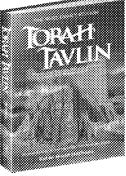


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A Torah Tavlin Publication
34 Mariner Way Monsey, NY 10952

שבת קודש פרשת משפטים - שבת מברכים
Shabbos Parshas Mishpatim
כ"ט שבט תש"ע - February 13, 2010
פרשת שקלים

מולד חודש אדר: זונטאג
(יום א) 2:27 AM מיש 12 חלקים

הגה"צ רבי גמליאל הכהן רבינוביץ שליט"א
ראש ישיבת שער השמים בירושלים עיה"ק

הגה"צ רבי גמליאל הכהן רבינוביץ שליט"א
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טיב התבלין

רעיונות ופירושים לעורך את האדם לעבודת
השניית והתחזקות באמונה ובטחון מאת

בעל הבור ישלם כסף ישיב לבעליו והמת יהיה לו וגו' (כא-לד) - זהירות שלא יצא ממעשיו חילול ה'

כפרש"י: בעל הבור - בעל התקלה, אף על פי שאין הבור שלו, שעשאו ברשות הרבים, עשאו הכתוב בעליו להתחייב עליו בנוקין: פירשו המפרשים בשם המזרחי, שהחידוש כאן הוא, שאפילו אם אדם עשה את הבור ברשות הרבים, והיינו שהמזיק כלל אינו שלו, מכל מקום ייחשב הוא לבעל התקלה. ואם בגשמיית הוא כך, על אחת כמה וכמה ברוחניות, שהמחלל ש"ש ברבים, כגון שמדבר באמצע קדיש או קדושה בבית הכנסת כנגד כולם, או שנכנס מאוחר לתפילה, שאחרים עלולים לראותו, ומתוך כך להקל בתפילה בציבור, שיהא נקרא בעל התקלה. אדם כזה, עלול להחטיא מאות אנשים, כי הדברים מתגלגלים ללא שליטה: אחד נכשל מחמת שראהו, שני ראהו את הראשון ונכשל גם הוא וכו', וכל ה'בור' - התקלה - הוא תהא נקראת על שמו, ועל אחריותו. לכן צריך האדם מאוד להיזהר בענין חילול ה', ובפרט אם הוא איש מכובד, שאפשר שילמדו ממנו יותר אנשים, עליו להיזהר יותר, וידע לקחי חיים ודברי התעוררות בסדרו עפי' פרשיות השבוע

כי תראה חמור שנאך רובץ תחת משאו וחדלת מעזבו לו עזב תעזב עמו וגו' (כג-ה) - בענין 'ביטול האנוכיות'

דאורייתא, הא עדיף ליה, והיינו שאם צעב"ח הוא ענין דאורייתא, היה עליו להעדיף 'פריקה' מעל 'טעינה בשונא'. ומתרגמת הגמרא 'אפילו הכי, כדי לכופ את יצרו עדיף'. ומדוע עדיף כפיית היצר על צער בע"ח. ויש לבאר, שענינה של מצוות 'פריקה', כדי להרגילו לרחם על הבריות, וכדברי החרדים הנ"ל, 'ונראה שזה ענין ממצוות 'והלכת בדרכיו', שפירושוו חז"ל, 'מה הוא רחום, אף אתה רחום וכו', וכתוב בו יתברך 'ורחמי על כל מעשיו'. והוסיף ה'חניך' (מצוה פ') 'משרשי המצוה, ללמד נפשנו במידת החמלה וכו' ואין צריך לומר שחובה עליו לחמול על האיש המצטער בגופו וכו'". והיינו שעליו לבטל את אנוכיותו ע"י שנחשוב על הזולת ונחוש את צערו. ולפי מה שבארנו שענין ה'פריקה' הוא ביטול האנוכיות, הרי שיש להעדיף 'טעינה בשונא', אשר בה יש ביטול האנוכיות יותר מאשר בפריקה אצל אהובו. (שבה יש גם 'אנוכיות', שהרי עוזר לאהובו, וכן אף ללא זה הרי שבכבישת יצר האנוכיות מבטלו יותר מאשר בשמירתם על הבהמה. בשבת זו שקוראים על 'פריקה' המלמדת על 'ביטול האנוכיות', קוראים גם ב'פרשת שקלים' שגם היא מלמדת על אי-אנוכיות, ו'איחוד הלבבות', (כיעונין ב'אלשיך הק') [כי תשא, 'זה יתנו וגו'] בשם ר' שלמה אלקבץ.

נמסל: Indeed, when we perform the mitzvah of hashavas aveidah, or when we teach our children to, we of course stress the importance of doing the mitzvah, but we sometimes miss a very important point: That by returning

הלכה למעשה

מאת מו"ה ברוך הירשפלד שליט"א
רב דקהל אהבת ישראל, קליבלנד הייטס

an item to its rightful owner, we spare that person the sorrow he would have had for his loss. The sensitivity that goes into this mitzvah is much deeper than simply giving back a lost item - we give the owner back his peace of mind.

A SERIES IN HALACHAH
LIVING A "TORAH" DAY
Halachos Pertaining to the "Torah" Table (59)
When Bread Becomes Mezonos: French Toast and Matza Brei. Last week we started discussing the concept of bread or matza losing its status of being a המוציא by being broken down to pieces less than a kazayis and being cooked, deep fried (1), or soaked till the water attains a white color (2). If fried regularly (without being submerged in oil as in a deep fry), there is a doubt whether it is a המוציא or ממונת and it should be eaten in a meal of bread or matza when he is anyway bentching (3). This is relevant to French Toast and Matza Brei. If he wants to make it a sure ממונת, he can cook the pieces in hot water on a flame for half a minute and then it stays a ממונת no matter what the recipe calls for afterwards. In all of the above cases, if the pieces are a kazayis volume, it remains a המוציא. Some people make their French Toast and Matza Brei with kazayis-size pieces and simply wash and bentch. Matzo Mehl (Flour) Recipes - Cooked. Matza Mehl recipes are a very complicated topic by the poskim. It is hard to fulfill all of the opinions, and the following is this writer's attempt to give a straight-forward set of halachos based on the Mishna Berura (4) and the common minhag; not necessarily fulfilling all opinions, but having on what and

הוא היה אומר
R' Yosef Chaim Sonnenfeld ZT"l would say:
"If a poor man asks for a loan and there are no others around to serve as witnesses, and they have no documents between them, one is exempt from the mitzvah of lending money to a poor man, so as not to transgress the prohibition of 'Do not place a stumbling block before the blind.' This, too, is hinted in the posuk: 'אם כסף תלוה את עמי' - If one lends money, it must be 'with my people' - with other witnesses. However, if one is asked to donate to: 'העני עמך' - to give charity to the poor, then it must be 'with you' - the donor alone and no one else, so as not to embarrass the taker."
Maharal M'Prague, R' Yehudah Loewy ZT"l (Gur Aryeh) would say:
"Every human being was created with the potential to elevate himself spiritually and recognize the One True G-d, Hashem. An idol-worshipper, though, has never reached this spiritual potential. On the other hand, animals cannot elevate themselves, having reached their full potential at birth. Thus, Rashi tells us that 'a dog is more honorable than an (idol-worshipper),' for the dog has already fulfilled his spiritual potential, whereas the idolator has not."
R' Mendel Kaplan ZT"l (Yeshivah of Philadelphia) would say:
"Learning Torah is very hard, but living without learning Torah is even harder!"
WITH MUCH GRATITUDE AND THANKS TO THE RIBONO SHE'OLAM,
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(3) משנה ברורה קסחנ"ו (4) קסחנט

מעשה אבות ... סימן לבנים

ובכל אשר אמרתי אליכם תשמרו ושם אלהים אחרים לא תזכירו לא ישמע על פיך וגו' (כג-יג)

There was a certain student who was a regular at the daily *shiur* of R' Sholom Schwadron ZT"l, but it happened that he missed three nights in a row. R' Sholom went to visit him at his home to see if he was all right. When he got there, the student informed R' Sholom that he was fine, but due to a certain conflict he had, he wouldn't be able to make it to the *shiur* for the rest of the week. R' Sholom became concerned and inquired as to the student's problem.

The student hesitated. "Rebbe, it's hard for me to say. It's embarrassing. But don't worry, I'll be back next week!"

R' Sholom said, "Embarrassing? Why are you embarrassed? You can tell me - unless it's personal." R' Sholom urged him with love and patience. "Tell me, what's happening this week and not next?"

R' Sholom wouldn't let up so the student finally obliged. "I'll tell you the truth, this week is the soccer championship tournament and the hours of the games clash with the nightly *shiur*. Rebbe, I love the game and many of the players - and when the game is being played, I cannot bring myself to forgo the game to come to the *shiur*."

There was silence for a moment as R' Sholom digested this information. Then, the usual twinkle came back into his wise and loving eyes, and he said with enthusiasm, "Okay, I hear. But to tell you the truth, I don't really understand. I'm very interested in learning the secret joy of this sport. I would be very happy to hear how to play this game."

So the fellow explained the game to R' Sholom and stressed that when one is able to kick the ball into the goal, that is the zenith of joy. R' Sholom made a face as if he didn't understand and asked, "What's the big deal to kick a ball into a goal? Come with me and I'll show you how I can kick twenty balls into the goal as fast as lightning!"

The fellow smiled, "Oh, but there's one more thing. There is a guard, called a 'goalie' who stands by the goal and tries to stop the ball from going in. The trick is to outsmart him and get it past the goalie. That is the beauty of the game."

"I don't understand," asked R' Sholom, "This goalie is in front of the goal 24 hours a day? He eats and sleeps there?"

"Of course not!" laughed the fellow, "He's only there during the game - afterwards he goes back to his daily living."

"Oh!" said R' Sholom with that familiar glint. "So what's the problem? Let's go to the goal at night when the goalie is not there, and then we'll be able to kick as many goals as we want!"

The fellow raised his voice and said, "Rebbe, the goalie is only there during the game. And besides, what's the big deal to kick a goal if no one is there to try to block you. The mastery and wisdom of the game is only when there's a challenge, when someone is trying to prevent you from kicking it in. When you succeed, that's the real joy and achievement!"

R' Sholom stood up and exclaimed in a loud voice, "My friend, let your ears hear what your own mouth is saying! Do you think that coming to the *shiur* next week is a big achievement? You want to learn next week when you have no games preventing you from coming? Big deal! That's nothing special. The great 'mastery and wisdom' as you put it, is when there are 'goalies' - in other words opposition - standing guard by the door of the *Beis Medrash*, telling you to go someplace else, preventing you from entering and learning." R' Sholom gazed lovingly at his student. "But when you outsmart the goalie and 'kick a goal' by coming inside the *Beis Medrash* - why, that is the epitome of joy and achievement!"

The fellow nodded intently, but he was still unsure. "But I don't know"

"Chazal teach us: 'לפום צערא אגרא', interjected R' Sholom forcefully. "Remember, don't break the rules of the game. Come to the 'goal' of the *Beis Medrash* even when it's hard - especially when it's hard - and that will be the greatest joy." He then gave the fellow a hearty handshake and walked out.

The following night, right on time, the fellow showed up for the *shiur*.

משל' למה הדבר דומה

כי תפגע שור איבך או חמרו תעה השב תשיבנו לו וגו' (כג-ד)

משל' A five year old boy had just started learning *mishnayos* when his father proudly brought him for a blessing to the *Chevron Rosh Yeshivah*, R' Simcha Zissel Broide ZT"l. R' Simcha Zissel smiled broadly at the boy and asked him what he was learning.

"Perek Elu Metzios," the child replied.

"Let me ask you a question," said the *Rosh Yeshivah*. "What kind of *metziah* (lost object) would you like to find - one with an identifying sign or one without?"

"With a sign," came the quick reply.

"Why?" asked the *Rosh Yeshivah*, surprised.

"Because it's possible to return a *metziah* with a sign on it, since the owner hasn't lost hope of finding it, and he's sure that the lost object will be returned to him."

R' Simcha Zissel looked at him in sheer amazement, and said to his father, "He's not crooked yet. He understands that *hashavas aveidah* (returning a lost object to its owner) is not only about the pleasure of the finder who performs the *mitzvah*, but also about sparing the owner sorrow that he lost the object. It is a very *glatt* (straight) thought."

אם במחזרת ימצא הגנב והכה ומת אין לו דמים וגו' (כג-א)

The *gemara* (יומא פה) states: "R' Yishmael expounds: *How do we know that פיקוח נפש (Saving a human life) overrides the (prohibitions) of Shabbos? As it says, 'If a thief is discovered while in the act of breaking in, and he is struck and killed, there is no guilt on his account.'* This thief, about whom it is unknown if he broke in to steal money or to harm/kill the inhabitants - and killing another human is so dreadful that it causes the Shechinah (Divine Presence) to depart from Israel - and yet one may save his life (by killing him); how much more so is saving a life so important that it overrides the prohibitions of Shabbos."

As is well known, in Brisk "Pikuach Nefesh" takes precedence over just about anything. Since the laws of *Shabbos* may be suspended to provide necessary medical care to a critically ill person or to one in the likelihood of danger to life, "Briskers" take this very seriously. To bring home this point, R' Joseph Ber Soloveitchik ZT"l told over the following story about when he was a small child and his father took him to Brisk for *Shabbos* to visit his grandfather, R' Chaim (Brisker) Soloveitchik ZT"l.

On Friday night, little Joseph Ber complained that there was a problem with his throat. A doctor was quickly summoned and told the little boy to open his mouth. As the doctor strained to peer in his throat, R' Chaim asked if he needed more light to see better. The gentile doctor replied, "That is not a bad idea." Immediately, R' Chaim ordered his son, R' Moshe, to raise the flame on the light. R' Moshe hesitated since the doctor didn't actually say that he needed more light. R' Chaim was annoyed at his son for he felt that this may turn into a life-threatening situation, so he told R' Simcha Zelig Riger ZT"l (Chief Dayan of Brisk) to turn up the flame. R' Simcha Zelig did so without hesitation.

EDITORIAL AND INSIGHTS
ON THE WEEKLY MIDDAH OF ...

לשון הרע

When the *Torah* tells us that we may not accept a false report (שמע שוא), says Rashi, it is referring to the *אזהרה* (warning) of not listening to LASHON HARA. We must realize that listening is as grave a sin as actually speaking *lashon hara*. The three words preceding the *posuk*, "לא תשא שמע שוא," are - "לכלב תשליכון אותו" - "To the dog(s) you shall throw it." Why? In order to tell us that one who listens to *lashon hara* is worthy of being thrown to the dogs!

So what should one do when suddenly the person next to you starts speaking *lashon hara*? The best thing to do is STEP 1: Tell the person straight out - "This is, or might become, *lashon hara*!" This way you are preventing yourself and the other person from sin. If this is impossible for whatever reason, then go to STEP 2: Change the subject! Say something like, "I have enough faults of my own," or "I wouldn't want others to say that about me," or "Oh, I forgot to tell you" (In a really tough situation, you can begin coughing uncontrollably and everyone will run to bring you a drink! Then when everything is calm, immediately begin speaking about something else; no one will remember what you were talking about before! (I tried it - it works!) If this also fails, then go to STEP 3: LEAVE! (or stick your fingers in your ears!) If you can't leave (say, you are an airplane pilot and your co-pilot starts speaking *lashon hara*), follow this 3-point formula: 1. Don't believe it. 2. Be unhappy that the *lashon hara* is being spoken. 3. Don't show that you agree in any way.

So stop listening to - and speaking - *lashon hara*, because really, how long can you keep your fingers in your ears?

TORAH GEMS

ועבדתם את ה' אלקיכם ובדך את לחמך ואת מימך והטוהר מזהל מקיבך (כג-ה)

The Apter Rov, R Avrohom Yehoshua Heschel ZT"l writes that the righteous who spend extra time pursuing *Torah* and *Tefillah*, "ומלאתן מתברכת," - "Their Torah protects them and their labor is blessed." This is alluded to in our *posuk*: "You shall serve Hashem, your G-d, and He shall bless your bread and water" - the fruits of your labor shall be realized, "And I shall remove illness from your midst" - The *Torah* shall protect you from the pain and suffering of illness.

The Chofetz Chaim ZT"l was once at a meeting regarding the building of a hospital in a certain city. Several wealthy men had each pledged to donate a number of beds to the new hospital and the Chofetz Chaim thanked them deeply.

While the meeting was still in progress, a group of local *yeshivah* students entered, wishing to see the Chofetz Chaim. The *tzaddik* received them graciously, and invited them to sit at the head table with him. These actions caused some eyebrows to be raised among the wealthy men there, and one of them gathered up his nerve and asked outright, "And how many beds are these students donating?"

Without missing a beat, the Chofetz Chaim responded, "Each one of them is donating fifty beds."

"Fifty beds?" The rich merchant gaped. "How is that possible? We are all wealthy men, yet none of us had pledged more than ten beds. And you want to tell me that these *talmidim* are giving fifty apiece?"

"Yes," answered the Chofetz Chaim. "Each of them is giving the hospital fifty beds that do not exist. As *Torah* protects the townspeople from illness, and these young men are studying *Torah*, they are thus ensuring that there will be fewer sick people in the town. They are reducing the number of hospital beds needed by fifty apiece ..."

דרגה יתירה

FROM THE WELLSPRINGS OF
R' GUTTMAN - RAMAT SHLOMO

לא תשא שמע שוא אל תשת ירך עם רשע להיות עד חמס וגו' (כג-א)

אזהרה