



	Candles	Mincha	DafYomi	Shiur	Shachris	9:13
Friday	7:56	7:00				
Shabbos	9:05	1:45/8:00	11:30	12:00	9:00	9:12
Sunday	9:06	8:00	7:30		4:50A	9:12

ושמחת בחגך

IMPORTANCE OF ...

The *Gemara* (*Bava Metzia* 59a) records an incident where R' Eliezer defended his *P'sak* regarding an oven, but the *Chachomim* who were present did not accept his opinions. R' Eliezer thereupon sought to prove he was correct by miraculously causing a carob tree to uproot, a stream of water to run backwards and the walls of the *Beis HaMidrash* to lean in. When the *Chachomim* were still not impressed, a *Bas Kol* rang out, saying that the *Halacha* should be like R' Eliezer's position. R' Yehoshua stood up and announced: **לא בשמים היא**, indicating that the rulings of the *Torah* are not to be determined (or influenced) by Heaven, as it had been given to mankind for majority interpretation. R' Nasan asked Eliyahu *HaNavi* what Hashem was doing at that moment, and he replied that Hashem smiled and said: "My son has defeated me". The implication of this would seem to confirm that Hashem too sided with R' Eliezer's position. Where in the *Posuk* **לא בשמים היא** do we find an automatic dismissal of a *Bas Kol*, particularly where Hashem is "in agreement"? The context of **לא בשמים היא** only relieves mankind from having to ascend to Heaven in order to obtain the *Torah*. It says nor implies nothing about priority. The *Rambam* (*יסודי התורה* 9:1) states that we derive from **לא בשמים היא** that a *Navi* has no right to introduce anything new into the *Torah*, even though the *Gemara* (*Shabbos* 104a) derives it from a different *Posuk*. The *MaHaritz Chayes* suggests that all agree that the *Gemara's* *Posuk* – **אלה המצות**, excludes anything new in the *Torah* that has not been seen before. Yet, to recall forgotten *Halachos* or confirm known *Halachos* by Divine means might not be so excluded. **לא בשמים היא** is necessary to exclude those categories and insist that such restoration be done using *Derech HaLimud*, and nothing else. As such, the *Bas Kol* and Hashem's apparent "agreement" must be ignored. When Eliyahu *HaNavi* resolves a *תיקו*, he will do so using *Gemara* and **כללי התלמוד** – not secrets from *Shomayim*.

QUESTION OF THE WEEK:

What Halachic difference in the *brocho* could there be between freshly squeezed fruit juice and store bought fruit juice?

ANSWER TO LAST WEEK:

(When is one **יוצא** from a *Shliach Tzibur* he doesn't see or hear?)

The *Gemara* (*Rosh HaShanah* 35a) states that Rabon Gamliel held a *Shliach Tzibur* could be **מוציא** people in the fields who were unable to come to *daven*. Based on this, the *Eretz Tzvi* (22) held that if one did not have *Kavanah* in the first 3 *berachos* of *Shemona Esrei*, he is **יוצא** with the *Shemona Esrei* of some *Shliach Tzibur* somewhere who is careful to have the *Kavanah*.

DIN'S CORNER:

Normally, one who is up all night, if he goes to sleep within ½ hour before *Alos HaShachar* he must designate a "Shomer" to make sure he gets up later to *daven*. (*Binyan Olam* 1:1) However, a group that is up *Shavuos* night and then goes to sleep after *Alos* need not do so, since the group of *Mispallelim* is big enough to ensure that the *Tefilah* will begin on time. (*Shevet HaLevi* 10:49)

DID YOU KNOW THAT ...

The *Gemara* (*Sanhedrin* 19b) states that one who teaches his friend's son *Torah* is credited thereby as if he had given birth to the son. This is derived from: **ואלה תולדות אהרן ומשה** where the *Posuk* proceeds to list only Aharon's sons, yet refers to them as the progeny of both Aharon and Moshe. The *Chida* wonders why Aharon's sons were selected for this *Drasha*. Did not Moshe teach *Torah* to all of *Bnei Yisroel*? The *Gemara* (*Bava Metzia* 33a) states that if one must choose between returning a lost object belonging to his *Rebbi* versus one that belongs to his father, he must give precedence to that of his *Rebbi*, whose teachings will bring him to *Olam HaBa*. However, if his father is also a *Chacham* then his father takes precedence. The same rule applies where his father and *Rebbi* are imprisoned, and he must choose the one to redeem. The *Rema* (*ד"ר* 244:34) notes that the father who is a *Chacham* does not have to be as great a *Talmid Chochom* as the *Rebbi* in order to merit priority. However, if the father is himself a *Talmid* of the same *Rebbi*, would we say that just as a son must honor his father over his mother because she is also bidden to honor the father, so too, must a son give precedence to his *Rebbi* where his father is also bound to do so? The *Gemara* (*Eruvin* 54b) describes the process by which Moshe transmitted the *Torah* to *Bnei Yisroel*. First, he taught it to Aharon, then to Aharon's sons, then to the *Zekainim* and finally to the rest of *Bnei Yisroel*. Moshe then left, and Aharon reviewed the teachings with everyone, after which Aharon left, and his sons reviewed the teachings, and then the *Zekainim* did so as well. The end result was that everyone heard the *Torah* lessons 4 times. As such, if *Chazal* had derived that teaching *Torah* to someone's child was equivalent to siring him from Moshe's teaching *Bnei Yisroel*, we might have excluded a situation where one's own father taught him *Torah*, as Aharon had taught his sons. Therefore, *Chazal* derived it specifically from Aharon's sons, who, though they had learned from Aharon as well, were still obligated to honor Moshe, and as Aharon himself was a "Talmid", priority would be given to Moshe.

A Lesson Can Be Learned From:

A man once asked an acquaintance about a certain bochur for purposes of a *Shidduch*, inquiring about his learning and *Yiras Shomayim*. The acquaintance told him that the bochur was a *Shomer Shabbos*. "A *Shomer Shabbos*?!" he exclaimed. "I'm not asking if he's frum. I want to know if he is a *Talmid Chochom*! Are you making fun of me?" The acquaintance replied: "Reb Yid, someone once said that before he came to Kotsk, he bundled together in his mind the importance of *Shabbos*, a *Shtreimel*, *Kugel*, *Cholent* and polished shoes. In Kotsk he learned what *Shabbos* is. This bochur perfectly completed a difficult *FarHehr* (exam) in all of *Hilchos Shabbos* and *Eruvin*, with *Mishna Berurah* and *Biur Halachah*. Not only does he know all of it - he practices all of it. How many *Talmidei Chochom* do you know that can be described truly as a *Shomer Shabbos*?"

P.S. *Sholosh Seudos* should be eaten early in the *Shabbos* day. Many are accustomed to splitting the main *Seudah* in two.

This issue is dedicated:

לז"נ אבי מורי הרב אהרן זאב ב"ר שמואל ז"ל

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