

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

הדלקת נרות לשבת - 5:10
זמן קריאת שמע/המ"א - 8:56
זמן קריאת שמע/הגר"א - 9:32
סוף זמן תפילה/להגר"א - 10:25
שקיעת החמה שבת קודש - 5:29
מוצש"ק צאת הכוכבים - 6:19
צאה"כ / לריבו עם - 6:41

מולד לחדש אדר: מיטוואך
11:59 PM כ"ט 2 חלקים

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שבת קודש פרשת משפטים – פרשת שקלים – כ"ה שבט תשע"ה
Shabbos Parshas Mishpatim - February 14, 2015
מאוצרותיו של המגיד

מאת הרב שלום פערל שליט"א מגיד משמים בק"ק בית שמש
ואנשי קודש תחזין לי ובשר בשרה טריפה לא תאכלו לכלב
תשליכון אותו - ביאור כוונת הכתוב 'ובשר בשרה טריפה לא
תאכלו. לכלב תשליכון אותו'
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וכתב **ה'פנים יפות'**, "ובשר בשרה טריפה וגו' - תרגם אונקלוס 'ובשר
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נמשל: The *Torah* implores us to be “*Anshei Kodesh*” - literally translated to mean “the people of holiness.” It is not enough to just be holy and pure; *Hashem* wants us to be part of a community, an organization, a gathering of like-minded Jews who wish to further the concept of *Kedusha* -

A SERIES IN HALACHA LIVING A "TORAH" DAY

Keeping the Jewish Camp Holy (40) - "והיה מחניך קדוש" - **Personal Cleanliness.** The next area of "והיה מחניך קדוש" that we will discuss has to do with personal cleanliness of the body **from within and from without**, while reciting words of *Kedusha*, especially *Shemona Esrei* (where a lack of inner cleanliness can invalidate it) which is the peak of *Tefillah*, when we are - **עומדים** - standing with erect posture in front of the King of all Kings, *Hashem*. To understand the details of this requirement, there are a number of introductory halachic concepts.

It is Forbidden to Hold Oneself Back. The *posuk* tells us (1): “*Do not make yourself abominable.*” The simple explanation is that it is referring to not eating forbidden, abominable foods. However, *Chazal* (2) also interpret it to mean that one should not make his body an abomination by holding human waste inside when he should be going to the bathroom to relieve himself. This applies to both "קטנים" (urinating) and "דזולים" (excrement). It is clear in *halacha* (3) that not every urge to go, necessitates one to go. In fact, it says in **Teshuvos Divrei Chaim** that one should not urinate more than once in 3-4 hours, unless there is a special reason or he may have drank a lot. The exact time for this prohibition to apply is not clear, therefore, but in general, it means that if one has a strong urge to go, and even if he'll occupy his mind with something else, he won't be able to get his mind off it, the *issur* applies (4).

Where One May be Lenient. Many *Poskim* hold that this *issur*

R’ Shlomo Ephraim Luntzitz ZT”L (Kli Yakar) would say:

The purpose of the double expression being employed three times in this one *posuk* teaches us a great lesson: When you cause trouble for an orphan, the mother also feels tremendous pain as she is forced to sit by idly, without any power or control to assist him, since her son has no father to protect him. The *posuk* refers openly to the pain caused to the orphan, yet it also refers indirectly to the pain caused to the mother, the collateral damage of this grave sin. They are both pained, they both cry out, and they are both heard by *Hashem*. And for this single act of cruelty, the perpetrator’s wife and children will both suffer.”

R’ Samson Raphael Hirsch ZT”L would say:

The Hebrew word שחד' helps to explain the dynamic of this concept. A person is caused, by some level of self-interest, to look at a situation with one (חד) eye, instead of with the balance and clear vision of two eyes. It is for this reason that a person has a hard time evaluating himself. Since we have various biases, objectivity becomes an almost impossible mission. The Talmud tells us as much when it declares: ‘*A man is a relative to himself.*”

A Wise Man would say:
“Doing what you like is freedom. Liking what you do is happiness.”
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נתגבר ונתקדש לעילוי נשמת
ר' אברהם משה ב"ד אליעזר
שלאסער ז"ל * תנצב"ה

sanctity of the purest form. If one person will make it his business to alter this sense of communal purity, *Hashem* will not stand for it, and neither should we. We must not only protect ourselves from “unkosher” products and habits, we must ensure that our fellow Jews heed this call as well.

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

is only Rabbinic in nature; the above *derasha* being just an *asmachta* בעלמא. Therefore, one can be lenient and allow himself to “hold it in” to save himself from shame (5). This is based on the rule in the Gemara (6) that “כבוד הבריות” (respect for basic human decency) pushes away all Rabbinic prohibitions. Thus, in the following cases one can be lenient:

- If one cannot find an appropriate place to relieve himself without shame, he may wait till he gets to a proper place (7).
- If one is in the middle of delivering a *shiur* or *derasha* in public and feels a strong urge to go, in a way that stopping would cause him shame, he may hold it in and continue (8).
- If one is leading the *tefillos* (*chazzan*) and would be embarrassed if he interrupted in the middle.
- If one is the *Baal Koreh*, or blowing the *shofar* for the congregation, and an urge comes to him.
- Even when the shame is not as great as the above, such as someone who is called up to an *aliyah*, he can be lenient if he will be ashamed (9).

Levels of Shame. In order to push away a Rabbinic *issur* of “כבוד הבריות”, we don’t require a “great” amount of shame, for even a small amount of shame will suffice (10). On the other hand, the **Mishna Berura** himself writes in a previous note (11) that these things depend on the nature of the person and if he knows that he can be stringent without feeling shame he should not be lenient.

(1) ויקרא ככה (2) גמ' מכות טו; (3) רמ"א או"ח צ"ב (4) עיין משנה ברורה צ"א, אשל אברהם (במשאשטש) גיו (5) מ"ב של"א (6) ברכות כ (7) מ"ב של"א (8) שם צ"ב (9) ביאור הלכה צ"א (10) כמו שכתב המ"ב יגטו (11) שם יג"ב

הוא היה אומר
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(נשמתו) צדור בצדור חיים

מעשה אבות סימן לבנים

כי יתן איש אל רעהו כסף או כלים לשמור וגנב מבית הדיש (כב-ו)

When the chassidic movement began to blossom at the turn of the nineteenth century, there were many *Torah* scholars who feared that it would become nothing more than a populist movement, which, in order to attract adherents, might be lax in demanding rigid observance of *halacha*. The movement had begun not long after the *Shabbssai Tzvi* (false messiah) debacle, and many people were also afraid that the chassidic emphasis on *Kabbalah* might lead to similar defections. However, in the coming years, when *Chassidus* proved itself to be faithful to *halacha*, the differences between the two groups took on the flavor of feud for the sake of feuding, and people who enjoyed fighting found a banner under which to do battle. For the most part, this did not last too long, and eventually, both groups learned to live with the other’s unique mannerisms and customs.

On one occasion, the difference between *Chassidim* and those who do not subscribe to this way of life, actually became the subject of a famous *din Torah* involving a monetary dispute. In the Ukranian city of Kharkov, lived two friends who resided near one another. It happened that one man had a bundle of cash that he wished to safeguard while he was away on business, and so he asked his friend to watch over the money. His friend was happy to do this favor. He took the cash and placed it in his pocket. All day, the man walked around with the money in his pocket until later in the day, when he felt his pants pocket and realized that the money was gone. Someone had apparently picked his pocket and made off with the cash. When his friend came back, he reported what happened, and his friend demanded that he pay back the money. In his defense, he claimed that the theft was not his fault and refused to do so.

The two men agreed to bring the case to a respected *Rav*, so they came before the famous *posek*, **R’ Yosef Shaul Natanson ZT”L (Divrei Shaul)** and presented their claims. It did not take the *Rav* long to issue his ruling: since the man was a “שומר חנם” (unpaid guardian), he is not liable in this matter and not obligated to pay the money back.

Both men accepted the ruling and they left it at that. Until a few months later, when the first man was again out of town, this time on a business trip to Hamburg, Germany. While he was there, he overheard people talking about a ongoing *din Torah* that was taking place in the *Beis Din* of **R’ Yaakov Ettlinger ZT”L (Aruch Laner)**, and it struck him how similar this case was to the case he lost back in Kharkov. Here in Hamburg, one man entrusted cash to his friend, who claimed that someone had stolen the money right out of his pocket. But he was even more surprised when he learned that R’ Ettlinger ruled that the man who had been watching the money was indeed liable and required to pay all the cash back.

Filled with righteous indignation, the businessman decided to make a detour on his way back to Kharkov and stop off in Lemberg, by Rav Yosef Shaul. Once there, he announced that surely one of the two *Rabbanim* had erred in his ruling and he wanted to know which one was right and which was wrong. When questioned, he recounted the details of both cases and they were exactly the same. Therefore, he demanded of the Lemberger Rav, he needed to understand why the man in Hamburg got all his money back, while in Kharkov he was forced to accept a considerable loss?

R’ Yosef Shaul thought about it for a few moments, before breaking into a wide smile. Turning to the claimant, he said, “My dear Jew, it is quite simple, really. There is no mistake in these two cases - both of us are correct!”

“Rabbi,” said the man with feigned exasperation, “How can you both be right - when one of you has to be wrong?”

“It is like this,” said the Lemberger Rav. “In both cases, the one who received the money was a ‘שומר חנם’ and as such, he is liable for negligence (פשיעה). But negligence can be interpreted in two ways. In Kharkov, a city teeming with a large chassidic population, most of the men wear long black coats which cover their pants pocket and add a layer of protection. Therefore, the man who had the cash in his pocket cannot be faulted for negligence, since his pocket was well protected. On the other hand, in Hamburg, the men all wear short suit jackets which barely covers the pockets of their trousers. The man who placed the cash in his pocket did not protect the money adequately, and as a result, Rav Ettlinger was correct in finding him liable.”

משל למא הדבר דומה

ואנשי קדש תדוין ובשר בשדה מרפה לא תאכלו לכלב תשליכון אתו וגו' (כב-ל)

משל: A butcher once came to the **Tchebiner Rav, R’ Dov Ber Weidenfeld ZT”L**, with a question regarding the *kashrus* of an animal he recently slaughtered. Although he believed it to be kosher, he was shocked and dismayed when the *Tchebiner Rav* ruled that it was a *Treifa*. In fact, he refused to accept the ruling of the *Rav* and insisted on selling the meat in his butcher shop.

Numerous people warned him that he was selling non-kosher meat and he must cease and desist immediately, but he paid them no mind and went on displaying his wares.

Finally, none other than the *Tchebiner Rav* himself went to his store and in a pleasant tone, asked him to remove the unkosher meat. Again, the butcher refused and it appeared that he would not back down from this showdown.

Suddenly, and without any warning, a large crow flew out of the sky, swooped down and grabbed a huge chunk of the *treifa* meat from the display table in its mouth and flew away, as quickly as it came! Everyone was stunned, especially the butcher who realized that it was a clear sign from Heaven, and he tearfully apologized to the *Rav*.

מחשבת הלב

CONCEPTS IN AVODAS HALEV FROM R’ CHAIM YOSEF KOFMAN

אם חבל תחבל שלמת רעד עד בא השמש תשיבנו לו. כי הוא כתוסה לבדה הוא שמלותו לעד (כב-ו)

While discussing the *mitzvah* to return a collateral to a borrower before nightfall, we find a few anomalies in the wording of the *posuk*. Firstly, the *posuk* refers to clothing as “שלמת” while in the next *posuk*, it calls it “שמלותו”. Secondly, why is there a *kri/ksiv*? The *posuk* is written “כתוסה” (נקבה) but we read it “כסותו” (זכר). What is the reason for this?

Chazal tell us (סנהדרין כ.) that R’ Yehuda bar Ilai was so poor that six of his students would cover themselves with one cloak and learn *Torah*. Another *Gemara* in *Nedarim* states that the wife of R’ Yehuda bought wool, made a beautiful cloak and gave it to him. When R’ Yehuda went outside, he would wear this cloak, and when his wife went out she covered herself with that same cloak. Rashi says: “שלא היה להם אחר אלא אחד”. This garment was all they possessed.

According to *dikduk*, the word “שִׁלְמָה” refers to a simple peasant’s cloak, whereas “שִׁמְלָה” depicts an honorable garment. In *Parshas Bo*, the *Yidden* asked the Egyptians for “כלי כסף כלי זהב וּשְׁמָלוֹת”. Rashi says that the clothing was worth more to them than the gold and silver. It is possible that when someone does a *chessed* and lends money to another in need, the collateral that he takes from the poor man is unimportant in his eyes - like a “שִׁלְמָה”, a worthless cloak. However, to the poor man, what he had to give up was really a “שִׁמְלָה”, something that is of utmost importance to him. Especially if it is the only garment that both he and his wife have, like R’ Yehuda bar Ilaiy. The *Torah* hints at this by using both a masculine and feminine form of expression (קרי וכתבי), because it is of utmost importance to both the husband and wife, and it must be returned immediately.

We have to realize that when we do a *chessed*, it must be done with sensitivity to the person receiving the *chessed* as well.

DRUSH V'CHIDDUSH

לא תהיה אדורי רבים לעויות ... אדורי רבים לזנות וגו' (כג-ב)

The commandment to follow the majority leaves us with a lack of understanding. What does the last word “לרעות” come to teach us? If it is simply translated as “to do evil,” or following the majority of society or court, in perpetrating something which is bad - even if it is popular - than it would seem redundant. How can it refer to actual evil behavior on the part of the majority, if the *Torah* has already cautioned us against doing evil in all its previous teachings, continually stressing the importance of not falling victim to the trap of evil conduct “because everyone is doing it.”

Perhaps, explains **Rabbi Berel Wein Shlit’a**, the *Torah* is emphasizing the establishment of those standards of right and wrong that will not be subject to majority rule and changing societal circumstances. Moral behavior requires moral standards, a simple fact which has unfortunately been overlooked in modern social science. Indeed, for this very

EDITORIAL AND INSIGHTS ON THE MIDDAH OF עבודה

After delivering the Ten Commandments, and “starting us off” with a great deal of interpersonal *mitzvos* - *bein adam l’chaveiro*, *Hashem* now issues a new command: That we serve Him with all our might and in turn, He will bless us. It is interesting to note that the command here to serve *Hashem* is written in the plural form - “ועבדתם את ה' אלקיכם וברך את לחמך ואת מימך” - “I will remove sickness from within your midst,” is also written in the singular. When we will raise our collective voices Heavenward, and unify the entire Jewish nation around the flag of *Torah*, we may then merit the collective blessing *berachah* - spiritually and physically - to which the *Torah* refers.

R’ Tzadok Hakohen ZT”L, in **Pri Tzaddik** explains: *Avodah* represents the “service of the heart,” which refers to *Tefillah* - prayer. In this respect, prayer is different from other “services” in that each and every person has his own way, unique unto himself, in serving *Hashem*. Thus, *tefillah* is an *avodah* that is described in our *posuk* in a plural sense, since it takes on many different and unique forms and expressions. However, prayer also has the ability to unify individuals for the purpose of praising and glorifying *Hashem*. Although it may come from many different sources, the ultimate result is a unification of Jews in the service of *Hashem*. It is then, says the *posuk*, that *Bnei Yisroel* will collectively merit to receive a blessing on “*your bread and water*,” which *chazal* refer to as תורה שבכתב - *Written Law*, and תורה שבעל פה - *Oral Law*. An individual’s success in *Torah* is part of a collective blessing resulting from a unified devotion to *Hakadosh Boruch Hu*!

The same is true on a literal level as well. Unity in *Avodas Hashem* brings the Jewish people collective sustenance and personal health as well, because “*I will remove sickness from within your midst*,” is also written in the singular. When we will raise our collective voices Heavenward, and unify the entire Jewish nation around the flag of *Torah*, we may then merit the collective blessing *berachah* - spiritually and physically - to which the *Torah* refers.

דרגה יתירה

ועבדתם את ה' אלקיכם וברך את לחמך ואת מימך והסרת מחלה מקרבך (כג-כה)

FROM THE WELLSPRINGS OF R’ GUTTMAN - RAMAT SHLOMO

On behalf of thousands of Shomer Shabbos Jews - www.chickensforshabbos.com - the charity that simply feeds & clothes Shomer Shabbos Jews in Pretz, Yisroel with zero overhead