



	Candles	Mincha	DafYomi	Shiur	פרשת: פינחס ש"ש Shachris
Friday	8:12	6:45/8:22			9:17
Shabbos		1:45/8:07	7:00	7:55	9:00 9:18
Sunday	8:25				8:00 9:18

IMPORTANCE OF

The *Gemara* (*Kesubos* 105a) states that a judge named Karna would take half a *Zuz* from each litigant before judging their case. The *Gemara* goes on to characterize this payment as שכר בטלה - compensation to the judge for taking off time from work, where it is known that he is doing so. Karna had a steady job as a wine-smeller, and was therefore permitted to receive from litigants in total the *Zuz* he would have earned there. Could he receive the full (or most of the) *Zuz* from only one litigant? Since he would in either case receive only his שכר בטלה, perhaps the contributions don't have to be equal. *Igros Moshe* (ח"מ 2:26) cites the *Gemara* (*Bava Kamma* 92b) which asks for the source of the popular statement: חמרא למריה טיבותא לשקיה - the wine belongs to the owner, but the butler gets the 'thank-you'. The *Gemara* suggests the *Posuk*: וסמכת את ידך עליו - when Moshe was told to place his hand on Yehoshua, and after he did so, the *Posuk* says that Yehoshua was: מלא רוח חכמה כי סמך משה את ידו עליו - filled with wisdom because Moshe had laid his hands upon him. Clearly, Yehoshua's wisdom came from Hashem, yet, Moshe is given the "credit". So too, even though Karna would have ended up with the same *Zuz* regardless of who contributed and how much, it would have been natural for him to view the one who contributed more with additional favor. He therefore made sure to take half from each. The *Erech Shai* ruled that if one litigant wants to use a judge who was unemployed, and could therefore not demand שכר בטלה, while the other litigant wished to use a certain judge who was employed, and he was willing to pay the entire שכר בטלה himself, it would be permitted for him to do so. *Igros Moshe* disagrees, seeing in the insistent selection of the employed judge a form of bribery, as it implies the higher stature and esteem that the judge is held in by the paying litigant. Nevertheless, if both litigants agreed in writing that the losing party would pay the full שכר בטלה himself, such an agreement would be permitted, provided the שכר בטלה was a fixed amount.

QUESTION OF THE WEEK:

If one is unsure if one *bentsched*, must he/she say it again?

ANSWER TO LAST WEEK:

(Who may *daven* *Tefilah* B'Tzibur, but can't be counted in a *minyan*?)

Avnei Yashfeh (3:4) cites sources who say that from a different room, one cannot complete a *minyan*. However, if there is a *minyan* without him, he can *daven* with them and be יוצא.

DIN'S CORNER:

From 17 of *Tamuz* until after *Tisha B'Av*, one is to avoid dangerous places and refrain from pleasurable activities such as nature walks, walks along the water, and surgery, if it can be medically postponed. On the other hand, one should perform *mitzvos* such as *Shabbos*, *Torah* study and *Tefilah* with joy during these days, work on encouraging *Achdus* and improving one's behavior *Bein Adam LeChaveiro*. (*Piskei Teshuvos* 551:1)

DID YOU KNOW THAT

The *Gemara* (*Sanhedrin* 82a) states that consorting with a gentile woman is deemed as if one had arranged marriage with *Avodah Zara*. The *Meforshim* ask: if, as the *Posuk* says, it was the Moabite women (בנות מואב) who engaged *Bnei Yisroel* in *Z'nus*, why was Moshe told: צרור את המדינים - attack the Midianites? The *Malbim* suggests that the women were in fact Midianites, who pretended to be from Moav. What advantage would this provide? The *Rambam* (*Issurei Biah* 12:5-6) states that the לאו of לא תתחתן only applies to one who "marries" a gentile. For non-marital relations, the rule of קנאין פוגעין בו applies, which permits anyone who zealously feels the urge to defend Hashem's honor, to kill the sinner on the spot. If no one steps up to do so, the sinner will be punished with *Kareis*, based on the above *Gemara*. The *Rambam* continues (*ibid* 12:10) that gentile women who consort with Jewish men are also to be killed, as was the fate of the Midianite women. *Teshuvos V'Hanhagos* (2:516) points out that the *Pesukim* dealing with attacking Midian make reference only to *Baal Peor*, not to the *Z'nus*. He therefore concludes that, as the *Rambam* states, they are really one and the same - *Z'nus* with a gentile woman is the equivalent of *Avodah Zara*. However, if there is reason to believe that the gentile woman is not an idolater, such as the daughter of a *Ger Toshav* (see *Rambam ibid* 12:4) then the rule of קנאין פוגעין בו would not apply. As such, the Jewish men would not have taken up with Midianite women who were clearly idolatrous. However Moabite women, coming on the heels of their king Balak's *Korbanos* and recognition of Hashem (e.g. ויאמר לו בלק מה דבר ד') were not clearly idolatrous in their eyes. Therefore, the Midianite women disguised themselves as Moabite, to lure the men. This may also explain why the *Posuk* says (*Devarim* 23:5) that Moav never offered food to *Bnei Yisroel*, if in fact, the "Bnos Moav" did (ויאכל העם). It was because they were really *Bnos Midian*. They offered food because the *Gemara* (*Yoma* 75b) states that the *Mon* was absorbed into the body, and produced no waste. Since *Baal Peor* worship required waste, the Jews had to eat other food to produce it.

A Lesson Can Be Learned From:

R' Yisroel Salanter once traveled overnight from Russia to Germany, arriving in Koenigsberg the next morning. As he made his way to the Shul for Shacharis, he realized that he had forgotten to bring his Tefilin. He watched as several people in Shul finished davening and asked them if he could borrow their Tefilin. The men looked at R' Yisroel, whose somewhat shabby appearance did not instill the respect that he truly deserved, and they declined. This happened a few times, but R' Yisroel refused to identify himself as anything more than he appeared. Finally, when he saw that he would have to do something, he went over to someone who had just removed his Tefilin, and asked him the time. When the man responded, R' Yisroel took out his gold pocket watch and pretended to adjust it. He then asked the same man if he could borrow his Tefilin, and they were immediately forthcoming.

P.S. *Sholosh Seudos* sponsored by the Burman family *L'Ilu* *Nishmas* and in memory of Max Reifman.

This issue is dedicated:

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

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