

Torah Wellsprings

*Collected thoughts
from
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Shlita*

Mishpatim



Torah WELLSPRINGS

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Torah Wellsprings - Mishpatim

Also the Hard Times are from Compassionate Hashem

Shlomo Hamelech writes in Koheles (9:16) וְחִכְמַת הַמְּקַטְנִים בְּזוּזָה - "The wisdom of the poor is despised." A poor person may have clever and constructive ideas but isn't respected or listened to. The Baal Shem Tov zt'l says that the pasuk can be translated differently. It is saying that the poor know בְּזוּזָה "Hashem is here." They are suffering from poverty, but they know that it is all from Hashem. They believe it is for their good and trust that Hashem will help them.

This is a fundamental lesson for everyone, no matter what they are going through. They must know בְּזוּזָה "Hashem is here." The situation is from Hashem, not by chance, and only good will come from it.

It states (Yeshayah 12:1) אֲדַבֵּר ה' בִּי אֲנַפֵּת בִּי "I thank You, Hashem, for being angry with me." Why is Dovid HaMelech thanking Hashem for the wrath and punishments he received? The answer is that he believed it was from Hashem, for his good. After this, the pasuk states וְתַנְחֵמֵנִי "Your wrath will turn away and You will comfort me." Rabbeinu Yonah (Shaarei Teshuvah 4:12) explains that when one praises Hashem even through hard times, he can be sure that the troubles will end, and good times will come.¹

We say in the zemiros of Friday night, מְשׁוּךְ חֶסֶד לַיּוֹדְעֵיךָ א"ל קְנָה וְנוֹקֵם

kindness to those who know You, O Hashem, Who is vengeful and Who takes revenge." The question is obvious. Hashem's attributes of קְנָה וְנוֹקֵם, vengefulness and revenge don't seem to be the attributes best suited for attaining Hashem's kindness. Why do we mention these *middos* when requesting Hashem's kindness?

Based on our discussion, it is understood. We believe that concealed within the hardships is Hashem's kindness. Therefore, we can ask for Hashem's kindness, at all times.

Nevertheless, it is still difficult to understand. Wouldn't it be more appropriate to say מְשׁוּךְ חֶסֶד לַיּוֹדְעֵיךָ א"ל רַחוּם וְחַנּוּן, draw down Your kindness to those who know You, O Hashem *Who is compassionate and kind*! We should mention Hashem's attributes of revealed loving-kindness when we request Hashem's chesed.

Divrei Shmuel zt'l (quoted in Beis Avraham, Pinchas) answers with a mashal: A king wanted to know whether his kingdom was loyal to him and what they were saying about him. So he wore regular clothing and mingled among the masses to listen to their conversations.

This technique only worked for those who knew the king only by his royal clothes. Since he wasn't recognizable by his outer appearance, they spoke about him in front

1. Rabbeinu Yonah teaches, "If troubles and tzaros befall a sinner, and the sinner admits that he deserves it, and accepts the punishment with love, this will spare him from many more yesurim that were due to come to him."

At kriyas Yam Suf, it states (Shemos 15:21) וַתַּעַן לָהֶם מִרְיָם, and the word וַתַּעַן often means "answered." What did Miryam answer, and what was the question? Shevet HaLevi zt'l explains that the question the Yidden had was why they had to be enslaved in Mitzrayim. An even greater question was that after they were finally freed from Mitzrayim, why was it destined that the Mitzrim chase them? Miryam replied, וַתַּעַן לָהֶם מִרְיָם שִׁירוּ, "Miriam answered them, Sing to Hashem, for He is very exalted; a horse and its rider He cast into the sea." In other words, the tzaros came so they could be followed by the miraculous salvation that would come in their wake.

of him. The king was able to listen in on their conversations.

However, those who knew the king well recognized who he really was, even when he wore regular clothing. They were cautious with what they said. They wouldn't speak negatively about the king in front of him.

The lesson is as follows:

Hakadosh Baruch Hu bestows His kindness on us in concealed ways, which is a test. Hashem wants to know what we are thinking and whether we will be loyal to him despite going through hard times.

We say to Hakadosh Baruch Hu, "Your test won't work on us. ליודעך, We know that it is Your kindness, even when it is concealed and appears as א"ל קנא ונוקם. We see troubles and tzaros, and we know that concealed within them is your kindness. We won't doubt or question your ways ch'v, because we know it is from You and for our good. Therefore, we say משוך הסודך, "Hashem, You may as well bestow Your kindness to us in a revealed manner, ליודעך, because we are the Jewish people who know that it is You and that it is Your compassion, even when You act in a mode of קנא ונוקם, with vengeance and revenge. There is, therefore, no reason to conceal your kindness to test us, because we will pass the test. Therefore, please shower us with kindness in a revealed manner."

The parashah begins ואלה המשפטים אשר תשים לפניך, "And these are the ordinances that you shall set before them."

Rashi writes that the וא"ו at the beginning of ואלה comes to connect this week's parashah to the parashah preceding it. Last week's parashah discusses matan Torah, and this week's parashah discusses monetary halachos. They are connected, as Rashi

teaches, מדה הראשונים מסיני אף אלו מסיני, just as last week's parashah occurred at Har Sinai, the halachos of this week's parashah are also from Har Sinai.

Eizor Eliyahu (from Reb Eliyahu Lerman zt'l) asks, why would we think otherwise? Obviously, all of the mitzvos and halachos of the Torah were given at Har Sinai!

He answers that the connection teaches us that just as the revelation of matan Torah was certainly from Hashem, so, too, all money matters are also from Hashem. It isn't that I did something, or someone did something to me, rather everything is from Hashem. With this awareness, one won't blame others, and he won't blame himself for his financial problems or for any other hardship he endures in life. He knows that everything was destined and planned by Hashem.

When one knows this, Hashem will help him immensely and he will leave the darkness and come to a great light. This is alluded to in the pasuk (21:13) וְאֶשֶׁר לֹא צָדָה וְהִתְאֱלָקִים אֵנָּה לְדָו וְשִׁמְתִי לָךְ מְקוֹם אֶשֶׁר יְנוּם שְׁמָה. The pasuk is implying, וְאֶשֶׁר לֹא צָדָה, if a person doesn't seek צד, sides and reasons to explain why something occurred, rather he believes with all his heart that וְהִתְאֱלָקִים אֵנָּה לְדָו, it was arranged and destined by Hashem, then Hashem will say וְשִׁמְתִי לָךְ מְקוֹם אֶשֶׁר יְנוּם שְׁמָה, I will arrange for you a place and way to escape from all your troubles.

It states (21:3) אִם בְּגַפּוֹ יָבֹא בְּגַפּוֹ יֵצֵא. Eizor Eliyahu write that בְּגַפּוֹ is gematriya אמ"ן, which represents emunah. The pasuk is saying אִם בְּגַפּוֹ יָבֹא that if you believe that the tzaros you have are from Hashem, בְּגַפּוֹ יֵצֵא Hashem will take the tzaros away. In the merit of your emunah and bitachon, the tzaros will be taken away from you.²

2. Reb Iren, the director of Lev Shomeia (a telephone hotline service to help yeshiva students), told me the following story:

A father called the hotline and told the therapist who took the call that he has several children who are

already of marriageable age. Still, he is waiting for his oldest son to get engaged first because he desires to marry off his children in order. The oldest son has been in shidduchim for a long time, holding up the rest of the family. Recently, things began to proceed in a positive direction. His son was just about to get engaged. But then, he broke one of the rules of his yeshiva- nothing severe, but it was against the rules - and the rosh yeshiva wanted to expel him from yeshiva. The father said: "This will ruin the shidduch, especially since the girl's brother leans in this yeshiva. When the family hears that my son was expelled, they will certainly drop the shidduch."

Reb Iren called the Rosh Yeshiva and tried to work something out with him. "The bachur eat and sleep at home. Just allow him to continue learning in yeshiva so the shidduch could materialize."

But the Rosh Yeshiva wouldn't budge. The rules of the yeshiva needed to be upheld, he said.

Reb Iren arranged a meeting at the yeshiva, together with the Rosh Yeshiva, the Mashgiach, and other influential people in the yeshiva. He hoped they would find a solution and salvage the shidduch.

That night, Reb Iren took the 402 bus from Bnei Brak to Yerushalayim, to attend the meeting he arranged. Next to him on the bus, sat a fifty-year-old man. The man's face was turned to the window; it appeared he was sleeping.

Reb Iren still had to make several more calls to finalize the meeting. Lev Shomeia is very careful to preserve the privacy of the people they serve, so without revealing any identifying details, Reb Iren made his phone calls.

"What happened to gezel sheinah" his neighbor suddenly shouted at him, upset for being woken up by all the phone calls. "Blah, blah, blah. Blah, blah, blah! You don't stop talking! You are disturbing my sleep."

Reb Iren was terribly embarrassed by this outburst. Everyone on the bus heard it, and they were looking toward them to see what was happening.

Reb Iren told me he was thankful it was dark on the bus. Otherwise, the shame would be unbearable.

"I'm sorry..." Reb Iren apologized, but apologizing was also a mistake because it only incensed his neighbor, encouraging him to complain and rant some more. Reb Iren immediately put his phone on vibration. His important calls will have to wait for when he gets off the bus. His neighbor went back to sleep.

Reb Iren's phone vibrated. It was the Rosh Yeshiva. He knew that he must take his call, as it was very hard to catch the Rosh Yeshiva, as he was the head of a very large yeshiva. Reb Iren whispered into the phone: "Hello. Hello."

The Rosh Yeshiva said: "I understand that you cannot speak now. I just wanted to tell you that everything is taken care of. I spoke with the bachur, and he promised not to break the rules again, and I am allowing him back into yeshiva."

Reb Iren rejoiced. His intervention had paid off. But then he remembered that he still needed to make one more phone call. He wanted to call the father, to tell him that his son could return to yeshiva. By that time, the bus was already passing Motza, on the outskirts of Yerushalayim, and the lights of the bus were turned on, so he figured he could place the call. He also noticed that his irate neighbor was on his phone. This meant that he could speak even more freely now.

"Hello. I wanted to share with you the good news. I just spoke to the Rosh Yeshiva, and he allowed your son to remain in yeshiva."

As Reb Iren spoke, he heard his voice in double, because the person sitting next to him was the boy's father!

Realizing what happened, his neighbor exclaimed, "I don't believe it! You were calling people and working to help me, and I shouted at you?! How could I shout at the person who was helping me?"

Now it was the father's turn to apologize. He explained to Reb Iren that he couldn't sleep the entire night because he was so worried about his son and was on the way to daven at the Kosel. He was exhausted and was hoping to sleep on the bus. But he still couldn't forgive himself for embarrassing and shouting at Reb Iren, when all he was doing was trying to help him.

Hashem's is Closer to those who are Suffering

It states (23:25) וְעַבְדְּתֶם אֶת ה' אֱלֹהֵיכֶם וַיְבַרֶכְךָ אֶת לֶחְמֶךָ וְנִסְרַתִּי מִחֲלָה מִקֶּרְבְּךָ וְנָתַתְּ מִיְמִינְךָ נְהַסְרֵתִי מִחֲלָה מִקֶּרְבְּךָ Hashem, your G-d, and He will bless your food and your drink, and I will remove illness from your midst." Notice, how in this pasuk, Hashem is called "He" and "I". The pasuk begins וַיְבַרֶכְךָ אֶת לֶחְמֶךָ, "He will bless your food," and then it states וְנִסְרַתִּי מִחֲלָה מִקֶּרְבְּךָ, "I will remove illness from your midst."

The Beis Elokim (Shaar HaTefillah ch.1) explains that Hashem's *hashgachah pratis* is extra close and more revealed for those who suffer. The end of the pasuk refers to someone ill, stating, "I will remove illness." The beginning of the pasuk discusses receiving Hashem's brachos. When everything is good, and Hashem is bestowing His blessings, Hashem's *hashgachah* on a Yid isn't as revealed.³

It can be compared to when a person has several children, and one of them is ill, r'l. The parents' mind is more focused on this child. Hashem, too, is closer to those who go through hard times.

It states (Tehillim 23:2-4) בְּנֵאוֹת דְּשָׁא יִרְבִּיעֲנִי עַל מֵי מְנוּחֹת יִנְהַלֵּנִי, נַפְשִׁי יִשׁוּבֵב וַיְנַחֵנִי בְּמַעְגְלֵי צֶדֶק לְמַעַן שְׂמוֹ, "He causes me to lie down in green pastures; He leads me beside still waters. He restores my soul; He leads me in paths of righteousness for His name's sake."

גַּם כִּי אֵלֶךְ בְּגִיא צְלָמוֹת לֹא אִירָא רָע כִּי אֲתָה עִמָּדִי שְׂבָטְךָ וְכֹמֶשׁ עֲנִתְךָ הִמָּה יִנְחַמֵּנִי, "Even when I walk in the valley of darkness, I will fear no evil for You are with me; Your rod and Your staff - they comfort me."

In these pesukim, as well, Hashem is referred to as "He" which is לשון נסתר, a concealed manner, and then it refers to Hashem with "I" and "You" which is לשון נוכח, where we are talking directly to Hashem. The explanation is the same as we wrote above. The first two pesukim discusses Hashem's kindness, that Hashem leads him on green pastures and beside still waters, etc. At these times, Hashem's *hashgachah pratis* is less, and we refer to Hashem from the distance, "He." But when one goes through hard times, Hashem's *hashgachah* is immensely upon him, and we refer to Hashem as 'You.'⁴

This true story contains an important lesson. We tend to complain when things don't go exactly how we want them to. Hashem could say: "I am working for you, and you are complaining? I am helping you right now, with these matters that upset you; how can you be upset at Me?"

3. We quote the Beis Elokim: "It states וְנִסְרַתִּי, 'I will remove,' not והסיר, 'He will remove'... This is because Hashem's *hashgachah* on His creations to save them from their troubles is on a higher level of *hashgachah pratis* than His *hashgachah* to give them good. Hashem does kindness to all of his creations, as it states (Tehillim 145:9) טוֹב ה' לְכָל לֵב, 'Hashem is good to all.' But to save them when they are in a *tzarah* needs a higher level of *hashgachah pratis* and greater compassion. Therefore, regarding brachos, it states וַיְבַרֶכְךָ אֶת לֶחְמֶךָ, 'He will bless your food', a concealed expression. And for salvation and healing, it states וְנִסְרַתִּי, 'I will remove the illness'... You will know and understand... that I am the one who saves and heals all life, with my *hashgachah pratis* on them."

4. It states (Tehillim 84:12) כִּי שֶׁמֶשׁ וְיָמִין הוּא אֱלֹהִים, "For a sun and a shield is Hashem, Elokim." The Baal Shem Tov zy'a (Keser Shem Tov vol.2 p.24) teaches that the sun is a *mashal* for Hashem's name הוּא, and the sun's shield is a *mashal* for Hashem's name אֱלֹהִים. It is impossible to look at the sun without a shield. Similarly, Hashem's attribute of kindness, represented by the name הוּא, would be too intense to receive without a shield, represented by the name אֱלֹהִים, which represents *dinim*.

It states (Avodah Zarah 3:) that in the future, Hakadosh Baruch Hu will remove the sun from its sheath (נרתיקה) and the *tzaddikim* will be healed by its light. This means that in the future, we will be able to see Hashem even through His direct kindness. It won't need to be shielded by the *midas hadin*. But in this world, the only way we can perceive Hashem is through the shield and the hardships of life.

The Maharal (Netzach Yisrael ch.10) writes, "The Gemara (Megillah 29.) states: 'Come and see how beloved the Jewish nation is to Hashem. Wherever they went to galus, the Shechinah went with them. They went to Mitzrayim, the Shechinah went with them as it states (Shmuel 1 2:27) הנגלה נגליתי לבית אביך, בהיותם במצרים, "So said Hashem: 'Didn't I appear to the house of your father, when they were in Mitzrayim...?' They were exiled to Eilam, and the Shechinah was with them, as it states (Yirmiyahu 49:38) ושמותי כסאי בעילם, "I placed my throne in Eilam.' They were exiled to Bavel, and the Shechinah was with them as it states (Yeshayahu 43:14) למענכם שולחתי בבבל, "For you, I sent to Bavel.' They were exiled to Edom, and the Shechinah was with them as it states (Yeshayahu 63:1) מי זה בא מאדום, חמוץ בגדים מבצרה, 'Who is this coming from Edom, with soiled garments from Batzra...'"

The Gemara concludes, ואף כשהן עתידין ליגאל, שכינה עמהן, "Even when they will be redeemed in the future, the Shechinah will be with them."⁵

The expression אף, "Even" indicates this is a chiddush.

The Rashba z'l asks that it doesn't seem to be a chiddush! It seems obvious that Hashem will be with us at the redemption. If Hashem was with us during the hard times, in galus, certainly Hashem will be with us in the peak of our glory!

The Maharal writes, "I say... there is more reason for Hashem to be with the Jewish nation when they are in galus than at

redemption." According to the Maharal, the Gemara should be read literally. There is a greater chiddush that Hashem will be with us at the time of redemption because it is more natural for Hashem to be with us during times of suffering.

This is as it states (Tehillim 41:4) ה' יסעדנו על ערש דוי, "Hashem will support him on his sickbed." The Gemara (Shabbos 12:) learns from this pasuk that Hashem is above an ill person's head. He is closer to the sick and suffering than those without these problems.

The Maharal writes, "This is for two reasons. Firstly, whoever needs to be watched and cared for, Hashem's hashgachah is greater over him.

"The second reason is that it states את דכא ושפל רוח אשכון, "I dwell with the crushed and humble in spirit.' This is Hashem's way, to dwell with the downtrodden and suffering. Therefore, the ill person who is a דכא, crushed, Hashem is particularly close to him.

"For both reasons, it is more reasonable that the Shechinah will be with us in galus than during the redemption. In galus, we need to be guarded, so the goyim won't harm us. Furthermore, we are downtrodden and crushed in the galus, and Hakadosh Baruch dwells with the נדכא ושפל רוח, 'the crushed and humble in spirit'. Therefore, one might think that when we are redeemed from galus the Shechinah won't be with us. Therefore, the Gemara tells us that the Shechinah will remain with us even then."⁶

5. The Gemara proves that Hashem will be with us at the redemption from the pasuk (Devarim 30:3) ושב ה' אלוקיך את שבותך, "Hashem, your G-d, will bring back your captivity.' It doesn't state והשיב, that Hashem will return the exiles, rather ושב, 'He will return.' This teaches us that Hakadosh Baruch Hu, שב עמהן, will return with the Yidden from galus."

6. The question arises, why indeed will the Shechinah remain with us during our redemption? Both reasons mentioned above do not apply. We will no longer require special protection and won't be downtrodden. The Maharal explains that there is a third reason Hashem is with the Jewish nation. It is because Hashem and the Jewish nation have a firm bond and connection that can never be severed. The Jewish nation is called ישראל, which has Hashem's name in it (the name איל) and this is a chain that connects us to Hashem. Therefore, also during redemption, Hashem will be with us because Hashem and the Jewish nation are eternally connected.

It states in Tehilim (104:26) לִוְיָטָן זֶה יִצְרָתָהּ לְשִׂחָקָהּ בּוֹ, "You created the *Livyasan* (large fish) to play with it." Why does the pasuk mention the לִוְיָטָן in particular? Chazal (Bava Basra 74:) state that Hakadosh Baruch Hu created a male and female לִוְיָטָן. But when Hashem saw that the world wouldn't exist if they multiplied and had children, Hashem killed the female and salted it for the tzaddikim in the future. The male לִוְיָטָן remained alone. Hakadosh Baruch Hu tells the לִוְיָטָן, "You are not alone in the world. Hakadosh Baruch Hu will be there with you, and keviyachol play with you. This is a lesson for all those who feel alone in the world due to their tzaros and the like. Know that you aren't alone. Hakadosh Baruch Hu is with you. He draws you near Him to be with Him.

Holiness with the Eyes and Mouth

It states (22:30) וְאֲנָשֵׁי קֹדֶשׁ תִּהְיוּ לִי, "You shall be holy people to Me."⁷

The Mechilta says that we should read the pasuk וְאֲנָשֵׁי קֹדֶשׁ, when you act with holiness, תִּהְיוּ לִי, you are Mine.

The Reishis Chachmah (ch.2) teaches that we learn a negative from the positive: "If you don't make yourselves holy, you aren't His."⁸

The Yerushalmi (Brachos 1:8) states, "Hakadosh Baruch Hu says, "If you give Me your heart and your eyes, I know that you are Mine."

It states (21:24) עֵינַי תִּחַת עֵינַי, "an eye for an eye." The literal translation is that if someone harms another person's eye, he must pay for the damage. The Tiferes Shlomo teaches that the pasuk is also teaching us that when a Yid guards his eyes from looking where he shouldn't, this arouses Hashem to watch him from above. He writes, "The pasuk reveals the greatness of a Yid. When he acts with kedushah, it creates an arousal above... Someone who guards his eyes from looking where he shouldn't, this arouses Hashem's eye from Above... This is hinted in the words עֵינַי תִּחַת עֵינַי, 'an eye for an eye.'"

The Tiferes Shlomo writes there that מעין בא עולם הבא can be translated, "From guarding the eyes, one merits Olam HaBa."

Another hint is in the tefillah that is said on Shabbos morning when the Torah is taken out to be read. We say, ונראהו עין בעין. The Tiferes Shlomo translates it, "We will see the Shechinah according to the extent that we are cautious with our eyes."

7. The Kotzker zt'l translated the pasuk, וְאֲנָשֵׁי קֹדֶשׁ תִּהְיוּ לִי as וְאֲנָשֵׁי קֹדֶשׁ תִּהְיוּ לִי, "Holy humans shall you be." The intention of his words is explained by the Sfas Emes zt'l (5632). He explains that Hakadosh Baruch Hu doesn't desire that a person have the kedushah of the malachim, because Hashem already has an infinite number of malachim in heaven. Hashem wants a person to be a human being, but a human being who is holy.

Reb Gad'l Eisner zt'l would tell chassanim (b'derech tzachus) that there are yungerleit who want to be holy like malachim, and the first thing that they do is that they become inhumane (אויס מענטש). This isn't the right path. Hashem wants our humanity, and within this parameter, to be holy.

A hint to this is that parashas kedoshim begins with the obligation to be holy, קְדוּשִׁים תִּהְיוּ, and immediately following, it states וְאָהַבְתָּ לְרֵעֲךָ כְמוֹךָ, and you shall love your fellow man. You are expected to acquire *kedushah*, while simultaneously keeping the obligation to love and to be kind with your fellow man.

8. In a hesped that the Yeitav Lev zt'l gave for the Maharam Shik zt'l, he explained the pasuk (22:30) וְאֲנָשֵׁי קֹדֶשׁ תִּהְיוּ לִי, "You shall be holy people to Me, וּבֶשֶׂר בְּשָׂדֵה וּבֶשֶׂר בְּאֵרֶץ אֵלֶּיךָ לֹא תֹאכְלוּ, it is treif and you shall not eat it." Chazal (Chulin 68:) explain that וּבֶשֶׂר בְּשָׂדֵה refers to the flesh of the korbanos that were taken outside the walls of the Beis HaMikdash. This isn't kosher. The lesson is that when a person leaves the mechitzos, the holy walls and boundaries of kedushah, he is at risk of ruination. (This is also written in Nefesh Yonason וְאֲרָא ד"ה הוּא הוּא).

It states (21:26-27) וְכִי יִכּוּ אִישׁ אֶת עֵין עַבְדּוֹ... לְחַפְּשֵׁי יִשְׁלַחְנוּ תַחַת עֵינוֹ, וְאִם שָׁן עַבְדּוֹ אוֹ שָׁן אִמְתּוֹ יִפִּיל לְחַפְּשֵׁי יִשְׁלַחְנוּ תַחַת שָׁנוֹ, "If a man strikes the eye of his slave.... he shall set him free in return for his eye. And if he knocks out the tooth of his slave or the tooth of his maidservant, he shall set him free in return for his tooth."

The Pnei Menachem zt'l (5754) explains in the name of tzaddikim that שָׁן, tooth, represents the *taavah* for eating food and for speaking forbidden speech. If he causes his teeth to fall, which allegorically means that he fights and hits the yetzer hara regarding these matters, also וְכִי יִכּוּ אִישׁ אֶת עֵין, if he will smite the eye, which means he guards his eyes, לְחַפְּשֵׁי יִשְׁלַחְנוּ, he goes free from the influence of the yetzer hara.

This will be understood better when we read the holy words of Rabbeinu b'Chayei, who explains the reason a slave goes free when his master knocks out his tooth or eye. "The reason is because he became a slave due to the eye and due to the tooth. As it states (Bereishis 9:22) וַיִּרְאֵה חָם אֲבִי כְנָעַן אֶת עֶרְוַת אֲבִיו וַיַּגִּד, 'Cham, the father of Canaan, saw his father's *ervah*, and he told his two brothers outside.' He saw with his eyes, and he told his brothers with his mouth, and he was punished with slavery, as it states (ibid, pasuk 25) אָרוּר כְּנָעַן עֶבֶד עַבְדִּים יִהְיֶה לְאֶחָיו, 'Cursed be Canaan; he shall be a slave among slaves to his brethren.' But now, since the slave was hit in the limbs that caused the slavery, he is exempt from the punishment of being a slave."

From the Rabbeinu b'Chayei we learn that the sin of the eyes and the teeth caused slavery. Therefore, when one is cautious with these limbs, he will merit leaving slavery and attaining genuine freedom.

Someone asked the Beis Yisrael zt'l for counsel for avodas Hashem, and he replied, זִי אוֹיִפְגַּה־טֵן (be cautious from performing bad). The bachur asked, "How is one careful?"

The Beis Yisrael replied that it states in this week's parashah (21:28) וּבַעַל הַשּׁוֹר נָקִי. An

alternative translation of שׁוֹר is to see (see Bamidbar 24:17 (אשורנו ולא קרוב)). When a person is *בעל* over what he sees, and he is careful with what he sees, this person will be נָקִי, which means he will be נָקִי בְדֵינוֹ, found innocent and clean in his judgment.

The Beis Yisrael added another pasuk (Devarim 21:7) וְדֵינוֹ לֹא שָׁפְכוּ אֶת הַדָּם הַזֶּה וְעֵינָיו לֹא רָאוּ, if a person can say וְעֵינָיו לֹא רָאוּ, that he didn't see what he shouldn't see, he can say דֵינוֹ לֹא שָׁפְכוּ אֶת הַדָּם הַזֶּה, "Our hands did not shed this blood."

It states (Tehillim 30:6) כִּי רָגַע בְּאַפּוֹ תַיִם בְּרִצּוֹנוֹ, "For His wrath lasts but a moment..." Sometimes a person can anger Hashem for a moment, כִּי רָגַע בְּאַפּוֹ, and because of that moment, תַיִם בְּרִצּוֹנוֹ, his entire life he has to appease Hashem and ask for forgiveness. Therefore, one must be cautious not to fail in those critical moments.

Tana d'Bei Eliyahu (Rabba ch.9) discusses two levels of tzaddikim. One level comprises those who never sin but were also not tested so much. A higher level includes those who were tested and made themselves lazy and uninterested in the aveirah, which helped to hold back from performing the aveiros. Tana d'Bei Eliyahu teaches, "Fortunate is the person who never came to sin and never left the good path. Even if he is a Yisrael, he is fitting to bring a korban on the mizbeiach as if he were the kohen gadol. As it states (24:5) וַיִּשְׁלַח אֶת נְעָרָי בְנֵי יִשְׂרָאֵל וַיַּעֲלוּ עֹלֹת, 'The youths of Bnei Yisrael offered korbanos...' But someone who makes himself lazy when it comes to performing aveiros, he reaches the level of the malachim in heaven. As it states (24:11) וְאָל אֲצִילֵי בְנֵי יִשְׂרָאֵל... וַיַּחֲזוּ אֶת הָאֱלֹקִים וַיֹּאכְלוּ וַיִּשְׁתּוּ, 'The lazy of Bnei Yisrael.... they perceived Hashem, and they ate and drank.'"

Tana d'Bei Eliyahu interprets אֲצִילֵי (nobles) as עֲצִילֵי, those who are lazy from performing aveiros. They reach the level of הָאֱלֹקִים, *kivayochol* seeing Hashem. This is the level of malachim. It is higher than the tzaddikim who weren't tested and never performed aveiros. Those tzaddikim reach the level of

a kohen gadol, whereas those who pass tests reach the level of the malachim.⁹

A *טרפה* refers to when a kosher animal is wounded, and the inner limbs are damaged, rendering the animal non-kosher. It states (22:30) וּבֶשֶׂר בְּשָׂדֵה טְרֵפָה לֹא תֹאכְלוּ לְקֶלֶב תִּשְׁלַכְוּ אֹתוֹ, "flesh torn in the field (*treifah*) you shall not eat; you shall throw it to the dogs." Why are dogs rewarded with this food?

Daas Zekeinim m'Baalei HaTosfos explains that we should reward dogs for the service they do for their owners. They watch over the cattle and protect them from wild animals. We give the *treifos* to dogs as a reward and as an expression of *hakaras hatov* for the service they do.

The obvious question is, why do we reward the dog now when it fails its mission? A dog is supposed to protect the livestock, but this time, a wolf or some other animal entered the herd and attacked one of the cattle, rendering it a *treifah*. The dog failed to scare off the predators. So, why should we reward the dog at this time? We should punish the dog for failing in his mission, or at least not do anything. But why does the dog deserve a reward?

The Yismach Yehudah offers a wonderful answer, which applies to everyone: When a person fails to do something in his avodas Hashem, his first reaction is to berate himself and feel down. This halachah teaches us that instead of knocking ourselves down, we should build ourselves up with the realization that despite the challenges, we are accomplishing a lot. We deserve reward, not the opposite. Just as the dog was rewarded, specifically when he failed, we must also focus on our qualities and successes. Especially when we fail, we must think

about these matters, so we will be encouraged to succeed next time.

Therefore, when one seeks to maintain the holiness of his eyes and mouth and fails, he should think about all the times he succeeded. This will embolden him to be cautious in the future.

A Renewed Bris Milah

At matan Torah, korbanos of olah and shelamim were sacrificed, as discussed at the end of the parashah. The blood of both korbanos were divided in half, as it states (24:6) וַיִּקַּח מִשֵּׁה חֲצֵי הַדָּם וַיִּשֶׂם בְּאַגְנֹת וַחֲצֵי הַדָּם זָרַק עַל הַמִּזְבֵּיחַ, "Moshe took half the blood and put it into the basins, and half the blood he cast onto the mizbeiach."

Rashi explains that the blood in the basins was sprinkled on the Jewish nation.

The Ohev Yisrael zt'l (ד"ר ב"ר תשא Shekalim) explains that half of the blood went on the mizbeiach and half on the Jewish nation, and this created a bond between Hashem and the Jewish nation.

He says that the Abarbanel writes in one of his sefarim about the process kings of the past would use to make a *bris*, a covenant with one another. The *bris* was a promise made to love one another and, if needed, to go to war to protect the other. To establish this bond, they would pour two cups of wine, and each king would place a drop of his blood into the wine and give it to the other king to drink.

When they drank the wine, their blood mixed, which was a sign that the *chiyus* (life source) of both were bound together. This is because כִּי הַדָּם הוּא הַנֶּפֶשׁ the blood is the soul and the *chiyus* of a person. This symbolized that each person was prepared to be moser

⁹ זיקון דנורא adds that the tzaddikim who passed the test are greater than malachim. Malachim don't have a yetzer hara, but he had one, and with his good choices and immense effort, he overcame the yetzer hara. Tana d'Bei Eliyahu tells us that because he passed difficult tests, he is equal to the malachim in that he will see the Shechinah like them. But in other ways, due to his challenges, he becomes greater than the malachim.

nefesh and to pour his blood, if needed, to help his fellow man.

The Ohev Yisrael says that this is the bris performed in this week's parashah between Hakadosh Baruch Hu and Yisrael. As it is known, מַלְכוּתָא דְרַקִיעָא כַעֲיָן מַלְכוּתָא דְאַרְעָא, the kingdom of heaven is similar to the kingdom of man. Just as blood is used to create a bond in the kingdoms below, the process is also used in the kingdom of Heaven. Therefore, the blood of the korbanos was divided. Half was placed on the *mizbeiach* and half was on the Jewish nation.

We quote the Ohev Yisrael, "Keviyachol, the blood of their covenant were mixed together, and the Jewish nation will... be moser nefesh for Hashem's kedushah. (24:8) הִנֵּה דַם הַבְּרִית אֲשֶׁר כָּרַת ה' עִמָּכֶם 'Behold the blood of the bris that Hashem has formed with you.' עִמָּכֶם, with you, means they are together, totally one."

At a bris, the father of the child says the brachah, בְּרוּךְ אַתָּה ה'... אֲשֶׁר... צִוִּינוּ לְהַכְנִיסוּ בְּבְרִיתוֹ שֶׁל, אַבְרָהָם אֲבִינוּ, "Blessed are You Hashem... Who... commanded us to bring him into the bris of Avraham Avinu." Who is the "him" in this pasuk? Presumably, it is the infant child. But why isn't the brachah more explicit, such as לְהַכְנִיס הַתִּינוּק בְּבְרִיתוֹ שֶׁל אַבְרָהָם, that Hashem commanded us to bring *the child* into the bris of Avraham Avinu?

Reb Shimon Sofer (Michtav Sofer, Agadas HaShas, Shabbos 137:) answers that the brachah isn't referring to the child, it is referring to Hashem. When one makes a bris milah, he brings Hashem into the bris of Avraham Avinu. It is a renewal of the bris of love Hashem made with Avraham years before.

We add that when a person overcomes the yetzer hara and he guards his eyes and thoughts, he is making a bris milah on his heart, as it states (Devarim 10:16) וּמִלֶּתְכֶם אֶת עֵרְלֹת, לְבַבְכֶם, and this will renew the bris between the Jewish nation and Hashem.

It is known the segulah, taught by Reb Eliyahu Gutmacher, the tzaddik of Greiditz (in Hagahos HaShas Shabbos 130.) that when a child

cries at a bris milah, it is a good time for tefillah. The tefillos go straight up to heaven, without any disturbance. We add that when a person makes a bris milah on his heart by being cautious with his kedushah, it is an eis ratzon, and the tefillos he says will go straight up to heaven.

Ohev Yisrael writes, "When a person battles with the yetzer hara, and he pours his blood and abandons his desires to do Hashem's will, it is like his blood is mixed with the bris with Hakadosh Baruch Hu, and he becomes very close to Hashem," and this brings rachamim and chasadim onto him.

Don't Cause Suffering

It states (22:21) כֹּל אֶלְמָנָה וְיָתוּם לֹא תַעֲנוּן, "You shall not oppress any widow or orphan." What about other people? Is it permitted to oppress and cause them tzaar?

Rashi writes, "This prohibition applies to everyone, but the Torah mentions what is common. Since [the widow and orphan] are weak, it is common that people hurt them."

The next pesukim (22-23) state אִם עָנָה תִּעָנֶה אֹתוֹ כִּי אִם צָעַק יִצְעַק אֵלַי שָׁמַע אֲשַׁמַּע צָעַקְתוּ, וְחָרָה אַפִּי, וְהִרְגַּתִּי אֶתְכֶם בְּחֶרֶב וְהָיוּ נְשִׁיכֶם אֶלְמָנוֹת וּבְנֵיכֶם יָתוּמִים, "If you oppress him, if he cries out to Me, I will surely hear his cry. My wrath will be kindled, and I will slay you with the sword, and your wives will be widows and your children orphans."

The Ibn Ezra notes that the pasuk discusses one person (who afflicted and caused distress to his fellow man), for it states אִם עָנָה תִּעָנֶה, "if you oppress..." and it is written in singular tense. But then the punishment is written for many, as it states, וְהִרְגַּתִּי אֶתְכֶם etc, written in plural tense. This is because if people see someone harming his fellow man, and they don't stop it, they are all held responsible for the affliction. So, one person may have harmed his fellow man, and many people might be punished for letting it go by.

Another pasuk in this week's parashah is (22:24) *אם כסף תלוה את עמי את העני עמוך לא תהיה לו פנשה*, "When you lend money to My people, to the poor person [who is] with you, you shall not behave toward him as a lender."

Rashi writes, "Don't demand forcefully the payment of the debt, if you know that he doesn't have money. You should act with him as if you didn't lend him money. In other words, don't shame him."¹⁰

We learn from this pasuk how careful we must be not to embarrass or harm another person. Someone owes you money, and you might think that it is permitted to humiliate him, but the Torah forbids it. If even this is forbidden, certainly it is prohibited to humiliate all others.¹¹

The Vilna Gaon zt'l (Likutei basar Likutei year 5720) teaches that even if your intention to give *tzaar* to your fellow man is *l'shem shamayim*, because you want to bring him to pray to Hashem, nevertheless, the Torah says that you will be punished for doing so. The Vilna Gaon taught that this is hinted in the words, *אם ענה תענה אותו*, if you oppress someone and your intention is *יזעק יזעק*, *כי אם צעק יזעק*, that this person should daven to Hashem, so Hashem will listen to his prayers and he will have his salvation, nevertheless, *והרהר אפי*, Hashem will be angry and will punish. His good intentions won't protect him. It is forbidden to cause harm to your fellow man.

The proof is from Peninah. It states (Shmuel 1, 1:1-6) *ויהי איש אחד מן הרמתים צופים... ושמו אלקנה... ולו שתי נשים נשים שם אחת חנה ושם השנית פננה ויהי לפניו ילדים וילחנה אין ילדים*, "There was one man from Ramasaim Tzofim, his name was Elkanah... He had two wives; the name of the one was

Channah and the name of the second was Peninnah; and Peninnah had children, but Channah had no children."

ויעסטה צרתה גם פעם בעבור הרעמה כי סגר ה' בעד רחמה, "[Peninah]... would frequently anger her, in order to make her complain, for Hashem had shut up her womb." Chazal (Bava Basra 16.) say that *בעבור הרעמה* means that Peninah wanted to cause Chanah to daven. She angered Chanah and upset her, because she wanted that Chanah should daven and be saved.

Nevertheless, she was punished despite her good intentions. As it states (Shmuel 1 2:5) *עד עקרה ילדה שבעה ורבת בנים אומללה*, "While the barren woman has born seven, she that had many children, has been bereaved."

This means that Chanah gave birth to seven children, while Peninah ended up without any children, r'l (see Rashi on Shmuel). This teaches us that harming another person, even for a good purpose, isn't correct. On the contrary, Hashem wants that a person should go in His ways of *רחום וחנון*, to be kind and compassionate towards all Yidden, and to feel their *tzaar*.

Rebbe Tzadok HaKohen (Tzikkas HaTzaddik 175) teaches, "You have to be cautious not to harm any creature... even for a mitzvah, there will be a punishment." He proves this from Tana d'Bei Eliyahu (raba ch.24), which states, "The stones that were used by the beis din to stone someone will stand in judgment. Also, the tree used by the beis din to hang someone on it will be judged." But the stone and the tree were used for a mitzvah? Why should they be punished? The answer is that nevertheless, someone

10. Pele Yoetz (Vatranus) writes, "Sometimes, the attribute of vatranus will give you life and save you from tzaros. How good is vatranus! No one knows its value."

11. Sometimes, harming a fellow man is included in the severe prohibition of harming a widow or orphans. Even if the person has parents and isn't an orphan, you never know what the person is going through. He may be going through very hard times in life and feels totally broken. To harm them will be a severe aveirah; it is at least a *דאורייתא*, and one must be cautious.

was harmed through them. For this, they will be punished.

"This is why the members of Sanhedrin would fast on the day they sentenced someone to death (as stated in Sanhedrin 63.). At this time, beis din performed a mitzvah, they acted correctly, but they nevertheless fasted and did teshuvah to protect themselves from the punishment because, after all, through them, a Yid died."¹²

Refuah

It states (21:18-19) וְכִי יִרְיֹבֻן אֲנָשִׁים וְהִכָּה אִישׁ אֶת רֵעֵהוּ בְּאֶבֶן אוֹ בְּאֶזְרָה... יָתֵן וְרָפָא יִרְפָּא "If men quarrel, and one strikes the other with a stone or with a fist... he must provide for his healing."¹³

Why does the Torah begin with וְכִי יִרְיֹבֻן אֲנָשִׁים, that there was a fight? It would be sufficient to write וְהִכָּה אִישׁ אֶת רֵעֵהוּ, that someone hit his fellow man, unrelated to whether there was a fight beforehand or not.

Chasam Sofer answers that the pasuk begins with a dispute to hint that doctors are needed solely when there are fights and conflicts. When there is peace among people, no doctor is required. Hashem heals. This is alluded to in the pasuk (Yeshayah 57:19) שְׁלוֹם אָמַר ה' וְרָפָאתֵינוּ "Peace, peace to the far and to the near," says Hashem, "and I will heal him." When people are at peace with those close to him and with those far from him, he is at peace with everyone, אָמַר ה' וְרָפָאתֵינוּ, Hashem will heal him. He doesn't have to go to the doctor.

On the pasuk (Shemos 15:26) כִּי אֶנִּי ה' רָפָאתֶךָ "For I, Hashem, heal you", the Baal HaTurim writes that this time, the letter פ (letter feh) of רָפָאתֶךָ is written without a dot in the פ, and it is thus read softly. In contrast, in the pasuk וְרָפָא יִרְפָּא, there is a dot in the letter *peh*, and

it is read with more force. This is because "When the refuah is from Heaven, it comes easily. When the healing is from man, it is hard and painful, and therefore, the words וְרָפָא יִרְפָּא are written in parashas Mishpatim with a dot in the *peh*."

The Gemara (Horiyos 14.) says there was a question about who should be the rosh yeshiva, Rabba or Rav Yosef. Rav Yosef had vast knowledge. He knew all the Mishnayos and all the Braysos. (He was called סניי because all the Mishnayos were organized in his mind, as they were given from Har Sinai.) Rabba's excellence was in his logic, *svarah*, and pilpul. (He was called עוקר הרים, uprooting mountains, implying that he uprooted mountains with his logic.) The question was which type of expertise was more important for leading the yeshiva.

They sent their doubt to the rabbanim in Eretz Yisrael. The rabbanim in Eretz Yisrael responded that expertise in *bekiyus*, to know all Mishnayos and Braysos was a more important quality needed to lead a yeshiva.

Nevertheless, to honor Rabba, Rav Yosef refused to lead the yeshiva. For the next twenty-two years, Rabba led the yeshiva. (When Rabba was niftar, Rav Yosef took over the yeshiva.) During those twenty-two years, Rav Yosef showed no sign of leadership and power. He didn't even call a doctor to his home.

Rashi writes that when he needed a doctor, the doctor came to Rabba's home and treated Rav Yosef there. He wanted it to be clearly known that he wasn't the rosh yeshiva.

The Tosfos Rosh writes in the name of the רמ"ה another reason Rav Yosef didn't call a doctor to his home. It is because he and his family were well and didn't need a doctor. For the twenty-two years that Rav Yosef humbly gave over the yeshiva to Rabba

12. Reb Chaim Shmuelevitz zt'l said, "When a person places his hand into the fire, even if he had a good reason to do so, his hand will get burnt." So, too, to harm a Yid is fire, even when there are good intentions. If he harmed a Yid, he will also be harmed because of it.

13. On the words וְרָפָא יִרְפָּא, Chazal say, "This teaches us that a doctor has permission to heal."

(because he didn't want to lead the yeshiva when Rabba could), he was blessed, and no one in his family became ill. The Rosh concludes, "This explanation seems correct to me."

Reb Chaim Palagi (Refuah v'Chaim 12:74) writes, "When there is an ill person in your home, practice *vatranus*, even with the birds of the heaven. It is tested and proven that they will pray for you."¹⁴

Speaking in Shul

The Tzlach writes, "There is no greater rebellion against the King of the world than to speak in his *heichel*, in His presence. He is making the holy air *tamei*, similar to the Yevanim who made the *mizbeiach tamei*. Speaking during davening is like placing an idol in the *heichel*."

יש נוהלין, written by the Shlah HaKadosh's father, writes, "I swear, from all sins I saw, I never saw anything as bad, because what does one gain by speaking? For all other sins, such as theft, adultery, non-kosher foods, and the like, the yetzer hara is strong, and it sometimes pulls the person to sin because a person desires pleasures. But no *yetzer hara* pulls him to speak during davening? Furthermore, one never performs this *aveirah* by himself. There has to be at least two people. So he is חוטא ומחטיא, sinning and causing others to sin with him. The *aveiros* of many will be because of him. The worst part is that he is disgracing Hashem's honor in public, in the midst of the community, at the same holy time designated for praising Hashem..."

The Chasam Sofer (*Drashos* vol.2, 309:) said, "Hakadosh Baruch Hu with His immense mercy left us over a מקדש מעט. They are the batei knesiyos and batei midrashos. If we treat them with holiness, they will move to Eretz Yisrael... Even now, they have the *kedushah* of Eretz Yisrael. *Tefillos* go up from there to the gateways of heaven. However, if people disrespect the beis medresh and speak idle talk there, the *Sar* (the *malach*) from *chutz le'arets* comes and becomes the head of the beis medresh, *rachmana litzlan*..."

Have Your Tefillos Answered

Another problem that arises from speaking in the middle of the *tefillah* is that it prevents the *tefillos* of the congregation from going up. One should therefore be very cautious, and avoid speaking in the beis medresh, because he may be ruining the *tefillah* for everyone present.

The Chida *zy'a* writes that if one knows that he is going to speak during the *tefillah*, he'd be better off *davening* at home because his speaking prevents the *tefillos* from going up to heaven.

The *Zohar* (*Vayakhel* 205) teaches that speaking during the *tefillah* on Shabbos is an even greater violation. The Kaf HaChaim (151:8) explains that this is because speaking in the shul banishes the *Shechinah*. The *Shechinah* is more present in the shul on Shabbos; therefore, speaking on Shabbos during the *tefillah* is an even greater sin.¹⁵

14. Sometimes a person thinks, "I should be mevater for that person?! He is like an animal in the form of a human being." Therefore, we are taught to be mevater even for birds. Even when someone bothers you like a bird dancing on your head... even then be mevater, and they will daven for you.

15. The Gemara (Yevamos 6.) states, "It isn't that you are afraid of the Beis HaMikdash, rather you fear the One who dwells in the Beis HaMikdash." Similarly, we aren't afraid of the beis medresh and the beis kneses per se, but of Hashem, whose *Shechinah* rests there, and we must be cautious to treat them with holiness.

The Tzlach writes, "[Chazal teach] if someone has a beis medresh in his city and he doesn't go there to daven he is considered a שכרע, a bad neighbor. Even if there's a minyan in someone's house, it still doesn't compare to the holiness of a beis medresh, which is a מקדש מעט, where Hakadosh Baruch Hu resides. When a person is in a beis medresh, the yetzer hara is uprooted from his heart, and the atmosphere becomes

One of the miracles in the Beis HaMikdash was that the smoke from the mizbeiach rose in a straight line. The winds didn't scatter that pillar of smoke as it rose straight to heaven. As it states (*Avos* 5:5), לא נצחה הרוח את עמוד העשן the wind didn't disperse the column of smoke that came forth from the *mizbeiach*.

The *Avodas Yisrael* writes, "The explanation is, the Beis HaMikdash of the earth is directly opposite the Beis HaMikdash in heaven. When the smoke of the *mizbeiach* rose to the Beis HaMikdash above, it was received with love by the Creator, bringing down bounty to all worlds. This couldn't have occurred had the wind dispersed the pillar of smoke. Now behold.... Every beis medresh definitely has a corresponding beis

medresh in heaven opposite it. The *tefillos* go up to the beis medresh in heaven. Therefore, one must be cautious never to speak in the beis medresh, other than words of *tefillah*, because when one speaks idle talk there, it's like he is in the middle of conversing with the king and he says, 'I can't speak to you now' and then he speaks to others. This pushes away the *Shechinah*, *chas veshalom*. And also, it is possible that the *tefillos* of those who are davening in the beis medresh with *kavanah* will not be answered because of the sins of those speaking during the *tefillah*. Even worse is when one speaks during חזרת הש"ץ and קריאת התורה because *kriyas haTorah* is like Moshe Rabbeinu standing on Har Sinai, repeating the Torah from Hashem's mouth to the Jewish nation."

similar to Eretz Yisrael. The *tefillos* go up to heaven... The *sar* (angel of *chutz le'aretz*) doesn't have control over the atmosphere of a beis knesses. Whereas, when one davens at home, he forfeits all these benefits... We must be cautious with all matters that cause the *Shechinah* to leave the Jewish people – which was the *Yevanim's* goal. In *galus*, because of our many sins, the *Shechinah* doesn't have a place to reside because the Beis HaMikdash was destroyed. But Hashem with His mercy, left us a remnant, as it says, ויאהיה, להם למקדש מעט (*Yechezkel* 11:16). These are the *batei midrashim*. The *Shechinah* resides there."