying the heavy yoke of exile right alongside us (Sfas Emes, Devarim, Ki Seitzei 5643).

• In Parshas Shemini, the Sfas Emes examines a striking parable in the Midrash (Vayikra Rabbah 13:2). The Midrash compares the gift of the mitzvos to an act of compassionate unloading on the highway. The Midrash describes a donkey laden with an enormous sack of salt. The heavy load is about to break the beast's back. A kind traveler notices the donkey's agony, walks over, and unloads the crushing sack so that the animal can stand up and breathe freely. He explains that the commandments of the Torah have many deep reasons. The precepts of Hashem are upright; they guide a person on a straight path, purify his character, and lift the heavy weight of coarse materialism from his shoulders (Sfas Emes, Vayikra, Shemini 5657).

RELATED HASHKAFAH TOPICS:

- Discuss the Torah's priority in the case where there is a conflict between the emotional pain of a person or the physical pain of an animal. We see that the Torah gives priority to the emotional pain of the man. Discuss why this should be so.
- Explore the concept that all of creation was created to be an environment for man to do mitzvos. All of nature was created for man.

MORAL DILEMMAS:

Eli was a neighbor of the Klein family. The Klein's bought their children a pet rabbit. They kept the rabbit in a cage outside. To Eli's great dismay, he saw the Klein children purposely hurting the rabbit by poking it with sticks, and throwing rocks at it. The kids laughed as the rabbit reacted to their mean taunts and torment. Eli would often exhort the neighbors that it was forbidden to do this and it was tzar baalei chaim, but they simply ignored him or laughed. One day the Klein children left the rabbit's cage open, and the rabbit seized the opportunity and escaped the cage to freedom. Eli saw the rabbit escape and he watched it walk around outside his property. Eli felt very conflicted. On one hand he knew that there was a mitzvah of hashavas aveida, to return a fellow's lost animal. Perhaps he had an obligation to try to retrieve the rabbit and return it to the Kleins. But on the other hand, if he would return the animal, it would cause the animal to endure more pain. He would be facilitating the violation of tzar baalei chaim. What was Eli's obligation? Should he return the rabbit to do the mitzvah of returning lost objects, or should he let it free to fulfill the mitzvah of preventing tzar baalei chaim? What do you think?

Answer: Regarding the question about returning the escaping rabbit, Rav Zilberstein answered that in this case the neighbor should not return it. This is because he would be mesayea ledvar aveirah, assisting someone to do an aveirah of tzaar balei chayim.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 218 (Table Talk Edition 239)

Basya was walking down the street near her house. She saw a very beautiful bird standing on the grass. She stopped to look at it when she suddenly saw a large orange cat nearby, crouching and looking like it was about to pounce. It became clear to Basya that the cat was about to attack the bird. It was either going to eat the bird or at least attack it to practice its hunting skills. Basya's first impulse was to scare away the cat to protect the bird. "How mean of the cat to attack such a beautiful bird," she thought to herself. It would be a mitzvah of preventing tzar balei chayim, preventing pain to the bird. But then she wondered if perhaps scaring away the cat would be the wrong thing. She would be causing harm to the cat both by scaring it away and by denying it its ability to eat. But then she thought that the cat could get food from other sources, like from garbage cans or from kind people. The cat didn't have to kill a magnificent bird to eat, so maybe it was the right thing to scare away the cat. She was unsure what to do, so she didn't do anything. This question was later sent to Rav Zilberstein. What is the Torah perspective in such a case? Should you scare away the cat to protect the bird, or should you be passive and let the cat hunt for its food?

Answer: Regarding the question about the cat and the bird, Rav Zilberstein answered as follows. Since the domestic cat does not need to kill the bird to survive and can find food elsewhere, either from people, or garbage, etc, one should chase away the cat to show rachmanus on the bird. Rav Shimon Sofer even wrote that such a cat has a category of a "Rodef." However, if the prey was a pest, like a mouse, which can cause harm to people, then the cat should be allowed to kill it.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Shemos, p. 49 (Table Talk Edition #319 (Parshas Vayechi))

STORIES FROM OUR SAGES:

❖ Our Sages taught: The Holy One, blessed be He, never grants greatness to a person until He first tests him in a small matter, and only afterward elevates him to greatness. Thus He tested the two greatest leaders of the world—David and Moshe—through shepherding sheep! David used to lead the young lambs out first to graze on the tender tops of the grass, then the older sheep to eat the middle grass, and finally the strong rams to eat the tough roots, so that each animal received what suited its strength. Likewise, when Moshe was tending the flock of Yitro in the wilderness, one little kid goat ran away from the flock. Moshe ran after it until it reached a shady ravine where a pool of water stood, and the little kid stopped to drink. When Moshe caught up to it, he said gently: 'I did not know that you were running away because you were thirsty! You must be exhausted!' So Moshe lifted the little kid onto his own shoulders and carried it all the way back to the flock. The Holy One, blessed be He, said: 'You have such tender mercy to lead the flock of flesh and blood—by your life, you shall shepherd My flock, Israel!'

Shemos Rabbah 2:2 (Section 2:3)

❖ Moshe Rabbeinu tended the sheep of his father-in-law Yitro in the wilderness for forty years with such devoted care and tenderness that not a single lamb was ever torn by a wild beast of the field, and the flock thrived and multiplied exceedingly—until Scripture compared them to "holy flocks" (Ezekiel 36:38)! And when Moshe led the flock gently to the far pastures of Horeb so they would have fresh grass and water, the Holy One, blessed be He, descended from all the lofty mountains and chose to reveal Himself to the faithful shepherd out of the lowly thornbush. Why did God leave all the tall, stately trees and dwell inside a lowly, thorny bush? Because He saw that Israel was in bitter distress in Egypt, and He wished to show that He shares in the pain of the lowly, as it is written (Isaiah 63:9): "In all their affliction, He was afflicted!"

Pirkei DeRabbi Eliezer, Chapter 40

INSPIRATIONAL STORIES:

❖ Rabbi Dovid of Lelov carried this one step further, being concerned about the needs of animals as well. One time when saw a driver whip his horse he said to him, " If you only knew how to communicate with your horse, you would have no need to hit him. Is it fair and just to whip the horse because of your ignorance? Just ' think," Rabbi Dovid said, "that one day this horse will take you before the Heavenly Tribunal for having whipped him. Will you not be embarrassed to have to go to trial with a horse?

Not Just Stories By Rabbi Dr. Avraham Twersky

❖ Rabbi Yitzchak Kessock told the following story, which encapsulates the love Rav Scheinberg had for even the smallest of the Almighty's creatures. One time, when Reb Yitzchak walked into Rav Scheinberg's apartment, he noticed that Rav Scheinberg was holding his tzitzis close to his face. The Rosh Yeshivah asked Reb Yitzchak to see if there was an ant on one of his talleisim, since it was hard for him to tell. Reb Yitzchak found a tiny creature climbing up one of Rav Scheinberg's talleisim. Reb Yitzchak offered to get a tissue to dispose of it. But Rav Scheinberg asked for a paper cup instead. After Reb Yitzchak brought the cup to Rav Scheinberg, Rav Scheinberg said to knock the bug into the cup and bring it downstairs. There, Reb Yitzchak should gently set the bug free in the garden just outside the apartment building. With one seemingly insignificant act of kindness to a tiny bug, Rav Scheinberg exemplified "verachamav al kol maasav," showing mercy and compassion in a manner most of us would never think of doing — and etching this memory and its lesson in a talmid's heart.

Rav Scheinberg, By Rabbi Chaim Shlomo Rosenthal, published by ArtScroll Mesorah

❖ Rav Isser Zalman's good-heartedness was not confined to human beings; he was attuned to the needs of all living creatures. Even as an elderly man, when going from his house to the yeshivah, he did not take the shortest route but went a longer, roundabout way. His talmidim asked him why he did this, when logic dictated that as a weak and elderly man who found walking difficult, he should prefer the shortest possible path. Rav Isser Zalman dismissed the question with a wave of his hand and made no reply. Eventually the reason for his behavior emerged, quite by chance. Chickens used to run back and forth scavenging for food, along the road that was the most direct route to the yeshivah. Rav Isser Zalman was concerned that if he walked that Way, the tapping of his stick would frighten the fowls and they would run away without having eaten. "I have no right to disturb the chickens," he explained. Even when people tried to argue that his weakness took precedence over the birds' inconvenience, he remained unmoved. He adhered to his practice and continued taking the longer route.

In Their Shadow, Vol. 2, By Rabbi Shlomo Lorincz, Published by Feldheim Publishers

❖ A bachur who used to come to Reb Elyah Lopian's hut in his later years to accompany him to the yeshivah to daven recounts, "Ordinarily, we would walk to the beis medrash along the straightest, most direct route. On one occasion, however, Reb Elyah led me on a lengthy, roundabout detour. I asked him the purpose of this divergent route. " 'Can't you see? There is a long line of ants there! We mustn't tread on the creations of Hashem."

Reb Elya, By David J. Schlossberg, published by ArtScroll Mesorah

❖ One Rosh Hashanah, when Rabbi Dovid was at the court of the Seer of Lublin, he was noted to be absent from shul. The Seer did not want the shofar sounded until Rabbi Dovid was present,' and sent people out to look for him. They found him with a sack of oats, feeding the horses, whose owners had all gone to shul for the services, and neglected their responsibilities to care for their animals.

Not Just Stories By Rabbi Dr. Avraham Twersky

6. Not to refrain from easing the pain of a suffering animal

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 183

As the Torah says, You shall not see your brother's donkey or his ox fallen down by the way, and hide yourself from them (Devarim 22:4, Parshas Ki Seitzei).

SEFER HAMITZVOS HAKATZAR

This negative commandment forbids turning a blind eye to an animal collapsing under its burden (see also the section on positive commandments, §70). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teach us to emulate Hashem's justice and compassion towards the animal world.

STORIES FROM OUR SAGES:

❖ The physical sufferings of Rabbi Yehudah HaNasi came upon him through an incident involving compassion for animals, and departed from him through an incident involving compassion for animals. What was the incident through which they came? One day, a young calf was being led to slaughter when it broke away, ran over to Rebbi, tucked its head beneath the corner of Rebbi's cloak, and wept in terror. Instead of sheltering it, Rebbi said to the calf: "Go, for this purpose you were created!" In Heaven they declared: "Since he did not show tender mercy toward a frightened creature seeking refuge with him, let sufferings come upon him!" And through an incident thirteen years later, those sufferings departed: One day, Rebbi's maidservant was sweeping the house when she came across a litter of tiny newborn weasels on the floor and began to sweep them out with her broom. Rebbi immediately called out to her: "Leave them be! For it is written (Psalms 145:9): 'And His tender mercies are upon all His works '!" At that moment they proclaimed in Heaven: "Since he shows tender mercy toward even the smallest creatures, let Us show tender mercy upon him!"—and Rebbi was immediately healed.

Talmud Bavli, Bava Metzia 85a

INSPIRATIONAL STORIES:

❖ The fifth Gerer Rebbe, the Lev Simchah's sensitivity extended to all of Hashem's creatures. On one occasion, an unpleasant odor that emanated from the water faucet greeted the Lev Simchah when he returned from a trip. An attendant climbed up on the roof to check the water tank, and discovered that its cover had come off and a dead bird was floating in the water. The attendant then emptied the tank on the roof, cleaned it, refilled it with fresh water and refilled the cover. After hearing the attendants report, the Lev Simchah asked him to fill a dish with water, go to the roof, and to set it on the tank. "The birds should not be deprived of their water," the Lev Simchah said. "They're not at fault. Please see that the dish remains full until they've found another source of water."

From The Summit, By Simcha Leib Grossbard, Published by Yeshurun Publications

A. NOT TO EAT BEFORE YOUR ANIMALS ARE FED

(Torah Mandated Mitzvah), Sefer Chareidim 14-1

As it says "I will place grass in your fields for your animals", and then it says "you will eat and be satisfied" (Devarim 10:15, Parshas Eikev)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

B. THE RATIONALE FOR FEEDING ONE'S ANIMALS BEFORE EATING

SEFER CHAREIDIM

Rav Yehudah taught in the name of Rav: A person is strictly forbidden to taste any food until he has first fed his domestic animals, for Scripture mentions the livestock before the human being: "I will provide grass in your fields for your cattle," and only afterward, "and you shall eat and be satisfied" (Devarim 11:15). Making an animal watch its owner feast while it remains hungry inflicts genuine agony upon the creature. It is therefore self-evident

that actively causing distress to any living creature is forbidden; indeed, Chazal establish across numerous passages that preventing cruelty to animals (tza'ar ba'alei chayim) is an explicit biblical obligation (d'Oraisa), as codified throughout the halachic authorities.

A remarkable incident occurred in sixteenth-century Safed involving the saintly Kabbalist, the holy Arizal (Rabbi Yitzchak Luria). Greeted by a distinguished Torah scholar, the Arizal gazed at his forehead and revealed that the grave blemish of cruelty to animals was inscribed upon his countenance. Deeply distraught, the scholar investigated his household conduct and discovered that his domestic fowl were not being fed in the morning, but were left to wander the dusty streets foraging for scraps. The scholar instructed his household to provide bran and fresh water for the chickens every morning without fail. Shortly thereafter, the Arizal observed him again and remarked: "The spiritual stain has been erased from your countenance; what did you do to rectify it?" The scholar then recounted how he had established regular feeding for his birds.

A celebrated narrative recounts that on Rosh Hashanah morning, the holy Reb Dovid of Lelov was mysteriously absent from the synagogue of the Chozeh (Seer) of Lublin just as the congregation prepared to sound the shofar. Frantic chassidim searched every alley of the town, eventually discovering the Rebbe inside a roadside stable carrying a bucket of oats, feeding the horses belonging to gentiles who had parked their wagons for the day. Reb Dovid gently explained through his tears: "Today, all created beings stand in judgment before the Master of the Universe. How could I dare stand before the Heavenly Court and plead for divine mercy, when these voiceless creatures stand tied to their posts, shivering and starving in their stalls?"

Fundamentally, this obligation is an organic branch of the overarching mitzvah to emulate the divine attributes (vehalachta bidrachav). As Chazal expound: "Just as He is merciful, so too must you be merciful." For David HaMelech proclaims: "Hashem is good to all, and His mercies are over all His works" (Tehillim 145:9).

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• Contemplating this truth deeply, in Parshas Ki Seitzei, the Sfas Emes reflects on the ancient Midrash concerning the commandment to send away the mother bird (shiluach haken) and the laws of animal mercy. The Midrash teaches that just as Hashem's mercy extends to human beings, so His mercy extends to beasts and birds. The Sfas Emes explains why the Torah commands us to treat animals with tender care. He writes that the Almighty implanted a measured degree of mercy in every creature, for His mercies are upon all His works. The entire existence of the universe rests on mercy! Israel, as the heart of creation, are endowed with the deepest capacity for compassion. Through the commandments of animal welfare, we awaken that Divine mercy across all of existence (Sfas Emes, Devarim, Ki Seitzei 5647).

• In Parashas Mishpatim (5635), commenting on the Midrash 'Magid devarav le-Yaakov', the Sfas Emes explains that when a person treats Hashem's creatures with active mercy, he aligns his own character with the compassionate root of the Torah. Because the commandments flow from Hashem's goodness, practicing mercy toward vulnerable animals opens the heart to perceive the inner light of the mitzvos (Sfas Emes, Shemos, Mishpatim 5635).

MORAL DILEMMAS:

A house had a problem with a mouse running around. They set a trap that doesn't hurt the mouse. The mouse went into the trap on Shabbos, and they were planning to dispose of it after Shabbos. When they made Kiddush on Shabbos day, the youngest girl said they can't eat until they feed the mouse. Do they have to feed it?

Answer: Rav Yitzchak Zilberstein quotes the Chazon Ish that the family is not obligated to feed the trapped mouse before making Kiddush and eating their meal. The biblical mandate that a person must feed his animals before himself (derived from the verse 'Venasati eisev b'sadcha livhemtecha, v'achalta v'sava'ta'—'I will give grass in your field for your cattle, and you shall eat and be satisfied,' Devarim 11:15; Berachos 40a) applies specifically to animals that depend upon their human owner for sustenance and are under his care. A mouse (achbar), however, is not a domestic animal or a pet; it is classified halachically as a damaging pest (mazik) and a wild rodent. Therefore, the family is under no obligation to provide it with food, and they may proceed to make Kiddush and eat their Shabbos seudah without delay. (Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 422)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 3, p. 422

STORIES FROM OUR SAGES:

❖ The Gemara teaches: If the Holy One, blessed be He, guards even the animals of the righteous from ever eating anything forbidden (such as the famous donkey of Rabbi Pinchas ben Yair, which refused for three days at an inn to eat barley from which tithes had not yet been separated), how much more so does He guard the righteous themselves from stumbling in their food! And what was the greatness of Rabbi Pinchas ben Yair? Once, Rabbi Pinchas ben Yair was riding his donkey on a mission to redeem captives when he came to the swollen River Ginnai blocking the road. He said to the river: "O Ginnai, divide your waters for me so that I may cross through you!" The river answered him: "You are going to perform the will of your Creator, and I am flowing to perform the will of my Creator; you may or may not succeed in your mission with the captors, whereas I am certainly fulfilling my Creator's command by flowing to the sea!" Rabbi Pinchas ben Yair replied: "If you do not divide at once, I decree upon you that water shall never flow through you again!" Immediately the River Ginnai parted its waters for him. Seeing a man standing on the bank carrying sacks of wheat to bake matzah for Pesach, Rabbi Pinchas said to the river: "Divide your waters for this man as well, for he is engaged in a mitzvah!" And the river parted for him. Seeing an Arab merchant who had been traveling along the road as part of their caravan, Rabbi Pinchas said to the river: "Divide your waters for this traveler as well, so that people will never say: 'Is that how they abandon a traveling companion?!'" And the river parted a third time for him!

Talmud Bavli, Chullin 7a–b

7. Not to work an ox and donkey together

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 180

As the Torah says, You shall not plow with an ox and a donkey together (Devarim 22:10, Parshas Ki Seitzei)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is this prohibition limited to using these animals to plow?
- Is it limited to using an ox and donkey together?

- Is it limited to domestic animals?
- Can one make a goat and cow work together?
- What if they were attached already and one simply shouted and made them pull a wagon, would that be prohibited?
- Is the prohibition of attaching them, or a prohibition of making them work? What if he just attached them and they didn't work?
- Is it permitted to sit in a wagon in which these types of animals are pulling? What if you are sitting in a wagon with 10 other people, and the animals would pull anyway if you are off?

SEFER HAMITZVOS HAKATZAR

Although Scripture specifies plowing — "You shall not plow with an ox and a donkey together" (Devarim 22:10) — the prohibition applies equally to any form of shared agricultural or physical labor, such as threshing, hauling, or transporting burdens.

This ban encompasses both domesticated animals (behemah) and wild beasts (chayah), whenever one species is kosher and the other is non-kosher, or whenever two distinctly different species are yoked together to perform labor.

One violates this negative commandment even if he does not physically hold the reins, but merely directs them with his voice so that they pull the load in tandem.

If someone merely binds or harnesses two disparate species together without causing them to move or perform work, he is exempt from lashes until he leads, drives, or prompts them to pull.

If a group of people jointly drive the paired team, or if a hundred individuals sit together upon a wagon drawn by the forbidden pair, every single one of them violates this negative commandment.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice towards the animal world. There are times that it may not be clear to us how some of these behaviors are unjust to the animal world, but that is simply because we lack the perspective that the animals have. These mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

IBN EZRA (DEVARIM 22:10)

These animals have different strengths, and it will cause pain to one if forced to work alongside another with a different strength.

RAMBAM — MOREH NEVUCHIM (3:49)

Working animals of different types together will lead to them eventually being mated together.

DAAS ZEKEINIM (22:10)

A kosher animal should not be paired with a non-kosher animal because the kosher animal chews its cud and the non-kosher one does not. This will cause pain to the animal that does not chew its cud, because it will appear to it that the kosher animal has more food.

SEFER HACHINUCH (MITZVAH 550)

Animals of different species are afraid of each other and it will cause them emotional distress to be harnessed together.

SFAS EMES

• When the Torah commands, 'Lo sacharosh be-shor u-ve-chamor yachdav'—'You shall not plow with an ox and a donkey together' (Devarim 22:10)—the Sfas Emes in Parashas Ki Seitzei (5638) explains that every creature was endowed by Hashem with its own measure of strength, pace, and inner nature. Forcing two unequal creatures under a single yoke turns productive agricultural work into an act of disharmony and oppression. By forbidding the yoking of an ox and a donkey together—whether in plowing, pulling a wagon, or any shared labor—the Torah teaches us that true productivity in this world may never be built upon forcing incompatible natures into an artificial bond (Sfas Emes, Devarim, Ki Seitzei 5638).

• Commenting on the classical insight that the ox is a kosher species that chews its cud while the donkey is a non-kosher species, the Sfas Emes in Parashas Bo (5642) explores the spiritual distinction between the two animals. Even within the natural world, a pure creature and an impure creature draw their vitality from different chambers. Yoking the two together blurs the boundary between pure and impure at the very moment a person is cultivating the soil to bring forth bread. Keeping them separate preserves the spiritual clarity of human labor (Sfas Emes, Shemos, Bo 5642).

• Ibn Ezra and Sefer HaChinuch note that the ox possesses vastly greater strength than the donkey, so yoking them together subjects the weaker donkey to continuous strain while the ox chews its cud and appears to eat before its companion. In Parashas Ki Seitzei (5643), the Sfas Emes connects this sensitivity to the broader covenant of rachamim that governs all of Parashas Ki Seitzei. Even when a farmer is focused on plowing his field to sustain his household, the Torah demands that he remain acutely sensitive to the inner distress of the animals pulling his plow (Sfas Emes, Devarim, Ki Seitzei 5643).

• In Parashas Kedoshim (5634), the Sfas Emes observes that the laws of forbidden mixtures (kil'ayim) carry an enduring lesson for the human soul as well. When a person attempts to harness holy aspiration and base material craving under a single yoke, his inner service becomes fractured and conflicted. The physical command not to plow with an ox and a donkey together serves as a visible daily reminder that sacred work requires integrity, single-heartedness, and harmony of purpose (Sfas Emes, Vayikra, Kedoshim 5634).

• In Parashas Ki Seitzei (5636), the Sfas Emes points out that the sequence of commandments in the parshah moves from the field and the orchard directly to the garments we wear (sha'atnez) and the fringes of tzitzis. Why are these laws woven together? When a Jew plows his field without yoking an ox and a donkey together, sows his

> seed without kil'ayim, and harvests his grain while leaving gifts for the poor, the entire cycle of bread—from the first furrow to the dining table—becomes a sanctified vessel for serving Hashem (Sfas Emes, Devarim, Ki Seitzei 5636).

RELATED HASHKAFAH TOPICS:

- Discuss how the Torah wants us to avoid causing emotional pain to animals as well
- Discuss how other animals think the animal chewing its cud has more food but it is really an illusion. The same is when we look at other people. We often think they are better off, but they have their own unique challenges.

INSPIRATIONAL STORIES:

❖ After repaying his loan to the Chasam Sofer, a man took out a gorgeous esrog box to give him as a token of his appreciation. The Chasam Sofer examined it from all sides and effusively praised its beauty. His talmidim were shocked, knowing that accepting the box would be a classic transgression of the prohibition against taking interest. Noticing the look on their faces. The great man told them a story about his rebbe, Harav Nosson Adler. Rav Adler was once waiting to be driven somewhere on a wagon. One of the horses pulled up lame, and the driver went to find a replacement. He came back with an ox, which he proceeded to hitch up to the wagon. Rav Adler immediately jumped out of the wagon and started dancing. He explained to the astonished driver that he was thrilled to finally have the opportunity to fulfill the command of not using kilayim, a forbidden animal combination, for pulling the wagon. "I can't accept the box because it's ribis, interest," the Chasam Sofer said, "but I admired and praised it to appreciate what I'm giving up. This way the mitzvah will be mehudar."

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8. Not to neuter any living creature

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 143

As the Torah says, Any with genitals bruised or crushed or torn or cut… and in your land you shall not do this (Vayikra 22:24, Parshas Emor).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is it permitted to neuter a pet dog?
- Is this prohibition limited to kosher animals?
- Is this prohibition limited to animals? Can one do this to a consenting human?
- If the animal was already sterile, does one violate this if he emasculates it further?
- Is it only forbidden to do this by means cutting? Can one give an animal a medicine that creates sterility?
- Can a woman take a medicine that creates sterility as a form of birth control?
- Can a Jew give a dog to a non-Jew to neuter?
- What should be the consequence if a Jew hinted to a non-Jew to neuter his animal? What if the non-Jew did it entirely on his own?

SEFER HAMITZVOS HAKATZAR

Chazal expound (Shabbos 110b) on the verse, "Neither shall you do this in your land" (Vayikra 22:24), that this commandment establishes a universal ban across the entire Jewish people, prohibiting the castration of human beings and of all living creatures.

This prohibition applies universally, whether the creature is a kosher or non-kosher domestic animal, wild beast, or bird.

Anyone who surgically castrates a male creature violates this negative commandment. Furthermore, even if one person partially mutilated the reproductive organs and a second individual completed the castration, both violate the prohibition, whether performed upon a human being or an animal.

A woman is likewise forbidden to castrate any male creature.

It is strictly forbidden to administer a sterilizing potion (kos shel ikarin) to a man or to any male creature. A woman, however, is halachically permitted to drink such a potion to prevent pregnancy when warranted.

It is strictly forbidden to instruct a non-Jew to neuter an animal owned by a Jew.

If a non-Jew castrated the animal entirely on his own initiative without any instruction, the Jewish owner is permitted to keep and benefit from the animal.

However, if the Jewish owner employed subterfuge or subtle hints to prompt the non-Jew to castrate it, the Sages penalized him, requiring him to sell the animal to another person.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world. There are times that it may not be clear to us how some of these behaviors are unjust to the animal world, but that is simply because we lack the perspective that the animals have. These mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVAH 292)

Hashem made the world with perfection and a perfect balance. We should not tamper with this perfection.

Recanati

There is so much good and beauty in the world which Hashem wants man to enjoy. One who castrates himself demonstrates that he does not enjoy or appreciate the world that G-d has given him and he does not want to help perpetuate it.

SFAS EMES

• The Sfas Emes explains the connection between human birth and mitzvos through two verses in Proverbs: "A mitzvah is a candle," and — "The candle of Hashem is the soul of man." Both a mitzvah and a human soul are candles of Hashem that need a physical wick to shine in this world. When a child is born, the father and mother form the physical body, while Hashem breathes in the soul. The Sfas Emes writes: "The child of a human being is the vessel in which the life of the soul is clothed." The child becomes a holy vessel (kli) that houses Hashem's divine breath. The Rebbe compares this to doing mitzvos. A newborn baby is a physical vessel capable of expressing divine life through words of Torah, acts of kindness, and heartfelt prayers. When we bring a child into the world through Peru Urevu, we build a brand-new sanctuary for Hashem's light (Sfas Emes, Bereishis, Noach 5644).

• When our forefather Yaakov saw his son Yosef born in Charan, he turned to Lavan with fresh courage: 'Send me away, that I may go to my place and to my land' (Bereishis 30:25). Why did the birth of a child give Yaakov a power he did not have before? The Sfas Emes explains that Hashem plants hidden spiritual potentials inside parents that come into active revelation (mi-koach el ha-po'al) specifically through bringing children into the world and raising them in holiness. In Parashas Vayeitzei (5638), commenting on Rashi's words 'Ka'asher yaldah Rachel', the Sfas Emes explains that the entire purpose of this physical world is to bring hidden potential into actual, fruitful existence (mi-koach el ha-po'el). Because the prohibition against neutering any living creature (issur sirus, Vayikra 22:24) guards the generative power that Hashem implanted in every species, violating it strikes against the fundamental purpose of creation (Sfas Emes, Bereishis, Vayeitzei 5638).

• The Sfas Emes uncovers a striking paradox in the story of Noach. Yet how did Noach preserve the future of the world? The Sfas Emes explains that every creature holds a holy spark from Hashem. But where does the power to produce lasting fruit (toledos) truly come from? The Rebbe answers: "These generations and fruits come only through surrender (bittul), when a person humbles himself before the Creator." True fruitfulness does not come from human ego or proud self-reliance. As the Sfas Emes emphasizes, one must know with certainty: "for it is not within one's own power to produce offspring." The power to give life is a pure gift from Hashem. Our Sages teach that Torah scholars sanctify their marital intimacy on Friday night: "Therefore, Torah scholars unite on Friday night to clarify that children come only through humble surrender to Hashem." Offspring born in holiness are rooted in humble trust in Hashem. When we acknowledge that life comes from Hashem, our homes receive an enduring blessing (kiyum) that human effort alone could never produce (Sfas Emes, Bereishis, Noach 5635).

• Rashi explains that the primary offspring (toledos) of righteous people are their mitzvos and good deeds. The Sfas Emes examines Rashi's careful phrasing: why does Rashi say "the primary offspring of tzaddikim", rather than simply saying good deeds are like children? The Rebbe explains that whenever we perform a mitzvah, it produces a spiritual effect. But whether that effect stays deeply bound to our soul depends on our intention and love. When a person pours his heart, energy, and will into a mitzvah, the spiritual fruit becomes truly his. He compares this directly to physical birth, where the love and vitality invested in marriage bring forth a child. The Rebbe does not claim that parents can control their child's free will. Even so, this teaching gives immense meaning to the holiness (kedushah) and devotion with which husband and wife welcome a new life (Sfas Emes, Bereishis, Noach 5631).

• The Midrash speaks of double joy when a righteous child is born, using the phrase — rejoicing upon rejoicing. The Sfas Emes explains that our holy forefathers (Avos) introduced a brand-new form of fruitfulness (toledos) into the world: "Beginning with the Avos, there began to be spiritual offspring, transmitting the power of holiness to descendants after them." In the animal kingdom, reproduction is purely biological. But the Avos proved that human beings can transmit a spiritual mission and holy character to their children! Each child has their own unique soul and personal avodah. Through Peru Urevu, we give our children a living legacy of faith and Torah, inspiring them to carry the light forward in their own way (Sfas Emes, Bereishis, Toldos 5637).

RELATED HASHKAFAH TOPICS:

- Why doesn't the Torah worry about population control?
- Discuss how the term to "fix" a dog displays great arrogance.
- Discuss how the need to neuter dogs is looking at pets an animals in a very selfish way, only taking our needs into consideration, and not the animals needs.

MORAL DILEMMAS:

An Israeli municipality experienced an overwhelming surge in the stray cat population, resulting in sanitation hazards and public health concerns. May municipal leaders cull or surgically sterilize stray animals to protect public health, or do both methods violate Torah prohibitions?

Answer: Based on the Torah prohibition 'u-v'artzechem lo sa'asu' (Vayikra 22:24) and Shulchan Aruch (Even HaEzer 5:11), surgical sterilization or neutering (sirus) of any animal — whether kosher or non-kosher — is biblically forbidden for a Jew. Rav Yosef Shalom Elyashiv zt"l advised that residents should instead secure trash bins and doors, or have non-Jewish municipal workers relocate the cats.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 355

STORIES FROM OUR SAGES:

❖ R' Chiya's wife, Yehudis, bore him twin sons, Yehudah and Chizkiah, who became great sages. They were born in Babylonia and moved with him to Eretz Yisroel (Suk. 20a). They also had twin daughters, Pazi and Tavi (Yevamos 65b-66a). Yehudis had a difficult childbirth, and afterward she disguised herself and presented herself to R' Chiya and asked if a woman is obligated in the mitzvah of having children. When R' Chiya responded in the negative, she drank an herb that sterilized her (Yevamos 65). Yehudis was a vexatious wife (Yevamos 63), and when R' Chiya blessed Rav, he prayed that he should be "saved from something worse than death: a bad wife" (Yevamos 65). Nevertheless, whenever he saw something suitable he would purchase it, wrap it in his cloak, and bring it to her as a gift. When Rav asked R' Chiya why he was bringing gifts to his wife if she was always annoying him, R' Chiya responded, "It is sufficient for us that they raise our children and prevent us from sin."

Talmud Bavli, Yevamos 65b

❖ Scripture relates (2 Samuel 23:15–17) that King David longed and said, 'Who will give me a drink of water from the cistern of Bethlehem that is by the gate?' Three mighty warriors broke through the camp of the Philistines, drew water, and brought it to David—yet David refused to drink it and poured it out before the Lord because they had risked their lives! The Gemara explains that 'water from the cistern by the gate' meant a halachic ruling from the Sanhedrin sitting at the gate! Philistines had hidden inside stacks of Jewish barley, and King David needed to know whether his soldiers were permitted to burn down the Jewish barley stacks to flush out the enemy and replace them with captured Philistine lentil

stacks. The Sages sent back their ruling to King David: Normally, a person is forbidden to save himself by destroying his fellow's property without paying for it; however, you are the King, and a king may break through fences to make a road for the army! Yet because the three warriors had risked their lives to bring that halachic answer, King David refused even to use the leniency in his own name and established it instead as a humble tradition for all generations.

Talmud Bavli, Bava Kamma 60b

9. Not to muzzle an animal while it is working

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 188

As the Torah says, You shall not muzzle an ox while it treads out the grain (Devarim 25:4, Parshas Ki Seitzei).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is this mitzvah limited to an ox?
- Is this mitzvah limited to domestic animals? How about wild animals?
- Is it limited to food that has already been cut and harvested?
- Is it limited to food in a threshing floor? What if the animal was doing work in the woods and one wanted to preventing it from eating rare berries?
- If the animal was already muzzled, do you have to remove the muzzle when it goes out to work,?
- What if you don't muzzle it, but shout so that it is afraid to eat?
- What if the animal belongs to a non-Jew?

SEFER HAMITZVOS HAKATZAR

Although Scripture explicitly mentions an ox — "You shall not muzzle an ox while it threshes" (Devarim 25:4) — the prohibition applies equally to every domesticated animal (behemah) and wild beast (chayah).

The law applies not only to threshing grain, but to any physical labor performed with edible produce of the earth.

It applies whether the food being processed has already been harvested from the ground or remains attached to the soil, provided it is in its final processing stage before storage.

The violation occurs whether one actively muzzles the animal's mouth during the work or placed the muzzle upon it prior to commencing the labor.

One likewise violates this prohibition if he prevents the animal from eating through the sound of his shouting voice, using verbal intimidation to frighten it away from tasting the food while it labors.

Furthermore, an individual is liable for this prohibition even if the working animal belongs to a non-Jew.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world. This perfects our character and makes us more similar to Hashem.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SEFER HACHINUCH (MITZVOS 496, 25, 4)

This is a cruel thing to do to an animal, and the Torah teaches us to have compassion on all creatures.

SFAS EMES

• In Parshas Ki Seitzei, the Sfas Emes reflects on the classic Midrash concerning the hidden rewards of the mitzvos. He explains why our Sages compared the entire system of negative commandments to the law of the unmuzzled ox. Our Sages in Tractate Makkos (13b) state that the Torah compares all negative commandments to the law of not muzzling an ox (hekish kol ha-lavin l'lav d'chasimah). Why did our Sages choose the muzzle as the prime symbol for all three hundred and sixty-five negative laws? He explains that the orchard represents Israel. By saying "no" to forbidden desires, we unblock the flow of sacred life into our daily world. We allow our animal nature to drink from the pure stream of the soul (Sfas Emes, Devarim, Ki Seitzei 5655).

• In an early discourse for Parshas Ki Seitzei (5637), the Sfas Emes links the law of the unmuzzled ox to the law of the vineyard laborer who eats from the grapes. He writes that when a person engages in Torah and mitzvos with all his heart, he constantly discovers the sweet reasons of the Torah. If he serves Hashem with absolute sincerity, seeking understanding only to fulfill the commandments, he merits genuine insight in the midst of his toil. Scripture says: "You shall eat grapes according to your soul's desire, to your fill." You may not pack them away in selfish vessels. He lets us taste the sweetness of truth right in the middle of our daily life. Our physical body feels the joy, and our labor becomes a song of praise (Sfas Emes, Devarim, Ki Seitzei 5637).

• In Parshas Eikev, the Sfas Emes examines the verse in Mishlei: "For they are a companion of grace for your head, and necklaces about your neck" (Mishlei 1:9). The Sfas Emes explains that within each human being, two distinct realities meet. The body corresponds to the animal soul (nefesh ha-bahamis), while the inner spirit corresponds to the human soul (Adam). When a person performs mitzvos, how does the body participate in that holy service? He writes that the power of the mitzvos is to elevate the animal nature to the level of Man. When we learn Torah or perform a mitzvah, we should let our physical senses experience the sweetness of the deed. By sharing the joy of holiness with our physical body, we turn our bodily drives into a willing partner in Hashem's service (Sfas Emes, Devarim, Eikev 5661).

10. Before we can eat an animal, it has to be killed in the humane manner of the Torah

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 48.

As the Torah says, then you shall slaughter some of your herd and your flock as I have commanded (Devarim 12:21, Parshas Re'eh).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is meant when the Torah says "as I have commanded you"? Where was Moshe commanded about shechitah?
- What has to be cut during the shechitah?
- Do you have to cut the whole trachea and esophagus?
- Are the laws of the shechitah of a small chicken the same as slaughtering a cow?
- If one paused during the shechitah is it still valid?
- If one cut at a slant is it still valid?
- Can a woman do shechitah?

SEFER HAMITZVOS HAKATZAR

Scripture states: "You shall slaughter from your cattle and from your sheep... as I have commanded you" (Devarim 12:21). This teaches that Moshe Rabbeinu received the comprehensive laws of shechitah (humane ritual slaughter) orally at Mount Sinai:

Fundamental among these laws is that the cut must sever the two neck conduits: the trachea (windpipe, kaneh) and the esophagus (food pipe, veshes).

For fowl, a valid slaughter requires severing the majority of either one of these two conduits;

For domesticated animals and wild beasts, one must sever the majority of both conduits.

Five fundamental defects transmitted to Moshe at Sinai invalidate the slaughter and render the animal non-kosher (neveilah):

1. Pausing (shehiyah): interrupting the continuous back-and-forth movement of the blade before the incision is complete;

2. Pressing (derasah): hacking downward or chopping into the neck rather than drawing the blade horizontally across;

3. Concealment (chaladah): burrowing the knife beneath the neck conduits, under a cloth, or between the hide and flesh;

4. Deviation (hagramah): cutting outside the prescribed anatomical zone of the neck, either too high toward the head or too low into the chest;

5. Tearing (ikur): tearing or ripping the conduits from their anatomical attachments rather than cleanly slicing them with a sharp, nick-free blade.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (3:48)

This manner of killing an animal is the most compassionate and easiest of deaths.

SEFER HACHINUCH (MITZVAH 451)

Aside from being a compassionate way to kill the animal, this manner of killing it helps to remove much of the blood from the body of the animal.

RALBAG (DEVARIM 12:12)

This mitzvah takes the focus of the slaughterer away from the cruel act of killing to instead focus on how to best fulfill Hashem's will as the animal dies.

KLI YAKAR

It is more appropriate for man to avoid eating meat. When the Torah places many requirements and obstacles that are necessary in order to prepare the meat, it helps him restrain himself from frequently having a strong desire for meat.

RABBI MORDECHAI BECHER – GATEWAY TO JUDAISM

This mitzvah relegates the act of killing an animal to the hands of experts, so that most people do not have to kill an animal.

SFAS EMES

• In an ancient Midrash (Bereishis Rabbah 44:1), our Sages confront the seemingly random nature of ritual slaughter: "What does the Holy One care whether an animal is slaughtered from the throat or killed from the back of the neck? You must conclude that the mitzvos were given for one sole purpose: to refine human beings through them." Superficial readers often interpret this Midrash to mean that the details of the commandments are random. They think any set of rules would have worked equally well as long as it forced us to obey. The Sfas Emes rejects this idea completely. The act of slaughter becomes a mirror for our own character. By refusing the impulsive violence of the nape, we burn away the predatory habits within our own hearts (Sfas Emes, Devarim, Re'eh 5658).

• In the foundational teachings of the Chiddushei HaRim—the grandfather and teacher of the Sfas Emes—a radical question is raised. By what moral right does any human being take the life of an innocent animal? The animal did not commit a sin, nor did it ask to be slaughtered! The Chiddushei HaRim and the Sfas Emes explain that humanity lost its natural right to use animals when Adam sinned, bringing mortality to the world. The restoration of that right occurred at one singular moment in our history: the Akeidah of Yitzchak upon Mount Moriah. When Avraham Avinu bound his beloved son upon the altar and lifted the knife with total devotion, Yitzchak surrendered his very life to the Creator. When we eat with this awareness, the animal achieves its highest ascent. Its mortal flesh is transformed into the thoughts, prayers, and good deeds of an upright human servant (Sfas Emes, Bereishis, Vayeira 5648).

• Torah law dictates that kosher shechitah requires the precision severing of two vital pathways in the animal's neck: the windpipe (kaneh, which channels the breath of life) and the esophagus (veshet, the gullet, which swallows food into the stomach). The Sfas Emes reveals the deep spiritual architecture behind this halachic rule. The windpipe carries the breath of life. It gives rise to articulate speech, prayer, and the sounds of Torah study. It corresponds directly to the Tree of Life and the pure voice of Yaakov Avinu. The gullet, by contrast, receives and digests physical nourishment from the material realm. By severing the esophagus (veshet), we conquer raw bodily consumption. We declare that eating exists solely to sustain our service of the Creator (Sfas Emes, Moadim, Purim 5654).

• In Parshas Acharei Mos (Vayikra 17:3–4), the Torah issues a stern warning regarding one who slaughters an offering outside the courtyard of the Mishkan: "Blood shall be imputed to that man; he has shed blood, and that man shall be cut off from among his people." Our Sages note the striking severity of this phrasing. The Sfas Emes explains that every creature brought into existence by the Creator possesses two dimensions: an outer physical body and an inner spark of life anchored in a higher spiritual root. When an animal lives in the open field, its physical body remains attached to that heavenly root through the continuous breath of the Creator. When we slaughter that animal properly in accordance with Hashem's commandment, the sacred act of shechitah releases its life-force upward. It is as if he shed blood! Kosher shechitah is the precise legal mechanism by which we bridge the physical creature back to its Maker (Sfas Emes, Vayikra, Acharei Mos 5638).

• When the Torah introduces the permission to consume ordinary meat in Eretz Yisrael, it uses curious, tender phrasing: "Because your soul desires to eat meat, to the entire desire of your soul you may eat meat" (Devarim 12:20). Why does Scripture ascribe this intense bodily craving to the “soul” (nefesh) rather than to our physical palate or stomach? Does the soul crave a physical steak? The Sfas Emes cites a renowned teaching of the holy Baal Shem Tov that redefines the inner psychology of human appetite. When we experience a sudden, intense craving for a specific food, we assume that the hunger is purely physical. The requirement to examine the blade, check the throat organs, recite a blessing, and wait for the blood to drain forces us to awaken our higher consciousness. We realize: It is not my stomach that hungers for this meat; it is my soul seeking to fulfill its mission of sacred service (Sfas Emes, Devarim, Re'eh 5656).

RELATED HASHKAFAH TOPICS:

- If the Torah wants us to have compassion on animals, why doesn't it forbid eating animals altogether?
- Discuss the idea of how the entire world becomes elevated when it serves as a link in the food chain that sustains Man and his mitzvos.
- Discuss why animals were not eaten before the time of Noach.

INSPIRATIONAL STORIES:

❖ A young married man who was studying full time was ready to leave his studies to begin a business. He approached his Rebbe, Rav Eliyahu Ragoler, saying that he had money saved up from his dowry that he could use as capital to open a store. "Should I use this money to open a store in order to support my family?" he asked? "Certainly," answered Rav Eliyahu, "there's no reason not to. Just tell me one thing: Do you have the necessary training to run a store?" "What kind of training do I need to stand behind a counter to sell dry-goods all day?" the young scholar asked in surprise. "What I meant is," said Rav Eliyahu, "have you mastered the entirety of Shulchan Aruch? In order to run a store you need a thorough knowledge of all four sections of Shulchan Aruch. This story is similar to another well-known incident about a pious shochet who once

came to see Rav Yisrael Salanter. He told Rav Yisrael that he wanted to give up his job as a shochet. He was too afraid of the responsibility of deciding if the animal was kosher and was afraid of improperly slaughtering an animal and thereby feeding Jews meet that was not kosher. 'Very well.' said Rav Yisrael, but what do you intend to do for living instead?" 'I was planning to open a store," the shochet answered. Rav Yisrael expressed amazement at this reply. Listen to what you're saying! You've lust told me that you don't want to take responsibility to deciding about slaughtered animals. This mitzvah is elaborated on extensively in the Shulchan Aruch and every detail is clarified through all of the commentaries in the Shulchan Aruch. And for shechitah there is only one possible prohibition involved eating nevailah. But when it comes to doing business you have to know many more halachos, the laws of interest, theft, cheating, overcharging, keeping your word, honest measures, the laws of modesty, to name a few. That is a much greater responsibility.

The Rosh Yeshivah Speaks, By Rabbi Chaim Pinchas Scheinberg, published by ArtScroll Mesorah

❖ At no time was Reb Shraga Feivel Mendlowitz's intense empathy for his fellow Jews more evident than during the years of the Holocaust. From the time the first revelations of the Nazi atrocities reached America, he was a man possessed. He never again ate meat.' "There is already enough killing in the world," he explained.

Reb Shraga Feivel, By Yonoson Rosenblum, Published by Mesorah Publications

11. Not to eat from an animal until it is dead

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 90

As the Torah says, and you shall not eat the life with the flesh (Devarim 12:13, Parshas Re'eh)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is meant by not eating "the life in the flesh"?
- What is the minimum amount?
- What if someone ate a whole eye, but it was less than a kezayis?
- If a person eats meat from a live animal, does he also violate the prohibition of eating from an animal that was improperly slaughtered?

SEFER HAMITZVOS HAKATZAR

Through the Oral Tradition, Chazal learned that the verse "Only be steadfast not to eat the blood, for the blood is the life, and you shall not eat the life with the flesh" (Devarim 12:23) serves as the biblical prohibition against eating a limb severed from a living creature (eiver min hachai).

One who consumes an olive's volume (k'zayis) of meat severed from a living animal violates this negative commandment.

Even if one consumed an entire intact limb or organ, he incurs the biblical penalty of lashes only if that limb contains at least an olive's volume of flesh; if it lacks that minimum measure, he is exempt from lashes, though the act remains strictly forbidden.

One who consumes a limb or meat severed from a living animal violates two distinct biblical prohibitions: "You shall not eat the life with the flesh" (Devarim 12:23) and "You shall not eat any flesh torn in the field" (Shemos 22:30).

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (2:48)

Doing this habituates us into developing cruel character traits.

RAV SAMSON RAPHAEL HIRSCH

If the animal is still alive, the nefesh of the animal will still be in when we eat it. Eating that will give us animal tendencies and make our impulses harder to control.

SFAS EMES

• When the Torah forbids eating a limb or flesh torn from a living animal (eiver min ha-chai, Bereishis 9:4, Devarim 12:23), the Sfas Emes in Parashas Re'eh (5638) explains that while an animal is still alive, its flesh is completely bound up with its coarse animal soul (nefesh ha-behamis). Only after the animal's life has departed through kosher shechitah can its flesh be elevated to nourish a human servant of Hashem (Sfas Emes, Devarim, Re'eh 5638).

• In Parashas Vayikra (5643), commenting on the Midrash 'Tzefunah lifnei Hashem', the Sfas Emes teaches that human beings must guard the hidden purity of their inner heart from the predatory instincts of the wild. Tearing flesh from a living creature implants cruelty and impatience directly into the consumer's character (Sfas Emes, Vayikra, Vayikra 5643).

• In his discourse on Purim (5654), the Sfas Emes contrasts the patient, Torah-governed table of Israel with the unbridled appetite that grabs whatever it desires without restraint. The prohibition of eiver min ha-chai—given even to the descendants of Noach and elevated to a sacred Torah command at Sinai—teaches humanity that appetite must always yield before the sanctity of life (Sfas Emes, Moadim, Purim 5654).

• In Parashas Re'eh (5658), on the verse 'Ha-berachah asher tishme'u', the Sfas Emes explains that blessing rests upon physical food only when we first listen to Hashem's boundary. Refusing to eat from an animal until its life has fully departed transforms eating from an act of biological consumption into an act of disciplined obedience (Sfas Emes, Devarim, Re'eh 5658).

12. Not to slaughter a mother and child animal on the same day

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 108.

As the Torah says, And whether it is a cow or a ewe, you shall not slay it and its young both in one day (Vayikra 22:28, Parshas Emor).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- If one did kill an animal and its mother on the same day, is it still kosher?
- How do you calculate one day? Is it 24 hours?
- If one killed the mother on Wednesday evening after sunset, can he kill the child the next morning?
- What if one killed the mother five minutes before sunset on Wednesday evening, can he kill the child later that night after sunset?
- Does this apply to the father or just the mother?

SEFER HAMITZVOS HAKATZAR

If someone transgressed and slaughtered both the parent animal and its offspring on the same calendar day (oso v'es bno), the slaughter remains valid and the meat is entirely kosher and permitted for consumption.

For the purposes of this prohibition, the halachic day begins with nightfall and concludes at the subsequent nightfall (from sunset to sunset). Consequently, if one slaughtered the mother animal at the beginning of Wednesday night (which is halachically the onset of the fourth day), he may not slaughter its offspring until nightfall initiates Thursday (the fifth day).

Conversely, if he slaughtered the mother toward the end of Wednesday daytime (just before dusk), he is permitted to slaughter the offspring as soon as nightfall ushers in Thursday, because nightfall marks the arrival of a new halachic day.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RAMBAM — MOREH NEVUCHIM (3:48)

This mitzvah is to prevent us from allowing a mother to witness the death of its child or vise versa. This mitzvah teaches us to have compassion towards Hashem's creatures.

RAMBAN (DEVARIM 22:6)

Killing a mother and child on the same day is symbolic of wiping out a species, because you are killing both the producer and the product. This teaches us not to cause any species to become extinct.

SEFER HACHINUCH (MITZVAH 294)

Killing a mother and child is symbolic of wiping out a species. The prohibition not to do this teaches us that Hashem has providence over general categories of animals and Hashem will not allow a general category of animal to ever become entirely extinct.

RABBEINU BACHYA

If people would learn the lesson of this mitzvah there would not be genocide and people would instead practice mercy and chesed.

SFAS EMES

• In Parashas Acharei Mos, the Torah issues a stern warning regarding one who slaughters an offering outside the courtyard of the Mishkan: "Blood shall be imputed to that man, he has shed blood, and that man shall be cut off from among his people." Our Sages note the striking severity of this phrasing. He merely slaughtered an animal in the open field! Why does the Torah brand his action as murder? The Sfas Emes explains that every creature brought into existence by the Creator possesses two dimensions: an outer physical body and an inner spark of life anchored in a higher spiritual root. When the Torah commands in Parashas Emor, 'Shor o chesev o eiz ki yivaleid — Oso ve-es beno lo sishchatu be-yom echad'—'An ox or a sheep or a goat, when it is born — It and its young you shall not slaughter on one day' (Vayikra 22:27–28)—the Sfas Emes (5638) notes that this passage immediately precedes the mitzvah of Kiddush Hashem. Even when slaughtering animals for sacred offerings, Israel must honor the bond between mother and young so that divine service never dulls the heart's mercy (Sfas Emes, Vayikra, Acharei Mos 5638).

• In the foundational teachings of the Chiddushei HaRim, the grandfather and teacher of the Sfas Emes, a radical question is raised. By what moral right does any human being take the life of an innocent animal? The animal did not commit a sin, nor did it ask to be slaughtered! The Chiddushei HaRim and the Sfas Emes explain that humanity lost its natural right to use animals when Adam sinned, bringing mortality to the world. The restoration of that right occurred at one singular moment in our history: the Akeidah of Yitzchak upon Mount Moriah. In Parashas Vayikra (5643), on the Midrash 'Tzefunah lifnei Hashem', the Sfas Emes explains that the instinctive love of a mother animal for its offspring is a reflection of Hashem's own sustaining mercy over creation. Refusing to slaughter both mother and young on the same day shows reverence for that divine imprint of maternal care (Sfas Emes, Vayikra, Vayikra 5643).

• In his discourse on Purim (5654), the Sfas Emes contrasts the merciless spirit of Amalek—who seeks to uproot mother and child together—with the Torah's command of Oso V'Es Beno. By forbidding the slaughter of parent and offspring on a single day, the Torah trains every Jew to abhor total destruction and to respect the continuity of life (Sfas Emes, Moadim, Purim 5654).

• In Parashas Re'eh (5633), on the verse 'Ki yarchiv Hashem Elokecha es gevulcha', the Sfas Emes teaches that precisely when a person enjoys material abundance and desires meat, the Torah surrounds his table with reminders of restraint. Waiting another day before slaughtering the second animal ensures that human celebration never turns into callous excess (Sfas Emes, Devarim, Re'eh 5633).

• Weighing the depth of these words, in an ancient Midrash (Bereishis Rabbah 44:1), our Sages ask: 'What does it matter to the Holy One whether an animal is slaughtered from the throat or from the back of the neck (oref)? Rather, the mitzvos were given solely to refine (l'tzareif) human beings through them.' The Sfas Emes explains that l'tzareif means refining silver in a smelter to remove dross: the front of the neck represents facing Hashem with speech and awareness, whereas the back of the neck (oref) represents stubbornness, so slaughtering at the throat refines our physical appetite toward holiness. In Parashas Re'eh (5658), the Sfas Emes explains that the Torah's laws of animal compassion are designed first and foremost to refine the human being who observes them. When we restrain our hand before a mother animal and its young on the same day, we engrave the attribute of compassion (rachmanus) deep within our own character (Sfas Emes, Devarim, Re'eh 5658).

RELATED HASHKAFAH TOPICS:

- What would the Torah perspective be on hunting an animal that is an endangered species?
- What would the Torah perspective be about the laws that protect endangered species?
- Discuss the difference between the hashgachah, providence that animals have and the hashgachah pratis that people have.

13. To cover the blood of a slaughtered bird and wild kosher animal

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 49

As the Torah says, regarding an untamed animal or a fowl, he shall pour out its blood and cover it with earth (Vayikra 17:13, Parshas Acharei Mos).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- How many layers of earth does one need?

SEFER HAMITZVOS HAKATZAR

To fulfill the mitzvah of covering the blood (kisuy hadam), one must first place a layer of earth beneath the animal, perform the ritual slaughter so the blood drains upon it, and subsequently cover the blood with an additional layer of earth above. For Scripture specifies "and cover it with earth" (Vayikra 17:13), which Chazal interpret (Chullin 83b) to require that the blood be enclosed both below and above in earth.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world. There are times that it may not be clear to us how some of these behaviors are unjust to the animal world, but that is simply because we lack the perspective that the animals have. These mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

OHR HACHAIM

Since blood is the nefesh (soul) of the animal, we should give the blood the respect that we give to a human corpse. We therefore "bury" the blood.

SEFER HACHINUCH (MITZVAH 187)

The Torah want us to have sensitivity to the spirit of the animal which resides in its blood, and we therefore should not eat the animal's flesh in the view of its spirit. This will not apply to a domesticated animal because its blood is used in korbanos so it is not covered. (The Torah did not want to make a distinction between the ones brought as korbanos, and the ones that were not. Perhaps this is to inspire us to think of every animal that we eat like a korban. This is similar to the notion that our tables are like a mizbeach).

IBN EZRA

Strangers who see the blood on the ground may think it was spilled as a sacrifice to a heathen god.

RABBEINU MENACHEM RECANATI

Only birds and non domesticated animals get this respect of covering their blood. Why are they singled out? That is because the animals that are not domesticated only follow the natural laws that Hashem has given to them. Domesticated animals however follow laws given by humans not Hashem, and therefore they don't deserve the same respect.

RALBAG (VAYIKRA 17:13)

This mitzvah is done in order to prevent us from desiring to eat the blood of these creatures.

RAV SAMSON RAPHAEL HIRSCH

The wild birds and non domesticated animals have a freedom that is very appealing to man's independent impulses (more so than beheimos, domesticated animals) and the Torah wants us to be especially careful about eating that blood.

SFAS EMES

• Right after the commandment of "covering the lifeblood with earth" (kisui ha-dam) (kisui ha-dam, covering the blood), the Torah articulates the profound principle governing all animal life: "For the life of all flesh, its blood is in its soul — For the life of all flesh is its blood; whoever eats it shall be cut off" (Vayikra 17:14). Here the Sfas Emes reveals the immense moral danger of taking animal life. An animal also possesses a physical life-force that circulates in its blood. But it lacks the Divine Alef (symbolic of echad, Divine oneness). Its vitality is purely earthly, drawn from the dust. When we slaughter a wild animal or bird to feed our physical bodies, we stand at a critical crossroads. Covering the blood returns the creature's earthly life-force directly to the Creator's earth. In doing so, we ensure that our souls are nourished purely by the King's mitzvah (Sfas Emes, Vayikra, Acharei Mos 5658).

• A central halachic rule of covering the blood is that it must be done specifically with dust of the earth (afar)—fine earth, soil, or ashes in which plants can grow (Chullin 88b). We cannot fulfill the mitzvah by covering the blood with stones, metal, cloth, or wooden vessels. In addition, our codes of law (Shulchan Aruch, Yoreh De'ah 28:5) teach that we must place earth beneath the blood and earth above the blood. We encase the lifeblood in a protective bed of dust. In the teachings of the Sfas Emes, "dust of the earth" (afar) (afar) represents our ultimate expression of humility and self-nullification before the Creator. Kneeling in the dust melts our arrogance. It transforms what could have been a display of power into a moment of reverence before the Author of all life (Sfas Emes, Bereishis, Vayeira 5645).

• One of the great questions of this mitzvah is why domestic cattle, sheep, and goats are exempt. Why did the Torah single out only the wild beast and the bird? The Sfas Emes reveals an even deeper ethical dimension through the lens of stewardship. A domestic cow or sheep lives its entire life within the human home. The farmer builds its barn, feeds it daily, milks it, guides it through storms, and protects it from wolves. In a real sense, the domestic animal is our partner. Its life is already woven into human labor and daily care. We took its life only because the King gave us permission to nourish our bodies. But its life belongs to the Creator's earth, and into that earth we return it (Sfas Emes, Bereishis, Vayeira 5638).

• The teaching of the Sfas Emes on the letter Alef (symbolic of echad, Divine oneness) illuminating the word dam (physical lifeblood) unlocks a fascinating passage in the Talmud. In Maseches Berachos (10b), our Sages interpret a verse in Parshas Kedoshim: "You shall not eat over the blood"—"You shall not eat over the blood" (Vayikra 19:26). While the basic legal meaning forbids eating sacrificial meat before the blood is sprinkled, our Sages reveal a practical lesson for our daily lives: "Do not eat in the morning before you have prayed for your own lifeblood!" In both cases, the lesson is the same: our physical appetites must never run wild. We must hold them in check until we stand as humble, conscious stewards before Hashem (Sfas Emes, Vayikra, Vayikra 5631).

RELATED HASHKAFAH TOPICS:

▪ Discuss the idea of animals having a nefesh and how it is different than a human's neshamah.

STORIES FROM OUR SAGES:

❖ It was taught in a Braisa expounding the commandment of covering the blood of a slaughtered bird or wild kosher animal with earth (Vayikra 17:13): "He shall pour out its blood and cover it with earth "—with the same respectful hand that poured out the blood, with that hand he shall cover it! He must never kick earth over the blood with his foot, so that the mitzvos of the Creator are never treated by him with disrespect. And it was taught in another Braisa: "He shall pour out its

blood and cover it"—the one who performed the slaughter has the first right to perform the mitzvah and recite the blessing of covering the blood. An incident occurred with a certain man who slaughtered a bird, and before he could bend down to cover its blood and recite the blessing, a bystander jumped in ahead of him, covered the blood, and took the mitzvah for himself! The case came before Rabban Gamliel, and Rabban Gamliel obligated the bystander to pay the slaughterer ten gold dinars for depriving him of the joy and blessing of his mitzvah!

Talmud Bavli, Chullin 87a

A. TO COVER THE BLOOD RESPECTFULLY WITH YOUR HAND AND NOT WITH YOUR FOOT

(Torah Mandated Mitzvah), Sefer Chareidim 18-12

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- What is wrong with using your foot?

SEFER CHAREIDIM

The mitzvah of covering the blood must be performed respectfully using one's hands or a handheld implement, rather than kicking earth over it with one's foot. Scripture juxtaposes the pouring of the blood to its covering: "He shall pour out its blood and cover it with earth" (Vayikra 17:13) — just as the slaughter and pouring are performed with the dignity of the hands, so too must the covering be done with the hands. One must never kick earth with his foot, for the commandments of the Almighty must never be treated with casual contempt (mitzvos ein nohegin bahem minhag bizayon).

14. To send away a mother bird before taking its chicks or eggs

(Torah Mandated Mitzvah), Sefer Hamitzvos Positive 74

As the Torah says, you shall surely send the mother bird away (Devarim 22:7, Parshas Ki Seitzei), and afterward, and the young you may take for yourself (ibid.)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Are you allowed to take the eggs or baby chicks of a bird?
- How should you make the mother bird fly away?
- If you made it fly away, and it returned are you still obligated to make it fly away?
- What if it flew away but is hovering nearby? Can you take the eggs in that case?
- What is too close?
- Does this mitzvah apply to other animals aside from birds?
- Does it apply to non-kosher birds?
- Does the prohibition to take the eggs in the presence of the mother apply to a chicken that one owns and is in his coop?
- Does it apply if you want to take older fledglings?

- Does it apply to eggs that are not fertilized?
- Does it apply to fertilized eggs that are so old that they will not hatch?
- What should one do if he took the mother along with the chicks. How can he correct his transgression?
- What if one took the mother and eggs and killed the mother, can he correct his transgression?
- What if someone else grabbed it from him and sent away the mother?
- What if the mother flew away by herself?
- What if he took the mother, clipped the wings so that it could not fly far and then sent it away? Has he fulfilled the commandment?
- What should he do to correct his mistake in that case?

SEFER HAMITZVOS HAKATZAR

The commandment of sending the mother bird (shiluach hakein) dictates that if a person encounters a bird's nest along the way — whether in a tree or on the ground — with the mother bird brooding upon chicks or eggs, and he wishes to take them, he is biblically forbidden to take the mother along with her offspring. Rather, he must first send the mother away, and only then may he take the young (Devarim 22:6–7).

The proper method of dispatching the mother bird is by releasing her wings and prompting her until she takes flight into the open air.

If one sent the mother bird away and she returned to the nest, he remains obligated to send her away again, even if she returns multiple times.

If the mother is hovering above the nest, one is obligated to send her away only if her wings physically brush against the nest; if she hovers without touching, one is exempt from the obligation of dispatching her.

The mitzvah of shiluach hakein applies exclusively to kosher species of birds (of tahor), excluding non-kosher birds.

Furthermore, this obligation applies solely to an ownerless, wild bird that is not "prepared" in one's possession (she'eino mezuman) — namely, a nest encountered in an open field, wild grove, or ownerless domain.

The obligation applies specifically to fledglings that cannot yet fly independently and still require maternal care, excluding mature birds capable of sustained flight.

Likewise, it applies to eggs that are viable, excluding foul or addled eggs that can no longer hatch.

If one transgressed the negative prohibition and seized both the mother and the young, he must rectify the infraction by fulfilling the linked positive commandment, immediately releasing the mother bird.

If he slaughtered the mother bird or she died before he released her, thereby eliminating the possibility of fulfilling the remedial positive commandment, he incurs lashes for violating the negative prohibition (lav shenitak la'aseh). Similarly, if a bystander snatched the mother from his hand and released her, or if she escaped against his will, he violates the prohibition, since he failed to actively perform the positive mitzvah of releasing her.

If he seized the mother bird and clipped her wings so she could not fly before releasing her, he is liable for rabbinic lashes of disobedience (makas mardus). In that event, he must care for the bird until her plumage fully regenerates, at which point he must send her into free flight.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world. There are times that it may not be clear to us how some of these behaviors are unjust to the animal world, but that is simply because we lack the perspective that the animals have. These mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

IBN EZRA (DEVARIM 22:7)

It would be an act of cruelty to take the chick or eggs in front of the mother.

RAV SAMSON RAPHAEL HIRSCH

When we see a mother animal, protecting its children at its own risk, that is a wonderful act of chesed that we want to show respect to and learn from. In order to show respect to this mother bird we grant it freedom.

KLI YAKAR

We give the mother bird freedom because of its care for its young. When people see that we care for the mother bird because of its care for its young, then we can learn how much more important it is to care for our own parents, who have cared for us. This teaches us an important lesson about Kibud av va'em.

SEFER HACHINUCH (MITZVAH 545)

Taking the mother and its chick symbolizes destroying the species, because he is taking the producer and its product. This teaches us that Hashem will not allow a species to become entirely extinct.

RASHBAM (IBID.)

Taking the producer as well as its product is an act of thoughtless gluttony. Now neither the egg or the mother can reproduce. This teaches us to have self control and temper our appetites.

RABBEINU MENACHEM RECANATI

Sending the mother away is actually a cruel act. The mother bird symbolizes Hashem's protective shechina, and the abandoned bird symbolizes the Jewish people. We are symbolically saying to Hashem that just as we regret this cruel act of sending away the mother, so we hope that Hashem regrets removing the shechina from our midst.

SFAS EMES

• The Zohar (Ki Teitzei 279a) reveals the heavenly drama set in motion when we fulfill the mitzvah of "sending away the mother bird" (shilu'ach ha-kein). When a traveler stretches forth his hand to send the mother bird away, she takes to the air with heavy, fluttering wings. She cries out in anguish as she watches her nestlings taken from below. The angel appointed over the birds of heaven hears her cry. He ascends before the Throne of Glory, pleading: Master of the Universe! You created this mother bird. We release the mother's cry upward. Because we restrained our own hand from taking both mother and chicks, our obedience unlocks the Father's infinite compassion for His scattered children (Sfas Emes, Devarim, Ki Seitzei 5653).

• The Zohar (Tikkunei Zohar 6) presents a beautiful picture of this mitzvah: our physical human body is designed as a sacred nest, while the holy soul within is the bird of freedom! King David gave voice to this truth in Tehillim (84:4): "Even the bird has found a home, and the swallow a nest for herself where she may lay her young, at Your altars, Hashem of Hosts." The Sfas Emes brings this Zoharic image directly into our personal daily lives. When our soul enters this physical world, it settles inside our body. Our physical self becomes an altar for Hashem. The mother bird—the pure soul—finds rest within us, and her good deeds flourish in safety (Sfas Emes, Devarim, Shoftim 5645).

• The Torah concludes this mitzvah with an extraordinary promise: "In order that it may go well with you, and you may prolong your days" (Devarim 22:7). Where was the promised goodness? In his discourse in 5637, the Sfas Emes explains why sending away the mother bird teaches this lesson so clearly. In this world of mortality, our days are brief, fragile, and quick to pass. We spend our earthly lives chasing fleeting moments that slip away like sand. How can a mortal person tie his temporary journey to the eternity of Hashem? We do so by fulfilling a mitzvah that takes place upon the open road. By doing Hashem's will on the road, we connect our passing days to their eternal source in the World to Come. We inherit a length of days that never ends, because our souls are joined to the eternal life of the King (Sfas Emes, Devarim, Shoftim 5637).

• The Torah opens the mitzvah with a conditional phrase: "If a bird's nest happens to be before you on the road, in any tree or upon the ground" (Devarim 22:6). Here the Sfas Emes reveals a central truth of Gerer Chassidus: Nothing in our journey happens by chance. When the Torah says "If a bird's nest happens to be" (ki yikarei), it describes the scene from our limited perspective as we walk the dusty path. But from the vantage point of Heaven, the reality is the exact opposite! A faithful servant does not need royal fanfare. He recognizes the King's call hidden among the leaves (Sfas Emes, Devarim, Ki Seitzei 5658).

• In his teachings on Parshas Ki Teitzei in 5647 and 5655, the Sfas Emes directly addresses the debate surrounding this mitzvah. How do we reconcile the Mishnah in Berachos (33b) with the teachings of the Midrash and Zohar? The Rambam in the Guide for the Perplexed (III:48) writes that this command was given out of pity for animals. The Torah spares the mother bird the pain of seeing her young taken before her eyes. Yet the Mishnah firmly silences anyone who claims Hashem acted out of mercy for a bird! The Mishnah insists that mitzvos are sovereign decrees of the King (gezeiros), not mere human sentiment. By giving us this mitzvah, the Creator planted His own compassion into our hands. When we obey His decree, we become partners in spreading kindness throughout the earth (Sfas Emes, Devarim, Ki Seitzei 5647).

RELATED HASHKAFAH TOPICS:

▪ Explore the idea of not being gluttonous with the world's resources. We are to be kadosh which is the opposite of gluttony.

INSPIRATIONAL STORIES:

❖ Rav Ben Tzion Abba Shaul's sister found a nest of birds and told him about the opportunity to fulfill the mitzvah of shiluach hakein. He put on a new suit and said "Shehechianu." After fulfilling the mitzvah, he could not sleep from excitement, and remained up that entire night learning.

Torah Leaders, published by ArtScroll Mesorah

15. Not to take the mother bird along with the eggs

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 189

As the Torah says, If a bird's nest chances to be. You shall not take the mother with the young (Devarim 22:6, Parshas Ki Seitzei).

SEFER HAMITZVOS HAKATZAR

This negative commandment prohibits taking the mother bird together with her fledglings or eggs: "You shall not take the dam with the young" (Devarim 22:6; see also Positive Commandment §74). This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

This mitzvah teaches us to emulate Hashem's justice and compassion towards the animal world. There are times that it may not be clear to us how some of these behaviors are unjust to the animal world, but that is simply because we lack the perspective that the animals have. These mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust.

16. Not to cook meat in milk, even without eating it

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 91

As the Torah says, You shall not boil a kid in its mother's milk (Shemos 23:19 Parshas Mishpatim),

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is the prohibition to eat meat and milk, or is it prohibited to even cook them together without eating it?
- Can someone feed a cheeseburger to his pet?
- What should one do with meat and milk that he has accidentally cooked together?
- If someone burned meat and milk and turned it into ashes, can he use the ashes for charcoal?
- Is it permitted to cook non-kosher beef with cheese for a non-Jew? Does this prohibition only apply if the meat was properly slaughtered?

- Can one cook bacon with cheese for a non-Jew?
- Can one cook beef with horse milk?
- Can one cook cheese with chicken for a non-Jew?
- Can one cook venison and cheese for a non-Jew?
- Is it permitted to eat venison or chicken with cheese?

SEFER HAMITZVOS HAKATZAR

If one cooks meat and milk together — having at least an olive's volume (k'zayis) of meat and an olive's volume of milk — he violates the biblical prohibition of basar b'chalav, even if he never consumes the mixture.

Any mixture of meat and milk cooked together is strictly forbidden from all benefit (assur b'hana'ah), and must be buried or permanently destroyed.

Even if one incinerated the forbidden mixture, it is halachically forbidden to derive any benefit from its ashes.

The biblical prohibition of cooking meat and milk applies specifically to the meat of a kosher domestic animal cooked in the milk of a kosher domestic animal, even if the meat was unslaughtered carrion (neveilah).

However, if one cooked the meat of a kosher animal in the milk of a non-kosher animal, or the meat of a non-kosher animal in the milk of a kosher animal, biblical law permits cooking it and deriving benefit from it, although rabbinic law strictly prohibits eating it.

Similarly, biblical law permits cooking the meat of a kosher wild beast (chayah) or kosher poultry (of) in milk, and one may derive benefit from such a mixture, though eating it is forbidden by rabbinic decree.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Just as Hashem acts justly towards all of His creatures, we should act the same. There are times that it may not be clear to us how some of these behaviors are unjust to the world, but these mitzvos remind us to trust Hashem, the Designer of the universe who by nature of being their Creator understands how these behaviors are unjust.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

IBN EZRA (SHEMOS 26:13)

Cooking an animal in the milk that would nurture it demonstrates a great lack of sensitivity and compassion.

STORIES FROM OUR SAGES:

❖ Rav once visited the town of Tatlafush and overheard a local woman asking her neighbor: 'How much milk does one need to cook a quarter-litra of meat?' Realizing with shock that the townspeople did not even know that cooking meat in milk is forbidden by the Torah, Rav delayed his journey, stayed in the town to teach them the laws of kashrus, and established a protective fence for their kitchens.

Chullin 110a

A. NOT TO BENEFIT FROM A MIXTURE OF MEAT AND MILK IF IT WAS COOKED TOGETHER

(Torah Mandated Mitzvah), Sefer Chareidim 26-9.

SEFER CHAREIDIM

The prohibition, "You shall not cook a young goat in its mother's milk," appears three times in the Torah (Shemos 23:19, Shemos 34:26, Devarim 14:21). The School of Rabbi Yishmael expounded (Chullin 115b) that this threefold repetition establishes three distinct biblical prohibitions: one verse prohibits cooking the mixture (derech bishul), one prohibits eating it (achilah), and the third prohibits deriving any commercial or personal benefit from it (hana'ah). This comprehensive threefold ban applies specifically to the meat and milk of kosher domestic species, excluding non-kosher species.

STORIES FROM OUR SAGES:

❖ Levi once visited the home of Yosef the Fowler, where the hosts served before him the head of a peacock cooked in milk. Levi did not eat from it, yet he said nothing to rebuke them. When he returned before Rabbi Yehudah HaNasi, Rebbi asked him: 'Why did you not place them under a ban?' Levi answered: 'It was the hometown of Rabbi Yehudah ben Beteira, and I thought that perhaps he had expounded to them in accordance with Rabbi Yose HaGelili, who excluded poultry from the prohibition of cooking meat in milk!'

Chullin 116a

STEWARDSHIP TO ONE'S OWN BODY

SECTION OVERVIEW

The mitzvos in this section ask us to emulate Hashem by treating our bodies, which are only "on loan" to us by Hashem, with justice and thoughtfulness.

SFAS EMES

• Beyond the prohibition against cooking meat and milk together, the Torah repeats 'Lo sevashel gedi ba-chaleiv imo' three times (Shemos 23:19, 34:26; Devarim 14:21) to teach three distinct prohibitions: cooking, eating (achilah), and deriving any benefit (hana'ah) from a cooked mixture of meat and milk (Chullin 115b). In his discourse on Pesach (5660), the Sfas Emes explains that milk represents the pure, nurturing flow of chesed, while meat represents the disciplined strength of gevurah; in this unredeemed world, consuming or profiting from their fusion corrupts the soul's spiritual balance (Sfas Emes, Moadim, Pesach 5660).

• In Parashas Emor (5660), discussing the spiritual refinement of Sefiras HaOmer leading up to Shavuos—where the Torah juxtaposes the firstfruits with 'Lo sevashel gedi ba-chaleiv imo'—the Sfas Emes teaches that receiving the Torah requires purifying our physical sustenance and our material benefit from any forbidden mixture (Sfas Emes, Vayikra, Emor 5660).

• In Parashas Ki Savo (5643), commenting on the Midrash of Moshe Rabbeinu foreseeing the power of Bikkurim, the Sfas Emes explains that bringing the firstfruits to the Sanctuary elevates the blessing of the land, whereas deriving benefit from a forbidden mixture of meat and milk turns Hashem's gifts backward into confusion (Sfas Emes, Devarim, Ki Savo 5643).

• In his Shavuos teaching in 5646, the Sfas Emes examines the command to count the Omer: "You shall count fifty days". Why did the Torah structure our ascent to Mount Sinai as a count of forty-nine days leading to the fiftieth day? They entered the gate where all is One. There, the drive toward selfishness is conquered at its root. That is why Shavuos is called the Day of the Firstfruits —it represents the pure root of all beginnings. Here the Sfas Emes quotes the Tikkunei Zohar: when an individual dedicates his firstfruits, no confusion mixes in afterward. In his discourse on Shavuos (5646), the Sfas Emes notes that on the festival of Matan Torah we transition from dairy foods to festive meat meals with careful separation between the two. Refraining not only from eating a cooked meat-and-milk mixture but even from deriving financial or practical benefit (issur hana'ah) demonstrates that our entire relationship with the material world stands under the sovereignty of Sinai (Sfas Emes, Moadim, Shavuos 5646).

• In an earlier Pesach teaching in 5653, the Sfas Emes looks at the difference between Heaven and earth from the dawn of Creation. He examines the ongoing repair of the Tree of Knowledge of Good and Evil. In the spiritual realm, the Sfas Emes explains, the beginning is the Torah itself, which King Solomon calls, "the beginning of His way". It is a realm of pure light. On earth, however, the Torah tells us: "And the earth was unformed and void" (Bereishis 1:2). From the very start, material existence had confusion mixed into its soil. In his discourse on Pesach (5653), the Sfas Emes teaches that when the Torah forbids even hana'ah (benefit) from an object, it signals

that the mixture itself has stepped outside the boundaries of holiness. By distancing ourselves completely from both eating and benefiting from basar be-chalav, we keep the Jewish home and table wholly consecrated to Hashem (Sfas Emes, Moadim, Pesach 5653).

17. To care for your health and body

(Torah Mandated Mitzvah), Sefer Chareidim 26-25, Divrei Kivushin of Sefer Chareidim 93, 95, 109.

As the Torah says, "You shall guard your soul very much" (Devarim 4:15. Parshas Va'eschanan).

SEFER CHAREIDIM

The Torah emphasizes: "Guard your soul very diligently" (Devarim 4:9, 4:15). Chazal explain that the emphatic words "very diligently" teach that physical danger must be treated with even greater stringency than ritual prohibitions (chamira sakanta mei'isura). Accordingly, our Sages instituted protective safeguards against life-threatening risks: three beverages — water, wine, and milk — must not be consumed if left uncovered overnight in areas where venomous reptiles are present. Likewise, an animal or bird bitten by a snake may not be eaten, and fruits such as figs or melons with suspicious puncture holes are forbidden lest a venomous serpent injected venom into them.

A person who overeats beyond satiation brings substantial harm upon his physical well-being. He squanders time in gluttony and wastes additional hours suffering the painful digestive consequences. As the Rambam teaches (Hilchos De'os 4:1), causing oneself to fall ill through reckless eating directly violates the biblical commandment: "Guard your soul very diligently." If one brings about his own premature demise through self-destructive neglect, Heaven holds him accountable for his own life, and all the Torah study and mitzvos he could have achieved during those lost years are irrevocably forfeited.

Eating in moderation is a sacred discipline. The excess food consumed in gluttony could have nourished an impoverished pauper, earning the benefactor eternal reward in Olam HaBa; instead, squandering it on excessive indulgence violates the spirit of ba'al tashchis (senseless destruction). One should therefore bind the health counsel of the Rambam upon his head like a crown: a person should never eat unless he is genuinely hungry, nor drink unless he is thirsty; and when dining, he should never engorge his stomach completely, but rather conclude his meal while leaving approximately a quarter of his stomach empty.

As the Rambam warns, consuming harmful foods or overeating even wholesome sustenance is the root cause of most bodily afflictions, which weaken the mind and disrupt constant devotion to Torah study. A person is therefore divinely charged to preserve the vigor and well-being of his body, maintaining every limb in sound health so that he may serve Hashem with clarity and strength.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Our body was entrusted to us so that he can fulfill the mitzvos with it. It was loaned to us for that specific purpose and we don't own it. It is given to us as a pikadon, something to watch over. We are therefore to emulate Hashem's compassion and justice by not harming our body and preventing it from achieving its given purpose.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

CHOFETZ CHAIM (LIKUTEI AMARIM CHAPTER 13)

The entire world and all that fills it belongs to God. God gave each of us life and strength in order to be able to study Torah and fulfill the mitzvos. We have no permission to harm ourselves because in truth our bodies belong to God, our master. Our bodies were given to us by God in order for us to accomplish our life's purpose with them. They were given to us with that specific purpose and we don't have a right to abuse our bodies.

SEFER HACHINUCH (MITZVAH 73)

The body is a tool for the soul, and it is through the body that the soul accomplishes its tasks. The soul cannot function without the body. Any deficiency of the body will limit the soul's ability to function. Therefore, the Torah instructed us to refrain from eating anything or doing anything that could cause us damage.

RAMBAM

It is impossible to do mitzvos or study Torah properly if one is ill and unhealthy. Staying healthy is a prerequisite to the proper performance all of the mitzvos.

In addition, one of a Jew's main goals in life should be to develop and expand his mind through the rigorous study of the wisdom of the Torah. There is a connection between the health of the mind the health of the body. If one's body is not healthy they will not be able to use their mind properly.

REISHIT CHOCHMA (DERECH ERETZ SHA'AR 3)

God wants us to care for our health because He loves us very much, and doesn't want us to put ourselves in any danger, just as a parent does not want his or her child to put themselves in danger.

BEER HAGOLA, (CHOSHEN MISHPAT 427)

God created the world to be able to give us the greatest pleasure. That pleasure is the pleasure of being close to Him. We can achieve that pleasure and relationship by refining ourselves by performing the mitzvos. If we put ourselves in danger we are rejecting God's love and will and we are saying we don't want the pleasure that comes as a result of the mitzvos. That is a great disgrace to God.

RAVAD (SHAR HAKEDUSHA, P. 44)

The purpose of eating is for us to have energy to live. Unhealthy foods do not fit within that purpose. We eat unhealthy foods not because they help us to live but because they are tasty. Eating unhealthy foods just because they are tasty is simply following our yetzer hara and our lustful impulses. Avoiding unhealthy food is a way to

develop discipline over our yetzer hara. That discipline over the yetzer hara will spill over to other areas and give us greater strength to control our yetzer hara in general.

RAV SAMSON RAPHAEL HIRSCH

The entire world is interconnected. When I eat a bowl of cereal, there were thousands upon thousands of people who were involved in getting me that cereal. People to sell the farm land, people to farm the land, people to make the tractors, people to produce the cereal, people to cut down trees for paper, people to make the boxes, people to milk the cows, people to run the stores, etc. You may not realize it, but many people in the world depend on you. If you are not healthy you will not be able to contribute what you can to the world's welfare.

In addition, the body is like a temple that houses the divine soul. Harming the body is like harming a temple that houses the Divine presence.

In addition, every person has a unique reason for being put on this earth, which no one else can fill. Our bodies were given to us by God in order for us to accomplish our specific life's purpose. If we don't care for our health we will not be able to fulfill that unique mission.

Finally, if you harm yourself and you don't take care of yourself, your ill health will cause pain to your family and those who love you and care for you.

RABBI YISRAEL SALANTER

A lack of gratitude is a fundamental flaw in any relationship, especially the relationship that we have with Hakadosh Baruch Hu. There is no greater ingratitude to God than disregarding and not taking care of the body He gave us. A person cannot begin to serve God if he's an ingrate, and the height of ingratitude is not taking proper care of the gift that our body is. In contrast, by taking care of our bodies we demonstrate our gratitude to God for the incredible gift of a working body.

RAMCHAL — MESILAS YESHARIM (CHAPTERS 9 & 13)

There are three distinct attitudes toward physical health: foolish fear (yirah shotah, obsessing over unlikely dangers), bitachon (reasonable caution coupled with trust in Hashem), and recklessness (holelus). Neglecting the care of one's health is a severe sin that alienates a person spiritually from Hashem. Conversely, when a person nourishes his body, washes, and maintains his physical well-being for the sake of avodas Hashem, that act itself honors the Creator — much like attendants who wash and polish the royal statue of the king, thereby demonstrating honor to the king himself.

SFAS EMES

• When the Torah commands, 'Rak hishamer lecha u-shemor nafshecha me'od' ('Only guard yourself and guard your life very carefully,' Devarim 4:9) and 'Ve-nishmartem me'od le-nafshoseichem' (Devarim 4:15), our Sages derive the positive obligation to care for one's physical health and avoid bodily danger. In Parashas Devarim (5642), on the Midrash 'Tosefto shel HaKadosh Baruch Hu merubah al ha-ikar', the Sfas Emes explains that when a person guards the physical vessel Hashem gave him, Heaven expands his strength far beyond natural limits (Sfas Emes, Devarim, Devarim 5642).

• How can physical wood and stone hold the holy light of Hashem? The Sfas Emes explains that every permitted object in creation possesses a hidden spark of divine life beneath its physical shell. When we engage in permitted activities for the sake of Heaven, we liberate that hidden spark! In Parashas Devarim (5631), on the Midrash 'Marpei lashon eitz chayim', the Sfas Emes teaches that the human body and the soul are woven together so that the health of the body supports the clarity of the mind and tongue in Torah study. Caring for one's sleep, nourishment, and physical well-being for the sake of serving Hashem turns basic bodily maintenance into a mitzvah (Sfas Emes, Devarim, Devarim 5631).

• The Sfas Emes quotes a profound insight from the holy Tanya: the Hebrew word for a forbidden matter is isur, which literally means "bound" or "tied up." When a person commits a sin, his soul becomes chained to the dark forces of selfishness. A permitted matter is called muttar, which means "unbound" and "free." When we use a permitted home for physical pleasure alone, we risk falling into materialism. But when we perform the mitzvah of ma'akeh, we tie the home to the Throne of Glory! The mitzvah acts as an anchor, ensuring that our permitted pursuits remain pure, safe, and directed toward Hashem. Continuing on 'Marpei lashon eitz chayim' in Parashas Devarim (5631), the Sfas Emes explains that neglect of the body and reckless exposure to danger stem from forgetting that our limbs belong to the King of Kings. When we guard our health as faithful stewards of Hashem's property, every limb becomes a healthy instrument for fulfilling His commandments (Sfas Emes, Devarim, Devarim 5631).

• In Parashas Devarim (5631), the Sfas Emes writes that the Torah is called marpei (healing) because it restores harmony to every part of the human person. By avoiding physical hazards and maintaining bodily balance, we keep the physical frame ready to receive the invigorating light of the mitzvos (Sfas Emes, Devarim, Devarim 5631).

• Trace how this principle unfolds: the Sfas Emes begins with King Shlomo's words in Mishlei (1:9): 'For they are a graceful wreath (livyas chen) for your head.' The Midrash explains that the word livyah means both an adornment of grace and a faithful escort that accompanies a traveler on a long journey. When a person cares for his physical home and body according to the mitzvos, even his ordinary material life becomes a vessel that carries Hashem's protective presence wherever he walks. In Parashas Devarim (5631), the Sfas Emes emphasizes that the two hundred and forty-eight limbs and three hundred and sixty-five sinews of the human body correspond directly to the positive and negative commandments of the Torah. Guarding the health and safety of the body honors the living blueprint of the Torah engraved within our flesh (Sfas Emes, Devarim, Devarim 5631).

RELATED HASHKAFAH TOPICS:

- Discuss the concept of not owning your body, and it just being loaned like a company car, that was given to be used to complete a job.
- Discuss the implications of the fact that God loves us.
- If He loves us why do we experience bad things in our lives?
- Discuss the concept of the pleasure of being close to God.
- Why is closeness to God considered to be the greatest pleasure?
- Discuss other implications of the mind-body connection.
- Discuss how one can know what their unique mission is.
- Discuss the respect that we have to display to our bodies because it houses the soul.

- Explore the concept of the entire world being interconnected. Discuss the implications of this in terms of the ecology as well.

MORAL DILEMMAS:

We have a principle of "Chayecha Kodmin", as illustrated with the story of a single flask in the desert. One should not give away his flask if it will cause him to die. During the Merkaz Harav shooting, a terrorist burst into the Yeshivah library and began to fire on the students. A Rebbe in the Yeshivah helped all of his students climb out of the window and jump down. Only after he helped all of his students out the window, did he escape himself. But would the principle of "Chayecha Kodmin" say that he perhaps escape as fast as he can? Is a teacher permitted to risk his personal safety to ensure the rescue of his students?

Answer: When they are all in danger, and especially during wartime, one is allowed to risk himself to save others.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Sukkah, p. 331

During the Holocaust, the Nazis decided to send an entire school of children to the gas chambers. The head of school, Dr. Goldschmidt, who was on a work detail asked the Nazis if he could join his students. He wanted to be with them until the end so that they will not be frightened before they die. He joined them and was able to comfort and calm his frightened students. The head of school ended up being gassed with his students. Was he allowed to do that? Was that considered committing suicide?

Answer: He died for a kidush Hashem of the mitzva of chesed and it was permitted.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume One, p. 108

Marty and Tami Reich were very excited that they were expecting triplets. Tami's pregnancy was very smooth until a routine ultrasound appointment in her 23rd week. Dr. Marcus, Tami and Marty's obstetrician was concerned with some of the readings from the monitor. He requested some further tests. A few days later Dr. Marcus called Marty and Tami into his office. He had a concerned and sympathetic look on his face. "One of the triplets is enduring great stress, and is facing a potentially fatal condition. I think that we can definitely cure the problem if we perform a C-section and deliver the babies. The only problem is that at 23 weeks, because they would be delivered prematurely, there is a significant chance that all of the triplets might become brain damaged. On the other hand, If we don't intervene at all, I think the one facing the stress will not survive, but the others will be delivered healthily and at full term. "We have to make a decision. Should we be passive and allow one baby to die, and let the others survive to be healthy, or should we perform the C-section, save all of their lives, but potentially put all of them at risk of brain damage". Tami and Marty had to make the very difficult choice. According to the Torah, is it better to be passive, and allow one to die, but the others will be healthy. Or should they intervene to save one, but potentially risk all of them to severe brain damage?

Answer: HaGaon Rav Yitzchak Zilberstein rules definitively (Veharev Na, Vol. 2, p. 145; Chashukei Chemed, Eruvin 44b, p. 357): 'Shev v'al ta'aseh adif' (Passive non-intervention is the halachic requirement). Rav Zilberstein explains that while an individual may be obligated to endure pain to rescue another's life (Sanhedrin 73a), third parties—including physicians and parents—possess no halachic right whatsoever to actively inflict lifelong prematurity, neurological damage, or severe disability upon healthy unborn babies in order to rescue a distressed sibling. Just as the Radvaz (Vol. 3, Siman 1,052) rules that one is not obligated to lose a limb to save another's life and Beis Din cannot coerce someone to forfeit bodily integrity,

we cannot actively mutilate or compromise the health of an innocent child for another. Therefore, doctors must not perform an emergency premature C-section; they must remain passive, allowing the healthy babies to reach full term. (Veharev Na, Vol. 2, p. 145; Chashukei Chemed, Eruvin 44b, p. 357)

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 2, p. 145; Chashukei Chemed, Eruvin 44b, p. 357

Three terrorists kidnapped three Jewish women from a restaurant in Israel. The IDF responded to the scene immediately. The terrorists used the women as human shields and began firing on the IDF soldiers. Yair, a Torah observant soldier in the unit, had the following dilemma. Was he allowed to fire at the terrorists if he might hit and kill the human shields? On one hand, Yair knew that it is forbidden to murder an innocent person even if doing so would save one's life. Murder is one of the three cardinal sins that one should rather die before committing. On the other hand, if he does not fire back the terrorists will escape and will put countless more lives at risk. They might kill the women anyway. Perhaps it would be better to fire at the terrorists even if it risked the lives of the innocent women if that might end the deadly threat of the terrorists. What do you think? According to the Torah, could Yair fire back if he might likely kill three innocent Jewish women?

Answer: Regarding the question of whether it is permitted to shoot at terrorist if innocent human shields may be killed, Rav Zilberstein said they are permitted to shoot at the terrorists.

— Source: Rav Yitzchak Zilberstein, Veharev Na Volume Three (Table Talk Halachic Archive, Edition 62 (Yisro))

Yaakov was overweight and he tried his very best to lose weight and keep it off permanently. He tried dieting, calorie counting, and intermittent fasting, but to no avail. He lost weight but he quickly gained it back. A friend of his told him to ask his doctor about bariatric surgery. This is a category of several types of procedures that involves changing the size of the stomach or changing its ability to absorb calories. Yaakov thought it was a good idea to look into and made an appointment with his doctor to discuss it. Yaakov met with the doctor. His doctor weighed him at 210 pounds. The doctor said that Yaakov's insurance would cover the surgery if he weighed over 230 pounds. Because he was not close to that weight, the surgery would cost Yaakov thousand and thousands of dollars. Yaakov went home disappointed. But on his way home, he had an idea. All he had to do was gain another 20 pounds and his insurance would cover the surgery for free. He would simply load up on carbs and pasta for a few weeks and he could gain that extra 20 pounds in no time. But then he hesitated. Was it permitted for him to purposely gain 20 pounds in order to become eligible for the surgery? It was likely that the directors of the insurance company would not cover the surgery if they knew that he purposely gained weight in order to get the surgery. Yaakov decided to send this question to Rav Yitzchak Zilberstein. Was he permitted to purposely add the 20 pounds in order to reach the threshold where the insurance would cover all of the costs?

Answer: Regarding the question about the weight loss surgery, Rav Yosef Elyashiv answered that gaining weight on purpose to get the reimbursement would be considered genaivas da'as, tricking the insurance company. This is because had the insurance principals known that he did it on purpose, he likely would not get the procedure covered by insurance.

— Source: Rav Yitzchak Zilberstein, Upiryo Matok Bereishis, p. 400 (Table Talk Edition 307)

Dr. Frankel, a plastic surgeon living in Eretz Yisroel was approached by a man named Tzvi with the following story. Tzvi was a businessman, and in order to grow his business, he and his partner had taken on a large loan. However, the business failed because of a mistake his partner made. Even though the failure was really due to his partner, the lenders held Tzvi responsible and had been constantly hounding him. They did not physically harm or threaten him, but they pressured him relentlessly for repayment, and he was unable to find any peace. Tzvi said he felt he had no choice but to

change his identity, change his name, and move to a new place. He wanted plastic surgery to alter his appearance. Dr. Frankel was unsure how to proceed. First, he knew that one is only allowed to undergo plastic surgery for constructive purposes; otherwise, it may fall under the prohibition of chavalah. Would changing one's identity in order to avoid people pursuing him for money be considered a sufficient constructive purpose to permit plastic surgery? Tzvi believed the creditors were not justified, but was that enough to avoid the prohibition of chavalah? Second, if there was a possibility that Tzvi actually did owe the money, would the doctor be facilitating Tzvi's avoidance of repayment? Tzvi claimed he was innocent, but could the doctor rely on that claim? Dr. Frankel was therefore unsure what to do. Was he allowed to believe the man that he was escaping unjust creditors, or was he not permitted to assume that? And even if the creditors were unjust, would that be a sufficient reason to permit plastic surgery, or might it still be prohibited as chavalah? What do you think, is the doctor allowed to perform this plastic surgery?

Answer: Regarding the question about the plastic surgery, Rav Yitzchak Zilberstein answered that if the man says that he is running away from creditors for a permitted reason, then the doctor is allowed to believe him. Regarding the second part of the question, Rav Zilberstein says that this is not chavalah, this is hatzalah. This is not damaging, this is saving. Therefore, it would be permitted to do the surgery.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Kamma, p. 504

A man was admitted to the hospital. The chief doctor who oversaw the entire hospital decided that the patient needed invasive surgery. However a professor in a medical school who was an expert in that particular field felt that surgery would risk the patient's life. Both doctors disagreed with each other, and the patient was asked to choose his course of treatment. Whose advice should he listen to? The head doctor was an expert in a much wider variety of fields with a much broader experience. However the professor was more intelligent, but he was an expert in this one particular field?

Answer: Even though we find with regard to Torah learning the broader expert is preferred, in this case we should listen to the advice of the professor who is an expert in this particular field.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Gittin, p. 421

Ronen was a successful businessman. His company needed some rare chemicals from a remote area of China. It was not an easy trip and the chemicals were potentially poisonous. Ronen hired Moshe to travel to China to purchase the chemicals and have them shipped to Ronen. Moshe was concerned about the hazard of the chemicals. Ronen promised Moshe and Moshe's family that if anything would happen to Moshe because of the dangerous chemicals that he would be dealing with, Ronen would take care of the family for the rest of their lives. He also wrote this guarantee in writing. Moshe traveled to this remote area in China and stayed in a remote, rural village. Sadly, while in the village he got sick and passed away shortly after. It was never clear what caused him to get sick. Was it the chemicals or was it the conditions of the village? Ronen was very saddened to hear the news. He then wondered if he had an obligation to support Moshe's family. On one hand, the only reason why Moshe went to China was because of Ronen's business venture. But on the other hand, it was not at all clear what caused Moshe's death. Perhaps it was not related to the chemicals. This question was brought to Rav Zilberstein, What do you think?

Answer: Regarding the question about the person who died in the remote village, Rav Zilberstein does not come to a firm conclusion. But he writes that it seems that perhaps the family of the deceased would not have the power from court to obligate the businessman to pay.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 559

Yoni and Tomer were soldiers in a paratrooper unit. Tomer was the unit commander, and Yoni was his subordinate. One day they were practicing jumping out of a plane. They both jumped out. After their parachutes deployed, a wind pushed one of them and tragically their parachutes got tangled into each other. The parachutes, being tangled, were unable to carry both of their weight. Both soldiers struggled with the ropes but were unable to release them. Both of them realized that if they keep things in status quo, they would both die. The only way one could survive was to cut the ropes of the other to free himself. This would of course save himself, but cost the other his life. In midair, falling from the sky, they faced this dilemma. Did they have the right to cut the rope of the other to save themselves? On one hand one can't kill another to save his life. But on the other hand, maybe the other can be considered to be a rodef, a pursuer. If one is pursuing another to kill him it is permitted to kill the rodef because the rodef's life is forfeited. Taking the question one step further, even if one of them is allowed to cut the rope of the other, who should do it? Who should live and who should die. Do we say that the commander should live? Do we say that the one who is married with children should live? Do we say the one who is younger should live? What should they do? Keep the status quo and both die? Or cut one's rope? And if yes, who?

Answer: Regarding the question of the tangled parachutes, Rav Elyashiv Zt'l answered, that each one has the right to cut the line of the other, in order to save their own life. This is just like a mother whose life is in danger during childbirth. In addition it is permitted for the subordinate to let the superior be saved because many more lives depend on the superior.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Avodah Zarah, p. 492 (Table Talk Halachic Archive, Edition 074 (Acharei Mos Kedoshim))

In 2006, the Palestinians were shooting rockets from Gaza into Sderot. One day, when rockets were being fired fairly frequently, David, a Hatzalah member, was called to attend the home of a man who was having chest pains. Dovid was called to attend to a man who may be in a life threatening situation, but Dovid felt unsafe to travel the streets. Truthfully, the odds of getting killed from a rocket were pretty small but it was very frightening to be out in the street when rockets are firing. There was always a small chance of being hurt or killed. Dovid wondered if he had an obligation to go to the patient's house during the time when rockets are firing. On one hand, the odds of him dying are very small, but there is always a small chance. But on the other hand if he does not go, the person having chest pains may be put in mortal danger. During the same time period, a mohel was called to do a bris milah on a baby's eighth day. In a similar vein, was the mohel obligated to do the milah, if there was a small risk of being killed by rockets? What do you think?

Answer: Regarding the question of the Hatzala member and the rockets, Rav Zilberstein said that if 1000 cars would drive on the road, and out of 1000 none are hit, then it is considered "lo shchiach hezika" a very small chance of danger and they should go out and help the others.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bava Basra, p. 401 (Table Talk Halachic Archive, Edition 105 (Shelach))

Eliezer was an experienced electrician. He was called to work on an important electrical issue at a hospice. The hospice had many people who were dying and were being supported by respirators and other medical equipment. Eliezer began his work near the main power box of the facility. He took all the necessary precautions and turned off the power on the specific lines that he needed to fix. Eliezer took out his pliers to cut a wire. But suddenly he felt a very strong electrical shock in his arm. It was clear that one of the wires was mislabeled. An intense electrical current can induce involuntary muscle contractions. This can prevent the victim from breaking free of the source of electricity. That is what happened to Eliezer. The hand that was shocked was contracted and he was unable to pull it away. Eliezer knew he was in great danger. He used his other arm to reach for the power main, the main switch that would turn off all the power in the

facility. Turning off the power would save his life. But in a nanosecond the following thought flashed through his mind. Was he allowed to turn off the power? If he did so, he would turn off all the respirators in the building. He wasn't sure, but that had a significant chance of ending the life of many people. According to the Torah, what do you think Eliezer was allowed to do? The Torah says that if we are told to murder an innocent person to save our own life, we should rather die than commit the murder. In this case, can Eliezer turn off the power main to save his life? On one hand he might be murdering someone to save his life. But on the other hand, turning off the power main was not a direct act of killing. It was indirect. It was also not certain that he would kill others, but very likely. Also would the Torah require him to just sit there and be passive? What do you think the Torah would say?

Answer: Regarding the question of turning off the electricity, Rav Zilberstein does not give a final psak, but he does share the following novel idea. We know one can kill a rodef, a pursuer. What would happen in the following scenario? Reuvein sees Shimon aiming to shoot and kill Levi. The only weapon Reuvein has to stop and kill Shimon is a hand grenade. However, if Reuvein throws the grenade it will definitely kill Shimon but will likely also kill Yehuda, an innocent bystander. Can Reuvein kill the rodef if it will kill an innocent bystander? The Damesek Eliezer says that he can. This is because killing the bystander is a grama, indirect. Perhaps in the case of the hospice, one can argue that the electricity is a rodef. The electrician can "kill the electricity" that is a rodef even if it may cause innocent bystanders to be killed. Perhaps that would be considered a grama. However Rav Zilberstein does not give a final psak in this case.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 141 (Table Talk Halachic Archive, Edition 132 (Bechukosai))

If there is a strong rumor that the authorities are killing people for their organs, it will be a chillul Hashem to get an organ from them?

Answer: If there is a strong rumor that the authorities are killing people for their organs, it will be a chillul Hashem to get an organ from them.

— Source: Rav Yitzchak Zilberstein, Veharev Na, Vol. 1, p. 408?

On September 8, 1941, the Nazis planned to thin the ranks of the Kovno that numbered more than 37,000 people. The Nazi commander gave 5000 white work cards to the Jewish Council of Elders headed by Dr. Elchanan Elkes. The council was to identify 5000 workers who were capable of working for the Nazis. The Nazis declared that only 5000 families would be allowed to remain in the ghetto, and the rest would be transported to an unknown fate. Everyone in the ghetto panicked and desperately tried to retrieve one of the vaunted white work cards. Many people forcibly snatched some of the cards from the council's hands. One man approached R' Oshry and asked him if it was morally permitted for him to grab one of the cards. "On one hand you are saving your life and your family's lives" he said. "But on the other hand, by snatching the card, you are depriving another family of the card, and dooming them to death. In a certain sense you are saving yourself by killing another." Is it ethical for one to actively grab a card and doom another family to death in the process? Perhaps one should passively hope that he is awarded the card instead — what do you think?

Answer: Rav Ephraim Oshry addressed both parts of this agonizing question from the 'Jordan-Schein' selection of Elul 5701, when the Nazi commander Jordan handed the Kovno Ältestenrat (Council of Elders) 5,000 white craftsman permits out of 10,000 craftsmen (and 30,000 ghetto inmates). Regarding the Council of Elders, although one may never hand over an innocent Jew to gentiles for execution (Yerushalmi Terumos 8:4; Rambam, Hilchos Yesodei HaTorah 5:5; Rema, Yoreh Deah 157:1), Rav Oshry ruled—based on the Maharival (Vol. 2, Siman 40, cited in Shach, Choshen Mishpat 163:18) and the historic psak of the Kovno Rav, HaGaon Rav Avraham DovBer Kahana Shapira, prior to the Great Aktion of 8 Marcheshvan 5702—that when a wicked regime decrees destruction upon an entire community and leaders have the means to rescue a portion of

the congregation through permits, they are obligated to summon the courage to distribute the permits and save as many lives as possible. Consequently, regarding the second question, since distributing the permits is an act of rescue (hatzalah) rather than handing others over to death, Rav Oshry ruled that each craftsman was likewise permitted to seize a white card for himself ('avid inish dina le-nafsheih' and Rema, Choshen Mishpat 388:2, deflecting an oncoming danger before it strikes) to save his own life and his family.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 5, Siman 1

Doctor gave a patient a placebo on Shabbos, and he felt better. Is there a problem to take placebo pills on Shabbos? It makes you better, but it is not really medicine?

Answer: Rav Yitzchak Zilberstein rules that although a sugar pill contains no active medicine, because it is manufactured in pill form solely for medical treatment rather than as normal food (ma'achal bri'im), taking it on Shabbos raises the rabbinic prohibition of shechikas samanim for a non-dangerous ailment. Moreover, if the patient believes it is real medicine, giving it to him without explanation causes him to think he is permitted to take medicine on Shabbos; therefore, if given for a bedridden patient (choleh she-ein bo sakanah), the doctor should inform him that a rabbi specifically permitted this capsule.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Bechoros, p. 455

STORIES FROM OUR SAGES:

❖ On the verse (Proverbs 11:17), 'A man of kindness does good to his own soul,' the Midrash relates that whenever Hillel the Elder took leave of his disciples after study, he would walk along with them. Once his disciples asked him, 'Master, where are you going?' He answered, 'To perform a mitzvah!' They asked, 'What mitzvah, Master?' He told them, 'To bathe in the bathhouse!' They asked in surprise, 'Is bathing in the bathhouse really a mitzvah?!' Hillel replied: 'Yes! Consider the statues of kings that are set up in the theaters and circuses: the officer appointed to scour and polish them is paid a salary by the royal court every year and is even honored among the nobles of the kingdom. How much more so we, who were created in the image and likeness of the King of Kings—as it is written (Bereishis 9:6), For in the image of God He made man—surely caring for and washing the body is a mitzvah!' And on another occasion when they asked where he was going, he replied: 'To perform a mitzvah for a guest inside my house!' When they asked if he had guests every day, he explained: 'Is not the poor soul a guest inside the body—today it is here, and tomorrow it is gone?!'

Vayikra Rabbah 34:3

❖ After the destruction of the Temple, a group of people formed who urged rigorous asceticism to mourn the Temple. They explained: "How can we eat meat that was sacrificed on the altar, but now it is abolished? How can we drink wine that was poured on the altar, but now it is abolished?" R' Yehoshua responded: "If that is the case, should we refrain from eating bread since the minchah offerings are abolished? Should we refrain from eating fruit since the bikkurim are abolished? Should we refrain from drinking water since the ceremony of the pouring of the water is abolished?" R' Yehoshua asserted that excessive mourning is forbidden and a decree may not be imposed on the public unless most of the people can observe it.

Talmud Bavli, Bava Basra 60b

INSPIRATIONAL STORIES:

❖ Gershon, a 9-year-old boy in Bnei Brak, was diagnosed with celiac disease. As is the common treatment for this ailment, caused by a reaction to gluten, the boy's physician put him on a strict diet which prohibited the consumption of wheat or grains. However, Gershon didn't want to feel different from his classmates and was not following his doctor-prescribed eating plan. Noncompliance can lead to serious, lifelong complications, and his parents were worried. The boy's father

brought Gershon to R' Aharon Leib Shteinman and told him, in the boy's presence, that the doctors were very concerned for his health if he didn't totally adhere to the prescribed diet. R' Aharon Leib turned to Gershon. "What do you want to be when you grow up?" He asked. "A big talmid chacham," replied the child. R' Aharon Leib looked him in the eye. "I think it is much more difficult for children today to become talmidei chachamim than it was in previous generations," he stated. "Children in our times are accustomed to receiving an abundance of good things. What children want these days, they usually get. But in order to become an adam gadol and to rise above others spiritually, one must learn to say no to his desires. If a child learns to control his desires, he can become great in Torah, as he will minimize the impact of his yetzer hara. I think it will be much easier for a child who is suffering from celiac disease or juvenile diabetes to become a talmid chacham because he constantly has to train himself to say no to his desires and he learns how to keep them in balance." R' Aharon Leib then gave Gershon a warm berachah. The change in the boy's demeanor was startling. Sullenness was replaced with hopeful determination as he responded that he would accept upon himself never to consume any wheat or grains, as he wanted to be healthy. He was very excited to have a qualitative edge over his classmates on the road to becoming a talmid chacham.

From Rav Aharon Leib, By Naftali Weinberg, published by ArtScroll Mesorah

❖ An American girl named Leah had anorexia and was very ill. All of her friends were married but she had no strength to go out. Her parents tried everything but to no avail. Finally they took her on a trip to Rav Shach. He was very warm to her. He spoke with her, told her that he guarantees that she will find a wonderful shiduch if she eats healthier. He brought a plate of food for her. He asked her to eat it, and she did, slowly at first but finished it with his encouragement. Then he told her, "Can I ask a favor from you. I am worried about you. Would you be able to keep a daily diary of all that you eat, and mail it to me each week"? She agreed. She was so touched that one of the busiest people in the world took a personal interest in her. She eventually got better and got married and has a beautiful family.

Touched by a Story Vol. 3, By Rabbi Yechiel Spero, published by ArtScroll Mesorah, p. 78

❖ On one occasion. Reb Yaakov Kamenetsky was visiting a sick person from the community when he noticed the medicine lying by his bedside. Realizing that the medicine was counter indicated for that particular condition. Reb Yaakov ordered the man not to take it. The doctor later confirmed that had the patient taken the medicine it might very likely have proven fatal. When his daughter Rivkah contracted scarlet fever, Reb Yaakov went to the post office to phone the doctor in the neighboring town. He described the case in such detail that the doctor assumed he was talking to a fellow physician and asked Reb Yaakov why he did not handle the case himself. That non-Jewish doctor was no impressed by Reb Yaakov that when he retired a short while later he moved to Tzitevian primarily so he could spend time with Reb Yaakov. The doctor was not completely mistaken about Reb Yaakov's medical knowledge. Upon arriving in Tzitevian. Reb Yaakov discovered that there was no doctor. Since the Rambam states that it in forbidden to live in a town with no doctor (Hilchos Deos 4), he stayed up all night reading through an entire standard medical text in Russian. When news of this feat reached the Slabodka-Kovno Kollel, Rabbi Ruderman related, it created quite a stir.

Reb Yaakov, By Yonason Rosenblum, published by ArtScroll Mesorah

❖ A family outside of New York had a serious medical shailah, and since Reb Dovid Feinstein was unreachable, they called a relative who lived on the Lower East Side and asked him to go to the Rosh Yeshivah's apartment and try to ask him. It was quite late, and the bachur they sent was quite nervous about his mission. He gathered up the courage to ring the Rosh Yeshivah's bell, and Reb Dovid himself opened the door. The bachur asked the question, as he'd been charged to do, and Reb Dovid answered him and told him to call them immediately with the psak. The bachur reached for his cellphone to call, but he was too flustered to dial properly. Reb Dovid invited him into the house and told him to use the apartment phone, which was easier. When the bachur passed on the message, Reb Dovid suggested he sit down for a bit. For close to fifteen

minutes, they chatted, Reb Dovid seeming to have all the time in the world to hear about his visitor's life. Only once the bachur was calm and relaxed did Reb Dovid see him out, walking him all the way to the elevator and wishing him a good night.

From Reb Dovid, By R' Yisrael Besser, published by ArtScroll Mesorah

❖ At one point, a doctor suggested that Rav Yaakov Kamenetsky lose some weight and he prescribed a diet. At R' Yaakov's next checkup, the doctor was shocked to find that he was losing weight too rapidly. When R' Yaakov insisted that he had followed the diet precisely, the doctor admitted that he had never met anyone who did not cheat on a diet, and had therefore told R' Yaakov to eat less than he was really supposed to. By following the doctor's exact orders, R' Yaakov had taken off too much weight.

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Because life was so precious to him, Rav Yaakov Kamenetsky was careful to exercise regularly. As a young man, he was known to be the best swimmer in the Lomza Yeshivah. R' Yaakov reasoned that if our Sages teach (Kiddushin 29a) that a father is obligated to teach his son to swim, then, it must be that one must know how to swim and that he should swim well.

5 Great Lives, By Rabbi Shimon Finkelman, published by ArtScroll Mesorah

❖ Rav Freifeld called in a close talmid one morning in the bungalow colony. Crowned with his tefillin, enveloped in his tallis, he looked ethereal, The talmid stood there, awaiting some profound revelation, a message from the higher spheres. Rebbe prefaced his remarks, as he so often did, by saying. "I've been thinking about you lately. You have been especially tense, and I want to let you know that if you don't play basketball every single day this summer it would be a big mistake."

Warmed By Their Fire, By Rabbi Yisroel Besser, published by ArtScroll Mesorah

❖ The Brisker Rav would often quote R. Yisroel Salanter, who said that an ill person is considered exempt from all the mitzvos except for one — and that one mitzvah remains in full effect: "And you shall guard your lives well." This mitzvah he must observe in all its myriad details.

The Brisker Rav, Vol. 2, By R' Shimon Yosef Meller, Published by Feldheim, p. 409

A. NOT TO TALK DURING EATING

(Rabbinically Mandated Mitzvah), Sefer Chareidim 47-6

SEFER CHAREIDIM

Chazal caution that one must not speak while chewing or swallowing food during a meal (Ta'anis 5b), as speaking while eating poses an immediate danger of choking, lest the windpipe (kaneh) open and receive food before it safely enters the esophagus (veshes).

STORIES FROM OUR SAGES:

❖ Rav Nachman and Rabbi Yitzchak were sitting together at a meal. During the meal, Rav Nachman said to Rabbi Yitzchak: "Let the Master teach us a word of Torah!" Rabbi Yitzchak replied: "Thus said Rabbi Yochanan: One does not converse while eating, lest the windpipe open before the esophagus while swallowing and a person come into life-threatening danger of choking!" After they finished eating their meal, Rabbi Yitzchak shared several luminous Torah teachings of Rabbi Yochanan. When they were about to part from one another, Rav Nachman said to Rabbi Yitzchak: "Let

the Master bless me!" Rabbi Yitzchak answered him: "Let me give you a parable: To what may this be compared? To a man who was traveling through the desert and was hungry, weary, and thirsty, when he came upon a magnificent fruit tree whose fruits were sweet, whose shade was pleasant, and beneath which a stream of fresh water flowed. He ate of its fruits, drank of its waters, and rested in its shade. When he was ready to depart, he turned to the tree and said: 'O tree, tree, with what shall I bless you? If I say to you that your fruits should be sweet—behold, your fruits are already sweet! That your shade should be pleasant—behold, your shade is already pleasant! That a stream of water should flow beneath you—behold, a stream of water already flows beneath you! Rather, may it be God's will that all the saplings planted from your seeds shall be just like you!' So too with you, Rav Nachman: with what shall I bless you? If with Torah—behold, you already possess Torah! If with wealth—behold, you already possess wealth! If with children—behold, you already have children! Rather, may it be God's will that all your descendants who come from you shall be just like you!"

Talmud Bavli, Taanis 5b

B. NOT TO REFRAIN FROM USING THE RESTROOM WHEN NEEDED

(Torah Mandated Mitzvah), Sefer Chareidim 32-56

As the Torah says, "do not disgust yourselves" (Vayikra 11:43, Parshas Shemini).

SEFER CHAREIDIM

Delaying bodily elimination when nature calls is strictly forbidden. Withholding a bowel movement violates the biblical prohibition: "You shall not make yourselves abominable" (Vayikra 11:43). Suppressing urination is even more severe, violating both the injunction against repulsive conduct and the mandate: "There shall not be a sterile male or sterile female among you" (Devarim 7:14). Although the literal verse promises a divine blessing, Chazal expound it (Bechoros 44b) as an admonition never to cause oneself sterility through unnatural bodily retention. Physicians likewise confirm that suppressing urination risks severe physiological harm and reproductive damage. A person must not delay relieving himself even for a moment, ensuring he never compromises his health or jeopardizes his ability to fulfill the paramount mitzvah of procreation (Peru U'Revu).

C. NOT TO DO THINGS THAT WILL IMPAIR YOUR VISION

(Rabbinically Mandated Mitzvah), Sefer Chareidim 50-6

SEFER CHAREIDIM

Chazal teach (Berachos 43b) that a person should avoid taking excessively wide, hurried strides except when running to perform a mitzvah, because aggressive, haughty strides deplete one five-hundredth of the radiant power of a person's eyesight.

D. NOT TO CURSE YOURSELF

(Torah Mandated Mitzvah), Sefer Chareidim 24-15,16

As it says "guard yourself, and guard yourself very much" (Devarim 4:9, Parshas Va'eschanan)

SEFER CHAREIDIM

The prohibition against uttering a curse against oneself is emphasized repeatedly in Scripture: "Only take heed to yourself, and guard your soul diligently" (Devarim 4:9), and "You shall guard your souls very diligently" (Devarim 4:15), for every biblical command to "take heed" (hishamer) or "guard" (shemor) carries the legal force of a negative prohibition. Furthermore, the Zohar cautions that myriads of destructive spiritual forces stand ready to answer "Amen" to an individual who curses himself, seeking to give harsh reality to his reckless words. A person must therefore exercise tremendous vigilance never to direct harmful speech against his own life or well-being.

STORIES FROM OUR SAGES:

❖ Whenever someone used a self-cursing expression or spoke of calamity befalling himself even as a figure of speech, Abaye cautioned: "A person should never speak that way about himself!" Why not? Because Rabbi Shimon ben Lakish taught, and so it was taught in a Braisa in the name of Rabbi Yose: "A person should never open his mouth to invite adversity (le-olam al yiftach adam piv la-Satan)—even in jest or exaggeration, never utter a curse or prediction of harm upon yourself!"

Talmud Bavli, Berachos 19a & 60a

E. NOT TO DO ANYTHING THAT IS REPULSIVE TO YOURSELF

(Torah Mandated Mitzvah), Sefer Chareidim 26-31

As it says, "Do not disgust yourselves" (Vayikra 11:43, Parshas Shemini)

SEFER CHAREIDIM

Scripture warns: "You shall not make yourselves abominable" (Vayikra 11:43). This commandment prohibits eating or drinking anything that repulses human nature or contaminates the soul. For example, one must not swallow a live fish or live edible grasshopper while it wriggles, nor should one drink from a medical basin used to collect blood during bloodletting, for consuming revolting substances degrades the dignity of the human soul.

STORIES FROM OUR SAGES:

❖ An incident occurred with Rabbi Akiva, who prepared a banquet for his students and had two dishes of meat on the bone brought before them—one dish still tough and undercooked, and a second dish thoroughly cooked. First, the attendants set the tough, undercooked dish before them. The wise, refined student among them held the bone with one hand and tried gently to detach a piece with his other hand; when it did not come off easily, he politely withdrew his hands and ate his bread plain rather than tear at the meat ungracefully. The boorish student among them, however, grabbed the bone in his hand and gnawed at it with his teeth! Rabbi Akiva said to him with gentle irony: "Not like that, my son—why not just step on it with your heel inside the platter?!" Afterward, Rabbi Akiva had the tender, well-cooked dish brought out before them, and they ate and were satisfied. Rabbi Akiva then explained to them: "My sons, I did all this only to test you and teach you whether you possess refined table manners or not!" And Rebbi taught five rules of food hygiene and respect

for bread: One does not place raw meat directly on top of bread (which is both repulsive and unsanitary); one does not balance a full cup or hot platter on top of bread; one never throws bread across the room; and one never sits upon bags of food, because doing so crushes and ruins the food.

Derech Eretz Rabbah 7:2 & 9:3

INSPIRATIONAL STORIES:

❖ There are countless stories of the remarkable care that Reb Baruch Ber Leibowitz would take to never offend or embarrass anyone. The gaon R. Moshe Aharon Stern, mashgiach of Kamenetz, related that while Reb Baruch Ber was in America, he was once listening to the rav of the local shul's Derashah. In the middle of the derashah Reb Baruch Ber needed to relieve himself but remained in his seat and restrained himself until his face turned red. When the rav saw the color of Reb Baruch Ber's face, he assumed that his derashah had greatly moved Reb Baruch Ber so he decided to speak even longer. When the rav finished speaking Reb Baruch Ber fainted. They quickly revived him and wanted to send for a doctor. R. Yaakov Yosef Herman was there, however, and Reb Baruch Ber whispered to him, "There is no need for a doctor; I fainted because I have to relieve myself." A while later, R. Yaakov Yosef asked him, "But the Torah commands 'Al teshaktzu - Do not make yourself abhorrent' (when one needs to relieve himself one is forbidden to refrain from doing so)." Reb Baruch Ber answered him, "I thought about that a lot during the derashah, for I was concerned that perhaps I was violating 'Bal teshaktzu.' I thought, though, that if I stood up and left in the middle of the derashah, as I walked out everyone that I would pass would stand up, which would have ruined the derashah. What is more, the rav might have thought that I did not find his derashah interesting. That would have made me guilty of retzichah, for I would have embarrassed him in public, which is clearly forbidden by the Torah. Therefore, I gathered all of my strength and restrained myself. Apparently, however, I have a weak constitution and it was too much for me."

Reb Baruch Ber, By Rabbi Chaim Shlomo Rosenthal, Published by Feldheim

18. Not to sterilize yourself or any living creature

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 143 Sefer Chareidim 29-98

As the Torah says, Any with testes bruised or crushed or torn or cut… and in your land you shall not do thus (Vayikra 22:24, Parshas Emor).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is it only forbidden to do this by means of cutting? Can one take a medicine that creates sterility?
- Can a woman take a medicine that creates sterility?

SEFER HAMITZVOS HAKATZAR

Chazal expound (Shabbos 110b) regarding the verse "Neither shall you do this in your land" (Vayikra 22:24) that it establishes a universal prohibition for the Jewish people, forbidding the surgical sterilization or castration of one's own body or of any living creature.

This prohibition applies equally whether the creature is a non-kosher or kosher domestic animal, wild beast, or bird.

Anyone who surgically castrates a male creature violates this negative commandment. Even if an initial act of castration was performed by another person, anyone who subsequently further mutilates the reproductive organs — whether of a human being or an animal — violates this mitzvah.

A woman is likewise forbidden to castrate or sterilize any male creature.

It is strictly forbidden to administer a chemical sterilizing potion (kos shel ikarin) to a man or to any male creature. A woman, however, is permitted to drink such a potion when medically or halachically justified.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Our body was entrusted to us so that he can fulfill the mitzvos with it. It was loaned to us for that specific purpose and we don't own it. It is given to us as a pikadon, something to watch. We are therefore to emulate Hashem's compassion and justice by not harming our body and preventing it from achieving its given purpose.

19. Not to cut your skin in mourning or for idolatry

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 28

As the Torah says, you shall not gash yourselves (Devarim 14:1, Parshas Re'eh)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is this prohibited only with an instrument, or even by hand?
- Is there a difference if one does this for idolatry or for mourning?

SEFER HAMITZVOS HAKATZAR

Scripture states: "You shall not gash yourselves" (Devarim 14:1). Anyone who cuts his flesh or inflicts a gash in mourning over the deceased violates this negative prohibition, whether he makes the incision with his bare fingernails or with an instrument.

If, however, someone gashes his flesh in the service of an idol, he incurs the biblical penalty of lashes only if he made the incision with an instrument; if he gashed himself with his bare hand, he is exempt from biblical lashes.

Included in this injunction of lo sisgodedu is the vital rabbinic prohibition against factional schism (lo se'asu agudos agudos). This mandates that within a single municipality, two rabbinic courts (batei din) must not issue conflicting halachic rulings or follow discordant public customs, so that Klal Yisroel does not appear fractured into multiple rival Torahs.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Our body was entrusted to us so that he can fulfill the mitzvos with it. It was loaned to us for that specific purpose and we don't own it. It is given to us a pikadon, something to watch. We are therefore to emulate Hashem's compassion and justice by not harming our body and preventing it from achieving its given purpose.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RASHI

You are children of Hashem. You have to express that by looking handsome and not disfigured.

IBN EZRA

Hashem is your father and loves you. All that happens to you is really good for you. There is no need to mourn so greatly by tearing your skin.

BCHOR SHOR (IBID)

When we lose a parent or close relative we are to realize that Hashem is our father and primary relative. There is no need for excessive mourning because we still have our primary relative.

RABBEINU BACHYA

There is no need for excessive mourning. The deceased is not really dead. His neshamah, his primary existence is still alive.

ABARBANEL (IBID.)

The deceased did not belong to you, it belonged to Hashem because we are all children of Hashem. You don't have to mourn excessively.

SFAS EMES

• In Parashas Re'eh (Devarim 14:1), the Torah explains the prohibition against cutting one's flesh for the dead ('Lo sisgodedu') with four luminous words: 'Banim atem LaHashem Elokeichem'—'You are children to Hashem your God.' In his discourse on Re'eh (5656), the Sfas Emes explains that pagan mourners gash their skin because they view death as absolute annihilation and hopeless severance. A Jew, knowing that he is a child of the eternal Father both in this world and in the next, mourns with tearful dignity while preserving the wholeness of his body (Sfas Emes, Devarim, Re'eh 5656).

• In Parshas Re'eh, the Torah opens its laws of communal unity with a tender declaration: 'You are children to Hashem your God; you shall not cut yourselves (lo sisgodedu), nor make any baldness between your eyes for the dead' (Devarim 14:1). The Talmud derives from lo sisgodedu the prohibition against splitting into rival factions. The Sfas Emes explains that although Jewish souls descend into different bodies and garments in this world, remembering that we share one Heavenly Father binds all of Israel into a single family. In Parashas Devarim (5635), on the Midrash 'Sheloshah she-amru eichah', the Sfas Emes contrasts destructive lamentation with the

prophetic cry that seeks renewal before Hashem. Cutting one's flesh in mourning (seret la-nefesh, Vayikra 19:28) turns grief inward into self-destruction, whereas Torah mourning channels sorrow into teshuvah, prayer, and comforting the living (Sfas Emes, Devarim, Re'eh 5635).

• In Parashas Kedoshim (5634), commenting on the proximity between 'Ve-seret la-nefesh lo sitnu bi-vesarchem' ('You shall not make a cut in your flesh for the dead,' Vayikra 19:28) and the sanctity of the Sanctuary, the Sfas Emes teaches that the human body was fashioned in the royal image of the Almighty (tzelem Elokim). Just as one may never mar a royal statue or deface a stone of the Sanctuary, a person is forbidden to gash or scar his own skin in pagan rituals or unbridled grief. Guarding the skin from self-inflicted gashes affirms that our bodies are sacred vessels belonging to our Creator (Sfas Emes, Vayikra, Kedoshim 5634).

• Why does the Torah immediately follow 'Banim atem LaHashem Elokeichem—lo sisgodedu' with 'Ki am kadosh atah LaHashem Elokeichem' (Devarim 14:1–2)? In Parashas Re'eh (5641), the Sfas Emes explains that because Israel's holiness is rooted above the physical world, the bond between righteous souls is never severed by bodily passing. Refraining from lacerating the flesh at a time of bereavement is a quiet declaration of emunah in the immortality of the soul and the resurrection of the dead (Sfas Emes, Devarim, Re'eh 5641).

• In Parashas Acharei Mos (5644), on the warning not to follow the practices of Egypt and Canaan, the Sfas Emes notes that ancient idolatrous priests gashed themselves with knives (Melachim I 18:28) in the false belief that bloodletting appeases harsh deities. The Torah teaches the exact opposite: Hashem desires our life, health, and joyful service. By forbidding gedidah and seret la-nefesh both in mourning and in idolatrous rites, the Torah protects the dignity of the human body as a living temple of the Divine (Sfas Emes, Vayikra, Acharei Mos 5644).

RELATED HASHKAFAH TOPICS:

- Discuss the idea of us needing to look "put together" because we are the ambassadors of Hashem and Torah in the world.
- Explore the idea of "whatever Hashem does is for the best".
- Explore the idea of the eternity of the neshamah.

INSPIRATIONAL STORIES:

❖ Rav Yisrael of Rhizin believed in dressing royally to reflect the kavod of Hashem. He would wear regal boots but with no soles so he wouldn't get any benefit from the shoes. When he was arrested by the czarist authorities, he was thrown into a disgusting dungeon in filth and rodents. When students saw him they cried. They saw him crying as well. They asked why he is crying. He said for a different reason than they. He has nothing to worry about because lo ira ra ki atah imadi. But he was crying because the ra was, "ra ki atah imadi", Hashem had to be in this disrespectful place. Why does Hashem have to suffer and be disgraced because of me?

Touched By a Story, Vol. 1, By Rabbi Yechiel Spero, published by ArtScroll Mesorah

20. Not to pull out your hair in mourning

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 164

As the Torah says, nor shall you make any baldness between your eyes for the dead (Devarim 14:1, Parshas Re'eh)

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- We tear our clothes in mourning, can we tear our hair?
- What is meant by "between the eyes"? Is it limited to between the eyes?

SEFER HAMITZVOS HAKATZAR

Scripture commands: "Nor make any baldness between your eyes for the dead" (Devarim 14:1). This prohibition forbids tearing out or plucking the hair of one's head in grief over a deceased person, creating an exposed bald patch on the scalp.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Our body was entrusted to us so that he can fulfill the mitzvos with it. It was loaned to us for that specific purpose and we don't own it. It is given to us as a pikadon, something to watch. We are therefore to emulate Hashem's compassion and justice by not harming our body and preventing it from achieving its given purpose.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

SFAS EMES

• The Sfas Emes highlights how our daily and weekly spiritual habits protect us from succumbing to despair. When a Jew wraps tefillin each morning, placing the bayis shel rosh directly above the space between his eyes, he resets his spiritual compass. He reminds himself that he is connected to the eternal Hashem. The same truth shines on holy Shabbos. On Shabbos, we do not need to wear tefillin because the day itself is a sign. Hashem grants us an extra soul, lifting us above the physical anxieties of the workweek and allowing us to taste the atmosphere of the world to come. Even in the face of mortality, these sacred signs remind us that our souls cleave to the living God. Because the soul is cleaving to the living God, even the threat of mortality cannot sever our connection to our Father in heaven (Sfas Emes, Bereishis, Vayechi 5650).

• To understand why ripping hair is forbidden, we must look at how the Torah views the physical body. In secular philosophy, a person's body is seen as his personal property, to decorate, mutilate, or neglect as he pleases. In Jewish thought, the body does not belong to us; it is a sacred garment loaned to us by Hashem to house the soul during its earthly journey. Just as a person borrowing a royal garment from a king must return it clean and whole, we must treat our bodies with reverence. Tearing our hair or gouging our skin damages the king's garment. When we care for our bodies even in our deepest sorrow, we show respect for the Craftsman who formed us (Sfas Emes, Bereishis, Bereishis 5634).

• In 5664, the Sfas Emes returns to this mitzvah with a magnificent parable recorded in the holy Zohar (Vayechi 245b, Shelach 159b). In the Zohar's parable of the king's son sent to a distant village to be educated, the Sfas Emes explains that Moshe Rabbeinu is the wise elder who reminds us of our royal origin! He looks at the Jewish people in the hour of loss and says: “You are children to Hashem your God.” You are children of the King of kings! Our souls were sent down from heaven into the dark village of this physical world for a specific mission: to learn the ways of the realm, to build character, and to perform the mitzvos. If we tear our hair in hysterical grief, we act

like the foolish villagers who thought the prince belonged to the mud. When we hold ourselves with dignity, we affirm that our loved one has graduated from the school of this world and entered the palace of eternal life (Sfas Emes, Devarim, Re'eh 5664).

• Does the Torah expect us to be unfeeling stones when someone we love passes away? The Torah does not demand that we suppress our tears or pretend that loss does not hurt. When Sarah Imeinu died, Avraham Avinu came to eulogize her and weep for her. When Moshe Rabbeinu passed away, the entire nation wept for thirty days. The halachah establishes clear periods of structured mourning: aninus, shiva, sheloshim, and the twelve months of mourning for parents. But tearing our hair and slashing our skin reflects a total collapse of faith, as if existence has ended in darkness. The Torah teaches us to mourn with tears, but never with self-inflicted destruction (Sfas Emes, Bereishis, Bereishis 5634).

• In his discourse of 5653, the Sfas Emes points out a fascinating verbal parallel that unlocks the inner meaning of this prohibition. Have you ever wondered where else the unusual phrase "between your eyes" appears in the Torah? The Sfas Emes explains that Hashem gave us sacred commandments called signs, such as the covenant of circumcision, holy Shabbos, and tefillin. These mitzvos exist to awaken our inner spiritual awareness and connect us to our souls. It is through that soul-connection that we earn the title of beloved children! When we place the shel rosh of our tefillin directly above the space between our eyes, we align our minds with divine truth. Just as the tefillin between your eyes proclaim that you belong to an eternal Hashem, your dignified restraint during mourning declares that the soul of your loved one has not vanished. It has simply shed its mortal clothing and returned to the Source of life (Sfas Emes, Devarim, Re'eh 5653).

21. Not to put a tattoo on your body

(Torah Mandated Mitzvah), Sefer Hamitzvos Negative 163

As the Torah says, nor shall you tattoo any marking on yourselves (Vayikra 19:28, Parshas Kedoshim).

QUESTIONS RAISED BY THE TALMUD ABOUT THIS MITZVAH:

- Is it permitted to write with ink on the surface of the skin?
- What is the definition of a tattoo?

SEFER HAMITZVOS HAKATZAR

Scripture forbids tattooing: "And a tattooed marking you shall not place upon yourselves; I am Hashem" (Vayikra 19:28). A biblical tattoo (k'soves ka'aka) occurs when one punctures or incises his skin and embeds permanent pigment, ink, or coloring dye beneath the epidermis, leaving an indelible imprint upon the flesh.

This mitzvah applies in all places, at all times, for both men and women.

HOW THIS MITZVAH PERFECTS OUR CHARACTER, AND HELPS US TO RESEMBLE AND SO COME CLOSE TO HASHEM:

Our body was entrusted to us so that he can fulfill the mitzvos with it. It was loaned to us for that specific purpose and we don't own it. It is given to us a pikadon, something to watch. We are therefore to emulate Hashem's compassion and justice by not harming our body in any way.

SOME ADDITIONAL LESSONS AND IDEAS BEHIND THE MITZVAH:

RALBAG

Hashem doesn't want us to follow the foolish practices of the nations of the world.

Additionally Hashem doesn't want us to harm our bodies. We have to protect it as best as possible.

OHR HACHAIM

If it is wrong to hurt oneself even when he is mourning, it is certainly wrong to harm your body when it is not under a trying circumstance.

RAV SAMSON RAPHAEL HIRSCH

Our bodies are made betzelem elokim. Our body is already stamped with a symbol that tells us about our purpose, and tells us and that we are designated for serving Hashem. We shouldn't modify that stamp.

SFAS EMES

• When the Torah commands in Parashas Kedoshim, 'U-kesoves ka'aka lo sitnu bachem, Ani Hashem'—'And you shall not etch a tattoo upon yourselves; I am Hashem' (Vayikra 19:28)—the Sfas Emes in Parashas Kedoshim (5631) explains the concluding seal 'Ani Hashem'. Every Jew already bears the holy sign of Hashem's covenant (bris milah and the tzelem Elokim) inscribed within his very flesh; etching permanent foreign symbols into the skin attempts to overwrite the King's seal with human graffiti. By keeping our skin clean of tattooed marks, we declare that our bodies belong wholly to Hashem and need no external mark to proclaim our identity (Sfas Emes, Vayikra, Kedoshim 5631).

• In Parashas Kedoshim (5635), commenting on 'Kedoshim tih'yu ki kadosh Ani', the Sfas Emes teaches that a Jew's body is meant to serve as a living parchment upon which the commandments—tefillin on the arm and head, tzitzis around the body, and pure deeds of the hands—are written each day through active observance. Unlike a dead tattoo sunk permanently into passive skin, the signs of the Torah are renewed every morning through free will and loving devotion (Sfas Emes, Vayikra, Kedoshim 5635).

• In Parashas Lech Lecha (5648), exploring the sign of bris milah, the Sfas Emes notes that ancient idolaters branded or tattooed their skin to mark themselves as the property of their false deities or earthly masters. Hashem, by contrast, placed His covenantal sign not through external ink etched upon the surface, but by removing the outer covering (orlah) to reveal the pure form He created from the beginning. The prohibition of kesoves ka'aka teaches us that Jewish holiness is never an artificial decoration painted from the outside; it is the uncovering of the innate sanctity Hashem planted within us (Sfas Emes, Bereishis, Lech Lecha 5648).

• In Parashas Kedoshim (5658), on the Midrash 'Yishlach ezrecha mi-kodesh', the Sfas Emes explains that the laws of bodily holiness in Parashas Kedoshim—refraining from cutting the skin, etching tattoos, or rounding the corners of the head and beard—preserve the human form as a miniature sanctuary (mikdash me'at). When a person guards the natural dignity of his skin as Hashem fashioned it, he keeps the outer garment of his soul pure and receptive to divine light (Sfas Emes, Vayikra, Kedoshim 5658).

• In Parashas Kedoshim (5639), on the Midrash 'Ve-Atah marom le-olam Hashem', the Sfas Emes contrasts outward vanity with the inward inscription of Torah upon the heart ('ochzeihu al luchos libecha'). Pagan culture seeks permanence by scratching pigment into mortal skin, whereas Israel achieves eternal permanence by engraving Hashem's words upon the immortal soul. Observing the prohibition against tattooing affirms our pride in the unadorned divine image in which we were created (Sfas Emes, Vayikra, Kedoshim 5639).

MORAL DILEMMAS:

Esther was a beautiful young bride, who came from a very prominent and influential family in Kovno. After the Nazi invasion in 1941 she was taken along with around 100 other young woman to serve in a harem in one of the Nazi fortresses. The Nazis had the words "Whore for Hitler's Soldiers" prominently tattooed on her arm. Esther was able to survive the duration of the war by "servicing" the Nazi soldiers. After the war Esther managed to become reunited with her husband who also survived the war. Esther approached R' Oshry with the following moral question. She didn't mind the tattoo, but the tattoo on her arm could potentially bring shame to her family and children. Should she endure a painful procedure to remove it for their sake? On one hand perhaps she should save them from shame. On the other hand perhaps having the cosmetic surgery would destroy evidence of the Nazi atrocities. Additionally, in those days the procedure required a painful surgery. Which would be better: to remove the tattoo or leave it as a reminder of what the Nazis had done?

Answer: Rav Ephraim Oshry addressed both a righteous woman whose arm was tattooed by the Nazis with the words 'Prostitute for Hitler's Soldiers' (Vol. 1, Siman 27) and a survivor wishing to undergo plastic surgery to remove her concentration camp number tattoo (Vol. 4, Siman 22). In the first case, he ruled that the woman is completely permitted to her non-Kohen husband (since every Jewish woman held by the Nazis stood under constant threat of death and is halachically an anusah under Rambam, Hilchos Na'arah Besulah 1:2, Noda BiYehudah, E.H. II:201, and Chasam Sofer, E.H. 17). Regarding removing the Nazi tattoos through surgery, Rav Oshry ruled (citing the Rema, Orach Chaim 301:23 in the name of the Or Zarua, that a badge of shame forced upon Jews by a wicked regime becomes a garment of Jewish honor) that survivors should not undergo surgery to erase their tattoos. Far from being a mark of shame for the victim, the tattoo is an eternal badge of Jewish martyrdom and moral courage, and erasing it would only assist the German murderers in their efforts to make the world forget the atrocities of Amalek.

— Source: Rav Ephraim Oshry, She'eilos U'Teshuvos MiMa'amakim, Vol. 1, Siman 27 & Vol. 4, Siman 22

Yoni was a young secular rebellious millennial. Like 50% of millennials today, he decided to get a tattoo. Not only did he want to get a tattoo, he wanted to get the most challenging of tattoos. He decided to get a tattoo on his wrist, which is one of the most painful places to do that. Yoni wanted a tattoo with the colors blue, green and yellow. Those are the colors that are known to be the most difficult colors to remove with a laser. Sure enough he went to the most experienced tattoo artist in his city and had a large picture of his favorite music group tattooed on the inside of his wrist. A year later he was invited to someone's house for Shabbos and slowly but surely he became more interested in becoming more observant. Eventually, he became fully observant. Some time later he began to have different feelings about his very conspicuous and colorful awful tattoo on his wrist. Wherever he went with a black hat and jacket

dressed like a yeshivah boy, people gave him a double look when they saw his wrist. He didn't mind the attention at all but it was clear that it wasn't what people expected. Yoni decided that he wanted to get the tattoo removed. He didn't want to give the impression that he was a yeshivah boy that rebelled and got a conspicuous tattoo. He went to the dermatologist to discuss getting it removed. Unfortunately, he did not get the news that he wanted to hear. Because the tattoo was done by a professional and it was done very deep in his skin, with a lot of pigment, and because it was on his wrist, and it was far from his heart, it was difficult for the laser to break up the pigment. Because the colors that he had in his tattoo were blue, green and yellow, laser surgery would not be sufficient, and the ink would still remain (black and red are the easiest colors to remove). The doctor said that there are other methods of removing a tattoo which include dermabrasion, which means to rub the skin, and injections of solutions under the skin, or tattoo removal creams, however the doctor said that those would not be effective in his situation. The only procedure that would work completely for his situation would be a skin excision. This refers to the surgical removal of the tattooed skin. Simply, this means that the surgeon will remove the skin and replace it with a skin graft. It would be costly because it was a cosmetic procedure, and it would also be very painful. Yoni wanted to know if he was allowed to do the surgery. One is not allowed to do a surgery simply for cosmetic purposes because it involves chavalah, cutting of the skin. Would it be permitted if it was done to avoid giving the impression that he did the sin of getting a tattoo? Furthermore, if he was allowed to remove the tattoo, was he obligated to endure this painful and expensive surgery in order to prevent people from getting the wrong impression about him? What do you think?

Answer: Regarding the question about the tattoo, Rav Zilberstein wrote that it would not be chavalah, to do a surgery to remove the tattoo, and in fact it would be a worthy thing to do. However there was no chiuv, no obligation to do so.

— Source: Rav Yitzchak Zilberstein, Chashukei Chemed, Pesachim, p. 427

