



	Candles	Mincha	DafYomi	Shiur	Shachris	פרשיות: בהר-בחקותי
Friday	7:50	6:45/8:00				סזק"ש 9:15
Shabbos		1:45/7:55	6:45	7:30	9:00	9:15
Sunday		8:00			8:00	9:15

## IMPORTANCE OF ....

The *Gemara* (*Sotah* 5a) states that an arrogant person's corpse dust will not be resurrected at the time of *Techias HaMeisim*. *Tosafos* adds that one who lends money with *Ribis* (interest) will also not rise with *Techias HaMeisim*. The *Baal HaTurim* finds a *Remez* to this in the *Posuk*: וחיי עמך... אל תקח מאתו נשך ותרבית - you will live (after *Techias HaMeisim*) only if you do not exact *Ribis*. Does this "sentence" also apply when *Ribis* is exacted בשוגג - inadvertently? The *Chofetz Chaim* (חובת השמירה) is bothered by the words said everyday: מחי' מתים ברחמים רבים. Why is רחמים necessary for *Techias HaMeisim*? Don't all Jews have a *Zechus* which guarantees it for them? It must be that they could lose it through arrogance, or *Ribis*, and even if they prepared a *Heter Iska*, perhaps they did not do so properly. From here it would seem that one who lends with *Ribis* בשוגג will also not rise with *Techias HaMeisim*, since an invalid *Heter Iska* would have been improperly prepared בשוגג. For such instances, one needs רחמים. On the other hand, it may be derived from the *ShaCH* that the penalty only applies to intentional *Ribis*. The *ShaCH* wrote a poem at the end of his *Peirush* on *Yoreh Deah*, with a line corresponding to each section of the *Shulchan Aruch* - *Yoreh Deah*. For *Hilchos Ribis* he wrote: ימוט מלוה הונו בנשך ממנו (the lender will lose the wealth he amassed thru *Ribis*) מעיד הוא בזדונו (he testifies as to his iniquity) שכופר באדונו (that he denies his Master) לא ייקץ עמנו (he will not rise with us). Since the word *בזדונו* is used, one could say that לא ייקץ עמנו only applies to מזיד. With no clear proof, it may be prudent to assume that לא ייקץ עמנו applies to both מזיד and שוגג with the caveat that if done בשוגג, one has a chance to restore his *Techias HaMeisim* through Hashem's רחמים.

## QUESTION OF THE WEEK:

When will "who is paying" for a *Chasunah* determine who may get married?

## ANSWER TO LAST WEEK:

(Why don't *Poskim* mention no *Tachanun* on *Pesach Sheni*?)

The *Yalkut Avrohom* (119) suggests that both principal *minhagim* governing the restrictions of *Sefirah* are based on the deaths of R' Akiva's *talmidim*. One *minhag* held that they died during the first 33 days, and the other held that they died only on days when *Tachanun* was said. Either way, *Pesach Sheni* - day 29, needed to be counted among the death days. It would therefore not have been appropriate to mention officially that *Tachanun* not be said.

## DIN'S CORNER:

One should לכתחילה not say a *brocho* over food or drink unless he is holding the food/drink in his right hand. If the food was brought to him after he said the *brocho*, he must repeat the *brocho*. Food that is prepared for him and under his physical control is an exception, so that if food is in a container in front of him, he may say the *brocho*, and then take it out. (MB 206:19)

## DID YOU KNOW THAT ....

The *Gemara* (*Kesubos* 86a) distinguishes between a punishment for violating a *Torah* לא תעשה - *Malkus* (39 lashes) versus the consequences of refusing to do *mitzvos* (לבלתי עשות את כל מצוות) such as *Sukkah*, where the *Gemara* states: מכין אותו עד שתצא נפשו - he is to be whipped until he dies. The *Rivash* (90) was asked to explain why it is that when one incurs *Malkus*, the procedure is to estimate how many lashes he will be able to tolerate, rounding down the number to a multiple of 3, with 39 being the maximum; yet, when one incurs *Makos Mardus* (for violating an *Issur D'Rabanan*) there is no maximum, no estimation, no rounding, and when one refuses to perform a מצות עשה he is to be struck until dead. How can the consequences of an *Issur Torah* be less stringent? The *Rivash* replied that the elaborate procedure for *Malkus* is intended to balance the *Torah's* mandate of 39 lashes against the concern that the *Malkus* not kill him. However, regarding *Makos Mardus*, there is no required lash amount - *Beis Din* administers whatever they deem appropriate, taking into consideration the sin and the person's physical condition. Furthermore, the rule of מכין אותו עד שתצא נפשו only applies to a refusal to perform a מצות עשה, not to *Makos Mardus*. The *Mishnas Avrohom* (on *Sefer Chasidim*) wonders what source permits *Chazal* to kill someone (עד שתצא נפשו) for not fulfilling a *mitzvah*. There is no *Posuk* dealing with this, no *Malkus* nor a מיתה בידי שמים for such an omission. He suggests that a *Gemara* (*Chulin* 110b) describes how *Beis Din* tied a man to a post in preparation for a whipping, because he did not honor his parents. *Rashi* notes that *Malkus* is a punishment after the *Aveirah* - one time only. The *Makos* administered under עד שתצא נפשו is to coerce performance of the *mitzvah*, during the time of the *mitzvah*. Once *Succos* is over, the coercion must stop. However, it will resume again the following year, when *Succos* arrives, if he continues to refuse to do the *mitzvah*. Therefore, the meaning of מכין אותו עד שתצא נפשו is that each time the *mitzvah* presents itself and he refuses to fulfill it, he is to be whipped into compliance, until the time of the *mitzvah* passes. This continues until he complies, or until the day he dies - עד שתצא נפשו.

## A Lesson Can Be Learned From:

There was a *Baal Tzedaka* who, when asked for a donation, would dip his hand into a container of coins and remove a fistful without count or measure, and hand it over. He explained his behavior, relating how in difficult times, he sought advice from a *Rebbe*, who told him to go into the hat business. He used whatever money he had to purchase hats, and traveled to a fair, to sell them. All day he sold nothing, and while he ran off to daven *Mincha*, a sudden downpour ruined all his hats. All the wagons had already left, so he had no choice but to hitch a ride home. As he gathered his hats to leave, a gentile asked to see the hats. Choosing one, he reached for his purse, only to find that it was missing. He asked the seller to wait until he returned with money. After an hour, the seller couldn't wait, and made his way home. Upon unloading his merchandise, the gentile's purse fell out, with a precious gem inside. Seeing Hashem's hand, he decided that his hand would also help others.

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

This issue is dedicated:

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

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