



Friday	5:05	5:15			9:35
Shabbos		1:45/5:05	4:30	9:00	9:34
Sunday		5:15	5:35	8:00	9:33

IMPORTANCE OF

The Gemara (Shevuos 31a) asks: If a student is sitting before his Rebbi (at a Din Torah) and he sees a Zechus for the poor man's position, and a weakness in the wealthy man's position, how do we know that he must speak up? The Gemara answers, we see this from: מדבר שקר תרחק. Tosafos points out that the Gemara (Sanhedrin 6a) derives the same thing from: לא תגורו מפני איש. The MaHarsha notes that one must speak up when the situation is reversed as well, and the student sees support for the wealthy man against the poor man, suggesting that the Gemara chose the more likely scenario, and that לא תגורו implies intimidation, which one is likely to feel when attacking the wealthy man's position. However, the TaZ (ח"מ 9:7) cites the MaHaral who opines that when the Gemara described the scenario as speaking up for the poor man's benefit, and the Shulchan Aruch ruled accordingly word for word, it meant that one need not do so for the wealthy man's benefit, limiting the Posuk: ודל לא תהדר בריבו (do not favor a poor man in his quarrel) to judges. However a student sitting before his Rebbi is not restricted. The Rambam (מלוה ולוה 1:1) states that it is a mitzvah to lend money to the needy. Inherent in this mitzvah is the characterization of anyone who needs a loan, as needy. Thus, אם כסף תלוה את עמי את העני עמוך, includes lending to a wealthy man, since if he needs the loan, he is deemed an עני. The Chidushei HaRim (ח"מ 97:1) explains that although lending money is a mitzvah, one does not recite a brocho when doing so, because we cannot always tell if the loan is truly required, or is it just a contrived swindle. Even a wealthy man is entitled to a loan, if he truly requires it. As such, the doubt precludes a brocho. Thus, when the MaHaral insisted that a student speak up only when he can support the position of the עני he meant the עני in the transaction – the one whose position in the transaction was such that he is the one in need, even if in reality he was wealthy. If he cannot determine who that is, then any support he offers is uncertain, and מדבר שקר תרחק might require him to remain silent

QUESTION OF THE WEEK:

Does the mitzvah obligation of וקדשתו apply to child Kohanim, such that one may not "use" them?

ANSWER TO LAST WEEK:

(May an Eved Canaani cut his beard with a razor?)

The Maharitz Chayos (שדה יצחק 17) says that although we derive the Eved Canaani's status and obligations from that of a woman (לה לה מאשה) he is still a man, which requires that he be treated as such for such things as Bris Milah, not rounding off his beard, being valued in Arachin as a man, and becoming an adult at 13.

DIN'S CORNER:

If one undertook to fast 3 days in a row, starting right after Shabbos, he may not drink the wine of Havdalah on Motzai Shabbos. As the minhag for one who did not say Havdalah on Motzai Shabbos is to say it by Tuesday, he should prepare a cup of Havdalah wine, say the brocho over it just before Tuesday nightfall, and then drink it after dark. (Terumas HaDeshen 154)

DID YOU KNOW THAT

The Gemara (Berachos 20b) states that women are obligated to daven, despite the relevant Posuk ערב ובקר וצהרים which seems to imply it is a זמן גרמא (time dependent) mitzvah. The Shulchan Aruch (א"ח 106:2) rules clearly that it is not זמן גרמא. However, the Tzlach (Berachos 26a) exempts women from davening Musaf, which he considers זמן גרמא because it is not simply a request for mercy, but rather to commemorate the Korban Musaf. Those who disagree may hold like the Ritva (Kidushin 29a) who asks why a Posuk was necessary to exempt women from the obligation to circumcise their sons, if an 8th day Bris seems to be clearly time-dependent. The Ritva explains that a woman is only exempt from time-dependent mitzvos that pertain to her. A Bris Milah is her son's mitzvah, which a parent must take on because the infant obviously cannot arrange it himself. If the parent does not step up, Beis Din is obligated to do so, also to "assist" the infant in his mitzvah. זמן גרמא would not exempt a mother from that obligation. The same distinction would seem to apply to mitzvos whose obligation rests on Klal Yisroel as a group, such as the three mitzvos that Bnei Yisroel were commanded to perform when they entered Eretz Yisroel (Sanhedrin 20b) – 1) choose a king; 2) destroy Amalek; and 3) build the Beis HaMikdash. The Rambam (בית הבחירה 1:12) obligates women to participate in building the Beis HaMikdash despite the fact that it may only be done by day, and not at night. Does that not make it time-dependent? However, since it is not a personal mitzvah, such as hearing the Shofar or taking the Lulav, but rather a "group" mitzvah performed on behalf of all Klal Yisroel (to have a Beis HaMikdash), זמן גרמא does not exempt a woman. So too, the Korban Musaf was brought in the Beis HaMikdash on behalf of Klal Yisroel, and although we each daven Musaf individually, the origin and source of the Tefilah is "group"-based. As such, women should be equally obligated. The Besamim Rosh (89) held that women should not be obligated to daven Musaf because the Korban Musaf was funded from the Machatzis HaShekel that was collected every Adar, and women were not obligated to contribute a Machatzis HaShekel. However, women have accepted the obligation to daven Musaf, so the obligation remains.

A Lesson Can Be Learned From:

A man once came to R' Yechiel Meir of Gustinin, known as the "Guter Yid", mentioning a loved one who was sick and needed Rachamim. The Guter Yid told him to say Tehilim. The man replied that he had come to the Rebbe so that the Rebbe should ask Shomayim for Rachamim. R' Yechiel Meir said: "Chazal tell us that if one has a sick person in his house, ילך אצל חכם ויבקש עליו רחמים. Chazal did not say יבקש עליו which would imply that the Chochom should beseech Shomayim for mercy, but rather ויבקש עליו, which refers to the one who came to the Chochom. The Chochom's role is to guide the petitioner, but the 'work' must be done by you". (Still, it was R' Yechiel Meir's custom that whatever he "assigned" to others, he did himself as well, and he would always daven for Rachamim for the benefit of those who asked him)

P.S. Sholosh Seudos is sponsored by the Redlich family.

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