



לז"נ הרב שמעון יהודה בן הרה"ג ר' אברהם יעקב (זיידיל) עפשטיין זצ"ל

LAST WEEK'S RIDDLE

How is it שייך that two people did the exact same היזק to the ניזק, yet one pays 500 and the other would pay only pay 300?

ANSWER

went out to Daven in the morning. Since he davened in a Shul a mile away, he took his car to Davening. He was about to enter his car when he noticed that his right headlight was smashed. He went closer to inspect the damage & noticed a little sign taped onto the front end of the car. The sign read, I'm so sorry I smashed your headlight! Please repair it & I will reimburse you for the damages, signed by שמעון! שמעון called his mechanic, who informed him that the cost was 500 שקלים! שמעון called ראובן & informed him of the costs involved. בשמחה רבה, answered שמעון, Fix it & come get your money!

What happened next was not expected! While eating supper between מעריב & מנחה, hit the other headlight. יהודה recognized the car & came straight to ראובן's home to let him know that he too will pay him after the bulb is fixed! The next day, ראובן went to the car repair shop & the owner told ראובן, the price for both headlights is 800 שקלים!

is now by the דיין! How do I charge יהודה & שמעון? Does ראובן pay 500 & יהודה pays 300, as the mechanic originally said that שמעון's bill is 500? Or does each pay 400?

The דיין answered as follows: We find in the (ס' צ"ה סק"ח & שפ"ז סק"א) that when a person does damage to his fellow's חפץ that will get fixed, his חיוב is not a ממוני, to pay the value of the losses. The חיוב of the עיקר is, to repair the damage that was caused! If the מזיק doesn't fix the damage, the מזיק is פטור from paying!

The (ב"ק ו'ג') writes, that according to the ש"ך, if during the היזק, the repair cost 4, yet during the time of the actual repair, the repair cost only 1, or the opposite, the הלכה is that you pay like the time of the repair & not like the time of the היזק! If so, since at the time of the repair, the bill is only 800, then each should equally pay 400 each!

However, Zugt זילברשטיין שליט"א, ר' יצחק דלברשטיין שליט"א he should charge ראובן 500 & יהודה 300! Why? Because the סברא of ש"ך is only where the actual repair became cheaper. There the ניזק only has to pay what the price is בשעת התיקון. But in our case, the price of the repair didn't change at all! ראובן did a damage which costs 500 to repair! As soon as he smashed the headlight, he owed ראובן 500 שקלים! Later, when יהודה was מזיק, then the price was 300, as he was only גורם a 300 היזק. ממילא, we can only be מחייב him 300!

למה יגרע שם אבינו מתוך משפחתו פי אין לו בן תנה לנו אהנה בתוך אחי אבינו... במדבר כ"ז ד'

The came to ask for a חלק ירושה as they were only girls with no brothers. Their complaint was, למה יגרע, למה יגרע! They prefaced לתנו לנו נחלה בתוך אחי אבינו, it would be an עוולה to our father, and therefore, שם אבינו מתוך משפחתו כי אין לו בן. The רמב"ן and other ראשונים discuss, why did they have to mention at all that their father was חוטא? It seems, that because he was חוטא, still למה יגרע, על ידי חטא that even though he died חוטא, למה יגרע of טענה. But פשטות, they were saying that even though he died חוטא, למה יגרע!

The (תורת משה) says a startling פשט! The צלפחד meant it literally, that because he was בחטאו מת, therefore, there should be a רצון from רבינו משה, למה יגרע! How are we to understand this? The חתם סופר says a פשט מחודש!

The שבת גמ' says that רבי עקיבא was מגלה to us that the מקושש was צלפחד. The חילול שבת refers to the בחטאו מת that he did, and he was stoned to death. The daughters of צלפחד said that for this brave act that he did, he deserves credit for his selfless act! (The story of the מקושש happened right after the המרגלים & the notification from ד' that they would not be entering ישראל, but rather would all die in the מדבר. This caused the Yidden to feel that they no longer needed to keep the מצוות. ממילא, צלפחד was מחלל שבת in order to get killed & people would realize that they had to continue keeping the מצוות!) this is very hard to understand, that he was מחלל שבת intentionally לשם שמים & therefore he should get credit & שבת should be עליו!

Our understanding of this יסוד is, that there is no such thing as doing an עבירה לשם שמים! It's just plain wrong to be מחלל no matter the circumstances! But our understanding is really elementary as the חתם סופר says a very powerful Vort here. צלפחד realized that this movement is going to become so serious, that it's פיקוח נפש! People like the מעפילים were actually ready to die for this & they did! משה רבינו said, don't go up the mountain into ארץ ישראל & these people went anyways & were killed! If it's פיקוח נפש, then it is מותר & maybe even a מצוה to do this עבירה & get killed & everyone should learn this lesson from him! So what exactly did צלפחד do wrong? The answer is, if you look in the גמרא, you will not find that he did something wrong! Says the חתם סופר, it was a real פיקוח נפשות & יתכן that צלפחד saved many Yidden from שבת חילול!

The question is, if צלפחד did nothing wrong, then why was he killed? The answer is, that this was a unique case, where a person is מחלל שבת for פיקוח נפש but the פיקוח נפש is only served when they get killed! Normally, when someone is מחלל שבת because of פיקוח נפש, the פיקוח נפש protects them from getting killed. But here, where the פיקוח נפש is only served when he gets killed, in such a case, the פיקוח נפש doesn't protect against getting killed!

He was also heroic & did the right thing! It was a צדקות & he was מקדש שבת by saving many people from being מחלל שבת!

Zugt der חתם סופר, the פסוק in (נ"ח י"ד) says, וְהֶאֱכַלְתִּיךָ נַחֲלַת יַעֲקֹב אָבִיךָ פִּי ד' דָּבָר, וְהֶאֱכַלְתִּיךָ נַחֲלַת יַעֲקֹב אָבִיךָ פִּי ד' דָּבָר. The בניו צלפחד were claiming, that since their father did this special עבירה that was מציל כלל ישראל, and saved much שבת חילול, he therefore deserves the שכר for keeping שבת which is יעקב אביך!

My ברכות says יעקב אבינו are bigger than my elders as 'ד' gave me the כח of the ברכה of שבת which is מצרים בלי מצרים! Even ארץ ישראל is too limited for me! Only אברהם אבינו got כל הארץ too only got האל האל. But יעקב who call the שבת חז"ל, as he made תחומין which elevated the שבת, he got יירש בלי מצרים נחלה (רש"י), שבת!

And צלפחד had this in the bones from his Zaida יוסף! שמר את השבת עד שלא נתנה, חז"ל tell us, יוסף gives this ברכה to שבת! He took this to the extreme level, and was actually מוסר נפש!

Says the חתם סופר, if לימות המשיח, our father will get even more than ארץ ישראל. למה יגרע שם אבינו, why should he get less, not even a נחלה in ארץ ישראל?!!

RIDDLE OF THE WEEK

How is it פטור מ' that I broke an empty car's steering column במזיד, yet שייך?

מי אני???

I headed a 5 נביאים chain,

The most famous, in the 5th generation of דוד's reign.

I am נתייחס to the מזכיר that shared a name with my father,

Yet I wasn't part of the 48, as my נביאות weren't for ever.

After many דורות, another person who shared my יחוס also shared my name,

In charge of the תפילה during הודייה was his fame.

מי אני???

ANSWER TO LAST WEEK'S מי אני???

שבִּרְכִיָּה עֶמֶד בְּדוֹר הַקּוֹדֵם לְסִיּוּם תְּקוּפַת הַנְּבוּאָה, שֶׁהִיָּתָה בִּימֵי זְכַרְיָה בֶּנּוּ שֶׁהָיָה מֵאַחֲרוֹנֵי הַנְּבִיאִים שֶׁבְּרְכִיָּה זָכָה לְהַעֲמִיד אֶת זְכַרְיָה בֶּנּוּ, שִׁישׁ לָנוּ הַבְּטָחָה מִיּוֹחֶדֶת עַל קִיּוּם נְבוּאָתוֹ שֶׁפַּעֲמִיִּים נִכְתַּב בְּרְכִיָּה לִיְחֹס אֶת זְכַרְיָה בֶּנּוּ, לְעֵדוֹ הַנְּבִיאִי אֲבִיו, שֶׁהָיָה זָקֵן שֶׁל זְכַרְיָה שֶׁבְּמִקּוֹם הַיְחִיד בּוֹ מִצְאָנוּ שׁוֹזְרִיָּה בֶּנּוּ הַתִּיַּחֵס רַק לְבְּרִכְיָה אֲבִיו, הִיָּה כְּשֶׁבְּרְכִיָּה נֹזֵר בְּשֵׁמוֹ הַנוֹסֵף וְהַדּוּמָה שֶׁבְּרְכִיָּה הָיָה נְבִיא אֶךְ נְבוּאָתָיו הָמָּה בְּלִתי נֹדְעוֹת, וְאוֹדוּתֵיהֶם נֹדַע לָנוּ רַק בְּדֶרֶשׁ שֶׁמְחַמֵּת כֵּךְ שֶׁבְּרְכִיָּה הָיָה רַק נְבִיא לְשַׁעֲרָה שֶׁנְּבוּאָתָיו לֹא נֹדְעוּ, לְכֵךְ לֹא נִמְנָה בֵּין מ"ח נְבִיאֵי הַדּוֹרוֹת בְּרְכִיָּה בֶּן עֵדוֹ וְאֲבִי זְכַרְיָה, נְבִיא יִשְׂרָאֵל

בְּדוֹר הַקּוֹדֵם לְסִיּוּם תְּקוּפַת הַנְּבוּאָה עֲמַדְתִּי, וְהַנְּבִיאִים שֶׁמּוֹבְטָחִים בְּקִיּוּם נְבוּאָתוֹ הַעֲמַדְתִּי. לִיְיָחוּס בְּנֵי לְאֲבֵי הַנְּבִיאִים פַּעֲמִיִּים נִכְתַּבְתִּי, וּבִיְיָחוּסוֹ אֵלַי בְּשֵׁם הַנוֹסֵף וְהַדּוּמָה נֹזְכַרְתִּי. עַל נְבוּאָתֵי הַבְּלִתי נֹדְעוֹת רַק בְּדֶרֶשׁ נֹדְעֵתִי, וּמְחַמֵּת כֵּךְ בֵּין נְבִיאֵי הַדּוֹרוֹת כֹּלֵל לֹא נִמְנָתִי. מי אני???

BONUS RIDDLE

"זְכוֹר אֶת יוֹם הַשְּׁבִיט לְקַדְשׁוֹ" (שְׁמוֹת כ' ח'). הֵיכָן בְּפִרְשֵׁיתֵנוּ, מִצִּיּוֹנוֹ מַעֲשֵׂה אוֹ הַנְּהַגָּה בְּעֵינֵי שְׁבִיט, אוֹ שְׁנִיתָן לְלִמּוּד עַל דְּבַר מַעֲנִינֵי הַשְּׁבִיט וְכוּחָה וְהַלְכוּתֵיהָ, אוֹ עַל הַדְּרָכִים וְהַצּוּרוֹת הַרְאוּיוֹת אֶל הַכְּנֵתָה?

If you have any comments or answers to the riddles or the תורה, please fax them to 732-363-4947 or email me at ichudbchidud@gmail.com. If you would like the English איחוד בחידוד emailed to you at no charge, please send us a request at ichudbchidud@gmail.com !!

הגאון ר' יצחק זילברשטיין שליט"א from שאלות ותשובות Riddles of the week are based on the