



	Candles	Mincha	DafYomi	Shiur	פרשת: שמיני סזק"ש Shachris
Friday	7:12	6:40/7:22			9:42
Shabbos		1:45/7:12	6:00		9:41
Sunday		7:25	6:30		8:00 9:40

IMPORTANCE OF

The *Gemara* (*Kerisus* 13b) states that when the *Torah* forbade a *Kohen* from entering the *Beis HaMikdash* after drinking wine, that wine had to have been at least 40 days old and he had to have imbibed at least $\frac{1}{4}$ *Lug*, without interruption. Such wine is deemed to be intoxicating. The *Gemara* also derives from **יין ושכר אל תשת** to distinguish between wine that intoxicates, and other intoxicating beverages, and raises the case of one who eats intoxicating dried figs. The *Rambam* does not rule on the case of the dried figs, and indeed, we do find that **שתני** (drinking) is deemed to be and included in **אכילה**, but we never find **אכילה** to qualify as **שתני**. *Tosafos* (*Shevuos* 23a) notes that since **אכילה** is always the major source of sustenance vis-à-vis drinking, the words **אל תשת** must be read as referring generally to intoxicating substances, which would include **אכילה**. However, the **עבודת אהרן** (2:2) suggests that even if a general reference to **שתני** cannot exclude **אכילה**, the **שתני** of a *Kohen* has an added dimension which requires that the drinking be intoxicating - **שתני המשכר**. That could never be found in **אכילה**, and that may be why the *Rambam* leaves out intoxicating dried figs. The **התעוררות תשובה** (3:323) ruled that where one was unable to eat, but was able to drink wine, he should make *Kiddush* over wine, and then drink another $\frac{1}{4}$ *Lug* of wine (the second to fulfill his **סעודה** requirement) and if, when reciting the *Brocho Acharona* **על הגפן** he were to leave out **רצה**, he would be required to repeat the *Brocho*. Usually, one need not repeat it because there is no *Chiyuv* to drink wine. However, here he did have a *Chiyuv*, in order to fulfill his **מקום סעודה** requirement. Perhaps, if a *Kohen* were in this situation **רח"ל** and consumed wine as his **סעודה**, such wine, if so deemed to be a **סעודה** might also avoid qualification as a **שתני המשכר**.

QUESTION OF THE WEEK:

There are many unethical acts where the *Halacha* is that one who performs them is: **פטרור בדיני אדם וחייב בדיני שמים**. For what act would someone be **חייב בדיני אדם ופטור בדיני שמים**?

ANSWER TO LAST WEEK:

(Is writing a beautiful *Megilah* praiseworthy?)

Certainly one whose business it is to write beautiful *Megilos* may do so. However, an individual non-expert who would perform a *mitzvah* by writing a beautiful *Sefer Torah* would not enjoy the same *mitzvah* in producing a beautiful *Megilah*, and as such, to spend/waste time on it would be deemed *Bitul Torah*.

DIN'S CORNER:

Beis Din, when empowered, is obligated to appoint watchmen during *Yomim Tovim* who would patrol thru the gardens, orchards, beaches and [other] areas where people are wont to congregate, so as to prevent men and women from engaging in the merriment of food and drink, which may lead to sin. They should also issue warnings to people not to arrange such merriment in their own homes, particularly during *Yomim Tovim*, so as to avoid the same outcome. (*Shulchan Aruch* אור"ח 529:4)

DID YOU KNOW THAT

The *Gemara* (*Kesubos* 60a) states that an infant who nurses after two years is viewed as nursing something repulsive. The *Gemara* asks, why is the milk repulsive? Does not the *Posuk* say that a camel's milk is forbidden: **כי מעלה גרה הוא** (for it chews its cud) [but does not have split hooves] – yet, the milk of humans is permitted? The *Gemara* answers that human milk in a cup is fine; to nurse after 2 years is discouraged. *Rashi* cites to another *Gemara* (*Bechoros* 6b) which notes that the *Torah* states **גמל** (camel) twice in the context of prohibition, one of which is to prohibit its milk. Presumably, *Rashi*'s purpose is to avoid the question of why the *Gemara* seems to bypass the simple meaning of the *Posuk* – to forbid the meat of a camel, and instead focuses on its milk. If the *Posuk* intends to exclude humans, should it not have excluded human flesh? *Rashi* therefore points out that there are 2 **גמל** *Pesukim* – one for its meat and one for its milk. Is a *Posuk* necessary to permit consumption of human flesh? There is a 3-way *Machlokes* on this issue. *Rambam* holds that to eat human flesh transgresses the **עשה** that permits animal meat; the *Ramban* and *Raavad* hold there is no transgression of any kind, and the *Ritva* holds one transgresses an **עשה** and a **לאו**. Since the rule of **היוצא מן הטמא טמא** (whatever emerges from an unclean creature is itself unclean) would warrant a prohibition, a *Posuk* would be necessary to permit human milk according to those who held that human flesh would not be permitted. However, according to the *Ramban*, since human flesh is permitted, why would a *Posuk* be necessary? Some *Meforshim* hold that this *Posuk* is indeed the source of the *Ramban*'s opinion. Others suggest that the point of the *Gemara*'s *Heter* for human milk was to establish that even if one may not consume human flesh, the rule of **היוצא מן הטמא טמא** would not apply, as humans are not "טמא".

A Lesson Can Be Learned From:

In the 1930's, R' Elchonon Wasserman traveled from Baranovitch to the United States in order to collect money for his Yeshiva. He stayed in the home of a Baal Chesed, who each morning would offer R' Elchonon a ride to Shul in his car. R' Elchonon would not accept, preferring to walk. After several days, the host wondered out loud how long R' Elchonon would continue to deprive him of this mitzvah. On the following morning, when the man offered the ride once again, R' Elchonon accepted. The host happily drove R' Elchonon to Shul, and pulling up to the corner, he suggested that R' Elchonon get out and walk the 25 feet up the block to reach the Shul. R' Elchonon refused, asking that the man drop him off in front. The host explained to R' Elchonon that because of the traffic rules, to do so, he would have to drive several more blocks in order to come around in front of the Shul, which would take more time. R' Elchonon insisted. The host asked him why he wanted to walk all week, but now would not even walk a few extra feet. R' Elchonon explained to him that the host's initial offer was motivated by his desire to do a Chesed. A Chesed depends on the beneficiary. "I preferred to walk and gain **שכר פסיעות** so for me, it would not be a Chesed. However, when you said that I was depriving you of a mitzvah, I saw that you viewed it not as a Chesed – dependent on me – but as a mitzvah, which does not depend on the beneficiary. Far be it from me to deprive you of a mitzvah. But as a mitzvah, you must do it completely."

P.S. Sholosh Seudos sponsored by the Sheli family.

This issue is dedicated:

לז"נ פערל ב"ר יצחק הלוי ולז"נ אברהם ב"ר יעקב חיים

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