

מאת הגאון מ"ר הרב ברוך הידעלד שליט"א  
ראש טלל עטרת חיים ברוך, קליבלנד הייטס

**Damages.** If someone parks in a manner that another car has a hard time getting out through a narrow space, there are implications. If the blocked car pulled out in a normal manner to avoid the blocking car and ended up scraping him, he would not be obligated to pay (2). This might require the judgment call of a *Rav* or *Dayan* if the driver could have reasonably avoided him. [Sometimes nearby cameras that catch everything might be able to help a *Dayan* figure out who was truly negligent.] Similarly, even if not fully blocking, just being in an illegal spot makes other cars not expect him to be there, and can cause an accident.

## ביץ הריחיים - תבליץ



## Monetary, Interpersonal Laws and Din Torah (29)

**בין הריחיים - תבלין מרף היומי - שביעות ד.**

The **מנחת חינוך** (ח' אות י') points out: we know if one does not want to be מצות עשה מקיים, *beis din* is כופין אותו. Although it doesn't say anywhere מפורש, it seems a דבר פשוט, that if one wants to be עובר לא תעשה בקום ועשה עובר, we would certainly not allow him to be עובר. This is because a מצוה לא תעשה transgressed the מצוה, is more תמורד than being עובר עשה בשב ואל תעשה עשה. Furthermore, if one is about to be עובר לאו, we should also be כופין. מצד הסברה זה. Just like we are כופה one who doesn't want to do an עשה, which he is being עובר עשה בשב ואל תעשה עשה, so too, it should follow, by a תעשה שאין בו מעשה if one wants to be *oiver* תעשה, even if it's *oiver* תעשה, we should be כופין. Why should this be less than being *oiver* תעשה by being a שוא'ת?

**R' Moshe Stern of Debrecin ז"ל (Be'er Moshe) would say**

**A Wise Man** would say: “Fame can take interesting men and thrust mediocrity upon them.”

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*in all the people (עם) he shall*  
*when Klal Yisroel gathered*  
 העם - the people - are 'הקהל' -

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תורה  
תורה

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## טיב התבלין

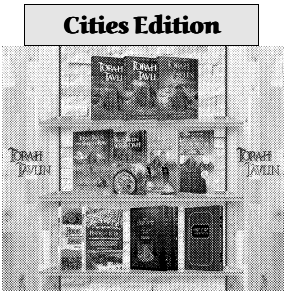
מאת הגד"צ רבי גמליאל חסדק רבינוביץ שליט"א, ר"י שער הטמאים ירוסלים עמודק

מדבריו ישׁׁ למידים אנו שהמקום מקבל רושם מכל הנעשה בו, ואם עשו אהיז  
 נמצא במקום מסוים נמשך על זה המקום רושם של טומאה, ועל אלו ששורו שם אחר  
 שגשגנמשך לשם זה הרושם, מזהבם גם עליהם הטומאה של אותו רושם, ואף אחר  
 שהולכו משם נמשך עליהם מזה רושם, ולכן ניצטוו ישראל ״כמעשה ארץ מצרים״  
 ״אשר ישבתם בה לא תעשו״ כי על אף שכבר הלכו ישראל משם, וכבר זכו לדרבן  
 ייכוכים עד שקבלו את התורה, וגם עצם ישיבתם במצרים לא היה מתוך רצון, בכלל  
 זאת עדיין נמשך עליהם הרושם של טומאת מצרים, והוצרכו לאחזרה מייחזרת שלא  
 לעשות כמעשים, וכמו כן הוזהרו על המקום שבו עתידים הם להיכנס, ״כמעשה״  
 ״ארץ כנען וגו״ לא תעשו וגו״, כי על אף שהפקיעו את הארץ מבעלותם, ועל אף  
 שהטמעת שבאו לשם בני ישראל נתקדשה מכל הארצות, בכל זאת לא נתבטל הרושם  
 הטמא שהולכו הנכענים לתוכו כ״ה חטאים, עד שיעיר תורה כי ממתת כן  
 משכו לבות ישראל אל החטא, וראתה לנכון להזהיר על כך.

## עדותיך אתבונן

לְיִמְדֵימָם מֵאֵת הָרֹב אֲבָהֶם דְּבִלְאֵל אֲבִיטְטִיךְ סְלִיטָא, בְּעַמִּיט סְדָה אֲבָהֶם

וְעַפְּסוֹ יִסֹּד זֶה שֶׁ לְבֹאֵר מֵאֲמֵר מְדַבֵּר חוּלֵי, דִּיאֵת בְּמִכְלִילָתָא: עַל הַכְּתוּב (שְׁמוֹת  
כב. ב. ל.): "וְאֵשׁ קֹדֶשׁ תִּהְיֶה לִּי," חוּלֵי: "רִבִּי שִׁמְעֵאל אָמַר: כְּשֶׁאֵתָם קֹדֶשִׁים - דִּיאֵת אֲתָם  
שִׁשְׁלִי," ע.צ. מִ שְׁוֵהוּ דְּבִרְבִּים שְׁבִקְדוּשָׁה, מִרְדָּה שֶׁהוּא שֶׁ הַקֶּבֶר," וְצ"ח מְדוּעַ דִּיאֵת אֲתָם  
שְׁוֵהוּ בְּעֵינֵינוּ אֵלּוּ הוּא שֶׁ הַקֶּבֶר, אֵין כֵּהָמ וְכֵהמָ מִצּוֹת וְשׁוֹבֵתוּ יוֹסִיטִיתוּ וְיִסְתַּלְמִי  
וְסוֹפֹת, מְדוּעַ הַנּוֹדֵר בְּשֶׁאֵר אֲתָם אֵינוֹ זֹכֵר לְתוֹרָה "שְׁלִי" וְעֵינֵינוּ בְּרִיב יְרוּשָׁלַיִם



הנה נכנסים אנו כעת לימי הקיץ, ולאור האמור מוטל עלינו לערוך, על ממשצוי שבמהלך הקיץ הכוללים לטייל ולהנפש במקומות שונים, ויש אשר תחששים לגורל יהדותם, ויודעים כי ביציאתם למקומות זרים עלולים הם להפגש באנבאנשים בלתי רצויים, אנשים שאינם ממחינו, ויודעים הם כי עצם הדבר להיווצר אדם אלו תחת קורת גג אחת עלול לפגום ביהדותם או בצאצאיהם, לכן בוחרים הם במקום אשר בעליו מצהירים שבתקופה זו מיועד המקום רק ליראים ושלמימים שירייכו למחנה החדש, ובכך מרגשים הם כי יצאו ידי חובתם, אבל תולמימים של דבר עליהם לדעת, שעל אף שהמקום כעת הוא בתכלית הכשרות והאנוניות, בכל זאת אם במשך שאר ימות השנה שווים באתו מקום הכשרות לעצביה, עלול המקום להשפיע לרעה עליו ועל ורעו אחריו, ולכן עליהם להקפיד ללכת רק למקומות שהם בקדושה במשך כל השנה.

הכעזתו דברי המכילתא. ו'ל הירושלמי (ברכות פרק א', הל' ה'): "א"ר לוי ליבא ועינא ססורין דחטאה דכתיב (משל כג, כו): תנה בני לבך ל' ועיניך דרכי תצדנה מבואר הקדוש ברוך הוא א' ירבת ל' לבך ועיניך אנה ידע דאת ל', עכ"ל. מבוואר דרמי ששומר עיניו ולבו, עליו אמר הקב"ה "את ל'", וצ"ב בעומק הענין.

ונסיים במעשה שהיה: שאל פעם משהו את הנריי מנריס **ווקסל**, הלא היה ששכבודו מן המהמרים בכל מיני עניינים, ובעיקר בענייני קדושה, ללמוד רבינו מרדכי טעם לריבוי החומרות. ענה לו הרב, האם אתה תסכים לישן על גג מגדל גבוה שבימאה קומות, כאשר אין מעקה לגג? ענה לו היהודי לא ולא ואיפילו אם יהיה הגג רחב מאוד. שואל אותו הרב: תשמע לי האם אתה חושב שחפץ מגג רחב כזה? ענה היהודי: כמאלה. אמר לו הנריי: חשמו אנכי מה שפך מרבי! עג רחב מאוד לא היית יושן עליו ואפילו שחיו שחפץ מגגו. ב"ו זה שאין מעקה מיוחד. אתה, כ"ש שכך צריך ללמוד מעבודתו, להזהר ככל שאפשר שלא להניח ח"ו לגוף העבודה.

# מעשה אבות .... סימן לבנים

לא תקם ולא תטר את בני עמך ואהבת לרעך כמוך אמי ה' ... (ש"ד)

The **Netziv**, **R' Naftali Tzvi Yehudah Berlin ז"ל** quotes the *Talmud Yerushalmi* which states that *Nekama*, vengeance, is nonsensical. Imagine a person is cutting meat; his hand holding the knife slips and he cuts his other hand. Would the person then punish the hand that slipped by cutting it as well? The *Yerushalmi* concludes by explaining that this is the message of the *posuk*, “*We may not take vengeance because we must love one another.*” We are all similar to the fingers of a single hand, or limbs of a single body. If we take vengeance upon another person - even to redress a wrong - we are cutting off one of our own limbs. The *mitzvah* to honor and respect another Jew is not merely designed to serve a practical purpose, to assure order and harmony in society. It has a higher purpose. It is designed to reorient our perspective upon ourselves. We are commanded to refrain from vengeance and to love one another in order to foster within ourselves a healthy and truthful perspective. We must recognize that we are members of a group and nation. This does not mean the individual is not important, or that a person’s sense of individual significance is improper. But our sense of our own individual importance cannot overwhelm our realization and acknowledgement that we are also part of *Klal Yisroel*.

At the outbreak of the Bolshevik Revolution in 1917, **R’ Isser Zalman Meltzer ז"ל** and his esteemed son-in-law, **R’ Aharon Kotler ז"ל**, fled Russia to Poland. R’ Aharon stayed in Poland to head the *Yeshivah* in Kletzk, while R’ Isser Zalman emigrated to *Eretz Yisroel* and was appointed *Rosh Yeshivah* of *Eitz Chaim* in Jerusalem. R’ Isser Zalman is credited with introducing the *derech* of the Lithuanian *Yeshivos* to *Eretz Yisroel* and he was known as the “*Rosh Yeshivah* of the *Roshei Yeshivos*.” His *middas ha’anavah*, his humility and modesty, were legendary. Even when a *yeshivah bochur* would come talk with him in learning, he would discuss the *sugya* as if he were talking to an elderly *talmid chacham*. When a young child would ask a good question or propose a good answer, he would jump for joy.

It is told that a group of 13-year-olds in the *Eitz Chaim Yeshivah* once came to R’ Isser Zalman to be tested. R’ Isser Zalman asked them about a certain *Tosfos*, and one of the students was quick to respond - with the wrong answer. With a smile, R’ Isser Zalman answered, “Wonderful! You surely meant such and such,” and he began to explain the *Tosfos* properly.

The young boy countered, “No, *Rebbi*, that is not what I meant,” and he reiterated his incorrect response.

Unruffled, R’ Isser Zalman said, “I understand. Come, let’s see.” He then proceeded to explain the *Gemara* in tedious detail, returning eventually to the question of *Tosfos*. Afterwards, he explained *Tosfos*’ answer in such an erudite fashion that its meaning was beyond doubt. R’ Isser Zalman was sure the boy understood the correct *pshat* at this point.

Yet the boy stood his ground. “Why doesn’t the *Rebbi* understand - I explained it differently!”

By now the other boys in the class were grinning and snickering, and their *Rebbi* was becoming increasingly agitated. It was borderline *chutzpah* and the *Rebbi* would not abide by it. Yet, for the next 10 minutes, R’ Isser Zalman tried again and again to explain it to the boy, and again and again he would ask, “You probably meant this, right?”

And each and every time, the boy would not relent. “No, no, that is not what I meant.”

Finally, when the situation had gone beyond all reasonable limits, R’ Isser Zalman excused himself and left the room.

Curious to see where R’ Isser Zalman had gone the *Rebbi* opened the door quietly and peeked into the hallway. He saw the great *Rosh Yeshivah* pacing the hallway, repeating to himself over and over, “‘*Yehi k’vod chavercha chaviv alecha k’shelach*’ - your friend’s honor should be just as important to you as your own. When the *Torah* commanded us to have honor for other people, it was referring to children as well; honoring one’s fellow man includes children!”

Shortly thereafter R’ Isser Zalman reentered the room, returned to his place at the head of the table and turned to the student with a shining face. Once again, he asked, “Now, please tell me, how do you explain the words of the *Tosfos* ...?”

## תורת הצבי על הפטרות

הלוח כבני כש"ם אתם לי  
בני ישראל נאם ה' ... (קמ"ג-ג)

A PENETRATING ANALYSIS OF THE WEEKLY  
HAFTORAH BY AN UNEQUALED HISTORIAN

While describing the awesome Presence of *Hashem*, *Amos HaNavi* declared in the name of the Almighty, “*To Me, you (Klal Yisroel) are just like the Ethiopians.*” *Chazal* explain that the simple implication here is that *Hashem* was comparing the uniqueness of the dark-pigmented skin of the Ethiopians to *Klal Yisroel’s* uniqueness that is distinguished by their actions and isolation from all the other nations of the world. But is that all the comparison does?

The **Yalkut Shimoni**, **R’ Shimon Ashkenazi ז"ל**, makes an interesting distinction which we can use to elaborate on the words of the *Navi*. He says that in *Parshas Behaaloscha*, *Miriam HaNeviah* and *Aharon HaKohen* “spoke harshly” about *Moshe Rabbeinu* claiming that “*he had taken [into his*

*household as his wife] a Cushite woman.*” The two were punished for their slander but *Chazal* learn from here that their implications were that *Moshe Rabbeinu* had married his wife Tzipora merely for her looks, as opposed to her inner beauty and piety. Obviously, Moshe did nothing of the sort.

As such, we can say that the understanding of *Amos*’ statement is that during times of transgression, *Klal Yisroel* as a whole nation, can be compared to the superficiality of the Ethiopians. The fact that they are unique as a result of their look. However, when *Klal Yisroel* is doing the will of the Almighty, then our comparison to the Ethiopians takes on a whole new life of its own - we possess a uniqueness that is unmatched across all the other nations of the world!

איש איש אל כל שאר בשרו לא  
תקדשו לגלות עררה אני ה' ... (ח"ו)

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

# מחשבת הלב

When we read two *parshiyos* and there’s so much to choose from, it’s difficult to decide what to write about. It’s nice to find a common thread. In last week’s *parshiyos*, *Tazria-Metzorah*, it was easier to find a connection between the two *sedros*. Perhaps we can connect this week’s two *parshiyos* with the following idea. The *posuk* in *Kedoshim* says, “לא תשחית את פאת, זקק”. It is prohibited to shave a beard using a razor. Two of our greatest *Gedolim* of the previous generations - one *Litvish*, and one *Chassidish* - made the exact same penetrating observation on this *posuk*. They both asked, “Why were so many people in *Klal Yisroel* lax regarding the prohibition of shaving with a razor?” Both answered similarly, although one of the two elaborates as follows: The *Baysusim* (a heretic group during the times of the second *Bais Hamikdash*, similar to the *Tzedukim*) came to the *Rabbanim* angrily and complained. They said, “Why do you always make so many *gezeiros* and restrictions, thereby adding to the *Torah* obligations? What right do you have saddling us with more restrictions?” Our great *Chachamim ז"ל* calmly reacted, and said: “Okay. We’ll leave one *mitzvah* untouched by us, and let’s see how the *Yidden* fare.”

That *mitzvah* was shaving; as there are no *gedorim* or extra precautions instituted. Unfortunately, we see what happened, as many transgress this prohibition, which contains five *lavin* as the *lomdei hadaf* recently learned. The wisdom of our Sages, the preventive fences they erected, aren’t just old archaic obligations. Rather they ensure our proper adherence to the *Torah*.

*Parshas Acharei* discusses the *issurim* of *arayos*. *Chazal* of yesteryear created numerous *harchakos* to prevent us from *chalilah* falling prey to the *yetzer hara*, e.g. laws of *yichud*, *harchakos b’hilchos niddah*, אל תרבה שיחה עם האשה, etc. And in our times, the idea of computer and cell phone filters, and the like. Listening and giving proper *kavod* to these *gedorim* will *B”H* keep us in check and help us be *zoche* to the *kiyum* of the *posuk* at the end of *Kedoshim*, “ואבדיל אתכם מן העמים לחיות לי”.

## משל למה הדבר דומה

לא תעשו עול במשפט לא תשא פני דל ... (יש-טו)

**R’ Binyamin Mendelson ז"ל** was the *Rav* of *Moshav Komemiyus*, a religious settlement in *Eretz Yisroel*, beginning in 1951. The *moshav* (settlement) had a kosher bakery that provided kosher bread to some 5,000 families in the surrounding areas. Unfortunately, it was not profitable, and R’ Mendelson tried to borrow money to keep the bakery afloat until it would get in the black.

**Rabbi Shlomo Lorincz ז"ל**, a religious member of the Israeli *Knesset*, helped R’ Mendelson obtain the loans from *gemachim* (free-loan funds). At some point, Rav Lorincz realized that it seemed unlikely that the bakery would ever become profitable. He did not see a realistic way that future loans could be repaid. R’ Mendelson, though, very much wanted to keep the bakery open to ensure a steady supply of

kosher bread for the Jews of the area.

The two decided to consult with the **Brisker Rav**, **Rav Yitzchok Zev Soloveitchik ז"ל**. “Kosher bread is very important,” explained the *Brisker Rav*. “But kosher bread produced using non-kosher money is not considered ‘kosher.’ If you secure a loan knowing that it is unlikely to be repaid, the money is *treif*! Even if your goal is to perform a *mitzvah*, it cannot be done in that fashion!”

**נמשל**: The *Torah* discusses the proper conduct of judges in a Jewish court. One thing is not to try to engage in helping someone when it is at the expense of true justice, such as finding a wealthy man liable, when he is really innocent, in order that he provide support for a destitute man. Why not? Isn’t it charity? The *Torah* teaches us the opposite. Even if the rich man has an obligation to give charity to the poor, twisting the law to do a “*mitzvah*” is unequivocally wrong.

דבר אל כל עדת בני ישראל ואמרת אליהם  
קדשים תהיו כי קדוש אני ה' אליהם ... (יש-ג)

INSIGHTFUL TORAH THOUGHTS ON THE WEEKLY  
SEDRA TO LEARN AND TO ENJOY BY R' MOSHE GELB

## זינפש ....

In this week’s *parsha*, the *Torah* tells us “קדשים תהיו” - that we should be a holy people. The **Ramban** famously explains that this means “פרושים תהיו” - a new understanding of the *posuk* that we must separate ourselves as much as possible from the material pleasures of this world. One who indulges in his base desires, even when technically permitted to according to *halacha*, is called, in the words of the Ramban, a “נבל ברשות התורה” - a religiously observant “degenerate.”

It seems that today, this charge has been all but forgotten, as the rampant materialism in our society just gets worse and worse. **R’ Moshe Feinstein ז"ל** once said that every country has its own special *yetzer hara*, an evil inclination, and the *yetzer hara* of America is *taavos*, indulgence in material pleasures. Indeed, we see that in recent times every pleasure imaginable is now available in a glatt-kosher version. This is so that we should have the ability to experience every *taavah* in the world (as quoted by **R’ Chaim Mintz shlita**). This is the *nisayon* of our generation.

And perhaps the saddest part of this culture is that everything is camouflaged under the veneer of a *mitzvah*. We must have a meat-board the size of a small table at a *kiddush*. Why? *Oneg Shabbos*, of course! A simple piece of *kugel* doesn’t do it for us anymore. Twenty-piece bands and celebrity singers at weddings are necessary. Why? *Simchas chosson v’kallah*, of course! Luxury tours of Iceland because ... witnessing *Niflaos HaBorei*, of course! And the list goes on and on.

This is not to say that one has to be an ascetic. It’s not a sin to enjoy a good steak. But to make an *inyan* out of it? The *posuk* is telling us that the focus of a *Yid’s* life has to be his *avodas Hashem*, his *ruchniyus*, not on making sure he hits every restaurant in Manhattan before he dies. *Rabbosai*, we can’t fix the entire world, but we can work on ourselves!

*Hashem* should grant us the wisdom and *siyata dishmaya* to reclaim our status as the *Mamleches Kohanim* and *Goy Kadosh*!