

**"ארור משגה עור בדרך, ואמר כל העם אמן."**

**"Cursed shall be one who leads astray a blind man on the way, and the nation shall respond - Amen."**

As Klal Yisrael enters Eretz Yisrael, Hashem commands one half of the Shevatim to gather on Har G'rizim, and the other half on Har Eival. Those on Har G'rizim are to pronounce twelve blessings, and those on Har Eival, twelve corresponding curses. Only a select few prohibitions were included in the curses pronounced on Har Eival, and nearly all of them can be classified as being amongst the most stringent of Aveiros (e.g. לשון הרע, גילוי עריות, עבודה זרה). In such context, one may not have considered the fourth of them worthy of placement on this formidable list, however, the Torah certainly did. This curse is referring to the prohibition in Parshas Kedoshim (ויקרא י"ט י"ד) of "placing a stumbling block before a blind man". Rashi in both places explains that the passuk is not literally referring to placing a stumbling block, but is metaphorically alluding to any sort of misguidance. One is forbidden from giving incorrect advice or direction in any way. One must give counsel purely with the seeker in mind, free from all personal motivations.

I. The Acharonim discuss if in fact there is also a prohibition from the literal perspective of the passuk. In other words, is there indeed a prohibition to place a stumbling block before a blind man, or is the passuk only to be interpreted in a figurative sense. Many conclude that there is in fact no prohibition in this passuk of tripping a blind person. The Torah is solely referring to misadvising one who is not knowledgeable on a matter. However, some Rishonim say that the Torah also intended the prohibition from the literal understanding of the passuk. This would include placing any form of obstacle that may cause people to trip or injure themselves in a place that people will not notice<sup>1</sup>.

Also included in this Issur is to assist or provide means for someone to do an Aveirah. For example, one may not offer non-kosher food to a non-religious Jew, since he is aiding him in eating it<sup>2</sup>. The Rambam<sup>3</sup> explains that this is included in "placing a stumbling block before the blind", since often a person is completely benighted by his drive to do an Aveirah. One who aids such a person, is quite literally placing a stumbling block in front of the (intellectually) blind.

However, one is only forbidden Min Hatorah from assisting one who wishes to do an Aveirah, when the latter is incapable of accomplishing this on his own. If he is able to do this Aveirah independently, one is not forbidden from providing him with the means to do so. For example, if the person has a sufficient amount of his own non-kosher food, it would not be prohibited to give him other food, since the Aveirah is

<sup>1</sup> בגו"א בפ' קדושים שם וכן במנ"ח מצוה רל"ב והב"ח יו"ד של"ד בשם הראב"ד והגר"פ"פ על הרס"ג ח"ב לאו נ"ה כתבו דאין עובר. אבל במשכיל לדוד בפ' קדושים ובמשך חכמה ותורה תמימה שם, וכן באג"מ או"ח ח"ה ס' י"ג וביו"ד ח"א ס' ס"ג ובחזו"א הל' עכו"ם ס' ס"ב כתבו דאין מקרא יוצא מידי פשוטו. וע' ביד רמה ב"ב דף כ"ב שכתב דעובר אלפנ"ע גם במקלקל רה"ר, ע"ש

<sup>2</sup> בהרבה מקומות בש"ס נזכר לפני עור לענין מכשיל בעבירה, ע' פסחים כ"ב מו"ק ה' וי"ז נדרים ס"ב קידושין ל"ב ב"מ ע"ה וצ' ע"ז ו' ועוד, אמנם בש"ס לא נזכר הא דמשיאו עצה רעה, רק בתו"כ בפ' קדושים ובמוני המצוות

<sup>3</sup> פיה"מ שביעית פ"ה מ"ו וכע"ז בשה"מ רצ"ט

readily available to him without any assistance<sup>4</sup>. If the food is only accessible by way of purchasing it from an Akum, there is a Machlokes Haposkim if this is considered readily available<sup>5</sup>. In any case, Midrabanan one may never provide assistance, even if the transgressor is independently capable<sup>6</sup>.

II. The question is often posed regarding inviting a non-religious person for a meal. Since this person will eat without washing, making Brachos or Bentsching, this may be a problem of לפני עור. R' Shlomo Zalman Auerbach ז"ל paskens, that if it is not possible at all to instruct the guest to do these Mitzvos, and if one would not offer food it would cause the guest to despise religious people, then one may serve him a meal. The same would also apply when one is dealing with Kiruv Rechokim<sup>7</sup>.

The Chafetz Chaim<sup>8</sup> writes, that there can often be a problem of לפני עור when inquiring about a Shidduch. Although it is permitted to relate negative information about someone when it is pertinent and purposeful (such as regarding a Shidduch), if the person relating the information is unaware of the purpose of the inquirer, then from his perspective, he is saying Lashon Hara. The Gmara in Kidushin (פ"א ע"ב) explains that even someone who in essence did not do anything wrong, the very fact that his intentions were to do an Aveirah requires Tshuva. Therefore, the person relating the information (who is unaware that he is permitted to do so), is transgressing this precept. Not only that, continues the Chafetz Chaim, but even the inquirer is not off the hook, since by requesting this information without explaining why, he has transgressed the prohibition of לפני עור by causing his friend to do an Aveirah. Due to this, one must always be clear as to the purpose of his questioning about another individual, even when such action is justified.

A similar example of this is mentioned by R' Shlomo Zalman Aurbach ז"ל. If on Shabbos one is ל"ע in need of emergency medical treatment, it is preferable to go to a religious doctor over a non-religious one. The reason for this is the same as above. Since on Shabbos it is completely permissible for a doctor to help a person in mortal danger, the religious doctor may help. However, the non-religious doctor, who is anyway not observing the laws of Shabbos, is not rendering his services for the sake of Pikuach Nefesh, rather as routine practice. Hence, the same procedure that when performed by a Frum doctor is a Mitzva, is an Aveirah when performed by the non-Frum doctor. Therefore, because of לפני עור it is preferable to use a Frum doctor when possible<sup>9</sup>.

Different sects in Klal Yisrael each have different sets of Dinim that they are more stringent or less stringent upon than other people. This is true regarding nearly every aspect of Halacha. When two people of differing customs or stringencies get together, there is often a problem of לפני עור. For example, if Reuvein is not careful regarding Yoshon, and Shimon is, Shimon may not serve a non-Yoshon product to Reuvein, even though Reuvein himself would eat it in his home, since Shimon considers it forbidden. The same would obviously apply conversely<sup>10</sup>. (Note: When eating in Reuvain's house, Shimon does not need to suspect that Reuvein is serving him non-Yoshon, since doing so would be לפני עור and thereby forbidden.)<sup>11</sup>

<sup>4</sup>ע"ז ו', וכ"פ הרי"ף רא"ש תוס' ר"ן ריטב"א מאירי ומרדכי בשם הבה"ג, וכ"ה ברמ"א יו"ד ס' קנ"א ס"א  
<sup>5</sup>מרדכי ומאירי בע"ז שם, תוס' חגיגה יג' וקדושין נו', רמ"א שם, וכן במ"ב שמ"ז ס"ק ז' ובברכי יוסף יו"ד קנ"א, מהריט ח"א ס'  
צ"ד וצ"ט, ובדרכי תשובה שם. כולם ס"ל ונחשב חד עברי דנהרא. אמנם במ"ב שם בשם הגר"א ובחזו"א יו"ד ס"ב ס"ק יג' כתבו  
ונחשב תרי עברי דנהרא. וע' כת"ס יו"ד פ"ג  
<sup>6</sup>ר"ן ורא"ש שם. וברמב"ם ובחינוך מצוה רל"ב לא נזכר דין זה כלל ומשמע דס"ל דעובר גם בחד עברי דנהרא, ע' מנ"ח מצוה

ס"ח

<sup>7</sup>מנחת שלמה ח"א ס' ל"ה אות א' וע' אג"מ או"ח ח"ה ס' י"ג וחזו"א שביעית ס' י"ב אות ט'

<sup>8</sup>ח"ח כלל ד' ס' י"א ובבאמ"ח אות מ"ו

<sup>9</sup>הובא בשמירת שבת כהלכתו פרק ל"ב ס' מ"ה בהג"ה

<sup>10</sup>ע' שעה"מ אישות פ"ט הט"ז

<sup>11</sup>רמ"א יו"ד ס' קי"ט ס"ז

However, some Acharonim say, that if Shimon is of the opinion that in truth one may eat non-Yoshon products according to Halacha (מעיקר הדין), and only does not eat it in order to comply with the more stringent opinions, he may then serve non-Yoshon to Reuvein. (We will discuss the Dinim of Yoshon in a separate issue) The same would apply regarding any Din, such as giving someone else an item to carry on Shabbos, when he himself does not use an Eiruv<sup>12</sup>.

III. Regarding an Akum, there is a difference between misadvising and providing means to do an Aveirah. One is not forbidden to give biased advice to an Akum, however one may not assist him in doing an Aveira. For example, one may not sell or give מן החי to an Akum<sup>13</sup>.

Some explain the reason for this distinction as follows: In truth the Issur of לפני עור does not apply at all to an Akum. However, when one provides assistance to an Aveirah, he is considered to have a part in that action. Therefore, if one provides the means to do an Aveirah, it does not matter who does the actual Aveirah, since ultimately the Yid has a portion in it<sup>14</sup>.

IV. The story is told of a dean of a certain Yeshiva, who went to the Brisker Rov to ask for advice. His question was regarding accepting a particular individual as a part of his staff. The Brisker Rov told him that it is an excellent proposition, as this person would be a great asset to the Yeshiva. A short time later, the potential candidate went to the Brisker Rov as well, to ask if he should accept the position. The Rov told him that he should not. Upon hearing this, the dean went back to the Rov, wondering why he had a sudden change of heart regarding this matter. The Rov explained, that in fact, nothing had changed. However, when the dean asked for advice as to what is the best for his institution, the answer was, that this person would certainly be beneficial. However, for the candidate himself, this was not the most suitable position, and therefore the Rov advised him accordingly, even if this was against the interest of the Yeshiva. This is the way the Torah wishes us to advise others, always keeping in mind the interest of the individual and not giving advice based on personal or general gain. If one uses the Torah's guidelines in helping another, Hashem will certainly see to one's own interests as well.

עשה רצונו כרצונך, כדי שתעשה רצונך כרצונו.

Good Shabbos.

מאיר הלוי הלמן  
פעיה"ק תובב"א

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<sup>12</sup>שו"ת כת"ס או"ח ס"ו בסוף התשובה ובחלק יו"ד ס' ע"ז באריכות, וכן במבי"ט ח"א ס' כ"א, ואגב יש להעיר כאן דבהל"ש שבת, אע"ג דיש אופנים דמותר ליתן לאחרים במקום שהוא אינו עושה, וכמוש"כ, מ"מ ליתן לבנו קטן לא מהני ולא מידי כיון דמצווה על בנו כמו על בהמתו והוא חילול שבת דידי', ע' רשב"א שבת קנ"ג ובאחייעזר ח"ג ס' פ"א אות כ"ג וחת"ס או"ח ס' פ"ג בסוף. אמנם ע' בבית אפרים יו"ד ס' ס"ב ד"ה אמנם שצידד להתיר בדרבנן. וראיתי הרבה אנשים שנותנים לבניהם להוליך סידור או משהו לביהכ"נ בשבילם, ולכאורה אינו נכון להני פוסקים עכ"פ, וצ"ע. ולכו"ע אסור להדליק האור בבית ע"י בנו ואכמ"ל <sup>13</sup>גמ' ע"ז ו' וכן בשע"ת שע"ג אות פ"א, אבל ליתן עצה רעה מותר ע"ש אות נ"ג ובחינוך רל"ב ובמנ"ח שם, וברמב"ם הל' רוצח פ' י"ב הט"ו כתב דאסור ליתן עצה טובה

<sup>14</sup>ע' אג"מ יו"ד ח"א ס"ג וקו"ש פסחים אות צ"ה ושערי חיים גיטין ס' ל' אות כ' וע"ע אחיעזר ח"ג ס' ס"ה ופ"א. ולכאורה יהא נפק"מ אם לבסוף העכו"ם לא עשה העבירה, דאפי' אם נאמר דבעלמא עובר על נתינת המכשול אע"פ שלא הכשילו, הכא למעשה לא היה מעשה עבירה שיהא לו חלק בו, ועל נתינת מכשול אינו עובר כיון דהוא עכו"ם