



A Kehilas Prozdor Publication

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פרשת: משפטים-שקלים

	Candles	Mincha	DafYomi	Shiur	Shacharis
Friday	5:18	5:30	8:15		
Shabbos		5:18	4:10	4:45	9:00
Sunday		5:35	6:10		7:30

IMPORTANCE OF

The *Mishna* (*Yuma* 22a) describes how the Kohanim all vied with each other for the honor of performing the *תרומת הדשן* - removing the ashes from on the *זבחה*. When the competition became dangerous, a lottery was instituted whereby all interested *Kohanim* would hold out a finger, the supervisor would select an arbitrary number greater than the amount of *Kohanim*, and count the fingers over and over until he reached the number. That last *Kohen* would be the winner. The *Gemara* explains that fingers were used because one may not count heads, as is derived from the census taken by Shaul before fighting Amalek, where each soldier took a sheep, and the sheep were then counted. The *Gemara* further reconciles the fact that the *Torah* says the *Bnei Yisroel* would be as numerous as the sand on the seashore, while also saying that they would be too numerous to count, noting that a number could only be possible when they do not do G-d's will. The ר"ח adds that in this case: *נספרים, שנה' והיה מספר בני ישראל* - they are counted, and the *Posuk* implies they have a number. The ר"ח (7:3) cites a *Sefer* which derives from this ר"ח that it is permitted to count even heads during a time when the *Bnei Yisroel* are not acting properly. As such, in modern-day Israel, where it cannot be said that the *Bnei Yisroel* are fulfilling the *רצונו של מקום*, it should be permitted to hold a census and count heads. ר"ח צ"ץ *אליעזר* severely criticizes this interpretation of the ר"ח, showing how the ר"ח was merely patching together the *Gemara*'s conclusions, not embellishing them. Besides, no one has the right to say that the *Bnei Yisroel* are not *עושים רצונו של מקום*, especially in order to be lenient and permit a head-count *להלכה*.

QUESTION OF THE WEEK:

For which *עבירה*, punishable by *סקילה*, might we be forbidden to feed the condemned sinner, from after the time of conviction until execution ?

ANSWER TO LAST WEEK:

(What *עבירה* is *התורה* on Sun-Thu, but *מדרבנן* on Fri-שבת ?)

The *Chinuch* (588) states that if one does not pay a worker after he completes the work, one transgresses *שכרו תתן שכרו* - he must be paid on that day. On Friday however, since he could not pay at the end of the day, the employer must pay *Motzai Shabbos*. If he does not pay then, his *עבירה* can only be *דרבנן*, because the opportunity for "*ביומר*" had ended on Friday night in any case.

DIN'S CORNER:

In a situation where the local yeshiva is not as good as one in another city, and parents wish to send their children to the better one, but this will put the local yeshiva at risk, since there will be so few students, the boys should be kept in the local yeshiva until age 7, and then sent to the better one. Girls should be kept in the local one until age 9, so as to benefit longer from the influence of their mothers. (*Igros Moshe* י"ד 3:75)

DID YOU KNOW THAT

The *Gemara* (*Sanhedrin* 45b) states that when someone is executed by *Beis Din*, the stone of his *סקילה* (stoning), the tree upon which he was hung, the sword of his *סייף* (beheading) or the cloth of his *חנק* (choking) must all be buried with him, as they are *אסור בהנאה* (forbidden to be used). The *Chasam Sofer* (א"ע 2:132) states that although we do not have a *Beis Din* to administer the four kinds of *ב"ד* today, the characteristics of those forms of *מיתה* nevertheless apply, and one who is executed by a secular government must be buried in a separate area, just as *הרוגי ב"ד* used to be. The *Gemara* (*Semachos* 8:8) relates how when R' Yishmael and R' Shimon ben Gamliel were being taken out to die at the hands of the Romans, R' Yishmael began to weep. R' Shimon asked him why he was crying, and R' Yishmael replied that he was crying at the ignominy of dying like an idolater or a sinner. R' Shimon asked, were you ever in the middle of resting or eating a meal, when perhaps a widow came to ask you a *שאלה*, and you pushed her off until you were ready ? The *Posuk* says: *אלמנה ויתום לא תענון* (do not afflict a widow or orphan), soon followed by: *והרגתי אתכם בחרב* (I will kill you with a sword). *ב"ד* can be found to apply even to *Tzadikim* according to their exalted *מדרגה*, with the "sentence" being carried out by a secular government. As such, the *קול מבשר* (1:58) ruled against a certain *Kehilah* in *Eretz Yisroel* where each year on *טבת*, survivors would congregate and say *Yizkor* for those lost in the Holocaust. The *Chazan* would wear as a *Gartel*, a rope taken from a gallows in Poland upon which Jews were hung *ר"ל*. However, since the 6 million are deemed *הרוגי ב"ד*, the rope is like the cloth of *חנק*, and therefore *בהנאה*.

A Lesson Can Be Learned From:

Two business partners decided to split up, but they couldn't agree on the division of assets. The matter was complicated, so they brought it before R' Yaakov of Lisa, author of *נתיבות המשפט*. One of the partners later came to see the Rav alone and implied that he was prepared to give R' Yaakov a substantial sum of money if the *Din Torah* should go his way. Of course, R' Yaakov's initial reaction was fury at this man's *Chutzpah* and he was prepared to drive him out of the house. Instead, R' Yaakov paused a minute, and, as if he had thought it over, said to the litigant that he would consider the offer, but the sum had to be at least 1000 gulden, a truly exorbitant amount. The man smiled, pulled out his wallet and laid 1000 gulden on the table. Immediately, R' Yaakov stood up and exclaimed "A bribe ? The *Torah* clearly states: *ושחד לא תקח* ! What *Chutzpah* !" The man stood a moment dumbfounded, but then asked the Rav why he had pretended to go along. R' Yaakov replied "Every day I say *ובכל מאדך ובכל לבבך* *ואהבת את ה' אלוקיך בכל לבבך* because I have no money. However, for a few moments, I saw an opportunity to love *Hashem* with 1000 gulden, so how could I pass it up ? !"

P.S. Mazel Tov and *Nachas* to the Aranowitz family upon the birth of a daughter. Sholosh Seudos sponsored this week by the Auslander family.

This issue is dedicated:
לז"נ פערל ב"ר יצחק הלוי

Dedications (\$18) and appreciations may be sent to: Kehilas Prozdor, 8 Green Hill Lane, Spring Valley, N.Y. 10977 (914) 354-7240
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