

הלכה למעשה

מאת הגאון מו"ד הרב ברוך חירשפלד שליט"א
ראש כולל עטרת חיים ברוך, קליבלנד הויטס

there is no problem on food left under the bed of a gentile.
3) Many *Poskim* assume that there is no *Ruach Ra'ah* if it was left under the bed of a young child, and certainly not if the food was left under the stroller of a young child.
4) Because this *halacha* is not dependent on logic but rather a *chok* of *tumah*, there are a number of doubts if certain cases fall under the category of *Ruach Ra'ah* or not: under the top layer of a double bunk bed, water left there for use in hand washing in the morning to remove the *Ruach Ra'ah* of the night's sleep, food utensils, between the mattress and the base of the bed.
5) There are a number of cases where the *Poskim* feel confident that there is no *Ruach Ra'ah* to worry about: one sleeping on the bottom of a double bunk bed will not have *Ruach Ra'ah* come onto him, food left in the pocket of one who slept in his clothes, under the seat of a plane or bus that a passenger falls asleep on, if one person put the food of someone else under a bed, he cannot cause anything to happen to an item that is not his.

A SERIES IN HALACHA LIVING A "TORAH" DAY

Kashrus in the Kitchen (61). Foods Detrimental to Health
Food Left Under a Bed. The *Gemara* (1) states that food and drink left under a bed, even when covered with metal vessels, contains a *Ruach Ra'ah*, a "bad spirit." The *Yerushalmi* (2) brings the same idea by cooked foods only, but a number of *Poskim* [see **Chochmas Adam** 68:3] maintain that it seems from the words of the *Bavli* that raw foods are also included.
Must it be Thrown Out? If food or drink was left under a bed, can it be eaten or should it be thrown out? There is a big discussion about this in earlier and contemporary *Poskim* and the majority hold that it does not have to be thrown out (3).
1) If the bed was not slept in while the food was there, the **Toras Chaim** says (4) there is no problem. However, many *Teshuvos Achronim* argue and say it shouldn't be put there both by night and by day even if nobody is going to be sleeping in that bed.
2) Most *Poskim* assume that just as there is no *Ruach Ra'ah* on the hands of a gentile every morning after he sleeps, similarly

בין הריחיים – תבלין מדרף היומני – נדרים סו:

paskens that once they are "נכנס לחופה" The - "נערה המאורסה אביה ובעלה מפירין נדריה" says if a woman made a *neder* to be a *neder* and her husband was נזיר and she didn't know that she was נזיר and she drank wine or was מטמא למתים, she does not get מלקות and she does not get מדרות. The *Gemara* brings the *pasuk*: "אישה הפירם וה' יסלח לה" and explains that the *Torah* is talking about a case where the wife made a *neder* and unbeknownst to her, her husband was נזיר, so if she now goes and violates the *neder*, the *Torah* is telling us that she still needs סליחה וכפרה. On this, the *Gemara* brings that עקיבא, if one had in mind to eat non-kosher meat and it turns out it was actually kosher meat and he eats it, he still needs a כפרה [נתיקון לאכילת בשר חזיר ועלה בידו בשר טהור] כפרה. then certainly one who has in mind to eat *treif* and it's actually *treif* and he eats it, he needs a כפרה.

The explains (נזיר כג.) **מאיירי** "תתכוונה לאיסור" because she was מוכת מדרות because she was ררה, because עבירה in the path of איסור to lead or direct one's in the path of עבירה to catch fish and he brings up fish and a baby that was drowning. We see this same *sevara* [מנרות סוד.] where one spread out a net on *Shabbos* to trap fish, or do we look at his מעשה and ultimately it was an act of תניוק *paskens* that he is פטור even if he was never aware of the drowning נפשות. The **פרי מגדים** is מדייק that just like above the Rambam says פטור but there is מוכת מדרות, here even though he saved the baby he receives מכות. The **חפץ חיים** uses this *sevara* regarding one who asks from his friend info for a תועלת which is *muttar*, he must inform him that it's for a תועלת otherwise although it is *muttar*, if his friend is not aware it's like לאכול חזיר and he will need a כפרה.

is quoted that if one needs a doctor on *Shabbos* it is preferable to use a **אויברבן זצ"ל** because of פיקוח נפש, whereas a non-religious doctor will be מוחל שבת because he has the right intentions that it is *muttar*, it's like לאכול חזיר and he will need a כפרה. The **גרי"ז** explains that a מעשה עבירה is still considered a מעשה עבירה (even if ultimately the עובר דבר ה' to be כוונה with the מעשה) because she still gets מלקות and מעשט מלקות גזירה" So, מלקות she would get גזירה" and set out to do it, but didn't go through with the מעשה it would not be considered a מעשה איסור and no כפרה at all would be needed.

הוא היה אומר

R' Shimon Schwab zt"l (Ma'ayan Beis Hashoeva) would say:
Why did *Yaakov* cross over his hands, why didn't he simply ask Menashe and Ephraim to switch their places? Yosef's strength was in both areas, he was both a man of action and one of spirit. Each of his sons primarily stressed one of these attributes. Lest either one think he was diminished in his contribution to his father, grandfather or nation - *Yaakov Avinu* left each in his proper place and switched his hands."

A Wise Man would say:

"We have two ears and one mouth so we can listen twice as much as we speak."

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L'zecher Nishmas my brother, Reb Elyahu Yosef ben HaRav Meir Shruga Zywica and my Aunt, Leah Brocha bas HaRav Elozer Beinshil Friedlander, for their forthcoming Yahrzeit, Chof Teves. Yossie & Chaya Krieger



לעילוי נשמת ר' אברהם יוסף שמואל אלטר בן ר' טובי ז"ל וועונתו רישא רחל בת ר' אברהם שלמה ע"ה קורץ

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שמלכד מה שיזכה לחיות דקדושה מכה נצחונותיו, זכה גם במעלות ובוהגות רמות בכוח עמידתו בעוז מול הנסינות שמעמד עליו יצרו, וכמו שאמרם בשם צדיק א' לפרש מה שנא (בראשית כב. א) והאלקים נסה את אברהם, שנסה' הוא מלשון התנשאות והדמה, והיינו שאותם נסינות שעבר אברהם בחייו, הם עצמם העלו אותו למעלתו וזכה להיות אברהם, משום שרק על ידי הנסינות מתגדל האדם בעולם.

ותא חי וברי הוודי הק, ומדבר בגדול התועלת להאדם המתגבר על הקושי שבעבודת ה', וז"ל (וודי ח"ב פרשת תצוה קפד.) זתו דלא מתישבן מלי דאדויתא אלא תמך, דלית נהורא אלא ההוא דנפיק מגו השוכא דכד אתכפאי סטרא דא אטלקי קורשא בריך הוא לעילא ואתייקר בייקתי, ולית פולחנא דקדושה ב"ה אלא מגו השוכא ולית טובא אלא מגו בישא, עכ"ל. הרי מבואר מדבריו שרק בזכות עמידתו בעוז נגד פתויו האצ בימי החושך וזכה לאור מכן לאור גדול ולהשגת רמות בתורה ואפשר שלכך היתה שהותו של יעקב במצרים משך שבע עשרה שנה בנימי טוב כי היתה בכך רמז שכל הקשים והנסינות שבמצרים אינם אלא כדי להטיב עם האדם כי כאמור באים לדרים את האדם ולהמשיך לו חיות דקדושה.

והמשיך הכתוב: ויהי ימי יעקב שני חייו שבע שנים וארבעים ומאת שנה, כאן כלל את הי"ז שנותיו האחרונות עם כלל שנותיו של יעקב, כדי להודיע שעל ידי שהאדם עומד בנסינותיו הינו מעלה את כל שנות חייו, ומשווה אותן לאותן השנים הטובות בהם עמד בעוז מול חילות היצר, ומעתה השווה כל שנותיו לטובה. והוא שאמרה התורה בהמשך: ויקרבו ימי ישראל למות, שעל ידי שהכיר בנסינותיו שרק טוב כי ה' לו משה, על ידי זה הגיע לבחינת מרוחק לדעת מה יעשה לו. שמרים אחות משה המתין לראות מה יעשה עם אחיו משה, ואיתא ב**בוהד** (ח"ג דף קג.) שמה שזכו כלל ישראל לבאר מים כל אותן מ' שנים היה בזכותו של מרים על ההסד שעשה שהמתין לראות מה יעשה עם אחיו משה. והרי חסד זה שעשה, היה עם משפחתו, ואפילו הכי וכתה לשכר גדול כזה, שבזכות אותו חסד, כל כלל ישראל כל המ' שנים במדבר היה להם מים לשתות.

וצדיק ללמוד מכאן, שכל מה שאחד עושה עם משפחתו, אפילו אם הוא מחוייב לעשות אותו חסד, שאין לו ברידה כלל, כמו שהבן צדיק לעסק בקבורת אביו, כמו שעשה יוסף, הרי הוא בכלל מצות "חסד". וכן כל דבר, שהאם צדיק לאכול את בניו וכדומה, כל זה הוא מצות חסד, אבל צדיק שיכוון לקיים מצות חסד. ויזכה לאכול פירותיהם של המצוה בעולם הזה, והצדק קיימת לעולם אבא:

מאת הגה"צ רבי גמליאל הכהן רביעובין שליט"א, ר"י שער השמים ירושלים עיר הקודש

טיב התבלין

ויהי יעקב בארץ מצרים שבע עשרה שנה ויהי ימי יעקב שני חייו שבע שנים וארבעים ומאת שנה, ויקרבו ימי ישראל למות... (טו-כהבט) - בתחבולות תעשה לך מלחמה ונה נוטל על האדם לעודד השמחה בלבו על כל יום שאכן זוכה לעמוד מול פיתויו היצר, ולנגד עיניו יציין את מספר הימים שאכן זכה לעמוד בקרב, ולהוציא שלל מיצרו המבקש רעתו, וזה יעודד חיותו להמשיך הלאה במלחמתו, ומתוך כך יזכה להיות 'בא בימים', כי יתהלך עם האלקים כל ימיו.

רמז לכך מצאנו במקרא שלפנינו, הכתוב אומר: ויהי יעקב, יעקב אבינו זכה לחיות דקדושה, כיון שהיה 'בארץ מצרים', כי עצם ידידתו למצרים הביא את יעקב ובניו לידי עבודה שלא הורגלו בה עד אותה שעה, כי מצרים היתה סמל הכפירה, והדשע פרעה התגאה לאמרו(יחזקאל כט. ג.) לי יאורי ואני עשיתיני, והיתה זאת כתוצאה מפרנסתם כי מצד הטבע היתה מצויה להם בלא שום מניעה, אחר שהנוליד היה משקה את שדותיהם ולא היו זקוקים לגממים, וכתוצאה מכך באו לידי 'כפירה' כי נדמה היה להם שלית דין ולית דין, ונמשכו אחר הארציות והטומאות באותה חבל ארץ שהיתה אל כולה זועקת 'כפירה' הופיעו יעקב ובניו, והזקקו להתמודד עם זוהמת מצרים, וגם כן נדמה להם מלכתחילה שלא תהיה ביכולתם לעמוד מולה, התחוקו ועמדו בעוז בקדושתם ובאמונתם, וכל יום שהחזיקו מעמד היתה להם על ידה חיות ושמחה, על שאכן זכו לקדש יומם להשית ולעבודתו. וכך בתחבולה זו של 'יום יום' נתמלא לו ליעקב שבע עשרה שנה' שכולם היו שווים לטובה בקדושה ובאמונה.

וזהו כאמור הדרך שיבדו לו האדם כדי לעמוד מול כל פיתויו יצרו, ועליו לדעת

לפניו מאת הרב אברהם יוסף אבשימון שליט"א בעל שדה אברהם

עדותיך אתבונן

ויקרבו ימי ישראל למות ויקרא לבנו ליוסף ויאמר לו אם נא מצאתי חן בעיניך שים נא ידך תחת ירכי ועשית עמדי חסד ואמת אל נא תקברני במצרים (טו-כהט) - בענין מדרת החסד פ"ש"י: "חסד ואמת - חסד שעושים עם האמת: הוא חסד של אמת, שאינו מצפה לתשלום גמול", עכ"ל. הרי הטעם שיעקב אבינו קרא חסד זה שביקש מאת יוסף שיקבר אותו בארץ ישראל "חסד של אמת", היינו משום שהחסד שאחד עושה עם המתים הוא חסד של אמת, שהרי אינו מצפה לתשלום או גמול, אבל מי שעושה חסד עם החיים, הרי כל זמן שאותו איש חי, יכול לשלם לו עבוד החסד, וע"כ החסד אינו "חסד של אמת". והוסיפו המפרשים, שדיק לעשות חסד של אמת אפילו עם החיים, אלא דהחסד עם המתים הוא בהפצת חסד של אמת, אבל עם החיים כל זמן שאותו איש חי, שייך לצפות ממנו תשלום ושבו החסד אינו חסד של אמת.

ומטעם זה, כתב הכפי **הלכות** (שער הבטחון, פרק ד') בענין עשיית מצות בין אדם לחבירו וז"ל: "ויותר חכמי יכלתו בכל זה להתסדרו ממי שאין צדיק לו להודיע, כי בהיותו נסתר, יהיה שכרו יותר גדול ממה שיהיה אם יהיה נודע", עכ"ל. ויש לומר שכונתו כנ"ל, שאם אחד מגלה לאחרים המצוה שעשה בבין אדם לחבירו, אפשר שאחד ישלם

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מעשה אבות ... סימן לבנים

אם נח מצאתי הן בענין שם נח ירך תחת ירכי ועשת עמדי חסד ואמת אל נח תקברני במצרים ... (מז-כט)

The well-known speaker, **R' Shabsi Yigal**, tells of a chance encounter with **R' Yehoshua Hartman *shlit'a*** in which the latter saw **R' Chaim Kanievsky *z"l*** literally comb through all the works of *Chazal* in ninety seconds.

He tells the story as follows: I saw a familiar face one Friday morning. It was my old *rebbe*, R' Yehoshua Hartman, who had just recently edited a new edition of the **Maharal's** writings. He had been my *rebbe* in *Maarava*. I hadn't seen him for years. I had heard he had moved away to a different country. That's why I was so surprised to meet him, especially in Raanana, my hometown, on a short Friday, in the middle of the winter.

After a few friendly words, I asked my *rebbe* what he was doing in town. He said that his in-laws had made *aliyah* from Brazil and settled in Raanana, and he and his *Rebbetzin* were there to visit them. When I found out that R' Hartman was going to spend *Shabbos* in our city, I didn't waste a moment - I immediately asked him if he could come speak in the *shul* where I *daven*, both during *davening* and at a *kiddush* afterwards. I remembered the fascinating lectures he'd delivered during my *yeshivah* days, and was anxious to experience them again, to hear him expound on wonderful principles of the *Maharal*, and to share this treasure with my friends. R' Hartman gave me his phone number so I could get his answer later in the day, and we said goodbye. When I phoned him later that day, shortly before *Shabbos* began, he told me he would be able to come and speak. Of course, I was more than thrilled.

During the *kiddush*, R' Hartman said an exquisite *dvar Torah* and then told over one of the most amazing stories I'd ever heard about a *talmid chacham* of our generation and his incredible breadth of *Torah* knowledge. While editing *Gur Aryeh*, R' Hartman came across a *Maharal* on *Parshas Vayechi* that states as follows: "During *techiyas hameisim*, all the dead will stand in *Mearas Hamachpeilah*, as is written in *Chazal*." However, the *Maharal* never cited his source.

An editor's job is to find sources. There were no search engines in those days. *Bar Ilan's* program hadn't been created yet, there was no *Otzar Hachochma* or any other comprehensive collection of *Torah* writings. There were plenty of *talmidei chachamim* steeped in the writings of *Chazal*, though, so R' Hartman approached quite a few of them to see if they knew the source of this *Maharal*. He asked many people, but none of them had any idea.

In the end, R' Hartman added a footnote on this piece of *Maharal*. "I don't know the source of this *Chazal*."

Shortly after R' Hartman's *Gur Aryeh* was published, he found himself in *Bnei Brak*, and as he was walking down a random street, he chanced upon R' Chaim Kanievsky walking by himself. That was still possible in those days.

R' Hartman decided to grab the opportunity. He approached the *tzaddik* and asked if he could ask a question. Being given permission, he queried, "The *Maharal* writes in *Gur Aryeh*, *Parshas Vayechi*, that during *techiyas hameisim*, all the dead will stand in *Mearas Hamachpeilah*."

"Is that what he says?" R' Chaim asked, in a tone that sounded surprised. Apparently, this was news to him, too.

"That's what he says," R' Hartman affirmed. "However, right afterwards, the *Maharal* writes that *Chazal* mention this fact, as well. Does the *Rav* perhaps know where this *Chazal* is?"

"Then the most amazing thing happened," said R' Hartman. "I watched as R' Chaim continued walking, but he was murmuring to himself. I walked behind him, trying to hear what he was murmuring. I heard him say, "*Talmud Bavli? No. Yerushalmi? No. Midrashei Halachah? No. Midrashei Aggadah? No. Zohar?*"

Then R' Chaim looked at me and mentioned a place in the *Zohar* that might be interpreted to mean that.

"When I got home, I opened a *Zohar* to the place he'd mentioned, and bingo! It was right there!"

R' Hartman said, "It was incredible. I saw R' Chaim Kanievsky scan the entire literature of *Chazal* in ninety seconds!"

תורת הצבי על הפטרות

The *Navi* compares the final days of *Yaakov Avinu* to those of *Dovid Hamelech* in which *Dovid* advised his newly crowned son, *Shlomo*, on how to run the kingdom. In his instructions, *Dovid Hamelech* tells him, "I am going in the ways of the world, and you must be strong and be a man." What is the meaning of *Dovid's* cryptic words that he is "going in the ways of the world"?

The **Ben Ish Chai, Chacham Yosef Chaimz"l** of Baghdad, writes in his **Sefer Aderes Eliyahu** that even though the *Sanhedrin* had been disbanded, the four forms of deaths that the *Sanhedrin* had the power to give to a deserving sinner, were not. For that reason, a man who commits a capital sin, even today when *Bais Din* no longer

has the power to mete out capital punishment, will eventually be punished by the hand of *Hashem*. *Dovid* was concerned that even though he had been absolved of any wrongdoing with *Batsheva* numerous times before, still he was concerned that *Shlomo*, the son born to him from that union, might feel that he would eventually pay for his father's "sin."

Therefore, on his deathbed, while giving his son his final instructions, he remarked that there is no need for any concern due to the incident with *Batsheva* for he is "going in the way of the world" and he will die a peaceful death, not an untimely, harsh one. It was then that *Dovid* instructed *Shlomo* to "be strong and be a man" and stand up to the naysayers who will surely antagonize him about this.

ואני כבאי מפזן מתה עלי חדל כארזי כנען בדרך ... ואקברה שם בדרך אפרת היא בית לזרם וגו' (מז-ט)

Yaakov Avinu thought, at this junction in his life, immediately before he passed away, that he needed to justify his actions to his son *Yosef* as to why he buried *Rochel* on the roadside, and not in the *מערת המכפלה*. He proceeded to tell *Yosef* the reason we all know so well; that the *Yidden*, on their way down to *golus*, would be able to stop along the way and beseech their *Mama Rochel* to intercede on their behalf and hope that *Hashem* would heed her prayers.

We see from here that we need not understand everything, but must believe that all is divinely orchestrated. A good friend of mine just told me a similar occurrence. One of the *Stoliner Rebbes* told his *chassidim* that he wanted to be buried wherever he was *niftar*. He passed away in Frankfurt and was laid to rest there in a foreign land both demographically and ideologically. Years later, while the cemetery of his hometown in Poland was decimated during World War II and its cemetery was practically destroyed, quite ironically, the *Rebbe's tziyon* in Frankfurt was unscathed! "Ales mit a cheshbon."

As we know, *Hashem* promised *Rochel Imeinu* "ונשבו בנים לגבולם כי יש שכר לפעולתך ושוב בנים לגבולם". Why this *ברכה*? Why must *Rochel* stop her powerful cries? There's a deep and penetrating insight said over in the name of **R' Mordechai Druk z"l**. The simple understanding is that *Rochel's* meritorious actions deserved divine recognition.

He says as follows: The *posuk* tells us that *Leah's* eyes were "רכות". **Rashi** explains they were soft, red and puffy due to excessive weeping that she not fall to *Esav* in marriage. *Rochel*, by giving *Leah* the *simanim*, stopped those tears. מדה מדה *Hashem* had to ensure that *Rochel* would not cry! That is the power of *kol hamaavir al midosav*: *Hashem* is forced to do the same, even if it means altering the *teva*. May we be *zoche* to the fulfillment of that verse *ונשבו בנים לגבולם* very soon!

משל למה הדבר דומה

ויקרא יעקב אל בניו ויאמר האספו ואגידה לכם ... (מז-א)

משל: A young *chasid* of **R' Dovid of Skver z"l**, received a notice that he was to be conscripted into the army. He immediately went to the *Rebbe* for a *beracha* so that he can be exempted from army service. R' Dovid blessed him warmly and spoke to him for a few minutes. Just as the *chasid* was about to leave, the *Rebbe* handed him a small coin, instructing him to take it with him wherever he went. The loyal *chasid* gratefully accepted the coin and left.

Days later, he went to army headquarters for his medical examination. As the exam got underway, the *chasid* started feeling nervous. The doctor looked quite confident and he worried that he was going to be conscripted. Suddenly, he remembered that he had left the coin he'd received from the *Rebbe* in the pocket of his outer garment which was in the waiting room. Frantic, he jumped up, shouting, "My money!

וריא מנחה כי טוב ואת הארזי כי נעמה ויהי שכמו לסבל ויהי למם עבר ... (מז-טז)

My money! I must retrieve my money!"

He ran back to the waiting room and returned to the exam room a moment later clutching his precious coin tightly in his hand, obviously much relieved. The doctor had assumed the man must have left a sizable sum of money in the outer room. He couldn't believe his eyes when he saw a single coin of almost worthless value his patient was clutching tightly.

Almost immediately, the doctor concluded that the man must surely have some kind of mental challenge or imbalance and exempted him from army duty!

משל: The idea of a *beracha* is a discussion beyond the scope of this context. One point however, is that we mustn't forget it is not the blessing that brings salvation, rather the blessing helps a person reach a goal. Ultimately, it is the *Torah, tefillah* and good deeds that brings about salvation. When *Yaakov* blessed his holy sons, it was that they be able to reach their utmost potential – as described in the *posukim*.

EDITORIAL AND INSIGHTS ON MIDDOS TOVOS FROM THE WELLSPRINGS OF R' GUTTMAN - RAMAT SHLOMO

דרגה יתירה

While attending a *sheva berachos* this week, I heard a beautiful idea that I would like to share with you. *Yaakov Avinu* blessed his son *Yissachar* with the words, "*Vayar Menucha ki Tov ... Vayeit shichmo lisbol*." This means that *Yissachar* sees that *menucha*, calmness and peace of mind, is a good thing, so he bends his shoulder to suffer. How odd? If someone wants to find calmness and peace, why is he taking on the pain or burden and causing himself to suffer? This is the opposite of *menucha*.

R' Simcha Bunim M'Pshischa z"l provides a truly fascinating explanation. He says that the word "*Lisbol*" which means to suffer, can have an alternate explanation. It can also mean to tolerate - *savlanus*. *Yissachar*, the *Talmid Chacham*, understood that in order to find peace and tranquility in life, you need to learn how to tolerate others.

We all know the famous saying, "Pain in life is inevitable, but suffering is a choice." There are always going to be people and situations in life that cause us pain, but how much we suffer from them is really our choice. Do we choose to be the victor or the vanquished? This is all up to us. I'm not saying this is easy, but it is well worth the investment. It will determine whether our lives will be filled with suffering and painful hardship or filled with tolerance and calmness - real *Menuchas Hanefesh*.

The great reward for such behavior, for a person who can truly tolerate, is beyond our understanding. It says in the *Seforim Hakedoshim*, that the whole world is sustained in the merit of tolerance, of such a person who can tolerate others. This person is compared to the sun that comes out in its full strength and lights up the world. But besides for the great reward that comes later is the great reward that comes now. You save yourself the suffering and can really feel peace and tranquility in life.

When we come to the realization that although we cannot control the way other people act, we can control the way we respond to their behavior, we become empowered to make the correct choices. Either we tolerate or we suffer, but the choice is ours.