



IMPORTANCE OF

The *Gemara* (*Kidushin* 80a) states that if one marries a woman who is: אינה הוגנת לו – not fit for him, it is as if he had plowed the entire world, and sowed it with salt. The *Pnei Yehoshua* notes that by sowing salt into the ground, not only would nothing grow, but the earth itself would be damaged, as we see in the *Posuk*: גפרית ומלח שריפה כל ארצה לא תזרע ולא תצמיח. The *Gemara* seems to understand the word חרשו as remaining silent, and *Rashi* explains that it refers to one who is unable to trace their lineage. As such, the definition of אשה שאינה הוגנת לו may include a woman who is unable to describe her *Yichus*, where marriage to her may result in children of questionable *Yichus*. The *Gemara* (*Kesubos* 28b) states that one is trusted to testify as to certain things that he remembers from his childhood. One of these is having eaten from the “*Ketzatzah*” distributed on the occasion of a marriage. The *Gemara* explains that this refers to a man who married an אשה שאינה הוגנת לו. The members of his family go out to a public street with a barrel of fruit, which they smash (as their family has now been “broken”), inviting everyone to come and partake. They announce that the fruit is intended to be a reminder of this event, and of the fact that the family is not pleased with the fact that the woman with a tainted *Yichus* will be producing children of questionable *Yichus* into their family. A child is expected to remember such an event into adulthood. As such, the *Rema* (*אורח* 2) rules that although *Beis Din* does not have the right to raise an objection, a man's family has the right to block his attempt to marry a woman of tainted lineage.

QUESTION OF THE WEEK:

There are many references in *Shas* to *Chazal* having merited to meet *Eliyahu HaNovi*. Why did they not then ask him to answer all the questions that were left with a תיקו ?

ANSWER TO LAST WEEK:

(When is it better to sell something to someone who already has it ?)

The *Mishpat Kohen* (68), in discussing the *Issur* of לא תחנם says that it is less of an *Issur* to sell property in *Eretz Yisroel* to a non-Jew when he already owns property in *Eretz Yisroel*, than if one sells to a non-Jew who does not own any.

DIN'S CORNER:

There is a *mitzvah* to nullify any debts owed at the end of the *Shemita* year (“*Shemitas Kesafim*”). To preserve the loan beyond *Shemita* requires a *Pruzbul*. The lender comes before three men who are Halachically worthy of being judges, and reads to them the following text as written in a document: "I, (Ploni), give over before you (Ploni, Ploni, and Ploni) the judges, that any debts that are owed to me, I may collect through you at any time that I wish". The three judges, or any two people that witness this, then sign the document. (*Rema* חר"מ 67:19)

DID YOU KNOW THAT

The *Gemara* (*Yoma* 87b) states that *Bar Hamduday* was standing before *Shmuel* (who was sitting) when the *Shliach Tzibur* reached the phrase: אבל אחנו חטאנו, which precedes אשמנו בגדנו. At that point, *Shmuel* stood up, from which *Bar Hamduday* derived that אבל אחנו חטאנו is the main expression of *Viduy*. The *Shulchan Aruch* (*אורח* 427:3) derives from here that one must stand when saying *Viduy*, and the *Magen Avrohom* (*אורח* 607:4) adds that one may not even lean on something, comparing it to *Shofar*, where the standard of standing disqualifies leaning on something to the extent that if it were removed, he would fall (*ibid* 585:1). The *Imrei Emes* (*Piskei Teshuvah* 3:353) asks: *Viduy* was originally said when bringing a *Korban*, at the time of סמיכה – when the owner pressed his hands upon the animal, and the *Gemara* (*Chagigah* 16b) states that סמיכה must be done with all one's strength. Would this not reach that level where removing the animal would cause one to fall ? The *Rosh* (end of *Arvei Pesachim*) derives from בקמה that one must say *Sefiras HaOmer* while standing. A *Gezerah Shaveh* extends this requirement to 5 other *mitzvos* where the word לכנס is used – *Kidush Levanah*, *Tzitzis*, *Shofar*, *Lulav* and *Milah*. Yet, do we not find many other instances where standing is obligatory, such as for witnesses, before a parent or *Rebbi*, while reading the *Torah* etc... ? *She'eris Yosef* distinguishes between where standing for the *mitzvah* is itself the goal, versus those cases where the standing serves a different purpose. Standing for *Kidush Levanah*, *Tzitzis*, *Shofar* etc.. is for no purpose other than to satisfy the *Gezerah Shaveh*, for the sake of standing alone. Obligating witnesses to stand, or for *Krias HaTorah*, or a parent etc.. is not for the sake of standing but serves rather as an act of *Kavod*. The standard of standing for *Kavod* is more lenient and inclusive than that of standing for standing's sake. Leaning might not qualify as “standing” for *Shofar*, but it still qualifies as an act of *Kavod* where such is the purpose standing serves. As such, since standing for *Viduy* is to generate humility and reverence, leaning is still called standing, especially as the *Torah* specifically requires סמיכה for a *Korban*.

A Lesson Can Be Learned From:

Two prominent *Rabonim* met at a resort. One of them had a large congregation with many members and followers while the other had not merited such success and was consequently embittered. The latter snidely commented to the former that he had heard many stories about his “wondrous accomplishments”, and how he was able to successfully heal the sick, bless people with prosperity, give hope to the afflicted - in short, he was apparently able to work miracles. “In fact”, the bitter *Rav* continued, “They say you can read people's minds. Tell me, what am I thinking of at this very moment ?” “That's easy”, the successful *Rav* answered. “You are thinking of the *Posuk*: לננדי תמיד – (I place *Hashem* before me always).” “Aha !”, replied his companion, “I wasn't thinking of that at all!” The first *Rav* quietly added, “Perhaps that is why you have not yet met with the success you seek.”

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This issue is dedicated:

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

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