

# הלכה למעשה

מאת הגאון מו"ר הרב ברוך חירשפלד שליט"א  
ראש כולל עשרת חיים ברוך, קליבלנד ווינסט

*Mechuser Amana.* If the recipient is a poor person, the one who spoke must give it because with *tzedaka* it becomes a *neder*. **Causing Another Party Monetary Loss.** Sometimes, renegeing on a verbal commitment can actually create a monetary obligation. The following case is an example. A back-yard camp allows ten children per summer and a place was reserved for Leah, completing the ten. The camp head turned away other applicants once Leah reserved since the camp was now full. Later on, a few weeks before camp begins, Leah's mother backs out, however, now it is too late to get any of the applicants who were turned away originally as they made other arrangements. In such a case, the family is obligated to pay the entire summer's fee (3). If the camp saves money and hard work because of Leah's absence, a commensurate deduction is made to the fee. If Leah's mother was forced to back out because of unforeseeable and compelling reasons [i.e. having to leave town with Leah to take care of a grandmother who suddenly fell ill], than there would be no monetay obligation on the part of Leah's mother.

## A SERIES IN HALACHA LIVING A "TORAH" DAY

### Monetary, Interpersonal Laws and Din Torah (3)

**Breaking a Verbal Commitment.** We now turn to the fourth category of lying, in our ongoing series. If one made a verbal commitment to do something for another person who is relying on that commitment and then he changes his mind for no satisfactory reason, *Chazal* (1) call him a "*Mechuser Amana*" - one who lacks trust. He cannot be taken to *Beis Din* to be forced to honor his verbal agreement but the *Chachamim* strongly criticize such an action when one does not follow through on his agreement. If a change of circumstance arises which causes one to back out of his stated commitment, there is a question in the **Shulchan Aruch** (2) if one is permitted to back out of it. One should consult a *Rav* in such a case.

Similarly if one tells another person that he will give him a "small" present, the receiver is relying on the giver's words and if he backs out, he is deemed a *Mechuser Amana*. If it was a commitment to give a "large" enough gift to make the recipient a bit skeptical about receiving said amount, he is not deemed a

## בין הריחיים - תבלין מדף היומי - בבא מציעא פת

and he explains that this was discussed amongst the *Rav* brings the *posuk* that asks "על מה אבדה הארץ" - "שלא ברכו בתורה תחילה" but they couldn't find the reason for the until חורבן הקב"ה said the reason was "על עובם את תורתך". *Rav* says this means, By not making this *bracha*, they showed that they weren't learning, because then the reason for the חורבן would've been obvious to the חכמים. Rather, the generation was עוסק בתורה constantly. This perplexed the חכמים, until the הקב"ה who knows the הלב of everyone, said that they weren't learning. Consequently, since it wasn't חשוב to them, and didn't make the *bracha*. The **Rashi** explains that they didn't recite the first *bracha* of the morning is sufficient, because we never really are *Torah* even during work. So, since this generation was *מסיה* from *Torah* even during work, they should've made another *bracha*, but didn't. This is what is meant by *שלא ברכו בתורה*. The *Shema* says this *psht* is because otherwise the *עניש* would seem too harsh.

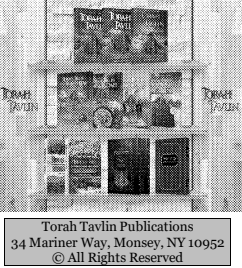
Even while one is working, he should have in mind to be *ע"פ* the *Torah* and that he is working to earn a living so afterwards he can be *עוסק בתורה*. This is what is meant by *עוסק בתורה* during their work day and only the *קב"ה* knew. This is in-line with the *ראש* who *paskens* making 1 *bracha* a day in the morning is sufficient, because we never really are *Torah* even during work. So, since this generation was *מסיה* from *Torah* even during work, they should've made another *bracha*, but didn't. This is what is meant by *שלא ברכו בתורה*. The *Shema* says this *psht* is because otherwise the *עניש* would seem too harsh.

The *Brachos* says, "ברכת התורה צריך לומר בה מאור", "The *Brachos* says that this *bracha* should be made in the morning because otherwise the *עניש* would seem too harsh." *Brachos* says, "ברכת התורה צריך לומר בה מאור", "The *Brachos* says that this *bracha* should be made in the morning because otherwise the *עניש* would seem too harsh." *Brachos* says, "ברכת התורה צריך לומר בה מאור", "The *Brachos* says that this *bracha* should be made in the morning because otherwise the *עניש* would seem too harsh."

(1) בבא מציעא מט. (2) חושן משפט ר"ד (3) שם ר"ג

**R' Yosef Shmuel Yoviner *shlita* (Ish Echod)** would say: "The *parsha* of *shemita* is known as the *parsha* of *emuna*. The next *parsha* in the *Torah* is about one who sells himself as a slave. What is the connection between these two *parshiyos*? Perhaps a lesson to be learned is that if one has *emuna* in *Hashem* that everything will be good, redemption will be given to the land. However, if a person does not have the correct trust and belief in *Hashem*, he can fall so low as to eventually sell himself as a slave."

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Cities Edition

ל"ב בעומר - פרק ד' דאבות

# שבת קודש פרשת בהר - י"ז אייר תשפ"ד Shabbos Parshas Behar - May 25, 2024

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## טיב התבלין

מאת הגה"צ רבי גמליאל הכהן רביעוביץ שליט"א, ר"י שני חשמים ירושלים עיראק

המסכן שפוטר מעבודתו. הרי יותר מסתבר לומר כי כלל לא היה מיוזם להמעיב, ודראיה, כי כשהוציא את עצמו להמעיב, התקבל אצלו בחביבות. רק מה? עם הזמן התברר שאין הוא מוכשר לאותה משימה שלשמה התקבל. ואם פנים הדברים, מובן מאליו שהמעיב, דראשון הוא גם האחרון, כי גם אם ימציא המפוסר את עצמו למעיב, וקרום לודאי שהלה יצדיק את הפיטורין... כשהתורה מצוה על הצדקה ואומרת 'החזקת בו' הפיצה היא שבכך יוטב לו להעניי תיכף ומיד, ולא להשהות את צדו חלילה כדי להרחיק על ידי זה. והן אמת שיש להקדים עניי הרחוק ביותר, אבל להשהות את שיעורו של הנוקם חמת נגיעות ופניות - אסור! והוה שפירש רש"י: אל תניחוהו שידר יפול ויהיה קשה להקימו, אלא תיכף משעת מוטת הדין עליו להלך חושים לסייעו. ואז על פי רוב לא יודקו והחיל על כך מעות לרוב, אלא במעט השתדלות או בעצה ובהדרכה יכולים להלצו. אולם רש"י גם הבין משקולו של היצר שיעדיף להמתין... על כן המשיל את משלו למשאוי שעל החמור, שאם מבחינים שמת ליפול ועדיין לא נפל יכול אחד לתפוס בו ולהקמינו, אולם אור שגפול לארץ, גם חמשה אין מעמידין אותו. כמו כן כשאין מזורז לסייע להעניי שעה אחת קודם, ציטרכו לרבים שסייעו לו, ומלבד מה שמעות ישראל החולים לאבדון לא תהיה בידי חמשה בכדי להקמינו, ובהכרח יעשו 'מגבית' לרבים ואז ככל שיוגדל הפרסום כך יוגדל בוינו, מלבד צדו ובינוי מרוב הימים שיעברו עליו, ועל כן אין כל זה מצדיק ה'רווח'...

פרט זה הוא 'המחשבה' לדרוכו של היצר, ומכאן עלינו ללמוד על כלל התחומים שבעבודת ה', כי בכל תחום מנסה הוא להעדים את האדם ולהליב לבנים לשיטתו המופרכת ולהצדיקה, אולם בינה ניתנה לו לאדם להבדיל בין צדק לצדק. האדם בטחון בשם ב"ה, כי כל המוצא עם לבבו לתת ולהפקיד לעולם כל גדולי קרקעותיו ונחלת אבותיו הגדלים בכל שנה אחת, ומלומד בכך הוא וכל המשפחה כל ימיו, לא תחוק בו לעולם מרת החילות הרבה ולא מיעוט הבטחון, עכ"ל. וא"כ מי שאינו שומר שמיטה אינו אלא מחסוך בטחון בהשג"ת. והוה הטעם לחומר חטא זה, שהוכיח הגרא"א (אבן שלמה פ"ג) מהגמ' ביומא (ט, א) וז"ל: "ועידיך הכל הוא הבטחון, ומי שהוא מחוסר בטחון אין תורתו מתקיים בידו וכו', וכל שלבו טוב במדת הבטחון אין עליו פני שיעור, אבל עליו פני הבטחון. הוא יותר טוב ממי שמחוסר בטחון שעי"ז בא לידי קנאה ושנאה, אע"פ שעוסק בתורה ובגמילות חסדים שכל זה אינו אלא לעשות שם", עכ"ל. ויש לבאר דבריו על פי מה דאיאת בסנהדרין (קו, ב): "אמר רבי: ארבע מאה בעייתו בעו דואג ואחיותופל במגדל הפרוה באויר, ולא איפשט להו זה. אמר רבא: רבותא למכעי בעיי... אלא הקב"ה ליבא בעי". ע"כ. וביאר התורת חיים וז"ל, "שהכל תלוי בלב כי בו משכן הנשמה, וכל האיברים גרדי בתריה, וכל העוסק בתורה ומצות ואין לבו לשמים, הרי הוא כגוף בלא נשמה, ונמשל כבהמות נדמו, והיינו דאמר בפ"ב דפרקי אבות רואה אני את דברי ר' אלעזר בן ערך שאמר לב טוב מדברים, שבכלל דבריו דברים, עכ"ל. וא"כ י"ל שזוהו כוונת הגרא"א, דכיון שהכל תלוי בלב של אדם, מי שאינו בוטה בה, חסר בכל עבודתו להשג"ת. וא"כ מובן מדוע חמור המחלל שמיטה שגורם גלות.

## עדותיך אתבונן

לפנינו מאת הרב אברהם יוסף אבן שמואל שליט"א, בעל שו"ת אברהם

ועשיתם את הקני ואת משפטי תשמרו ועשיתם אתם וישבתם על הארץ לכמה... (כה-ה) - בענין מהות מצות שמיטה (פרש"י): 'וישבתם על הארץ לכמה, שבעון שמיטה ישראל גולים, שנאמר (ויקרא כו, לד) אז תרצה הארץ את שבתותיה ורדת את שבתותיה, ושבעים שנה של גלות בכל, כנגד שבעים שמשות שבטלו הדין, עכ"ל. הרי חוינן גודל החומר של העון של המחלל שמיטה, שגורם גלות. וכן תנן במתני (אבות ה, ט): 'גלות בא לעולם על עובדי עבודה זרה ועל גלוי עריות ועל שפיכת דמים ועל השמטת הארץ', ע"כ. ופי' רש"י (שם): 'ועל שמיטת הארץ. שלא שבתה ארצם בשביעית אלא ורעו וקצרו', עכ"ל. וכבר עמדו המפרשים על דברי המשנה, דמהו ההסבר בזה, דנימא שעון שמיטה איכילל בכל הג' עבירות התמורות, בשלמא על הג' עבירות התמורות מובן מדוע העונש הוא חמור כל כך שהני עבירות הם חמורות ביותר מכל העבירות שבתורה, וע"כ חייב למסור נפשו ולא לעבור עליהם. אבל מדוע עון שמיטה חומר כל כך? ונראה לומר בביאור דברי המשנה בהקדם ביאור מהותו של מצות שמיטה, שידוע שכל המפרשים האריכו לבאר שמצות שמיטה מיסוד על מרת הבטחון. וז"ל החינוך (מצוה פ"ד) בביאור מצות שמיטה וז"ל: 'ועוד יש תועלת אוד נמצא בזה האדם שיוסיף

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# מעשה אבות ... סימן לבנים

צדיק יסוד העולם. גלה מדרש הנעלם. יכול לפטור העולם. אדונינו בר יוחאי ... (פזמן ל"ג בעומר)

With the official announcement by Israel's Homefront Command (*Pikud HaOref*) canceling the *Meron Lag Baomer* celebrations due to the ongoing war in Gaza and security precautions, thousands of Jews are busy arranging rides and buses to a quiet and little-known cemetery in New Jersey, where the *kever* of the previous **Bobover Rav, R' Naftali Tzvi Halberstam z"l**, known affectionately to all as "**Reb Naftulche**", is located. The story of how this annual pilgrimage came to be was sparked by a private conversation, an enigmatic phrase heard by one person, from the holy mouth of the *Rebbe*, in the year 5762-2002.

Two years previous, **R' Shlomo Halberstam z"l** was *niftar* and R' Naftali stood at the helm of the *Bobover* community. Hints of greatness started seeping through the cracks. Along with those little glimmers came mysterious allusions to *Meron* and *Rebbi Shimon bar Yochai*. Many times in the previous years, R' Naftali had set out on short trips to *Eretz Yisroel* to *daven* at the *kever* of *Rebbi Shimon* in *Meron*. He would take a taxi directly from the airport to *Meron*, spend some time at the *tziyun*, and then drive back to the airport to catch his flight back home. Even far away in New York, R' Naftali knew what was going on in *Meron*. In 2002, a *Yid* told R' Naftali that he had just come back from *Eretz Yisroel*. "I was in *Meron*, by *Rebbi Shimon bar Yochai*," the *Yid* said. Cryptically, the *Bobover Rav* replied, "I have *Rav Shimon* here, with me."

Nothing more was said, but the comment lingered in the air, unexplained. A similar comment, told to Reb Elimelech Miller, *menahel* of the *Lelov Yeshivah*, triggered the present *Lag Baomer*-New Jersey connection. It was just after *Chanukah* 5762, when Reb Elimelech went into the *Bobover Rav* with a *kvittel* listing the names of his children. R' Naftali read the first three names on the list, and then looked up. "*Rav Shimon bar Yochai vet zein bei mir Lag Baomer*," he said, in *Yiddish*. "*Rav Shimon bar Yochai* will be by me *Lag Baomer*." It was a cryptic comment, seemingly unrelated to the *kvittel* that he was in the midst of perusing. With *Lag Baomer* many long months away, Reb Elimelech was mystified at the strange reference.

Eight years later, that comment suddenly resurfaced. Reb Elimelech felt the pain of his two married daughters and a son who had not yet been blessed with children. The first three names on that long-ago *kvittel*. As if from nowhere, the comment he had heard eight years previous suddenly flashed through his mind. In that moment, Reb Elimelech knew. R' Naftali had already been summoned to the World of Truth, but his words lived on. "We're going to the *Rav's tziyun* this *Lag Baomer*," Reb Elimelech resolved. He took his wife and two daughters. The pain of several silent years was distilled into passionate *tefillah* as they answered the call issued so mysteriously years prior. The place was silent. No one knew that *Lag Baomer* in Floral Park Cemetery was different from any other day, but Reb Elimelech knew. And a year later, when he returned to express his gratitude to *Hashem* for blessing him with two grandchildren and a third on the way, many others knew as well.

People started to talk about the *yeshuos*. It began with whispers and cryptic comments, shortly after that initial visit in 2010. Father to son, friend to neighbor. The news traveled fast, faster than one could have deemed possible. The following year, many people came to New Jersey to pour out their hearts at the *kever* of their *Rebbe*, who always listened.

The numbers swelled from one year to the next, reaching unprecedented figures in the thousands, hitting and then surpassing the 10,000 mark. The stories that filtered back are as mysterious and miraculous as the stories of old. Couples were blessed with children after years of fruitless attempts. *Shidduchim* were suggested and finalized, inexplicably bound with a visit to New Jersey. Business matters, health issues, and various crises were resolved in astounding ways after a *tefillah* in New Jersey at the *Bobover Rav's tziyun*. At this point, *Lag Baomer* in New Jersey has assumed a life of its own - a powerfully magnetic force of authenticity bearing the mark of a *tzaddik* that brings tremendous *yeshuos* to his children. Tens of thousands continue to make their way to a quiet cemetery in New Jersey, where the promise and power of *Rebbi Shimon* are inextricably tied to a single gravesite. They know that R' Naftali continues to carry *Klal Yisroel* as a father supports his son. He's there for everyone, as he always was in his lifetime. *Zechuso Yagen Aleinu*. (Adaped from an article originally featured in *Mishpacha*, Issue 760, by F. Einhorn)

עשה חסד לאישים ... הא-ל הגדול הגבור, צבאות שמו ... (דברי ל"ג-ה)

A PENETRATING ANALYSIS OF THE WEEKLY HAFTORAH BY AN UNEQUALLED HISTORIAN

## תורת הצבי על הפטרות

*Yirmiyahu HaNavi* was confined for prophecying the destruction of *Yerushalayim* and the exile of *Klal Yisroel*. Interestingly, unlike *Moshe Rabbeinu* who described the Almighty as "הא-ל הגדול הגבור והנורא", *Yirmiyahu HaNavi* described Him as "הא-ל הגדול הגבור, ה' צבאות שמו" - omitting the word "והנורא" - awesome. How could *Yirmiyahu* change the wording from the way *Moshe Rabbeinu* had said it?

*Chazal* (*Yuma 69b*) note, *Yirmiyahu* (and *Daniel*) knew that *Hashem* hates deceit and since they did not perceive the Almighty's attributes of **נורא**, awesomeness in their lifetimes, they did not refer to them. But although they did not perceive it themselves, surely, they ought to know that *Hashem* is indeed awesome, as *Moshe Rabbeinu* had clearly stated. Why

then did they omit the word "והנורא"?

**R' Tzvi Pesach Frank z"l** remarks that of course adding the word "נורא" to the reference is greater than leaving it out, but as **R' Yaakov Reischer z"l** says in *Sefer Iyuna Yaakov*, the word "גדול" (greatness) is an all-encompassing word, leaving no reason to add anything further. In fact, *Chazal* explain that the *Anshei Knesses HaGedolah* was called by this name because they "*returned the crown of glory of Hashem to the way it was*." As such, even though *Moshe Rabbeinu* utilized extra words to glorify *Hashem* at a time when *Klal Yisroel* needed it, the word "הגדול" encapsulates every emotion and intention and *Yirmiyahu HaNavi* saw no reason to add the extra words - which may very well prove to just be a detriment in the end.

ואיש כי לא יהיה לו גואל והשיגה ידו ומצא כדו גאולתו ... (כה-ב)

CONCEPTS IN AVODAS HALEV FROM THE FAMILY OF R' CHAIM YOSEF KOPFMAN ZT"l

# מחשבת הלב

*Parshas Behar* discusses at length the *halachos* of *shmita*, *yovel* and other money matters. *Hashem* also permits the use of slaves but provides stipulations including the obligation to eventually free your slaves. These *mitzvos* are here to convey the idea of "כי לי כל הארץ" - the fact that everything belongs to *Hashem*. In short, it teaches us "אמונה בה'". The *Torah* then writes the above-quoted *posuk*. We need to understand: what is the connection?

**R' Moshe Sternbuch *shlita***, the *Ra'avad* of *Eidah Chareidis*, explains that a person must exercise and display blind faith with regard to his own possessions, placing his trust completely in *Hashem*, that everything will go well. Yet when it comes to someone else's welfare, one shouldn't display that *bitachon* and say, "Don't worry you'll get free eventually. All you need is to have faith." Rather, it is incumbent upon you to come to their aid, and if you're able, redeem them yourself.

There is another timely lesson we see from the *posukim*. It states: "ואיש כי לא יהי לו גואל והשיגה ידו ומצא כדו גאולתו". If a person has no one who can come to redeem him, he must save up his money and redeem himself. R' Moshe says that the *posuk* implies that when a person realizes that there is no other way out, he turns to *Hashem* and cries out, "You, *Hashem*, are my only hope!" Then the *yeshua* comes and "ומצא כדו גאולתו". But if a person relies on other avenues of escape, then *Hashem* may not come through for him as easily.

He adds that the *Mishna* in *Taanis* discusses the "עקבתא דמשיחא" (birthpangs of *Moshiach*) and closes with the words: "ואנו אין לנו על מי להטען אלא על אבנו שבשמים". The *pshat* is that if we really want *Moshiach* to come we have to realize that it's not us. It's not the U.S. Nor its president. It is only, and always has been *Hashem*! Let us internalize this message and storm the heavens with the knowledge that it is only שבשמים who can and will help. *V'chein yehi ratzon b'karov!*

## משל למה הדבר דומה

וכי ימוך אהדך ומטה ידו עמך והחוקק בו ... (כה-לה)

**משל**: The *Chazon Ish z"l* once asked someone to deliver an envelope containing money to a needy individual named Rabbi Berger. When the emissary returned, he informed the *Chazon Ish*, "I went to Rabbi Weinberger and delivered the envelope as was requested of me." The *Chazon Ish* was dismayed. The money had been intended for someone named Berger, not Weinberger; obviously the emissary had heard wrong. The *Chazon Ish* immediately sent another envelope to the correct recipient.

A few days went by and the *Chazon Ish* did not hear from the first recipient. "Surely, he has received money that wasn't intended for him. Why hasn't he returned the envelope?" wondered the *Chazon Ish*. Finally, he concluded that Heaven had caused this mistake to happen, for until that point, no

one had known that this person was in need. From that moment on, the *Chazon Ish* made sure that that person also received an envelope on a regular basis.

**משל**: The *Torah* tells us, "If you see your fellow brother going through a financial difficulty, help him out, support him. In today's day and age, we are fortunate to have many organizations that provide a multitude of services for the needy and less fortunate people who are going through difficult times. That is wonderful. But there are always those who are ashamed to ask and would rather suffer the consequences of not reaching out for help. This is a deeper meaning of the commandment: The *Torah* is telling us to look out for your fellow brother who looks like he's doing okay but really, he's not. He needs your help. Use your intellect - like the *Chazon Ish* - to read between the lines and help your fellow brother get back on his feet!

ולא תנונו איש את עמיתו ויראת מאלהך ... (כה-ו)

EDITORIAL AND INSIGHTS ON MIDDOS TOVOS FROM THE WELLSPRINGS OF R' GUTTMAN - RAMAT SHLOMO

# דרגה יתירה

Why would someone harm their friend - "עמיתו"? Don't you like your friends? Shouldn't it say do not harm your enemy - "שוטאי"? Well, the answer is a deeper look into the human psyche. A human being is his *kavod*. If a person loses his sense of pride or self-respect, he feels dead. Life is not worth living. As long as a person feels good about himself, he can function normally. He can be happy, kind and productive. If not, then he may act in inappropriate ways. The most common is to harm other people with words - even those he loves! When one feels low about himself, it is extremely difficult to raise his spirit and change his attitude. He puts others down with ease, which, in his mind, lifts himself up! All of us, at some point in time, succumb to this terrible sin. **R' Avraham Pam z"l** writes that אונאת דברים can be a joke, a sarcastic comment, a "*shtuch*" that hurts a friend's feelings. Often, a hurtful word (even a joke) can replay itself over in someone's mind for days, months, and sometimes even years, leaving them with a bad feeling in their heart constantly. He explains that almost all *shalom bayis* issues come from אונאת דברים. If husbands and wives would just work on this one thing, they would have a wonderful marriage!

Words are way more powerful than we realize. When one is carrying a sharp sword in his hand, he is especially careful not to hurt anyone. Well, guess what? Our mouths are constantly in our possession, and if we would simply be aware of its tremendous power for good and bad, and just THINK before we say something, we would probably be much happier people.

During this period of *Sefiras Haomer*, we can truly transform ourselves from animals into holy people. The word "עומר" can also be read with an *aleph* - "אומר" - which means to talk! TO SPEAK! *Sefiras Haomer* literally means "COUNT YOUR WORDS!" If they cause even slight harm, they are forbidden! But if they are words of wisdom and kindness which bring happiness to others, then they have been used for the purpose they were created - and this truly lifts a person up to greatness.