



	Candles	Mincha	Daf Yomi	Shachris	סדק"ש
Friday	4:36	4:46			9:43
Shabbos		1:45/4:36	3:45	9:00	9:42
Sunday		4:46	5:10	8:00	9:42

**IMPORTANCE OF ....**

The Gemara (Yevamos 80a) states in R' Avahu's name that since a child born after an eight month pregnancy is not categorized as viable, one may not do things for it that one may only do for live people, until the child reaches the age of 20. Rebbi defines an 8-month child as one whose hair and nails are unfinished, signs that the child did not complete development (after 7 months), while R' Shimon b. Gamliel opines that if the child manages to last thirty days, he is viable. The Shulchan Aruch (אור"ח 330:7) rules that one may not be מחלל שבת for an 8-month child unless its hair and nails are complete. The אמרי יושר (2:177) considers whether a child born after 6 months and placed in an incubator is eligible for the benefits of viability. He quotes the opinion of the Meiri (Shabbos 137a) that although an 8-month child without hair must live until 20 to be declared viable, that is only in matters such as יבום and חליצה, where a potential יבמה must wait until her child reaches 20 to know if she is פטורה from יבום and may remarry. However, one may be מחלל שבת for even such a child once it reaches 30 days. Therefore, a 6-month child, similarly premature, should also benefit from this distinction and one should be permitted to be מחלל שבת for such a child if it continues to live for 30 days upon emerging from the incubator. The Midrash Tanchuma comments on the words: מי שמך לאיש that Moshe Rabbeinu was less than 20 years old at the time of his encounter with Dasan and Aviram, as they criticized him for not yet being an איש. The Minchas Yitzchok (4:123) asks why Moshe would not have qualified to be an איש at the age of 13, like everyone else. However, as Rashi points out, Yocheved hid Moshe for 3 months because he was born after a 6-month pregnancy, and the Egyptians came looking at the end of nine months. As a 6-month "preemie", he would not attain full "official" viability until age 20, at which time he would be considered an איש.

**QUESTION OF THE WEEK:**

If one is unjustly suspected of a negative act, and he knows who the real culprit is, may he disclose his identity ?

**ANSWER TO LAST WEEK:**

(May one disclose that someone is a Baal Teshuvah ?)

It is permitted to disclose that someone is a Baal Teshuvah only where all of the following conditions are present: 1) the speaker's intent is not to degrade him; 2) the listener will not consider it degrading; 3) the Baal Teshuvah does not mind; and 4) it is not foreseeable that the Baal Teshuvah will suffer damage from the disclosure.

**DIN'S CORNER:**

If one drinks wine during a meal, he must recite a brocho over it, even though he has washed and eaten bread, because wine is so חשוב, it does not become secondary to the bread. Once one has said a brocho over wine, one need not recite another brocho over another liquid, provided the other liquid was on the table or one had it in mind when saying הגפן. (see Mishna Berurah 174:1-3)

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

The Mishna (Bava Kamma 90b) relates that a man uncovered a woman's head in the street, and R' Akiva fined him 400 zuz. The man later produced witnesses who testified that the same woman bared her head herself in the street, to smear oil on her hair. The man argued that 400 zuz was far too much a price to pay for her possible humiliation when she was obviously not someone who was concerned about her dignity. R' Akiva replied that a person may not damage themselves, but if they do, they are not liable. However, one is certainly liable for what one does to someone else. The Gemara later (91b) cites the Kal V'Chomer of R' Elazar Hakappar who points out that a Nazir is called a חוטא because he has harmed himself by depriving himself only of wine. Certainly, if he causes himself any other kind of damage he is to be labeled a חוטא, which is the basis of R' Akiva's premise that one may not damage oneself. Although some Rishonim argue, most agree with this premise. The Rambam (חובל ומזיק 5:1) states that it is Assur to wound oneself or another. And not only wounding is prohibited, but one who strikes a Jew, young or old, man or woman לא יוסיף להכותו the לאו of נציון נציון. What is נציון נציון ? The word נציון comes from נצים עברים נצים – where two Jews (Dasan and Aviram) were fighting. Does the Rambam insist that wounding is only Assur if done as part of a quarrel ? Does not the Gemara (Sanhedrin 84b) state that Rav would not allow his son to remove a splinter from his skin, because of the possibility that he would inflict a wound unintentionally ? The Gemara then asks, if so, no one should remove splinters, and the Gemara answers that a son would commit a חנוק offense B'Shogeg whereas someone else would only commit a לאו B'Shogeg. But it would certainly not have been דרך נציון ! R' Moshe Feinstein ZTL notes that the Rambam uses two different words in this Halacha - החובל and המכה. The word החובל means to wound, i.e. to draw blood. That is Assur to do under any circumstances. However, המכה means simply to strike, without necessarily drawing blood. The Rambam is adding that where one strikes a Jew without drawing blood, but did so דרך נציון, that also transgresses the לאו of לא יוסיף להכותו.

**A Lesson Can Be Learned From:**

A group of askanim approached R' Yehoshua Leib Diskin and described how they wished to purchase a property near Shaar Shechem in the Old City (of Yerushalayim) with the intent to construct a much-needed hospital on the site. R' Yehoshua Leib listened to the proposal and remarked that he hoped the Shechinah would not rest upon what they planned to build. The askanim were disheartened by such a statement until R' Yehoshua Leib explained to them that the Shechinah always rests above the head of a person who is ill. His intent was that the hospital would not be needed very much, and as there would not be many sick people, the Shechinah would be elsewhere. In the end, R' Yehoshua Leib's words were effective, even if unintended, as the deal for the property fell through. Eventually, another property was secured, and Shaarei Tzedek hospital was built.

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

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