

לעילוי צשמת ר' אברהם יוסף שמואל אלטר בן ר' טובי ז"ל זרעיתו רישא רחל בת ר' אברהם שלמה ע"ה

הדלקת נרות לשבת - 4:45

זמן קריאת שמע/המ"א - 9:05

זמן קריאת שמע/הגר"א - 9:41

סוף זמן תפילה/הגר"א - 10:30

שקיעת חממה ליום השבת - 5:04

מוצש"ק צאת הכוכבים - 5:54

צאת"כ / לרבי"ץ תש" - 6:16

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שבת קודש פרשת משפטים - כ"ד שבט תשע"ד
Shabbos Parshas Mishpatim - January 25, 2014

לקחי חיים ודברי התעוררות צדור עפ"י פרשיות השבוע מאת הרב שלום פערל שליט"א מגיד משרים בק"ק בית שמש

מאצרותיו של המגיד

ועברתם את ה' אלוכם וגו' (כג-כו)
- בעניין 'גדולה שימושה יותר מלימודה'

א"תא בגמרא (פסחים כ"ב). "תניא, שמעון העמסוני ואמרי לה נחמיה העמסוני, היה דורש כל אתים שבתורה, כיון שהגיע ל'את ה' אלוך תידא' פירש, אמרו לו תלמידיו, רבי, כל אתים שדרשת מה תהא עליהן, אמר להם, כשם שקיבלתי שכן על הדרשה, כך אני מקבל שכן על הפרישה, עד שבא רבי עקיבא ודרש 'את ה' אלוך תידא - לרבות תלמידי חכמים'.

וכתב ה'בן יהודי' שם (ר"ה אמנם קשה וכו'), "אמנם קשה, דהוה ליה לפרוש כשהגיע לפסוק 'ועברתם את ה' אלוכם' דקדים. ונראה לי בס"ד, דהתם דרש 'לרבות שימוש הרב', דחייב אדם לשמש את רבו, ד'גדולה שימושה יותר מלימודה'". וכדאיתא (ברכות ז), "וא"ר יוחנן משום רבי שמעון בן יוחי, גדולה שימושה של תורה יותר מלימודה, שנאמר 'פה אלישע בן שפט אשר יצק מים ע"י אליהו', למד לא נאמר אלא יצק מלמד שגדולה שימושה יותר מלימודה".

וכתב ה'מאירי' (שם ד"ה ולעולם וכו'), "ולעולם בעניין ההוראה ישמש תלמידי חכמים, שהגידה סיבה לחכמה, ושימוש חוקנים והחכמים סיבה לידיעת המלאכה, והוא ענין ההוראה, הן בדרך, הן באיסור והיתר".

והוסיף ה'מהרש"א' שם (ד"ה גדולה וכו'), "גדולה שימושה וכו' - הוא מבואר, דיש כמה הלכות שאדם לומד מרבו שאינן למעשה. כדאמרינן בכמה דוכתין, ומשום הכי קאמר ד'גדולה שימושה וכו', שרואה ברבו הלכה למעשה".

וכ"כ ה'פלא יועץ' (ערך קבלה), "קבלה - הוא כלל גדול בתורה, וכמעט רוב התורה אשר בידינו היא בדרך קבלה, כמשנה קיבל תורה מסיני וכל הדורות היו מקבלים דין מן דין, וגם עתה שנתרבו הספרים, יש כמה דברים שלא יוכל איש לעמוד על אמיתותן ובידורן של דברים, אלא על פי הלכה למעשה אשר ראה או שמע מפי אדם גדול, ועו"א אמרו 'גדולה שימושה יותר מלימודה', כי בעיניו יראה ובאזניו שמע איזו היא דרך שירה, כי לו יזיה גבר שנין אלפין, לא יוכל לבא עד קיצן של ספרים, ולדעת כל הדינים על מתכונתן, כדת מה לעשות, אבל המשמש ת"ח ומתאבק בעפר רגליהם, יום ליום יוסיף דעת מה יעשה הבן ולא יחטא, ולפעמים כשהוא בן פ' או צ' שנה ישמע דבר חדש את אשר לא ידע מעולם וכו'".

אבל המהר"ל ב'דרך חיים' על אבות (ו' ו-הט' בשימוש וכו'), ביאר עניין זה בדרך סגולית, "ופירוש דבר זה, כי המשמש את הת", הנה התלמיד מתחבר אל הרב ע"י שימושה של תורה, ובזה התלמיד מקבל מן הרב, כי אין ספק, כי כאשר תקרב הפתילה אל הנר, שהנר מדליק הפתילה, וכך, כאשר יקרב התלמיד אל הרב ע"י שימושה, שמשפיע עליו התורה, ולא כן כאשר התלמיד לומד מן הרב, שאין התקרבות אל הרב כאשר למד ממנו, כמו כאשר הוא משמש הת", שהוא התקרבות אל הת"ח בעצמו ומקבל ממנו. כי אין זה מה שבא ללמוד מן הרב חיבור אליו, רק דבר זה הוא חיבור אליו, כאשר משמש אותו".

twist logic in order to adapt it to their wayward lifestyle. Hashem warns the Jewish people against following these types of people. In the desert, Hashem sent an angel to guide the people and told the nation to listen to its voice and do not rebel against what it says, for by doing so, they will turn

A SERIES IN HALACHA
LIVING A "TORAH" DAY
הלכה למעשה
Forgotten and Little Known Halachos and Customs (67)
Hilchos Tzitzis: Trying on a Talis Before Buying it.
Question: If a person goes into a Judaica store to buy a *Talis* (garment) and *Tzitzis* strings to put on by himself, can he try on the *Talis* for size before putting on the *Tzitzis* strings? Is the cloth he tries on considered wearing a four-cornered garment without having *Tzitzis* attached to it, or not?
Answer: In this case, some *poskim* ⁽¹⁾ rule leniently and say there is no problem, because trying it on is not an act of donning a garment for the sake of benefiting from the garment at that time. There is another reason to be lenient. When a buyer tries on the *Talis* he has not yet taken possession of it and thus, is not yet obligated to put on *Tzitzis*. For these reasons one should not say a *beracha* on a *Talis* that has strings, if he is trying it on for size.

There is another similar case brought in *Sefer Od Yosef Chai* ⁽²⁾. He discusses a situation where a person is donning a *Talis*, without the *Tzitzis* strings attached, to teach his students how to put them on properly, and he rules leniently in that case. Similarly, if one has a *Talis* with *Tzitzis* strings attached, and puts it on to teach others, he should not say a *beracha*.

Attaching Tzitzis Strings At Night. The *poskim* debate if one is permitted to attach *Tzitzis* strings to his *Talis* garment at night.

מאת מו"ה ברוך הירשפלד שליט"א
ראש כולל עטרת חיים ברוך קליבלנד הייטס

The debate centers around whether a four-cornered garment, which is exempt from *Tzitzis* at nighttime, is the same as a three-cornered garment which is exempt from *Tzitzis* at all times. In the case of a three-cornered garment, if one attached strings and then sewed on or cut out a fourth corner, it is invalid since the strings were attached at the time the garment was exempt from *Tzitzis*. In *halacha*, this is referred to as, 'תעשה ולא מן העשיר'. We might say that the same is true by every garment at night.

On the flip side, however, one might argue, as indeed most *poskim* do, that nighttime expires by itself and the garment will then be fit for the *mitzvah* the next morning without any human intervention. This is quite different than a three-cornered garment which can never become obligated without some form of human intervention - in other words, adding a corner. This concept is known as, 'מורסר זמן לא כמורסר מעשה דמל'.

The Decision Of Most Poskim. Most *poskim* are lenient in this particular situation, and one may rely on this *heter*, which is also the prevalent *minhag*. These *poskim* prove this from the concept of placing *schach* on a *sukkah* - which also needs a kosher placement and yet it is still deemed kosher if one puts on the *schach* before *Sukkos*. There are many sources for this found in **Piskei Teshuvos**, 18:1 especially in note 8.

(1) שו"ת שבט הקהתי דג (ב) ספר עוד יוסף חי פרשת בראשית אות ב'

(2) If a servant wishes to remain with his master and not go free, his ear is pierced - 'ורצע אדוניו את אזנו במרצע ועבדו לעולם' at the door and he remains in servitude 'forever.' Why is only the slave given this punishment and not the master, who should insist he goes free? Because it is natural for the master to wish to keep his slave; it is unnatural for a human being to resist being free. Freedom (בן חורין) is the key to serving Hashem and learning Torah; this slave truly deserves punishment."

Rabbi Shmuel Belkin Z"l would say:

"Halachos are the substance (the body) of the Torah; aggados draw the heart of man like fine wine." (Sifri 32:14) The *halacha* concerns itself with man's daily conduct and the rules of human behavior. It symbolizes the body, for it deals with human actions and responsibilities. *Aggados* give us the spiritual and moral insights of the *halacha*; it is the symbol of the soul. It appeals to the heart and emotions of man. *Halacha* endeavors to bring earth closer to Heaven; *aggadah* endeavors to bring Heaven closer to earth. *Halacha* deals with practice; *aggadah* primarily with theory. And yet, *halacha* and *aggadah* cannot stand as two independent fields, just as body and soul cannot possess vitality if they are in separate abodes. The *aggadah* must serve as the soul of the *halacha*, and the two must supplement and complement each other."

A Wise Man would say:

"A dream is not what you see in your sleep; a dream is a thing which does not let you sleep."

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מעשה אצולת... סימן לבנים

ובשר בשדה מריפה לא תאכלו לכלב תשליכון אוגו' (כג-ל)

In the mystical city of Tzefas, close to five hundred years ago, lived a righteous man who was known for his kindness, his many good deeds and his immense wealth, which he used to support the indigent. For the first few years of his marriage, he was not blessed with children and this allowed him and his wife to pour out their hearts in prayer. In time, the couple was blessed with a son - and their joy knew no bounds. The birth of their child and the upcoming *bris* was the talk of town, and the man wasted no time in requesting the honor of the holy **Ariza'l, Rabbeinu Yitzchok Luria ZT"l**, to serve as *Sandek*.

Unfortunately, all was not well in the rich man's house. One of his neighbors harbored great resentment and wished to cause him harm in any way he could. With the upcoming *bris* and festive meal following, the evil neighbor came up with a sinister plot to not only disgrace his neighbor, but to totally destroy him as well. The night before the *bris*, he managed to sneak into the home of the rich man and dumped a pouchful of poison into one of the large pots filled with simmering fish to be served the next morning at the *bris*. Satisfied that this would cause great mayhem, he stole out of the house and went home.

Early the next morning, guests, family and friends arrived early at the home of the rich man for this great celebration. No one wanted to be late and the excitement in the crowd was palpable. At the appointed hour, many of the *Rabbanim* and honored attendees turned expectantly to the host and awaited the beginning of the ceremony. But the host just stood at the door and waited; his most honored guest, the Ariza"l, had yet to show up for the *bris*. This was quite unusual, as the *Tzaddik* was well known as a punctual person who was never late. And so, they waited ... and waited ... but after a few hours had gone by and the Ariza"l had still not come, many people became concerned, and then alarmed.

Lo and behold, at one point late in the afternoon, the sudden appearance of the Ariza"l took everyone by surprise and some people could not help but ask where the great man had been all this time. The Ariza"l understood the people's frustration and responded quickly. "I left my home early this morning to come here for the *bris* but the moment I walked out of my house, a large black dog blocked my way. The dog was barking so loudly that I knew it was trying to tell me something. I asked the dog in plain language who it was and the dog spoke right back to me. It told me that it was a *gilgul neshama* (reincarnated soul) forced to come back to this world. I inquired as to who it was a *gilgul* of and the dog explained that he was the *gilgul* of Geichazi (געיחזי)." The Ariza"l explained that when the Prophet Elisha ordered Geichazi to take his staff and bring the son of the Shunamite back to life (מלכים ב' ד-כט), Geichazi did not believe in the miracle that was about to take place. On his way, he saw a dead dog on the side of the road and tried out the prophet's staff on it. Instantly, the dead dog came to life and Geichazi now hurried to fulfill the mission. However, to his chagrin, when he got there, the staff no longer had any effect on the body of the youth. For his indiscretion, Geichazi's punishment was to transmigrate into a dog.

The Ariza"l continued speaking to the spellbound audience. "The dog told me that due to its sin, it has not had any *tikkun* (absolvement) for its soul all this time. When it learned that I might be able to help it, it came to me and demanded that I help it find peace once and for all. I told the dog that I did not know of any *tikkun* to prescribe but the dog refused to let me go until I gave it what it wanted. It kept me for hours until I was able to advise it that if it would give its life in the act of saving other people from death, this will allow Geichazi to finally attain the atonement his soul so desperately needs."

Well, now that the Ariza"l had finally arrived, the *bris* was able to go on as planned. The Ariza"l served as *Sandek* and afterwards, the depleted crowd - due to the late hour - sat down to the *seudah* they had been awaiting all day long.

Suddenly, from the kitchen rushed one of the workers and exclaimed breathlessly, "Something terrible has happened. The moment we took the huge pot of fish off the fire, a big black dog rushed into the kitchen and literally dove headfirst into the pot! The fish is all ruined and the dog is very much dead!" The Ariza"l stood up and went to look at the dead dog. Instantly he knew it was the dog he had spoken to earlier. The fish was tested and it was found to be laced with poison. Thankfully, no human was harmed.

משל למת הדבר דומת

השמר מפניו ושבע בקלו אל תמר בו כי לא ישא לפשעכם כי שמי בקרבנו וגו' (כג-כא)

משל: A non-religious man, who considered himself a scholar of note, once remarked to the **Satmar Rebbe, R' Yoel Teitelbaum ZT"l**, "The *Gemara* says (יבמות קג:) that Rav Yitzchok ben Bisna once lost the keys to the *Beis Medrash* in the street on *Shabbos*. He didn't know what to do so he came and asked Rav Pedas for advice. Rav Pedas answered him, 'Bring a young boy and girl and let them play in the street, and if they find the keys they will bring them.' We see from here that a boy and girl are allowed to play together in the street, or at least in the same place."

The man thought he was witty and he had stumped the Satmar Rebbe. But the *Rebbe* just smiled at him and replied, "Apparently, you do not understand the *Gemara* you just quoted. You see, the real reason why Rav Pedas told him to send a boy and a girl, and not two boys was for a very basic and practical reason. Since the girl was present, the boy would have to keep his eyes on the ground so as not to look at the girl. As a result, there was much more of a likelihood that he would find the keys!"

צמשל: There are people who wish to distort the truth and

כי יגנב איש שור או שׂה ומכרו או מכרו חמשה בכך ישלם תחת השור וארבע צאן תחת השׂה (כא-ל)

When discussing the laws of a thief's compensatory payment, Rav Yochanan ben Zakai explained (בבא קמא עט:) that a thief who steals an ox must pay five times the value, since he was able to lead his booty away in a relatively dignified manner. But by sheep, however, he had to somewhat humiliate himself by making his getaway carrying the sheep on his shoulders. That embarrassment is a part of his "payment" and he therefore only pays four and not five times the amount that he stole! How important is the honor of a human being in he eyes of the Almighty, that the *Torah* even takes into account the embarrassment of a thief; how much more must we take into account the disgrace of every person.

Concern for the honor of a fellow Jew was the hallmark of the *Tchebiner Rosh Yeshivah, R' Avraham Genichovsky ZT"l*. He treated every person, rabbi and layman alike, with the greatest respect, especially his many *chavrusos* (study partners). One Friday evening, when his *chavrusa* came at the usual time to learn with him, the young man forgot it was *Shabbos* and accidentally rang the bell to the Genichovsky home! Immediately, he recoiled in horror and shock at what he had done - and almost ran away out of sheer humiliation.

The young man decided to stay his ground. Mustering up the courage, he knocked loudly on the door. There was no answer. He knocked again and waited. This was unusual - he didn't hear a sound coming from inside the house. He knocked again and waited for close to five whole minutes.

Then, he heard padded footsteps, and when the door opened, there stood the *Rosh Yeshivah* - bleary eyed and in his pajamas! "I'm so sorry," said R' Avraham, "are you knocking long?" It wasn't late and the two sat down to learn.

After he had left, the *bochur* realized what had happened; upon hearing the doorbell ring, R' Avraham quickly changed into his pajamas and pretended to be asleep - so that the *bochur* should think that he didn't hear the bell ring!

EDITORIAL AND INSIGHTS ON THE WEEKLY MIDDAH OF ... תורה

The *Gemara* (שבת פת) asks: "Why are the Jewish people compared to an apple? ("כתפוח בעצי היער") *Just as an apple sprouts before its leaves, so too Bnei Yisroel proclaimed Naaseh before Nishma!*" What does this mean? What is the greatness of an apple that it sprouts before its leaves and why is this a comparison to the Jewish people who said *Naaseh* before *Nishma*?

R' Simcha Sheps ZT"l gives a stunning explanation. He says that the purpose of the entire creation is *chessed*. The world is built on kindness and without it there would be no world; the entire phenomenon of nature is one big circle of *chessed*. Animals eat vegetation, people eat animals. Man shows the world the greatest *chessed* through his free choice and emulation of *Hashem*.

During the winter, trees are stripped of their leaves. As spring settles in, the leaves begin to once again cover the branches, and after that, fruit begins to blossom and ripen. This is true of all trees except one: the apple tree. The apple tree FIRST gives off it's fruit and only afterwards do leaves cover the branches. While all the other trees first think of themselves and covering their nakedness, the apple tree first thinks about how it can benefit others by bringing forth its beautiful and delicious fruit!

When *Hashem* asked the nations of the world if they want the *Torah*, they answered selfishly. They only thought about themselves and thus answered in the negative. The Jewish people answered "*Naaseh V'Nishma*" and did not think about themselves, but only about the honor of *Hashem*. Only after "NAASEH" - we will do whatever *Hashem* wants, did they say "NISHMA" and worry about themselves! Whenever we eat an apple, let us remember this great lesson of *chessed*.

TORAH GEMS

ושחד לא תקח כי השחד יעיד פקדום ויסלף דברי צדיקים וגו' (כג-ז)

Chazal tell us (כתובות קה:) that the word "שחד" - "*bribery*" comes from the Hebrew words "שהוא חד" - "*for he is one*," indicating that once a judge has taken a bribe, he can no longer judge a case from an impartial viewpoint. He now stands united in his view of the case - as one with the party that gave him the bribe. **R' Yisroel Salanter ZT"l** adds that the concept of ulterior motivation affecting one's deeds or opinions is not limited to a judge in a court room. Each individual person forms opinions and behavioral patterns, based on what he sees and thinks and ulterior motives affect these opinions in a real and powerful way. One must be conscious of the "*shochad*" that is all around him and not let his judgment be clouded by ulterior motives.

Interestingly enough, there is a positive side to "*shochad*." In the year 5652 (1892), when **R' Chaim Soloveitchik (Brisker) ZT"l** took over the rabbinate of Brisk from his father, he felt as if he needed assistance and guidance to help him navigate those hectic first days; meeting with the city's lay leaders, leading the congregation, and many other tasks a new rabbi is required to perform. To that end, R' Chaim asked his uncle, **R' Simcha Soloveitchik ZT"l** to come to Brisk and "show him the ropes" until he can manage on his own.

R' Simcha accepted the invitation, however, it took him quite some time to come to Brisk. Week after week went by and R' Simcha had many legitimate excuses for not being able to make it. After almost 2 months, he finally arrived and immediately showed R' Chaim how to maneuver through the pitfalls and obstacles of the *rabbanus*. He was a huge help.

Later, R' Chaim remarked, "See how great the power of *shochad* (bribery) is. All these weeks that I've been waiting for my uncle to come, I harbored a bit of anger and annoyance at him for making me wait so long. But now that he came and helped me so tremendously, I cannot thank him enough. This '*shochad*' of assistance has taken away any feelings of anger!"

FROM THE WELLSPRINGS OF R' GUTTMAN - RAMAT SHILOM

ויאמרו כל אשר דבר ה' נעשה ונשמע (כד-ז)