1st Seder Weekly Divrei Torah
A BAIS MEDRASH PROGRAM FOR MEN

PARSHAS EMOR – PLEASE DON'T CURSE
From the archives of Rabbi Shlomo Caplan

"And the son of the Israelite woman [and the Egyptian man] pronounced the Name [of Hashem] and he cursed" (Vayikra 24,11). In our Dvar Torah of 5763 on this Parsha we explained how this man became so unhinged as to blaspheme. After being told by the Bais Din that he could not pitch his tent in the camp of Dan – his mother's camp – and he was not entitled to a camp paternally since his father was not Jewish, he had no place to go – so he "lost it".

However, we still need to understand why he felt compelled to curse Hashem. If he no longer believed in Hashem, then there was no one for him to curse. If he did believe in Hashem, what sense did it make to curse Him? (See Ma'ayan Bais HaShoeva for Rav Shimon Schwab's explanation.)

I think there might be some mentality here that we can, unfortunately, relate to. There are many people who go around complaining all the time. They have lots of problems. It may be their health or their lack of wealth. Or perhaps their parents or their spouse or their children or their job. Others may just feel that it is too hard to keep all of the Mitzvos. There are too many of them and each of them has so many intricate *halachos*. Why can't we have a more accommodating religion that doesn't present so many conflicts and tests? Life is just not fair!

Now, they all fervently believe in Hashem and that He put them in the exact position in life in which they find themselves, and that he gave them these Mitzvos. So it must be G-d's "fault". Deep down – although they won't admit it – they are angry at Hashem. It may be an anger that has been accumulating over years – becoming more and more intense with the passage of time. What happens when this anger reaches its climax? It erupts into blasphemy. Thus this man whose identity as a Jew was called into question his whole life, who may have suffered all forms of shame and discrimination through no fault of his own, finally reaches the boiling point – they tell him, "Get lost!" His anger at Hashem finally finds its verbal expression.

How many people are walking around with the unspoken complaint: "It's not fair"? How many have harbored a persistent sense of frustration with their lot, their family, their Mitzvah obligations? How many people are angry at Hashem?!

If we feel that we might just fit this description, the time to address it is now. Now, before it continues to percolate. Now, before it finds some form of verbal expression, *chas veshalom*. Now, before it totally ruins our lives.

First, we need to remind ourselves of Rebbi Akiva's dictum which is *paskened* in Shulchan Aruch (Orach Chaim 230,5): "A person should always be accustomed to say, 'All the Merciful One does is for the good'." We don't need to understand why – we usually can't understand why – but we need to say it and believe it. Hashem is *tov* and all that He does is *tov*. It often has very little to do with what we think is fair or reasonable.

Second, we need to reiterate Rebbi Chananya ben Akashya's dictum (found at the conclusion of each chapter in Pirkei Avos): "Hakadosh Baruch Hu wanted to confer merit on Yisrael therefore He gave them Torah and Mitzvos in abundance." All the Mitzvos, all the Halachos and all the challenges are only for our good.

While Hashem never promised anyone a bed of roses, He did assure us that he cares about us and has our best interest at heart. There is no reason for complaints or resentment. So don't get mad, get going!

HALACHA Q&A FROM RABBI YISROEL UNGAR
Please contact R' Ungar (Ymungar@gmail.com) with questions or comments

QUESTION: May I give my suit to the cleaners late Friday afternoon to be ready on Monday? May I give in my car to the shop right before closing time on Friday to be ready on Sunday? If I know the job will probably get done on שבת, is that אסור because of אמירה לעכו"ם?

ANSWER: One may not hire (or ask) a גוי to do a job specifically on שבת if the job entails doing an איסור. This is the איסור of אמירה לעכו"ם. However, one may hire a גוי to do a job if he is given the flexibility to do it whenever chooses and it is a job that has a price. In such a scenario, it is okay even if the גוי decides to do the job on שבת since he is doing so on his own accord and not because the Yid asked him to. This is known as אדעתא דנפשיה, which means, when a גוי gets paid to do a specific job and he has the choice when to do it, he is allowed to choose the most convenient time and it is not included in the איסור of אמירה לעכו"ם. However, this is only okay if the job is not being done in the Yid's house. It is מותר to give a suit to the cleaners or a car to a mechanic, as long as they have enough time to do the job before or after שבת. If the גוי decides to do the job on שבת, he is choosing so only because it is a convenient time for him and from any command of a Yid and is therefore מותר.

עי' סימן רנ"ב סעי' ב' ומ"ב ס"ק י"ב, י"ד

Factoids from *Emailim Batorah* regarding ל"ג בעומר appear on the back page.

CONFISCATED PHONE

Questions for discussion at your Shabbos table by Rabbi Yitzi Weiner

Dovid and Eliezer were friends in a high school in Israel. The rules strictly prohibited students from bringing phones to school for educational reasons. These rules were strictly enforced and students caught with phones could have them confiscated and would be sent to speak with the principal, who would decide the consequences.

One Monday, for whatever reason, Dovid felt he needed to bring his phone to school. He did, and used it when necessary. Eliezer then asked, "Can I borrow your phone? I have to make an important call." Dovid didn't mind and lent it to Eliezer, who took the phone outside to make the call.While Eliezer was on the phone, he felt a tap on his shoulder. He turned around and saw that it was the high school principal, Rabbi Silver. The rabbi held out his hand and asked for the phone. Eliezer complied and said, "It's not my phone; I just borrowed it." Rabbi Silver replied, "Okay, tell whoever owns the phone that I have it and need to talk to him. After we talk, he can get it back, but of course, he'll have to face the consequences."

Eliezer went back to Dovid and told him that the phone had been confiscated. Dovid became very agitated. "There's no way I can talk to the principal," he said. "My parents will find out, and I'll get into huge trouble. I just can't go to the principal." Eliezer responded, "Well, it's waiting for you. You can go anytime." Dovid replied, "I can't go. I can't face the consequences. I want you to buy me a new phone." Eliezer said, "I feel terrible about what happened, but I can't buy you a new phone. It's not lost, the phone is still there. You just need to man up and get it." Dovid insisted, "You can't just tell me to man up. You don't know what kind of trouble I'll get into. I can't get my phone back, and I want you to buy me a new one."

They agreed to bring the question to a rav. What do you think? Does Eliezer have to buy Dovid a new phone, or does Dovid simply have to face the consequences of breaking the school rules and retrieve the phone himself? On one hand, one might argue that Eliezer should buy a new phone since Dovid can't get the original one back under the current circumstances. On the other hand, Dovid can retrieve it, he simply doesn't want to face the consequences. What do you think is Eliezer's obligation? See Chashukei Chemed Bava Kama Page 263

Regarding last week's question about the baal simcha who was unable to get into the hall, Rav Zilberstein (Shabbos Besimcha Page 165) answered that the baal simcha is responsible to pay for most of the cost. However, the total amount owed should be divided into three parts: the fee for the food, the fee for the hall, and the fee for the waiters. The cost of the food must be paid by the baal simcha, even though it ultimately wasn't used. As for the hall, since it wasn't used and there was no actual loss to the owner, the baal simcha is not required to pay for that. However, when it comes to the fee for the waiters, this is considered sheves be'adam (lost labor), and he would be obligated to pay for that. So in short, the baal simcha would have to pay for the food and the waiters, but not for the hall rental, since it was never used.

IF I FAIL TO BRING ABOUT A RECOVERY, THIS DESECRATION OF THE SHABBOS WILL OCCUR BECAUSE OF ME

The following story is recorded in vol 3:225 of the t'shuvos (responsa) of the Maharsham, Rav Sholom Mordechai Szwadron who lived 1835-1911.

One Shabbos in the city of Zlotchov where the Maharsham lived, a local resident became very sick. At one point it appeared that his life was in serious danger. A local dayan advised the family to request a non-Jew to write the name of the sick person and his mother's name on a paper and bring the note to the Sar Hashalom, the Belzer Rebbe, who lived in the city of Brod. The hope was that if the Sar Hashalom would pray for this person, he would recover. When the news of this story reached Rav Shlomo Kluger, the rov of Brod, he was infuriated and disqualified this dayan of Zlotchov from rendering any halachic decisions. The sanctity of Shabbos was desecrated.

When the note arrived at the door of the Belzer Rebbe, he too, was terribly upset that this was done. Nevertheless, he told himself "Once the act was done, albeit wrongly, I must do my best to daven for this sick individual. If I fail to bring about a recovery, this desecration of the Shabbos will occur because of me."

The Maharsham who was familiar with the entire story concluded that, in fact, the sick person had a complete recovery.

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***Emailim Batorah* Factoids:**

- **According to the חיד"א, there is no מקור anywhere that רשב"י was niftar on ל"ג בעומר.**
- **According to many Poskim, the תלמידי ר' עקיבא continued to die on ל"ג בעומר but stopped on ל"ד בעומר.**
- **The Chasam Sofer in the פתיחה to סדר נזיקין writes, the Yeshiva started learning מס' בבא קמא on ל"ג בעומר. "גל עיני ואביטה נפלאות מתורתך". גל (Gematria 33) stands for the 3 בבות and their 30 פרקים.**
- **Rav Elyashiv zt"l said that דעת תורה is not to travel to Meron on ל"ג בעומר.**

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SHABBAT SHALOM!