**Parshas Mishpatim – ועבדו לעולם**

**לע"נ הרה"ג ר' חיים ישראל הלוי בעלסקי זצ"ל-תוך ימי שבעה**

**Freedom’s Ring**

The intricacies of HilchosNezikin – Civil Law, laid out in Parshas Mishpatim, are an immediate follow-up to the events of Matan Torah. This teaches us that we can find no better system of justice that can match Torah Min HaShomayim, in understanding, considering and weighing all the factors and nuances that go into resolving דיני ממונות, torts and other legal claims. No legislative or legal body, no matter how sagacious or knowledgeable, could so completely and so deeply understand human nature and human rights, well enough to design all these responses and penalties. לא עשה כן לכל גוי ומשפטים בל ידעום.

Why is the Parsha of EvedIvri, the introduction to the entire body of HilchosNezikin? Why does the Parsha of EvedIvri follow on the heels of Matan Torah? What is EvedIvri’s connection to the experience of Kabbolas HaTorah?

The Dinim of EvedIvri are concepts that seem quite foreign to us. The servitude of the EvedIvri is limited to a Ganev who is unable to repay or return what he stole or a man who has exhausted all other recourse to pay his debts. Rav Yisroel Belsky zt”l, in a Drasha adapted in SeferEinei Yisroel, explained how the punishment fits the crime, with divine exactitude. Someone who stoops to stealing from unwitting victims, is a person who has already enslaved himself to his base desires to covet that which he could not have on his own. A person who allows himself to cross the line of decency and respect for other people and their property, is already in his own self-imposed imprisonment. The same may be said of the impoverished debtor who offers himself for sale. The Medrash describes this unfortunate “Nebach” as someone who squandered his fortune, allowed his Parnassa to dwindle away through laziness and resorted to “Shtick” to try and skirt Halacha. This fellow is also a slave to his slothfulness and the underlying belief that there is a free ride, and that it is okay to try and get away with cutting corners in Halacha.

The experience of the EvedIvri, is an opportunity for us to learn what it means to abrogate our right to free choice and self-determination. Accepting the yoke of Kabbolas HaTorah is actually a Declaration of Independence! Being bound by the strictures of Halacha and subjecting yourself to fulfilling the requirements of 613 Mitzvos, sets us free from the chains of the ultimate slave-trader – the Yetzer Hora. אין לך בן חורין אלא מי שעוסק בתורה. The Ribono shel Olam certainly did not attempt to deceive us and deny us a better and happier life, by accepting the Torah. עבדות, servitude, is, in fact, very relevant for us, even in this day and age. It doesn’t take the Yetzer Hora for some reprehensible Aveirah to surrender your freedom. We are enslaved when we allow ourselves to be short-tempered with our spouses and children, when we don’t come on time for Minyan because we can’t get out of bed or because we are engrossed in something that is not pressing, or when we don’t delve into our learning sufficiently. The Parsha of EvedIvri offers us an insight into the foibles of basic human nature and the opportunity to free our hearts and souls from the Middos and habits that, “Takeh”, deceive us and deny us a better and happier life.

Rav Yisroel Belsky, zt”l, lived the life of freedom and independence. As an accomplished and brilliant young man, the world was in his hands, to choose a path to success and accomplishment. In a Hesped by one of his sons, it was mentioned how, upon graduating High School, he was lauded for his talents and mastery of a long list of scholarly subjects. Yet, he chose to devote his brilliance and energy to Gadlus and Aliyah in Torah, Avodah and Gemilas Chesed. He won the admiration of NASA’s scientists, the acclaim of agricultural experts and executives of major corporations – but never left the ד' אמותof Halacha. He faced his detractors and critics with equanimity and never held a grudge. He patiently got along with youngsters and happily shared their interests and sustained their curiosity, without demanding respect for his positon and accomplishments. The Rosh Yeshiva’s life of accomplishment, by choice, and the world of B’nai Torah he exemplified, call upon us to honestly contemplate our faults and our potential. We can utilize the eternal wisdom of the Torah to work on our personal behavior. With Hashem’s help, we can unshackle the bonds of self-indulgence, and enjoy the taste of true freedom. יהי זכרו ברוך.

Have a wonderful Shabbos and a FreilichenChodesh, yk

**L’RavchaD’Milsa Weekly Almanac**

**Wednesday, Parshat Mishpatim-24 Shvat**

Zechariah HaNavi prophesied a heartfelt plea for Yerushalayim – ZechariaPerek 7

**HaGaonHaTzadik R’ TzviGutmacher, zt”l** son of the renowned מקובל, הגאון והקדוש ר' אליהו גוטמאכער (1871)

*WE HAVE BEEN PRIVILEGED TO SEEK THE BLESSINGS AND GUIDANCE OF הרה"ג ר' חיים KANIEVSKI, שליט"א AND THE EQUALLY FAMED REBBITZIN KANIEVSKI, ע“ה. IT WAS DURING ONE SUCH VISIT THAT THE REBBITZIN HANDED US A COPY OF THIS WORK WITH THE ASSURANCE THAT WITH THIS “WE WILL NEVER NEED A DOCTOR AGAIN!”*

In R’ Eliyahu’s introduction to his the writings of his son, R’ Tzvi Ben R’ Eliyahu, קן מפורשת, the גאון writes that his son left something for all generations that anyone who needs a salvation can learn one *Mishnah* in מס' קינים with the ברטנורא and תוס' יום טוב and the commentary of קן מפורשת. Then say his prayer along with his own plea - in whatever language he is fluent and he will be saved. If there is no resolution he should repeat this for up to three days. The גאון assured that whomever will study this פירוש of his son - ***“He Will Experience Salvation and Will Never Require Doctors!”***

His assurance will certainly be fulfilled. Just as his Halachic decisions were relied upon in a time of such luminaries as R’ AkivaEiger, זצ"ל, we may surely rely on his promise. Certainly since he was famed and known to all as as a great worker of miracles and performer of wonders. Hundreds stood at his door to receive his blessings that were fulfilled. Most assuredly it will be a great merit to anyone who will bring the blessing of this work into his home

In ספר סוכת שלום (דף ק"ז) he writes “and we have heard of distinguished Jewish families that do this regularly and ***THEY DON’T FREQUENT DOCTORS***”.

**RavGedalya Moshe Goldman of Zvhil** (1888-1949), son of RavShlomo (Reb Shlomke) of Zhvil. When the Soviets rose to power, he was sent to Siberia and after eight years of exile managed, in 1936, to flee to EretzYisrael, where he also concealed his greatness. He served as an Admor for only five years, for he died when he was only 61. *see extended article*

**Thursday, ParshatMishpatim -25 Shvat**

**RavYisraelLipkinSalanter** (1810-1883), founder and spiritual father of the Mussar movement. Born in Zager (near Kovno), Lithuania, to Rav Ze’ev Wolf Lipkin, a descendent of the Vilna Gaon, RavYisrael became a close talmidRavZundel of Salant, who introduced him to the classic works of mussar. In 1840, he became rosh yeshiva of the Rameillas Yeshiva in Vilna, and later opened a yeshiva in Kovno. A compilation of his thoughts were recorded in a sefer, Or Yisrael, written by one of his closest talmidim, Rav Yitzchak Blazer of Petersburg.Among his other close disciples are RavSimcha Zissel Ziv of Kelm, Rav Yosef Yozel Hurwitz of Novardok.

**Erev Shabbos KodeshParshatMishpatim -26 Shvat**

**Shabbos MevorchimChodesh Adar Rishon**

**The Taz, RavDovidHalevi Segal, author of TureiZahav** (1586-1667), son-in-law of the Bach. Born in Cracow. Unofficial Rabbi of Posen 1619-~1640. Headed famous yeshiva at Ostro from 1643, escaped Cossacks 1648-49 to Lublin, then Moravia. Settled in Lemberg (Lvov). Lost 2 sons to violent deaths in Spring of 1664. Sent his son Yeshaya and son-in-law AryehLeib (later to be the ShaagasAryeh) to investigate ShabsaiTzvi. He also wrote DivreiDovid on Rashi al HaTorah. *See extended article*

**Monday, Parshas Terumah - 29 Shvat, Erev Rosh Chodesh Adar Rishon**

**Yom Kippur Katan**

**RavChananya Yom Tov LipaTeitelbaum** (1836-1904), author of Kedushas Yom Tov. Born in Stropkov, Slovakia, to RavYekusiel Yehuda Teitelbaum (author of Yital Lev), who was a grandson of Rav Moshe Teitelbaum, the Yismach Moshe. RavChananya’s primary teachers were Rav Chaim of Sanz and Rav Yitzchak Eizik of Ziditchov. At the age of 28, he became Rav of the small town of Tesh, a position he held for 19 years. After his father’s petira in 1883, he succeeded him in Sighet, Hungary. RavChananya had no children with his first wife, a marriage that lasted 14 years. He remained childless for many years with his second wife as well, until Rav Chaim of Sanz gave him a bracha. Indeed, he had two sons, Rav Chaim Tzvi of Sighet, and RavYoel, the Rebbe of Satmar. By 1941, 10,144 Jews lived in Sighet, comprising 39% of the town. The town was liquidated via deportation to Auschwitz. But, the community lives on in America and Israel.

**Rabbi NosonTzviFinkel, the Alter of Slobodka (**1849-1927). He was a master at bringing out the potential of every individual, encouraging students to refine their character and become great in both scholarship and ethics. Many of his disciples, who studied at his famed Slobodka Yeshiva, became major leaders of 20th century Judaism -- Rabbis Yitzhak Hutner, Yaakov Kamenetzky, Aaron Kotler, Yaakov YitzchokRuderman, YechezkelSarna, and Elazar M. Shach. His own son, Eliezer YehudahFinkel eventually became dean of the famed Mir Yeshiva, today located in Jerusalem and the largest yeshiva in the world with 5,000 students.

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**Wednesday, Parshas Terumah-Rosh Chodesh Adar Rishon**

**Rav Avraham Ibn Ezra** (1089-1164), born in Tudela during the height of Spain’s Golden Age. There, he established a close friendship with Rav Yehuda Halevi. Three of his uncles were ministers in the royal palace. He moved to Toledo, during the benevolent rule of King Alfonso VI. After the Kinf died, however, the anti-semitic masses began to harass the Jews, so he headed south to Muslim Spain – to Granada, Cordova, and Lucena. In 1148, the barbaric Almohades overran Morocco and continued into Spain. He was forced to flee to Rome, Provence, and Rhodes (where he befriended Rabbeinu Tam and other grandsons of Rashi, as well as the Rosh). He traveled to Egypt and learned with the Rambam. He wrote a commentary on the Torah and Navi, based in large part on Hebrew grammar. He also wrote dozens of books on astronomy, astrology, and mathematics.

**The Shac”h (1663)-Rabbi ShabtaiHaKohen**, born in Vilna, in the year 5382 (1622). His father Rabbi Meir was Av Beth-Din (Head of the Jewish Court) in that city, and he was young ShabtaiHaKohen's first teacher. At the age of twelve, ShabtaiHaKohen was already fully versed in the vast Talmud and Talmudic literature. His father then sent him to the Yeshiva of the great Gaon Rabbi Joshua, author of the *PneiYeboshua* in Tiktin. Later, in the year 1639, he traveled together with his teacher to Cracow, Poland, where his teacher headed a great Yeshiva. Subsequently, he studiedTorah under the Gaon Rabbi Heshel, and the Gaon Rabbi Naftoli Katz. Rabbi Shabtai then returned to Vilna, where he was welcomed as one of the leading Talmud scholars of his time.

In Vilna Shabtai became the son-in-law of a famous scholar who was also a prominent businessman, Rabbi Benjamin Wolf Tauber, who was a son-in-law of the famed Maharshal and a grandson of the equally famous Remo. Rabbi Benjamin Wolf supported his illustrious son-in-law with great honor. In spite of his young age, he was soon chosen as a member of the Beth Din of Vilna.

Aside from his duties as a member of the Beth Din, Rabbi ShabtaiHaKohen was able to devote all his time to the study of the Torah and the service of the Almighty, as he was well provided for. Day and night he spent in study and prayer, and writing his commentaries on his studies. During this period he compiled his gigantic work *Sifsei Cohen,* popularly known by its Hebrew initials "ShaCh," which are also the initials of his name. It is a very scholarly commentary on the *ShulchanAruch, YorebDeab.* He published this work at the early age of 24! Eighteen great Torah scholars of that day gave their approval to this great work, and all of them were full of praise for this brilliant work of the young genius.

In the same year that Rabbi ShabtaiHaKohen published his work, an elderly "Torah-giant" published a brilliant commentary on the same section of the ShulchanAruch. He was the famous Rabbi David ben Shmuel HaLevi, and he named his work *TureiZohov* ("TaZ"). Because of the latter's fame and age, the TaZ was more readily recognized and acclaimed, and it somewhat overshadowed the work of the younger author. However, it did not take long before the ShaCh came to be regarded just as highly as the TaZ. Although much younger in age, Rabbi ShabtaiHaKohen found many points in the work of his older contemporary with which he disagreed. Whereupon he wrote his arguments *(Hasogos)* in a work which he called *Nekudos HaKesef.* It should be noted that he chose this title for his work, not only because it came from the same verse in *ShirHaSbirim( 1: 11 ) from* where the older scholar drew the name of his work. More significantly, Rabbi ShabtaiHaKohen showed thereby that he took a secondary place to that of the elder scholar. For, inasmuch as*TureiZohov* means "rows of gold" and *NekudosHaKesef* means "silver points," Rabbi ShabtaiHaKohen, in his modesty, indicated that his Torah knowledge, in comparison to that of the elderly Gaon Rabbi David, was like silver compared to gold.

Rabbi ShabtaiHaKohen then began to write a commentary on another section of the ShulchanAruch, the *Choshen Misbpot.* But at this point, the terrible national calamity, known in Jewish history as "GzerosTaChvTaT" (the Massacres of the years 5408-5409) struck the Jewish communities of Eastern Europe. In those years (1648-9) the Cossacks, under the leadership of Bogdan Chmelnicki, revolted against Poland and put to the sword and flame countless Jewish communities. Untold thousands of Jews (some historians estimate as many as 300,000) were butchered by the Cossacks during their bloody march through the Ukraine, Volhynia, Podolia, Poland proper and Lithuania. Although the revolt of the Cossacks was temporarily halted by peace negotiations, the Cossack attacks continued for more than ten years with undiminished savagery. The great city of Vilna also fell into the hands of the fanatical -Cossacks. They ravaged the city and carried out a mass slaughter of the Jewish inhabitants, giving the Jews the choice of baptism (conversion to christianity) or death. A number of Jews managed to flee from Vilna and surrounding towns and villages. Among the Jews who had escaped was also Rabbi ShabtaiHaKohen. It was on Thursday, the 24th of Tammuz, in the year 5415 (1655). Rabbi ShabtaiHaKohen came to Lublin, but also here the bloodthirsty bands reached on the first day of Succos and massacred many Jews. The ShaCh once again managed to escape. He wandered a great deal until he finally arrived in Dresnitz, a town in Moravia, where he was appointed Rabbi. While there, he received a call to become the Rabbi of the Jewish community in Helishoi.

Rabbi ShabtaiHaKohen recorded the terrible events of those days in a work entitled *MegiloOffo* ("Flying Scroll"), which is an important historical document.

In addition to the above mentioned works, Rabbi ShabtaiHaKohenHaCohen composed *Selichos* (penitential poems and prayers) for the 20th day of Sivan, which was proclaimed as an annual fast-day in memory of the destruction of the Jewish community of Nernerov, where ten thousand Jews were slaughtered by the savage Cossacks.

Rabbi ShabtaiHaKohenHaCohen also wrote *Tokfo Cohen,* Responsa, and other works.

This brilliant Talmudist, whose works display an extraordinary wide and deep knowledge of all the Talmud and Rabbinic literature, died at the young age of 41, on Rosh Chodesh Adar Rishon, in the year 5423 (1663).

Both the ShaCh and TaZ are now considered absolutely essential for the study of the ShulchanAruch, a thorough knowledge of which is a basic requirement for Rabbbinic authority. Both these commentaries now appear together along-side the text of the ShulchanAruch (as Rashi and Tosfos appear with theGemoro).

In one of the darkest and most tragic periods in Jewish history, the ShaCh enlightened the Jewish world with his Torah, and his light shines brightly to the present day. (R’ NissenMindel)

**ר' דוד הלוי - The ט"ז(1667)**

**i.**

Jewish religious life in the last six centuries has been governed by the code of laws, known as the "Turim," composed by Rabbenu Jacob ben Asher (who died about the year 5100). This monumental work of the *ArbaTurim* ("Four Rows," after the four rows of Jewels on the High Priest's Breastplate) contains the laws and decisions of earlier codifiers, based upon the Talmud. The four *Turim* are: *Tur Orach Chaim, Tur YorehDeah, Tur Even Haezer* and *Tur ChoshenMishpat,* and they cover every possible phase of Jewish life.

About *200* years after the death of the *Baal Haturim* (Author of the Turim), another great scholar, Rabbi Joseph Caro (who died about 5335) presented us with the famous *ShulchanAruch* -(Table Arranged) in which he had re-examined and recast the law-decisions, so that every Jew could learn and understand them. A third scholar who lived about the same time, Rabbi Moses Isserles (ReMO) added the *Mappah* ("Table Cloth") to the *ShulchanAruch,* in which he laid down his commentaries and final law-decisions which were accepted by all Jewish communities as the final word in Jewish law.

Finally, several great scholars added their commentaries and elucidations to one or the other of the four parts of the *ShulchanAruch,* among them Rabbi David Halevi, whose life story we are going to tell you here.

Rabbi David Halevi, better known as the TaZ, after the initials of his main work *TureiZahav* ("Rows of Gold"), was born in Vladomir, in the Province of Volhynia. His family was famed for scholarship. His father Samuel was the son of a famous scholar Rabbi Isaac Betzalels. In addition to his scholarship, David's father was well to do, so that the young prodigy David, who had shown unusual talent for study, was fortunate enough to grow up in an atmosphere of both wealth and learning. His early, happy youth was in marked contrast to his later years, when he suffered great hardships and poverty, as we shall see later.

The young David was fortunate also in another way. He had an older half-brother called Rabbi Isaac Halevi, a great Talmud scholar who founded Yeshivoth in Vladomir, Chelm and Lvow Poland, and was the author of two books on Hebrew grammar, called "Siach Yitzchak," and "BrithHalevi." This great man dearly loved his younger brother, and became his first teacher and counsellor for many years. The affection between the two brothers never diminished in later years, and they continued to correspond with each other in writing after they had been separated. A part of this correspondence has been preserved. These letters are of great interest not only because they testify to the deep friendship and love that existed between the two brothers, but also because they contain an exchange of scholarly opinions on many problems of Jewish law.

Rabbi Isaac Halevi did not fail to recognize his younger brother's mental abilities, and did his best to encourage his literary work, which became indeed a masterpiece in the world of *Halachah* (Jewish law).

The young scholar married the daughter of no less famous a man than he himself later became. Rabbi David Halevi's father-in-law was Rabbi Joel Sirkes, known as the BaCH, after the initials of his commentary on the *Turint* entitled "BayithChadash" (New House). As was customary in those days, Rabbi David stayed in his father-in-law's house for several years, during which be applied himself fully to the study of the Talmud and *Posekim* (codifiers). This period served him as a good preparation for the great contribution which he himself was to make to this immense literature.

**ii.**

After Rabbi David Halevi left his father-in-law's house to make a home of his own, he accepted the position of rabbi in a small town, a position he changed several times for other small towns. During this time he suffered poverty and want, and was stricken by other misfortunes also. Several of his children died in infancy. (Many years later, towards the end of his life, two more sons of Rabbi David Halevi, who were famous scholars, were killed in a massacre in Lemberg in 1664). However, in due course Rabbi David had made a name for himself, and he was invited to become the Rabbi of the famed city of scholars-Ostrog. This was in the year 1641, and since then his poverty gave way to a life of comfort, as he had earned the recognition and respect due him. Here Rabbi David Halevi founded his own Yeshivah, but he found time also for his literary work. The leaders of this great Jewish community, many of whom were scholars of high standing, did everything in their power to help their great rabbi in his gigantic work. It was due to their influence and active cooperation that Rabbi David Halevi, by nature a shy and modest man, wrote his commentary on the first two volumes of the *ShulchanAruch,* the *YorehDeah and Orach Chaim.* "TureiZahav" was the name given to this important work, or TaZ for short.

Rabbi David Halevi's work soon won world-wide recognition and established his name among the greatest Talmudists of his day. It so happened that in the same year (5406-1646) when Rabbi David Halevi published his work, another scholarly giant, Rabbi Shabbatai Cohen of Vilna, published a similar commentary on the *YorehDeah,* entitled "Sifesei Cohen," (Lips of a Cohen), and soon became equally famous by the name "ShaCh." However, neither detracted from the fame of the other, and far from there arising any jealousy between them, they became the best of friends, although they often had conflicting opinions as to interpreting the decisions of their master, Rabbi Joseph Caro. Several years after their commentaries had first been printed, they cooperated in the publication of an edition of the *YorehDeah,* in which the text of the author Rabbi Joseph Caro was printed in the center of the page, flanked on one side by the "TaZ" and on the other by the "ShaCH." (This edition of YorehDeah was called "AshreiRavrevi.") This edition was later enlarged by the addition of other commentaries, but the form given to the *YorehDeah* by the two great commentators became the standard type for further reprintings of this book of laws over and over again, to this day.

The TaZ's commentary on the *Orach Chaim* was acclaimed with equal enthusiasm. It was later published in a special edition of this part of the *ShulhbanAruch,* similar to the above, except that here his companion-commentator was Rabbi Abraham AvleiGumbiner, Dayan of the city of Kalish. The commentary by the latter was called "Magen Avraham," while his own was entitled "Magen David." The edition of this volume was therefore called "MagineiEretz," (Shields of the Land). It was published by the son of Rabbi Abraham Gumbiner. This edition became the most popular book of Jewish law, inasmuch as it deals with the general aspects of Jewish daily life, while the other parts of the ShulchanAruch deal with special subjects, such as laws of *Shechitah* and *Kashruth*, claims and damages, marriage and divorce, etc. The popularity of this volume has not diminished during the years; its influence on the preservation of Jewish traditional life has been immense. It is now as widely used and studied as ever, thus bringing immortality to three men who were responsible for it.

**iii.**

Rabbi David Halevi's happy period of teaching and writing in Ostrog was rudely interrupted by the cruel massacre by the inhuman Cossacks under the leadership of Chmielnicki, who led his revolt against the Polish nobility and at the same time massacred and pillaged all Jewish communities that fell into his hands. Rabbi David Halevi was fortunate enough to flee from Ostrog before it was captured by the Cossacks. He succeeded in saving also his priceless manuscripts. He was then invited to become rabbi of Lvov (Lemberg), where he continued his work to spread the knowledge of the Torah. A cruel blow was struck at the aged Rabbi David Halevi when three years before his death he lost his two older sons, Rabbi Mordecai and Rabbi Solomon Halevi, who were murdered in a pogrom in Lemberg.

Rabbi David Halevi died at the age of 81.

The lifework of this modest man and the influence of his masterpieces can hardly be appraised properly. His contribution to the tradition of the world of *Halachah* puts him among the greatest of our illustrious Talmudists. The TaZ is also the author of a commentary on Rashi, entitled *Divre David*-the Words of David-and of other works. As commentator and teacher, he accomplished great feats for the education of the Jewish people in the spirit and the knowledge of the Torah and its literature. As community leader he founded Yeshivoth, gave counsel and advice, and did his share in the violent fight against the dangerous movement of ShabbathaiTzvi's followers who threatened to undermine the basis of the Jewish law and belief. Both in his literary work and in his activities he created a strong fortress against attacks from within and without. There is no greater praise for Rabbi David Halevi, than the tribute given to him by his beloved brother and teacher, Rabbi YitzchokHalevi who said of the TaZ: "Rabbi David Halevi's name spread over all countries and G-d helped his work to worldwide recognition and acceptance... His heart was pure and candid as the heavens; his words were divine in their clarity and lucidity, despite their modest and pious presentation." No greater tribute could have been given to a great man.

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