



	Candles	Mincha	DafYomi	Shiur	Shachris	ש"ס זק"ש
Friday	6:59	7:09				9:53
Shabbos		6:59	6:00	6:50	9:00	9:53
Sunday		7:10	8:45		8:00	9:52

IMPORTANCE OF

Why is there *Machlokes*? The *Gemara* (*Sotah* 47b) states that when there was an increase in "זחוחי הלב" - those who did not pay attention to their *Rebbis'* teachings, relying instead on their own thoughts (*Rashi*), there was a corresponding increase in *Machlokes*. The *Gemara* continues, when the number of *Talmidim* of Shamai and Hillel who had not served their masters sufficiently increased there was also an increase in *Machlokes*, and the *Torah* became like 2 *Torahs* because of all the differing opinions. However, the *Yerushalmi* (*Sanhedrin* 4:2) states that the *Torah* was not given to Moshe as a set of hard and fast *Halachos* because *Hashem* wanted the *Chachomim* to come up with 49 reasons for טהרה and 49 reasons for טומאה on every purity question, relying on the majority for *Psak Halacha*. This implies that *Machlokes* is a good and desirable thing. Obviously, the circumstances play an important role. A *Machlokes* generated by ignorance and negligence is not what the *Yerushalmi* had in mind. The *Midrash* says that when Moshe came up to get the *Torah*, he found *Hashem* quoting the opinion of Rabbi Eliezer on the age requirement for the *Parah Adumah*. Moshe was surprised that *Hashem* would be quoting him, particularly where the *Halacha* followed the Rabanan who disagreed with R' Eliezer. The *Chasam Sofer* explains, by reference to a *Mishna* (*Eiduyos* 1:5) that the minority opinion is quoted in every *Machlokes*, even though we apparently have no need for it, because of the rule that a *Beis Din* cannot override the ruling of an earlier *Beis Din* if the earlier *Beis Din* was greater. Where, however, the earlier *Beis Din* had a dissenting opinion, a later *Beis Din's* conflicting opinion can (or must, according to the *Raavad*) rely on that minority and override the earlier ruling. This may explain the *Midrash* that says Korach saw the *Parah Adumah* and decided to rebel. Even if he would be unsuccessful today, he planned to lay the groundwork for the future.

QUESTION OF THE WEEK:

On the *Shabbos* before *Purim*, may a mother take out stored-away costumes, and try them on the children to see if they still fit?

ANSWER TO LAST WEEK:

(Should one give *Matanos LaEvyonim* anonymously (בסתרי)?)

Gilyonei HaShas (*Shabbos*) holds that a *Matanah* by definition requires that the recipient know who it came from. Recent *Poskim* disagree, noting that the *Simcha* it is intended to generate for the recipient will be much greater if he doesn't know who gave it.

DIN'S CORNER:

If someone is *Machmir* and prefers not to eat the meat of a certain butcher who has Rabbinic approval, he may indulge this preference in private. However, once he has accepted an invitation from one who will serve him the meat he seeks to avoid, he should eat it, to prevent איבה. Particularly if *Gedolei Torah* eat there, his reluctance in front of them may make him liable for *Niduy*. (*Daas Torah* 63:2)

DID YOU KNOW THAT

The *Gemara* (*Pesachim* 23a) states that if non-kosher animals, fish or birds are caught in a Jew's nets or traps that were designed to capture kosher creatures, the Jew is permitted to sell them to non-Jews and keep the benefit therefrom. Although the *Posuk* says: ושקץ יהיו לכם (they should be detestable to you) regarding such creatures, nevertheless, use of the word לכם implies that they may belong to the Jew for him to benefit from, even if he cannot eat them. May the Jew purposefully set out to capture such creatures, if benefit from them is permitted? The *Gemara* says no, since the word יהיו implies that they always remain detestable, and are to be forbidden לכתחילה as such. Since *Pesukim* are used to establish these rules, many *Rishonim* hold them to be Scriptural. As such, it would seem to be forbidden for a Jew to own a store or restaurant where non-kosher food is sold. Perhaps he may not even own an interest or stock in such businesses. The *Shearim Metzuyanim B'Halacha* (64:4) cites the opinion of the *MaHari HaLevy* (2:124) who distinguishes between active shareholders and those who have no say in the running of the business. Those who have no say are not deemed to be owners for purposes of *Chometz*, and are therefore not owners regarding non-kosher food as well. However, an active owner, such as a grocer, may not stock and sell non-kosher items in the regular course of his business. The *Aruch HaShulchan* (י"ד 117:27) notes that many Jewish store owners disregard this prohibition. He suggests that perhaps their clientele want to purchase both kosher and non-kosher products in the same store, making it similar to catching both kosher and non-kosher fish in the same net. However, *Igros Moshe* (י"ד 2:38) points out that the *Heter* of the nets is based on the theory of "נדמץ" - it happened. Stocking merchandise in anticipation of requests for it is not נדמץ. Still, if an important customer makes a specific request (or demand) that non-kosher food be included in his order, a store-keeper may obtain such merchandise temporarily in order to fill the order.

A Lesson Can Be Learned From:

R' Levi Yitzchok of Berditchev descended from a line of ancestors who for 36 consecutive generations, had served in the Rabonus. R' Levi Yitzchok was famous for his unrelenting defense of Klal Yisroel. He explained his attitude as based on the *Gemara* (*Megilah* 28a) which states that R' Zeira never walked 4 Amos without Tefillin. How could that be? R' Levi Yitzchok asked. One does not wear Tefillin on Shabbos or Yom Tov, nor can one wear them when walking in unclean places. The answer is that the *Gemara* (*Berachos* 6a) describes Hashem's Tefillin as bearing the statement: ומי כעמד ישראל. Correspondingly, our Tefillin contain ... שמע ישראל וכו'. Thus, Hashem's Tefillin praise Klal Yisroel and Klal Yisroel's Tefillin praise Hashem. This is what the *Gemara* meant to say about R' Zeira. He never walked 4 Amos without either praising Hashem (as in our Tefillin) or praising Klal Yisroel (as in Hashem's Tefillin). We too can fulfill the mitzvah of "wearing" Tefillin all day, the same way.

P.S. Sholosh Seudos sponsored this week by the Chaimowitz family.

This issue is dedicated:

לז"נ פערל ב"ר יצחק הלוי ולז"נ אברהם ב"ר יעקב חיים

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