



MENUCHAV'SIMCHA

Candle Lighting 7:36 PM

Vol. 14 Issue 22

Parshas Shoftim 5778

IT IS THOUGHT THAT COUNTS

BY RABBI YOSEF PRUPAS

In this week's parsha we are taught a halacha that seems to defy common logic – the halacha of "eidim zomimin." Eidim Zomimin are witnesses who testify, for example, that they witnessed a murder. If prior to carrying out the supposed murderer's death sentence two other witnesses testify that the original two witnesses were at a different location at the time of the murder, the original two receive the intended punishment of their victim. However, if the death sentence has already been meted out, there is no retribution to the original two false witnesses. The Torah expresses this unique halacha with the words "Ka'asher zamam la'asos," which the Talmud explains to mean that it is only as they "intended" to do, but not if it was already done. This halacha has led to much discussion among the commentators as to the reason behind this seeming paradox.

The Maharal explains that its understanding lies at the end of the verse – "u'viarta harah mikirbecha," "and you shall destroy the evil from your midst." The source of evil in this case is the intent to harm the individual the witnesses falsely testify against. It is only a thought, there is no tangible action on their part that brings about the murder. A thought exists as long as it is there. Once it stops it no longer exists. Therefore, in the case of eidim zomimin, the Torah is telling us to get rid of the evil as long as it has a presence. Once the sentence is carried out - their evil intent ceases, and the commandment to remove the evil is no longer pertinent. The technicalities of the halacha reveal a much deeper reality of the power of thought. The Maharal explains:

"The real reason for this law is something wondrous. One must understand the words "K'asher zamam" itself. The intention to do something to someone else turns back on himself. When the person was already killed, there is no thought to turn back on the original person." The Maharal goes on to say that according to the Torah, a misplaced intention to harm another will always turn back on its origin. We find this explicitly by the evil Haman. The verse in Megilas Esther (9:25) states "But when she (Esther)

appeared before the king, the evil thought intended for the Jews returned on his (Haman's) head..." Similarly the Talmud tell us in tractate Shabbos (97a) that one who suspects others of a misdeed (incorrectly) will be stricken himself. The Maharal explains with a parable of two boats, one trying to sink the other. If the second boat is stronger than the boat trying to ram it and bring it down, the result will be that the first one will sink. A misplaced thought, will turn on its originator.

At this time of year, the above brings to mind the statement of our sages in tractate Yoma (29a) "Hihurei aveira kashu mei'aveira," "Thoughts of sin are worse than sin itself." A thought can be worse than the act. Some commentaries explain that thought originates from the essence of a person, from the holiest within him, and it is defiled by that bad thought. Rabbi Yitzchak Hutner tell us that although the process of repentance requires regret for the action of sin and acceptance not to repeat it in the future, it is praiseworthy for one to uproot the source of what brought about the possibility of sin itself. We learn this from the fact that Rosh Hashana is on the day, according to one opinion "man" came into being, or first day of creation of world whose purpose was to serve mankind. And from the fact that the attribute of Teshuva/repentance is rooted in the Name of G-d – the Name that speaks to the creation of the world (as opposed to other attributes of G-d, e.g. kindness, truth, etc.) This teaches us the core of Teshuva, as the Rambam explains in the Laws of Teshuva, lies in the fact that a person must reinvent himself a result. It is not only his actions that matter, but his thought process itself. We can now understand the power and far-reaching consequences of the going-ons in one's mind. For this reason we call out to G-d "mima'makim," from the depths of our being for forgiveness, realizing that we must change from inside out.

May we understand our thought process and direct them in a positive direction for ourselves and towards our people.

IT IS NOT ONLY HIS ACTIONS THAT MATTER, BUT HIS THOUGHT PROCESS ITSELF

DVAR HALACHA



CHOLOV AKUM:

Cholov Stam – Final Touches

Part 5

BASED ON THE SUNDAY MORNING HALACHA SHIUR

GIVEN BY RABBI Y. BIBERFELD, ROSH KOLLEL

WRITTEN BY: OVADIA GOWAR

In the last two issues we've learned about R' Moshe's heter (leniency) regarding milk that is under government inspection but was not supervised by a Jew during the time of milking. Due to the government inspection, the farmer experiences *mirsas* (fear) and our certainty in the assumption that he won't mix in non-kosher milk makes it as if a Jew supervised the milking. This milk is known by most as "*cholov stam*" ("ordinary" milk).

There is an interesting question regarding the situation prior to R' Moshe's heter. The person who originally sent R' Moshe the *shaila* noted that in his community many people, including well-respected rabbonim, were buying *cholov stam* from the grocery stores. Clearly it was already common practice to do so. Without R' Moshe's heter, what were all these people relying on to buy this unsupervised milk?

The answer is that starting in the early 1900's, in the New York area, a number of Jews started kosher dairy farms to supply *cholov yisroel* milk to their communities. Some time later it seems that the *cholov yisroel* industry became monopolized which then resulted in higher prices. Eventually some of the rabbonim said that since the monopoly was trying take advantage of the situation by charging these unreasonably high prices, they told their constituents that they could rely on the Pri Chadash. We mentioned before that the Pri Chadash held that if there weren't any non-kosher animals present on the farm at the time of the milking, then the *gezeirah* of cholov akum did not apply the milk was permissible, even though no Jew had watched the milking. This was a special leniency for these communities though, because most *Acharonim* argue on the Pri Chadash. This prompted the person in question to send his *shaila* to R' Moshe.

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Menucha Vesimcha has been dedicated by **Kutest Kids Early Intervention Services.**

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MENUCHAV'SIMCHA

DVAR HALACHA



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R' Moshe held like most Acharonim and didn't hold of the leniency of the Pri Chadash. He conceded though, that you can't say that these people were doing wrong by relying on the Pri Chadash. However, he wanted to bring his own line of reasoning, independent of the Pri Chadash, for why people could buy the unsupervised milk. The details are discussed in a previous issue.

There is another issue in the last few decades that is quite different to all those we've discussed so far concerning *cholov stam*. This is the issue of the "displaced abomasum". The abomasum is the final of the four stomachs that food passes through in a cow's digestive process. Sometimes the abomasum (which lies on the floor of the cow's abdomen) gets filled with gas and rises towards the top of the abdomen. It is linked to calving and to modern bovine diets. Prevalence can be up to 5% on some farms. The condition can cause the cows discomfort and even death in a minority of cases. So when it happens, a vet comes in and performs surgery. The vet makes an incision in the side of the cow, releases the gas, puts the stomach back in its correct place and then closes up the incision. The problem is that many poskim are concerned that this surgery might cause the cow to become a treifah. The milk of a treifah is forbidden just like the *treifah* itself. Strictly *cholov yisroel* milk will not allow these types of cows to be milked.

It is said that when this shaila was brought to R' Belsky, he said the shailah had already been brought to R' Moshe 20 years earlier and he was matir (was lenient with) it. It is not clear what the basis was though.

That finishes up our discussion of cholov stam. Next week we will continue with further halachos from the Shulchan Aruch concerning cholov akum.

Kollel News

MAZEL TOV:

DRS. DOVID AND MEIRA FRIEDMAN ON THE UPCOMING MARRIAGE OF THEIR DAUGHTER, ELKY, TO ARON YOEL ROTHSTEIN. A SPECIAL MAZEL TOV TO THE PROUD GRANDPARENTS, DRS. JAY AND MINDY ROSENBLUM.

CHAIM YONAH AND SHEVY ZIEMBA OF NEW YORK ON THE BIRTH OF A BABY BOY.

DR. ZEV AND YONINA JACOBSON ON THE RECENT ENGAGEMENT OF THEIR DAUGHTER TALI TO YEKUTIEL KOSCHITZKY!

DAVENING TIMES:

Friday, August 17:

7:36PM Candle Lighting
7:54PM Shkiya/sunset

Shabbos, August 18:

8:15AM Shacharis
9:04AM/9:40 Latest Krias Shema
Please join us at Kiddush this week in welcoming our three new Kollel families and in honor of those who were Mesayeim Meseches Zevachim

5:00PM SHIVTI
6:00PM Mincha
7:53PM Shkiya/Sunset
8:48PM Ma'ariv
9:05PM 72 minutes

THE PHILADELPHIA COMMUNITY KOLLEL PRESENTS
Our Annual Pre-Rosh Hashanah EVENING OF INSPIRATION

Our Tenth Year!

TESHUVA:

THE ULTIMATE TIME TUNNEL
THIS YEAR'S SPEAKER
RABBI AARON PESSIN

TUESDAY, SEPTEMBER 4TH
8:30 PM
For Men and Women
AT THE PHILADELPHIA COMMUNITY KOLLEL
364 MONTGOMERY AVE, MERION STATION

THE PHILADELPHIA COMMUNITY KOLLEL WOMEN'S DIVISION PRESENTS
ROSH HASHANAH INSPIRATION

TO BE GIVEN BY

MRS. RACHAEL BIBERFELD,
SHABBOS, SEPTEMBER 1ST
AT 5:15 PM
AT THE HOME THE ZEFFREN'S,
111 BRYN MAWR AVE, BALA CYNWYD.

SHIVTI IS BACK!
WITH A NEW THREE-PART SERIES
HILCHOS SHOFAR
KRIAH OR SHMIAH
IS THE MITZVAH TO BLOW THE SHOFAR, OR TO HEAR THE SOUND OF THE SHOFAR?

5 PM - 6 PM SHABBOS AFTERNOON
MINCHA 6 PM



RIDDLE OF THE WEEK

STORY

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MESIRAS NEFESH FOR SHABBOS

Once a year Mr. Sam Golding would go to shul to say Kaddish to honor his father's Yahrzeit. In December of 1928, as Mr. Golding came into the hallway of the shul to join the 7:00 a.m. minyan, he saw two little boys running in the hallway wearing pajamas. Surprised that someone would be wearing pajamas in a shul, Mr. Golding approached the young boys and asked them why they were in pajamas and what they were doing in shul so early. "We live downstairs sir" was their reply. "I didn't know there was an apartment downstairs!" said the surprised Mr. Golding. "It's not an apartment; we were thrown out of our apartment for not paying rent so the shul lets us stay here for now." How sad thought Mr. Golding as he went in to daven. After davening and saying kaddish for his father, Mr. Golding knocked on the basement door to speak to the parents of this needy family. "I would like to help you" Mr. Goldberg said. "I wrote out a check for \$5,000 for you to purchase an apartment." To his surprise, R' Yosef Yitzchok Parnes, the father of the family answered, "We appreciate your kind offer, but we will not take any money from someone who desecrates the Shabbos." Mr. Golding was shocked, "Don't be silly, I am willing to give you all this money, just take it." Nothing could change their minds. The Parnes's were being moser nefesh for Shabbos by losing job after job but they wouldn't think of taking money from Mr. Golding who had his business opened on Shabbos. Sam Golding sat down for breakfast and told his wife what had happened in shul that morning. Mrs. Golding was extremely impressed with the mesiras nefesh of the Parnes family. "You know, after hearing that someone would be willing to live in a dingy basement to avoid being mechalel Shabbos, maybe we should start keeping Shabbos?" Mr. Golding looked at his wife and said, "Do you mean it? I also felt that way. If someone is willing to live like that for the sake of Shabbos, then Shabbos must be very, very important." On Sunday morning after keeping their first Shabbos in twenty years, Mr. and Mrs. Golding knocked on the Parnes family door. Rabbi Parnes opened the door and was surprised to see the Goldings. "Rabbi Parnes, we have come to once again offer you the \$5,000, but this time you can accept the money because it is coming from someone who keeps Shabbos. Yesterday was our first Shabbos that we kept in a long time." This time the Parnes family kept the check and was able to buy an apartment for themselves. They had guarded the Shabbos and Shabbos had helped them. The mesiras nefesh that the Parnes family had for Shabbos kodesh brought another family and their future generations, closer to Hashem.

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