



	Candles	Mincha	DafYomi	Shiur	Shachris	סוף ש"ס	פרשיות: מטות-מנעני
Friday	8:08	6:45/8:18				9:20	
Shabbos		1:45/8:03	7:00	7:55	9:00	9:21	
Sunday		8:20			8:00	9:21	

IMPORTANCE OF

The Gemara (Sanhedrin 46b) wishes to disprove the theory that burial serves as a *Kaparrah*, from the fact that *Tzadikim*, who presumably do not require a *Kaparrah*, are nevertheless buried. The Gemara rejects this proof, pointing out that we see from the *Posuk*: **אין צדיק בארץ אשר יעשה טוב ולא יחטא** that everyone requires a *Kaparrah*. The *Chasam Sofer* (*Likutim* 6:59) asks why this is so. Can there not be a *Tzadik* so pure that he never violates a single transgression? He answers that there is one *mitzvah* that no one is able to fulfill properly - **והייתם נקיים מד' ומישראל**, the obligation to be above suspicion in the eyes of Hashem and *Klal Yisroel*. Even if Hashem knows his heart and true intentions, there will always be a fellow Jew who will be unwilling to judge him favorably. It was to avoid this that the tribes of Reuven and Gad spent 14 years away from their families, helping to conquer *Eretz Yisroel*. Still, it apparently didn't help, since they were the first *Shevatim* to go into *Galus*. The *Shvus Yaakov* (1:102) deals with a similar suggestion regarding *Kadish*, that every recitation of *Kadish* is made in essence as a **ספק**, because the parent may have been a *Tzadik*, and not in need of the *Kadish* being said for him. However, based on the fact that no one is a complete sinless *Tzadik*, every *Kadish* is a necessity. As such, the *Nishmas Yisroel* (31:12) ruled that during the 12 months of *Aveilul* for a parent, one is not permitted to travel to a place where he will be unable to *daven* with a *minyán*, unless, if it is truly necessary, he has a brother who will be saying *Kadish* during that time.

QUESTION OF THE WEEK:

Is one responsible to pay for monetary damages that he inflicted at a celebration while under the influence of alcohol ?

ANSWER TO LAST WEEK:

(If one is unsure if he/she *bentsched*, what should he/she do ?)

The general rule - **לחומרא - ספק דאור' לחומרא** would apply to require one to *bentsch* [again], but only if he/she ate **כדי שביעה** - to the point of satiation. Otherwise, the obligation is *MideRabanan*, and the **ספק** would relieve him. (*MB* 184:15) The word **ושבעת** according to some (see *MB* 197:4) refers to drink, such that unless one drinks during the meal, he is obligated to *bentsch* only *MideRabanan*. A **ירא שמים** is urged in any case, to wash again, say *HaMotzi*, eat a *K'Zayis* of bread, and *bentsch*.

DIN'S CORNER:

One must answer to *Kedusha* (... **ברוך כבוד וכי' קדוש קדוש** ...) every time one hears a *Tzibur* saying it, even if one has already *davened* that *Tefilah*, so as to join in for a **קידוש שם שמים**. The same is true regarding *Krias Shema* being said by the *Tzibur*. One should also join in to say the **ג' מדות** (... **א-ל רחום** ...) whenever he hears a *Tzibur* saying it (e.g. before *Tachanun*), even if he is not *davening* with that *Tzibur*. If he is *davening* with that *Tzibur*, he **must** join in, even if his *minhag* is usually not to say *Viduy* before *Tachanun*. (*Igros Moshe* אור"ח 3:89)

DID YOU KNOW THAT

The Gemara (*Sanhedrin* 17a) states that if *Beis Din* unanimously finds someone to be guilty of murder, he is to be set free and not executed. This is because of the *Posuk*: **והצילו העדה** which requires that every accused person must always have someone "on his side", looking for a **זכות** on his behalf. What would happen if he were accused of killing **בשוגג** ? Would the same *Halacha* apply under **והצילו העדה** if the entire *Beis Din* found him guilty of having killed **בשוגג**, where the penalty is *Galus*, and would he be set free ? The Gemara (*Makos* 11b) notes that someone is set free from *Galus* only upon the death of the *Kohen Gadol*. Presumably, all the murderers in *Galus* would be praying constantly for the *Kohen Gadol's* death. The Gemara explains that the *Kohen Gadol* is "responsible" for the fact that these murderers are in *Galus*, because he didn't *daven* enough to prevent the inadvertent murder(s) from occurring in the first place. If one was sentenced to *Galus* at a time when there was temporarily no *Kohen Gadol*, he would never be able to go free. However if a *Kohen Gadol* died before *Beis Din* reached a *Gmar Din* (verdict), and a new *Kohen Gadol* was appointed just before *Beis Din* actually declared their verdict, the murderer goes free upon the death of the new *Kohen Gadol*. The Gemara asks how this new *Kohen Gadol* is in anyway responsible for what ever came before him. The Gemara answers that he should have prayed that the verdict be for acquittal. The *Aruch LaNer* asks: if the murderer is truly guilty, how could the *Kohen Gadol* have prayed that *Beis Din* find him innocent ? We must therefore conclude that the *Kohen Gadol* was expected to *daven* that the entire *Beis Din* find him guilty, unanimously, which would then cause him to be set free. As such, we may also conclude that the doctrine of **והצילו העדה** operates in a case of **שוגג**.

A Lesson Can Be Learned From:

When the *Ksav Sofer* (Rav of Pressburg) was in Marienbad for health-related reasons, he would encounter the wealthy patron R' Shimon Rothschild, and the two would engage in lively wide-ranging discussions. Once, when Rothschild came to visit, he found the Rav looking very weak. Rothschild sat for a few minutes, and then got up to leave. The *Ksav Sofer* asked why he was leaving so soon. Rothschild explained that Chazal darshened the *Posuk*: **את הדרך אשר ילכו**, deriving that it meant **זו ביקור חולים**. If someone comes to visit a healthy person, it is generally no inconvenience if he stays a while, because there are no special needs that require attending to. However, when visiting someone who is not well, one must always be aware that he has concerns and needs that he does not necessarily wish to disclose. In such cases, it is best not to stay too long, which is why Chazal saw an element of *Bikur Cholim* in the words **"אשר ילכו"**, since going [away] is also an important fulfillment of *Bikur Cholim*.

P.S. *Sholosh Seudos* sponsored by the Zelcer family.

This issue is dedicated:

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

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