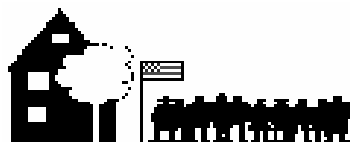


תשס"ד



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(Monsey/Spring Valley Z'manim)

פרשת: תצוה-זכור

	Candles	Mincha	DafYomi	Shiur	Shachris	סוק"ש
Friday	5:34	5:46	8:15			9:16
Shabbos		5:34	5:00	5:25	9:00	9:15
Sunday		5:40			8:00	9:14

IMPORTANCE OF

The *Gemara* (*Yoma* 72a) states that one who tears *Bigdei Kehuna* violates the **לא יקרע** of **לא יקרע** and receives *Malkus*. The *Toldos Yitzchok* (13) asks, what if one wishes to fix them and is forced to tear them in the process? Since it is **על מנת לתקן** would it be permitted? The *Mishna L'Melech* on the *Rambam* (*Klei HaMikdash* 9:3) cites the *Korban Chagigah* (68) who distinguishes between the **מעיל** (*Kohen Gadol's* coat) and other *Bigdei Kehuna*. With regard to the other garments, one only violates **לא יקרע** if the tearing was done in a destructive manner. Regarding the **מעיל** however, one violates the *Issur* even if torn in a non-destructive way. Proof is offered from the *Gemara* (*Zevachim* 95a) which states that if/when blood is spattered on the *Kohen's* garment, the garment must be cleaned and the blood removed while inside the *Azarah* (courtyard). If in error the garment was taken out of the *Azarah* and it became *Tomay*, it can no longer be brought back in to be cleaned. In such a case, one tears most of it, which now renders it *Tahor*, after which it is brought into the *Azarah* for cleaning. Resh Lakish adds that with regard to the **מעיל**, another method must be used, since the **מעיל** may not be torn at all. Instead, it is returned and washed in the *Azarah* less than 3 square *Tefachim* at a time. Thus, we see that tearing is permitted for the *Kohen's* other garments since the tearing is done to facilitate rehabilitation of the garment, but this is not permitted for the **מעיל**. The *Minchas Chinuch* (101) argues that the *Issur* against tearing **all** *Bigdei Kehuna*, including the **מעיל**, is **only** **דרך השתתה**. However, even if one's purpose in tearing *Tomay* garments is non-destructive, the plain fact is that the garments are technically "destroyed" in order to temporarily render them useless, after which they are rehabilitated. Such tearing satisfies the condition of **דרך השתתה** for all of them, requiring that they be laundered 3- *Tefachim* at a time.

QUESTION OF THE WEEK:

How would one be **יוצא** the *mitzvah* of **זכור** *MiD'Oraisa*, hearing the *Kriah* of *Parshas Zachor*, in some *Shuls*, but not in others?

ANSWER TO LAST WEEK:

(When would *Ashrei* be said twice during *Mincha*?)

The *Mishna Berurah* (108:13) describes how when one *davens Mincha* a second time to make up for a missed *Shacharis*, he should say *Ashrei* again before beginning the second *Shemona Esrei*.

DIN'S CORNER:

Although the *Shulchan Aruch* does not specify any specific beverage with which to fulfill the obligation "**לבסומי בפורי**" (to become intoxicated *Purim*), some *Rishonim* (*Rashi*, *Rambam*, *Rokeach*, *Radvaz*) held that the *mitzvah* was intended to be fulfilled using wine only. (*Mishneh Halachos* 5:83)

DID YOU KNOW THAT

The *Mishna* (*Succah* 45a) describes the activities on *Hoshana Rabba*, adding that the custom was to grab the *Lulavim* away from the children, and eat their *Esrogim*. *Rashi* explains that this was not *Gezel* nor inappropriate because it was the custom to celebrate the *Simcha* of *Yom Tov* this way. *Tosafos* adds that from here we may derive that young men who injure each other while wildly celebrating before a *Chasan* are also *Potur* from any liability, since this is the customary conduct of *Simcha*. Similarly, the *Gemara* (*Bava Kamma* 32a) establishes that one who injures or damages while running is liable, unless it is *Erev Shabbos* during twilight, since at that time his running is justified. The *Shulchan Aruch* and *Rema* rule accordingly, with the *Rema* (**או"ח** 695:2) adding that one is also not liable for damage perpetrated as part of the *Purim* celebration. However, the *Rambam* (*Nizkei Mamon* 14:13) holds liable a storekeeper whose *Chanukah* candles kindled a passing bale of flax, because he should have sat and watched to make sure that this didn't happen. Why is there no obligation to be careful *Erev Shabbos*, *Purim* or for *Simchas Chasan* as well? The *Shoshanim L'Dovid* suggests that there is a fundamental difference between one who fulfills a *mitzvah* and one who is engaged in a *mitzvah*. Those who damage on *Erev Shabbos*, *Purim* and for *Simchas Chasan* are doing so while engaged in a *mitzvah*, where *Chazal* did not impose the extraordinary care required to guard against damage at such a moment. However, once the *Chanukah* candles were lit, the storekeeper transforms from an **עוסק במצוה** to a **מקיים מצוה**. His *mitzvah* is active, but he is no longer actually engaged in the *mitzvah*. He is therefore held to a greater standard of care. Interestingly, the *Rema* states: **נפטר ... ויש אומרים** regarding *Purim* damages, indicating some dispute over this exemption. The point in question may be the fact that the *mitzvah* on *Purim* is to drink, and only damage inflicted while drinking is forgiven. If he were to inflict more damage later when drunk, he might be fulfilling **עד דלא ידע**, but perhaps not qualify as "engaged" in the *mitzvah*.

A Lesson Can Be Learned From:

One of the "respectable" town Jews came to R' Shlomo of Radomsk, (author of the *Tiferes Shlomo*) to complain about the town *Shochet*. It seems that he and the *Shochet* were neighbors and he would see how every *Shabbos* afternoon, after the meal, the *Shochet* would lie down for a nap, without (at least) taking a *Sefer* in his hand. Is this proper conduct for a *Shochet* who is supposed to be a *Talmid Chochem* and charged with keeping himself well-versed in the *Halachos* of *Shechitah*? R' Shlomo thanked the man with a hearty "Yasher Koach!", explaining to him how he would never eat from that which the *Shochet* would *Shecht* on *Motzai Shabbos*, being concerned that the *Shochet* was not as well-rested as he could be. "However, now that you tell me he rests on *Shabbos*, I will be able to eat from his *Motzai Shabbos Shechitah*!"

P.S. Sholosh Seudos sponsored by the Redlich family. Anyone wishing assistance in giving *Matanos L'Evyonim* on *Purim* may give me checks made out to *Gomlei Chesed*.

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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