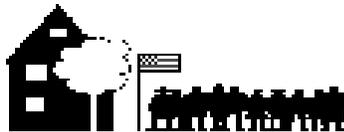


תשס"ד



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(Monsey/Spring Valley Z'manim)

פרשת: וישב-חנוכה

זק"ש Shachris Shiur

	Candles	Mincha	DafYomi	Shiur	Shachris	זק"ש
Friday	4:12	4:24	7:45			9:35
Shabbos		4:12	3:30	4:00	9:00	9:36
Sunday		4:20			7:45	9:36

חג שמח

IMPORTANCE OF

The Gemara (Megilah 2b) states that we derive from אלה המצות that a Navi is not permitted to introduce any new Halachos that are not based on Pesukim. Yet, the Gemara (ibid 2a) states that all five dates upon which the Megilah may be read (11th thru 15th of Adar) were established by the Anshei Knesses HaGedolah, which was greater than any subsequent Sanhedrin specifically because some of their members were Neviim. Thus, the Neviim lent stature to ensure that the Takanos made by them could not be reversed by a later Sanhedrin. However, the Sanhedrin of the Chashmonaim that established Chanukah could not be assured that a later Sanhedrin would not be greater. What guaranteed that the Takanah of Chanukah would endure was the fact that the Jewish nation wholly accepted and practiced it, making it uniquely the only festival established on such a basis. This is hinted to in the words ויחזר כח באר בניק where בניק implies "grass-roots" national acceptance, rather than a legal/ or statutory one. In Pachad Yitzchok (חנוכה 14) Rav Hutner ZT"L notes a Gemara (Horios 3a) that says: מעשה תלוי בקהל והוראה תלויה בב"ד, which normally means that as Beis Din rules, so Bnei Yisroel act. However, if widespread acceptance of a Takanah or custom establishes it, then Bnei Yisroel are acting based on an inner recognition of what Hashem wants, and Beis Din has to follow them, instead of vice-versa. This is apparent from the Gemara (Pesachim 66a) where Hillel was asked what the Halacha said to do if one forgot to bring a slaughtering knife to the Beis Hamikdash before Shabbos, where Erev Pesach fell on Shabbos. Hillel replied: "Leave it to Bnei Yisroel (they will know what to do)". The next day, they saw how everyone stuck the knife in the sheep's wool or the goat's horns and had the animal bring it. Hillel had not asked a Jew what he was preparing to do; he had said, let us learn the Din from how the Bnei Yisroel act.

DID YOU KNOW THAT

The Gemara (Sotah 10b) states: נוח לו לאדם – it is better for a person to jump into a burning furnace rather than embarrass someone publicly. This is derived from Tamar's willingness to sacrifice herself and her (unborn) twin sons to be burned to death, rather than disclose that Yehudah was their father. Tosafos asks: if one is indeed obligated to do so, why is not Halbonas Panim (embarrassing someone) added to the three cardinal sins for which one must sacrifice one's life to avoid transgressing ? Tosafos answers that it is because there is no official Issur stated in the Torah regarding embarrassment, such as there is by the main three. The Pnei Yehoshua (Bava Metzia 59a) notes that Halbonas Panim is still such a grave sin that Chazal forgave and permitted in effect, suicide, to avoid it. As such, should one be permitted to be Mechalel Shabbos to avoid Halbonas Panim, just as one may do so to save a life ? It would seem to be supported by a Kal V'Chomer, that if Chilul Shabbos is Mutar to save a life, shouldn't it certainly be Mutar, to avoid that which demands the sacrifice of 3 lives ? In Minchas Shlomo (1:7) R' Shlomo Zalman Auerbach ZT"L points out that accusing someone of a crime or testifying against him is sure to embarrass him and/or his family. Yet, it's certainly permissible to do so, and one is even obligated to testify. Still, Chazal make it clear that Tamar was not permitted to do so against Yehudah. R' Shlomo Zalman notes that Halbonas Panim is certainly painful, but there are many painful things that do not permit Chilul Shabbos. As an example, he cites the Aderes, who wrote of a Talmid Chochom, who watched his Torah writings burn up one Shabbos, and died soon after from the pain of their loss. He would not have been permitted to extinguish the fire, even if certain that he would die otherwise. Thus, only real and imminent Pikuach Nefesh – not pain – permit Chilul Shabbos.

QUESTION OF THE WEEK:

If one forgot to say Yaaleh V'Yavo in Shemona Esrei, must he daven the "make-up" Shemona Esrei with a minyan ?

ANSWER TO LAST WEEK:

(When does Shogeg make it worse than Maizid ?)
 If one cooked illegally on Shabbos, if B'Shogeg, he may eat what he cooked on Motzai Shabbos; if B'Maizid, he may never eat it. However, if what he cooked B'Maizid fell into another pot, it could be Botel B'Shishim and then be Mutar immediately. If what he cooked B'Shogeg fell in, since it is a דבר שיש לו מתירין (it will become Mutar later anyway) it would not become Botel.

DIN'S CORNER:

If the first day of Chanukah falls on Shabbos, the Gabbai, who lights the Menorah in Shul, as well as in his own home, should say all three berachos when lighting in Shul, even if he already said them at home. If he lit in Shul first, he should say שהחיינו at home only if he is being Motzi someone. (צץ אליעזר 13:69)

A Lesson Can Be Learned From:

A man whose family was under a threat of Pikuach Nefesh came to Rav Yitzchok Zilberstein for assistance. Rav Zilberstein said to him that it is well known how the Mishna Berurah advises that the Aliyah of the Tochacha should not be given to someone whom the Baal Koray dislikes, since the Baal Koray might have him in mind when he reads the Klalos in the Tochacha, which might result in a danger to him. It would seem, by the same token, that the Baal Koray can have someone in mind by the berachos in an Aliyah as well. Rav Zilberstein suggested that he do as follows: "Approach the Gabbai and request the Aliyah in Parshas Naso, where Birchas Kohanim appears. Since they are very valuable berachos, it is sure to work for you. Then, you should go over to the Baal Koray and bribe him with something, to develop within him warm feelings of friendship and appreciation towards you. Since we know that the Midah Tovah (good measure) is 500 times the Midah of punishment, it's a simple calculation to determine how much more effective the Yeshuah will be from this Segulah !".

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

This issue is dedicated:

לז"נ פערל ב"ר יצחק הלוי