


מצוות
עשה
#243

 We learn this mitzvah from Parshas Mishpatim: (שמות כ"ב:ט)

כִּי יִתֵּן אִישׁ אֶל רֵעֵהוּ
חֶמּוֹר אֹדוּ שׂוֹר אֹדוּ שָׂה וְגוֹ'

Today's *mitzvah* is that we need to follow the *halachos* about a *Shomer Sachar* and a *Socher*, someone who is responsible to take care of something that belongs to someone else with payment. Either they paid to use something (*Socher*), or they were paid to take care of it (*Shomer Sachar*).

Even though there are four kinds of Shomer, there are only three mitzvos, because two of them have the same halacha, as we learn today!

 The details of this mitzvah are explained in Mishnayos & Gemara: Mesechta Bava Kama perek Vov and perek Tes, Mesechta Bava Metziah perek Gimmel and perek Vov, and Mesechta Shevuos perek Ches

Halacha When Moshiach Comes

We learn in *Tanya* that there are some *halachos* that are about things that are not possible to happen, like the *halachos* of an *Ir Hanidachas*. They tell us to stay away from something not good, but those things can never happen.

The Alter Rebbe says that even some *halachos* in *Choshen Mishpat*, about court cases, also can't happen — but they are still in Torah.

If these *halachos* are impossible nowadays, then they DEFINITELY will be impossible when *Moshiach* comes, and there won't be any not good things in the world anymore!

Still, the *halachos* of Torah stay FOREVER, including when *Moshiach* comes.

One of the reasons is because every *halacha* has a source in *Ruchnius*. Even if it's not practical to KEEP the *halacha*, we still do something in *Ruchnius* when we learn it.

So even when *Moshiach* comes, all of the *halachos* the Torah will stay forever!

See Kuntres Halachos Shel Torah Shebaal Peh She'ainan Beteilin Le'olam, printed in Sefer Hasichos 5752, p. 32, ha'ara 49

Rambam: Hilchos Sechirus

PEREK ALEF

“*Shomer*” means guard — it’s a person who is “guarding” (is in charge of taking care of) something for another person. Of course you have to be very careful with something that isn’t yours!

There are four kinds of *Shomrim*:

- 1) *Shomer Chinam*: Someone who isn’t paid to take care of something (like a friend who asks, “Will you watch this for me?”)
- 2) *Shomer Sachar*: A person who is paid to take care of something
- 3) *Shoel*: A person who borrows something
- 4) *Socher*: A person who pays someone else to use his thing (renting)

One *halacha* is that if you borrow something, you can’t just lend it to someone else — even if it’s a *Sefer Torah* and you are lending it for a *mitzvah*!

PEREK BEIS

This *perek* teaches us about who can be a *shomer*. It has to be a person who is allowed to do business according to Torah, because the *halachos* of *shomer* and regular business share many of the same *halachos*. The Rambam tells us that just like with buying something, there has to be a *kinyan*, to show that the *shomer* started taking care of it.

PEREK GIMMEL

In this *perek*, we learn what happens if the thing you were watching got lost or broken. If it happened because you weren’t careful, even a *shomer chinam* has to pay for it!

Chassidus teaches the *ruchniyus* meaning of these *halachos*, how a *neshama* is given to the person to watch. The different kinds of *shomer* are different ways the person has responsibility to take care that the *neshama* should be successful in its *shlichus* in the world.

For example, a *Shomer Chinam* is someone who is watching the *neshama* “for free” — not thinking about the reward they will receive for keeping Torah and *mitzvos*. A *Shomer Sachar* is doing what he is supposed to, but thinking about the reward that Hashem will give for doing the *shlichus* properly.