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## Chizuk - Inspiration

Rabbi Akiva Eiger ZT"l (1761-1837), who served as Chief Rabbi of Posen, was one of the most respected Talmudic scholars of his generation. His commentaries on the Talmud were studied throughout Europe and continue to be studied today.

Once, after his annotations had been printed and distributed in a new edition of the Talmud, Rabbi Eiger discovered that he had made an error in one of his Talmudic comments. Even though the new editions of the Talmud had already been bound and sold, making corrections extremely difficult and costly, Rabbi Eiger insisted on fixing his mistake.

At his own expense, he had correction slips printed. He then undertook the arduous task of tracking down every copy that had been sold, either traveling himself or sending reliable messengers to the purchasers of the new Talmud edition, to paste the correction slips into each volume that was sold.

When others suggested that such extreme measures were not necessary for what they considered to be a minor error, Rabbi Eiger maintained that accuracy in Torah learning was paramount. He could not bear the thought of students learning something that was not correct because of a mistake that he had made.

This story became well-known during his lifetime and after his death, exemplifying his unwavering commitment to truth and his sense of responsibility to those who studied his works. It remains an inspiring example of intellectual integrity in the rabbinical tradition to this day.

## Halacha – Jewish Law

**QUESTION:** A person waits for a bus regularly right outside a hotel. May he or she enter the lobby to use the restroom? May the person set up shop in the lobby with a laptop and use his or her computer's mobile hotspot to do

some work while waiting for the bus?

**ANSWER:** This question was posed to Rav Yisroel Belsky ZT"l. He answered that for use of the bathroom, it is permitted to enter the lobby. However, using the lobby as a place to do work on one's laptop is not permitted without obtaining permission. I (Rabbi Hoffman) think the reason is that without obtaining permission, one may be considered to have engaged in theft according to Halacha.

The Talmud (Bava Basra 88a) records a debate between Rabbi Yehudah and the Sages as to whether borrowing an item without permission renders a person a Gazlan (a thief) or whether he simply has the status of a borrower (albeit one has done wrong, by using an item of another without asking permission). Rabbi Yehudah maintains that he has the status of a borrower, while the Sages maintain that he is a thief. The Rif and the Rambam both rule in accordance with the Sages - that he is considered a thief. Indeed, this is also the ruling of the Shulchan Aruch in four different places (C.M. 292:1, 308:7, 359:5, 363:5).

Is the "considered a thief" designation applicable in all cases of using something without one's permission? How about when one is using another's item without permission and the item has no tangible value? Such is the case above, where one may be trespassing in the hotel's lobby - there may be nothing of value being borrowed or taken by setting foot on another person's property.

The Chazon Ish (B.K. 20:5) writes that the Halachic designation of "Sho'el Shelo Mida'as" (one who borrows without permission and would therefore be considered a thief) applies even when the item being borrowed has little or no market value.

While the Chazon Ish above is instructive, it is not directly comparable to the case of trespassing on someone's land or using a hotel lobby without permission. Maybe, it can be argued that in order to be considered a Sho'el Shelo Mida'as,

you have to borrow something – i.e., you have to physically take an object; in the case of trespassing, you are just taking up space on someone's land or hotel lobby.

The Rashbam in Bava Basra 57b discusses a case of a piece of property owned by two partners. The Rashbam writes that we are lenient and assume that one partner allows the other partner to place his animals on the land even without explicitly giving him permission to do so. In such a case, he would not be considered to be a Sho'el Shelo Mida'as since they are partners, and each partner would let the other do, within reason, what he wants with the shared property. The implication is, that according to the Rashbam, when we are not dealing with two partners of a property, trespassing would not be permitted and one who does so, would be considered a Sho'el Shelo Mida'as. Therefore, one who intends to use a hotel lobby to work on his computer without permission may be guilty of Sho'el Shelo Mida'as and must ask permission prior to doing so.

### On The Parsha

In this week's Parsha, we discuss the Sotah (a woman suspected by her husband of committing adultery). If the suspected wife is found guilty, the Torah declares, "The man shall be clean of sin; but the woman shall suffer for her sin" (Bamidbar 5:31). The Ralbag derives from the opening words of the verse, "The man shall be clear of sin," that there is some vestige of sin that clings to the man and requires cleansing. What is the transgression that weighs upon him? It is the possibility that he falsely suspected his wife of adultery.

At first glance, this interpretation appears to contradict the Talmud in Sotah 3b, where Rabbi Yishmael's school teaches, "A man warns his wife in matters of Sotah only when a 'Ruach' has entered his mind." The Talmud identifies this Ruach as a spirit of purity meaning that the Talmud views the act of a man warning his wife due to his suspicions in a positive way. Why then does the Ralbag referenced above detect an element of sin in being suspicious of and warning his wife?

Rav Henschel Leibowitz ZT"L explains the Ralbag as follows. It is true indeed, that warning his wife due to his suspicions is a positive act as stated in the Talmud. However, the very act of suspecting a potentially innocent person can carry a grave danger. Actions forge perspectives and mold character – and the action of a prolonged suspecting of the potentially

innocent can distort one's mind and cause one to continue to suspect the innocent of guilt and thus degrade one's ability to see clearly and determine what is right and true. The Ralbag thus explains that the Sotah process works to put a definitive end to any lingering suspicions he may have had regarding his wife's behavior – either by confirming his suspicions to be true or to prove to him that they were baseless. However, in either case, the process works to end a prolonged suspicion of a potentially innocent person and thereby cleanse and protect his mind.

We find a similar principle regarding the limitations of when one is permitted to lie for the sake of peace. The Maharsha applies this principle to interpret the Talmud in Yevamos (63a). The Talmud discusses Rav's son, Chiya, who sought to lie for the sake of peace and prevent marital strife between his parents. Rav recognized his good intentions but still rebuked him sharply. Though Chiya intended to perform a Mitzvah by preventing marital strife between his parents, Rav feared that telling a lie to do so would corrupt his son's pristine character and erode his commitment to truth and integrity.

In conclusion, we see that even when we engage in a righteous action that may involve elements of suspicion or deception, it can carry the potential to influence us negatively. We must be on guard to help ensure that we recognize this potential and continue to work on our character so that we are not negatively affected when these situations arise.

*"May I back out of a school carpool that  
I have already committed to?"  
"Should I report a co-worker who is acting dishonestly?"*

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