



Bet Horaah בית הוראה Shaare Ezra שערי עזרא

Parshat Be'halotcha

Zmanim for New York:

Candle Lighting: 8:07pm

Shabbat ends: 9:17pm

R"Y 9:39pm

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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CAN ARTIFICIAL INTELLIGENCE BE THE NEW RABBI?

RABBI SHAY TAHAN

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What is AI, or Artificial Intelligence?

AI, or Artificial Intelligence, is a branch of computer science that aims to create intelligent machines capable of performing tasks that usually require human intelligence. It involves developing algorithms and systems that can analyze data, learn from it, make decisions, and solve problems.

An example of AI applications include image recognition systems that can identify objects in photos, self-driving cars that can navigate and make decisions on the road, and chatbots that can engage in conversations with humans. AI has the potential to revolutionize various industries, including healthcare, finance, transportation, and many others, by automating tasks, improving efficiency, and providing intelligent insights. The question we would like to analyze today is whether AI can also replace the Rabbi's role and be used as a Posek in the field of Halacha.



This is unlike internet searching, which uses search-engines like Google to find specific information or resources online, by inputting keywords or phrases and retrieve relevant web pages, articles, or documents. Internet searching relies on algorithms that match the search query to indexed content on the web.

On the other hand, AI goes beyond simple keyword matching. AI systems are designed to understand and interpret information, recognize patterns, and make connections between different data points. They can learn from large datasets, identify trends, and generate insights that might not be immediately apparent through conventional internet searching.

Asking AI Halacha questions

In the context of Psak Halacha, AI can offer sophisticated tools for researching and analyzing

halachic texts and sources. It can process vast amounts of information, identify relevant precedents, and propose potential solutions to complex Halachic questions. AI systems can assist Halachic authorities by providing them with comprehensive and efficient access to Halachic literature, commentaries, and legal opinions. But can we exchange AI with a live Posek?

While internet searching relies on human-generated content and the accuracy of search algorithms, AI has the potential to enhance the decision-making process by analyzing vast amounts of information and proposing potential solutions based on that analysis.

Since Halacha can be complex and nuanced, with varying opinions among different Halachic authorities, relying on a qualified Halachic authority ensures that one receives guidance tailored to the specific circumstances, and a comprehensive understanding of the applicable Halachic principles. They can take into account the details and complexities of a situation, as well as any relevant customs or traditions.

AI has still many disadvantages, like misunderstanding many concepts and answering incorrectly, but as technology advances we can expect those issues to improve significantly and be able to answer precisely. The advantage of having such science with the data of the entire Torah processing Halachic concern in seconds is priceless.

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CAN ARTIFICIAL INTELLIGENCE BE THE NEW RABBI?

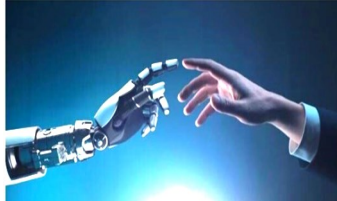
So why not ask AI Halacha?

We know that there are places in the world that non-Jews learn Gemara. Let's imagine that one of those non-Jewish students would become so proficient in Gemara studies that will be in the level of the Rishonim. Would we be able to ask him Halachic questions? The answer is simple, of course not! If one were to ask "why not?" for after all, he has all the knowledge! The answer is simple. Torah isn't only about knowledge—it's about a connection with Hashem. We can find various examples of Rabbis who were not as precise as others and still the Halacha is like them.

For example, the Gemara says that Halacha follows the ruling of Bet-Hillel over Bet-Shamai although Bet-Shamai were sharper and more precise (יבמות יד,א). The reason Halacha is like Bet Hillel, according to the Gemara (עירובין יג,ב), is because they were known to be more humble, patient, and open-minded in their approach to studying and interpreting Jewish law. They would first hear the arguments of Beit Shammai before presenting their own, demonstrating a willingness to consider alternative perspectives. This way of ruling Halacha is very interesting and seemingly wrong, because Halacha should follow whoever is more correct. We see from here that the Middot of a person can determine the Halacha even if they aren't as precise. Rav Yaakov Kaminetsky (אמת ליעקב עמוד כח ובעמוד שצ) explains that the Torah wants the human mind to decide what the Halacha is, even if by doing so they might be wrong. He explains the Pasuk says (דניאל ח): "Hashem took the truth and threw it to the ground." This Pasuk teaches that the truth isn't counted if the rabbis think differently. This idea is best described in the Gemara (Bava Metzia 59b) when interpreting the passage of "Lo Bashamayim Hi", as a teaching that the Torah and its laws were given to human beings on Earth and that the authority to interpret and apply those laws was entrusted to the Jewish people and their Sages. This holds true even if the Rabbis are wrong at what they are saying (ראה קצות (החושן בהקדמה ובדרשות הר"ן בבמה מקומות).

Should we follow the rabbis when they are wrong?

This amazing idea goes to the extent that even if Hashem Himself says that Halacha is one way, and the rabbis say it's the other way, we aren't allowed to listen to Hashem but must follow the rabbis! Let's examine the following argument of the



"Tanur shel Achnai" (the Oven of Achnai), a famous Talmudic dispute found in Baba Metzia (59a-b). The disagreement revolves around the status of a particular oven and the implications it has for the laws of ritual purity.

According to the story, the Sages were debating the status of an oven that had been constructed in a unique manner. The question arose as to whether it was considered ritually pure or impure. The majority opinion held that the oven is impure, but Rabbi Eliezer argued that the oven was ritually pure.

Despite Rabbi Eliezer's strong arguments and even his appeal to various supernatural signs to support his position, Rabbi Yehoshua and the other Sages did not accept his view. Rabbi Eliezer called upon a series of miracles to validate his opinion, including making a carob tree uproot itself and a stream of water flow backward. However, the other Sages rejected these miracles as insufficient proof and maintained their disagreement with Rabbi Eliezer's ruling. Ultimately, a Divine voice from heaven declared that the Halacha follows Rabbi Eliezer's opinion. However, Rabbi Yehoshua responded by quoting the verse "Lo Bashamayim Hi—it is not in heaven" (דברים ל"ג) to emphasize that the authority to decide Jewish law had been entrusted to the sages on Earth and not to heavenly voices.

The story concludes with Rabbi Natan encountering Eliyahu Hanavi, who explains that the heavenly declaration was made to teach a lesson: that the Halacha is determined through the consensus of the majority of Sages rather than relying solely on heavenly signs or voices.

The dispute of the Tanur shel Achnai highlights the authority of the Sages to interpret and establish Jewish law. It emphasizes the importance of human reasoning and consensus in legal decision-making, even when faced with extraordinary events or divine intervention. The story demonstrates the significance of the rabbinic process of debate and consensus, underscoring the central role of the human interpretation of Jewish law in the ongoing development of Halacha.

Moreover, the Torah commands us that even when the Rabbis are wrong we should still do as they command, as the Pasuk (דברים י"א) says that we must follow the Rabbis even if they are wrong, even if they say on left that it's right or that the right is left.

We see from all of the above that even if AI would be able to override the knowledge of humans, it would not affect the way we perform our religion decision making.

CPR: CHILD PARENT RELATIONSHIP

At the end of Parashat Be'alotcha the Torah makes an analogy of how a child feels when being rebuked by his father. The Pasuk says (במדבר יב,ד): "if her father were to spit in her face, would she not be humiliated for seven days?". Rashi and Unkelus explain that the Pasuk doesn't literally mean that the father actually spit at her—rather, it means that the father rebuked and screamed at his daughter. Why then does the Torah not say things the way they are? The

Torah should have said "if the father screamed at her, would she not be humiliated?" instead, the Torah says that her father *spit* at her; why?

The answer to the above question is very important. The Torah doesn't say what happened in reality for the Torah focuses on something of far greater value, the way the child feels when his father screams at him. The Torah says that he feels like his father just spits in his face in disrespect.

CPR: CHILD PARENT RELATIONSHIP

Rashi fills us in on what exactly happened, that the child feels that way and says that the father actually screamed at him.

When a parent raises his voice or yells at his child, it can have a significant emotional impact on the child. It is not uncommon for a child to feel hurt, disrespected, or belittled in such situations. The child may interpret the yelling as a form of punishment or as a personal attack, leading to feelings of shame, guilt, or a sense of being spited.

Yelling or raising one's voice can create a hostile and intimidating atmosphere, which can negatively affect the parent-child relationship and the child's emotional well-being. It can also undermine the child's self-esteem and confidence, potentially leading to long-term emotional consequences.

It is important for parents to be mindful of their emotions and responses when interacting with their children. Finding healthier and more constructive ways to express frustration or address behavioral issues is crucial. Effective communication, active listening, and using calm and respectful tones can help create a supportive and nurturing environment for the child.

If so, one may ask, why was Hashem screaming at Miriam at this instance?

As explained above, raising one's voice or screaming at a child should generally be avoided as it can have negative consequences on the child's emotional well-being. However, there may be rare instances where a parent may feel compelled to raise their voice out of concern for their child's immediate safety or in an urgent situation.

For example, if there is an immediate danger such as a child running into a busy street, touching a hot stove, or engaging in a potentially harmful activity, a parent might yell or raise their voice in order to quickly get the child's attention and prevent them from getting hurt.

In such cases, the intention behind raising the voice is to protect the child and ensure their safety.

In the story of Miriam, we see that Hashem recognized the

gravity of the situation and took immediate action to address it. According to Rabenu Bechayei, Miriam's actions of speaking against Moshe, who was representing Hashem, can be seen as a form of Chilul Hashem, which refers to behavior that brings shame or disrespect to Hashem, Judaism, or the Jewish community.

Chilul Hashem is considered a severe transgression with far-reaching consequences. To prevent the Chilul Hashem from spreading further, Hashem rebuked Miriam in a strong manner, demonstrating the seriousness with which this offense is regarded.

By swiftly addressing the situation, Hashem ensured that the sanctity of His Name and the integrity of Judaism were preserved.

This story serves as a reminder of the immense responsibility we have as parents in how we address and guide our children. It highlights the importance of balancing our approach by providing education with love and respect, while minimizing the need for rebuke. However, we must also be vigilant in ensuring that our children do not engage in dangerous behaviors.

It is crucial to cultivate an environment of love, understanding, and respect when interacting with our children. By doing so, we can foster a strong bond and create a safe space for them to grow and learn. Open communication, active listening, and positive reinforcement can be effective tools in guiding their behavior and instilling important values.

At the same time, it is essential to remain aware of potential dangers and to set clear boundaries to protect our children from harm. This involves providing appropriate supervision and guidance to prevent them from engaging in risky or harmful behavior.

Ultimately, finding the right balance between nurturing and discipline can be a challenge, but by approaching our role as parents with caution and understanding, we can help our children develop into responsible and well-rounded individuals.



BAR MITZVA DERASHA FOR ELIYA TAHAN.

There is a Minhag amongst many people is that on the first day that the Bar Mitzvah boy puts on his Tefilin, others wrap the tefilin around his arm and place them on his head. The father and grandfather join that ceremony and so do many Rabbis.

But that raises a question, can one fulfil the Mitzvah that way?

It would seem that this might depend on how one views the Mitzvah of Tefillin: Is the Mitzvah of Tefillin is the act of *putting* the Tefillin on the arm - פעולה, or is it merely the result of having it on the arm? - תוצאה.

We find many examples in the Torah of some Mitzvot which are based on the act of the Mitzvah while others are the results.

For example, the Mitzvah of Netilat Lulav is the act of

shaking - פעולה, while the Mitzvah of Tzedakah is that the *one* should have the money - תוצאה.

The practical application of the different approaches would be our question- if someone else places the Tefillin on one's arm and head.

If the Mitzvah of Tefillin is the result of having it on the arm and head, what is known as *מצוה שבגופו* then it's fine that other people would put it on the arm and head of the Bar Mitzvah boy, since he performs the Mitzvah when the Tefillin are on his body, but if the Mitzvah is the act of putting on the Tefillin, then the boy himself must do it and nobody else.

This concern could be very problematic because it's the first time that the Bar Mitzvah boy is performing the Mitzvah of Tefillin, and furthermore, it could be that his Bracha would



BAR MITZVA DERASHA FOR ELIYA TAHAN.

ברכה לבטלה be considered said in vain.

Perhaps we can answer this by citing the explanation of the קצות החשן. He said that one can appoint a שליח only on Mitzvot that are an act, not on Mitzvot that are dependent on the results. Therefore, according to the approach that the Mitzvah is in the act, since the people that are putting the Tefillin on the Bar Mitzvah boy are acting as his שליח it's considered as the boy himself has put the Tefillin since שלוחו, meaning although they wrapped the Tefillin around his arm, it's considered as if he himself did.

But what about the fact that he is saying the Bracha and someone else is performing the Mitzvah?

To answer this, let's see another Machloket between the Ben Ish Chai and Chacham Ovadia in the Mitzvah of lighting Chanuka candles. If a person is too sick to light, the Ben Ish Chai says he should say the Bracha and the Shliach should light. But Chacham Ovadia argued on this, asking how one can say a Bracha without performing the Mitzvah, but having others perform it in his stead. Therefore, Chacham Ovadia concludes that the sick person shouldn't recite the Bracha but have the Shliach recite it.

In our case, according to the opinion of the Ben Ish Chai, the boy as well may say the Bracha and give others the opportunity to wrap the Tefillin straps for him.

טלפון בשבת.

לפי הטעם הראשון שהחשמל הינו לווהט היה מקום להתיר את שימוש הטלפון, כיון שהחשמל שעובר בו הוא מועט ולא גורם לחום וללהט ולשינוי צבעי החוטים הדקים הנמצאים בו.

וכן לטעם השני שנקטנו, שנוצרים בו כעחן נצוצות יש להקל כיון שבטלפונים שלנו אין ניצוץ שכאלו, אולם שאר טעמי האיסור שייכים גם לטלפונים שלנו ולכן יש לאסור.

הנה בדיון מלאכת כותב נחלקו רבותינו אם האיסור נאמר גם על הקלדה על גבי מסך אלקטרוני, כגון המסכים המצויים כיום בטלפונים, ואם כן האם איסורם הוא איסור כותב מהתורה או מדרבנן. הגאון רב שמואל וזנר (שו"ת שבט הלוי ח"ו סי' לז) סבר שהוא איסור תורה משום שהקלדה נחשבת כמלאכה המתקיימת שכל העושה פעולה הנצרכת בשלמות לעת עתה נחשבת הפעולה כדבר המתקיים, ואף שלאחר זמן הוא ימחק את הנכתב, אולם מעשה המחיקה הוא מעשה אחר וללא מעשה המחיקה הרי הכתיבה מתקיימת. והגר"ע יוסף חלק עליו בזה (חזו"ע ח"ה עמוד קמא) וסבר שאין זה נחשב ככתיבה המתקיימת ויש כאן רק איסור דרבנן.

והגר"ש אורבך (הובא שם בחזו"ע) סבר שכתבה על גבי מסך אינה איסור תורה כיון שאין דרך לכתוב בירי אלקטרוני על גבי המסך.

ולכן עולה שלהקיש על גבי מסך הטלפון את ההצרך יהיה איסור מן התורה או לכל הפחות מדרבנן.

כל דבר שנחשב כמעשה של יום חול הוא זלזול לשבת ונאסר (ש"ע הרב, ריש סימן שכג), ובדואי שגם השתמשות בטלפון נכנס בכלל איסור זה.

כיון שהעלנו שאסור להשתמש בטלפון לכן דינו כמוקצה ואסור גם בשלטול. נסיים בברכה שנזכה לנאמר בזמירות "כל שומר שבת", על אלו ששומרים את השבת מחללו: "קודש היא לכם שבת המלכה- אל תוך בתיכם להניח ברכה".



שלום לכבוד הרב. רציתי לשאול למה אסור להשתמש בטלפון בשבת, הרי בזמן התורה והגמרא לא היו טלפונים ואם כן איך הם נאסרו בשימוש?

שלום לשואל הנכבד.

אכן שאלתך שאלה טובה שצריך לברר אותה אחת ולתמיד, ונעמוד על כמה נקודות על מנת להבין את מהות האיסור. הבה יבדוק כמה איסורים:

איסור השתמשות בחשמל.

איסור כתיבה.

עובדין דחול וזלזול שבת.

מוקצה.

לגבי איסור השתמשות במכשירי חשמל, כבר חלקו רבותינו בזמן המצאת החשמל אם הדבר אסור ואם כן משום מה. יש שאסרו (שו"ת אחינזר ח"ג סי' ס ובשו"ת בית יצחק יו"ד סי' קכ) משום שחשמל לעיתים דומה לאש, וכגון בנורה חשמלית או חוטי חשמל של תנורי חמום וכדומה, שחוטי החשמל הינם חמים ולוהטים וגם הם מתאדמים כאש. יש שאסרו משום שבעת הדלקת החשמל נוצר נצוץ של אש, אמנם בזה ישנם שהתירו (הגר"א הנקין בעדות לישראל סי' כ).

החזון איש (סימן נ' סק"ט) כתב שיש בחשמל איסור מלאכת בונה ומתקן מנא (מתקן כלי), והסביר זאת על פי דברי הרמב"ם (פ"ז מהלכות שבת ה"ז) שכתב: "כל המקבץ חלק אל חלק ודבק הכל עד שיעשו גוף אחד, הרי זה דומה לבנין", וא"כ גם על ידי חיבור מעגל חשמלי לדעת החזון איש עובר באיסור ה"ל".

יש כתבו לאסור משום מלאכת מכה בפטיש ויש שאסרו משום איסור מוליד (שו"ת אחינזר ח"ד סימן ו').

ישנם רבים שכתבו שאיסורו מדרבנן ומצאו לו סמוכים.

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MAZAL TOY TO MISHPACHAS RABBI BINYOMIN SHULMAN FOR THE CHASSONA OF THEIR RESPECTIVE CHILDREN!