

ONEG SHABBOS

הריני בא ללמוד תורה לשמה לעשות נחת רוח לאבינו שבשמים

פרשת צו
י' ניסן תש"פ
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All the good that Hashem does for us



Rabbi Uri Debson
Director of Schools, JLE



אם על תודה יקריבינו... (זיב)

'If he offers it by reason of thanksgiving'

The Ramban in last week's *parsha*, regarding the *pasuk* of "אשה ריה ניחוח לה", argues against the Rambam's approach and offers a fascinating insight to explain the mechanics and fundamental understanding of a *korban*. One who has sinned and strives to attain purity, starts the process by leaning on the animal, corresponding to the action-component of the sin. This is followed by *viduy* - verbal confession - corresponding to the speech inherent in the sin, and then by the burning on the *mizbeach* of the innards and kidneys, which are the organs of thought and desire. Finally, the *kohen* sprinkles the blood of the animal on the altar, corresponding to the blood of the soul. All this, says the Ramban, is planned so that whilst the *korban* is being offered up, the person contemplates that he has sinned to Hashem with his body *and* his soul, and that the appropriate *teshuva* is for his body to be offered up and his blood to be spilled, were it not for the grace of Hashem who has taken a substitute from him: the *korban*. A life for a life.

Thus, watching the animal burning on the *mizbeach* was intended to be an emotional and thought-provoking event, during which the person sees himself going through the process

- engendering a change within and allowing him to emerge from the *Beis Hamikdash* as a different individual, transformed by the experience.

However the *korban todah* is fundamentally different. A *korban* brought to atone for a sin fills a void - and cleanses. A *korban todah* on the other hand, has no void to fill. On the contrary, it is coming from a deep sense of gratitude and a burning desire to thank Hashem for having been saved during a perilous and dangerous journey. If so, according to the Ramban, what change is supposed to take place in our internal reality when we bring a *korban todah*?

The answer is that the very bringing of that *korban* (or nowadays the reciting of *Birkas Hagomel*) should create a complete metamorphosis! Thanking Hashem for that particular experience should lead us to think about all the other goodness that Hashem does for us. The *korban* sets the tone to raise our awareness, to enhance our sensitivity; and similar to all other *korbanos*, should engender fundamental change - in this case a newfound appreciation to all the good in our life!



When a young man, who had been married for a year, was blessed with a baby girl, he asked Rav Shach whether or not he should make a small *kiddush* to celebrate the occasion. "Suppose you were married for 8 years without children", said Rav Shach, "Would you make a small *kiddush* then, if you had a baby girl? Now that Hashem saved you seven years of anguish, shouldn't you be even more inclined to express your gratitude to him?"

The story is told of a pious Jew who would dance each and every time he exited the bathroom, over the numerous miracles that had taken place. Maybe in these difficult times that *Klal Yisrael* and the world are living through, we can all be *mechazek* in thanking Hashem for the functioning of our incredibly intricate and complex body. When we acknowledge that a virus - only a nanometer in size - has sent the entire world into chaos, let us say *Asher Yatzar* clearly and with concentration, which as the Chazon Ish wrote, is the biggest blessing and *shmira* for health. May we all be healthy and well, so we will be able to be *mekabel Mashiach* in this month of *Geulah!* ■

This week's Oneg Shabbos is dedicated as a *zechus* for the *Refuah Sheleimah* of all those affected by COVID-19.

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R' Mendel Berlin

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This week's *parshah* talks about the garments that the *kohen* wore while doing his duty in the *Mishkan* and later in the *Beit Hamikdash*. The Torah tells us that after the *kohen* completed his offering, he would change his clothes.

The Gemara in Yoma explains that the *kohen's* changing of his clothes was an act of “אָרַךְ אַרְךְ – politeness”, because a servant does not pour wine for his master wearing the same clothes that he cooks for him in.

Rabbi Gifter zt”l used to say that we can learn a very big lesson from this saying from *Chazal*. A human king has many servants and people working for him, each one playing a different role and filling a different position. A cook is not going to serve the king, because it is not respectful enough for a king to be served that way; instead specially designated servants are brought in to accomplish this job. When it comes to serving Hashem, instead of telling us that a different *kohen* should assume the job of taking out the ashes, the Torah tells the same *kohen* to change his clothes and complete the process himself. You know why this is so? Since every aspect is an act of serving Hashem, it does not matter how lowly it may look in human eyes; it is, in fact, magnified in the eyes of Hashem.

Someone who did a *mitzvah*, one that is seemingly small and common, has still fulfilled Hashem's will, and is truly worthy of His praise. We can never treat him as having a lower status just because the *mitzvot* that he did may seem smaller than ours. Take a look in Pirkei Avot 2:1: Rebbi said, ‘Be as careful with a “small” *mitzvah* as you would be with a “big” *mitzvah*, because you don't know the reward of *mitzvot*.’

Dearest friends, it is commonplace for us to look down on certain people for not living up to our standards of observance. We may see them transgressing *Shabbat* and think, “we didn't see it but we know it happened”, or “that person may not have transgressed *Shabbat*, but that does not mean that they kept *Shabbat*; it just means that they happened not to transgress it.” Yet if you are sitting at a table with a person who is just starting



to become religious or returning to religion, this may be the first *Shabbat* they have kept in a while. If they are keeping *Shabbat* and not transgressing it, then that makes them *Shomer Shabbat*.

Let us never judge a person who we may see doing a *mitzvah* on a lower level than ourselves or maybe even higher. Perhaps for them to do that *mitzvah* may have been harder than for someone else to do a thousand *mitzvot*. We have no idea how much one *mitzvah* is worth. So let us grab as many *mitzvot* as we possibly can and let's ask Hashem for those who need healing, *shidduchim*, children or *parnassah*. May we be blessed to have the most awesome, gorgeous, beautiful, peaceful, happy, healthy, amazing, relaxed, spiritual and sweet *Shabbat*. ■



For questions on Divrei Torah, please email the editor Rabbi Yonasan Roodyn at editor@oneg.org.uk



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SHABBOS HAGADOL

The *Shabbat* that precedes the holiday of Passover has been named by Jewish tradition as *Shabbat Hagadol* – The Great *Shabbat*. Over the ages, there have been numerous explanations and comments as to why this *Shabbat* is set apart from all others. The view that is recorded in Rabbinic literature is that this *Shabbat* marks the anniversary of the Jewish People's preparation of the sacrificial lamb for the Passover offering, while they were yet in Egypt awaiting their imminent deliverance. Other reasons for the name have also been offered; all reasons and comments have merit and have been treasured in Jewish life over the centuries.

Allow me to introduce another idea that I feel has relevance and importance. Passover represents freedom from bondage, a release from slavery and the ability for myriad possibilities of self-growth and accomplishment. However, human history testifies to the fact that freedom carries with it many responsibilities and dangers. In fact, over human history there has been no consensus as to what the true definition of freedom is or should be.

Humans vacillate from unlimited hedonism and unbridled licentiousness on the one hand and tyranny of thought, action and conformity of society on the other. Everyone claims to speak in the name of freedom, but we are aware that all ideas of freedom are subject to interpretation and circumstance. For many people, freedom of speech only applies to speech that they approve of and agree with; this is true for all freedoms to which we pay lip service. We find it hard to stomach ideas of which we do not approve.

Therefore, there is a necessity for education and training in order to, somehow, see to it that freedom is properly defined and implemented in society. *Shabbat* is that training ground for freedom. In its essence, and paradoxically through its restrictions, it frees us from the chains of everyday life that so bind and constrict us. It allows for a freedom of the spirit and the imagination, for thought and for rest, which are almost universally absent from our regular six-day workweek.

The Talmud even elevated this concept to a new height by saying that freedom was inscribed on the Tablets of the Law that Moshe brought down from Sinai. Only by understanding the Divine law and by appreciating one's role in the universe that G-d created, can one achieve a proper understanding of the gift of freedom. It is obvious that misapplication of freedom has led to untold tragedies for millions of people over the history of mankind.

The responsibilities of freedom are great and demanding; they require perspective and inner discipline. These items are the gifts of *Shabbat* to the Jewish people, for they shape the

ideas and goals of freedom for all those that partake of the holy nature of that day. Without education and training for freedom, freedom itself may become an unbearable burden and a liability instead of an asset.



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Perhaps this *Shabbat* becomes The Great *Shabbat* because it teaches us how to be free and protects us from the lethal dangers of misapplied freedom. Freedom is not measured only by outside forces, governments and societal pressures. It is really measured by the internal emotions and mentality of the individual. One can live in the freest of societies and yet feel that one is a captive and a slave.

There is a scene described in a book written by one of the Russian Jewish dissidents; he was in a cell with a clergyman of another faith, a monotheistic believer and a person who was moral to his very core. In one of the many discussions that this Jewish dissident had with his cellmate, they both concluded that only in this dungeon did they feel completely free; and though they both desired to be released from the prison, they agreed that they probably would never again feel themselves to be as free as they did at that moment in the darkness of the jail.

All the rules and ideas that are expressed in the Torah are meant to give us this emotion of freedom. Freedom is the connection of ourselves to our inner soul and to the Creator that has fashioned us all. ■

It doesn't matter how small or how big

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Not Doing (Forbidden) Things in Halves



Rabbi Immanuel Bernstein
Journeys in Torah based on the
Meshech Chochmah

כָּל חֶלֶב שׁוֹר וְכֶשֶׂב וְעֹז לֹא תֹאכְלוּ
Any fat of oxen, sheep or goats you shall not eat (7:23)

Tosafos' Question: Two Teachings for a Half-Measure?

Although one does not incur a punishment¹ for eating something forbidden by the Torah unless he eats a *kezayis* (olive-volume) of that food, nevertheless, even less than that amount, known as *chatzi shiur* (a half measure) is also forbidden by the Torah. The source for this prohibition, as expounded by the Toras Kohanim to our *pasuk*, are the words “כָּל חֶלֶב – any fat” which are explained to mean “any amount of *chelev* (fat),” i.e. even less than a *kezayis*.

This *drashah* is cited by the Gemara in *Maseches Yoma*² where it also mentions a basis for the prohibition of *chatzi shiur* based on *sevara* (reasoning). The *sevara* invokes the concept of “חֲזִי לֹאִיצְטְרוֹפִי – fit to combine,” and states as follows: since a half-measure of a forbidden food is fit to combine with another half measure to equal a full measure that incurs punishment, it stands to reason that the half-measure itself should be forbidden. Tosafos³ raise a simple question:

- Generally speaking, whenever there is a reason based on logic, a teaching from the *pasuk* to that effect is considered unnecessary and hence redundant. This being the case, why do we need the *drashah* of “כָּל חֶלֶב” to prohibit *chatzi shiur* when it is already covered by the reasoning of “fit to combine” as expressed by the Gemara?

“Fit to Combine” – Understanding the Concept

The Meshech Chochmah responds to Tosafos' question by stating that although the idea of *chatzi shiur* generally can be explained by the reasoning of “fit to combine,” a special *drashah* was required for the case of *chelev* specifically. In order to understand

why this is so, he prefaces by analysing the concept of “fit to combine” itself. The basis of this idea is that although a half-measure carries no punishment, it is inconceivable that it is actually permitted by the Torah. The very fact that consuming a *shiur* of this food would incur liability indicates that the food itself is inherently objectionable, for otherwise, why would increasing the amount consumed make it a punishable offense? It should be the equivalent of consuming two half-measures of permitted food! It is only with regard to punishment that we consider the amount consumed, for that reflects the severity of the person's transgression.⁴ In other words:

- While the **punishment** for eating forbidden foods may be dependent on the **quantity** consumed,
- the **prohibited nature** of that food itself is a function of an objectionable **quality** within that food – in any amount.

Why is Chelev Forbidden?

Having thus understood the idea of “fit to combine” as the logical basis for the idea of *chatzi shiur*, we now proceed to consider Tosafos' question as to why a special *drashah* from our *pasuk* was needed for *chatzi shiur* of *chelev*. The answer, says Meshech Chochmah, lies in the way the Torah presents the punishment for this prohibition. *Pasuk* 25 states:

כִּי כָל אֲכַל חֶלֶב מִן הַבְּהֵמָה אֲשֶׁר יִקְרִיב
מִמֶּנָּה אֲשֶׁה לַיהוָה וְנִכְרַתָּה הַנֶּפֶשׁ הָאֲכָלָתָּ
מֵעַמִּיָּה

For anyone who eats the fat of (the species of) an animal from which one may bring a fire-offering to Hashem, the soul that eats will be cut off from its people.

The Torah appears to be stating that the objectionable nature of eating *chelev* lies in the fact that it is something which is eligible to be offered on the *mizbeyach*. In other words, the prohibition stems not from the repugnant nature of *chelev*, but, on the contrary, from its exalted nature as something which should be



offered to Hashem. What does this have to do with *chatzi shiur*?

The *halachah* states that any item offered on the *mizbeyach* requires a minimum of a *kezayis* in order to fulfill the *mitzvah*.⁵ This being the case, the general reasoning of “fit to combine” would not apply, for we could reason that since the essential problem with *chelev* is that it should be offered on the *mizbeyach*, not consumed by people, an amount less than which could be offered on the *mizbeyach* (a *kezayis*) should be permitted! It is for this reason we need a special *drashah* to prohibit a *chatzi shiur* of *chelev*, to teach us that even less than an amount that could actually be offered on the *mizbeyach* nonetheless partakes of the objectionable quality diverting it for human consumption.

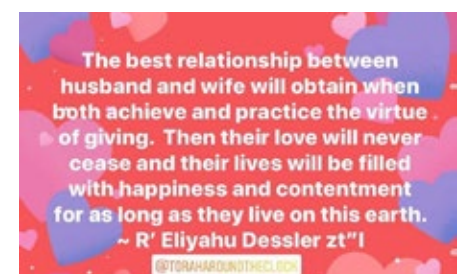
¹ E.g. *malkos* (lashes).

² 74a.

³ Ibid. s.v. *keyvan*.

⁴ The Meshech Chochmah adds that, in this respect, it is no different from the idea that if a person were to eat two *kezaysim* of the same forbidden food he would incur two sets of *malkos* (in a case where he was warned by witnesses regarding each *kezayis*).

⁵ See Menachos 26b.



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Double Entendre in the Word "Hoda'ah"

Among the sacrifices mentioned in this week's *parsha* is the Thanksgiving Offering. The Medrash says that in the future all the sacrifices will be nullified, except the Thanksgiving Offering — because there is always need to give thanks.

Rav Hutner z"tl, makes a very interesting point. "Todah" [thanks] comes from the word "hoda'ah," meaning giving thanks. However, the word "hoda'ah" also means to admit (as in the expression *Hoda'as ba'al din k'meah edim dami* – an admission of a litigant is like one hundred witnesses).

Rav Hutner says that it is no coincidence that the word for thanking and the word for admitting are one and the same. In order for a person to give thanks, he must be able to admit that he needed help. The first step in being grateful to someone for doing something for you is the admission that you needed help and that you are not all-powerful. Therefore, the Hebrew word for thanks and for admission are the same.

How do we know whether an occurrence of the word "hoda'ah" means admission or thanks? Rav Hutner says that we need to look at the preposition that comes after the word. The word "hoda'ah" — meaning admission — is always followed by the Hebrew preposition "sheh..." [that]. The word "hoda'ah" — meaning thanks — is always followed by the Hebrew word "al ..." [for].

In Davening, there is the *bracha* of *Modim*, called the Blessing of "Hoda'ah". How does it read? "Modim anachnu lach sheh..." This indicates that the first thing we must do is not thank G-d, but admit to G-d that we are dependent on Him. Once we come to that understanding, then we are ready for the end of the blessing where we say "Nodeh lecha... ..al..." — we thank You for... . *Birkas HaHoda'ah* is thus a two-stage blessing. It begins with the *hoda'ah* of admission and then climaxes with the *hoda'ah* of thanking at the end. ■

We Can't Appoint an Agent to Say 'Thank-You'

I recently saw a beautiful insight in the Avudraham. When the *Chazan* says *Modim*, the congregation recites a prayer known as "The Rabbis' *Modim*". Why is that? We listen silently during most of the repetition of *Shmoneh Esrei*. Why is *Modim* different? The Avudraham says that for all blessings in the *Shmoneh Esrei* we can use the services of an agent. 'Refa'einu - heal us', 'Bareich aleinu - bless us with a good year' and so forth have messengers — the *Shliach Tzibbur* can say the blessing for us. However, there is one thing that nobody else can say for us. We must say it for ourselves. That one thing is "thank you". *Hoda'ah* needs to come from ourselves. No one can be our agent to say 'thank you'. ■



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A Baby's Cry

Rabbi Sholom Ber Avtzon

Once, while the Chassidic Rebbe Rabbi Shneur Zalman of Liadi (known as the Alter Rebbe) was at home immersed in learning, he heard the cries of a baby.

Interrupting his learning, he went down the stairs and lovingly picked up his grandchild who had fallen out of his crib. Holding the infant until his cries subsided, he put him back in the crib and rocked him gently for a short while until the baby fell back to sleep.

The Alter Rebbe's son, Reb Dov Ber, who would become known as the Mittlerer Rebbe, was in the same room as his baby but was so engrossed in his learning that he was oblivious to everything that had happened.

When Reb Dov Ber finally felt his father's presence, the Alter Rebbe rebuked him and said: "One must never be so immersed in his studies [or the service of Hashem] that he does not hear the cry of a child. ■

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PART 2

THE ORIGINS & SIGNIFICANCE OF THE ARAMAIC LANGUAGE

The first article explored the origins of the Aramaic language and identified various instances of its use in Tanach. This second article of the two-part series explores the use of Aramaic in the era following the canonisation of Tanach through to the time of the Rishonim. It presents some reasons why Aramaic rather than Hebrew was chosen when composing certain parts of Jewish literature and liturgy over the centuries.

MISHNAIC HEBREW AND THE TARGUM

Aramaic's popularity at the beginning of the era of *Bayis Sheni* caused Nechemia to bemoan the fact that the children of those living in mixed marriages in *Eretz Yisroel* could no longer "speak in the Jewish Language (*Yehudis*)" (Nechemia 13:24). Aramaic's popularity would result in Hebrew being the preserve for *tefillah* and the learned scholars, whereas Aramaic became widespread among the lower classes of the population in their daily life. Hebrew itself, although rooted in the fabric of our nation, continuously became exposed to the influence of Aramaic. Under this influence, a new form of Hebrew developed, namely that of Mishnaic Hebrew which was a continuation of the Hebrew of the Tanach tinged with Aramaisms; this was to be used in composing the Mishnah in the period of the last two or three centuries before the Common Era. We even have Mishnayos (for example, Eduyos 8:4, Avos 2:6) composed entirely in Aramaic; *Tanaim* like Hillel and R' Akiva were accustomed to framing their sayings in Aramaic rather than Hebrew – for example, Shabbos 31a, Avos 1:13 and Berachos 60b.

The oldest literary monument of the Aramisation of *Klal Yisroel* was the Targum, the translation of the Tanach into Aramaic. The Targum of the Torah dates back to the times of Ezra, who instituted translation of the Torah text into Aramaic to meet the needs of unlearned Jews, to whom the Hebrew of the Torah was unintelligible. The Aramaic translation of the Neviim was composed by Yonasan ben Uzziel based on a tradition going back to the last prophets: Chaggai, Zechariah and Malachi (Megillah 3a). The obligation of *shnayim mikra ve-echad targum* derives from the aforementioned Targums and is codified in the Shulchan Aruch (Orach Chaim 285:1). The precision of the translation of the Targums is recorded in Kiddushin 49a where Rabbi Yehudah says that one who translates a *possuk* literally, without the use of Targum, is a liar and one who adds his own translation is tantamount to one who curses and blasphemes Hashem.

LANGUAGE OF AMORAIM

Whilst the Mishnah of Rabbi Yehudah Hanasi was written in Mishnaic Hebrew, it was written in summarised form, providing headlines of the Halacha and tradition, rather than the details and sources supporting them. It was left to the generations post-destruction of *Bayis Sheni*, namely the Amoraim of *Eretz Yisroel* and *Bavel*, to decipher the details and sources supporting the rulings of Mishna. The Talmud Bavli and the Talmud Yerushalmi represent the "minutes" of the debates, lectures, and deliberations of the various Yeshivas and as a generality were written in Aramaic, the vernacular of the time.

The Talmud Yerushalmi was written in the period 400-500 CE in Western Aramaic, the dialect of the Galilee region, where the Jews would reside under the Roman and later the Byzantine rule, after the destruction of *Bayis Sheni*. Western Aramaic was influenced primarily by the Greco-Roman culture, which is evidenced by the number of Greek and Latin words in the texts of the Yerushalmi, as well as many Midrashim which were composed in the Byzantine era. On the other hand, the Talmud Bavli was written in the period 500-600 CE in Eastern Aramaic, which was the language employed by writers in the Lower Mesopotamia region between the 400 CE and 1200 CE, influenced primarily by the Persian language. This explains the use of Persian words which occur now and then in the Bavli (for example, Avodah Zara 24b) as well as discussions of their culture (for example, Berachos 46b).

ARAMAIC BECOMES A LANGUAGE OF CONCEALMENT

Over the centuries, Aramaic seems to transform from being the vernacular and understood by the masses, to becoming almost a cryptic code used as a means of concealing the holiness of various ancient texts. If we take *Kaddish* as an example, it was composed in Aramaic because it is a language that the angels don't understand; this was due to the concern that if the angels were aware of the powers of *Kaddish*, they



Zvi Yosef Sacho
Baal Koreh and Maggid Shiur of
5-minute Daf Yomi vort

would somehow become jealous of *Klal Yisroel* (Tosfos Berachos 3a, Shabbos 12b). On the other hand, we have an instance of Aramaic, rather than Hebrew, being used as a means of communication to the angels directly (who seem to now understand Aramaic) in the somewhat controversial *tefillah* of “*Machnisei Rachamim*” which is said at the end of *Selichos* during *Ellul* and *Aseres Yemei Teshuva*. In fact, the *Zohar* was written in 13th Century Spain by Rabbi Moshe de León in a distinctive Aramaic dialect, which draws on the language of the Bavli and the Targum Onkelos Aramaic translation as well as on creative pseudo-Aramaic translations for medieval Hebrew words. This allows the author to use its Aramaic language as means of preventing indiscriminate access to this holy work on mysticism. Similar *piyyutim* such as *Akdamus* and *Yetziv Pisgam* (both recited on Shavuot) authored by the early Rishonim, were written in terse Aramaic as a means of concealing their unique holiness.

CONCLUSION

Aramaic is an ancient language inextricably linked with the Jewish people, tracing its origins from the time of Adam Harishon, then to Avraham and continuing in the chain of tradition right to this very day. Although the language is no longer the vernacular of the Jewish people today, it remains very important in terms of the transmission of *Torah SheBaal Peh*, the Targum as well as *tefillos* and many legal documents. It is also noted that Aramaic somehow has the ability to act as a secret code to conceal the hidden messages within some of our holiest texts, but at the same time is able to act as a conduit to transcend into the upper realms of *Shomayim*.

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The Kuzari: In Defense of the Despised Faith (The Torah Classics Library) (English and Hebrew Edition), Yehudah HaLevi (Author), N. Daniel Korobkin (Translator), 2013.

What's the Story?



**Osher
Chaim
Levene**

Everyone loves stories.

Stories are the events related by a narrator or written down by an author.

Stories may be fictitious or true. They can be set in bygone ages, in contemporary times, or in a projected future era. But the overriding purpose of a story remains the same: it enables the listener/reader to experience events and, in the process, learn something from them.

Stories are commonplace within Judaism. The biblical events within Tanach document the historic destiny of the Jewish People throughout the prophetic era. The Talmud includes many anecdotal or fantastical stories that teach important lessons. There are the inspirational accounts of great Jewish personalities in every age. And there are the brilliantly constructed parables by the Dubner Maggid and others. The Chofetz Chaim would advise teachers: “*alleh mohl mit a ma’aseh* – always with a story.”

What is the great attraction of stories?

Stories are central to teaching about the human experience. Facts and figures are dry and boring. A cold recounting of information holds little interest. But a storyteller’s most engaging factor lies in its human dimension – especially in the ability to relate events from the subjective viewpoint of one or multiple characters.

Storytelling is a highly effective human art form. Stories are always personable because they are about persons. Stories play to this strength. Their human element is something which every human – regardless of background and age – can relate to. Therefore, stories are a great medium to drive a point home.

The main function of a story is never the story itself but the lessons to be learned out of the story.

A central obligation on Seder night is to recite the Haggadah, which relates the story of the Exodus. Every Jew is obligated to experience, elaborate, and to re-live the coming out of Egypt. Why is this? It is because the Pesach story is forever relevant. It is not a history lesson relating to the past but a reality-check of the present. The Pesach story is the bedrock of Jewish faith and goes to the root of our identity. It defines a Jew as a member of the Jewish nation – one universally tasked with fulfilling the Will of G-d and of sanctifying His Name in the world. The Haggadah teaches Divine Providence in the supernatural miracles. It shows how G-d is in control of every event within creation. Furthermore, it teaches the timeless lesson of how Divine destiny is intertwined with Jewish destiny.

This is our story and is surely the greatest story ever told.



Business

WEEKLY

ועשית הישר והטוב (דברים ז)

Rabbi Meir Orlian

Halachah Writer, BHI



Restoring the primacy of Choshen Mishpat
Under the auspices of Harav Chaim Kohn שליט"א

CASHBACK AND POINTS!

Mr. Krumbein just received a new credit card with significant benefits. He gets 5% cashback on appliance purchases, and also an introductory bonus of 50,000 points for \$5,000 usage during the first month.

"My fridge just broke," his neighbour, Mr. Brayer, lamented to him one day. "I have to replace it; it's a big expense!"

"Sorry to hear," Mr. Krumbein said. "If you want, I'm happy to charge it to my credit card. You can pay me at your convenience in the coming weeks."

"Thanks for the offer," replied Mr. Brayer. "Why would you do that?"

"My new credit card provides great benefits," answered Mr. Krumbein. "We both gain; you can pay me at your convenience, and I get the benefits!"

"I see...," said Mr. Brayer. "Let me consider this for a moment."

Mr. Brayer thought it through. "I'm happy to charge it to your credit card," he said, "but I'm concerned about *ribbis*."

"What's the problem?" asked Mr. Krumbein. "You only have to pay me the cost of the fridge, nothing extra!"

"The way I see it, you're offering to lend me money for a few weeks, so that you gain cashback and points," explained Mr. Brayer. "I'm concerned that this may be considered *ribbis*, since you're gaining from your loan to me!"

"I never thought of that," acknowledged Mr. Krumbein. "But it's not like I'm really lending you. I don't pay my bill for another three weeks, anyway. I'm also not getting anything extra from you, just from the company."

"But because of me, you're getting benefits from the credit-card company," pointed out Mr. Brayer.

"I don't know," said Mr. Krumbein, thoughtfully. "I also don't want to violate any issue of *ribbis*. I suggest that we ask someone."

"I have Rabbi Dayan's number," said Mr. Brayer. He called Rabbi Dayan and asked:

Is there a violation of *ribbis* if the cardholder gets benefits from my purchase?

"This arrangement is permissible," answered Rabbi Dayan. "First of all, if you pay Mr. Krumbein immediately upon using the credit card, he is not lending you at all. However, if you pay him later, and certainly if you pay after the



payment

due date, it is

considered a loan, since Mr. Krumbein assumes full responsibility to pay for the purchase already now" (Y.D. 170:1-2).

"Nonetheless, there is no concern of *ribbis* in this case," continued Rabbi Dayan. "The *Gemara* (B.M. 69b) teaches that the Torah prohibited *ribbis* only from the borrower to the lender. However, a third party is allowed to pay the lender from his own pocket to grant a loan to the borrower, provided that the third party does not collect what he paid from the borrower afterwards, and that the borrower does not tell the lender that the third party will pay on his behalf. Some also require that the lender does not initiate and request of the third party to pay the lender, but others allow this" (Y.D. 160:13; *Shach* 160:18; *Bris Yehuda* 6:1-4).

"Conversely, a person can pay a third party to arrange an interest-free loan for him, since in this case, the borrower does not pay the lender, but rather pays the broker. The third party should not then pay anything to the lender, since this could lead to *ha'aramah* (deceptive circumvention)" (Y.D. 160:16).

"In your case," concluded Rabbi Dayan, "Mr. Krumbein does not get any benefit from you. The cashback and points from the credit card company are given automatically when using the card, unrelated to whether you pay Mr. Krumbein immediately or later. They are also not given on your behalf or upon your instruction, so that there is no issue of *ribbis*, even though Mr. Krumbein benefits from the loan" (*Bris Pinchas*, *Sefer Hateshuvos* 9:112).

Verdict: There is no concern of *ribbis* when you allow someone the use of your card to gain the cashback or points benefits.



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Rabbi Ari Bensoussan

Of course, a person has an obligation to try to make *parnassa*. We need to do *hishtadlus* to earn money.

However, we have to also understand and remember that we should not go so crazy as to lose the important time we need with our children or have it affect our family. This should never bring us to have arguments between siblings about inheritances or other things.

We must internalize that in the end, these are just challenges and nothing more! Hashem is the only One who decides how much money a person will have. Nothing that we do can change that amount. Therefore, we must always be scrupulous in how we obtain our money.

We are looking at this world from such a small place. It is like viewing everything that happens through a keyhole. We are not really seeing the entire picture.

Only Hashem has the entire picture. This is part of *emunah* and *bitachon*; knowing that Hashem will do the best thing for me no matter what and nothing I do can change the results!



📖 SHEMIKAS HALOSHON

FOOD FOR THOUGHT TO SPARK CONVERSATION



THAT EXPLAINS EVERYTHING

YOU HEAR A NEGATIVE REPORT ABOUT SOMEONE AND IT PROVIDES THE PERFECT EXPLANATION FOR A SITUATION YOU HAVE OBSERVED WITH YOUR OWN EYES. MAY YOU BELIEVE THE REPORT?

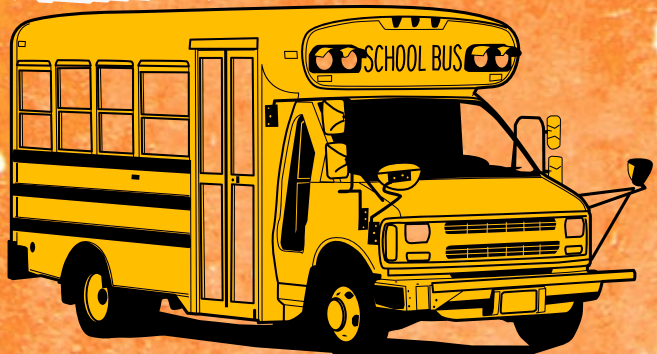
THE DILEMMA

Lately, you've been noticing that your formerly outgoing neighbor barely speaks to you as you stand together waiting for your children's school bus to arrive. One day a different neighbor tells you, "Miri decided that the people in this neighborhood are snobbish and she is looking to move out." Since Miri's standoffish behavior seems to prove the truth of the report, may you believe it?

THE HALACHAH

In the case of both *loshon hora* and *rechilus*, you're allowed to accept as truth a report that's backed up by conclusive circumstantial evidence. In the case at hand, though, you are not allowed to accept it as truth. There may be countless other reasons why your neighbor is not her normal ebullient self.

Sefer Chofetz Chaim, Hilchos Loshon Hora 7:10



The Chofetz Chaim Heritage Foundation

Reviewed by Rabbi Moshe Mordechai Lowy. For discussion only; actual halachic decisions should be made by a rav or halachic expert on a case-by-case basis.

HALACHAH Highlight

WALKING WITH PRAMS / CARRIAGES AND RIDING BICYCLES ON SHABBOS

רבי שמעון אומר גורר אדם מטה כסא וספסל ובלבד שלא יתכוין לעשות חריץ - כט

Rebbi Shimon says that a person can drag a bed, chair, and bench (along the ground), as long as he does not intend to make a ditch. - 29b

This case is the classic case of *davar she'aino miskavein*. A person does an action and does not intend to do a *melachah* on Shabbos through that action, yet the *melachah* happens anyway. It is permitted to do this action on Shabbos, even though there is a possibility that *melachah* will occur, as long as one does not intend for the *melachah* to happen.

What is the *halachah* regarding walking with a large baby pram / carriage on soft earth? Based on what we said, it seems clear that if the carriage will definitely create a small ditch in the ground, it would be prohibited to drag it along the ground. However, the Magen Avraham¹ says that things that are extremely heavy are always forbidden to drag on Shabbos, even on regular floors, in order to ensure they are not dragged on dirt floors where they would definitely create a ditch. Does this mean that a carriage that is very heavy, or a mountain bike, cannot be used on Shabbos?

The Yechaveh Daas² says that nowadays most carriages, even heavy ones, and also mountain bikes, do not dig up the ground.

One might say that they would easily make a path in dirt or sand, and therefore they should be prohibited. However, Kitzur Hilchos Shabbos³ quotes the Minchas Yitzchak as explaining that creating a ditch means that dirt is actually dug up from the ground (i.e. the leg of a heavy chair pulling up ground), not flattened underfoot. The Minchas Yitzchak there agrees that this problem does not affect carriages. It would seem that the same could be said about mountain bikes (as opposed to bicycles of many years ago⁴).

However, almost all *Poskim* (among them the Shemiras Shabbos Kehilchasa⁵) have said that it is prohibited to ride a regular bicycle on Shabbos, even in a place where there is an *eiruv*. Some of the reasons given are:

1. The person might leave the *techum Shabbos*
2. Many bicycles break often, causing concern that the person might come to fix the bicycle on Shabbos
3. *Uvdin d'chol*, meaning it is a weekday activity which is not compatible with *Kedushas Shabbos*⁶

Even if one would argue with the reasons given, the custom is generally to be stringent. Even the Ben Ish Chai in Teshuvos Rav Poalim⁷, who was originally lenient, is said to have retracted his opinion⁸.

1 אורח חיים שלוש, וכ"כ המשנה ברורה שם בס"ק ד'.

2 יחווה דעת ח"ב ס"ב.

3 סי' ז ס"ב, ועי' במקורות


4 עי' בשו"ת רבי עזריאל הילדסהיימר (אור"ח סי' מט) שבאמת אסר מטעם חריץ

5 קפה סי' ז

6 עי' בצ"ץ אליעזר ח"ז סי' ל, ובבאר משה ח"ו ס"ז-ז, ובכף החיים (סי' תד אות ח'), ובליקוט יוסף בסי' שלוש שהביא כמה דעות בזה

7 אור"ח סי' כה

8 עי' בליקוט יוסף שם בהערה ג.



Gift Kindness Hacks

One of the offerings mentioned in this week's *parsha* is the *korban todah*- the Thanksgiving Offering.

Rooted in the genetic makeup of the Jewish people, is the ability to thank. This is denoted within the essence of our Hebrew name 'Yehudim' which is connected to the word 'hoda'ah-thanks'.

Rav Hutner zt'l makes a very interesting point. The word 'hoda'ah' can mean both 'give thanks' and also to 'admit'.

This is no coincidence.

In order for a person to give 'thanks', he needs to first be able to 'admit' that he needed help!

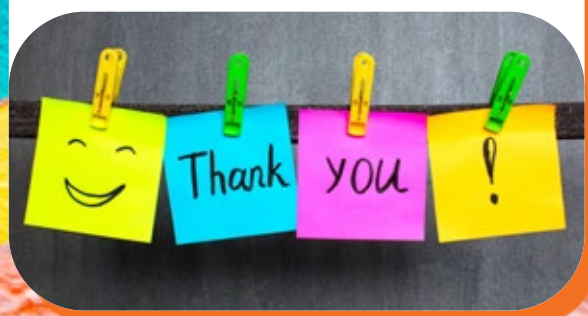
Humans are born with an instinct for independence, and therefore often don't want to 'admit' needing help. Needing helps means admitting to vulnerability and to not being perfect. We can go so far as to trick ourselves and deny that we received good!

The first step to gratitude, is admitting that we needed the help in the first place.

Once we accept this, we can then move on to expressing our sincere thanks to the one who has helped us.

The Medrash tells us that, in the future, other *korbanos* will become nullified; there will be no need to bring them. But there will always be a Thanksgiving Offering — for "hoda'ah" will never be nullified. There's always need to give thanks.

Be humble, be vulnerable. Be grateful.



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פרשת צו

The verse says, “Behold, I send you Eliyahu the Prophet before the coming of the great and awesome day of Hashem. And he will return the hearts of fathers to children and the hearts of children to their fathers, lest I come and strike the land with destruction” (3:23-24). What is the meaning of this returning, and why is there such a great threat if it is not done?

The Malbim explains that Eliyahu will inspire everyone to do *teshuva*, until the sons, who were cast off from the Torah of their fathers, will return to their father’s ways. With this, the hearts of the fathers will again be restored and focussed on their children. Perhaps we can suggest another interpretation. The last Mishna in Sotah describes what will occur during the time before Moshiach. There shall be “no rebuke.” No one will be able to stand up and tell someone that he is wrong. “Elders will stand in the presence of youngsters,” and “the face of the generation will be like the face of a dog.” What is the meaning of “the face of the generation is like the face of a dog”? When you see a man and a dog, it appears as though the dog is leading the master, as he is going first. In reality, the master is leading the dog, who looks back to see if his master is there. Rav Elchonon Wasserman says that a leader must be one who guides his followers, one who uses his wise judgement to tell people what to do. However, in our generation, leaders are often those who follow the whims and desires of the people. Democracy assumes that all men are equal, and crucial decisions are made following the will of the majority. The problem is that the man with the vote is not necessarily the most well-informed to be involved in making crucial decisions.

Rav Elchonon says that this is like one who passes an inn, and sees one hundred drunkards rolling around outside. They ask him why he isn’t joining them, as he is in the minority. Similarly, we see that it is only opinions that have basis that count; anything else is like following the one hundred drunkards. Imagine someone sitting at a lecture in Advanced Physics at Harvard. The atmosphere is tense as the Professor explains the finer details of the splitting of the atom. Suddenly, from the back, someone shouts out, “You’re wrong, that’s not how you do it; I’ve got a much better way!” Imagine the gasps of horror, or perhaps the laughter from other listeners as this nobody challenges the top Professor. They’d probably call

Security. Yet in matters of Torah and *hashkafa*, it seems that everyone has an opinion, to blurt



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out whatever they feel like, without the slightest basis, even against the *Gedolim*. The opposite is called *emunas chachomim*. A key facet of Judaism is that we listen to our Sages, since they are able to interpret Hashem’s word and guide us based on what the Torah says. Only a *Talmid Chochom* can make such crucial decisions. It is their holiness, purity, and vast knowledge (all of which comes from their Torah learning), coupled with their *middos*, that gives them this authority. There are no shortcuts. *Talmidei Chachomim*, therefore, have the ability to see matters with proper perspective, taking all factors into account, rather than being blinded by one factor and then making a decision. It is only with Eliyahu’s coming that the young will once again return to following and seeking council from the Sages, and listen to what *Gedolei Yisrael* have to say, rather than often waging open war against them.

The Chofetz Chaim didn’t want a Rabbinic position; somehow he was persuaded to accept for a certain reason. Yet, he only accepted on two conditions. The first was that he should not receive any salary, as he didn’t want to be beholden to the people. The second was that they accept his rulings or else he would leave. They accepted the first condition and carried it out to the letter. However, one day he issued a ruling that people didn’t like; they made a fuss, and indeed the Chofetz Chaim took the cue, and that was the end of his tenure in the Rabbinate. ■



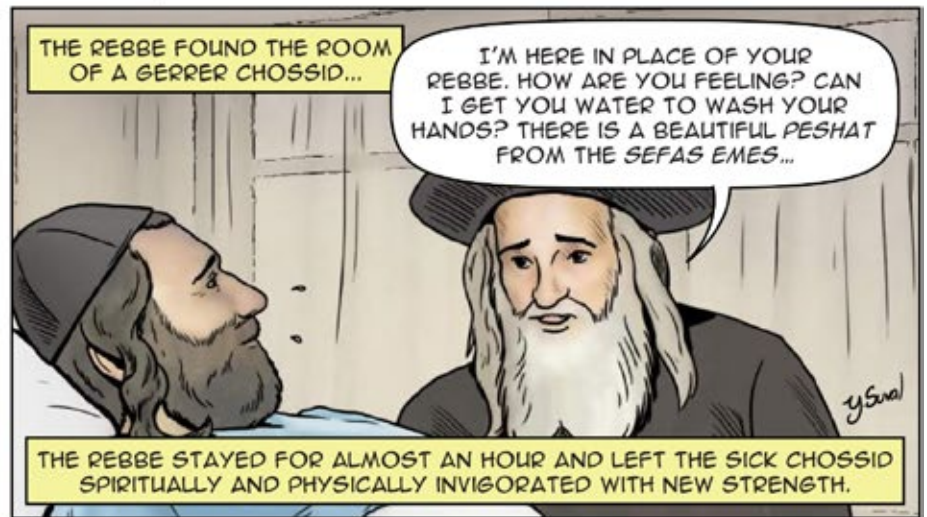
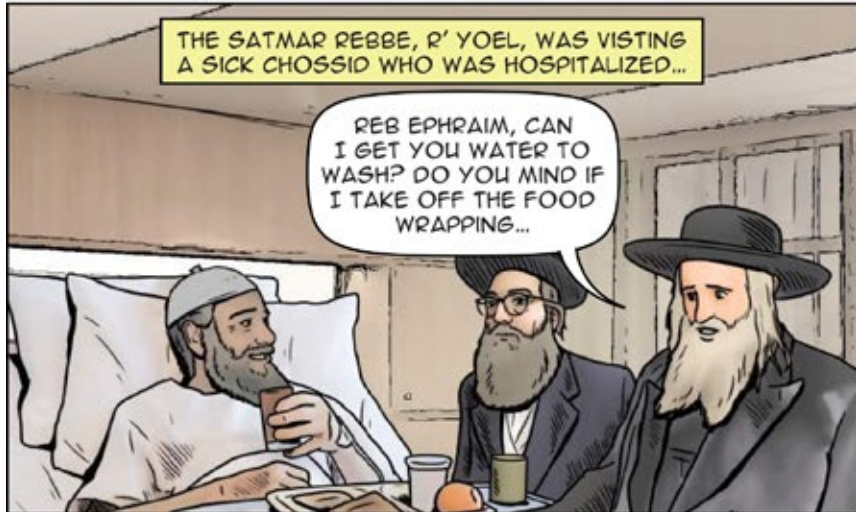
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R' YOEL TEITELBAUM נצ"ל, THE SATMAR REBBE, WAS BORN IN Sighet, ROMANIA TO יום טוב ליפא, THE REBBE'S FATHER, AND חנה (ASHKENAZI). "REB YOELISH" (AS HE WAS FONDLY KNOWN) TRACED HIS ANCESTRY TO THE מהרש"א AND THE רמ"א. HIS MAIN רבי WAS HIS FATHER. AT THE AGE OF 17, HE BECAME רב OF MUSZA IN CZECHOSLOVAKIA. AFTER APPOINTMENTS IN SEVERAL OTHER PLACES HE BECAME רב OF SATMAR FROM 1935 TO 1944. HE WAS ONE OF THE SELECT HUNGARIAN JEWS SAVED ON THE KASTNER TRANSPORT. IN 1946, AFTER A YEAR IN ישראל, HE IMMIGRATED TO NY AND SETTLED IN WILLIAMSBURG. THERE יואל ר' REBUILT FROM THE ASHES THE VIBRANT SATMAR COMMUNITY AND WAS DIRECTLY RESPONSIBLE FOR THE REBIRTH OF תורה AND חסידות IN AMERICA. HE FOUNDED A NETWORK OF חדרים, חנויות, קהילות, ושיבות, חדרים, AND בתי דינים, AND מוסדות חסד AND נפשיות IN BOTH ישראל AND THE DIASPORA AND WAS ONE OF THE BIGGEST DISTRIBUTORS OF צדקה FOR ישראל AND בני ארץ ישראל. IN 1974, WITH A FORESIGHT OF ANTICIPATED GROWTH, HE ESTABLISHED THE FLOURISHING COMMUNITY OF קרית יואל. HIS BRILLIANCE IN תורה AND PROPHECIC UNDERSTANDING OF CURRENT ZIONISM CAN BE FOUND IN HIS ספרים, ספרים, AND יואל משה, ספרים.



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