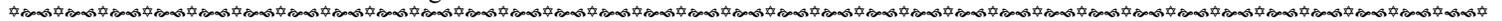


HALACHA V'HALICHA... By Rav Chaim Schabes

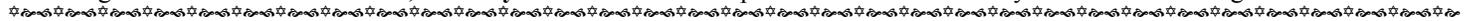
The Torah calls the third year of the *maaser* cycle שנת המעשר, “the year of *maaser*”; why does the third year specifically deserve this special title? Rav Aharon Bakst explains that the first two years after *shmita* we would give *maaser rishon* to the *levi*, but the *maaser sheni* was consumed by the owner in Yerushalayim; the Torah tells us, that the time has come in the third year that everything should be given to others, since instead of *maaser sheni*, there was *maaser anni* given to the poor. Giving to the poor is referred to as a complete giving, and therefore that year is meritorious of the special title of שנת המעשר.

Shulchan Aruch (YD 251:3) provides a detailed list of the priorities of *tzedakah*, which are: one’s closest relatives, starting with one’s own parents who are unable to provide for themselves their basic needs; it is preferable that *maaser* money should not be used for this purpose, but if it is not possible otherwise, he must give his parents priority (Chassam Sofer YD 229). Next are children who may be supported by *tzedakah*, then grandchildren, grandparents, brothers or sisters and then other relatives. Chasam Sofer (YD 231) writes that one may give about half of his *maaser* to relatives that are in need. Shach (247:1) writes that one’s divorced wife also has a status of relative, and has priority over other poor people or Torah institutions (Rav Feuer Shli”ta in Tzedakah Treasury pg. 374). The next priority is given to עמילי תורה, those who toil in learning Torah. It is a privilege to be able to support a person who is involved in learning Torah, and according to the Chafetz Chaim in Ahavas Chessed, the main purpose of *maaser k’safim* was in order to provide for those who dedicate themselves to studying Torah. Relatives come before close neighbors, and close neighbors before other residents of that city. Aruch Hashulchan writes that even when one category has precedence over a second one, some money should always be left over to help others in lower categories as well. Shulchan Aruch also says that within each category, one who needs food to subsist has precedence over one who needs clothing, and a woman comes before a man. One who is a greater *talmid chacham* has precedence over a lesser one, and the wife of a *talmid chacham* has the status of her husband. If both are equally learned, a *kohain* comes before a *levi*, followed by a *yisrael*. Rav Moshe Feinstein ZT”L writes (IGM YD 1:144) that all the order of precedence listed above is referring to the distribution of funds by a *gabbai tzedakah*; however, an individual who is distributing his own *tzedakah* money has *tovas hana’a*, which means that the Torah gives him the right to decide to whom he would like to give the money, and therefore he may distribute it as he wishes. Thus, he may decide to give it to someone who needs clothing before someone who needs food; he may even select between two people who have the same need, or to give the whole amount to one of them, or even to give it to the one who is less needy. However, the *gabbai tzedakah* may not give any preference to anyone he wishes, since he is not entitled to *tovas hana’a*, and therefore it is his responsibility to follow the priorities as determined in Shulchan Aruch. The Steipler Gaon related that when he went to Vilna, he asked Rav Chaim Ozer Grozensky whether he was obligated to give *tzedakah* to all the people who ask when he goes to Shul, to which Rav Chaim Ozer answered, that before he came to Vilna he used to greet every person he met in the street, but now in a large city this is not possible, and the same idea applies to *tzedakah*. Rav Feuer writes that he discussed this concept with Rav Chaim Kanievsky, and was told that one may rely on this as *halacha*, and although one is supposed to give at least a small amount (25 or 10 cents) to all those who solicit *tzedakah*, that is only where there is a limit to solicitors, since otherwise, giving even a small amount to each would balloon into a huge sum.



THOUGHTS ON THE HAFTARA ... By Rabbi Yaakov Shapiro (*Y’shayahu 54:1-10*)

It should be abundantly obvious by now that the core message of ‘comfort’ that Yeshayahu brings to us centers on the promise of the future *geulah*. We’ve read the past weeks of the many great things that await us when Mashiach will come, but we’ve yet to see any reference to when that will be. In this week’s haftara we find 2 clues. In the last *pasuk* of the haftara the navi says אָנִי ה' בְּעֵתָהּ אַחֲשִׁינָהּ, i.e. “I am Hashem, in its time I will hasten it”. The last 2 words are seemingly contradictory; if the *geulah* is to come in its proper time, how can it be hastened? Rashi, based on the Gemara (Sanhedrin 98b), explains: if we merit it, Hashem will bring the *geulah* immediately, if not, we will have to wait until the appointed time. The Iyun Yaakov says that it is for this reason that the קִץ is hidden from us, for if the precise moment of the *geulah* were to be known, as the time approached people would no longer feel the need to do *teshuva*! After all, why bother? It will soon come on its own anyway! Therefore the time is hidden from us to ensure we do all we can to hasten the coming of that great moment. The second clue can be found in the prior *pasuk* where the navi says וְעַמְךָ כֻּלָּם צְדִיקִים. The Gemara uses this *pasuk* to explain that Mashiach will come in a generation that is either completely good or completely bad. Since the Gemara doesn’t qualify its statement, it would seem that a completely bad generation will not only bring Mashiach, but even hasten his arrival! Doesn’t that contradict the prior statement of the Gemara? The Maharsha explains: There is but one merit that can cause the arrival of the Mashiach: our nation as a whole doing *teshuva*. This can come about in one of 2 ways: we either come to the realization on our own that our sins have caused our exile - and we repent; or, our sins can become so universal that Hashem is forced to bring upon us terrible punishments and subjugation, and our pain and suffering will bring us to do *teshuva*. Therefore, it is **only** the merit of our complete *teshuva* that can truly ‘hasten’ the coming of the Mashiach.



ON LANGUAGE... By R’ Moshe Orlian

One of the potential punishments mentioned in the תוכחה is כָּרַם תִּטְעוּ וְלֹא תַחֲלִלְנֻהוּ (Devarim 28:30). The word תַּחֲלִלְנֻהוּ is from the root חָלַל, which can have several distinct meanings. In our *passuk*, the underlying meaning is “to profane”, or remove from a status of קְדוּשָׁה. Since for the first three years the fruit is קְדוּשָׁה, חָלַל refers to one’s ability to eat it in the fourth year. The noun חוֹלֵלִין stems from this meaning as well. A second meaning is “to kill”, hence the noun חָלַל, meaning “corpse”. A third meaning connotes “piercing” or “hollowing”, giving rise to the nouns חָלַל, “space”, and חָלִיל, “flute”, a hollowed-out instrument. Thus, as a verb, חָלַל also means to play the *chalil*. Fourthly, according to some explanations, חָלַל can also mean “to begin”, as in the literal interpretation of the *passuk* regarding Enosh, ה' הוֹחֵל לְקַרְא בְּשֵׁם ה' (Beraishis 4:26). The common theme of these diverse meanings? All involve some sort of change in status.



