



Friday	7:40	6:45/7:50			9:32
Shabbos		1:45/7:35	6:30	7:25	9:33
Sunday		7:50	8:30	8:00	9:33

לשנה טובה תכתבו

## IMPORTANCE OF ....

The *Yerushalmi* (*Sotah* 8:9) states that one who claims an exemption from battle under one of the pretexts listed in the *Torah* (a vineyard, new house, betrothed wife) must produce witnesses to support his claim. According to R' Yosi Haglili, one who claims that he is **ירא ורך הלבב** (fearful and weak) is fearful because of sins that he has done, and he must also bring proof to support that claim. The *Panim Yafos* explains that one is never believed to indict himself, under the rule: **אין אדם משים עצמו רשע**, and must therefore bring witnesses regarding his sin. This seems a bit redundant. Why would a pretext involving *aveirah* be any more believable or less self-serving than the three initial exemptions? On the other hand, R' Yosi Haglili makes clear in the *Mishna* (*Sotah* 44a) that the three initial exemptions exist only to camouflage those who wish to be excused because of their *aveiros*, to conceal the sin and spare them embarrassment under the guise of another exemption. To now require witnesses to come forward and testify regarding his *aveiros* would seem inconsistent with that objective. Not only would he be expected to sin in front of witnesses, but the testimony itself, presented to the army commander (see *Ramban*) would likely make public that which the *Torah* was interested to conceal. However, upon scrutinizing the words of the *Ramban*, one notices that regarding the vineyard, house and wife exemptions one was expected to produce witnesses, while regarding the *aveiros*, the *Ramban* quotes the *Yerushalmi*: **צריך להביא ראיה** – he must produce proof. Possibly, the proof could take the form of witnesses, but the point to be proved was not necessarily that he had committed a grievous sin, but merely that he was fearful that he may have done so. The witnesses would be expected to testify as to that fear, which could provide sufficient grounds for his exemption. As such, he would not have had to sin in front of witnesses, nor would the witnesses be branding him as a sinner, allowing him to return together with the others.

## QUESTION OF THE WEEK:

When is one no longer obligated to honor his *Rebbi* ?

## ANSWER TO LAST WEEK:

(Should one recite **שהחיינו** over a new pair of eyeglasses ?)

In *HaMaor* (*Nisan-Iyar* 5769, p.70), R' Tzvi Rosenthal rules not to because eyeglasses are something one would prefer not to have to wear.

## DIN'S CORNER:

If one seizes the role of *Shliach Tzibur* without permission from the *Tzibur*, the *Tzibur* should not answer **אמן** over what he says. If the *Shliach Tzibur* (appointed with permission) has in mind specifically not to be **מוציא** certain individuals, no one is then **יוצא** with his *Tefilah/Shofar* etc... However, if the *Shliach Tzibur* is instructed by the *Tzibur* to exclude certain individuals from his *Kavanah*, he should comply. (*Piskei Teshuvos* 581:9)

## DID YOU KNOW THAT ....

The *Gemara* (*Kidushin* 23b) states that when *Kohanim* perform the *Avodah* in the *Beis HaMikdash*, they must be agents of Hashem rather than agents of *Bnei Yisroel*, because agents cannot do that which their principal could not do himself. Since *Bnei Yisroel* cannot themselves process *Korbanos*, how could the *Kohanim* do so as their agents? Therefore the *Kohanim* must be Hashem's agents. The *Machaneh Ephraim* (**גירושין** 5:15) cites a *Gemara* (*Bava Kamma* 110a) which states that if a *Kohen* were old or sick and unable to eat the required portions of a *Korban*, he may appoint an agent to process the *Korban* (which he himself could have done) but he may not appoint anyone to eat it, since he was unable to do so himself. If *Kohanim* are Hashem's agents with respect to *Korbanos*, why does the disability of a sick *Kohen* remove his right to appoint a replacement? His condition should not matter, especially if it's temporary. Cannot a man make a *Shliach* to write a *Get* for him, even though he himself cannot do so, for lack of talent, or where he is dying? The *Chelkas Yaakov* (**יר"ד** 152) suggests that the issue resolved when the *Gemara* concluded that *Kohanim* are Hashem's agents was to establish that for the institution of *Shelichus* to exist, the principal must be able, in some circumstance, to perform the act himself. Since there was no circumstance where a non-*Kohen* could do the *Avodah*, no *Shelichus* could exist between a non-*Kohen* and a *Kohen*. However, the issue at hand where an old or sick *Kohen* seeks to appoint another *Kohen* in his stead deals with the right of a *Kohen* to appoint. Officially, only *Kohanim* belonging to the *Mishmar* on duty that week may do the *Avodah*. A Jew may not bring a *Korban* and demand that a *Kohen* not on duty handle it. However, if a *Kohen* not on duty that week should decide to offer his own *Korban*, the Posuk: **ובא בכל אות נפש ושרת** permits him. The *Gemara* is stating that as long as the non-*Mishmar* *Kohen* is doing it himself, or is able to, he can appoint a *Shliach*. What he cannot do himself, he has no right to appoint another to do.

## A Lesson Can Be Learned From:

As a young man, R' Pinchas of Koritz already displayed signs of *Tzidkus* and self-sacrifice, living with his wife in abject poverty. As *Pesach* approached, R' Pinchas could not see where *Matzos* and wine would come from. There was a childless man whose neighbors encouraged to do some sort of favor for R' Pinchas, in return for which he would certainly benefit from a *brocho*. The man approached R' Pinchas' wife and asked to spend the *Yom Tov* with them – he would provide all necessities. The man also had the house fixed and painted, and after a thoroughly enjoyable *Seder*, R' Pinchas asked the man why he had gone to such trouble. The man replied that he wanted a *brocho* for a child, which R' Pinchas gave him heartily. However, R' Pinchas was afraid that his *brocho* might not be sufficient, so he ran to all the *Gedolim* and asked that they also daven for the benefactor, while he himself fasted frequently. A year later, a child was born to the benefactor. 50 years later, two wealthy descendants of R' Pinchas were the subject of a smear, which landed them in Siberia for 10 years. The smear had been engineered by none other than that boy, born thru R' Pinchas' efforts.

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

This issue is dedicated:

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

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