

Volume II Issue #10
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The Emes Parsha Sheet

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On the Parsha

"Therefore the rulers said, 'let us enter into Cheshbon...' (Numbers 21:27.)"

The Gemorah in Bava Basra 78b provides the following interpretation of this Pasuk: "Therefore the rulers - of their [evil] inclinations said, 'Come and consider the [Cheshbon or] accounting of the world – which is the [small] loss incurred by doing a Mitzva versus the [large] gain earned through it, and the [small] gain obtained by doing an Avaira versus the [large] loss incurred through it..."

Making this accounting is vital when we feel we may be fooling ourselves and not seeing a situation with the proper moral clarity. Self-deception is a lie or a rationalization that we fabricate internally to justify a position of ours, a flawed thought process or incorrect action that we have taken. Overcoming self-deception, is one of the greatest challenges that a person can face. Were it not for self-deception, it would be much easier for us to see the truth and the true value of things.

The Mesillas Yesharim (Chapter 3) explains: "This true counsel could not have been given nor could its truth have been seen except by those who had already escaped from the hands of their evil inclination and ruled over it. For one who is still held captive in the prison of his evil inclination does not see truth. He is incapable of recognizing it. For the evil inclination literally blinds his eyes. He is like one who is walking in darkness, with stumbling blocks before him and his eyes do not see a thing..."

Darkness of night causes us to err in two ways: (1) It covers our eyes so that we cannot see what is before us and (2) [It distorts what we do see. For example] it causes a pillar to appear as a man or a man to appear as a pillar.

Exploring this second error, darkness distorts our sight until we see evil as good and good as evil. This can carry us to the abyss of destruction. Our self-deception can cause us to rationalize that which we are blinded to – with the misapplication of leniencies...

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Thankfully, there is however, a three-fold resolution to this: (1) We must commit to employ Everyday Emes in our lives. (2) We must make every effort possible to ask a Shailah (a question to a competent Halachic authority) when we are in doubt as to what the Torah requires of us. To whom do we direct these Shailos? We ask our Poskim – to those who rule over their evil inclination and who clearly see all of the pathways before their eyes - they can counsel those who are willing to listen. (3) It is clear that we must set aside times to study the fundamental principles of Emes so that we can realize what is self-deception, and what is truth. Shlomo HaMelech describes this third point in Mishlei (4:26), 'Weigh the path of your feet, and all your ways will be established.' Yirmiyahu HaNavi (Aicha 3:40) describes it as well, 'Let us search and examine our ways, and we will return to Hashem."

Chizuk - Inspiration

In Israel, there is a property tax called "Arnona". It is a tax imposed on the residents of a municipality for the purpose of financing the operations of the local authority. The main criteria for the amount of property tax that one must pay are: (1) The use of the property (residential, commercial, offices, etc.), (2) the particular area in which the property is located, and (3) the income level of the resident. Parenthetically, there was a different tax called Arnona mentioned in the Talmud which was imposed by the Roman Empire. However, the property tax that we are referring to was first introduced during the British Mandate in 1934.

There was a Kollel student who posed a question to Rav Elyashiv ZT" L regarding what he owed for his Arnona. Since it is relatively easy to apply for a discount based upon one's income level and if the property has been vacant during the year, the student asked various questions about what the exact parameters are for these two factors. The Kollel student asked questions such as, "Can I combine Pesach, Sukkos and the Summer to say that it was empty for two months during the year?" and "Do I have to include Kollel and tutoring income when stating my income?"

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Rav Elyashiv answered, "I do not know whether it is permitted, and I do not know whether it is forbidden – I do know, however, that you should stay away from all of this – this is not the path for a Ben Torah. With Torah, one must always walk straight – without Shtiklach (dishonest ploys)!" (Derekh Midos p. 36)

Halacha – Jewish Law

May a lawyer or To'ain represent a litigant in a Beis Din or court of law, when he knows that his client is lying? Although this is a very complex topic, the short answer is that he should not advise him in this matter nor represent him if he knows that he is lying. He should urge him to present the truth before the Beis Din or court [See Sinai Vol. XXX pp. 46-61; XXXI pp 165-183]. The prohibition of representing someone who is certainly lying applies even when the lawyer's client and the opposition are Gentiles (See Rav Yechiel Tauber's Maishiv Bahalacha Siman 85).

The reasons for the prohibition are actually three-fold: (1) We are enjoined to stay far away from a false matter (Midvar Sheker Tirchak). (2) There is a Mitzvah of V'halachta Bidrachav - we must walk in Hashem's ways, and one of Hashem's ways is Emes. (3) There is a Torah prohibition of Lifnei Iver (do not put a stumbling block before the blind, i.e. cause another to sin) and there are similar Rabbinic restrictions of Mesayei L'ovrei Aveirah – enabling evil doers. When a lawyer represents a client that he knows is lying, he is causing and enabling him to lie. There may be times when a client will falsely say that he is guilty to protect another party. A Rav must be consulted regarding whether a lawyer may represent a client in that case.

Mussar – Introspection

If someone is accustomed to lying, he is considered lowly and disparaged. He is not believed no matter what he says. The Sages forbade us to cheat anyone (Chullin 94a). The Rambam writes (Hilchos De'os 2:6) that even one word of false enticement or deceit is forbidden. In Mishlei (12:19) Shlomo Hamelech advises, "Truthful lips endure forever, but a lying tongue lasts only a moment."

Exaggerating when telling a story is also forbidden. That which it says in the Gemorah (Chullin 90b), "The Torah speaks in exaggerated terms" refers to situations where it is understood that the intent is to exaggerate in order to emphasize a point. For example, when the Torah describes "large cities and citadels in the heavens," (Devarim Chapter 1) everyone understands that the intent is that the aforementioned are very strong, tall and fortified, but not that they are actually in the Heavens (See Sefer HaMaspik by Rav Avrohom Ben HaRambam Vol. II p. 216). However, to exaggerate and deceive another so that he will think the exaggeration is true is forbidden.

Come and see the extent to which the trait of honesty was ingrained in the Sages. The Gemorah (Yevamos 63a) says that Rav (an early Amorah who lived in Bavel after the generation of the Tannaim) and his wife had a strained relationship. When Rav asked that lentils be prepared, she would prepare him peas. When Rav requested peas, she would prepare him lentils.

When their son Rav Chiya came of age, he would reverse his father's request when relaying it to his mother so Rav would get what he wanted and Shalom Bayis would be maintained. Rav told his son, "Apparently, your mother has improved."

Rav Chiya admitted to Rav, "It is I who reversed your request to her." Rav said to him, "...I should have thought of that idea myself! You, however, should not do so, as it is stated: 'They have taught their tongue to speak lies, they weary themselves to commit sins...' (Yirmiyahu 9:4)."

The question is: Why didn't Rav Chiya think of such an obvious idea himself? We must conclude that the trait of honesty was so ingrained in Rav, that it did not even dawn on him that it was possible to stray from the truth and say that he wanted peas, if he really wanted lentils.

Hashem should save us from false speech and a lying tongue, and he should lead us only on the path of truth.

The above, is the conclusion of the Emes section of Maran HaRav Chaim Kanievsky ZT"L's "Orchos Yosher". Next week, we will begin "Sfas Tamim". Sefas Tamim, from which our foundation takes its name, is a Sefer written by the Chofetz Chaim and focuses on the importance of honesty in word and deed.

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