



| | Candles | Mincha | DafYomi | Shiur | פרשת: וישב שוק"ש Shachris | 9:37 |
|---------|---------|--------|---------|-------|------------------------------|------|
| Friday | 4:14 | 4:24 | 7:30 | | | 9:37 |
| Shabbos | | 4:14 | 3:45 | 4:05 | 9:00 | 9:38 |
| Sunday | | 4:24 | 8:30 | | 7:45 | 9:38 |

IMPORTANCE OF

The *Tosafos Yeshanim* (*Yevamos* 2a) asks why *Seder Nashim* begins with *Maseches Yevamos*, which discusses the marriage laws of a widow whose husband died childless. It would be more appropriate to begin the *Seder* with *Kidushin*, a positive, upbeat introduction to the laws of marriage. *Tosafos Yeshanim* answers that the previous *Seder* (*Moed*) ended with *Moed Katan*, which deals largely with *Aveilus*, and thus leads naturally to *Yevamos*. Also, the *mitzvah* of *Yibum* was the first *mitzvah* to be mentioned for women, as the *Posuk* says: **בא אל אשת אחיך ויבם אותה** regarding Tamar. The *Acharonim* point out that the first answer of the *Tosafos Yeshanim* is the opinion of the *Rambam* (*Yibum* 1:1) and the *Chinuch* (598), who, as they consider *Yibum* to be a *mitzvah* only for the man (*i.e.* the brother), would not agree with the second answer. However, the *Pnei Yehoshua* (*Kesubos* 40a) holds that other *Rishonim* consider the widow to be equally obligated in *Yibum*. As such, they would agree with the second answer. Consistently, when the *Rambam* (*Sefer HaMitzvos* 217) asks why the *Maseches* is called *Yevamos*, when *Chalitzah* is also an option, he answers that it is because the *Gemara* (*Yevamos* 39b) states that *Yibum* takes precedence over *Chalitzah*. However, if, as the *Tosafos Yeshanim*'s second answer states, *Seder Nashim* begins with *Yevamos* because *Yibum* is the first *mitzvah* to be mentioned for women, then it follows that the *Maseches* had to be called *Yevamos* rather than *Chalitzah*. But since the *Rambam* does not consider the woman's involvement in *Yibum* as her *mitzvah*, it was necessary for him to explain the *Maseches*' name as stemming from *Yibum*'s precedence.

QUESTION OF THE WEEK:

When is one obligated to recite a *brocho*, but is permitted to choose from among different *berachos*, which one he wishes to say ?

ANSWER TO LAST WEEK:

(Why is Eliyahu HaNavi always referred to as זכור לטוב ?)

The *Torah LiShmah* (523) states that אליהו הנביא זכור לטוב in *Gematria* = 400, to combat the 400 strengths of the *Yetzer HoRa*, represented by Eisav's 400 men. It is also hinted at when Eliyahu saved R' Kahana who jumped off a roof to avoid an *aveirah*, when Eliyahu said that he had been "bothered" to come a distance of 400 *Parsah* to save him. (ע"ש for other *Gematrios*)

DIN'S CORNER:

Some people restrict themselves by not giving a *Talis* with *tzitzis* to a non-Jewish launderer, but rather they remove the *tzitzis* first. One may not allow one's *tzitzis* to drag on the ground because 1) it is degrading, and 2) it may result in the *tzitzis* becoming *Posul*. Therefore, when wearing a *Talis*, one should lift and tuck the *tzitzis* under one's belt (or *Gartel*). (*MB* 21:16-18)

DID YOU KNOW THAT

The *Gemara* (*Yevamos* 90b) states that *Beis Din* may inflict *Malkus* or even execution, despite the fact that the *Torah* would not demand it, where *Beis Din* deems it necessary למגדר מלתא - as a fence. It once happened that a man who rode a horse on *Shabbos* (forbidden Rabbinnically) was executed for this, because the laxity of *Shabbos* observance at that time demanded such a spectacle. The power of *Beis Din* to do this would seem to stem from the *Posuk*: **לא תסור** upon which *Rashi* comments that one must follow *Beis Din*'s rulings even if they say that what is on the right is really on the left. If **לא תסור** applies to the rulings of every *Beis Din*, then the power of למגדר מלתא to enact what is necessary for the time and place would also lie with every *Beis Din*. The *Shulchan Aruch* (2:1) states that every *Beis Din*, faced with a people steeped in immorality, has the power to enact and punish on their own rulings, and the *SMA* adds, that even a moral person may be punished for violating the new enactments. The *Gemara* (*Moed Katan* 17a) states that in Usha it was decreed that if the *Av Beis Din* sinned, he would not be immediately punished, but rather told to stay home, to preserve his dignity. If he sinned a second time, he was to be punished publicly. The *Divrei Yatziv* (8) suggests that Yaakov gave a כתנת פסים to Yosef as a symbolic Rabbinnic garment to establish him as a *Talmid Chochom* in his brothers' eyes. As such, they could not punish him for his *Lashon HoRa* about them, since even if they wished to do so למגדר מלתא they could not, as they were bound to preserve Yosef's dignity and avoid a public punishment. However, when Yehudah said: **מה בצע... וכסינו את דמו** - there would be no point in punishing him since they would have to cover his blood (*i.e.* keep it secret) the brothers maintained: **הנה בעל החלומות**, that Yosef had made more than one improper statement derived from his dreams, and as such, he could be punished publicly for the second one.

A Lesson Can Be Learned From:

Near the end of 1968, various groups in the Israeli government convened a meeting to discuss the issue of drafting yeshiva bochorim into the Israeli army. Rav Yechezkel Abramsky ZT"L was then head of the Vaad HaYeshivos and he was invited to attend, to express the Torah view on the subject. During the discussions, one minister turned to Rav Yechezkel and asked him respectfully if the responsibility to protect and defend the Land of Israel was not a *mitzvah* that took precedence over protecting the Torah. Rav Yechezkel replied that the best source to examine on that subject would seem to be the very first conqueror and protector of Eretz Yisroel - Yehoshua. "In *Sefer Yehoshua* (1)", Rav Yechezkel explained, "we find Hashem issuing two commands to Yehoshua. First, Yehoshua is bidden to conquer the land, and second, he is told to guard the Torah. Regarding the *mitzvah* of conquering the land, Yehoshua is told: **חזק ואמץ** - be strong and courageous, and regarding the second *mitzvah*, the *Posuk* states: **רק חזק ואמץ מאד** - only be very strong and courageous. Which *mitzvah* do you think should be given precedence?"

P.S. Sholosh Seudos is sponsored this week by the Feinseig family.