

## Avot D'rav Nosson: Thoughts and Actions

Based on a Naaleh.com shiur by Rabbi Yitzchak Cohen

The Mishna discusses a case of a man who pulled off a woman's head-covering in public, shaming her and causing her to appear immodest. He was taken to court, (some say the court of Rabbi Akiva), and ordered to pay a significant fine of 400 *zuz*. The offender asked Rabbi Akiva for time to pay it off and he agreed. The man then went to his friend and asked him what to do. His friend advised him to arrange so that some liquid would spill on the woman's head and she would be forced to expose her hair in public. Then he could return to court and ask to repeal the fine claiming that she was an immodest woman to begin with. The man did exactly that. He caused oil to spill on the woman's head and she exposed her hair in public. Then the man went back to court asking them to repeal the fine. Rabbi Akiva ruled that although he may have been correct and the woman was immodest, he still caused her pain and embarrassment and for that he would have to pay. Someone who causes damage to others is liable.

A person, could claim, if a man mutilates his own body, why do I have to pay him, if I damage him. It may be true and the man commits a sin by mutilating himself, but it still doesn't give a license for another person to hurt him. Every Jew has is formed in the image of Hashem. How can one Jew disgrace another? "*Haneshama lach v'haguf shelach,*

the soul and the body are a part of Hashem." We see this when a person leaves this world. The body is placed in a closed coffin. We don't beautify or expose it. We treat it with respect and dignity.

Rabbi Das'toi b'Rabbi Yannai tells us that there is a period of time in the agricultural season when rain is likely to come and that is the most opportune time to seed one's field. There's a disagreement when exactly it falls out. Either the 3rd, the 7th, and the 17th day of *Cheshvan* or the 17th, the 23rd, and the first day of *Kislev*. Rabbi Das'toi tells us that the first planting might not be successful and one should be prepared to do it a second and third time. We learn this from a verse in *Kohelet*, "*B'boker zara zarecha uv'erev al tanach yadecha...* In the morning sow your seeds and the evening do not rest your hands..." In the morning plant your seeds, but don't stop there because you may have to do it again. If the first season doesn't work out, do it a second and third time. Rabbi Yishmael says it refers to learning *Torah*. If you studied *Torah* when you were young, continue doing so when you're older. If you learned *Torah* when you were rich, don't think you're exempt now because you're poor and hungry. A person should be busy with *Torah* constantly. Rabbi Akiva tells us, if you learned *Torah* when you were young don't stop when you are older. Even though it may not be on the same level, learn not because it's easy and you have the money and mind and time

for it, but for the love of it.

Our forefathers are a part of us. We are what they stood for. Avraham went through ten difficult trials. Yet he remained Avraham and he proved it after the 10th *nisayon*. Hashem told Avraham, "*Kach et bincha et achica asher ahavta v'aleyu olah*- Take your son that you love and bring him up as a sacrifice." Chazal tell us this *nisayon* was a turning point. Avraham said to himself, if I don't pass this test then I don't deserve credit for the previous nine tests. How can that be? If the love for his son would have held him back from sacrificing his son, it would have shown that he had never really had true *emunah* and *bitachon* in Hashem. If a person only serves Hashem when things are good, it shows that those times were not completely dedicated to Hashem. Although a person may plant and work hard and still nothing grows, he must continue. Rabbi Akiva teaches us a tremendous lesson. Regardless of how things look, never give up. Hashem promised Avraham that from Yitzchak would stem the future Jewish nation. Then he commanded him to sacrifice him. Didn't that seem contradictory? If Hashem tells us do something, we ask no questions.

May we merit to follow in the footsteps of the avot who served Hashem with pure faith.

## Deceit

Based on a Naaleh.com shiur by Dayan Shlomo Cohen

There's a prohibition in the Torah of *geneivat mamon*, cheating in business. One may not deceive people and charge a higher than accepted price for an item. There's no problem with making a profit as long as it's sold at the market price. Deceit can happen in two ways. Either the buyer doesn't know how much the item you're selling is actually worth, so you charge him a much higher price than the market price. Or the seller who's selling the item doesn't know its true value and the buyer who's an expert, buys it at a below market price. In both of these cases the prohibition of *onaah* applies. A small deviation of the market price is acceptable. However, *Chazal* say that if it is more than a sixth, then

the sale becomes invalid.

The prohibition of *onaat devarim* involves deceiving people with words. The *Shulchan Aruch* tells us that just as the halachot of *onaah* apply to cheating in business, they apply to deceiving people with words. In fact, deceiving someone in an area not related to business is a more serious offense. Charging someone a higher price than normal, can be fixed by returning the extra money. However, hurting and insulting someone with words is almost impossible to rectify. More so, says the *Shulchan Aruch*, if someone was deceived or insulted and cries out to Hashem, they will be answered straightaway. *Chazal* tell us that a husband must be extremely careful not to

distress his wife with words as women are prone to cry easily and the repercussions can be very serious. *Chazal* tell us that after the destruction of the *Beit Hamikdash*, all the gates were closed except the gate of tears. Tears of suffering go straight up to Hashem and can result in serious punishment. In cases of monetary deceit, there are certain cases that are *gezeirat hakasav* and are excluded from the *halachot of onaah*. These are laws stemming from the *Torah* where we don't necessarily understand the logic behind them. One example is real estate. If someone sold you a house for 1.5 million dollars which was really worth 1 million dollars, you wouldn't be able to claim your money back. The Rema's

Continued on page 2

## Deceit

Based on a Naaleh.com shiur by Dayan Shlomo Cohen

Continued from page 1

opinion is that even though the normal *halachot* of *onaah* don't apply to real estate, if you sell for more than double the price, the deal is nullified. The fact that there's no *onaah* or monetary comeback doesn't mean you are allowed to do it. The prohibition of *geneivat daat* still applies.

The Shulchan Aruch gives an example of *onaah*. You walk into a shop and you start asking the seller how much his products are. If you are interested in the product but are still unsure about buying, of course you can ask the price. But if you're just passing the time

with no intention of buying, then you are causing distress to the seller, which is wrong. The *Shulchan Aruch* brings another example of a big group of business people who wanted to buy wheat. Referring them to a seller who doesn't sell wheat is *onaah*. You're causing distress both to the buyers and seller.

## Elul Through Yom Kippur: 40 Days of Recreating Our Reality Part III

Based on a Naaleh.com shiur by Rebbetzin Leah Kohn

Throughout the year, the surrounding nations create a negative environment that affects us. It's not so simple to overcome all the physical influences and focus on our relationship with Hashem. In fact, righteous people of the previous generations would leave their families and travel to their Rebbe or former yeshiva to immerse themselves in the *Elul* mindset. As we prepare for the new year and the spiritual gifts we will receive, we must take the time to focus on what life is really meant to be. *Chazal* instituted many reminders during this month. We awake early to *Selichot*, we blow the *shofar*, we go to the graves of *tzadikim*, we give *tzedakah*. Everyone on their level has to separate somewhat from the daily grind and reflect on their true purpose which is to bring spirituality into this world. The physical tools given to us are just a means to an end. In *Elul*, we must focus our thoughts, speech, and actions inward.

The Ohr Gedalyahu develops an interpretation of the Sefas Emes on a verse in Mishlei, "*Ki livyat chen hem l'roshecha* -the *mitzvot* are like an ornament that beautifies the head."

The *Midrash* says that Hashem gave us physicality as a means through which we can fulfill the *mitzvot*. We build a new home so we can put up a *mezuzah*. A baby boy is born so

we can fulfill *brit milah*. We happen to walk (*mehalech*) by a bird's nest so we can perform *shiluach haken*. The *Midrash* connects this to the words, *ki livyat chen*. The Ohr Gedalyahu points out that a part of the *mitzva* of inviting guests is *leviya*, accompanying them when they depart. It's a way of showing the difficulty of separating and our desire for their closeness. The concept of *levaya* is attachment. So too the *mitzvot* are *livyat chen*, they attach us to Hashem. The letters *chen* spell the words *chochma nistara*, hidden wisdom. There's a *mitzva* attached to every physical act we engage in in this world.

Let's look at the process of making bread. When the wheat is harvested there are three *mitzvot* of *leket*, *shikcha*, *peah* which tells us what we can and cannot harvest. Then we must set aside *maaser* and *terumot*. After the kernels are ground into flour and a dough is formed, we must do *hafrashat challa*. Finally when the loaf is ready to eat, we must make a *bracha* before partaking. Each stage of human effort activates another *mitzva*. That is the hidden wisdom in *mitzvot*.

Physicality consists of two realities, the obvious and the hidden. The obvious materialistic approach is, I'm human, I need food, clothing, and shelter. The spiritual hidden

approach is, every creation is a medium through which I can find the hidden wisdom of Hashem. Spirituality is concealed behind all of creation and when we reveal it and connect to it, we connect to Hashem. The extent that we will be able to find it is relative to the extent that we will it and look for it. This is our life's purpose, the *leviya*, attaching ourselves to Hashem.

During the year it's difficult to do this as we are immersed in the physical realities of life and influenced by the gentile nations. Therefore Hashem gave us thirty days before Rosh Hashana to return to who we truly are, to think about our purpose on this world and to refocus our priorities.

When Hashem gives us a mission, he gives us the means to achieve it. When *Elul* comes Hashem awakens the potential in our heart. We can ignore it or take the opportunity to develop it. The Rambam tells us that we blow the *shofar* in *Elul* to arouse ourselves from our stupor, "*Uru yesheinim mishnatchem v'nirdamim hakitzu*." When *Elul* comes we have to tell ourselves, our purpose for living is not to attain more materialism but to bring *kavod shamayaim* (honor of Hashem) into this world.