

A decorative border with intricate floral and scrollwork patterns surrounds the central text.

KOVETZ  
**HEOROS**  
**HATMIMIM**  
**V'ANASH**

~ Melbourne ~

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10 SHEVAT & 22 SHEVAT  
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**The Talmidim Hashluchim**  
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ב"ה  
מוקדש

## לכ"ק אדמו"ר נשיא דורנו

יה"ר שיראה הרבה נחת מבניו – התמימים בפרט  
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Kasle

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שיהי' להם ברכה והצלחה בטוב הנראה והנגלה  
בגשמיות וברוחניות.



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## D'VAR MALCHUIS

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The Ten Commandments begin, "I am the L-rd, your G-d, who took you out of the land of Egypt." The commentaries question why the verse mentions the exodus from Egypt rather than the creation of the heavens and the earth. On the surface, creation is a greater miracle than the redemption from exile. This question is reinforced by the Rambam's statements at the beginning of the Mishneh Torah:

The foundation of all foundations and the pillar of knowledge is to know that there is a Primary Being who brought into being all existence. The knowledge of this concept is a positive commandment as the verse states, "I am the L-rd, your G-d."

The fact that the Rambam explains that the mitzvah involves believing in G-d as Creator reinforces the question why the verse mentions the exodus from Egypt instead of the creation.

A resolution of this question can be found in Rashi's commentary on the above verse. Rashi writes: "Because I took you out, it is worthy that you subjugate yourselves to Me;" i.e., the phrase explains why the Jews should accept G-d's majesty. Since that majesty is manifest upon the Jewish people in particular, as the verse states, "I am... your G-d," the verse refers to the exodus, an event that involved the Jewish people alone, rather than the creation which involves every entity in the world.

This resolution, however, is insufficient because the word "who" appears to be a description of who "the L-rd, your G-d" is, rather than an explanation of why we should serve Him. In this context, the question thus remains. After G-d announces, "I am the L-rd, your G-d," why is the exodus mentioned instead of the creation?

One of the explanations to this question is that the exodus from Egypt relates to a higher level of G-dliness than creation. Creation has its source in the name E-lohim and, therefore, that name is used for G-d in the narrative of creation. E-lohim is numerically equivalent to the word Hatevah ("nature") and thus refers to the G-dly energy which maintains and is encloded within the natural order. The exodus from Egypt, however, involved a step above the natural order. "The King of kings, in His essence and glory, revealed Himself to them and redeemed them;" it was a revelation



of the name Y-H-V-H, the attribute of G-dliness that transcends nature. This quality was revealed at the giving of Torah. Thus, to emphasize that it is the aspect of G-d that transcends nature which is revealed, it is the exodus and not the creation which is mentioned.

This explanation, however, does not resolve the difficulty in the Mishneh Torah mentioned previously for there, the Rambam explicitly associates the command, "I am the L-rd..." with the creation. To resolve this problem, we have to understand the nature of the revelation at Mount Sinai.

In regard to that revelation, the question has frequently been raised: Why was the revelation accompanied by thunder and lightning? Why is it considered so unique? On the surface, the concepts mentioned in the Ten Commandments are simple matters connected with the maintenance of a stable society. These guidelines were fulfilled before the giving of the Torah (several as part of the seven Noachide Laws). Indeed, our Sages state that Adam was commanded to fulfill them.[77] If so, what was so unique about the giving of the Torah?

The explanation of the concept is as follows: The intent of the giving of the Torah is for the light of G-d's infinity to be revealed... [G-d's essence] is encloded in the Torah which is His wisdom and "He and His wisdom are one"... that this revelation should be on this lowly plane, in material things. This is the meaning of the verse, "And G-d spoke all these words (in order that) I, Y-H-V-H will be your E-lohim, i.e., your strength and life energy.

Thus, the new development brought about by the giving of the Torah is that the decree separating the higher realms from the lower realms was nullified and the aspect of G-dliness that transcends creation (the aspect connected with the redemption from Egypt) could be drawn down within the context of the physical reality of the world.

There are two levels in Torah (which reflect two dimensions of the Giver of the Torah):

One level reflects how the Torah has descended and lowered itself to be encloded within the context of this material world. This relates to the aspect of G-d which brings into being and maintains our limited existence.

The second level is Torah which is united with its source, G-d's wisdom and G-d's will. On this level, the Torah is "a hidden treasure for you," above all the limits of the world, above even the limits of the spiritual realms.

At the giving of the Torah, these two levels were combined. The aspect of Torah which is one with G-d became invested in the aspect of Torah that is encloded within

the world.[79] Based on the above, we can understand why the commandment "I am the L-rd..." is associated with the exodus, thus reflecting that the aspect of G-dliness which transcends existence, can be related, as the Rambam indeed does, with the creation. This, indeed, is the aim of the Torah, to have that dimension of G-dliness which transcends the limits of creation permeate through the creation itself. Thus, the giving of the Torah and the exodus from Egypt reveal how the dimension of G-dliness which brings into being a limited creation is itself not limited.

The potential to unite these two opposites (limitation and transcendence) stems from G-d's essence which is above both limitation and transcendence. Since the Torah is one with G-d's essence, unity is established between the Torah which descends into this world and deals with worldly matters and the aspect of Torah which transcends worldly existence.

Based on the above, it can be explained that two new developments characterize the difference between the Torah as it was possessed by the Patriarchs and the Torah as it was given on Mount Sinai:

The patriarchs possessed only the aspect of Torah that is connected to this world; their fulfillment of Torah and mitzvos was primarily a spiritual service which did not affect the material nature of the world.

Conversely, when the Torah was given on Mount Sinai, the essence of Torah, the aspect of Torah which is one with G-d's essence was transmitted. Therefore, the potential was also granted to elevate and refine the material nature of the world, infusing holiness into the physical substance of the world, and uniting it with the transcendent aspects of G-dliness.

These three dimensions of G-dliness:

1. The aspect of G-dliness which brings into being heaven and earth;
2. The aspect of G-dliness which transcends the limits of creation;
3. The essence of G-d which is above both limitation and transcendence and has the potential to fuse the two together, are reflected in the verse which introduces the Ten Commandments. That verse states: "And G-d spoke all these words, saying, 'I am Y-H-V-H, your E-lohim.' "

In this context, "G-d" refers to the essence of G-dliness, the level which is above all definition. From this level emanates speech, i.e., a revelation which expresses that essence, saying "I." This allows for "Y-H-V-H," the aspect of G-dliness which transcends nature, to be "your E-lohim," your strength and life-energy.

The awareness of these three levels of G-dliness can clarify the Rambam's statements about the knowledge of G-d in the beginning of the Mishneh Torah. As mentioned previously, in the first halachah, the Rambam mentions our obligation "to know that there is a Primary Being who brought into being all existence." In the halachah which follows, the Rambam adds a second point:

If one would presume that He does not exist, no other being could possibly exist.

The latter statement raises several questions:

How is it possible for a Jew to arrive at such a thought? Furthermore, why are we (as part of the mitzvah of Torah study) obligated to learn about such a presumption?

The Hebrew term translated as "presume" *וְלֹא יִשְׁמַחַתְּ בְּעֵינֵי* is somewhat cumbersome. Why did the Rambam chose it over other expressions with the same meaning?

On the surface, this halachah is merely restating -- in a negative form -- the same content communicated by the first halachah, that G-d is the source for the existence of all creation. What new idea does it teach?

The concepts can be explained as follows: The first halachah describes the aspect of G-dliness which has limited and contained itself and become manifest on the level where He is a "Being" which can serve as the source for existence. This is the level of G-dliness in which He manifests Himself as Creator.

In the second halachah, the Rambam describes a higher level of G-dliness. Therefore, he uses the expression "... " which literally means, "raises up one's knowledge." A person becomes conscious of a level of G-dliness which is above the level of "existence." From the standpoint of this level, the entire creation could not exist. The awareness of this level of non-being represents a process of growth and development over and above the awareness of G-d achieved through the comprehension of the first halachah.

As a preface to these concepts, the Rambam begins, "The foundation of all foundations and the pillar of knowledge" (Y-H-V-H). The first letters of these Hebrew words spell out the name Y-H-V-H. In this context, that name refers to G-d's essence, the level which is above both limitation and transcendence. Since this level is above both the levels of "existence" and "non-existence," it has the potential to fuse together the two, causing that the level of G-dliness in which He limits Himself to become a "Being," is infused with the transcendence of the level of "non-being."

Thus, these halachos allude to three levels of knowledge, G-d as He is manifest in creation, G-d as He transcends creation, and the essence of G-d which is above both

these levels and fuses the two together. These three levels parallel the three levels described above in the explanation of the first of the Ten Commandments.

The above concepts give us a deeper insight into the verse which introduces the Ten Commandments, "And G-d spoke all these words, saying..." G-d reveals Himself in "all these words," which refer not only to the Ten Commandments, but to the entire Torah, the Written Law and the Oral Law, and "every new concept to be developed by an experienced sage."

This allows the possibility for each Jew to have this revelation reflected in his own Torah study. This is implied by the word "saying." Throughout the Torah, the word "saying," implies a statement or command given with the intention that it be communicated to others. In this instance, however, the entire Jewish people (even those of future generations) were present at the giving of the Torah and, therefore, that implication is not appropriate.

The Alter Rebbe explains that, in this instance, the word "saying," implies that whenever a Jew recites a Torah concept the revelation of Mount Sinai is repeated. The words of Torah spoken by a Jew are "the words of G-d." Similarly, Psalms states, "My tongue will relate Your words," i.e., the words of Torah recited by a Jew are "Your words," and the person is merely relating them.

After this preparation, the Ten Commandments were given. The first two commandments are of a general nature. They represent, "the totality of the Torah, the commandment, 'I am the L-rd,' includes all the positive commandments and the commandment, 'You shall have no other gods,' includes all the negative commandments." As will be explained, these two commandments reflect the two dimensions of G-d, being and non-being, mentioned above.

Afterwards, the Ten Commandments continue with "simple concepts," laws which are associated with maintaining the existence of our material world,[81] relating the elements of our material existence to the transcendent revelation of G-dliness. We see this union in the first commandment, "I am the L-rd," which, as explained above, involves the knowledge of -- not merely the belief in -- G-d. Man comprehends within the concept of his limited human intellect, the existence of G-d, relating also to the transcendent levels described above.

When a Jew realizes that through studying Torah, he is reciting "G-d's words," that the words of Torah which he is studying are the same as the words of Torah given on Mount Sinai, he will approach Torah study with awe. Each day, he will consider the

Torah he is studying as new and approach it with "awe and fear, trembling and sweat," reexperiencing the emotions expressed by the Jews at Mount Sinai.

Though these concepts are true throughout the year, they receive special emphasis on Shabbos parshas Yisro when we read the Ten Commandments in the communal Torah reading. "A Jew must live with the times," i.e., center his life around the weekly Torah portion. Thus, on Shabbos Yisro, we live with the giving of the Torah and the revelation of the transcendent dimensions of G-dliness within the world.

The giving of the Torah is reflected in the revelation of light in our G-dly souls and offers the potential to refine and elevate the lowly elements of our material world, in particular, our individual animal souls. To explain this in the context of the passage from the Mishneh Torah quoted above: The revelation of G-d as "the Primary Being" -- the level of G-dliness associated with creation -- leaves room for the existence of a world in need of refinement. In contrast, the "elevation of one's knowledge" to the rung which appreciates G-d above existence -- the level of G-dliness associated with the giving of the Torah -- gives us the potential to carry out this service of refinement. The revelation that G-d is the true existence and that our world is essentially nothingness, brings about the nullification of selfishness within our world.

Shabbos Parshas Yisro,

Yahrzeit of the Rebbetzin Chaya Mushka

22nd of Shevat, 5750



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## THE REBBE'S TORAH

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### **Are Gentiles Held Liable for Marrying Two Sisters**

Rabbi Ari Shachter  
Community Member

Response to Heoro by Yisroel Chanowitz regarding Yaakov marrying 2 sisters. Heoros Choveres 126 14/19 Kislev 5773 Pg 10.

The writer explains the Sicho (Likuttei Sichos Vol 5 pg 141) detailing the Rebbe's answer on the subject. A synopsis being that since Yaakov had a Chumro to keep the 613 Mitzvos (including not marrying 2 sisters which was not taken up by the Benei Noach) and there was an established law of a Ben Noach not to be deceptive, and he had promised Rochel that he would married her, he must keep to his word despite it violating his own code.

The writer then asks that this logic would be valid to alleviate Yaakov's personal Ervo of familial relationship yet what about the Issur of marrying 2 sisters because of the rivalry it would cause. The Rebbe points out in footnote 21 that this potential rivalry would have prompted the

Benei Noach to adopt similar law and then how could Yaakov have violated one din while upholding another?!

A simple answer to this can be found in footnote 24. There the Rebbe appears to address this very concern by explaining that there was no rivalry between Rochel and Leah, This itself borne out of the fact that Rochel gave the signs to her sister! Therefore a simple answer would be that since the Issur that the Benei Noach adopted had a reason: i.e. that it would cause rivalry, and we see that there clearly was no rivalry as Yaakov himself could attest to, being that Rochel gave the signs for Leah. Then one could say that the Issur would not apply in such a case.

There are two further questions to discuss on Yaakov's 4 wives according to Pirush Rashi?

1) How did Yaakov circumnavigate this issue of sibling rivalry with Bilho and Zilpo?

2) Why Yaakov didn't just divorce Leah and then marry Rochel? This would have avoided almost all of the issues in the first place.

Answers to both of these questions can be found in Likuttei Sichos Vol 5 pg 228. The Sicho is about the curious case of Shimon marrying Dino. The Rebbe goes on to explain the halochic definitions of a Shifcho and by extension a Pilegesh, which impacts Bilho and Zilpoh who were both the daughter of the same Pilegesh/Shifcho.

In the Sicho the Rebbe explains that a Shifcho has no halochic relationships to their relatives. Then the Rebbe (footnote 54 pg 236) addresses the issue of sisters being co-wives and rivals and the Rebbe writes that Bilho and Zilpoh never behaved like sisters and therefore would never have a sisterly rivalry. This seems to prove the above mentioned point that the rivalry based on reason and that the issue is case specific and adaptable.

Regarding the issue of Yaakov divorcing Leah, the Rebbe writes (star footnote on footnote 54) that there was an accepted Issur of Benei Noach not to cause unnecessary pain to anybody therefore by extension Yaakov could not have divorced any of his wives (including Bilho and Zilpo after they were freed).





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# CHASSIDUIS

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## **The Beginning in the End**

Yisroel Leib Lester  
Shliach in Yeshiva

In Likkutei Sichos chelek aleph in the sicha for Parshas Vayeshaev (pg. 76-78) the Rebbe writes:

“The lesson from this is: a Jew does not need to look to do big things, rather to gather and purify the sparks of kedusha which are found in worldly things... and without any alterier motives... like a soldier with kaolas oil (accepting the yoke of Heaven)”

At the end of the sicha the Rebbe wites:

“And this is the lesson for every Jew; that through the “and Yaakov dwelt in the land of the dwelling of his forefathers – will be the land of cannaan”... and through the avoda of kabolat oil with enthusiasm which reach into the inner levels of the soul we illicit a personal moshiach...”

Now, the avoda the Rebbe discusses is the simple avoda of accepting the yoke of heaven – and in this matter, the simpler and more sincere the person is, the better – which seems to denote a very plain and uninspiring experience. The Rebbe says however that the avodah bring to a personal moshiach and the revelation of the inner levels of the soul. How does this work?

The Mittler Rebbe describes in his sefer shaar hayichud, the makeup and the background of the concept of hisbonenus – contemplation – in chassidus. The following is a short summary of the first perak which will help us answer our question.

There are three dimensions in thought; the length width and depth. The length is the level which the thought pertains (a simple analogy, or a lofty abstraction of concept). The width is the many facets and details that the given thoughts pertain to. And the depth is the underlying points of axiomatic perspective and intellectual disposition. This depth is the “undercurrent” and the strength of the thought and from it comes the width and the length.

The names of these three dimensions in chassidus are binah of binah, chochmah of binah and kesser of binah. The deepest level, being the Kesser, is the depth of the concept, and from it come the other levels. This description of the concept is milimaalah limata – from above (the essence of the concept) to below (the manifestations thereof). However, when it comes to the person’s mode and method of contemplation, i.e. hisboneinus, where the concept is not naturally present and revealed in the mind until one learns and contemplates sufficiently, the contemplation has to start from the details and work out thought them what the essence and the depth of the concept is.

The details bring the depth.

The same applies, not only in concept and contemplation, but also in avodah as the Rebbe Rashab writes in his maamer in 5665:

“... he does all the mitzvos actually... and it is impossible to be any other way... and it is known that the end is wedged in the beginning, meaning that the source [of this commitment and dedication] is from the sincerity of the essence will of the soul...”

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This means, that although practice of the mitzvos are only the deed, never the less, this practice is an expression of the ultimate and total devotion of the soul in its essence.

When these two ideas are compared i.e. that the deed expresses the essence and that the details bring forth the depth, we can understand the afore mentioned sicha.

The personal geulah is to have redemption of the soul, so that it can fully express itself. This is done through the deed and the details, which bring out the essence.



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# NIGLEIH

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## Malkos for עדים זוממין

Aaron Kastel  
Student in Yeshiva

In the first Mishnah in Makos it says: that עדים that testify that a man who is a Kohen, that he is a son of a divorcee or a חלוצה (and therefore a חלל – and invalid Kohen) and their testimony is מוזם, the עדים זוממין do not become חללים, but rather are lashed.

Tosfos on the Mishnah is astonished: since the עדים are not getting the punishment of the accused, it should be considered עדות שאי אתה יכול להזימה and therefore not valid testimony. How is it possible that they get a substitute punishment, and that the Kohen would have actually been a חלל, had they not been מוזם?

And the Tosfos answers that since the עדים get malkos, it is a fitting substitute for the punishment they intended (כאשר זום) and it would be considered עדות שאתה יכול להזימה.

The Tosfos questions this notion from the Gemara in Sanhedrin (יד ע"א): in a case of a נערה המאורסה שזינתה, they would not be עדים זוממין because if we make them זוממין they could claim that they only came to forbid her from her husband, and therefore we would not be able to kill them (based on their testimony, because they claim that they were not trying to kill her). Hence we are unable to kill her in the event that their

testimony would stand. However if we see from our case in Makos that lashes will suffice, why in that case does it not? and in the words of Tosfos "ויהא מ"מ לוקין".

The most literal translation of this is: "but never the less they are lashed?" however this translation is impossible, since the Gemara over there clearly states that this is a *עדות שאי אתה יכול להזימה* and therefore, by definition they cannot be getting lashes for being *עדים זוממין*! They also cannot get lashes for being false witnesses for the Gemara says in the next amud (ב ע"ב) that it is a *לאו שאין בו מעשה* and does not warrant lashes.

To answer this question we must say that a slight adjustment in the reading of the Tosfos must be made; i.e. "but never the less shouldn't they be lashed" – and if they were, then it wouldn't be *עדות שאי אתה יכול להזימה* and she would get killed in the event that they were true witnesses.



## Lost Mashkon

Menachem Mendel Sczmerling  
Student in the Yeshiva

In Masechto Bovo Metzioh 81b the Gemoro brings the following B'rayso: "One who lent his friend and took a Mashkon (security) for the loan, and the Mashkon got lost, should swear (that he was not negligent with the Mashkon -Rashi) and then take his money (which he lent to his friend) this is the opinion of Rabbi Eliezer (but Rabbi Akiva argues)... but if he lent him 1000 Zuz recorded on a Shtar (document) and the

borrower gave him a Mashkon for it, everybody agrees that if the Mashkon gets lost, the lender loses the money that the borrower owes him. (The main difference in the second case is that the loan was recorded on a Shtar).

Rashi explains: in the first case of the B'rayso the reason why he is not liable for losing the Mashkon, and can still collect what he lent, (according to Rabbi Eliezer) is because he was guarding the Mashkon as a Shoimer Chinom (unpaid watchman) and a Shoimer Chinom is not liable for losing a Pikodoin. If he would have taken the Mashkon as payment for the loan (on condition that the borrower can take the Mashkon back, if he pays back the money) then the lender is a Shoimer Sochor (a paid watchman, and therefore liable for losing it). However in our case the lender is taking the Mashkon so the borrower won't be able to deny that he owes the money, so he could be assured that he will get his money back, and therefore he is a Shoimer Chinom, because he is not getting paid anything for holding the Mashkon, and the Mashkon itself is not a payment for the loan. Therefore, if he loses it he is not liable, and the borrower still has to pay back the loan.

In the second case he definitely took the Mashkon as payment for the loan, and therefore he is a Shoimer Sochor and liable for losing it. Because a regular Shtar recording the loan makes the borrower's land M'shubod (a security) I.e if the borrower won't have money to pay back, a portion of his land that has the value of the loan, will be taken away from him, and given to the lender. Therefore the lender has something (-the land) from which he can collect his debts from (even if the borrower won't have money to pay him back) and he is sure that he will get paid back for his loan. Also the borrower won't be able to deny the loan, because the lender has a Shtar as proof. Therefore he could not have taken the Mashkon as proof (because there was no need for a Mashkon as proof if

you anyways have a Shtar, rather it must be, that he took it as payment, therefore he is a Shoimer Sochor, and liable if he loses it). Until here is Rashi's explanation.

Question: when Rashi explains in the first case, why the lender would take the Mashkon, in order to be sure that he will get his money back, he only gives one reason -so the borrower won't be able to deny the loan; but in the second case, when explaining why the owner wouldn't need a Mashkon to be assured that he will get paid, Rashi gives two reasons: (the Shtar makes the land M'shubod, & the Shtar is proof) -?-

Perhaps we could answer that to explain why someone needs assurance, it is only necessary to give one reason why he would be unsure, but to explain why he is assured already (just with the Shtar) you have to prove why both potential concerns are not concerns, when he has a Shtar. Just like to explain why a peice of meat is Kosher, you have to say that it is from a kosher animal and it was shechted, but to explain why it is not Kosher, saying either that it is from a non-kosher animal or it was not shechted is enough.

However we could still ask: (even if we only need one reason why without the Mashkon he would be unsure) why does Rashi specifically give this reason? He could have said it is because of the other doubt; the borrower might not have the money when the loan is due, and since he lent the money without a Shtar, he won't have the power to take payment from the borrower's land!

We could answer this question by asking another question: the B'rayso mentions the amount lent in the second case (1000 Zuz) but it doesn't mention an amount in the first case; why is the amount more relevant in the second case than in the first case?

Possibly we could answer, that the B'rayso mentions that it was 1000 Zuz in the second case, because 1000 Zuz is an example for a lot of

money, and it is teaching us a Chiddush, that even if it was a lot of money, even if the lender wouldn't have the Mashkon, he still would not worry that the borrower won't have enough money to pay him back, because the Shtar makes the land M'shubod.

In the first case, because it doesn't mention any amount, it sounds like it is talking about any loan, even a very small one. This teaches you another Chiddush: even when the smallest amount of money was lent, if the lender wouldn't have the Mashkon, he would be worried that he might not get payed back, because he wouldn't have any proof for the loan, and the borrower would be able to deny it.

Based on this we can answer why Rashi says the reason why the lender would be worried if he didn't have the Mashkon, is because the borrower would be able to deny it, and Rashi doesn't say he would be worried because he would be unsure if the borrower will have the money to pay back: as we said before, the B'rayso doesn't mention an amount in the first case, because it is teaching us that if he didn't have a Mashkon he would be worried that he wouldn't get payed back, even if he gave a very small loan. Now, lets say he lent him a dollar, he wouldn't be worried that the borrower won't have a dollar, because any normal person would have a dollar to pay back. This reason (that the borrower might not have the money to pay back) is only applicable for big loans. Therefore Rashi has to say that the reason why in the first case (where he doesn't have a Shtar) he would be worried that he wouldn't get payed back for even a very small loan (if he didn't have a Mashkon) is because he would have no proof for the loan, and the borrower would be able to deny it.





## Rashi's Qualification explained

Culled from the thoughts of the students

It says in the Gemara in Bava Metziah daf Yud amud Alef, that a person who grabs a loan from a debtor on behalf of a creditor has not acquired that which he has taken for the creditor. Rashi qualifies that this **לֹא** is only applicable to a case where the creditor did not appoint the one who took the money as an emissary to take on his behalf. An emissary on the other hand, would be a valid snatch.

Tosfos on the other hand, argues, and contends based on another Gemara (Kesubos 84b) that even if one does appoint an emissary, the taking would still not be halachically valid.

The Pnei Yehoshua answers the question from the Gemara in Kesubos on Rashi, by explaining that in that case the emissary was not appointed to acquire as he was in our Gemara, but rather just to physically move it to the creditor's domain so he could acquire it for himself.

One could suggest (on top of all the other explanations given for this sugya) that we find this notion, presented in this qualification of Rashi, reminiscent of a case brought in this mesechta on daf Gimmel amud Alef.

The Gemara there says that a storekeeper who was charged with the directive of paying the workers of the homeowner with the promise of the homeowner reimbursing the cost of payment, that claims the payment from the homeowner receives his due payment. This is even the law in a case where the workers claim that they were NOT paid by the storekeeper. In spite of their denial, the homeowner must pay the storekeeper the promised amount. The same is with the workers who

claim against the claim of the storekeeper, that they haven't been paid. Surprisingly enough, even if they *both* claim their promised money (which is not possible to be true being that each of their respective payment is dependent in the other party's claim being invalid).

This case is contrasted, in that Gemara, by another case where two people entrusted their respective deposits with one person. One of them gave \$100 and the other \$200. When the people came to collect their money, they both claimed \$200 and the entrusted did not recall how much money each one had given him. The Gemara concludes that as this case is an argument as to what the Halacha is, at least \$100 are held by the entrusted until "the arrival of Eliyahu Hanavi" (in announcing the arrival of Moshiach, at which time all financial doubts will be cleared up).

In discussing the difference in Halacha between these two cases the Gemara asks: in both cases we don't know who the money in question actually belongs to. Why then the difference between one case where we rule that each is given their claimed lot and in the other case not?

The Gemara answers: being that in the case of the storekeeper there is no objective party that the homeowner trusted to testify about the truth of who was paid and who was not, and he trusted their word, their word is his self admitted bill of payment and he must fulfill his promises to them. However in the case of the deposited money because there is an objective amount known, and it is impossible for both to have a valid claim, the money is suspended.

This logic can possibly be the rational of the qualification of Rashi in our Gemara. Rashi who contends that sending a emissary would be valid, holds that just as the storekeeper need not take the other debts and promises of the homeowner into consideration, being that the homeowner made an independent promise to him, so does the lender in our case need not take into consideration the other creditors his borrower

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has. And if his messenger is halachically considered like him - שלוחו של אדם כמותו - then he also takes on, the homeowner's *subjectivity*.

A self appointed "grabber" on the other hand, is naturally inclined, being an outsider, to *objectivity*.



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## PSHUUTO SHEEL MIKRAH

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### The Riches of the Yam Suf

Levi Sczmerling

Student in the school

It says (Shmos 15:22 Rashi) that the Yidden gathered more riches at the Yam Suf than they did in Mitzrayim.

In Mitzrayim, even the poorest Jew, left with 90 donkeys laden with riches; there were 600,000 men between the ages of 20 and 60, equalling a grand total of 54,000,000 (90\*600 000) donkeys laden with wealth!

Perplexingly enough, we learn that the Yidden collected even more than that at the Yam Suf! Now, there was no reason for the Egyptians to take their money to war just to adorn their animals (Shmos 15:22 Rashi) and whatever they did adorn their donkeys with is much less than a donkey load!

How is it possible that there were **much more** then 54,000,000 (90\*600 000) donkeys chasing the Yidden?

I'd appreciate any explanations that could be given to these calculations.

