

Rav Wolbe teaches us a new perspective concerning the definition of truth. Truth is not measured by the spoken word, but by the intent behind it. (This has nothing to do with the end justifying the means; rather, in this instance, the end defines the means). Even if the statement is completely true, but was said with the express purpose of harming another person, it is considered a false statement, since the intention to harm another person is inherently false. Anything that causes harm, creates distress, makes a person feel bad, is considered "false."

While people can accept this notion of falsehood, it comes with a flipside. A blatantly false statement, if expressed for the purpose of doing good, or creating harmony, at a time or circumstance that warrants it – is considered true. Hashem is G-d of truth. (*Chosamo shel Hakadosh Baruch Hu Emes*; G-d's seal is the truth.) Yet, upon repeating to Avraham Avinu what Sarah Imeinu had said concerning him: *va'adoni zakein, my husband is old*, Hashem changed the statement (*va'ani zakanti, I am old*), for the sake of *shalom bayis*, harmony between husband and wife. The intention was pure; thus, the statement was true.

This is, likewise, the rationale behind the second prohibition included in "Do not accept a futile report." The fact that one has stated his version of the story not in the presence of the other litigant does not necessarily imply that the person is lying. His words, however, are labeled as false, because his intention is to sway the judge (who is supposed to be impartial) in his favor. Since this causes harm to his opponent, what he is doing is rendered as a falsehood.

Rav Wolbe sums it up with an observation that *sheker*, falsehood, is the only *middah*, character trait, from which the Torah enjoins us to distance ourselves: *Midvar sheker tirchak*, "Distance yourself from a falsehood" (*Shemos 23:7*). On the other hand, concerning illicit, immoral relations, the Torah admonishes us, *Lo sikrevu*, "Do not come close" (*Vayikra 18:6*). We must run from anything false – from false words and from true words that are accompanied with a negative or harmful intentions. How often do we hear someone say, "But it is true"? This does not validate harmful intent, because, in reality, no greater falsehood exists than a harmful intention obscured beneath the veil of a true statement.

Va'ani Tefillah

יחד וקבצנו יחד – v'kabtzeinu yachad. And gather us together.

Horav Shimon Schwab, zl, explains that the dispersment of our people during the long, bitter years of our *galus*, exile, is not only physical-geographical, but also ideological. This means that: the non-observant element of our nation does not understand those who are religious; and those who are observant are divided and subdivided even among themselves. We pray for the day when all factions of *Klal Yisrael* will come together in recognizing Hashem; those who presently are unpracticing will practice, and those who have varied approaches to serving Hashem will coalesce under one banner of understanding Torah as our only guideline to life – both spiritual and physical.

What about those who are not interested in returning, however, because they are unaware that they are in exile? Those of our brethren who have assimilated are quite happy living where they are living and doing what they are doing. They feel no need to return, because they do not think they are lost. I think this is the meaning of *kanfos/corners*, which is derived from *kanaf*, wing. There are Jews who have "flown" away with the wind, who are satisfied to be where they are, doing what they want. They feel no gravitational pull to "return." For them, we also pray that Hashem gathers all the Jews from all four "wings" of the earth: those who have left for ideological reasons; and those who have flown away with the wind. We are all part of one unit.

לעלוי נשמת
האשה החשובה
מרת ליבא בתר צבי ע"ה
ברוך
כ"ח שבט תשס"ב
ת.נ.צ.ב.ה.

Peninim is published weekly by Peninim Publications in conjunction with the Hebrew Academy of Cleveland, 1860 S. Taylor Rd. Cleveland, Ohio 44118

©All rights reserved – prepared and edited by Rabbi L. Scheinbaum

For a yearly subscription or Parsha sponsorship, please contact:

In Cleveland – Rabbi L. Scheinbaum (216) 321-5838 Ext. 165

Outside of North America – E. Goldberg +972 2-569 5185

Visit us at:
<http://www.hac1.org>



Parashas Mishpatim

תשע"ה

פרשת משפטים

כל אלמנה ויתום לא תענון

You shall not cause pain to any widow or orphan.

(22:21)

The obligation to identify and care for the needs of the widow and orphan (and anyone who, likewise, has no one to care for him) extends beyond their physical and material needs. One must act toward them as a father acts towards his children, providing material, as well as spiritual, sustenance. We must endeavor to provide a Torah education for the orphaned child, just as we do for our own. This (I feel) applies as well (and possibly more so) to those children who can sadly be referred to as *lebedik yesomim*, living orphans, children whose parents are physically alive, but, for some reason, are unable or ill-prepared to care for them – or simply do not care. These children are no less orphans, since nobody is home for them. (Obviously, one must act diplomatically and with utmost subtlety; otherwise, one will create a situation that will only hurt the child.) To give a child a slice of bread without teaching him how to make a *brachah*, blessing, on the bread is performing half the job. How far does the responsibility to care for an orphan's spiritual growth extend?

Horav Bentzion Yadler, zl, was called the *Maggid HaYerushalmi*. He was a well-known *Maggid* who mesmerized his listeners with his ethical discourses. He was very much involved in *kiruv*, outreach, attempting to inspire Jews from all walks of life throughout the Holy Land. He even organized a trip which included the most illustrious rabbinic personalities in Yerushalayim to travel to the *moshavim*, settlements, of the north to reach out to the settlers and teach them what it means to be a Jew. He established the Bais Yaakov HaYashan in the Old City, laying out his own money, so that he could provide a proper Torah *chinuch* for the girls of Yerushalayim. He rented an apartment whose rooms were converted into classrooms. He even took it upon himself to raise the necessary funds to provide salaries for teachers. It was a wonderful dream that lasted a few months, until his funds were depleted. He made every attempt to raise the money, to no avail. The parent body was unable to participate. These parents had enough difficulty putting food on the table. The school was on the brink of closing, unless an injection of funds could somehow make its way to the creditors.

Rav Bentzion decided to speak with his close friend, Horav Yitzchak Yeruchem Diskin, zl, son of the *Maharil Diskin*, the Rav of Brisk, who had guided the

Yerushalayim community during the previous generation. Rav Diskin presently directed Diskin Orphans' Home, a project founded by his father. It was the preeminent orphans' home in the Holy Land. Rav Yitzchak Yeruchem offered to write a check from the orphans' home account to tide the Bais Yaakov over for a while. Rav Bentzion was about to take the check when he suddenly stopped and said, "How can I take *tzedakah* money from one charity to another? This money was designated for the orphanage. It is improper to use it for another purpose. I cannot take it for the school."

Rav Yitzchak Yeruchem saw the *Maggid's* quandary and responded, "Let me share a story that occurred concerning my saintly father. Perhaps you will realize the appropriateness of using this money. Years ago my father engaged the services of two *talmidei chachamim*, who were experts in the laws of *mezuzah* and *safrus*, writing *ashuris* script, with the intent of having them go from door to door in Yerushalayim, checking the *mezuzos*, and, when necessary, replacing them with *mehudar mezuzos* whose script adhered to the stringencies of the law. My father was not a wealthy man. From where did he obtain the funds for this endeavor? The money came from the orphans' home. My father determined the propriety of this decision based upon the following logic. The orphans' home had limited funds. Every child added to the home's roster placed an added toll on the account payables. Obviously, the home's goal was to decrease its enrollment. What better way to decrease enrollment in an orphan's home than by having parents live a full, long life? The Torah gives us a prescription for longevity – *L'maan yirbu yemeichem*. When one is meticulous in observing the laws of *mezuzah*, he has earned a merit that will lengthen his life. Therefore, it was in the best interest of the orphans' home to check the *mezuzos* of Yerushalayim's residents.

"A similar idea applies with regard to providing the finest Torah education for the girls of our community. Every father who has a son that is G-d-fearing and erudite wants to find a proper wife for him. Thus, by seeing to it that our girls study well under the auspices and guidance of G-d-fearing teachers, we are also saving *bnei Torah*. Otherwise, whom will they marry? Therefore, I feel very comfortable supporting the Bais Yaakov with funds from the orphanage."

**אם ענה תענה אהו כי אם צעק יצעק אכי שמע אשמע צעקו
If you dare cause him pain...! – For if he shall cry out to
Me, I shall surely hear his outcry. (22:22)**

Causing pain to a person whose life is wretched, who

stares misery in the face each and every day, is wrong – regardless of one’s motivation. Sometimes, a person’s intentions are noble. He is acutely aware that the individual who is suffering might well put his suffering behind him, if he would only pray with greater devotion. Some people need to be up against the wall, with little or no hope for salvation, before they pray like there is no tomorrow. They must feel that it is all over; there is no way out; there is no tomorrow. Only then do they pour out their heart in fervent prayer. This fellow, who is really a friend, sought a way to motivate prayer. He hurt the person, made him feel bad. Now, he will pay. Hashem says that although his intentions were positive, he caused pain for another Jew.

Peninah, wife of Elkana, was blessed with a large family, while her co-wife, Chanah, did not have even one child. Peninah realized that Chanah was not *davening* sufficiently, so she taunted her, hoping that it would engender within Chanah a deeper understanding of her troubles. She would now be spurred to *daven*. Peninah was punished for her actions. What about her desire for good? It was insufficient to transcend the pain that she felt as a result of her sister’s taunts.

The *Gaon, zl, m’Vilna*, interprets this idea into the *pasuk*, “Even if you will cause him pain – so that he will cry out (your pain has a positive result, one in which father and children are able to sit together in familial conversation). Hashem says, ‘Although you have good intentions, we should do nothing to motivate him,’ I will, nonetheless, listen to his outcry.”

In 1942, an elderly woman arrived in Eretz Yisrael and immediately proceeded to the home of the grandson of *Horav Avraham Shaag, zl*, who was the head of the rabbinical court of the city of Koibersdorf, himself a *talmid*, student, of the *K’sav Safer*. Apparently, this woman came for a reason: she needed him to take her to *Rav Shaag’s* grave. The man looked at the woman incredulously. Surely, she must have a good a good reason for this request. She related the following story:

Rav Shaag was the *Rav* of a large *kehillah*, congregation. His reputation for honesty was impeccable. He was, thus, often asked to hold money for people for safekeeping. When someone deposited money with him, he would place it in a special envelope for safekeeping. One day, a businessman came and asked if he could leave a sizable amount of money with the *Rav*. *Rav Shaag* agreed, but forgot to put it into the standard envelope, instead opting to place it between the pages of his *Gemorah*. When he concluded learning, he returned the *Gemorah* to its rightful place on the shelf and promptly forgot about it.

A few days later, the man who had deposited the money came to retrieve his deposit. *Rav Shaag* immediately went to the envelope and almost passed out when he saw that the money was not there. He had forgotten that this time he had put the money in a different place. In the back of his mind, he suspected the Jewish maid of “borrowing” the money. He would never dare to accuse her without proof, so he set about gathering funds to reimburse the man. He told him it would take a few days, during which he cleaned out his own bank account and borrowed from members of the community. He had lost the money. He must pay it back.

The *Rav* could not figure out how he could have misplaced the money; thus, in the back of his mind, he had a

gnawing feeling that the *meshareshes*, Jewish woman who served as maid and all-around help in the house, could have “borrowed” the money. From that day, however, he and his *rebbetzin* kept this terrible feeling in the back of their minds.

A number of months passed, and *Pesach* – with its cleaning and turning everything in the house asunder – loomed in the very near future. As might be expected, when they were clearing out the bookcase and then each individual volume, what was to fall out? The missing money! One can only begin to imagine the personal pain experienced by *Rav Shaag* knowing that he had (in his mind) wrongfully suspected a young Jewish woman. He was miserable and could not reconcile himself with it. Finally, in order to assuage his conscience and in some manner expiate himself personally, he called in the *meshareshes*, told her the story, and begged her forgiveness for wrongful suspicion. As a token of his profound shame and remorse, he offered to give this poor woman anything in his house. (We must remember that he had never in any way indicated to this woman the unfounded suspicion that was in his mind. Nonetheless, due to his extraordinary integrity and virtue, he wanted any vestige of personal ethical impropriety expunged.)

The woman replied, “*Chalilah*, Heaven Forbid, should I have any *taanos*, feelings of reprimand, against his honor. I was not hurt, because I did not know. However, since his honor insists on ‘doing something’ to ameliorate the incident, I actually do have a request. It has been fifteen years since my husband and I were married. We have yet to be blessed with a child. I ask that his honor bless me that I conceive and have a healthy child.

“*Rav Shaag* happily acquiesced to her request, and, one year later, she gave birth to a healthy little girl. I was that girl. My mother was the *meshareshes*. My mother, *aleha ha’shalom*, aspired her entire life to travel to Eretz Yisrael, to pray at the grave of the holy *Rav* who granted her the blessing of her life. Sadly, her dream was not realized. I have been blessed finally to come to the Holy Land. I now want to fulfill my mother’s request.”

ואנשי קדש תהיו לי

And men of a holy calling shall you be to Me. (22:30)

The Torah does not say *anashim kedoshim*, holy men; rather, it says *anshei kodesh*, men of a holy calling. Not all men can achieve the apex of *kedushah*, holiness, but all men can – and should – live as individuals who are charged with a Heavenly mission to achieve holiness. Our goal must be to become holy. *Kedoshim tiyehu*, “Be holy!” would then be interpreted as: strive for holiness; imbue your life with *kedushah*; attempt to reach the level whereby you are sanctified. Demanding personal holiness might be difficult for the individual. Expecting everyone to strive for holiness, to focus on a life of *kedushah*, should be standard fare for a Jew. This means that we must imbue every activity – no matter how mundane – with sanctity. We should not judge an individual’s success at consecrating himself (since this is often a subjective opinion), but a standard of striving should be accessible across the board. A Jew strives for *Kedushah*. The question is: How do we define *kedushah*?

In an article on Orthodoxy in America, Rabbi Emanuel Feldman distinguishes between the Jew who is

observant and his brother who is also religious. Wait – is that not the same thing? Absolutely not! A difference exists between going through the rote of observance and advancing to a level of spirituality plus being meticulous in observing the laws of *bein adam lachaveiro*, between man and his fellowman. There is also the attitude of *hatznea leches*, maintaining a modest lifestyle, which stands in stark contrast to the ostentatious and lavish parties many of our *simchos*, which at one time had been religious affairs, have now become.

One might be observant, but that is insufficient, since the Torah demands that we strive to become *anshei kodesh*. The *Navi Michah* (6:8) admonishes us to live a life of restrained modesty and understatement. This leads to *kedushah*. We should ask ourselves whether our lifestyle fits into these guidelines. We judge *frumkeit* by the color of one’s shirt, suit and *yarmulke*. It goes without saying that a hat is mandatory. *Lashon hora* classes and reminders are everywhere, but it seems that humility – quiet *chesed* for those who really are in need, giving *tzedakah* even if we are not honored or receive a spread in the paper – has fallen by the wayside. *Davening* with *kavanah*, not talking in *shul*, are other areas where observance and religion part ways. Certainly, these musings apply only to an insignificant minority who cannot be faulted for falling prey to physicality and materialism at the expense of spirituality. The *yetzer hora*, evil-inclination, is very powerful, and, while it cannot ensnare one to renege on his observance, he will suffice and call it a “win” if he can impugn one’s commitment to religion.

I present here two vignettes which are meaningful to me. We live in a time when materialism plays a large role in everything we do – even in our religious endeavor. We celebrate with opulence; our *avodas Hashem*, religious service, is bolstered by a show of our material substance – all for a good reason, of course, but, nonetheless, the profusion of affluence is everywhere. The days of having a simple *Tallis*, a plain velvet *Tefillin* bag, are long gone. Variations of *Talleisim*, the thickness of the wool, the leather and suede *Tefillin* bags, are so in vogue that one feels sorry for the deprived *bar-mitzvah bachur* who does not have a leather *Tefillin* bag. Obviously, something is missing: our concern for *bona fide*, sincere observance of the *mitzvah*, without all of the accompanying accouterments.

I remember years ago, my father had a plain weekday *Tallis*. My father’s fifty-second *yahrzeit* is this week, which serves the reader with an idea of the time frame. It was in the mid-fifties, and my father had a white, thin, material (I think it was cotton) *Tallis* (of course, the *tzitzis* were wool), and this *Tallis* was his pride and joy. He probably could not have afforded to purchase another *Tallis*, but I always wondered why it was so special to him. I asked – he replied. When the American army liberated Auschwitz, the *Vaad Hatzalah* came in with them and sought to address not only the physical needs of the survivors, but also their spiritual needs. For many, it was not only six years of brutal unimaginable torture, but also six years of no *Tallis*, *Tefillin* and *sefarim* from which to learn. When my father was handed a *Tallis*, he felt as if his life had been returned to him. He treasured that *Tallis* and wore it until it fell apart. Cotton does not last as long as wool. He – like so many European Jews of “old” – had a different perspective on *tashmishet kedushah*. They felt the *kedushah* inherent in the

religious articles.

Second, shortly after my wedding, I was walking down Sixteenth Avenue in Boro Park on my way to *shul*. I was carrying my large *Tallis* bag with *Tefillin* (two pair) and a *siddur* with me, holding the bag by its top. It was more convenient to carry it in such a manner. Suddenly, from behind me, I heard a voice. I turned around and saw an elderly *chassidische yid* (European) who called out to me, “*Yinger man, dos is nisht a zak potatoes!* Young man, you are not carrying a sack of potatoes!” He motioned for me to raise the *Tallis* bag and carry it next to my chest, giving it the respect it deserved. *Anshei kodesh*. To him, and so many like him, it was not just observance. It was religion.

These vignettes might come across as musings, but if one reader will fold his *Tallis* with greater respect, or carry his bag as if it were not a bag of potatoes, relaying these thoughts will be well worth it.

לא תשא שמעו שוא

Do not accept a futile report. (23:1)

Growing up, one of the easiest types of tests to ace was the “true” or “false” quiz. After all, it was either true or false. Growing up, the distinction between true or false was perceived as quite simple: it was no different than yes or no. Moving on from there, we assume that something which has been proven correct or real is considered true, while something which has failed to be proven true is false. Obviously, there are areas in which this does not prove correct, since a claim that has not been credited as true does not necessarily mean that it is false. Truth is supposed to be an absolute which means that it is perfect or unlimited. If this is the case, who determines that the proof is sufficient or even valid enough to make it true? In a recent article, a psychologist asked a pertinent question concerning perceptions and fact. A blind person who never saw light in his life would consider light a myth, while one who sees clearly considers light a fact. Perception can deceive. A schizophrenic patient has been proven by science to be delusional. They “interact” with “people” whom they consider real, and, therefore, true. We, on the other hand, know their existence to be false. Do we have the right to deny their existence, to consider them false?

I have written this preamble to demonstrate that variations and distinctions exist with regard to the definition of true and false. As Torah Jews, as believing, G-d-fearing Jews, our basis for defining true and false is the Torah as interpreted by our *gedolim* – nothing else matters.

Of the many *mitzvos bein adam l’chaveiro*, between man and his fellow, is the prohibition of believing lashon hora, slander. Regarding the admonition not to accept a futile report, *Rashi* comments that this means not to accept a false report (*Targum Onkeles*). It is forbidden to accept *lashon hora*. Additionally, a judge is warned not to listen to one party without the other party being present.

Horav Shlomo Wolbe, zl, observes that the commandment not to accept a false report does not refer to believing a lie; rather, it refers to believing *lashon hora*, which is generally true! What is false about *lashon hora*? It is slander; it is wrong, but who says it is false? Yet, the *Targum* and *Rashi* define *lashon hora* as *sheker*, falsehood, when, in fact, it is probably true.