

Volume III Issue #16
Written by Rabbi Yair Hoffman

Parshas Beshalach, 13 Shevat, 5783
February 4, 2023

On the Parsha

This week's Parsha discusses the exodus from Egypt. Regarding the exodus, the Yalkut Shimoni (Tehillim 819) cites Rabbi Pinchas in the name of Rabbi Hoshiyah: "Hashem took hold of the legs of Yaakov Avinu and placed them on the ocean. He said to him: 'Witness the miracles that I am performing for your descendants...'"

There are three questions we may ask on this slightly perplexing Midrash.

- 1) Why did Hashem need to bring a witness for the miracles that he performed for Bnei Yisrael?
- 2) Why was Yaakov chosen as that witness?
- 3) Why does the Midrash say that Hashem took hold of Yaakov's legs?

Yaakov is associated with the Midah of Emes – truth. Rav Shaul Yedidya Elazar Taub ZT"l (1886-1947), better known as the Modzitzer Rebbe, an extraordinary Torah scholar and master composer of Chassidic melodies, (see Yisa Bracha Vayikra p. 106) says that Bnei Yisrael were redeemed in the merit of their ability to see and implement the trait of Emes – truth, as we say each and every day in our prayers (in "Ezras Avoseinu"), "Emes MiMitzrayim G'altanu..." – Truly [or because of truth], from Egypt, You have redeemed us.

Where do we find Bnei Yisrael practicing the Midah of Emes? We find that they admitted to themselves that they were unworthy of redemption (please see Emes Parsha Sheet Volume III - Issue 13). They saw their own flaws and had no hubris or false self-worth. Hashem brought a witness to the miracles that he was performing as if to say to Bnei Yisrael, "Witness why you are being redeemed!" This was a powerful message to Bnei Yisrael and one that Hashem delivered so Bnei Yisrael could see where they had excelled and how they had merited redemption.

With this explanation, we can readily understand why Hashem chose Yaakov as the witness. As we mentioned above, Yaakov is associated with the Midah of Emes. Hashem's message was that you were redeemed because of your Midah of Emes.

Why did Hashem take hold of Yaakov's legs? It was to allude to the fact that "Sheker – Ain Lo Raglayim" – falsehood has no legs to stand on, it eventually crumbles like a house of cards. It is only the truth, that truly "has legs" and permanence.

With this understanding, the Modzitzer Rebbe interpreted the words of the Hagaddah, "In each and every generation a person is obligated to see himself as if he himself was redeemed from Egypt". The explanation is that each one of us must be honest with ourselves and see ourselves as we are, with all our character flaws, as Bnei Yisrael did in Egypt when they acknowledged that they were unworthy of redemption.

Chizuk - Inspiration

In Israel, there is a property tax called "Arnona". It is a tax imposed on the residents of a municipality for the purpose of financing the operations of the local authority. The main criteria to determine the amount of property tax that one must pay are: (1) The use of the property (residential, commercial, offices, etc.), (2) the particular area in which the property is located, and (3) the income level of the resident. Parenthetically, there was a different tax called Arnona mentioned in the Talmud which was imposed by the Roman Empire. However, the property tax that we are referring to was first introduced during the British Mandate in 1934.

There was a Kollel student who posed a question to Rav Elyashiv ZT"l regarding what he owed for his Arnona. Since it is relatively easy to apply for a discount based upon one's income level and if the property has been vacant during the year, the student

asked various questions about what the exact parameters are for these two factors. The Kollel student asked questions such as, “Can I combine Pesach, Sukkos and the Summer to say that it was empty for two months during the year?” and “Do I have to include Kollel and tutoring income when stating my income?”

Rav Elyashiv answered, “I do not know whether it is permitted, and I do not know whether it is forbidden – I do know, however, that you should stay away from all of this – this is not the path for a Ben Torah. With Torah, one must always walk straight – without Shtiklach (dishonest ploys)!” (Derech Midos p. 36)

Halacha – Jewish Law

May a lawyer or To'ain represent a litigant in a Beis Din or court of law, when he knows that his client is lying?

Although this is a very complex topic, the short answer is that he should not advise him in a matter nor represent him if he knows that he is lying. He should urge him to present the truth before the Beis Din or court [See Sinai Vol. XXX pp. 46-61; XXXI pp 165-183]. The prohibition of representing someone who is certainly lying applies even when the lawyer's client and the opposition are Gentiles (See Rav Yechezkel Tauber's Maishiv Bahalacha Siman 85).

The reasons for the prohibition are actually three-fold: (1) We are enjoined to stay far away from a false matter (Midvar Sheker Tirchak). (2) There is a Mitzvah of V'halachta Bidrachav - we must walk in Hashem's ways, and one of Hashem's ways is Emes. (3) There is a Torah prohibition of Lifnei Iver (do not put a stumbling block before the blind, i.e. cause another to sin) and there are similar Rabbinic restrictions of Mesayei L'ovrei Aveirah – enabling evil doers.

When a lawyer represents a client that he knows is lying, he is causing and enabling him to lie. There may be times when a client will falsely say that he is guilty to protect another party. A Rav must be consulted regarding whether a lawyer may represent a client in that case.

Mussar – Introspection

We continue with our translation of the fourth chapter of the Chofetz Chaim's Sefas Tamim.

“Such a person (who engages in deception) will, at the very least, have to return and be reincarnated in order to pay back what he has stolen as is elaborated upon in many sources. And so wrote the Vilna Gaon in his commentary on Mishlei, on the verse, ‘A true witness saves lives, but he who speaks lies is [a man of] deceit.’ (Mishlei 14:25)

With this, I explained the Midrash in Koheles (11:9) [King Solomon says] Rejoice, O youth, in your childhood, and let your heart bring you cheer in the days of your youth, and go in the ways of your heart, and in the sight of your eyes, but know that for all of these, Hashem will bring you to judgment.’

It is a parable to one who ran away from the Kustinar (a judge appointed by the king). The guilty party ran away and the judge ran after him. Onlookers said to the guilty party, ‘Do not run so far, so that you will not have so far to return.’ Therefore, it states, ‘but know that for all these, Hashem will bring you to judgment...’

The matter is somewhat perplexing, but according to this, it all makes sense. King Solomon is teaching the nation about the secrets of Gilgul – reincarnation. He tells us that it is true that in this world you have free will to do what your heart desires - to steal, to rob, to oppress, and even to negate every positive Mitzvah in the Torah. But you must know, that the more you run away from Hashem in this world – on all of them – Hashem will bring you back there [to Olam Habah – the World to Come] in judgement. And you will afterwards be forced to come back again and again [through reincarnation]. And you will be forced to rectify your actions. And if so, why do you run away? It is like the master who tells his student, ‘Why do you run away from school only to be punished needlessly? In the end, you will be forced to learn as I have commanded you. It is far better for you to stay here and do as I tell you and be called a good student.’”