



| | Candles | Mincha | DafYomi | Shiur | פרשת: דברים סזק"ש Shachris |
|---------|---------|-----------|---------|-------|-------------------------------|
| Friday | 8:02 | 6:45/8:12 | | | 9:24 |
| Shabbos | | 1:45/7:57 | 7:00 | 7:45 | 9:00 9:24 |
| Sunday | | 8:10 | | | 8:00 9:24 |

IMPORTANCE OF

The Gemara (Yoma 23a) states that a *Talmid Chochom* who does not take revenge or bear a grudge is not a true *Talmid Chochom*, and when the Torah states: **לא תקום ולא תטר** it is talking only about money matters. Does this mean that a *Talmid Chochom* should (or is allowed to) avenge or bear a grudge over physical grievances (צערא דגופא) ? Does not the Beraisa characterize a *Talmid Chochom* as: **הנעלבין ואינן עולבין שומעין חרפתן ואינן משיבין** – suffering insults and disgrace, without responding ? The Gemara concludes that a *Talmid Chochom* must remember the insult, which is an insult to the Torah, but should remain silent when someone else avenges his honor. The Mordechai (Bava Basra 1:488) adds that a *Gabbai Tzedakah* should even prefer to be vilified rather than blessed by the paupers he deals with. Rashi elaborates on the meanings of Moshe's complaint about the difficulties of *Bnei Yisroel* - **טרחכם ומשאכם וריבכם** - to include personal offenses against Moshe by *Bnei Yisroel*. The Yam Shel Shlomo (Chulin 6:20) quickly points out that Moshe's complaint was not targeted at what *Bnei Yisroel* were doing – but at the fact that he could not handle them all alone (**איכה אשא לבדי**), which viewed from the above Gemara, could mean that Moshe needed someone else to avenge his honor. From the fact that the Gemara supports its question concerning צערא דגופא with a *Talmid Chochom's* reaction to insults and humiliation, it would seem that mental צער is deemed also to be צערא דגופא. Would someone be obligated to eat in a *Succah* if doing so would cause him mental anguish or humiliation, or would he be called a מצטער and be relieved ? The B'Tzeil HaChochmah (5:9) held that the rule of **הכל לפי המתבייש** would apply, relieving someone whose facial muscles made his eating habits unsightly and embarrassing, but reserving judgment on the embarrassment of someone who owes money to a creditor that was sitting in the *Succah*.

QUESTION OF THE WEEK:

May one who discovers that his partner has been defrauding him, "steal" back what he has lost without going to *Beis Din* ?

ANSWER TO LAST WEEK:

(Must one pay for damages he causes under the influence of alcohol ?)
The Bach (SHuT 62) rules that although a שיכור is similar Halachically to a שוטה and need not perform mitzvos, he is nevertheless responsible for damages he causes, no less than someone sleeping. Even one who has reached the level of Lot's שיכרות is responsible, if he could have avoided the alcohol. .

DIN'S CORNER:

If one makes a *Seudas Mitzvah* during the nine days, he may eat/serve meat and wine, but only to those who are related to him (that would be Posul as עדים), or who are active participants in the Simcha (such as the Sandek, Kvater or those who completed a *Masechta* with him), plus 10 friends. The other guests must eat only *milchig*. (MB 551:77)

DID YOU KNOW THAT

The Gemara (Moed Katan 28b) states those who console an *Aveil* are not allowed to sit except on the ground, as the Posuk says regarding Iyov's friends: **וישבו אתו לארץ** – they sat with him on the ground. This indicates that the *mitzvah* of *Nichum Aveilim* begins when the *Aveil* begins to mourn, which is when the *Aveil* sits on the ground in the way of mourning. However, if the *Aveil* is standing, his act of mourning has not begun, and no *Nichum* is fulfilled. The Shulchan Aruch (559:3) rules that on *Tisha B'Av* evening and day, one sits on the ground in the *Beis HaKnesses* until midday. This is based on a general rule which applies *Aveilus* customs to *Tisha B'Av*. If so, why do we not sit on the ground all day, in the way of *Aveilim* ? The Moadim U'Zmanim (5:341) suggests that if *Aveilus* behavior requires sitting on the ground, then that is the behavior required when we mourn on *Tisha B'Av*. Since our act of *Aveilus* is the reading of *Eichah* and recitation of *Kinos*, we must sit on the ground during those activities. Therefore, although there is no *Issur* to stand during *Kinos*, there is likewise no fulfillment of *Aveilus* in doing so. The *Meforshim* permit sitting on a low stool, apparently using the *Din* of *Lavud*, which equates 3 *Tefachim* within the ground, to the ground itself. However, if *Aveilus* requires actual ground, how is "getting close" a fulfillment of that ? The *Yerushalmi* notes that the *Posuk* uses the word **וישבו אתו לארץ** rather than **על הארץ** to permit sitting close to the ground. The Shulchan Aruch (או"ח 555:2) also notes the *minhag* to sleep on the night of *Tisha B'Av* on the ground, and the *GRA* holds that sleeping in a bed is forbidden, as we are deemed to be איננים. The generally accepted *minhag* is not to follow this *GRA*, and to permit sleeping in a bed, with fewer pillows, as an *Aveil*, and not an *Anan*.

A Lesson Can Be Learned From:

When the Jewish community in Germany sent Dr. Moshe Auerbach to Eretz Yisroel with instructions to establish a Cheder in Petach Tikvah, Dr. Auerbach immediately visited R' Yosef Chaim Sonnenfeld for his Haskamah. R' Yosef Chaim asked if Dr. Auerbach believed that students of his Cheder would grow up to be Jews who would rise at midnight to say Tikun Chatzos over the Churban. Dr. Auerbach was surprised at the question and asked if that is the goal and purpose behind establishing a Talmud Torah. "Is it not the main objective for students to become lovers of Torah and mitzvos, obedient to the Shulchan Aruch ? Many graduates of Yerushalayim Chadorim also do not rise to say Tikun Chatzos !" R' Yosef Chaim replied: "It is true that many children in Yerushalayim have not reached the Madrega to say Tikun Chatzos, and in truth, only a select group of Jews do so. But through the years of their education, this activity has always been stressed, and the words of the first Siman in the Shulchan Aruch that state the importance for all those with *Yiras Shomayim* to be **בית המקדש על חורבן** has always been taught. However, from your words it seems that you are apparently planning to skip this Halacha entirely, and your children will not know of Tikun Chatzos at all. How can I give my Haskamah to the deletion of a Se'if in the Shulchan Aruch ?!"

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

This issue is dedicated:

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

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