



	Candles	Mincha	DafYomi	Shiur	Shachris	פרשת: בהר	סזק"ש
Friday	7:54	6:50/8:04					9:14
Shabbos		7:50	6:30	7:15	9:00		9:13
Sunday		8:05	7:30		7:30		9:13

IMPORTANCE OF ...

The *Gemara* (*Kidushin* 80a) states that Rav Yehudah found Rav Nachman building a fence and criticized him for violating Shmuel's rule that once someone has been appointed a **פרנס** - community leader (Rav or *Dayan*), he is forbidden to do menial work before 3 people. The rationale for this restriction is that the sight of such a person doing menial labor will demean the *Torah* in the eyes of the unlearned. The *Rema* (8:4 ח"מ) in fact, rules that a *Dayan* who has no one to serve as his *Shamash* (attendant) should not accept the post of *Dayan*. The *RaDaL* suggests that Rav Nachman was engaged in building a **מעקה**, illustrating the *mitzvah*, which is permitted. However, the *Rambam* (3:10-11 ת"ת) rules that all people, even those who wish only to study *Torah*, may not be supported by the *Torah* or *Tzedaka*, which he calls a **חילול השם**, but must support themselves with the work of their hands. This is expanded in his commentary on *Mishna* (*Avos* 4:5) where the *Rambam* describes the philosophy of supporting *Chachomim* or their *Talmidim* while they study *Torah* as a mistake. If so, what can the **פרנס** do to support his family, if he may not work and may not be supported? The *Minchas Yitzchok* (4:78) suggests that according to the *Rambam*, the **פרנס** should work for a living, thereby performing a **קידוש השם**, which is permitted. What he may not do publicly is (e.g.) maintenance around the house. However, according to those who disagree with the *Rambam*, the community is bound to support its Rav in a respectful way, as a form of **והחזקת בו**, so that he need not work publicly. If this is not possible, he may support himself in a temporary way, through work that he does **בצנעה** (privately), as long as **כבוד התורה** is not compromised and the *Torah* remains his main vocation.

QUESTION OF THE WEEK:

Where do we insist on the performance of **מצוות עשה** but ignore the transgression of (unrelated) **מצוות לא תעשה**?

ANSWER TO LAST WEEK:

(Where should one not count *Sefirah* with the *Minyan*?)
The *Teshuvos V'Hanhagos* (2:248) rules that where one came late to *Maariv*, arriving in time for *Sefiras HaOmer*, he should forgo counting with the *Tzibur*, and *daven Maariv* first.

DIN'S CORNER:

If a *Bris* should take place during *Sefirah*, the *Sandek* (one who holds the baby during the *Bris*), the *Mohel* and the father of the baby are all permitted to shave and/or take a haircut late in the afternoon (i.e. just before dark) on the day before the *Bris*. The *Kvater* (one who brings the baby in for the *Bris* and then out again) may not. If it is a *Shabbos Bris*, then haircuts etc.. may be taken from Friday morning. (*MB* 493:12-13)

DID YOU KNOW THAT ...

The *Mishna* (*Gitin* 45a) states that as a benefit to the community, one may not ransom captives for more than their worth. The *Gemara* raises a question as to the nature of this benefit. Is it to avoid the ransoming of captives from becoming a financial burden on the community or is it to discourage idolaters from capturing Jews and holding them for exorbitant ransoms? If the former, a private person should be permitted to pay the larger amount; if the latter, even a private person should be restricted by this decree. The *Gemara* does not resolve the question and according to the *RaN*, the consensus of the *Rishonim* is that one should do nothing. However, the *Rambam* (8:10 מתנות עניים) rules that ignoring a captive by not redeeming him transgresses **לא ירדנו בפרך לענין**. How then can one refuse, just because the amount is too high? The *Chasam Sofer* (177 ח"מ) suggests that **לא ירדנו בפרך לענין** (do not allow a Jew to be overworked) refers to a Jew working for a non-Jew in circumstances where the Jews are in power, and the **איסור** only applies to what one sees. One needn't suspect that the Jewish servant is being privately abused. The *Rambam* however, had no doubt that a captive, in idolater hands, will suffer and will be forced to labor **בפרך**, even where a Jew does not see. Still, the concept of **דוחקא דצבורא** (burden on the community), in a time when Jews are subjugated by other nations, takes on a quality of **נפש פקוח** which preempts all other **איסורים** in the *Torah*.

A Lesson Can Be Learned From:

A man died childless, but his scoundrel brother refused to give the widow *Chalitzah* unless she gave him the only item of value left to her by her husband - her diamond ring. As this would leave her destitute, she refused. One day, she was visited by a stranger who said that he was a reputable diamond merchant from a nearby town, who had heard of her plight. He offered to make her a glass copy of her diamond, which she could then give to her brother-in-law and secure the *Chalitzah*. The nervous widow decided to seek the advice of R' Eliyahu Chaim Meisels. He told her to contact the merchant and agree to the scheme, but not to give him the diamond yet. The next day, R' Eliyahu Chaim summoned the brother-in-law who said that he might reconsider and give the *Chalitzah* if a deal he was working on came through. R' Eliyahu Chaim called the widow and told her to get hold of a fake diamond and give it to the "helpful" merchant to make the "copy". As soon as she delivered it, the brother-in-law notified R' Eliyahu Chaim that he was prepared to give *Chalitzah*, which was quickly executed. The story came to light shortly thereafter when the brother-in-law accused someone of cheating him with a fake diamond. When asked how he had known what to do, R' Eliyahu Chaim explained that he had simply followed the words of the *Mishna* (*Avos* 4:1) **איהו חכם הלומד מכל אדם**.

P.S. Mazel Tov to the Sheli family upon the birth of a son. May they be זוכה to a **בית בימנו** and to much *Nachas*. *Sholosh Seudos* sponsored this week by the Sorscher family יחזקאל ב"ר אברהם Sorscher.