

הלכה למעשה

מאת הגאון מו"ר הרב ברוך חיים שפלי שליט"א
ראש כולל עשרת חיים ברוך, קליבלנד ווינס

Creating a "Mirsas" (Fear) Situation. If a gentile is told (and understands) what he is not allowed to do and is scared of getting caught, we can assume that nothing will happen. If the gentile thinks that the Jewish owner or family members, even minors aged 6 and above (2), might walk in at any time and catch him doing the wrong thing, we can confidently assume that he won't do something wrong (3). This works for a gentile who does not know the schedule of the owner, such as a one-time repairman. However, an ongoing helper, such as a babysitter or live-in, will know the owner's schedule and would not be scared in such a case. **Cameras.** If one installs security cameras covering areas where the gentile might cause *kashrus* problems, we assume he won't do the wrong thing (4). This is only if the gentile knows what is forbidden to him, is aware of the cameras, and assumes the Jew will check them from time to time. The above-mentioned areas include the kitchen/cooking areas, refrigerator, and wine storage areas where there are unsealed bottles of wine. If a gentile has no reason to do the wrong thing, we will discuss it IY"Y next week.

A SERIES IN HALACHA LIVING A "TORAH" DAY

Kashrus in the Kitchen. The Jewish Kitchen (90)
Unsupervised Gentile in a Jewish Home. Previously, we mentioned the great concern of leaving a gentile alone in a Jewish home. Care must be taken that a gentile knows not to bring his own food into a Jewish home and if possible, has no need to bring food. Some institutions have rules that a worker is fired if he brings his own food in. When cleaning crews come in late at night to clean dining areas, and they can't be monitored at that time, they lock away the food storage and cooking areas **Concerns.** Even after knowing that a gentile didn't bring in food, there is still concern: **1)** They may cook a mixture of milk and meat making the utensils and oven need *kashering*. **2)** They may cook *milchigs* in a meat utensil or meat in a *milchig* utensil. **3)** They may cook for themselves an item which is *Bishul Akum* which also makes the utensils need *kashering*. **4)** They may pour themselves wine or grape juice and cause the leftover wine to become prohibited (סתם יינם). Many of these concerns would apply if one left a non-observant Jew alone in the house (1).

בין הריחיים - תבלין מדף היומי - בבא קמא סב

"הנותן דינר הוב לאשה ואמר לה הודרי בו של כסף הוא" שומר, מפני שבמקרה יפגע (throws it into the sea), he must reimburse him for the value of the gold. This is because the שומר may tell the שומר, "What reason did you have to damage my property?" But if the שומר was a פושע and it got damaged, he only has to pay the value of silver. This is because the שומר may claim he only accepted שמירה on a silver coin not gold. The רמ"א (ד"ק קצות החושן) explains the difference between the שומר and the מקבל: The חובים of a שומר are חל, because when he accepts to watch an item, he is מקבל to be responsible for the safekeeping of the object he agreed to watch. So, when the שומר is told the object is silver, he only accepted שמירה and responsibility for silver. So, in our case if the שומר did not know it was gold, we view it as if he didn't accept שמירה at all for this gold coin and he is like a stranger to it. This is why he is *patur* to pay for the value of the gold. Accordingly, even if while watching it the שומר realizes it is gold not silver, he would be פטור for a פגיעה, because he never accepted שמירה for gold. A שומר has nothing to do with his acceptance of paying for damages, his שומר is *gadol* (רו"מ ס' רצ"א, ז') **סמ"ע** explains, true the שומר is שומר because although normally the שומר explains that although normally the שומר would be believed with a שבעה, here he wouldn't be believed because he already said it was silver, he must therefore bring actual proof that it was gold.

The *Gemara* (קניא דרבא) where רבא made a ליה swear that he paid back his מלוה. The מלוה hollowed out his cane and put the money he owed the מלוה in the cane. When he arrived in ב"ד he had to hold the ס"ת to make his שבעה so he asked the מלוה to hold his cane for him. He then swore that he gave the money in question to the מלוה. The מלוה got so angry, that he broke the cane and all the money came spilling out. The *klers*, if this took place near a river and the מלוה threw the cane into the river in a rage, if he would be considered a שומר, based on our *gemara* since he damaged it בידים, would he be חייב for the money hidden in the cane cancelling out the loan?

The *Gemara* said that since it was אסור for (בעל כרחו) because of גדרים (either because of בת ישראל non or because it was חייב), he is now considered a שומר, so he could be told what right do you have to damage my property, so too, שכם can't claim he didn't know she was a שומר, and should not be **punished severely, because they can respond** **הוא היה אומר** with, "What right did you have to be **מטמא דינה**?"

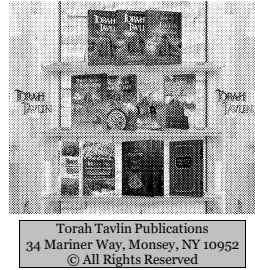
R' Boruch Dov (Berel) Povarsky shlita (Rosh Yeshivah of Ponovezh) would say: The *Seforno* mentions that when Moshe met Aharon in *Mitzrayim* and kissed him, this kiss is similar to when one kisses anything *Kadosh*. Why mention the kiss in this regard? Why couldn't the kiss be one of love and brotherhood? Since they were meeting on *Har HaElokim*, it had the status of a *Beis HaKnesses* and Aharon did not want to violate the *Kedusha* of the place. Thus, it must have been a kiss allowed in the place, of *Devarim She' B' Kedusha*.

A *Wise Man* would say: "We look forward to the time when the Love of Power will be replaced with the Power of Love. When that happens, perhaps our world will finally come to know the blessings of peace."

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טיב התבלין

מאת הגה"צ רבי גמלאל הכהן רביעוביץ
שליט"א, ר"י שער השמים ירושלים עיר הקודש

ואלה שמות בני ישראל הנבאים מצרימה את יעקב איש
וביתו באו וגו' (א-א) - דרכי התחזקות בעת הגלות

ללכת בדרך ישראל סבא ואת כל מה שעשו האבות יעשו בניהם בלי סטייה ומעידה. אך פרעה בראשית גידות השעיבוד הלך עמדם בדרך ההפוכה וברצונו לבלבל את יסוד עם ישראל' הכריז בעצת יועציו הבה נתחכמה לו; ביקש ללכת איתם בדרכים האלקות כמבקש שלומם וטובתם באומרו שכל הפצו ומטרתו הוא להחכימם בכיכול יותר מאבותיהם למען לא יהיו את כל ימי חי שנותיהם בעסקי שמים בר' אבות של הלכה, רק יכירו וידעו יותר מעניני העולם ואף ישכילו את דעותיהם, בידעו שאכן זה הדרך יריד מעליות את סממני היהדות אך בני' חוקה עליהם צוואת אבותיהם שלא לסטות מדרך המסורה מדור דור, ואכן בזכות אלו הד' דברים נגאלו ישראל ממצרים, שלא שינו את שמם ושלא שינו את לשונם ואת לבושם, במה שלא החכימו מאבותיהם אלא הלכו בדרכם בתמימות זכו והיו לעם הנבחר.

ועל כולם גילה להם יעקב אבינו את הסוד והכח מה שיחזיקם בשעת הגלות, והוא כח האחדות וההתחברות עם חברים טובים להתוועד בכל עת מצוא לדבר מעניני תורה ותפילה ועבודת הבורא, כפי אשר אמר להם 'האספו ואגידה לכם את אשר-יקרא אתכם בארצית הימים, הרי שהתקוה והיכולת להשאיר יהודים נאמנים להלשם ולתורתם בארצית הימים הוא על ידי ההתאספות וההשיבה בצוותא באהבת חברים, וזוהו הערובה היחידה להמשך קיום החרדות.

ובעת שמלאה סאת יגונם וצרתם מאת פרעה, צעקו אל ה' זיאתו בני ישראל מן העבדה ויעקבו ותעל ויעלה את האלקים מן העבדה; תפילות שברה ירקעים והגיע עד כסא הכבוד ויעלה אלקים את בני ישראל ויעד אלקים, פרש"י 'נתן עליהם לב ולא העלים עיניו, הרי שבכוחו של משה רבינו שואחד את דרכי יצחק שבהם, באה הקץ והסוף להשכת הגלות ונפתחה הלב מסתימתו שהיתה להם בעת הגלות ושוב היה בידם יכולת לצפיית הלב ויחול העיניים לגאולתן השלימה.

להאדם אפילו ע"י בעל בחדרה הוא לגמרי מאת הקב"ה, והוא אינו סיבת הרע, ומטעם זה אסור לנקום בחבירו.

וא"כ י"ל, מי שחרים ידו, אפילו אם עדיין לא הכה את חבירו, מצד זה שרצה להכות את חבירו נקרא רשע! שררי הוא אינו מאמץ באמונה שלימה, שהבורא יתברך שמו בורא ומנהיג לכל הבראים והוא לבדו עשה ועושה ויעשה לכל המעשיםיו שאם הוא מאמץ בה, מדוע וצדה להכות את חבירו, הרי הוא אינו סיבת הרע ומבואר בכמה וכמה מקורות בדברי חז"ל דמי שאין לו אמונה ובטחון בהש"ת הרי הוא נקרא רשע. וכדכתיב: "וצדיק באמונתו יחיה". הרי מי הוא הצדיק, היינו מי שיש לו אמונה בהש"ת. וכן מבואר בדברי המדרש (שמות רבה פ"ז ז"ל: "ועתידה גן עדן להיות צועקת ואומרת: תן לי צדיקים, אין לי עסק ברשעים... ולמי אני מבקשת, לאותן שהיו בטוחים על שמי... ועתידה גיהנם להיות צועקת ואומרת: אין לי עסק בצדיקים, ולמי אני מבקשת - לרשעים, להבלי שוא, לאותן פועלי השוא. והקב"ה אומר: תנו לזה צדיקייא ולו רשעייעיא", עכ"ל.

הרי להדיא שהתואר של צדיק - היינו למי שיש לו אמונה ובטחון בה; והתואר של רשע - היינו מי שאין לו אמונה ובטחון בה; וא"כ מובן הייטב מדוע האדם נקרא רשע בדרמה ידוע אע"פ שערדין לא הכה, שררי מצד זה מורה שאין לו אמונה ובטחון בה.

עדותיך אתבונן

לפנינו מאת הרב אברהם הנטל
אבשלום שליט"א, בעבר שלמה אברהם

ויצא כיום השני והנה שני אנשים עברים נצים ויאמר לרשע למה תכה רעך ... (ב-ג) - בכיבוד מהותו של צדיק ומהותו של רשע
איתא בסנהדרין (נח): "אמר ריש לקיש: המגביה ידו על חבירו, אע"פ שלא הכהו - נקרא רשע, שנאמר ויאמר לרשע למה תכה רעך, למה הכית לא נאמר, אלא למה תכה, אע"פ שלא הכהו נקרא רשע", ע"כ. הרי אמרה הגמ', רמי שרדיים ידו להכות את חבירו, אע"פ שלא הכהו נקרא רשע. ודבר זה תמוה מאוד, מדוע נקרא האדם רשע על זה שרדיים ידו להכות את חבירו, הרי עדיין לא הכהו. ולא עוד, הלא אפשר שלא יכה את חבירו, וא"כ מדוע נקרא רשע על דרמת ידו. ונראה לכאור הענין, ע"פ דברי החינוך (מצוה רמ"א) בכיבודו לענין 'איסור נקמה' וז"ל: "משרש המצוה, שידע האדם ויתן אל לבו כי כל אשר יקרהו מטוב עד רע, הוא סיבה שתבוא עליו מאת השם ב"ה, ומיד האדם מיד איש אחיו לא יהיה דבר בלתי רצון השם ב"ה, ע"כ כשיצדעהו או יכאיבהו אדם, ידע בנפשו כי עוונותיו גרמו והש"ת גזר עליו בכך, ולא יטית מחשבותיו לנקום ממנו כי הוא אינו סיבת רעתו, כי העוון הוא המסבב, וכמו שאמר דוד ע"ה (שמואל ב' טז, ה): הניחו לי ויקלל כי אמר לו הש"ת, תלה הענין בחטאו ולא בשעיהו בן גורא", עכ"ל. הרי מבואר מדבריו שחובת האמונה בהש"ת, הוא להאמין שכל מה שנעשה

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מעשה אבות ... סימן לבנים

וילך איש מבית לוי ויקח את בת לוי. ותהרר האשה ותלד בן ... (כ-ב)

When Amram, the father of *Moshe Rabbeinu*, remarried his first wife Yocheved, upon the prophetic advice of their seven year-old daughter Miriam, she was 130 years old, while he was considerably younger. Yet, this disparity in age did not bother him for he discerned through prophecy that his union with Yocheved was destined to bear the savior of *Klal Yisroel*.

There is a tremendous lesson to be learned here, writes **R' Matsiyahu Salomon ז"ל** (who was *niftar* this week, *Zechuso Yagen Aleinu*) in **Matnas Chaim**. When a person lives his life with the objective that he must achieve the purpose for which he was sent into the world, he will approach marriage with that role in mind. If one becomes sidetracked from what his focus should be, and concentrates on extraneous matters – such as beauty, wealth, honor and yes, even age - he is in effect losing sight of the purpose for which marriage was created. Each partner has the potential to enable the other to achieve the ultimate goal for which they were created. When seeking proper life partners for ourselves and our children, one must do so for the sake of Heaven, not for their own sake. It is incumbent upon us to focus on finding the person - regardless of age and appearance - with whom one will be able to accomplish on earth, the purpose that was predestined for him in Heaven.

A powerful story in this regard is told by **R' Chaim Kanievsky ז"ל**, who related that there was a *bochur* in his *yeshivah* who was considered one of the top boys in learning. His reputation was outstanding and the moment he entered the *parsha* of *shidduchim*, he was quickly inundated with names of possible matches, all wonderful girls from respected families. It seemed as if his options and prospects were limitless. His parents were cautiously optimistic and after much deliberation and research, they chose a particularly fine girl known for her *chessed*, *ne'emus*, inner and outer beauty, and *Yiras Hashem*, to go on a *shidduch* date with their son. Not surprisingly, she found favor in his eyes, while she was enamored with him. It took just a few short dates before they seemed to be on track to announce the *Mazel Tov*.

Suddenly, and without any warning, the *bochur* alerted the *shadchan* that he did not want to continue with this *shidduch*. When pressed, he explained that he was still young and fresh, new to this exciting *parsha* of *shidduchim* - so what was his rush? Why must he get engaged to the first girl he goes out with? Sure, the girl he had been dating was nice and fine, and he was not stopping for any specific reason other than the fact that maybe he should see more people before making such a hasty decision. His parents informed the *shadchan* that they were planning to move on.

The girl was devastated. She had become fond of him and could see a wonderful and happy future together. To suddenly and unceremoniously be “dumped” for no good reason, other than he did not want to marry his first girl, was embarrassing and mortifying. Especially as many people were aware of how well it had been going and now to tell them it was off - it was more than she could bear. She cried her eyes out and her parents tried to get the *shadchan* to talk some reason into the boy - but he was not budging: he had so many prospects, why must he “*chap*” the first one?

Not long after this debacle, the *bochur* in his *yeshivah* began to experience pain in his legs. At first he thought nothing of it but it not only persisted, it became progressively worse until soon, he could barely walk across the room. He went to doctors but nobody had any medical explanation for the cause of his excruciating pain. After a few more weeks, he could not walk at all and was confined to a wheelchair. And what happened to all those *shidduch* prospects that were “lining up” to marry him? Well, the appeal of a *bochur* in a wheelchair, in constant pain and unable to stand on his own two feet, dried things up for him pretty quickly. He remained single and forlorn for the rest of his life.

R' Chaim would tell this story to people and always added, “To his credit, the boy realized the terrible mistake he had committed to that poor girl and he would warn boys to be very careful in the *kavod* of a *Bas Yisroel*. He saw clearly that as a result of his arrogance, turning away a perfectly good *shidduch* for no reason, he was never *zoche* to build a home of his own.”

היה ביום ההוא יתקו בשופר גדול ... (ישעי' כו-ג)

A PENETRATING ANALYSIS OF THE WEEKLY HAFTORAH BY AN UNEQUALLED HISTORIAN

תורת הצבי על הפטרות

Mentioning the many hardships endured by *Yaakov Avinu* and his family during their long journey to Egypt, *Yeshaya HaNavi* prophecies that *Hashem* will ultimately bring *Moshiach* and end the bitter exile. Interestingly, *Yeshaya* notes that *Hashem* will build “a special ‘tower’ - stone by stone in *Tzion*” (*Yeshaya 28:16*), but when redeeming *Klal Yisroel* and rebuilding the *Bais Hamikdash*, *Hashem* seems to give no comfort to the nation by making it take so long.

R' Hillel Rivlin ז"ל of **Shklov**, explains from his *Rebbi*, the **Vilna Gaon ז"ל**, that even though we may not know the time of the ultimate redemption, it is still supremely important for us to know beforehand that the beginning of the redemption will come gradually, slowly, little by little. He

explains that the *Torah* tells us, “*I will direct it at my slow pace*” (*Bereishis 33:14*) - a reference to the times of redemption. But obviously *Hashem* can bring *Moshiach* in a more expeditious fashion if He so chooses. Nevertheless, the Almighty intends to do it slower because if the redemption came too quickly, and along with it a harsh measure of *Middas HaDin* as *Chazal* have forewarned, then Jews who are not so righteous and do not have the merit to be redeemed, will be unable to bear the suffering.

Therefore, in His infinite kindness, *Hashem* arranged that the future redemption of *Klal Yisroel* will arrive gradually, not all at once, thereby giving all Jews a chance with ample time to repent and return to Him fully.

והיה אם לא יאמינו גם לשני האותות האלה ולא ישמעון לקולך ולקולת כמליכי היאר ושפכת היבשה ... (ד-ג)

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

מחשבת הלב

Moshe Rabbeinu was instructed by *Hashem* to perform three miraculous signs - אותות - for the Jewish people to prove to them that he was indeed *Hashem's* emissary. The first, due to his questioning of their *emunah*, was to throw down his staff, which would then transform into a snake. This symbolized the fact that he spoke negatively about them. The second was his hand becoming afflicted with *tzaraas*. Seemingly, this too represented his negative words spoken concerning them. Why were two separate signs representing the identical idea required? Additionally, the third and final sign was pouring water and it turned to blood as it hit the ground. What was the significance of this?

Perhaps we can offer the following *machshava*. The first אות indeed showed Divine retribution for speaking unfavorably about *Klal Yisroel*. The second and third signs were meant to convey an entirely different message. געג is a נגע that is ostensibly an עונש - a punishment. However, in *Parshas Metzorah*, we are also taught that when צרעת would appear on the walls of a house, it would ultimately have to be demolished, sometimes unearthing a hidden treasure inside the walls. Thus, essentially, after one would recognize the message and repent, the נגע would be converted to an ענן - a reward.

The third אות was to pour water on the ground where it would turn into blood. Both of these signs were messages from *Hashem* that although what was transpiring in *Mitzrayim* with the slavery and bondage seemed harsh, they were essentially good things. Just like with *tzaraas*, you will find the treasure, and what is seemingly blood on the ground is, in fact, pure water from above. Similarly, the message being given was, all the צרות in *Mitzrayim* are part of His master plan.

May we internalize this message and always remember that כל מה דעביד רחמנא לטב עביד. Then, and only then, can we be *zoche* to see the treasure unearthed and witness the light at the end of this *golus* tunnel, ב"ר.

משל למת הדבר דומה

ועתה לך ואנכי אהיה עם פיך והוריתך אשר תדבר ... (ד-יב)

משל: In the city of Vilna, the position of cantor became available, and a man by the name of Rabbi Moshe Rivkes was a leading candidate for the spot. Many favored his cause, claiming that he was the perfect person to lead their congregation in prayer, while some were against his candidacy on the grounds that he did not have such a phenomenal voice. The two parties brought the case to the great *Rav*, **R' Shabsi HaKohen ז"ל** (known by the acronym “**Shach**”), and after hearing the arguments, he sided with those who favored Rabbi Rivkes.

The opponents of Rabbi Rivkes asked him, “Is it not a fact that one of the qualities required by *Torah* law is that a *chazzan* should have a beautiful voice?”

“Yes,” answered the *Shach*, “there are indeed a number of

important qualifications required in *halacha*; he should be over the age of 30, a man of education, a G-d-fearing Jew of pleasing personality, and one with a good voice. As to Rabbi Rivkes, you all concede that he is of age, a first-class scholar, a G-d-fearing individual, and has a pleasant personality. All you differ about is the quality of his voice. Why bicker over only one tiny little detail like that?”

משל: *Moshe Rabbeinu* humbly told *Hashem* he was not fit to be the leader of *Klal Yisroel* because he had a deficiency: he could not articulate properly. To this end, *Hashem* told him, “Since we both agree on your unsurpassed qualifications and your only argument left is your unqualified voice, why must we bicker over a small detail like that? You go and I will be with your mouth.” When Moshe refused even that, *Hashem* became upset and punished him by giving Aharon the position of *Kohen Gadol*, which was originally meant for Moshe.

ויקרא מלך מצרים למלדת ויאמר להן מויע עשיתן הדבר הזה ותחין את הילדים ... (א-ה)

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

דרגה יתירה

The *posuk* praises the *Yiras Shamayim* of the Jewish midwives, as opposed to their *chessed*. The **Chofetz Chaim ז"ל** explains that *chessed* alone might have caused them to resign their jobs, but their intention was that no one else should do the heinous job of killing Jewish babies. Thus, it was specifically their *yiras Shמים* that spurred them on to perform the will of *Hashem*.

The question is, why did Pharaoh, the ruler of Egypt, ask the midwives, “*Why have you done this thing? You kept the Jewish babies alive!*” In actuality, they didn't DO anything. It was their lack of DOING that kept the babies alive. So why does the *Torah* specifically employ the word for doing (“עשיתן”) when their lack thereof was their greatest achievement?

The **Shem M'Shmuel** gives us a beautiful insight into what it means to DO something. Shifra and Puah were so filled with happiness and satisfaction for defying the Egyptian decree, that their faces radiated joy and enthusiasm. This, he explains, is what they were DOING! “*Enjoyment equals action.*” How does a person know that he is truly living, truly accomplishing? If he is feeling joy and satisfaction in life! Sometimes, people are so busy! They have no time to breathe. They have no time to enjoy what they are doing! What exactly are they accomplishing by being so busy if they are not happy? On the other hand, often times you meet someone who doesn't seem to be accomplishing all that much, but whatever it is he is doing is bringing him much joy, satisfaction and inner growth - just nobody knows about it!

Perhaps this is the meaning at the end of the *posuk*: “*Why have you done this thing? You kept the babies alive!*” In other words, “YOU have been kept alive by the babies!” It was their lack of DOING that filled the righteous midwives with LIFE! They had such pleasure and satisfaction from their work that it filled their lives with meaning, purpose and joy. So, don't just be BUSY, running in circles and getting nowhere. Take satisfaction in what you do - and sometimes what you aren't DOING!