



	Candles	Mincha	DafYomi	Shiur	Shachris	ש"ס
Friday	7:30	6:45/7:30				9:35
Shabbos		7:25	6:30	7:05	9:00	9:35
Sunday		7:41	7:15		8:00	9:36

IMPORTANCE OF

The Gemara (Kidushin 34a) asks which mitzvos are to be categorized as שלא הזמן גרמא (not time-dependent) ? The Gemara answers: מוזה מעקה אבידה ושילוח הקן - the mitzvos of affixing a Mezuzah, a fence on the roof, returning a lost object and sending away the mother bird before taking the chicks, which have no specific time designated for their performance. The Rambam, in his פירוש המשניות, lists מוזה מעקה וצדקה as his examples. Why introduce צדקה if it is not mentioned in the Gemara ? Earlier, Rashi explained that Tefillin was a גרמא mitzvah because it did not apply at night. The Gemara (Shekalim 5:4) relates how R' Chinana b. Papa used to distribute צדקה at night so as not to embarrass the recipients. One night, he met the head of the spirits who accused him of violating לא תסיג גבול רעך since the night belonged to them. R' Chinana replied that even so, his need to deliver the צדקה undetected took precedence. As such, the fact that the night was officially not a time to perform the mitzvah of צדקה would seem to place it in the same category as Tefillin and render it a גרמא mitzvah. Therefore, the Rambam made the point of including צדקה in his list of מצוות שלא הזמן גרמא to clearly establish it as constant and not dependent on time. The Panim Masbiros notes that the Torah commands the return of a poor man's (garment) loan collateral in both משפטים and כי תצא. In משפטים a day garment is discussed; in כי תצא a night garment must be returned for the night. Regarding the night garment, the Torah adds the words ולך תהי צדקה - it will be deemed an act of צדקה ? Why ? Certainly, returning a day garment is an act of צדקה because the mitzvah of צדקה clearly applies by day. However, since it might not apply at night, perhaps it would not be deemed צדקה ! Therefore, the Torah stresses: ולך תהי צדקה.

QUESTION OF THE WEEK:

Where would adding two cooking items - one Milchig and the other Fleishig, create a mixture that is Pareve ?

ANSWER TO LAST WEEK:

(When may one not take a Siddur and wait for the Tzibur to start davening ?)
The Shemiras Shabbos K'Hilchaso (28:74 n.173) says that if one arrives in Shul between Mincha and Maariv before מוצאי שבת, he may not take a Siddur and wait patiently for Maariv as this would constitute הכנה - preparing for מוצאי שבת, unless he looks in the Siddur a little before davening.

DIN'S CORNER:

As a זכר לחורבן, when one serves a meal to guests, he must leave out one food item that would have normally been served, and he must leave a spot on the table conspicuously empty so that all will realize that this is where the missing item would have been placed. (MB 560:6-7)

DID YOU KNOW THAT

The Rambam (רוצה 11:1) rules that the mitzvah of erecting a מעקה (fence) around one's roof only applies to a residence but not to a warehouse, silo or barn. The Kesef Mishna points out that the Sifri clearly includes such structures in the obligation, and suggests that מעקה is connected to מוזה. The Sifri, who requires a Mezuzah for such buildings also requires a fence, whereas the Rambam does not require either one. The SMA (ח"מ 427:2) asks if so, how could the Shulchan Aruch (ibid) rule like the Rambam regarding the non-necessity of a fence, while agreeing with the Sifri and requiring a Mezuzah (see י"ד 286:1) for such structures. The Gemara (Sanhedrin 21a) explains the Machlokes between R' Yehudah, who would allow a king to marry more than eighteen wives provided none of them will turn his heart away from Hashem, and R' Shimon, who would forbid him even one wife if she was a bad influence. According to R' Yehudah who normally does not try to derive the reasons behind a mitzvah, the fact that the Torah stated: לא ירבה לו נשים ולא יסור לבנו clearly indicates that the prohibition against multiple wives is tied to the fear of their disastrous influence. Thus, if all the wives are righteous, he may marry as many as he wishes. R' Shimon on the other hand, regularly expounds the Torah's rationale and would not have needed the Torah to explain why multiple wives are prohibited. He therefore derives from the reason given that it applies even to one wife. The Chasam Sofer (י"ד 280) notes that the Torah explains why a fence is needed: כי יפל הנפל - because one destined to fall will fall. Since anonymous opinions in the Sifri are credited to R' Shimon who would not have needed a reason, the Torah's point must have been to include any dangerous area, even a barn etc.. However, the Rambam holds like R' Yehudah. Since the Torah stated the reason, it should only apply where the danger is commonly expected - on a house rooftop. Thus, מעקה is not tied to מוזה, permitting the Shulchan Aruch to rule as it did.

A Lesson Can Be Learned From:

The author of ישמח משה, R' Moshe Teitelbaum, was accustomed to fasting most days of the week. As he grew older, his Rebbetzin began to worry that the fasting would weaken him and cause unnecessary stress. However, the more she begged him to stop, the more determined he was not to change his routine. One day, some people came to see him, and the Rebbetzin informed them that he was studying in the Beis HaMidrash. Seizing an opportunity, she then said to them quite innocently that they shouldn't burden him too long with their concerns, as he was following his usual custom of fasting the entire day. The visitors were suitably impressed by the עבודה of the Rav, and made sure to mention it to him when they saw him. Realizing that everyone would soon know about it, R' Moshe's humility forced him to reluctantly give up the practice.

D S Shulchan Aruch is essential for every Jew's daily practice.

This issue is dedicated:

לז"נ ר' יצחק ב"ר אברהם יום טוב הלוי

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