

ניצוצי אור Sparks of Light

בס"ד



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פרשת אמור תשע"ה

Avoiding Strife (II)

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Great Disputes

Chazal say that when discussing *Torah*, two people, even a father and son or a *Rebbi* and his *talmid*, can appear to be fierce enemies. In the end, they reconcile out of their love for each other and harbor no hard feelings. This can be seen from *Beis Hillel* and *Beis Shammai* who, despite their *Torah* disagreements, freely arranged *shidduchim* with each other and lived peacefully together.

(קידושין ל ע"ב, יבמות יד ע"ב)

During the time of the controversy between the **Baal HaTanya** and the *tzaddik*, **Reb Boruch of Mezhibuzh**, one of the *Baal HaTanya's* *chassidim* wanted to step in and prove his Rebbe's righteousness. The *Baal HaTanya* did not allow him to get involved.

Some time later, the *Baal HaTanya* reminded him about this and said, "If you think this was a simple *machloikes*, you are mistaken. This was a continuation of the *machloikes* between *Shaul HaMelech* and *Dovid HaMelech*."

(שמועות וסיפורים ח"א ע' 44)

'Holy' Wars

Although the *chassidim* of Vilna suffered during the time of the great *machloikes*, they constantly tried to bring about peace and did not respond to their tormentors. At one of the meetings of the *chassidim*, in the year 1796 (תקנ"ו), some of the learned young *talmidei chachomim* among them decided that at this point they must begin to fight back. The *chossid* **Reb Meir Refoel's**, who for many years had worked on keeping the peace, argued against this. **Reb Moshe Meizels** sided with the younger group and, deeply pained by all their past suffering, used strong words against his opponent.

Hearing about this, the **Baal HaTanya** immediately dispatched a messenger to tell

the younger group that although in principle they were right, they must nevertheless act with *middos tovos* and *ahavas Yisroel* – for this was what would ultimately cause the name of *HaShem* to be glorified. Later that year, the *Baal HaTanya* also wrote a letter to **Reb Moshe Meizels**, asking him to publicly ask forgiveness from **Reb Meir Refoel's**, "For *Chazal* teach that no peace will come from quarreling, and most *tzores* result from *machloikes* that is thought to be *leshem Shamayim*. (May *HaShem* protect us from it!)"

(אגרות קודש אדה"ז ע' פ, תלה, ספרי דברים רפ"ו)

The *gaon*, **Reb Yonasan Eybeschutz**, once said: The *yetzer hara* will bring about *machloikes* by convincing a person to be zealous for the sake of *HaShem*. One must therefore carefully weigh one's own actions, even in a *machloikes leshem Shamayim*, because the *yetzer hara* will try to steer the *machloikes* into negative directions.

(יערות דבש דרוש ה)

How can a person tell whether in fact his intentions are purely *leshem Shamayim*?

The **Shelah HaKadosh** advises that one should judge this according to the way he feels towards the other person in all other areas. Only if he loves him entirely, can the *machloikes* truly be described as being *leshem Shamayim*.

The **Lubavitcher Rebbe** explains: The heart of *kedusha* is unity. Therefore, a true *machloikes leshem Shamayim* will lead to full harmony. By contrast, the core of *kelipa* is strife. Hence, even if the *yetzer hara* dresses himself up in a pious-looking silken cloak, and convinces a person that his current *machloikes* is being conducted *leshem Shamayim*, if it is causing the opposite of *ahavas Yisroel* it is obvious that it is coming from *kelipa*.

(של"ה, התועודיות תשמ"ה ח"ג ע' 1911)

At all Costs

Reb Yehudah Hachassid writes that one should not quarrel to serve as *chazan*, even if someone unworthy was sent instead. Those who are in charge will be held accountable.

The **Baal HaTanya** rules that one should not quarrel over performing a *mitzvah*. As we find concerning the *lechem hapanim*, the refined *kohanim* would step aside to avoid quarreling with the aggressive ones who grabbed the bread, even though it was a *mitzvah midoraisa*.

(ס' חסידים ס' תשנז, שו"ע"ר ס' נג סכ"ט)

A talented *chazan* arrived in the town of *Kemfna* and the townsmen wanted to appoint him as their *baal tefilah*. Knowing this man to be lax in the observance of *mitzvos*, the local *Rov* did not agree to give him this holy position. The townsmen did not relent and they insisted that this man be appointed.

Foreseeing an imminent *machloikes*, the *Rov* sent the question before **Reb Yosef 'Hatzadik'**, the son-in-law of the *Noda BiYehuda* and the *Rov* in *Posen*, asking what he should do. **Reb Yosef's** answer was quick in coming:

"It is better to erect a '*tzeilem in the heichal*' and thus avoid *machloikes* amongst *Yidden*! State your opinion pleasantly, and if they don't listen do not fight them."

(מופת הדור ע' צ)

Consider This



Why is it laudable to yield to the other side for the sake of peace? Shouldn't one stand strong in his values?

How does one know when to yield and when to stand firm?

Sparks of Greatness

The Nodah B'Yehudah - י"ז אייר

Reb Yechezkel Landau is known by his *sefer* the **Nodah B'Yehudah**. He was born on the 18th of Cheshvan, 1713 (תע"ג), and eventually became the *Rov* of Prague, where he served till his last day. He wrote many other seforim, such as the *Tzlach* (*Tziyon Lenefesh Chaya*) and the *Dogul Mervava* on the *Shulchan Aruch*. He was very active in all Jewish and halachic affairs during his time and was a colossal distinguished figure in Jewish life of the time. He passed away on the 17th of Iyar, 1793 (תקנ"ג).

When Reb Yechezkel was running for the position of *Rov* in Prague, there was another candidate, *Reb Zarach Aidlitz*. Reb Yechezkel had the majority of the masses behind him, while Reb Zarach had a small but very learned group of supporters. When the *Noda B'Yehuda* won the election, he began befriending his previous opponents, the group of *lomdim*. This upset the simple people who protested, "They were your opponents! How do you give them such respect?"

"Yes," answered the new *Rov*, "You are right. This is the way others behave when winning an election. They immediately raise their supporters to be important officials, and degrade their opponents. As *Yidden*, however, we behave differently. We show respect to those of great stature regardless of their political alignment."

In the Prague yeshiva, the *bochurim* would eat

in the homes of *baalei-batim* (also known as *teg*). The custom was that the *bochur* would leave some food in their dishware, and the *baal-habos* would have the honor of finishing the *bochur*'s plate.

There was once a *bochur* who was eat all the food in his plate without leaving any leftovers, so his host complained to the *Nodah B'Yehudah*. The *Rov* advised him to present the *bochur* with the following question:

The *Gemara* relates that the donkey of *Reb Pinchas ben Yair* would not touch food from which *maaser* had not been taken. Now, if this donkey was able to learn, shouldn't it have known the *halacha* that one may look at one side of the non-*maaserd* food and eat the other side?

The man asked the *bochur* the question, and he was unable to give the solution. He was so ashamed of this, that for the next few days, he did not show up to eat.

The *Nodah B'Yehudah*, noticing the *bochur*'s distress, called him over and said to him, "Go tell your host that the answer is like this: The donkey did know this *halacha*, but was afraid that if it would leave some food over, its owner would think that it was not so hungry and would serve it less. The next day, this would reoccur until it would be given close to nothing! It therefore decided to simply not eat at all..."

Hearing this, the host understood...

Library Sparks

The *Torah* portion of *Emor* opens with a warning to the *kohanim* (priests) not to become defiled through contact with a dead body: "Say to the priests, the sons of Aaron, and say to them, There shall be none defiled for the dead among his people." The famous commentator *Rashi* explains that the *Torah* repeats the word "say" - "to warn the adults with regard to the children."

This is not the only instance in which adults are commanded to ensure that children observe certain mitzvos. In the entire *Torah* we find three such cases: the prohibition against eating insects, the prohibition against eating or drinking blood, and the prohibition against *kohanim* becoming ritually impure through contact with a corpse.

Why these three specific mitzvos? In each of these instances, an educator might despair of ever getting the point across to his pupil. However, the *Torah* encourages us to never give up hope, and assures us that we have the power to succeed.

In fact, each of these mitzvos brings out a different lesson. Eating insects is described as "a revolting practice." Ingesting blood is something that was a common practice in the ancient world. The prohibition against defilement with the dead is a super-rational *mitzva* that has no basis in logic.

From this we learn three fundamental principles regarding education:

1. If a Jew should ever find himself in degrading circumstances, surrounded by people who behave improperly, he mustn't think that there is nothing he can do. Even when confronted by a person who "eats insects," he can still exert a positive influence through proper education.

2. The view that education doesn't work once a person has become used to acting in a negative way is unfounded and false. The *Torah* teaches that change and personal growth are always possible, even in so extreme a case as educating people not to ingest blood.

3. Another misperception is that education only applies to the acquisition of factual information, rather than matters of faith. If a person claims to be a non-believer, how can he be taught to believe? However, by singling out the prohibition against defilement, a commandment that is purely super-rational, the *Torah* emphasizes that education is effective in this area as well. In his heart, every Jew is a believer; a proper Jewish education merely uncovers that which is concealed.

When the *Torah* commands us to do something, it doesn't mean that compliance is merely possible. Rather, the commandment itself - that G-d has commanded it - imbues us with the power to fulfill the *mitzva*. G-d does not ask us to do things that are beyond our capability; when He requires something from us, He makes sure that we can do it.

Halacha Sparks

Responsibility for a Lost Pushka

Rabbi Chaim Chazan

We recently moved houses, and during the move several tzedaka pushkas were misplaced. Are we responsible to reimburse the estimated amount in each of the pushkas to the organizations for which the pushkas were designated?

When someone accepts the responsibility to watch over an object belonging to another, the *Torah* assigns various degrees of liability for loss or damage, depending on whether he is being paid to safeguard it, if he is borrowing it, or is just doing a favor. A *shomer chinam*, one who is not being paid to guard, is only responsible if the object was lost or stolen as a result of his negligence.

In our case of the lost *pushkas*, it is not clear whether the person is even a *shomer chinam* for the *pushkas*. One only attains the status of a *shomer chinam* if he accepts the responsibility to guard the object. But if one merely says, "My house is available for you to place your object," one does not become a *shomer chinam*.

Hence, allowing an organization to place a *pushka* in one's home is not necessarily equivalent to accepting responsibility at all. Furthermore, even if he were to be a *shomer chinam*, he would still be exempt from payment in a situation where the *pushka* was lost not as a result of negligence.

However, if one pledged money to *tzedaka* it becomes a *neder*, and he is responsible to ensure that his *neder* is carried out. If the amount of the pledge was set aside and then lost, one is obligated to use other money to fulfill the pledge.

If one placed his pledge in this lost *pushka*, we face the question: Is placing money in a *pushka* considered as if he has given it to the organization and he has fulfilled his *neder*, or is the *pushka* only considered a temporary place to set aside the money until it reaches the organization and he is still responsible. The consensus of *poskim*² is that giving to a *pushka* is considered as if it has reached the organization. Accordingly some say³ that no further obligation exists to carry out the *neder*, and one would be exempt from reimbursing the organizations to which the *pushkas* belonged. For *halacha l'maiseh* one should consult his *rov*.

1. שו"ע חו"מ ס' רצ"א סעי' ב.

2. שו"ת מאמר מרדכי ס' טו; שו"ת בית יצחק חו"מ ס' כא, שו"ת מהרש"ם ח"ד ס' קז, קמ"ו ובספרו דעת תורה הל' צדקה ס' י"ח סעי' ב; שו"ת מספר הסופר ס' מב; אבל יש חולקים ע"ז ע"י שו"ת אבני נור ח"ד ח"ב ס' רצג. וע"ע בספר צדקה ומשפט (בלאו פ"ח הע' כה).

3. שו"ת ציץ אליעזר חט"ז ס' כט, וצ"ע בדבריו דפסק כן מטעם שיכול לומר קים לי כהני פוסקים דא לקופת הצדקה הו"ל כבא ליד הגבאי, ולא הבנתי הא הספק אם לחייב הוא אם קיים ודרו או לא א"כ מה שייך לומר קים לי בדניי שמים?

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