

מאת הגאון מו"ר הרב ברוך הירשפלד שליט"א.
ראש כולל עטרת חיים ברוך, קליבלנד הייטס

Ongoing Maintenance. The *Gemara* (4) provides the formula of *Chazal* with regard to which repairs are the landlord's responsibility and obligation, and which fall under the responsibility of the tenant. Items which require a professional contractor to fix are certainly the obligation of the landlord, whereas things that a regular person can do for himself are considered the obligation of the tenant. For example, if a bunch of light bulbs have to be screwed in, the landlord does not have to do it. Another example of this would be mowing the lawn.

Mezuzah. The *Gemara* (5) says that the obligation of buying and putting up *mezuzos* is the obligation of the tenant. A *mezuzah* is not a part of the house but rather a *mitzvah* obligation on whomever is dwelling there to put up a *mezuzah*.

Monetary, Interpersonal Laws and Din Torah (12)

Obligations for Condition and Maintenance of Premises. It is the responsibility of the landlord to provide normal and safe living conditions according to the standard of that community. This includes both *halacha* requirements (2) for safety as well as

The Mishnah states if one is מקדיש a ברר and later it gets filled with water, one is not מועיל if he uses the water. This is because the water wasn't in the pit when he was מקדש it. **תוס'** says, we know that a חצר may be קונה for its owner, so here too, we should say the הקדש that owns the pit, should be קונה the water through חצר? **תוס'** explains that "חצר משום די אתרבאי" and the הקדש does not have a "ידי" (The רשב"ם explains this way as well). The רמב"ן says that even if we would say that הקדש has the power of חצר, there would still be no ידין בקונה on any item they acquire through חצר, because the מעילה איסור is not on items הקדש acquires but only on items they are מקנה through אדם being מקנה it to them. The מגן אברהם [א"ח קנד, אות כג'] brings the אגודה who says based on our Gemara that הקדש is not קונה חצר. The נס"ך ר' says that חצר קונה ביהכ"ס was already קונה חצר through חצר, if one finds a אבדה in בית הכנסת he may keep it and we don't say that ביהכ"ס was already קונה חצר through חצר. The חושן משנה points out that this is only according to תוס' and רשב"ם but he learns that הקדש holds רמב"ן is actually קונה חצר through חצר, and thus accordingly, one would not be permitted to keep it. עיי' באריכות. The משנה ברורה [קנ"ט ס"ק נו'] brings the above אגודה and adds – **עין חידושי רע"א**. There, רע"א brings the above שיטת הרמב"ן and says (like the קצות) that according to this, there is no הכרח to say one may keep a אבדה found in ביהמ"ד.

Many *Meforshim* ask [תוס' יו"ט מעילה פ"ג, ר], even if you say the חצר of the ביהכ"ס can't be קונה because הקדש doesn't have a די, we also know that חצר works שלירות מטעם and that should work for הקדש? Maybe we can say [עין בין הריחים ב"מ יא.] according to the ר"ש only a חצר המשמרת works שלירות מטעם, but a חצר שאינה משמרת only works through די and therefore if it's not משמרת the השדה בעל השדה would have to be standing near the חצר for it to be קונה. Also, the [גולה, פ"ז, יא.] רמב"ם adds that when one wants his שאינה משמרת to be קונה for him, he must not only be "עומד בצד שדהו", but also verbalize and say "זכתה לי שדי". The גר"ז, when accepting משלוח מנות, would wait for the אבדה to put it on his table and then say "תקנה לי חצרי". Presumably, he considered his (open) house אינה משמרת and was following the above רמב"ם that in this case one must also verbalize that he wants his חצר to be קונה for him. Maybe, so too, in our case of an *shul* where so many people come in and out, at least as many as in the house of the **Brisker Rav**, we would classify it as a חצר שאינה משמרת, which would need ownership coming by and saying "זכתה לי שדי" for חצרות to work, which obviously can't be done in our case, so subsequently חצר ביהכ"ס will not work in the ביהכ"ס.

הוא היה אומר

(1) ח"מ ע"א (2) שם (3) רמ"א שם

R' Menachem Mendel Morgenstern zt"l (Kotzker Rebbe) would say:

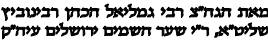
A Wise Man would say: “No medicine cures what happiness cannot.”



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Mazel Tov to Yaakov Weissmandl on his Bar Mitzvah. May he grow in Torah and Yiras Shamayim and continue to be a source of nachas to his parents and grandparents and Klal Yisroel.



כי תהיין לאיש שתי נשים האחת אהובה והאחת שנאה וילדו
לו בנים האהובה והשנאה ... (בא-טו) - האלקים יבקש את הנרדף

מדבריו הקדושים יכולים להביך כמה קשה הוא סבלו של ביוון, שכן ידועים הם דברי תכמינו (ה' ברכות ה'): ולא חשד קוביה דעביד רינא בלא רינא, ובהכרח שאם יקלע האדם למצב של ביוון וכלימה, ברך הוא שיעשה בכך על חטאיו ופשעיו, ואין צל מקום לשיום רוח צדדי. ובכל זאת שבעה שהאדם סובל את ביונו ומתמלא כלימה בעל פחות מעלתו, אין הקב"ה יכול לסבול את אצרו ומבקש את טובתו.

דבר זה הוא חיזוק גדול לאלו המתמודדים עם סיבות המביאים אותם לידי ביוזין כלימה, שעליהם לדעת שעלבונם בוקעת רקיעים, ושועתם עולה עד לשמים, וגם אם

כִּי תֵצֵא לְמִלְחָמָה עַל אִיבֶיךָ וְנָתַנּוּ ה' אֱלֹקֶיךָ בְּיָדְךָ
וּשְׁבִיתָ שָׁבוֹי ... (כ"א-י) - בַּעֲנִין מִלְחָמַת הַיָּצֵר

ישנם כמה וכמה לימודים העולים מפרשה זו, ועומד על אחו מהם. אחד מתחבולות היצר הרע, שאומד לאדם, יצר קשה ותקיף מאוד מאוד, ופשוט, לא שייך כלל לנצח אותו. יש לך נסיונות קשים מאוד, ואין לך אפשרות להתגבר עליהם ולעמוד בהם, וע"כ אל תסריח עצמך במלחמה זו. כי בכל מקרה לא תנצח, וזו טעות גמורה, משום דאין

Cities Edition

פרק ב' דאבות

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וכפי שמצאנו אצל בלעם הרשע שאפילו בשעה שהכעיס מאוד את הקב"ה בעת עליכתו לקלל את ישראל, כיון שנחל בזיון וזכה ופדה את עצמו אפילו מן המיתה. כי אז הממדי הקב"ה מלאך בדרכו לשטן לו, ואו"ח פתח את פי האתון להוכיחו והיה לו מזח בזיון גדול, ואמר לאתונו (במדבר כב. כט): 'כי התעללת בי לו יש חרב בידי כי עתה הרגתיך', ולאחר מכן כשדיבר עמו המלאך אמר לו (שם לג): 'כי עתה גם אתה הרגתי ואותה החית' כלומר, מצד הרשע ראוי לעשות את ההיפך ממה שרצית, כי אתה הוצאנו למיתה, וראה שם ברש"י שהביא סימ דבריו של המלאך: 'זעתה מפני שדבריה והוכיחתי ולא יכולת לעמוד בתוכחתה וכו' על כן הרגתי, שלא יאמרו זו היא שסלקה את בלעם בתוכחתה ולא יכול להשיב' ומסיים שם רש"י: 'שחס המקום על כבוד הבריות'.

מכאן אתה למד כמה יפה הוא כוחו של ביזון, שאפילו אדם טמא ומגושם שכל מגמתו היה להלחם עם ה' ולהביא עם בני רחומי לידי כליה, בכל זאת הגין עליו הבזון, ואלמלא נסיונו להמשיך במזימותיו הרעים היה נפטר מן המיתה.

וַיִּשְׁלַח הוֹסֵיפַי עֶזְרָא שְׂאֵחוֹל (מכות י:), "בדרך שאדם רוצה לילך בה מוליכין אותו". ד"י, בדרך שאדם רוצה לילך יזכה לסייעתא דשמיא לילך באותו דרך. והוסיף על זה ה**מדרש** דבר נפלא ודל: זאענוה גם אני ודקי דלא קאמר שמליך אותו הקב"ה אלא מוליכין אותו והוא ע"פ מה שכתבנו בכמה מקומות שכל מחשבה ודיבור וימנעוה האדם הנה הוא בודא לו מלאך לפי ענינו אם לטוב אם לדע וע"כ אמר בדרך שאדם רוצה לילך שוהרשות בידי האדם ממנו ית' ב"ה שהכל בידי שמים חוץ מדין שמים אבל כפי רצונו ודעתו של אדם מוליכין אותו אותן המלאכים הנבראים מאותו רצון ומחשבתו אשר בו, ע"כ. דרי מי שיש לו איזה מחשבה טובה, או ריבוי או מעשה טוב, או בורא מלאכים לעזור לפעול רצונו, נזרז למתבונן!



מעשה אבות ... סימן לבנים

גדלים תעשה לך על ארבע כנפות כמותך אשר תכסה בה ... (כב-יב)

This is the story of a *Talis Katan*, a remarkable pair of *tzitzis* that traveled thousands of miles for one sole purpose: to bring a wayward Jew back into the “folds” of *Yiddishkeit*. When a young Sephardic French Jew by the name of Josef came to *Ramat Aviv*, he told over an amazing and truly inspiring story.

Josef, or Jo as he was known, was a young man in his twenties when he decided to leave France and tour the world. His goals were to learn about foreign cultures, experience life firsthand - but mostly to have the adventure of a lifetime. Jo was not raised in a religious home, though it was somewhat traditional. He did have a *Bar Mitzvah* and was even given a pair of *tefillin* which he wore sporadically throughout his teen years, but observance was not “for him” as he said, and he didn’t pay it much attention. His mother, however, felt that it was important that her son did not forget his Jewish heritage and packed her son’s *tefillin* into his bag before he left on his journey. She told him that he should never forget that he was a Jew and impressed upon him the importance of saying the “*Shema*” prayer wherever he found himself.

Jo left France and headed south towards Africa. He started his tour in rural Madagascar and continued on to a number of other countries in the region. One day, he came to a tiny, forsaken, African tribal village where the people lived in huts and walked barefoot. Here and there a donkey or a horse pulling a cart could be seen struggling through the mud. The village seemed utterly removed from the rest of the world. Jo thought it was quaint and decided to spend the night.

In the morning, as Jo was rummaging through his backpack, he came upon the *tefillin* that his mother had packed for him. He thought it would be interesting to put on *tefillin*, right in the middle of a forsaken village: surely no one had ever done that before! Jo put the *tefillin* on his arm and head as he remembered and then began saying *Shema*. He used the *siddur* that was inside the bag and he concentrated deeply. When he came to the words, “*Speak to the Jewish people and say to them, and they shall make tzitzis,*” he thought to himself, “I don’t have *tzitzis*! How can I stand here and say that I need to wear *tzitzis* when I don’t even have a pair?” He felt genuinely sad about the lost opportunity - the *mitzvah* that he was unable to perform. He knew that it would have meant so much to his dear mother back in France.

The next day, he walked down the dirt path leading out of the village, with his heavy backpack on his shoulders. Suddenly, he encountered an African village woman, holding bundles in her hands. He glanced at her and something caught his attention. When he took another look he noticed that she was wearing a shawl that looked just like *tzitzis*!

Jo approached her and asked to see her shawl. After a bit of gesturing, the woman handed him the shawl. He examined it closely and saw that it was indeed a woolen *Talis Katan* with the *beracha* embroidered in gold letters along the top! Amazing! How could a pair of *tzitzis* miraculously have turned up in an ancient African village? And just when he was looking for a pair!

Jo just couldn’t get over it! This was too strange to be a coincidence. He asked if he could buy the shawl, using his hands to explain what he wanted. The woman thought he was accusing her of having stolen it. Visibly aggravated, the women tried to communicate that it was, in fact, hers. After great effort, Jo managed to convey to her that he wanted to buy the shawl, and even pointed out the Hebrew letters on it. Eventually she agreed to the purchase.

Now that he had miraculously acquired a pair of *tzitzis*, Jo made sure to put it on every day followed by his *tefillin*. When he arrived in India, he met a rabbi in New Delhi and told him the story of the *tzitzis*. The rabbi befriended Jo and began speaking to him about Judaism. Eventually, he convinced him to go to a *yeshiva* in Israel, in *Ramat Aviv*.

How did a *Talis Katan* end up in a little village in Africa? Not long before, food parcels and American aid had arrived in the area. Included in the packages that were sent was one item wrapped in a white material with fringed corners - a *Talis Katan*. Evidently it had been sent - by Divine Providence - for the sole purpose of transforming Jo, the wandering French Jew.

ברגע קמו עובתך וברחמים
גדלים אקבעך ... (ישעי' נד-ז)

A PENETRATING ANALYSIS OF THE WEEKLY
HAFTORAH BY AN UNEQUALLED HISTORIAN

In a continued effort to comfort *Klal Yisroel* over the *Churban Bais HaMikdash*, *Hashem* says, “*I have abandoned you for a brief moment.*” The *Medrash Rabba* (36:6) tells us that the preposition “ב” from the word “ברגע” is superfluous, since “רגע” is used here as a noun, and the word without the preposition would likewise express the same duration of time. As such, why does *Yeshaya HaNavi* add the extra letter?

R’ Shlomo HaKohen Rabinowitz ז”ל, the **Radomsker Rebbe (Tiferes Shlomo)** explains that the extra “ב” is similar to the extra “ב” used in the word בראשית where **Rashi** teaches us, “בראשית, בשביל ישראל שנקראו ראשית” - that small seemingly insignificant, superfluous letter is the basis for *Klal Yisroel*’s existence, and by extension, the fundamental foundation of

the world! Truly an incredible thing!

Says the Radomsker, this brings to light the frightening understanding that due to a person’s fleeting and momentary transgression, *Hashem*’s anger could flare up - as we say in *Tehillim*, “*כי רגע באפר*,” - “*Hashem gets angry in a moment.*” However, the comfort is that because *Hashem* understands that a Jew’s sins are but only fleeting, and deep down the desire to serve the Almighty properly is entrenched, His anger is as well momentary. *Yeshaya HaNavi* explains that although *Hashem* abandons *Klal Yisroel* for that sinful moment, “*With tremendous mercy I will bring you back*” - *Hashem* will use the next moment after the anger to bring about a massive wave of mercy and to gather in His beloved children.

והסירה את שמלת שניה מעליה וישבה בביתך
ובכתה את אחיה ואת אמה ירח ימים ... (כא-יג)

CONCEPTS IN AVODAS HALEV FROM THE
FAMILY OF R' CHAIM YOSEF KOPMAN ז”ל

מחשבת הלב

Much has been written inn the *Seforim Hakedoshim* comparing these thirty days - “ירח ימים” - of “יפת תואר” to *Chodesh Elul*. The **Ohr HaChayim HaKadosh** among others, elaborates with inspiring words. Perhaps we can offer another *machshava* to help us properly utilize this very auspicious month. In the *Navi Yeshaya*, the *posuk* states, “(אז תשמח בתולה במחול” - “*Then, a maiden will rejoice in a dancing circle.*” There’s a beautiful thought the **Bnei Yissasschar** quotes from the *Rebbe, R’ Meilech of Lizhensk ז”ל*. As is known, the *mazel* of *Elul* is that of “בתולה”. He explains that during this month we must be happy - not depressed or dejected. “אז תשמח בתולה” - be happy in the month of בתולה. Why? Because “במחול” - you’ll be granted *מחילה*! So while this month is a somber one - days of introspection - it must be accompanied with an enthusiasm to receive a clean slate. In fact, in the days of old, the *baalei mussar* would count each day as is done with העומר ספירת העומר, cherishing each one. The emotions and fervor shown during ספירה should also be experienced each day of this special month.

Another *machshava* we can glean from יפת תואר is as follows: The *Torah* commands this person who “*went out to war*” that prior to marrying his captive, she is required to maintain an unkempt appearance for thirty days, so that each time he passes her he will note the stark dissimilarity between her and a real *Bas Yisroel*, specifically his *אשת חיל*. Perhaps the message for us is that we tend to get lost in the traps set for us by the יצר הרע, and we begin reveling in the gentile lifestyle. *Hashem*, in His infinite kindness, wishing to guide us back onto the path of “straight and narrow,” wants to contrast for thirty days the difference between the beauty of *Yiddishkeit* and the disgraceful way of life that others live - and hopefully בחיים ובחרת בחיים.

Klal Yisroel as a whole, and each of us individually, require so much רחמי שמים. Let us all cry out in unity during these holy days of *לדודי ודודי לי* referring to *tefillah*, as the **Kitzur Sh”A** says, and may *Hashem* send us all our much needed salvation.

משל למה הדבר דומה

השמר בנגע הצרעת לשמר מאד ולקששות ... (כד-ה)

משל: It is said, that **R’ Aharon Kotler ז”ל** would tell over the following story many times as it had a profound effect on him when it occurred. He didn’t quite remember if it took place before his marriage or immediately after his marriage, but it seemed to him that it was before.

One day, his future father-in-law, **R’ Isser Zalman Meltzer ז”ל**, took him along to visit a certain sick man; a simple *Yid* who lived in Slutsk. On the way, R’ Isser Zalman explained to R’ Aharon that the doctor told him the man was suffering unimaginable pain. R’ Isser Zalman assumed it would probably mean the world to him if he, the *Rosh Yeshivah*, paid him a visit. This was the intention of his visit.

When they got there, the sick man greeted his two distinguished visitors with a smile and seemed to be very

content despite his terrible predicament. Taken aback by the sick man’s appearance, R’ Isser Zalman asked him how he could be so happy while suffering.

The man replied, “Imagine if I had been sentenced to die but was ‘let off’ with a beating instead. Wouldn’t I be full of joy?”

R’ Aharon would constantly repeat this story to numerous people with tremendous emotion.

נמשל: According to **Rashi**, the *Torah* warns us to be careful not to tamper with the infliction of *tzara’as*, lest you alter it from an impure status and resolve yourself of all the obligations that come along with *tzara’as* (e.g. leaving town, bringing offerings etc.)

Even today when we don’t have the process of *tzara’as*, the lesson is eternal. We are obligated to accept *Hashem*’s messages with joy and mend our ways. Resisting them will only bring more tragedies.

כי ה' אליך מתהלך בקרב מחנך וכו'
וזה מחנך קדוש ... (כג-טז)

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

דרגה יתירה

The *Torah* tells us that *Hashem* “*moves within your camp*” - *Hashem* is with us, among *Klal Yisroel*, and actively part of our lives. No other Nation can boast of such a wonderful existence - only *Bnei Yisroel*, whose Father in Heaven, guides us.

I once heard a beautiful *meshal* in the name of **R’ Chaim Shmuelevitz ז”ל**. He frames the following picture. Imagine a woman holding a sleeping baby in her arms, standing at the 400 bus stop in *Yerushalayim*. The baby is sleeping softly and the mother is holding him tightly. Finally, the bus arrives and she alights, sits down and watches the scenery on her trip to *Bnei Brak*. Thenbus ride lasts for the better part of an hour and after many twists and turns, she arrives at her destination and descends from the bus with her baby still sleeping in her arms. The question is: Did that baby travel the same distance she did? Of course he did. Is that baby aware of the journey that transpired? Of course not. As far as the baby is concerned he has not moved at all. He is still in the loving embrace of his mother. It makes no difference where he started or how long he has traveled. He expended no worries or fears on the entire journey, for all he felt was the LOVE and security of his mother.

This is how we must feel, so closely connected to *Hashem*, that no matter what would transpire in our lives, we would feel safe and secure as a baby in his mother’s arms. This is one explanation of “*I am to my Beloved and my Beloved is to me.*” The closer we bring ourselves to *Hashem*, the closer He will come to us. Isn’t that the true goal and yearning of a Jew? Isn’t that the purpose of our *tefillos*, no matter what it is that we are asking for? There is no greater joy than the feeling of being close to *Hashem*. The feeling of security and love, of being carried in the arms of the “*Kol Yachol.*”

After I heard this *vort*, I was so inspired. I would actually close my eyes and imagine myself as a baby being carried by *Hashem* without worry or fear. This *Elul*, may we achieve “אני לדודי” so that we will merit the ultimate goal of “דודי לי”.