



A Kehilas Prozdor Publication

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(Monsey/Spring Valley Z'manim)

פרשת: משפטים

	Candles	Mincha	Daf Yomi	Shachris	זק"ש
Friday	4:55	5:05			9:39
Shabbos		1:45/4:55	4:20	9:00	9:38
Sunday		5:05	5:30	8:00	9:38

**IMPORTANCE OF ....**

The Gemara (Shabbos 122a) states that one may place his animal on the grass on Shabbos, even though the animal will eat or pull at the grass still connected to the ground. Tosafos points out that this is based on the Mechilta, which darshens from the Posuk: למען ינוח שורך (so that your ox will rest), that to keep the ox indoors on Shabbos is not "restful" but is instead a צער for the animal as it is deprived of grazing in the pasture. The Beis Yosef (305 או"ח) states that one may not ride on an animal on Shabbos because, as the Gemara explains, one may come to break off a branch from a tree to guide the animal. He also cites the Rosh who, based on a Yerushalmi, explains that one is obligated to keep his animal from "working" on Shabbos and riding on the animal would transgress שביתת בהמתו. The Beis Yosef points out that under the rule of חי נושא את עצמו (a live person is deemed to be carrying himself) the animal is not deemed to be carrying its rider. Yet, שביתת בהמתו is transgressed because it is a צער for the animal to carry a rider. This too would seem to be based on the Drasha of the Mechilta, whereby causing צער to an animal would violate למען ינוח שורך and transgresses שביתת בהמתו. The Mishna (Avodah Zara 14b) states that one may not sell large animals to gentiles because they may use them on Shabbos [- as a Takanah to prevent them from being used when borrowed or rented]. Ben Besaira permits the sale of horses, since they are only used for riding, and not as beasts of burden. One could conclude that the Machlokes between the Tanna Kamma of the Mishna and Ben Besaira is over this issue – does a horse experience צער when being ridden, or not. The Tanna Kamma would say that it does, and therefore to ride it would transgress שביתת בהמתו, so horses are included in the Mishna's list of large animals. Ben Beseira would say that riding does not constitute sufficient צער to prohibit it on Shabbos, and therefore it would be prohibited only because of Chazal's concern that one might break off a branch to guide it.

**QUESTION OF THE WEEK:**

Where would a person's name be used for a דבר שבקדושה only if and because he did something wrong ?

**ANSWER TO LAST WEEK:**

(May a man dye his black hair white to appear older ?) The TaZ (182:7 י"ד) quotes the Beis Yosef who permits it even לכתחילה since to do so is not deemed an activity of תיקוני אשה and therefore, does not violate לא ילבש. The Poskim have even permitted it where by doing so, one seeks to alter his appearance in order to be appointed a Rosh Yeshiva etc...

**DIN'S CORNER:**

When the Sefer Torah is being put away after Krias HaTorah, the Magbiah (person who lifted it), the Golel (one who rolled and fastened it) and all those along the path taken to return it to the Aron HaKodesh must escort the Sefer until it reaches the area in front of the Aron. The Tzibur may not leave the Shul before the Sefer Torah is put away. (Shulchan Aruch או"ח 149:1)

**DID YOU KNOW THAT ....**

The Gemara (Bava Kamma 41a) asks why it was necessary for the Torah to say that after a goring ox is executed by stoning, that one may not eat the ox's meat. Would its meat not be forbidden as Neveilah since it was not Shechted properly ? The Gemara answers that the Posuk ולא יאכל את בשרו teaches us that even if someone Shechted the ox properly, but it was after Beis Din had sentenced it to be stoned, the meat would still be forbidden. The Torah's typical sentence structure seems to be at odds with this Drasha. The Pesukim regarding a Jewish king, ולא ירבה לו חסדים ולא ישיב את העם מצרומה place the activity first and the purpose second - he should not collect many horses [so that] he will not return the nation to Egypt [where desirable horses are to be found]. The same is true regarding the Posuk: ולא ירבה לו נשים ולא יסור לבבו, which warns the king against taking many wives [so that] they won't turn his heart away [from Hashem]. If so, could it be that here too, the Torah instructed that the ox be stoned, so that it would be a Neveilah and be prohibited for consumption ? If that were the case, the Gemara need not ask why the Posuk has to say ולא יאכל את בשרו - it has to say it because that is the whole purpose of the Posuk, to prohibit the meat. However, clearly this Posuk follows a different structure, because of the specified manner in which the ox is to be killed - thru stoning. If the purpose of the Posuk was simply to forbid the meat, any form of execution would have been sufficient. The Gemara (Berachos 27a) states that R' Yehudah b. Baba testified regarding a rooster that was stoned in Yerushalayim for having killed a man. If this execution was based on סקול יסקל השור, then according to the opinion that the Torah does not require Shechitah for fowl, the dead rooster might have been permitted for consumption. Perhaps that is why the Torah adds: ולא יאכל את בשרו. Why did the Gemara not consider this ? However, the Birchas Aharon (208) suggests that even if a proper Shechitah is not required for fowl, still, according to Tosafos (Chulin 20a), both Simanim of the fowl must be cut for it to be eaten, something which stoning would not accomplish.

**A Lesson Can Be Learned From:**

A bochur came to R' Chaim Kanievski and told him that a Shidduch had been suggested for him, but on the day that he had been scheduled to meet the girl, another Shidduch had been suggested, which was far more to his liking. As a result he cancelled the date with the first girl, and he now wanted to know if he had behaved properly. R' Chaim told him that he had not, that once he had arranged a meeting, he should not have cancelled it. "Are there not enough excuses available to you after a first meeting to justify not meeting again ?" R' Chaim asked. The bochur told R' Chaim that apparently, Hashem felt the same way, because he had then arranged a first meeting with the second girl, and on the day that they were scheduled to meet, her parents called him to cancel, because they had been redd a different bochur who was much more to their liking.

**P.S.** Shalosh Seudos sponsored this week by the Redlich family.

This issue is dedicated:

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