

## Tree of Life: The Centrality of Torah Study- True Dveykut

Based on a Naaleh.com shiur by Rebbetzin Tziporah Heller

Torah is the force that gives us the ability to fight against the *yetzer hara*. Everything is an extension of Hashem's will and contains a spark of divinity. If we dig deep enough inside ourselves, we find goodness. But the only way to access it is through Torah. In the creation narrative the Torah says, "Hashem saw it was good." Creation was meant to be unlocked by the Torah. The word *tov* is repeated six times in the first chapter of the Torah. If we multiply the gematria of *tov* by six we get the same numerical value as *emunah*. This tells us that the essential good inherent in active creation opens our hearts to *emunah*.

There are three facets to *emunah*. The first is recognizing that everything comes from Hashem. The second is believing that everything was created with compassion. The third is recognizing that everything leads us to *tikun* – self rectification and rectification of the world. So when we say the Torah is *emunah* we mean that it teaches us how to affirm these realities. When we celebrate the holidays or make a blessing on food, we should realize that everything has one source.

On the deepest level we know *emunah*, that everything is connected. That should evoke a response within us that leads to making changes. But it won't happen without *mitzvot*.

King David refers to *chochma chitzonit* (secular knowledge) as *eitz hadaat tov v'ra*, the tree that gives us access to good and evil. *Chochma chitzonit* by its nature tends to keep one in the world of partial pictures. It's the observable little kernel of truth that is within one's frame and range, with no sense of source and purpose. It's seeing everything within one's own limitations and defining limitations as truths. This is the opposite of *emunah*. Staying within the flat picture of reality and not looking beyond makes for an easy life. There are no demands spiritually or emotionally. But it's as if one is dead while alive.

The verse says, "*Titen emet l'Yaakov*." Yaakov actualized the Torah. He chose holiness. He took the Torah, the connective *emunah*, the *tzadik* part of him, and developed the ability to see where it was all meant to go. The main purpose of the *yetzer hara* is to lift a person

up, to make him face many possible challenges and to say no to evil. Man is meant to strip away the layers of impurity and get at the *tov*. The Torah will help man do this, as it teaches us how to transform bad to good. The negative *mitzvot* say, "Don't do use this trait for evil." The positive *mitzvot* teach us how to use it for good. We can attain perfection by taking what's bad in ourselves and turning it around. A jealous person can ask himself, "Am I jealous of what he owns or how he looks?" That's going to fade. If I move inward I can say, "No, I'm jealous of who he is in essence. I want his key to being excellent and distinguished." He could move even further and say, "I'm going to out- *tzadik* this *tzadik* and out-learn that learner – not in a way that's hypocritical, phony or irrational, but in an ambitious way. This is taking envy and moving it to good.

On the sixth day when Hashem created Adam, He said, "*Tov me'od*." There was something beyond good there. When we learn Torah and access that spark of eternal light, there is no limit to how far and how high we can reach.

## Overcoming Adversity: Don't Sell Yourself Short

Based on a Naaleh.com shiur by Rabbi Hanoch Teller

One early predawn morning Rav Lazer Yudel Finkel, rosh yeshiva of the Mir Yeshiva, came into the room where his young great nephew slept. Rav Nosson Tzvi didn't let on that he was awake as he watched his great uncle go over to the Shas on the bookshelf in his room and kiss each volume. The profound love Rav Lazer Yudel displayed for Torah made a deep impression on him.

When the mantle of leadership passed to Rav Nosson Tzvi, he felt unworthy of the position. Not long after that he married off his son and Rav Shlomo Wolbe came to the wedding. Rav Nosson Tzvi was taken aback. He was a very young *rosh yeshiva* at that time and a famous *mussar* personality had come to grace his wedding. Rav Wolbe explained, "From responsibility you grow." And that became Rav Nosson Tzvi's *raison d'etre*. He himself grew and he had no problem taking young people and giving them responsibility so they would also grow.

The sages say, "A person will learn best when he learns a topic he likes." Rav Nosson Tzvi would tell his students, "Whatever you wish to

learn, we'll make a *yeshiva* just for you." This meant constructing more buildings to house the ever expanding student body. Whenever Rav Nosson Tzvi would finish another structure it would fill to capacity. And then he'd start on the next project. He would be present when they would pour the cement and he'd beam with joy, he knew the building would be another citadel of Torah learning. This all meant raising enormous amounts of capital. By nature he was a bashful person, not the type to ask people for tremendous sums of money. With a budget of \$23 million a year he raised the staggering figure of over a half billion dollars in his tenure as *rosh yeshiva*.

Rav Lazer Yudel's philosophy was that *yeshivos* should be open for everyone. In fact he had the doors of the Mirrer *yeshiva* removed to show that anyone and everyone was invited to learn there. Rav Teller recounts, "I distinctly remember coming in to the doorless *yeshiva* on a rainy day and encountering a shallow lake." Years later the Knesset passed a law that for security reasons every building must have doors, and the *yeshiva* doors were finally replaced.

Rav Nosson Tzvi had this tremendous compulsion to get the boys to learn as much as possible. One program started by Rav Lazer Yudel was to learn 12 hours a day uninterrupted. Rav Nosson Tzvi posted sign-up sheets and said, "I want to see everyone's name there." But Dovi, who had never quite made it in *yeshiva*, didn't sign his name. The rosh yeshiva grabbed his hand and held it firm and said, "I want to see your name." So Dovi said ok with the greatest *bli neder*. The chances of him learning 12 hours uninterrupted was like a chicken sprouting teeth. But he sat down and learned. And again the next day, until he managed to pull off a full week of uninterrupted learning. On the 8th day he ran to the *beit midrash* and said, "*Rosh yeshiva!* I want to tell my parents and high school rebbe but they won't believe me. Last night I dreamed about learning." The *rosh yeshiva* drank a lechaim, took Dovi's hand, and despite his severe medical condition did his best approximate of a crazy dance. Dovi went on to fulfill his commitment of learning 30 days uninterrupted.



## Cancelled Agreements

Based on a Naaleh.com shiur by Dayan Shlomo Cohen

A number of halachic questions related to agreements arose during the recent Israeli security situation. The first question came from a storekeeper who was renting a shop in Ashkelon, a city that came under heavy fire. He signed a contract at the beginning of the year with the owner. But then because of the war situation, people were afraid to leave their homes to go shopping. He requested a reduction on his rent.

The second question came from the parents of a boy in Sderot. Because of the missile attacks, school had been cancelled and they wanted to know if they were obligated to pay tuition for the time their son was home from school.

The third question came from a private teacher in Jerusalem. He was tutoring a young boy every afternoon and because of the situation, his American parents left with him to the US. Were the parents obligated to pay the tutor until the end of the year or could they cancel the agreement?

In a normal situation, although *beit din* can't force both parties to keep a verbal agreement, they are morally expected to do so. One is considered *mechusar emunah*, an unfaithful person, if one backs out. But when the situation changed after the verbal agreement and before the contractual act one is allowed to cancel. Therefore, where the security situation changes unexpectedly and it is no longer feasible to keep an agreement, one would be allowed to back out if the hiring or renting hasn't yet started. However, when it already started the *halacha* is different.

The Gemara relates a case of a farmer who hired workers to water his field by gathering water from a nearby river. In the middle of the day the river dried up. The workers had nothing left to do. Is the employer obligated to pay them? The Shulchan Aruch says it depends on who should have realized that the river would dry up. If the farmer knew, he

should have made a condition that if the river dries up the workers wouldn't get paid. If he didn't do this he would have to pay them half the normal wages. But if the workers knew, then they should have made a condition that the boss would still pay them. If they didn't, they wouldn't be paid anything. If neither of them knew it would happen, the workers will lose because they cannot prove that they deserve payment. If they were paid up front, however, they would not have to return the money. When both the farmer and the workers knew, the workers would not get paid. The Rama adds that this rule applies to any *onus* that happens during the time of employment.

The Rama discusses a different case of someone who rented a house for a year and died. He notes that the heirs would not be obligated to pay the rent for the second half of the year. However, the Rashba disagrees and says that when you rent property, it is as if you bought it for that period of time and you cannot cancel the agreement no matter what happens in the interim. The Shach notes that even if renting is like buying, who says you bought it for the year as one unit? Maybe each day is counted as one unit and you could get out of the arrangement if there's an *onus*. The *halacha* is that whoever can prove that his opinion is correct gains. Anyone renting out an apartment should know that if an extraordinary situation happens and the renter backs out of the agreement, he won't be paid for the full contract. And if the renter paid in advance, he would not receive his money back.

The Shulchan Aruch says, if parents hire a rebbe to teach their son and the son becomes ill, if the parents knew beforehand that their son was sickly and he occasionally wouldn't be able to learn, they should have made a condition that they wouldn't pay the rebbe during those times. If they didn't, they have to pay him. If the rebbe would rather be teaching then doing nothing, there's no deduction in his wages. If the rebbe knew the child could get ill, the rebbe should have made the condition. If

he didn't, he doesn't get paid. If neither side knew he would get ill, then the rebbe loses and would not get paid.

In the case of the teacher whose student left for the states, the teacher wouldn't get paid since extraordinary circumstances caused the boy to leave. In the case of the school tuition, no one knew the war would break out so the school loses and would not be paid tuition. However, a special *halacha* applies in the case of a national crisis. When a large amount of people are affected by an extraordinary event, the loss must be borne equally by both sides. However, the Rama adds, if it's possible to fix the situation in some way, one must try to do so. If one doesn't, then the special *halacha* doesn't apply. It also means that either side can cancel the agreement for the future. So if school closes because of a national crisis the loss has to be split between the parents and the school.

In the case of the parents who left for the US, the exemption wouldn't apply because they decided of their own free choice to leave. It can't be said that the national crisis made them return to the US. All that would apply would be extraordinary circumstances that prevented the boy from learning, such as illness. The rebbe wouldn't be paid from the time the boy left, unless he was paid beforehand, in which case he wouldn't have to return the money.

Regarding the shop in Ashkelon, it seems the loss would have to be split between the renter and the owner. But it's not so simple. While the home guard closed the schools, they did not close shops. The national crisis didn't directly affect the shop, it affected the area. So it is possible to claim that the shop shouldn't be dealt with as a national crisis in which the losses are split. Still it would be correct for the landlord to reduce the rent. In all cases, it is certainly appropriate for people to come to compromises and not stand on *midat hadin*.