

SCHEDULE

שבת קדש

Mincha Erev Shabbos **5:04 PM**

Friday Night Learning - After 7:30pm

With Cholent provided by O'Fishel & KnishShop

Shacharis- Followed by Kiddush **8:30 AM**

Sof Zman K'S- 9:48 א"ג < 9:12 א"מ

Mincha- Followed by Shalosh Seudos **5:00 PM**

Maariv **6:12 PM**

Sunday

Shacharis **8:30 AM**

~ Shiur will resume next week

Mincha / Maariv **5:15 PM**

Weekday Minyanim & Shiurim

Shacharis

Mon, Thurs. **6:40 AM**

Tue, Wed. **6:45 AM**

Friday ראש חודש **6:30 AM**

Mincha (Mon-Thur) **1:45 PM**

Maariv (Mon-Thur) **9:45 PM**

**No Thursday Night Shiur This Week
(2/3/2011)**

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In memory of:

שחנא בן יצחק אייזק

המקום ינחם אתכם

*Our deepest condolences to
Shoshana Rubin on the passing
of her Grandfather, Mr. Ari Levi*

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Laining Schedule:

Gavi Cohn- Lain@

Kiddush & Shalosh Seudos Sponsorship:

Jeremy Schnittman- Kiddush@

Shul Upkeep and General Repair & Maintenance:

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Seforim & Sidurim Library Manager & Dedication Contact:

Dovi Becker- Library@

Building Fundraising Committee:

Ethan Berner & Yaakov Berkowitz- Building@

CONGREGATION OHEL MOSHE

שבת קודש

פרשת משפטים

כ"ד שבט

מברכים חודש אדר א'

ש.ו.ב.ב.י.ם

אהל משה



Rabbi Zvi Teichman

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Issue#172

RABBI'S MESSAGE

All For the “Boss” and With the “Boss”!

Of the many laws that are enumerated in this week's portion of "משפטים", they almost all fit into the category of just that, "civil law", laws that make sense and set a high standard of obligations and rights, thus protecting and elevating interpersonal relationships and society.

There is one law however that seems to defy "logic", and many commentators struggle to make sense of it.

The Torah enumerates the halacha of the "borrower", the שואל.

וכי ישאל איש מעם רעהו ונשבר או מת בעליו אין עמו שלם אם בעליו עמו לא ישלם... (שמות יג טז)

If a man shall borrow from his fellow and it shall become broken or shall die - provided its owner is not with him- he shall make restitution. If its owner is with him, he shall not make restitution...

A borrower has the highest level of responsibility among all "watchmen". He is even liable for unexpected circumstances that are beyond anyone's control and couldn't have been prevented.

Yet, if the owner and lender of the object he is borrowing is "with him", which the Talmud informs us to mean, is in his employ or merely voluntarily assisting him in any way whatsoever, even something as simple as the lender acceding to the borrower's request to bring him a cup of water, the שואל is released from all liability!

This is true even if the lender was not present at the place where the object was borrowed or at the location of subsequent damage. Furthermore, even if at the time of breakage the lender was no longer "serving" the borrower or beholden to him in any capacity, the borrower is exempt from any restitution.

As long as at the moment of "borrowing" there was some level of commitment from the lender to the borrower, the laws of responsibility are suspended.

What logic could possibly dictate this outcome?

The root word used to define here "borrowing", שאל, is used in many other places throughout Tanach. The very first time this root is used in the context of exchanging an item from one person to another is when the Jews were directed in Egypt to "borrow" various items from their Egyptian neighbors in preparation of their "exodus".

...and they borrowed each women from her neighbor... (שמות ג כב).

The vast majority of commentators, Rav Yona ibn Ganach, Rabbeinu Bechayei in the name of Rabbeinu Chananel, the Chizkuni, Tosafos among others, all cite numerous sources where the term שאל means a gift. The most obvious, Chana's declaration that she was "giving" to Hashem her son Shmuel, not lending as there was no expectation of return.

...therefore I have also gifted him to Hashem. (שמואל א א כ).

They emphasize that obviously the Jews were not cowardly duping their Egyptian counterparts, but were rather expecting a non refundable "gift".

Yet clearly the expectation of the borrower in our discussion was to return the item to its rightful owner upon the termination of his usage. What is inferred by the use of this confounding term?

When one "lends" an item, the Torah is teaching us that it has to be given with a sense of total transfer without any sense of "lordship". The lenders need and "request", also rooted in the word שאל, to use the item, must be given wholeheartedly as a gift, despite the responsibility the borrower assumes.

When however the owner is also "borrowed", or better "gifted", by virtue of his physical commitment to assist the borrower in whatever function, he gives himself totally, and commitment means 100% ! To commit one's "self" means to not have any expectation. Commitment with expectation is an oxymoron. The Lender must give of himself totally in order to fulfill the Torah's expectation of his commitment! (see RSRH)

Perhaps this is what the Rambam means when explaining this law he writes: "...a man can not be a servant and a master together to another..."

The Sfās Emes writes that we are all in the category of a שואל, we want Hashem to "gift" us with all our desires and needs so we may enjoy life. As the Talmud describes the "borrower" as one who in contrast to the other watchmen, the pleasure (of the use of the object) is all his, so too are we seeking the enjoyment of this world completely. If we want to be spared the heightened level of expectation and resultant consequence that comes with it, we need to affect this rule of "employing Hashem", בעליו עמו. This the Holy Sfās Emes tells us, can only be done if we are מוסר נפש, we are willing to sacrifice for Him, then He responds in kind with His immeasurable expectationless commitment in kind to us!

May we emulate this attribute in our commitment to each other so that we may merit Hashem's unconditional love!

באהבה,

צבי טייכמן



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Hey Members!

ARE YOU COMMITTED?
TO SUPPORTING THE BUILDING FUND

Package Party

for Rosh Chodesh Adar Alef!
(It's not quite shaloch manos...)

Motzei Shabbos February 5th, 8:00pm
At the home of Aviva Heinemann
2704 Geartrn Rd (off of Maurleen)

Everyone should bring an
interestingly-wrapped gift
(cost \$2-\$5).

Each gift is then auctioned to the
highest bidder! All proceeds to
benefit the shul building fund.

Please R.S.V.P to Leezers34@aol.com.

Light refreshments served.