

RABBI DOVID TZVI MEISSNER

Hearing, or Listening?

WE FIND OURSELVES IN THE MONTH OF ELUL, AN auspicious time for *t'shuva* (repentance) and introspection. We reflect on the past year, focus on our shortcomings, and try to change for the better.

Changing ourselves, however, is no small feat. In fact, Rabbi Yisrael Salanter said that it's easier to master half of the Talmud than to fix one bad character trait. How, then, can one become a changed person in such a short period of time? Can one short month suffice?

Mishchas Shemen quotes Rabbeinu Yonah in his famous *Shaarei Teshuva* (2:10), who provides a tremendous insight, shedding light on the matter. He says that someone who really wants to repent and fix his ways must go to wise people—and be willing to accept their rebuke and constructive criticism, resolving to adhere to everything they tell him from now on. Rabbeinu Yonah continues and says that one who does this will instantly pass from darkness to great light; he will become a new person, with his repentance accepted.

Rabbi Eliyahu Lopian ז"ל uses this lesson to answer a difficult question the early commentators ask.

In this week's Torah portion, the enigmatic passage describing the *Ben Sorer Umoreh* (the wayward and rebellious son) tells us that he's put to death because he defies his parents, as well as for being a glutton and a drunkard.

The *Ben Sorer Umoreh* is executed because of his [presumed] end. The Torah understands [that] he will eventually spend all of his father's money [to satisfy his urges]... and will [eventually resort] to banditry... Let him die innocent, and not... sinful. (Rashi, commentary to 21:18, quoting Talmud, Sanhedrin 72b)

When another young man, Yishmael, was dying of thirst in the desert, he cried out to Hashem, and Hashem saved him.

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A HALACHA FROM THE PARASHA

RABBI CHAIM HEINEMANN

DON'T CAUSE YOUR BROTHER TO TAKE INTEREST—OF MONEY, OF FOOD, OR OF ANYTHING... (23:20)

Authorities discuss the permissibility in Jewish law of paying or charging late-payment fees. For example, if a tenant pays his rent after a certain date, he will be charged a penalty. In effect, the tenant is being charged for "borrowing" the landlord's money—for maintaining a debt, to put it another way. The consensus is that this may be *ribbis*, prohibited interest, and it will only be allowed if it is structured within certain guidelines.

One may impose a late-payment fee for a lease if it is a one-time fee. For example, a landlord may charge a \$25 penalty for payments that are two weeks late. That penalty may only be charged once—one may not charge, for example, \$25 for every additional two weeks that the balance is outstanding. One can,

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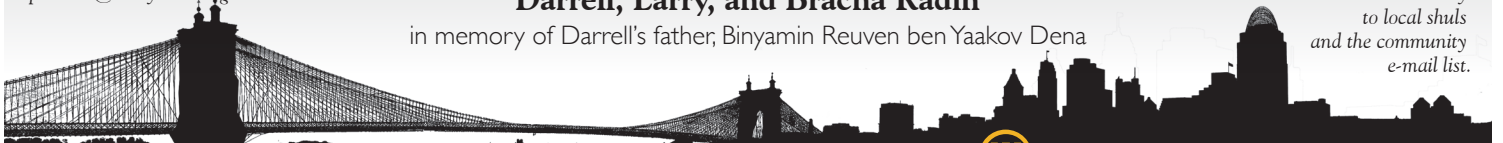
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A HALACHA FROM THE PARASHA


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however, charge this fee for another month's late rent. (*Radvaz* 1:497)

Practically, this arrangement leaves little incentive for someone to pay his rent after he has already incurred the penalty, since there is no additional cost for further delaying payment.

To avoid this situation, a landlord may choose to impose a larger penalty, after a longer grace period. For example, instead of \$25 after two weeks, the lease may call for a \$100 penalty if the rent is more than four weeks late.

In addition, one may stipulate in the lease contract that any payment will automatically be credited toward rent that is past due. Therefore, every month that the tenant is not current, he will be forced to pay another penalty.

It's important to note that such a "one-time penalty" is only acceptable because the debt originated from a lease. In a loan agreement, any penalty or fee would be prohibited. (Y.D. 177:14). 



a visit by
Rabbi Sheftel Neuberger


A RIDDLE FOR YOU

What mitzvah is preferably done with thirty people at once?

The answer will appear next week.


LAST WEEK'S RIDDLE:

Q What begins sweet and ends bitter? (Hint: We perform a mitzvah with it.)

A *Chazeress*—the romaine lettuce we eat at the Seder to fulfill the mitzvah of *Marror*. The Talmud explains that we use it because its leaves start out with a sweet taste, but then develop a bitter taste, just like the way the Egyptians treated our forefathers—first sweetly, then bitterly. 

THIS WEEK IN JEWISH HISTORY

RABBI MOSHE TZVI CRYSTAL

On **10 Elul, 5636 (1876)**, Rabbi Dr. Henry W. Schneeberger was invited to become the rabbi of the newly formed Chizuk Amuno congregation of Baltimore, Maryland. With Rabbi Schneeberger's acceptance, he became the first American-born, university-educated, Orthodox rabbi in America. Rabbi Schneeberger was born in New York in 1848, to recent immigrants from Germany. After attending Columbia, he traveled to Germany to study Torah, with an interest in becoming a rabbi. There he studied under such notables as Rabbis Shmuel Bondi, Dr. Marcus Lehmann, and Dr. Azriel Hildesheimer, of whom he would become a close disciple. In 1870, while studying at the Hildesheimer Seminary, he received a doctorate from the University of Jena; his official rabbinical ordination came in 1871. Rabbi Schneeberger was one of the first members of the Orthodox Union. He was renowned for his oratorical skills, being invited often to speak at other shuls in Baltimore. 

GREAT ACTS OF ORDINARY PEOPLE

TZVI GREENSTEIN WAS A SPECIAL YOUNG MAN. While he was in middle school, he had regularly learned Torah for an hour after school.

As his first day in high school approached, Tzvi wondered if he would be able to keep up this practice. After all, it was a much longer day; who knew if he'd have the energy, after a long day, to keep going?

He decided that for at least the first day he would have to try it.

That morning, as Tzvi rushed out the door, he mentioned to his mother that he would be home later than usual.


After Ma'ariv, Tzvi took a seat in the *beis midrash* and, deciding he was too tired to learn a new subject, began to review what he had learned that day. An hour passed, and

Tzvi slowly made his way out of the building to catch the bus home.

When he got home, he didn't expect to see anyone awake; his parents both had responsibilities that made them get up very early in the morning. To his surprise, he found his mother waiting, with a plate of fresh cookies for her son.

"*Ima*, why are awake?!"

"I wanted to show you how proud we are of you, Tzvi, so I made a treat for you to enjoy when you got home," answered his mother.

Tzvi continued learning Torah every night, and until he left for Yeshiva out of town, his mother stayed up every night with a treat for him, to show her son how precious his learning was to her. 

A Process... CONTINUED

G-d heeded the cry of the youth in his present state. (*B'reishis* 21:17)

The ministering angels complained, saying, "How can You produce a wellspring for someone whose descendents will kill Your children?..."

Hashem asked, "What is he now?"

The angels answered, "Righteous."

Said Hashem, "I am judging him by what he's doing now." (Rashi's commentary)

The compelling question is this: Is a person judged based on the here and now, as was the case with Yishmael, or is he judged based on the future, as is the case with the *Ben Sorer Umoreh*?

Rabbi Lopian answers, based on the words of Rabbeinu Yonah, that indeed, according to the letter of the law, a person is only judged based on his current actions,

and not those of the future. Therefore, Yishmael's life was spared. However, the Torah testifies that the *Ben Sorer Umoreh* "doesn't listen to the voice of his father and the voice of his mother," indicating his complete unwillingness to accept rebuke and change. Such a person has no hope of doing *t'shuva*; therefore, the Torah deems it appropriate to judge him based on his future actions, and proper that he be put to death now, while he is still somewhat innocent.

Although we may feel uncomfortable when someone gives us constructive criticism, let's bear in mind that he's really doing us a big favor. Our willingness to be receptive of rebuke is the key to having our *t'shuva* accepted. Rabbi Moshe Feinstein *zt"l* was wont to say that a real friend is someone who looks out for your spirituality, pointing out to you where you can improve.

May we all merit a favorable judgement and a good year. 