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Chizuk - Inspiration

One cold winter evening, Rav Yisroel Salanter ZT”L was staying at an inn in Vilna. The innkeeper, not recognizing the famous rabbi, had gone to sleep, leaving him alone in the common room. While studying Torah by candlelight late into the night, Rav Salanter noticed that he needed more light. There was a large candle belonging to the innkeeper nearby, and many other people would have had no qualms using it without the owner’s permission. Indeed, the Shulchan Aruch rules that regarding a Davar Mu’at (a small matter), one may assume that people would not care if their item was used without permission.

However, Rav Salanter would not use the candle. When asked about it, he explained: "Using another person's property without permission, even something as small as the wax of a candle, can be theft. In this case, even if I would only be using a small amount of the candle’s wax, it may have been the innkeeper’s last candle, and therefore I am making him go to the store to get more candles sooner than he had hoped to. In such a case, he may care that I used the candle without his permission."

What makes this story even more noteworthy, is that Rav Salanter was known for his intense dedication to Torah study. He could have rationalized using the candle as necessary for him to study Torah. Instead, he demonstrated that ethical behavior and absolute honesty take precedence over religious study.

Halacha – Jewish Law

QUESTION: My mother was with me in the labor and delivery room. My mother did not know the gender of the baby. I, and the nurse attending to me, did know the gender.

However, I told the nurse not to tell my mother, because my mother had expressed a desire to be surprised when the baby is born. However, while we were all in the delivery room, the nurse slipped and accidentally referred to the baby by its

correct gender. Realizing that she had made a mistake, she tried covering it up by saying, "I never know what the baby’s gender is before its born, so I refer to the baby’s gender randomly." My question is, "Was the nurse allowed to lie to cover for her mistake?"

ANSWER: There appears to be a contradiction between two of the Chofetz Chaim’s writings. In Ahavas Chessed (3:8) the Chofetz Chaim explains that an “act” of Chessed (kindness) can be done not only through a kind action, but even through one’s kind words. As an example, he explains that if one is among people who are suspected of stealing (i.e. thieves), it is a kindness and one gets a Mitzvah, to lie on account of Shalom (to keep the peace). Accordingly, he can say that the individual they are considering robbing is a poor person when he is not. In that situation, the Chofetz Chaim says that one gets a “Mitzvah” for lying for Shalom.

However, in the Mishna Berurah (156:4) the Chofetz Chaim writes that one must distance oneself from a lie. However, it is permitted to lie on account of Shalom. In this instance, the Chofetz Chaim uses the term “permitted” to lie for peace. So, which one is it? Is one merely permitted to lie to keep the peace or is it an actual Mitzvah?

Rav Chaim Pinchas Scheinberg ZT”L gives two answers to this question (cited in HaOtzer HaAmiti p. 209).

Answer 1) In a case where the damage to be done is common/likely (Shchiach Hezeikah), like in the case above of thieves discussing a target to rob, one would get a Mitzvah if one lied to prevent it. If there was a lesser likelihood that the damage was to occur, then one would be permitted to lie, but it would not be a Mitzvah.

Answer 2) In a case where monetary damage may occur, like in the case above, where thieves are discussing a target to rob, one would get a Mitzvah if one lied to prevent it. However, if there was no monetary loss involved, but one was lying to

keep the peace, e.g. to prevent hurt feelings, then one would be permitted to lie, but it would not be a Mitzvah.

Getting back to your question about the nurse lying in the delivery room to cover for her mistake. According to Answer 1), if it is likely that the mother will be considerably upset if she is told the gender of the baby, then the nurse gets a Mitzvah to lie to cover for her mistake. However, if there is a lesser concern that she will be upset, then the nurse would not get a Mitzvah, but it would nonetheless be permitted.

According to Answer 2), since there is no monetary loss involved in finding out the gender of the baby, the nurse certainly does not get a Mitzvah to lie to cover for her mistake. Nonetheless, it is permitted to prevent the mother's hurt feelings.

On The Parsha

Rav Shaul Brach ZT"L was the Av Beis Din (Head of the Halachic Judicial Court) of the city of Kosice in Slovakia. In his B'Heyos HaBoker he presents an enlightening interpretation of a Midrash Yalkut Shimoni (684).

The Midrash states that the nations of the world were jealous of Bnei Yisrael [and complained to Hashem regarding His preferential treatment of them]. Hashem silenced them and said, "Bring to Me your documents of lineage... just as my children are bringing them!" As it says (Bamidbar 1:18) "And they assembled... and they declared their pedigrees according to their families according to their fathers' houses."

The Midrash continues to explain that [because Hashem was proud of their lineage], He immediately commanded that they be counted. This occurred right after the listing of all of the Mitzvos, as we see that Hashem commanded Moshe to count Bnei Yisrael at the very beginning of this week's Parsha which is placed right after the last Passuk of last week's Parsha, "These are the Mitzvos that Hashem commanded Moshe to the Bnei Yisroel at Har Sinai."

The census took place [at Hashem's command because He was proud of their lineage] right after the giving of the Mitzvos to teach you that Bnei Yisrael merited to receive the Torah because of their lineage.

Rav Brach's inspiring explanation is that the Medrash means to say that Hashem was proud of how Bnei Yisrael actually took the census and that is why they merited to receive the

Torah. What made Hashem so proud?

It was Bnei Yisroel's penchant for honesty and truth that was revealed during the taking of the census that made Hashem so proud. We know that anyone twenty and older would receive a direct portion of land in Eretz Yisrael. Imagine for a moment, the temptation for someone who was close to twenty years old but not quite there yet, to report to Moshe that he was twenty years old, nonetheless. There were no birth certificates in the desert so who would know if one were to fudge his age a little. However, as tempting as it was, not one member of Bnei Yisrael lied about their age. They were completely honest and that is why they merited to receive the Torah.

Rav Brach implies that it was this honesty at the last census taken, thirty-eight years later, which was taken before entering Eretz Yisrael, that may have provided them with the merit needed to inherit the land.

Bnei Yisrael was counted three times in the desert. It is interesting to note that the first two censuses took place within the first two years that Bnei Yisrael were in the desert, while the third census took place thirty-eight years later. Why was the second census taken so soon after the first census? According to Rav Brach, Hashem saw Bnei Yisrael's honesty at the first census and because of his great love for Bnei Yisrael, he wanted them to take another census soon after, so they could be honest again and increase their merits.

Rav Brach's explanation of the Midrash can also explain why Parshas Bamidbar is read before Shavuot. The Parsha highlights our honesty in the taking of the census which provided us with the merit we needed to receive the Torah which we celebrate on Shavuot.

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I have already committed to?"
"Should I report a co-worker who is acting dishonestly?"*

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