



Bet Horaah בית הוראה Shaare Ezra שערי עזרא

Parshat Bamidbar

Zmanim for New York:

Candle Lighting: 7:51pm

Shabbat ends: 8:59pm

R"T 9:23pm

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GOOD RIDDANCE

RABBI SHAY TAHAN

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As we experienced last week how the IDF were targeting senior officers of the Islamic Jihad terrorist organization responsible for the rocket fire toward Israel in the past month and terrorizing Israeli citizens for many years, it was hard to hide the joy and happiness, as they seemed to have finally gotten what they deserved.

But a question must be asked: are we allowed to feel happy at times when wicked terrorists get punished for their actions? The pasuk says (משלי ב, כד) "בנפול אויבך אל תשמח ובכשלו אל יגל לבך", meaning that one should not rejoice at the failure of his enemy, at which point the pasuk continues and says: "פן יראה ה' ורע בעיניו והשיב מעליו אפיו". The Mefarshim explain that the end of the pasuk goes to the extent of saying that Hashem gets so angry when we rejoice at the downfall of our enemies, that He sometimes removes the punishment from the enemy and sends it upon the person rejoicing. The gemara (מגילה טזא) actually deals with this question explaining that when Mordechai was going up the horse, he kicked the wicked Haman with his feet. Haman turned to Mordechai and asked him from the above Pasuk, "Aren't you restricted from showing happiness while your enemies are suffering?" Mordechai then told him that there is a difference between a wicked Jew who gets punished, which we shouldn't feel happy, to when a wicked non-Jew gets punished, that we are permitted to feel happy. The explanation is simple, when our brothers are being punished, even though they deserve it, we should still feel their pain. According to this approach we can conclude that it's permitted to be happy at the death of those evil terrorists since they are not our brothers.



Still, there is another question that needs clarification: when the Egyptians chased the Jewish Nation at sea, Hashem drowned them all in the ocean. Seeing the Egyptians dying, the angels wanted to sing praises, but Hashem stopped them responding that it's not correct to do so when His creations are being destroyed (מגילה יב). We see again that idea of holding back from expressing happiness when our enemies are being punished.

But that is not always the case, since Chazal tell us that there are times one should feel happy upon seeing the wicked being punished, and it is then a positive thing to rejoice. The Gemara (ברכות טזב) explains that King David, who was constantly singing praises of Hashem with Tehilim, didn't use the praise of "Haleluya" until he was happy to see the downfall of the wicked. Another pasuk says that there is joy when the wicked are eliminated (משלי יא, י). Sefer Chasidim (תרד) even says that one may be punished if he isn't happy when the wicked are lost.

Few approaches were suggested to answer the above contradiction:

The Zohar (נח דף סא, ב) says that the difference is where one has been sinning over and over again. Hashem usually doesn't punish right away, rather,

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GOOD RIDDANCE

He waits for the person to repent and change his ways. If that doesn't happen, then there is a point at which Hashem decides that the person won't change his ways anymore and that He waited for him enough and the person needs to be taken down. At that time when Hashem punishes him there is much happiness. In the case of the Egyptians, says the Zohar, they didn't reach that point yet and therefore Hashem wasn't happy with their death. This answer doesn't really relate to us because we don't have a way to know if and when the person has reached the point that Hashem gives up on him. Only Hashem knows this and therefore He told the angels not to sing. But we, as a nation, are allowed to sing when we are saved from those evil Arabs.

Some say that the prohibition to sing and rejoice is only while the wicked are being punished. At that very time Hashem is sad to see His creations die, but after they were punished one may express his happiness (ראש דוד פרשת בשלח דנ"ד ועיון יעקב). This explains well the reason Hashem prevented the

angels from singing, because they asked to sing while the Egyptians were drowning. Afterward, it was surely permitted, as we see that Moshe and the nation sang Shirat HaYam. According to this answer, we may rejoice after we hear that those terrorists were taken down.

Another answer is that the angels were not allowed to sing as they were not the ones who were being saved from the Egyptians. But the people, who were chased to be killed or to be taken back to slavery, were allowed to sing and Moshe and the nation indeed do so. This answer can teach that with the current event, the Jewish people, who were saved from the Jihadists are permitted to express their happiness.

There are a few more answers to the above, but overall we learn that it's correct and even expected from us to rejoice at the destruction of those evil murderers.

INVADING PRIVACY

Parshat Bamidbar opens with Hashem's commandment to count Bnei Yisrael. Everyone is to be counted, from babies a month old and up. When Moshe Rabbenu hears this command, he realizes that he would need to enter people's tents in order to carry out this census. Moshe feels very uncomfortable with entering people's tents and asks Hashem how he could possibly commit such an invasion of privacy.

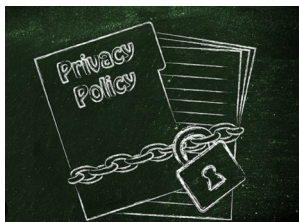
Hashem replies that Moshe should carry out his task, and He would take care of the rest. Moshe then proceeds to the first tent, but before he can enter, the Shechina appears and reports how many babies are in the tent!

This phenomenon kept repeating itself by every tent, Moshe would come close to the opening of the tent and Hashem would tell him the amount of babies.

A major question should be asked here: if Hashem is always telling Moshe the number of babies in every tent, why does Moshe need to approach the tent in the first place? Hashem should have asked Moshe to stay home and He would inform him of the amount of babies in each tent. Bothering Moshe to go out to the tents seems to be total waste of time and energy!

A similar query we find in Parshat Pekudei. Since Moshe wasn't involved in the building of the Mishkan, Hashem wanted to appease Moshe and therefore he asked him to erect the Mishkan. But such a task was not humanly possible as the Mishkan's parts were extremely heavy. Moshe, like everyone else, was unable to physically lift those big, heavy pieces of wood. Moshe then asks Hashem how he would be able to lift those woods, but Hashem urges him to do it anyways. Indeed, when Moshe attempts to lift the Mishkan, Hashem assists and the Mishkan is erected. Thus,

the Pasuk says that the Mishkan essentially rose on its own! This is very strange for several reasons: first, how would Moshe, who wasn't involved at all in the building of the Mishkan, be appeased, as eventually he wasn't the one to lift the Mishkan? Moreover, it seems as though Hashem is merely having Moshe play "make-believe" with regards to erecting the Mishkan and counting Bnei Yisrael. What is going on here?



The answer to the above is an important principle in life. All our actions are divided to two parts. One is the **act** we do and the second is the **result** of our actions. The action we take is considered hishdatlut, meaning that when we

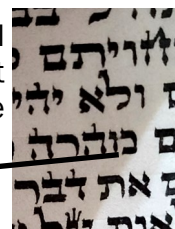
try to get the results we request, that action belongs to us. But the results, the outcome, that is not ours, but rather Hashem's.

We, as human beings, are indeed always playing make-believe. Nothing of the results of our actions is ours and we don't deserve any credit to any outcome. That is because we do not actually do anything at all! All we can do here in this world is hishdatlut—try our best. Hashem wants us to decide to carry out His will, and make an effort. However, the outcome is always Hashem's. When Hashem asked Moshe to count the babies or lift the Mishkan, all He meant for him to do is merely **try** to lift the Mishkan, the results of what will happen are Hashem's prerogative! So too with the babies: Hashem was always going to do the actual counting, but He wanted Moshe to perform the hishtadlut of this world first. This is a concept we all need to understand and implement in our own lives. We must always try our best. Whether we succeed or not has nothing to do with us, but everything to do with Hashem's plan.

כתיבה תמה

The ink in the letter "מ" in the word מזהר got faded, which makes it appear as two letters "כ" and "ו". In this case the Mezuzah is pasul and can't be fixed. Although there is some grey color left in between, since it isn't black it's not kosher. This is a reminder of why one should check his Me-

zuzot and not rely on the initial checking. The ink in the Mezuzot tends to fade and cause it to become invalid.



CEASEFIRE AFTERTHOUGHTS

Israel and the Islamic Jihad militant group in the Gaza Strip agreed to an Egyptian-brokered ceasefire, seeking to halt five days of intense fighting. The text reads as follows: "In light of the agreement of the Palestinian and the Israeli side, Egypt announces a ceasefire between the Palestinian and the Israeli sides has been reached. The two sides will abide by the ceasefire which will include an end to targeting civilians, house demolitions, and an end to targeting individuals immediately, when the ceasefire goes into effect".

When a treaty is signed between two parties is there a Halachic obligation to keep your side of the agreement, or is it just a temporary agreement meant to give us quiet until we see it fit to break for any interest which we might have?

Let's dwell into some of the treaties found in Tanach between the Jewish Nation and the gentiles to learn about this topic. There are several treaties that can teach us the extent of how far we need to go in order to keep our words, and on the other hand when may we break the treaty. Pirkei DeRabbi Eliezer (chapter 37) brings few treaties of the Avot:

Avraham Avinu made a treaty with the Yevusites when he needed them. In return they asked for a treaty that when the Nation of Israel would concur the land of Canaan they would not take possession of the cities of Yevus. What did the men of Yevus do? They made images of copper, and set them up in the street of the city, and wrote upon them the covenant of the oath of Abraham. When the Israelites came to the land of Canaan, they wished to enter the city of the Yevusites, but they were not able to enter, because of the sign of the covenant of Abraham's oath.

When King David reigned he wished to enter the city of Yevus, but they didn't allow him because of the covenant.

At the time of Yehoshua, the people of Givon heard that which Yehoshua did to Jericho and Aiy, and they decided to enter a treaty with the Jewish people under false representations and circumstances. They made themselves appear like messengers that had traveled from a far land taking with them worn-out saddles for their donkeys and tattered leather canteens for their wine, with cracks and patches over them. They wore ragged shoes containing different color, worn-out garments.

The Jewish people believed the Givonites and the leaders of the congregation swore to them.

Three days after the peace treaty was made the Jewish

people discovered the true origin of their "peace partners", and that they were not from a distant land at all, but from very close—from within Israel! This posed a problem as the Jewish nation at the time were not supposed to accept anyone from the nearby neighboring nations. The Gemara (גיטין (ט"ו, א) explains that the Jewish people had the right to kill the Givonites because they misled them, which means that the

treaty is invalid. Still, the Jews kept their word for the sake of Kiddush Hashem.

Another treaty was after Yaakov left his father in-law Lavan's house and Lavan chased after him. After an exchange of words between them, they proposed a treaty, and raised a stone monument as witness to the treaty. The treaty between them was that Yaakov's children would not take possession of the land of Edom, while Lavan's chil-

dren will not cross the monument towards the land of Yaakov. From those examples and many more, we learn that whenever the Jewish people make a treaty with other nations it must be kept. Therefore a ceasefire should be respected once agreed upon. The reason for protecting the treaty is either because of the obligation to keep our word **היה שלך צדק**, or because of Chilul Hashem, as we learn from this last incident. But we also find that whenever an agreement is broken by others, we aren't obligated to keep it anymore. We mentioned above the treaty between Yaakov and Lavan. Chazal say that Bilam violated the treaty when he went passing that monument in order to curse our nation.

The Midrash (תנחומא דברים ג') tells us that in King David's time, our nation wanted to fight a war against Aram, but the people of Aram reminded them of Lavan and Yaakov's treaty. They also mentioned that they are the descendants of Lavan. Then King David rose before the Sanhedrin and explained that Bilaam (who was also from Aram) had already violated and broke the treaty, and therefore they didn't have an obligation to keep it. Immediately, the Sanhedrin declared a war and the army of David conquered Aram's land.

From the above we learn that whenever we agree to ceasefire we must keep our words and promises; but as soon as the other side violates it, we aren't obligated to keep it any more. Needless to say, the terrorists have a long history of breaking promises, and the ceasefire that was agreed upon is usually not binding in any way or form. Thus, if the Jewish people see fit to continue the fight in any way or start a new war, they have the right to do so.



נסיעה לקברים במקום סכנה

שמחל על כבודו, כבודו מחול, היינו דווקא כבודו, אבל על הכאתו וקללתו אין האב יכול למחול. וכן כתב גם הריב"ש (סימן תפ"ד) שאסור לחבול בחבירו אפילו עם נתינת רשות.

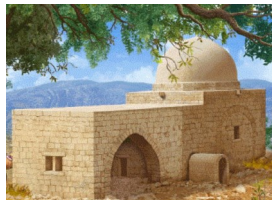
אכן כל המחלוקת בין הצדדים דלעיל נוגעת רק לחבלה ובזיון שלא יבוא בהם לידי סכנה, אולם במקום סכנה אין להתיר שהרי אין אדם רשאי להכניס עצמו לידי סכנה, דפסוק מלא דיבר הכתוב "ושמרתם לנפשותיכם מאוד". ועל כן נראה שיש לחלק בין אלו הנכנסים לכלל ספק סכנה ממשי, ובגון אלו העוברים דרך כפר ערבי עוין, לאלו שאינם נכנסים לכלל סכנה ברורה אף שיש מידת סיכון מסוימת.

שבעוד שאסור בהחלט להכנס למקום מסוכן ואפילו שהמקום רק בגדר ספק מסוכן, אם אין סכנה ממשית אלא סיכון קלוש נראה שיש להתיר במקום שמקיים מצוה, וכמו שהביא הרב אשר וייס שליט"א (מנחת אשר חלק ג' דף ת"י) ראיות לזה, ובגון מה שמסופר בגמרא (ערוכין כ"א): "תנו רבנן: מעשה ברבי עקיבא שהיה חבוס בבית האסורין, והיה רבי יהושע הגרסי משרתו. בכל יום ויום היו מכניסין לו מים במדה. יום אחד מצאו שומר בית האסורין, אמר לו היום מימך מרובין, שמא לחתור בית האסורין אתה צריך! שפך חציו, ונתן לו חציו. כשבא אצל רבי עקיבא, אמר לו יהושע, אין אתה יודע שזקן אני וחיי תלוין בחיך? סח לו כל אותו המאורע אמר לו: תן לי מים שאטול ידי. אמר לו: לשתות אין מגיעין ליטול ידיך מגיעין? אמר לו: מה אעשה שחייבים עליהן מיתה, מוטב אמות מיתת עצמי ולא אעבור על דעת חבירי". וכתב על זה במנחת אשר שלא יתכן שרבי עקיבא סיכן את נפשו עבור מצוות נטילת ידיים שהרי אין מצווה זו דוחה פיקוח נפש, אלא ודאי שלא היה כאן סכנה אלא צער גדול וסכנה רחוקה, ובמקום עשיית מצווה יכול לסכן מעט עצמו.

גמרא נוספת מצאנו בברכות (יב): אמר רבי טרפון: אני הייתי בא בדרך והטיתי לקרות בדברי בית שמאי, וסיכנתי בעצמי מפני הליסטים.

אמרו לו: כדאי היית לחוב בעצמך שעברת על דברי בית הלל. וכן באן ברור שאין לאדם לסכן את עצמו עבור קריאת שמע בהטייה, אלא ודאי שרבי טרפון לא ראה שום סכנה בסביבתו אלא שבכל דרך יש מידה מסוימת של סכנת ליסטים, ולכן התיר לעצמו לקרוא קריאת שמע בהטייה.

וכן עוד כמה וכמה ראיות כנ"ל. ולכן רשאי אדם לבקר במקום שהסכנה נחשבת בו כקלושה, שבמקום שבחשבו הכללי הסכנה מועטת, לפעמים המצב כדאי יותר להסתכן מעט על מנת להרוויח רווח רוחני גדול.



שלום לכבוד הרב.
אנחנו מתכננים נסיעה לקברי צדיקים ורציתי לשאול אם מותר לבקר גם אם עוברים דרך כפרים ערביים אף שהדבר גובל בסיכון מסויים?

שלום לשואל הנכבד. יש להבחין בשאלה זו בין אדם הרוצה לחבול בעצמו, לאדם המסכן את עצמו, ונסביר ב'ה:

לגבי הרוצה לחבול בעצמו למדה הגמרא (ב"ק צא) שאין אדם רשאי לחבול בגופו, שאין גופו של אדם כממונו שרשאי לעשות בו ככל העולה על דעתו.

וכך כתב הר"י מגאש (סימן קפ"ו): התורה לא התירה לאדם שיצער את עצמו, ואין הבדל בין מי שמצער את נפשו או מי שמצער את חבירו. וכבר דרשו חז"ל (תענית יא) על הכתוב בנזיר "וכפר עליו מאשר חטא על הנפש", וכי באיזו נפש חטא? אלא שצער את עצמו מן היין.

ואם אסור לאדם לצער את גופו כיון שאין גופו נחשב שלו, כל שכן שאסור לו לסכן את עצמו. וכמו שביאר הרדב"ז שאין נפשו של אדם קנינו, אלא קנין הקב"ה שנאמר: "הנפשות לי הנה" (יחזקאל יח). וכן כתב הגרי"ז (ש"ע הרב הל' נזקי גוף ונפש ס"ד): "אסור להכות את חבירו אפילו הוא נותן לו רשות להכותו, כי אין לאדם רשות על גופו כלל להכותו ולא לביישו ולא לצערו בשום צער אפילו במניעת איזה מאכל ומשקה".

וכן כתב גם הרמב"ם (הל' רוצח פ"א הלכה ד') וז"ל: "שאין נפשו של זה הנהרג קנין גואל הדם אלא קנין הקב"ה".

מאידך גיסא ישנם הסוברים שהאדם אכן נחשב כהבעלים על גופו, ורשות בידו לעשות בו כרצונו, כן פסק הטור (ח"מ סי' ת"כ, לא) אחר שהביא את דעת הרמ"ה שאוסר על האדם לחבול בעצמו, שלהלכה לא פוסקים כן אלא מותר לאדם לחבול בעצמו.

ותירה מזו כתב המנחת חינוך (מצווה רל"ז), שאין חיוב להציל אדם המאבד עצמו לדעת, וכשם שאין חיוב השבת אבידה לאדם שמאבד ממונו מדעת. וחזר שוב על רעיון זה (מצווה מ"ח) שלאדם רשות על גופו, וכתב: "זה שחייבה תורה במכה אביו ואמו או בחברו, היינו דווקא בלא רשות, אבל אם אביו ואמו או חברו אומרים לו שים או שיקללם, אינו עובר בלאו זה". והנה דעתו שלאדם רשות על עצמו.

ואכן רבים חלקו על חדושו זה, וכמו שמובא בשאלות (שאלתא ס') שאף שאב

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MAY HASHEM SEND SPECIAL STRENGTH IN TORAH AND ALL THE BERACHOT TO DAVID AKIVA AND RACHEL LEON.

IN HONOR OF OUR DEAREST FRIEND MR SHIMON RAKHAMINOV FROM BET-JUHURO. WE WOULD LIKE TO THANK HARAV YOSEF COHEN SHLITA FOR DISTRIBUTING OUR NEWSLETTERS IN PASSAIC, NJ. MAY HASHEM BLESS HIM WITH ALL THE BERACHOT OF THE TORAH. THANK YOU FOR THE CHASHUV RABBIS FOR HELPING WITH THE DISTRIBUTION OF OUR NEWSLETTER: RABBI BEN TZION KOKIS RABBI DOVID RIBIAT RABBI AKIVA TENDLER