



	Candles	Mincha	DafYomi	Shiur	Shachris	ש"ש
Friday	7:39	6:50/7:50				9:22
Shabbos		7:30	6:15	7:05	9:00	9:21
Sunday		7:55	7:30		7:30	9:20

IMPORTANCE OF ...

The Gemara (*Pesachim* 113b) states that there are 3 people whom the Ribono Shel Olam hates: 1) the hypocrite, 2) he who knows testimony to help a friend but does not testify, and 3) he who sees someone sin and testifies alone against him. Since two witnesses are required to be effective, his single testimony is no more than simple gossip. Still, the Gemara adds that having witnessed the sin, he may hate the sinner, as is indicated by the obligation to help the over-burdened donkey of someone whom one hates. How may one hate someone, violating את אחיך בלבבך? The Gemara lists this sinner as the exception. Rav Nachman b. Yitzchok adds, it is even a mitzvah to hate the sinner. Tosafos asks: the Gemara (*Bava Metzia* 32b) states that when one is faced with a choice of helping one he loves to unload a burden from his donkey, or to help one he hates to load up the donkey, even though unloading is more urgent as it alleviates the animal's discomfort, it is nevertheless preferable for him to assist the one he hates, in order to subdue his own hateful attitude. However, if it is a mitzvah to hate him, this will not change, so what is he expected to subdue? Tosafos answers that since hate goes both ways, as a result of one's mitzvah-based hate, the sinner will hate him back, as the Posuk says: כמים הפנים לפנים כן לב האדם לאדם. This will in turn result in additional hatred, and to subdue this additional hatred, one is told to help load the שונא's donkey. Thus, although we are bidden to hate the sinner, it is only as a sinner and as related to the sin, that we are to do so. Otherwise, viewing him as a person, we are obligated by ואהבת לרעיק כמוך.

QUESTION OF THE WEEK:

When would one have to repeat the מעריב *Shemonah Esrei* because of a mistake, and the following night, make the same mistake, where it's still a mistake, but not have to repeat it, and on the third night, make the same mistake and have to repeat it?

ANSWER TO LAST WEEK:

(Where should one sell his mitzvah item to another and buy a new one?)

The Machazeh Avraham (142) held that the original division of Eretz Yisroel is still in effect, despite the Churbanos and conquests etc.. As such, if a person owns an orchard in Eretz Yisroel and picks an Esrog from it, he should rather sell it and buy one from someone else, to effect a שינוי רשות, just in case.

DIN'S CORNER:

If someone, without regard to Halacha, donated his body to science, such that the body will be used and never buried, his heirs may ignore his wishes and bury him immediately. However, if the arrangement is such that after "using" the body, it will be buried, the scientific use may be allowed. If the Niftar's intentions were להכעיס, there is no obligation to bury him unless the heirs will be embarrassed. (*Teshuvos V'Hanhagos* 3:368)

DID YOU KNOW THAT ...

The Gemara (*Makos* 16a) states the opinion of R' Yochanan that if a person transgresses a לאו which can be remedied by an עשה, such as taking a mother bird while on her young (לאו) which can be remedied by sending the mother bird away (עשה), he incurs no Malkus for the לאו. However, if he nullified (בטלו) the possibility of performing the עשה, such as where he killed the mother bird, he then incurs Malkus for the לאו. R' Yochanan held that there were only 2 scenarios where this was possible - the case of the mother bird and a case where one neglected to leave the corner (פאה) of his field to the poor (לא תכלה). He could still remedy the לאו by separating part of the grain or even dough and be free of Malkus, unless he ate the dough, thereby nullifying the עשה. The Gemara suggests a case of אונס שגרש - where the Torah forbade a man to divorce a wife (לא יוכל לשלחה) whom he was forced to marry, but he nevertheless divorced her. Since he must remarry her to be free of Malkus, could he not arrange for her to marry another, or could he not make a vow that forbids the remarriage, thereby nullifying the עשה? The Gemara rejects these possibilities, concluding that this case would not meet R' Yochanan's criteria. The Binyan Tzion (136) considered whether the איסור against marrying בת אשתו also applied to a daughter born to a wife when she was an ex-wife, such as where she remarried and bore a daughter. It was suggested that if such a daughter was not deemed בת אשתו, then a case for בטלו could be made for the אונס שגרש where his ex-wife bore a daughter out of wedlock after he divorced her, and then, if he should marry this daughter, his ex-wife will be forbidden to him as a mother-in-law, nullifying his ability to remarry her. It must be, therefore, that such a daughter is still included in the איסור of אשה ובתה, even if born later, from another.

A Lesson Can Be Learned From:

When R' Moshe Mintz (the MaHaram Mintz) accepted a post as Rav, it was shortly before Pesach. The Rosh HaKahal (community lay-leader) prepared a list of those to whom Maos Chitim was to be distributed and inserted the Rav at the top of the column entitled: משועבדים, implying that he was obligated and bound to the community. R' Moshe felt that this was not a respectful categorization for a Rav. He summoned the Rosh HaKahal and said: "Chazal say that a Tzadik is punished for the sins of his generation. Why? It is because the Gemara (*Gittin* 48b) states that one cannot collect a debt from משועבדים (property a debtor sold after incurring the debt) if there are still בני חורין (debtor-owned property) available. Since בני חורין אלא מי שעוסק בתורה, the Rabonim and Talmidei Chachomim are the בני חורין while the Baalei Batim who are enslaved by their striving for Parnasah are the משועבדים. Therefore, when Hashem exacts payment for a generation's sins, He will not collect from משועבדים (Baalei Batim) if there are בני חורין (Rabonim & Chachomim) available. However, if you wish to be the בני חורין and make me the משועבד, I will gladly switch roles and let you pay!"

P.S. Sholosh Seudos sponsored this week by the Schmerhold family.