



Shaare Ezra is a one of a kind, multi-faceted organization that's there for the community. Under the leadership of HaRav Shay Tahan שליט"א, Shaare Ezra feels that proper Halachic guidance should be accessible to everyone, therefore we offer the community the opportunity to call, text, WhatsApp, or e-mail any halachic questions they may have, through the Bet Horaah, where qualified, trained and ordained Rabbis are available to answer your questions in English, Hebrew and Russian. Shaare Ezra is from the community—for the community.

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Bet Horaah בית הוראה שערי עזרא Shaare Ezra

Parshat Toldot

Zmanim for New York:

Candle Lighting: 4:13pm

Shabbat ends: 5:16pm

R"Y: 5:43pm

Blessings to our generous donor for allowing the continuation of our newsletter to be available around the NY tristate area, Monsey, Miami, and more. May he and his wife merit to see much Nachat from their children and see them grow to be big Talmidei Chachamim!

ONLINE PURCHASES BEFORE SHABBAT.

RABBI SHAY TAHAN

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The shopping excitement is in the air as people get ready for the big savings day which takes place every year around this time on Black Friday. But there are several Halachic concerns which come to mind while shopping on Friday.

But before we turn to Halacha, let us learn how one should purchase things and shop on Black Friday from our weekly Parsha.

In Parshat Toldot Yaakov buys the Bechora (first born rights) from Eisav. Two people dealing with one transaction but coming to the table with totally different mindsets.

Yaakov is calculated and cold—he knows exactly what he wants and he waits for the right moment to be able to get it; it might be that he waited weeks and months for the moment that Eisav would agree to sell it until that finally day came and he bought it for literally a bowl of soup.

On the other hand Eisav comes exhausted, tired, needy and emotional, as he says: "pour into me some of that red stuff for I am exhausted". Eisav at that moment is willing to buy the soup he wants at any price—even at the price of giving up the Bechora in disgrace.

We can draw from this Parsha such an important lesson of how one should go shopping this week. We should make sure to buy only those things that we need and not get carried away and fill up our closets with 'junk' because of the excitement of the moment.

Getting back to the Halachic discussion, as many families prepare their Shabbat early and pick up their children from Yeshiva to head for the stores, fill up their carts with items that are found on that "big bargain day", the question one should ask is whether doing so on a short Friday right before Shabbat is permitted?

The Halacha states that one isn't allowed to be

involved with work before Shabbat (שלחן ערוך סי' (רנא וראה ביאור הלכה), and any profit one might gain on that time doesn't hold blessing, meaning it will be lost at a later time.

If we take this at face value then we should conclude that going to shop for anything that is not for the honor of Shabbat should be avoided, and the savings gained would be lost elsewhere; but if we dwell into the details of this Halacha we'll have a better understanding and learn some leniencies.



The Mishna Berura (סימן רנא סק"ג) ruled that the prohibition to do work is from two and a half before the night (זמן מנחה קטנה), but beforehand work is permitted,

which gives people some time to shop as they wish and get home before that time. Moreover, it seems that the prohibition is for doing work—but doing business and shopping is permitted even after that time (משנ"ב סי' רנא ס"א). Still, the Mishna Berura (ריש סימן רנו) rebukes harshly those who delay shopping in the stores close to Shabbat, especially on the short Fridays like this time of the year.

Because of the Friday rush, many people prefer to do their shopping online instead of actually going to the stores as it is much easier and less time-consuming.

In today's way of shopping many businesses offer a quick and immediate delivery, hence it's very likely that the shipment will be dealt with by the workers the very next day, on Shabbat, and even sent on its way the same day. Is that permitted?

We learn in Shulchan Aruch (סימן רמד) that it's permitted to have a non-Jew handle our deliveries on Shabbat if two conditions are met: First, the people handling the package are being

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paid for their work and second that we shouldn't ask them to work on Shabbat. When the workers are paid, we say that their intention when working is not to benefit us but rather for their own benefit in order to get paid.

The second condition is that we should not ask for our order to be handled on Shabbat, since asking a Non-Jew to work for us on Shabbat is forbidden. But when we don't ask them and they decide to handle the package on Shabbat on their own, we then permit it as we aren't responsible for what they do without us asking them.

Accordingly, since the way business is done today is such that we pay in advance before delivery, and normally don't ask the workers to deliver it on Shabbat, both of the above conditions are met and therefore ordering items on a Friday is permitted.

In a different scenario where the company we are buying from allows us to choose a delivery date, then by doing so sometimes the workers will have to deal with the package on Shabbat to make sure it's delivered by the date requested.

Although we explained above that it's permitted to have a paid worker do his job on Shabbat since we didn't ask him to work on Shabbat, still in some scenarios it would not be permitted. The Magen Avraham (ראה משנה ברורה שם סק"ד)

wrote that its forbidden to tell a worker to have the work done on a Sunday or Monday if that means that in order to have it ready by then he would have to work on Shabbat, since asking him to have it ready then is like asking him to work on Shabbat. Thus, asking for a delivery date which will have the workers prepare the package on Shabbat (and possibly even drive it) is forbidden.

There are some exceptions if one needs the item purchased urgently based on few leniencies.

What if the package we ordered arrives on Shabbat, may it be opened and used?

If the content isn't Muktsa, some would permit to destroy the package and use the content even if the delivery was dealt with by the company on Shabbat (if the workers aren't Jewish and the order was not set to come on Shabbat as explained above), and even if the truck was coming from outside the Tchum and brought in from Reshut Harabim (שמירת שבת כהלכתה פרק לא סעיף כד וראה משנ"ב סי' תקטו ס"ק עב (ובן סי' שז ס"ק נו). When the content is food, one is surely permitted to open the package. If it is not a food item, then there are different opinions in the Poskim whether it's permitted to rip the package to be able to benefit from it (סימן שמ וראה אורחות שבת ח"ב עמוד שפא בשם החזו"א).

CRIME SCENES ON SHABBAT

Luckily, the latest burglaries plaguing the Flatbush communities were committed by polite citizens who made sure to rob the neighborhood in the middle of the night, without waking up anyone in the household. Otherwise, aside from losing their night's sleep, their lives would be in danger as well—as robbers generally carry a firearm and aren't hesitant to use them. Not to mention the lifelong trauma that they and their children would endure.

All jokes aside, those of us who live in crime infested cities need to learn what one may do if they happened to be in a crime scene on Shabbat.

What is one supposed to do if he does wake up to such a horror scene on Shabbat? Is one permitted to call the police or Shomrim? What should one do if the robbers left his house already, may he still call to salvage his stolen items? What about to save other homes from being robbed by the same burglars?

What about Shomrim, are they permitted to pick up the calls on Shabbat or should they leave it to the district police department?

In order to answer all of the above correctly, we must first understand the basic Halacha on this topic. The rule of thumb to all of the above is that one must assess whether anyone might be in danger or not.

The Pasuk in the Torah says (ויקרא יח,ה): "You shall

observe my laws which man should do and live by them", teaching us that the Torah wants a person to **live** while performing the Mitzvot, hence one isn't allowed to keep the laws of the Torah if they'll cause him to lose his life. In such an event, he would be required to violate the laws of the Torah to save his life (with the exception of the three cardinal sins).



Thus, in a scenario that there is no danger one may not violate the Shabbat even if it means that he'll lose all of his possessions. But if there is a risk involved for him or anyone in his household, he must call the police and do whatever it takes in order to save himself and his family.

Even if one is doubtful whether the situation is dangerous, he still must violate the Shabbat and do all that it takes to protect everyone. (

ראה חוט שני ח"ד עמוד רלה ומנוחת אברהם ח"א עמוד תקנ"ג וש"ס"כ פרק מא הלכה (כד ועוד).

The Poskim explain that once the thief has fled the house and there is no more danger one may not call the police or violate the Shabbat in any way. However, since the latest burglaries in the neighborhood were committed in a chain of houses, one should call the police even if the robbers left his house and he is now safe, because it is very likely that the thieves are going to strike elsewhere. Even if we are sure they left the neighborhood and won't come back today on Shabbat, still, those thieves are very likely to come back another day and put other families in danger.

CRIME SCENES ON SHABBAT

This we learn from the words of Rav Shlomo Zalman Aurbach (שמירת שבת כהלכתה פרק מא הלכה כד) who explained that one should call the police not only at the time the burglars are at his house but also if they already left if there is a chance that they'll break into another house and put the people there in danger.

Moreover, even if one is sure that the thieves aren't armed he should do all he can in order to chase them out, since meeting a thief in the house is a very traumatic experience and has a long lasting effect on one's family; just like the Halacha permits one to break the door to free a child locked in a room, to save him from the emotional effect and trauma (ראה נשמת שבת ח"ה סי' תצ בשם) (המג"א סי' שכח).

But the dangerous and sad reality is that once those thieves start robbing houses, they build an appetite to continue doing so over and over again. Even more so, unless they are

stopped they bring over their gang members to expand their activities,

Just like the Gemara says (ראה תוספות ב"מ מ, א ד"ה וכי) that mice are wicked because when they find food in a house, not only do they steal it; but after they are successful in doing so they call their friends to join. These gangs are all armed and any interaction with them is extremely dangerous, thus one must do all it takes to get them out of our neighborhoods.



For that very reason, such incidents create a real risk and the members of the Shomrim should be informed as well. First, because the Halacha says that when we are dealing with Pikuach Nefesh, Jews should be the ones who violate the Shabbat to save a life. Second, it seems from the last few times, that it was Shomrim who were able to find and catch the burglars.

ETHICAL WILL (TZAVA'AH) OF RABBI YEHUDA HACHASSID

A worried Bachur (Yeshiva student) once came to advise with the Chazon Ish about a girl he was dating. The girl he met was a perfect match but her name was the same name as his mother's. Since Rav Yehuda HaChassid wrote in his will not to marry a girl who carries the same name as one's mother, the holy Chazon Ish instructed him not to go forward with the Shidduch.

When the boy approached other rabbis, they assured him that he could marry her, quoting different Halachic reasons paving the way for his marriage. Unfortunately this Shidduch was a failure from the beginning and they had to break the bond pretty quickly. When the boy came back to the Chazon Ish with the Halachic reasons of why he decided to marry the girl, the Chazon Ish explained to him that he is mistaken, because the will of Rabenu Yehudah is not a Torah law that one can apply Halachic reasonings to permit; but rather foresight of a big Torah scholar who foresees the future of such marriages with his endless wisdom and advises accordingly (מובא בספר פאר הדור) (ח"ד דף צ').

Another story is told with the Chazon Ish who was approached again with the same question. This time, the Chazon Ish asked if the person asking is concerned about it, to which the boy replied that he isn't at all. Hence, the Chazon Ish said that if so, he has nothing to worry about and he should go forward with the marriage.

Before we attempt to understand the different approaches to his rulings, we must analyze the concern.

Any family which ever dealt with Shidduchim is very familiar with the Will (Tzava'ah) of Rabbi Yehuda HaChassid, written by Rabenu Yehudah ben Rav Shmuel of Regensburg.

Rabenu Yehudah HaChassid was one of the commentaries of Tosfot (see בבא מציעא ה, ב תוס' ד"ה דחשיד) and was a student of the great Ri Hazaken. Some of Rav Yehudah's more famous students are the Ohr Zaruah, the Smag and many others. His writings include the Sefer Chasidim and Sefer Hakavod.

One of the documents left from the rabbi was a will which he wrote to his children warning of different things. For example, not to clog and seal a window and not to uproot a fruit tree.

Concerning Shiduchim he wrote not to marry one's niece, and that two brothers shouldn't marry two sisters. He also warned not to marry someone who has the same name as their father or mother as that marriage wouldn't work out well.

Needless to say, once people hear of a Shiduch with a name similar to their parents, they instantly reject the meeting. Moreover, even if they already met and things are going well (and only then they found out about this idea) they immediately stop dating even if they feel they met their soulmate after searching for many years.

But not all Poskim felt that this is relevant to everyone, as some wrote that this will was meant specifically to the descendants of Rabenu Yehudah but not to others.

נודע ביהודה אה"ע סי' עט ובשב יעקב אה"ע סי' כג וכן החת"ס באגרות (סופרים ח"ב סי' כה)

Others argued that the will was meant for everyone (דברי חיים) (ח"א אה"ע סי' ח), while some said that even if it's only for his descendants each person must be concerned that he might be from his descendants. The Maharam Mintz (סי' עט) wrote that as years went by most of the testaments in Rav Yehuda Ha-

ETHICAL WILL (TZAVA'AH) OF RABBI YEHUDA HACHASSID

Chassid's will were canceled, since many people didn't follow them and they lost their effect.

The Chatam Sofer (א"ח"ע ס"ס קטז) added that the warning of not to marry someone with the same name of his parents is only if there are three generations of the same name; otherwise there is nothing to worry about.

The above leniencies are extremely important to those who have a really hard time finding their Bashert and are dating for many years, when finally they meet someone who can be their potential mate they should not reject them right away

Getting back to the contradictory rulings of the Chazon Ish, it seems pretty clear that the great sage ruled in accordance to the concern of the person asking, based on the poskim who

used here the term of 'whoever isn't afraid of such things doesn't need to worry about them (לא קפדין), meaning that one who follows Hashem wholeheartedly without worrying about things that aren't Halachic obligations, gets a heavenly protection and doesn't need to worry (ח"ס) (א"ח"ע קטז ואג"מ א"ח"ע ח"א ס"ד).

Therefore, the Chazon Ish asked the person whether he was worried about the will's outcome, and according to their reply, he instructed him what to do.

Thus we see from all of the above that one must not jump to conclusions right away, and must advise with a knowledgeable rabbi whether to go ahead with a Shiduch, as sometimes they will Pasken and advise based on different concepts and measures which are considered סוד ה' ליראיו.

EXCERPTS FROM THE NEW SEFER

כזה בתפלתו מזכירין עונותיו שעל ידיהן מפששים למעלה במעשיו לומר בטוח זה בזכויותיו, נראה מה הם, עכ"ל. א"כ עולה מרש"י זה ביאור נוסף לא לצפות בלבו שבקשתו תענה שכן אז בשמים מפששים במעשיו, ומי יצדק לפניו, אבל כוונה בתפלה ללא צפייה זו ודאי ראוייה.

והנה התוספות (ברכות לב), הקשו תימה דהכא משמע דעיון תפלה לאו מעליותא הוא וכן משמע פרק הראה (דף נה: ג') דברים מזכירין עונותיו של אדם, וקאמר עיון תפלה. ולא כן משמע בפרק מפנין (שבת כז,א) דקאמר אדם אוכל פירותיהן בעוה"ז וקא חשיב עיון תפלה, אלמא מעליותא הוא. ויש לומר דתרי עיון תפלה יש, עיון תפלה דהכא - המצפה שתבא בקשתו, ועיון תפלה דהתם - שמכין את לבו לתפלה.

ולמדנו מכל הנ"ל שיש לאדם לכוין בתפלתו, וכשם שכתב הש"ע (סי' צח ס"א): "המתפלל צריך שיכוין בלבו פירוש המלות שמוציא בשפתיו, ויחשוב כאלו שכונה כנגדו, ויסיר כל המחשבות הטורדות אותו עד שתשאר מחשבתו וכוונתו זכה בתפלתו, ויחשוב כאלו היה מדבר לפני מלך בשר ודם היה מסדר דבריו ומכוין בהם יפה לבל יכשל, קל וחומר לפני מלך מלכי המלכים הקב"ה שהוא חוקר כל המחשבות. וכך היו עושים חסידים ואנשי מעשה, שהיו מתבודדים ומכוונים בתפלתם עד שהיו מגיעים להתפשטות הגשמיות ולהתגברות כח השכלי, עד שהיו מגיעים קרוב למעלת הנבואה, ואם תבא לו מחשבה אחרת בתוך התפלה ישתוק עד שתתבטל המחשבה. וצריך שיחשוב בדברים המכניעים הלב ומכוונים אותו לאביו שבשמים ולא יחשוב בדברים שיש בהם קלות ראש."

ומאידך הזהיר הש"ע (שם ס"ה): "אל יחשוב ראויו הוא שיעשה הקב"ה בקשתו כיון שכוונתו בתפלתו כי אדרבה זה מזכיר עונותיו של אדם. (הגהה. שעל ידי כך מפששין במעשיו לומר בטוח הוא בזכויותיו). אלא

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יחשוב שיעשה הקב"ה בחסדו, ויאמר בלבו מי אני דל ונבזה בא לבקש מאת מלך מלכי המלכים הקדוש ברוך הוא, אם לא מרוב חסדיו שהוא מתנהג בהם עם בריאותו."

ובאמת שאף שכל הדברים האלו נאמרו בתפלה ולא בקריאת תהלים וכדו', אלא שאין חילוק בניהם דמאי שנא, דאם אדם קורא תהלים וחושב בלבו שראוי שהקב"ה יענה לבקשתו הדבר מביאו לידי כאב לב וכן גורם הוא לעליונים לפשפש במעשיו.

הקורא תהלים לא יחשוב בלבו שהקב"ה יענה לבקשתו כיון שקרא והתפלל בכונה.

הנה מצאנו גמרות חלוקות אם להאריך ולכוין בתפלתו הוא דבר משובח או אדרבא פסול, בדגמרא (שבת קכז,א) למדנו שהמכוין בתפלתו הרי הוא משובח: "ששה דברים אדם אוכל פירותיהן בעולם הזה, והקורן קיימת לו לעולם הבא. ואלו הן: הכנסת אורחים, וביקור חולים, ועיון תפלה."

ובגמ' ב"ב (קסד,ב) עולה שאין הדבר משובח: "אמר רב עמרם אמר רב: שלש עבירות אין אדם ניצל מהן בכל יום: הרהור עבירה, ועיון תפילה, ולשון הרע."

תירוץ לסתירה זו נמצא בש"ס עצמו:

בגמ' ברכות (לב,ב) אמר רבי חנין אמר רבי חנינא: כל המאריך בתפלתו אין תפילתו חוזרת ריקם. מנא לן? ממשנה רבינו שנאמר: "ואתפלל אל ה' ", וכתוב בתורה: "וישמע ה' אלי גם בפעם ההיא". מקשה הגמ' שאדרבא המאריך אינו משובח, איני? והא אמר רבי חייא בר אבא אמר רבי יוחנן: כל המאריך בתפלתו ומעייין בה סוף בא לידי כאב לב, שנאמר: "תוחלת ממושכה מחלה לב", מאי תקנתיה - יעסוק בתורה, שנאמר: "ועץ חיים תאווה באה", ואין עץ חיים אלא תורה, שנאמר: "עץ חיים היא למחזיקים בה". מתרצת הגמ', לא קשיא, הא דמאריך ומעייין בה, הא דמאריך ולא מעייין בה.

ובביאור החילוק בין מעייין ואינו מעייין כתב רש"י שהמצפה שתעשה בקשתו ע"י הארכתו סוף שאינה נעשית ונמצאת תוחלת ממושכה חסר, והיא כאב לב כשאדם מצפה ואין תאותו באה, עכ"ל. דהיינו שודאי שיש לאדם להתפלל בכוונה אלא שלא יצפה שבקשתו תענה דאז דבר זה מביאו לידי מחלת לב.

ושב עמדה הגמ' על ענין הזה בברכות (נד,ב): אמר רב יהודה: שלושה דברים המאריך בהן מאריך ימיו ושנותיו של אדם. המאריך בתפילתו, והמאריך על שולחנו, והמאריך בבית הכסא. ושאלה הגמ' וכו' המאריך בתפילתו מעליותא היא? והאמר רבי חייא בר אבא אמר רבי יוחנן: כל המאריך בתפילתו ומעייין בה סוף בא לידי כאב לב שנאמר: "תוחלת ממושכה מחלה לב" (משלי יג יב). וכן גם אמר רבי יצחק: שלושה דברים מזכירים עונותיו של אדם, ואלו הן: קיר נטוי, ועיון תפילה, ומוסר דין על חבירו לשמים. ותרצה הגמ' הא לא קשיא, הא - דמעיין בה, הא - דלא מעייין בה. והכי עביד - דמפיש ברחמי.

והסביר רש"י שהכוונה של מעייין בתפלתו הוא שאומר בלבו שתיעשה בקשתו לפי שהתפלל בכונה. ודבר זה מביאו לכאב לב כיון שאין בקשתו נענית, ואדרבא עיון