

	Candles	Mincha	Daf Yomi	Shachris	זק"ש
Friday	4:13	4:23			9:36
Shabbos		1:45/4:13	3:30	9:00	9:37
Sunday		4:23	4:50	8:00	9:37



IMPORTANCE OF ...

The *Darkei Moshe* (ד"ר:232) cites a *P'sak* from the *Ramban*, where an ailing sister asked her brother to swear that he would not marry a certain woman. Before agreeing to the oath, the brother announced in front of others that he was only making the oath to appease his sister whom he did not wish to upset in her fragile condition, especially as she had sworn she would not eat anything until he made that promise. After she died, the *Ramban* held that the oath was null and void, and permitted him to marry the woman, characterizing the oath as forced, stating that "force" is not limited to physical or financial coercion on the oath-maker, but includes emotional pressure from those the oath-maker holds dear. The *Rema* adds that every promise to someone who is sick is subject to this possibility, and would not require a pre-oath disclaimer. However, is not the rule: מצוה לקיים דברי המת applicable here? The *Shvus Yaakov* (1:168) was presented with a case where a mother requested of her children that after her death, any disputes among them should be adjudicated only before a certain judge, and they all "shook on it" with that judge. After her death, one son refused to comply, explaining that he had only agreed, to appease his mother. The *Shvus Yaakov* stated 2 relevant rules: 1) מצוה לקיים דברי המת only applied to matters of finance or inheritance, neither of which was the case here; and 2) The appeasement argument only works where the sole obligation of the oath-maker came from the oath. If there is emotional pressure coming from a parent, there is an additional obligation on the oath-maker, even if the obligation itself (after death) only exists as a לפנים משורת הדין. As such, in most cases, a child may not use the appeasement excuse. The *Gemara* (*Sotah* 36b) states that Pharaoh only allowed Yosef to take Yaakov for burial to Chevron כאשר השביעך - because he had sworn to Yaakov that he would. Thus, מצוה לקיים דברי המת was not a sufficient argument, as it was not a matter of money or inheritance, and the שבועה was not subject to an appeasement excuse, since it was to a parent.

QUESTION OF THE WEEK:

When is there an imperative to visit a non-Jewish cemetery?

ANSWER TO LAST WEEK:

(What happens if a *Chasan's* unrevealed mental problems lead to a divorce?) In *Bechorot* (p. 290) R' Zilberstein *Shlita* states that where a father asks a *Shadchan* to find someone for his child, and after the wedding problems appear, the *Shadchanus* is still owed, like a worker who did what he was hired to do, which ended up not to the owner's liking. It is deemed as the owner's bad *Mazel*. However, if the *Shadchan* approached the father with an idea, then if it turns out badly, he must return the *Shadchanus*.

DIN'S CORNER:

One must spend a small amount of time preparing himself before *davening* in order to focus his heart, and should remain a short while after *davening* has completed so as not to appear as if the *davening* was a burden that he is in a hurry to get away from. Also, sitting in Shul is itself a *mitzvah*. (MB 93:1)

DID YOU KNOW THAT ...

The *Mishna* (*Kesubos* 72a) states that a wife who transgresses *דת יהודית* (the rules and customs observed by Jewish women) may be divorced by her husband and she forfeits her *Kesubah*. One of the transgressions listed in the *Mishna* is where she curses her husband's parents (יולדי) in front of her husband, after she had been warned not to do so. The *Gemara* adds that this also applies where she curses his parents in front of her husband's children, as is derived from: אפרים ומנשה כראובן ושמעון יהיו לי, which equates grandchildren with children for many purposes. The *Gemara* presents an example, where she says: "A lion should consume grandfather" in front of her husband, leading the *Rishonim* to conclude that she does not have to actually issue an official curse using Hashem's name; insults and disparaging comments also qualify. The *Peulas Tzadik* (2:27) points out that where the *Rambam* lists this transgression, he does not use the inclusive language of the *Mishna* (יולדי) but instead, he states (אישות) 24:12) מקללת אבי בעלה בפני בעלה, specifying only cursing a father-in-law. Does the *Rambam* hold that a wife who curses or disparages her mother-in-law in front of the husband does not transgress? The *Rambam* (גרושין 12:16) rules that a mother-in-law may not testify regarding her daughter-in-law's status to remarry, because שנאות זו את זו - they hate each other. *Rashi* (*Yevamos* 117a) explains why the mother-in-law resents the daughter-in-law. But what does the daughter-in-law have against the mother-in-law? The *Gemara* concludes that the daughter-in-law hates the mother-in-law only because of the enmity the mother-in-law shows her. If *Chazal* accepted this as a norm, then perhaps the *Rambam* would also consider a daughter-in-law's curses to the mother-in-law as normal, and not a transgression.

A Lesson Can Be Learned From:

A Darshan was speaking before Asarah B'Teves regarding the Churban. He mentioned how *Chazal* (*Shabbos* 119b) stated that *Yerushalayim* was destroyed because people mocked and disparaged *Talmidei Chachomim*. By way of illustration, he related the following: A couple had gone through a bitter divorce. The wife had a strong family and community on her side, and the husband did not. As a result, the husband was always at a disadvantage in the ensuing *Dinei Torah* and court matters, which seemed to drag on with no purpose other than to make his life miserable. His children were estranged from him, and his many attempts to provide child support were thwarted because every employment offer he received was mysteriously withdrawn after a phone call from his ex-wife's support group. At one point the husband approached *Rav Yisroel Belsky ZTL*, and described his unfortunate *matzav*, seeking advice on how he could end this harassment and go on with his life. *Rav Belsky* agreed to make a phone call on his behalf to a friend of the ex-wife's family, to suggest that perhaps the children could come to *Rav Belsky's* home for *Shabbos*, where the husband/father could see them. After introducing himself and saying a few words about why he called, *Rav Belsky* was unable to get in another word, as the family friend proceeded to lambast him for "mixing in" and trying to tell them what to do. *Rav Belsky* stood with the phone to his ear, turning more red each minute as the other fellow cursed and belittled him, finally hanging up. *Rav Belsky* then remarked to the husband that it was shocking to him how a *Yiray Shomayim* could open up a mouth and speak this way to a person in *Rav Belsky's* position, wondering why *Rabbonim* in his community did not put such a person in *Cherem*. The husband replied that if they did that, they would need to find a new *Baal Tefilah* for *Neilah* on *Yom Kippur*.

P.S. *Shalosh Seudos* sponsored this week by *Yehuda Cohentov*.

This issue is dedicated:

לד"ר אבי מורי הרב אהרן זאב ב"ר שמואל ולד"ר אמי מורתי מלכה ב"ר יהודה לייבוש הלוי ולרפואה שלמה בעד טובי' זאב בן ח'י רבקה

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