

A PARASHA THOUGHT

Careful, They Are Listening

RABBI
YEHUDA LEIB
HENDELES



You and I have both heard the expression, “two Jews, three opinions.” Obviously, this difference of opinion leads to disunity and oftentimes leads to *lashon hara* (evil speech). The Maharal actually writes, in this week’s *parasha*, that this is an internal struggle that exists, specifically because we have a deep connection to Hashem, and therefore more *kedusha* (holiness), but sometimes that *kedusha* could be used the wrong way. The Maharal explains in detail why this is so. Because of all this, it is very easy for a person to slip into saying *lashon hara*, sometimes without even realizing it. Perhaps if we understand better just what we are doing when we complain, when we gossip, when we argue, we will be able to control our speech a little more.

Rabbi Yaakov Yitzchak Ruderman, זי"ל, the *Rosh Yeshiva* of Ner Yisrael of Baltimore, says an unbelievable thing. He points out that the *pasuk* says, in the end of this week’s *parasha* (*Shemos* 4:24), that an angel attacked Moshe *Rabbeinu*. The *meforshim* (commentators) explain that the attack was a punishment for the fact that he delayed giving his son a *bris* – and he would have been killed. The only reason he wasn’t, was because his wife, Tziporah, defended him. She said that when they were engaged, Moshe had told her, in no uncertain terms, that they would give their son a *bris* (see Seforno, *Shemos* 4:25). In other words, Moshe had indeed said they would give a *bris* to their son, but, when the time to give the *bris* came and he delayed, he would have been killed anyway, had it not been for the fact that she spoke up in his defense.

This means an amazing thing – a person has the ability to save lives, if he’ll just say to Hashem, “Please save this person; he did such and such, and therefore deserves to be saved.” Or, as some of the early commentators put it, (based on *Shabbos* 32a) “Even if there are 999 people, or even angels, who say a person deserves to die, if one person judges him favorably, Hashem will judge him leniently.” And even in conversation, the Gemara

implies in *Moed Katan* 18a that if someone says positive things, whether he’s saying “It will work out in the end,” or “So-and-so is really a good person,” it will affect the reality. Obviously, it goes the other direction too, *chas v’shalom* (G-d forbid), if someone says pessimistic or derogatory things.

Now, let’s be clear – the Gemara isn’t talking only about davening for someone who is sick. It’s talking about day-to-day conversation. If you say good things about people, your speech will be a merit for the person that you are speaking about. If you say everything will work out for the best, things are much more likely to work out better, because that is the power of speech.

People tend to think that talk is cheap. They think that if someone wants to say a derogatory statement, it won’t really harm anyone. Or if someone refrains from a positive word, nothing major was lost. But this couldn’t be further from the truth! Everything we say makes a difference. In Heaven, they are listening to our conversations, and acting based on them. This applies to Torah learning also. The Chafetz Chaim says that one of the reasons Torah learning is so important is because in order to learn, we have to speak out the facts in the Torah. And any *mitzvah* that is done with words is automatically a bigger *mitzvah*! Hashem gave a tremendous potency to our words, and we have no idea how much good we could accomplish with them.

You and I can improve our lives, and the lives of everyone around us, if we will just learn to use our speech for positive purposes. But it is extremely unlikely that any of us will change our habits of speech one iota if we don’t regularly learn about the power of words. It is for this reason that the Kollel is restarting the Shmiras Halashon couples program this Sunday, and I encourage all of you to please join us in this initiative. Then we will at least have done our part in bringing Moshiach soon, in our days. 🕊

LEARNING WITH THE KOLLEL (CHOSHEN MISHPAT)

WITH
RABBI MEIR MINSTER

The *Midrash*, in several places, describes how Pharaoh tricked the *Bnei Yisroel* into working as slaves by pretending to work himself and by asking them for their help, as a favor. Once they began to work, Pharaoh was able to force them to continue. The Tribe of Levi, however, because they were *Chachamim* (and knew they would one day carry the Ark) did not agree to work and were therefore left as free men (*Hadar Zekanim - Tosofos*).

Misleading statements and misrepresentations are also issues that could confront a *Beis Din* (court). The *Shulchan Aruch* (*Choshen Mishpat* 15:3) rules that a Judge is not allowed to ignore his suspicions and rule on a case solely based on what is presented. This is called a *Din Merumah* – a deceitful judgment. There are five levels of *Din Merumah* (*Tur Choshen Mishpat*, 15:3 *Hagaos Vehaoros* #18).

The first level is where a judge is simply unsure and has his doubts about the case. Under these circumstances the *Shulchan Aruch* demands further questioning and examination, equal to the level usually reserved for cases of capital punishment. The second level is where it appears to the Judge that in fact it is a *Din Merumah*. Here the Judge should refuse to rule on the case. (He is permitted to allow the case to fall into the hands of another judge, who might be more confident in the veracity of the evidence.)

Another scenario would be where there is circumstantial evidence that a document might be forged; for example, it is known that the claimant was looking to hire false witnesses. Here the court would reject the document even if the signatures were later verified. (According to the Rambam, if the signed witness themselves verify

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LEARNING WITH THE KOLLEL (CHOSHEN MISHPAT)

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their own signatures, the document could be accepted.)

Where the judge can personally attest to the trustworthiness of an opposing party, he may ignore evidence that would otherwise be accepted in court, like a document verified by the signed witnesses themselves. However, although this was once true in the times of the Gemara, today an even higher level of certainty, based also on valid counter-arguments, would be required.

Finally, where research and questioning present an overwhelming basis to believe that the document was forged, and that the reality is contrary to what is stated, the judge would be allowed to confiscate the document and destroy it. This would be true even in our times.

As the *Shulchan Aruch* concludes, a judge must act or refrain from acting, with full awareness that Hashem is the ultimate arbitrator of the truth, and ultimately it is before Him that the judge, as well as the litigants, will be held accountable. 🕯

A SHINING EXAMPLE

Michael was a secular Israeli living with his family in Tel Aviv. He showed absolutely no interest in religion or, for that matter, anything traditional. One day his wife Sarah came home with a brochure she had received from a friend; it was for a weekend retreat being hosted by the famed outreach organization *Arachim*. "It's been bothering me for a while that we know so little about our heritage. Can we go just for this one weekend to see what it's about?"

Very hesitantly, Michael agreed to go. The entire weekend Michael showed a complete lack of interest in all the classes and religious activities. Sunday morning, as the weekend drew to a close, Michael's attitude changed completely. He began asking questions and, as they prepared to leave, Michael informed the hosts that he was interested in following up. "What changed?" questioned one of the rabbinic hosts. "The entire weekend you were totally uninvolved and now you are so interested?" Michael explained, "You're right. Originally, I had no interest in Judaism and was planning on leaving this event and not looking back. Then, on Shabbos morning I saw a little boy and I always had a soft spot for children so I gave him a lolly. He took the lolly and ran and showed it to his mother who looked at it and shook her head no. The young boy ran and gave the lolly back and said it's not kosher for me. I

TEFILLA TIDBITS

RABBI YAAKOV MARCHUK

The first *tefillah* (prayer) we say when we wake up in the morning is *Modeh Ani*. The theme of the *tefillah* is thanking Hashem for returning our souls each and every morning. Rav Hutner explains that the word *modeh* comes from the word *hodah*, which means "to admit." When we give thanks to Hashem we are admitting that we cannot function on our own but all our strengths and talents in are a gift from Hashem. (Pachad Yitzchak Chanukah) 🕯

was completely blown away. I know many powerful and wealthy people who exhibit less self-control than this little boy who gave up a lolly instantly as soon as he was told it was not kosher for him. If this is what Judaism teaches then I want to be a part of it." 🕯

THE BAN AGAINST THE MEOR ANAYIM (PART I)

RABBI NOSSON WIGGINS

One of the first Jewish books to be blacklisted by the leading Torah scholars of European and Middle Eastern Jewry was the *Meor Anayim*, written by Azariah de Rossi, sometimes called Azariah min ha-Edomim (Azariah the Edomite). To clarify, Azariah de Rossi's *Meor Anayim* is not to be confused with the 18th century *Meor Anayim* which was written by the holy Chassidic master, Rebbe Menachem Nachum Twersky of Chernobyl, Ukraine, and was first published in Slavuta, Ukraine, in 1798.

Azariah de Rossi is presumed to have been born around the year 1511 in the northern Italian city of Mantua. His family claims to have descended from the Jews brought to Rome by Titus following the destruction of the Second *Beis Hamikdash*. Not much is known about de Rossi's youth although he seems to have frequented the cities of northern Italy for quite some time. In 1569, he was expelled from Bologna with the rest of its Jews and eventually settled in Ferrara, home to a well-established printing press.

In Ferrara, de Rossi became an editor of books. Azariah de Rossi narrowly escaped a national catastrophe when, on November 18, 1570, a powerful earthquake rocked Ferrara, killing nearly 200 people. Around this time De Rossi released a book titled *Meor Anayim*, which triggered the vehement reactions of the *Gedolei Hador* (Leaders of the Generation) of the 16th century.

To be continued... 🕯

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