



	Candles	Mincha	DafYomi	Shiur	פרשת: ויגש ש"ש Shachris	9:42
Friday	4:25	4:35	7:30			9:42
Shabbos		4:25	3:50	4:15	9:00	9:42
Sunday		4:35	8:30		7:45	9:42

IMPORTANCE OF

The *Midrash (VaYigash 93)* quotes R' Simone who states that Yehuda told Yosef how in Jewish law, the rule for thieves is that **אם אין לו ונמכר בגנבתו** – if the thief cannot pay, he is to be sold as a slave. However, since Binyomin has assets (he returned Yosef's goblet) and he can pay, he is not to be enslaved. R' Yehoshua Leib Diskin asks why Yehudah believed that a *Halacha* destined to be given to *Bnei Yisroel* on *Har Sinai* would be relevant or of interest to an Egyptian ruling. He answers that Yehudah pointed out to Yosef how if one is a thief, it doesn't make sense to take him in as a slave, where he will continue to steal. However, if he stole out of desperation (e.g. to feed his family), then it may be safe to buy him as a slave, since he is in essence honest, and now his needs will be taken care of. Binyomin's assets show he could not have been desperate. If Yosef truly believed him to have stolen the goblet, it would not be sensible to take him in as a slave where he could "continue" to steal. The *Rema (Teshuvos 10)* analyzes the *mitzvah* of *Dinim* incumbent upon *Bnei Noach*. Does the *mitzvah* require that all gentile procedures, dispute-resolution and punishment follow the laws of the *Torah*, or is every country free to adopt its own rules and laws, and in setting up such a judicial system, they have fulfilled their obligation? He concludes that they must follow the laws of the *Torah*. As such, the punishment for a *Ben Noach* who steals, even something worth less than a *Perutah*, is death. If Yosef considered the brothers to be *Bnei Noach*, a punishment of slavery (instead of death) has no basis. Therefore, Yosef must have deemed them to be *Bnei Yisroel*, to whom the punishment of slavery does apply. Since Binyomin has assets, however, it should not be enforced.

QUESTION OF THE WEEK:

When must one avoid new beer, but not old beer?

ANSWER TO LAST WEEK:

(When does one not say *Kadish* at the end of *Krias HaTorah*?)

The *Shulchan Aruch (או"ח 684:3)* states that when *Rosh Chodesh* falls on *Chanukah*, if a mistake was made and 4 *Aliyos* were given from the *Rosh Chodesh* portion (instead of 3), the *Chanukah* piece needs to be read only if a second *Sefer* had been taken out for that purpose. However, if *Kadish* had been said after the first 4, it need not be repeated after the *Chanukah Aliyah*.

DIN'S CORNER:

Since the *Churban*, if one builds (or rebuilds) a house, he must leave over a minimum of a square *Amah* unplastered, opposite the entrance to the house. Many have the custom to paint the words: **זכר לחורבן** inside that square. If one purchases a house from a non-Jew, he need not peel off the plaster. However, if he purchased it from a Jew who did not leave over the square originally, he must peel it off now himself. (*MB 660:3-4*)

DID YOU KNOW THAT

The *Rambam (Mamrim 5:9)* states that a *Shtuki* (one who doesn't know who his father is) is liable for striking or cursing his mother, but not his father, even if his mother states who the father is, because we will not execute a son based on the mother's testimony. The question is asked, even if he can't be executed (חנק) for striking a man who may be his father, why can he not be given *סקילה* for cursing "my father [whoever he is]"? Is it necessary to identify him specifically for the curse to trigger the punishment? Although it is possible that his father was a gentile, in which case he would not be liable, still, if his mother lives in a Jewish area, **רוב** would establish that his father was a Jew, just as **רוב** is used generally regarding one's father (see *Gemara Chulin 11b* which makes one liable in all father-related cases because of **רוב**). If so, why shouldn't he get *סקילה* for cursing "my father"? The *Torah LiShmah (478)* suggests that the word **אב** is not necessarily restricted to one's biological father, as we see Yosef stating **וישימני לאב לפרעה**, where *Rashi* explains this to mean that he was both a patron and a colleague of Pharaoh. As such, for him to curse "my father" without identifying him further would not warrant punishment. The *Minchas Chinuch (260)* asks, what if he curses all *Bnei Yisroel*? Wouldn't his father be included? He answers that it is possible his father has already died. What if he curses all *Bnei Yisroel*, dead or alive? The *Minchas Chinuch* explains that *Bnei Yisroel* who are alive, is a different group from those who are dead. If one were to curse a group, he would not be liable for cursing each individual, unless the individual(s) were specified. He would also not be punishable for cursing either group because of **התראת ספק**, since when witnesses warn him not to curse his father (as part of each group) and he curses the group anyway, it isn't necessarily so that he would be liable, as his father may be in the other group. This uncertainty invalidates the warning, which consequently relieves him of liability.

A Lesson Can Be Learned From:

R' Ephraim Zalman Margolis was both a Gaon and a gentleman. He was careful to honor the Rambam's edict requiring a Talmid Chochom to always dress cleanly. Although a man of means, the only extravagance R' Ephraim allowed himself was an expensive silk hat. One day, a wealthy nobleman met him in the street and, pointing at his hat, asked him why Jews seemed to focus so on hats, while ignoring the fashion of other garments. "We do the opposite" the nobleman said, "dressing well, while not wasting money on hats. In fact, we go bareheaded much of the time". R' Ephraim replied: "It's really very simple. It has to do with the different priorities of Jew and non-Jew. Non-Jews are very preoccupied with their bodies, and this is reflected in the way that you dress, which calls attention to your bodies. We Jews on the other hand are not at all as preoccupied with our bodies as much as we are with our heads. Our focus is on education, knowledge and truth. This is why we take such good care of our heads, protecting them as well as showing them proper respect by wearing suitable head covering".

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

This issue is dedicated:

לז"נ פערל ב"ר יצחק הלוי

Dedications (\$18) and appreciations may be sent to: Kehilas Prozdor, 8 GreenHill Lane, Spring Valley, N.Y. 10977 (845) 354-7240
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