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Chizuk - Inspiration

In Israel, there is a property tax called "Arnona". It is a tax imposed on the residents of a municipality for the purpose of financing the operations of the local authority. The main criteria for the amount of property tax that one must pay are: (1) The use of the property (residential, commercial, offices, etc.), (2) the particular area in which the property is located, and (3) the income level of the resident. Parenthetically, there was a different tax called Arnona mentioned in the Talmud which was imposed by the Roman Empire. However, the property tax that we are referring to was first introduced during the British Mandate in 1934.

There was a Kollel student who posed a question to Rav Elyashiv ZT"L regarding what he owed for his Arnona. Since it is relatively easy to apply for a discount based upon one's income level and if the property has been vacant during the year, the student asked various questions about what the exact parameters are for these two factors. The Kollel student asked questions such as, "Can I combine Pesach, Sukkos and the Summer to say that it was empty for two months during the year?" and "Do I have to include Kollel and tutoring income when stating my income?"

Rav Elyashiv answered, "I do not know whether it is permitted, and I do not know whether it is forbidden – I do know, however, that you should stay away from all of this – this is not the path for a Ben Torah. With Torah, one must always walk straight – without Shticklach (dishonest plays)!" (Derech Middos p. 36)

Halacha – Jewish Law

QUESTION: May a lawyer or To'ain represent a litigant in a Beis Din or court of law, when he knows that his client is lying?

ANSWER: Although this is a very complex topic, the short answer is that he should not represent him if he

knows that he is lying. He should urge him to present the truth before the Beis Din or court [See Sinai Vol. XXX pp. 46-61; XXXI pp 165-183]. The prohibition of representing someone who is certainly lying applies even when the lawyer's client and the opposition are Gentiles (See Rav Yechiel Tauber's Maishiv Bahalacha Siman 85).

The reasons for the prohibition are actually three-fold: (1) We are enjoined to stay far away from a false matter (Midvar Sheker Tirchak). (2) There is a Mitzvah of V'halachta Bidrachav - we must walk in Hashem's ways, and one of Hashem's ways is Emes. (3) There is a Torah prohibition of Lifnei Iver (do not put a stumbling block before the blind, i.e. cause another to sin) and there are similar Rabbinic restrictions of Mesayei L'ovrei Aveirah – enabling evil doers. When a lawyer represents a client that he knows is lying, he is causing and enabling him to lie. There may be times when a client will falsely say that he is guilty to protect another party. A Rav must be consulted regarding whether a lawyer may represent a client in that case.

On The Parsha

The first verse in Parshas Chukas (BaMidbar19:2) introduces the Mitzvah of Parah Adumah (the red heifer) whose ashes are used to purify one who has become impure. This Mitzvah is puzzling because even though the Parah Adumah's ashes make the one that

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is impure, pure; it makes the one who is preparing the ashes to be used in the purification process, impure. The Torah tells us that this Mitzvah is a “Chok” which is a commandment of the Torah that we must observe whether we understand it or not.

The Torah introduces the Mitzvah of the Parah Adumah with the words, “Zos Chukas HaTorah” – this is the Chok of the Torah. There is a debate between the Ohr HaChaim HaKadosh and the Akeidas Yitzchok as to what these words are referring to. The Ohr HaChaim believes that the Torah only means to call this particular Mitzvah of Para Adumah a Chok. The Akeidas Yitzchok believes that the Torah means to say that Mitzvahs in general should be viewed as a Chok. Accordingly, we should therefore observe them regardless of whether we understand the reasons for them.

The author of the Yemin Yaakov who was a student of Rav Chaim Visoker ZT”L of the famed Mir Yeshiva in Poland, expounds on the view of the Akeidas Yitzchok. His approach is that if we overdo searching for the reasons of the Mitzvahs, then we could possibly end up rationalizing away the Mitzvah when we think that the reason that we found for the Mitzvah no longer applies to us. Therefore, we should treat all the Mitzvahs as a Chok – not to unduly concern ourselves with finding a rationale for the Mitzvahs and observe them whether we understand them or not.

This would have particular application to the Mitzvah of “Midvar Sheker Tirchak” – distance yourself from any matter of falsehood. We may say that the rationale for this Mitzvah is because telling a lie can be damaging and harmful. Using that rationale, we may be inclined to believe that the Torah would permit one to tell harmless “white lies”. We may think that telling a story with a lie or a bit of an exaggeration here and there is harmless. We may rationalize that telling a story is much more entertaining that way. However, white lies are still not permitted. Harmless as they may be, telling white lies can make it easier to lie in general and could make lying habitual. Therefore, to observe “Midvar Sheker Tirchak” properly, treat it as a Chok, observe it without delving into the potential reasons for the Mitzvah.

Towards the end of Parshas Chukas, Bnei Yisrael are told

to send messengers to the nation of Edom to ask them to allow Bnei Yisrael to pass through Edom’s land. Yet nowhere in this Parsha does it tell us the reason why Hashem wanted Bnei Yisrael to do this. It is only later in Sefer Devarim that we are informed of the reason – Edom is the nation that descended from Eisav, and Eisav is effectively our brother (by being the brother of Yaakov, our forefather). We must remember that brotherhood, and not anger Eisav’s nation, Edom. The Yemin Yaakov cites this as a support to the view of the Akeidas Yitzchok – even though this commandment to ask for safe passage was not a Chok (i.e. Hashem gave us the reason later on), we should view it as such and that is why when it was first introduced, it was introduced without a rationale.

Rav Mordechai Gifter ZT”L explained that the reasons for Mitzvahs are called, “**Taamei HaMitzvos**” because of the dual meaning of the word “**Taam**”. Taam means, “reason”, but it also means “taste”. Hashem provides us with food to nourish ourselves with the necessary minerals and nutrients. However, Hashem could have given us tasteless or bland food to accomplish this. In His great kindness, He gives us food that also tastes good. By the same token, Rav Gifter explained, we should look at every Mitzvah in the Torah as if it was a Chok – that is, we must observe it simply because it is the will of Hashem. The fact that we may be provided with reasons to keep the Mitzvah is an “extra benefit” – no different than the extra benefit of Hashem providing us with food that is not only nourishing, but is tasty as well.

*“May I back out of a school carpool that
I have already committed to?”
“Should I report a co-worker who is acting dishonestly?”*

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