



THE שבוע MATTERS

לע"נ ברוך בענדיט וברכה גרוס ע"ה
by Mr. & Mrs. Duvy Gross

שבת קודש פרשת תצוה

מסכת חגיגה דף ט"ז

לרפ"ש שלום ברוך בן רינה מרים

Insights from our Chaburos

Women Performing Semicha on a Korban

By Rabbi Moshe Schreck, Rov of The Hollywood Shtiebel, FL

The Gemara 16b states that women are exempt from the mitzvah of performing semicha on a korban. The source for this exemption is from the posuk "Bnei Yisroel vesamach." One can ask, why is there a need for a specific exclusion of women from semicha? Seemingly semicha is a mitzvas asei she'hazman grama, a time-bound positive mitzvah from which women are exempt since korbanos can only be offered during the daytime. Why then do we need the specific exclusion of Bnei Yisroel?

1. The Ritva in Kidushin 36a draws a distinction between the way the mitzvos relate to the individual. The general exemption of women from positive time bound mitzvos only applies to mitzvos that are a "chova legamrei" which the Ritva defines as a mitzvah that the individual is obliged to fulfill (a din in the gavra). Semicha, by contrast argues the Ritva, is not a personal obligation placed on the individual but is rather a din in the cheftza, a "machshir", a mechanism which enables one's korban to be oleh leratzon. Without the exclusion of "Bnei Yisroel vesamach" woman would be obligated in semicha since the exemption of time-bound mitzvos is insufficient to exempt woman since it only applies to mitzvos that are chovos (gavra) not mechshirim (cheftza).

2. Turei Even (ad loc.) makes a fundamental distinction between whether the time-aspect limits the obligation of the mitzvah or simply the fulfillment of the mitzvah. With regards to mitzvos like Lulav, Shofar, and Sukkah, time limits the obligation of the mitzvah. Once the time has passed, the obligation is no longer existent and one has in effect, lost the opportunity forever to fulfill the mitzvah (bitul mitzvah). When it comes to semicha, time only limits the opportunity of performance or fulfillment of the mitzvah. It is true that a korban cannot be brought at night, however, it can be brought the next day as the obligation to perform semicha is not time-bound. The same obligation that existed yesterday exists today. The general exemption of women from time-bound mitzvos would be insufficient to exempt women from semicha since the exemption only applies to those mitzvos whose obligation is bound by time.

Stories of the Daf

"The Beams of a Person's House..."

"...אבני ביתו של אדם מעידין ומכריזין עוונותיו ביום הדין..."

Once the Imrei Emes, zt"l, had a short exchange with a new chosson to see how he was adjusting to married life and to spur him on to take a moral inventory. The Rebbe inquired about the new chosson's learning and his new neighborhood, all of which received a positive response. The Rebbe then asked "are you pleased with your new apartment?" "Very!" the chosson replied. "And how is your new apartment pleased with you?" mused the Imrei Emes. "What does the Rebbe mean?" the young man wondered. The Rebbe explained, "In Chagigah 16a we learn that the stones and beams of one's house bear witness against him on the day of judgment!"

We find a similar incident with Rav Naftali Nosson Nata, zt"l, the Av Beis Din of Hosikov. When he knew that someone was acting in a way that did not become him, the Gaon would say, "It says in Eicha (3:40) ונחקרה דרכינו ונחקרה although this literally means that we should search out our ways and investigate them, it is possible to understand the word ונחקרה as the conjunction of two small words. ונח קורה — and the beam (of the house) will be serene. In Chagigah 16a we find that the beams of one's house bear witness against him. So the verse can mean that if we will only search out our ways and change, the beam of the house will be able to relax and refrain from submitting incriminating evidence to the heavenly court!"

Review & Remember

1. What are the six characteristics of humans?
2. What was the first dispute among the sages?
3. How did the Av Beis Din position open up for Shammai?
4. How and where on the animal is semichah performed?

Parsha Connection

In this week's Daf the similarities between humans and angels are noted. In this week's Parsha we find another such similarity. The Midrash points out that the priestly garments worn by Aharon Hakohen were given to him to render him angle like. As the possuk from last week's Daf indicates: "כי שפתי כהן ישמרו דעת...כי מלאך ה' צבקות הוא" (מלאכי ב, ז)

We see from here, that each of the garments worn by the Kohen had angelic qualities to them. On a practical level for us, Chazal teach us that the מעיל (the priestly robe) worn by Kohen Gadol atoned for speaking lashon hara. The Alshich Hakdosh writes that this is alluded to by the requirement of the robe that שפה יהיה לפי סביב it shall have "a lip to its mouth" all around. The way to avoid speaking inappropriately is by using one's lips to block the words that come from their mouth!

CONTINUED

Halacha Highlight

Gazing at rainbows

“מאי היא ר' אבא אמר זה המסתכל בקשת”
What is it [the person mentioned in the Mishnah who is not concerned about Hashem's honor]? R' Abba says that it refers to one who gazes at a rainbow.

Rabbeinu Dovid Avudraham¹ writes that Rabbeinu Asher ben Yechiel, the Rosh, was asked how a person is permitted to gaze at a rainbow in order to recite the appropriate berachah when it is prohibited to look at a rainbow and one who does so will suffer from weakened vision. Rosh responded that there is a difference between gazing (הסתכלות) and looking (ראייה). Gazing involves looking at an object intently as opposed to looking which only involves a superficial glance at the object. The restriction mentioned in our Gemara involves gazing at a rainbow but it is permitted and even necessary to look at a rainbow in order to recite the berachah.

Rav Avrohom Danzig², the Chaye Adam, cites earlier authorities who maintain that one should not inform others about the appearance of a rainbow since the appearance of a rainbow is considered to be a form of bad news that one does not share with others. Other authorities³ write that the common custom is to inform others that a rainbow is visible. The reason is that it provides others with an opportunity to repent and to praise Hashem for establishing this covenant that He will not bring another flood like the one from the time of Noah.

Rav Yair Chaim Bachrach⁴, the Chavos Yair, rules that if one is informed that there is a visible rainbow outside one is not obligated to go outside to be able to recite the beracha and certainly a person who is studying Torah should not interrupt his studies to go outside to recite this beracha. He finds support for this ruling from a comment of Rav Shmuel Eliezer Eidels, the Maharsha, on a Gemara in Berachos. Maharsha notes that being able to recite a berachah on the appearance of a king was not enough to obligate a person to see the king if it were not for the additional factor, mentioned in the Gemara, that it provides the ability to distinguish between Jewish and non-Jewish kings. Consequently, regarding rainbows where this additional factor is not present there is no obligation to make an effort to see a rainbow in order to recite the berachah.

1. הובא דבריו בבני אורח סי' רכ"ט דה ואסור.
2. חיי אדם כלל ס"ג סעי' ד'.
3. ספר ברית כהונה מערכת הקוף אות ג'.
4. בספרו מקור חיים סי' רכ"ט סעי' א' בקיצור הלכות.

Mussar from the Daf

The Gift of Birkas Kohanim

The Gemara states that staring at the Kohanim's hand during Birchas Kohanim causes one's eyesight to weaken. According to Tosfos and the Ran (Rashi learns differently) our gemara applies only to Kohanim reciting Birkas Kohanim in the Mikdash. Based on the Gemara in Megillah there is an additional prohibition to gaze at the hands of any Kohan that is reciting Birchas Kohanim since he needs to focus on the bracha he is receiving, and by gazing at the Kohanim's hands he may get distracted. Why must the recipient of the brocha concentrate so intently; should the obligation be on the Kohanim who are reciting the bracha?

Rav Yerucham Levovitz explains that when one receives a gift, he has to spend time appreciating both the gift he is receiving and the giver; otherwise it is considered stealing. Gifts generally are given to create closeness, and by feeling appreciation we can sense this closeness.

According to Tosafos/Ran, perhaps since the Kohanim are giving Klal Yisroel a present (a bracha), it is assur for one not to concentrate – and thereby appreciate – this gift. In fact, the introductory bracha the Kohanim utter ends with the word ahava! The gift should create a feeling of love from the Kohanim to the people. This might also help explain why the custom exists to thank the Kohanim when they return from bestowing their bracha.

Practically, with Purim arriving this is an opportunity to work on appreciating all the Mishloach Manos we will be receiving. We can do this by recognizing all the effort and love the giver put into the gift. By working on being a receiver, we can feel the love of all with all those who spend time and efforts on its preparation and delivery.

Point To Ponder

זנר ששה דברים נאמרו בשדים שלשה כמלאכי השרת וכו' יש להם כנפים כמלאכי השרת

Six attributes were said about demons in comparison to angels and humans. One of the similarities to angels is that both have wings. The other two similarities point seemingly relate to their commonality of their lofty nature, namely the ability to fly from one end of the world to the other and knowledge of the future. What is the significance of having wings? All bird also have wings. (Answer to appear next week.)

Response to last week's point to ponder: What injustice caused Acher to go off the derech?

Perhaps we can suggest that Acher mistakenly thought that there are two forces in the world: Good and Evil. When Acher saw these apparent injustices, he couldn't fathom how they could come from Hashem. Not unlike other religions, Acher figured there must be some other force behind the evil in the world. When he saw מטטרון sitting and writing, he came with this bias. He assumed מטטרון was writing their chovos, not their zechuyos which confirmed his suspicion that there are two forces which caused him to go completely off the derech.

For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Gutterman, please visit our website, dafaweek.org, or download the app

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