



Bet Horaah

בית הוראה

Shahre Ezra

עברי עזרא

Parshat Vayigash

Zmanim for New York:

Candle Lighting: 4:23pm

Shabbat ends: 5:28pm

R"T 5:55pm

Heartfelt appreciation and blessings extend to our generous donor for his unwavering and continuous support. May he and his family merit a year filled with health, success, and sweetness.

THE HALACHIC PERSPECTIVE ON NON-JEWISH HOLIDAYS

WRITTEN BY RABBI SHAY TAHAN

*TO RECEIVE THE WEEKLY NEWSLETTER PLEASE EMAIL US AT ASKHALACHA1@GMAIL.COM

HALACHA QUESTION?

WhatsApp: 347-666-3467

Email: askhalacha1@gmail.com

Over 2,000 classes can be found at Rabbishaytahan.com

Someone in a place where songs associated with idolatry are played, such as during the Christian holiday season, is not prohibited from hearing them. However, it is correct to refrain from enjoying them, as doing so is distasteful.

The *Shulchan Aruch* (Y.D. 142:15) states: "It is forbidden to hear musical instruments of idolatry or to gaze upon the adornments of idolatry, as one derives pleasure from the sight."

The intent of the *Shulchan Aruch* refers to instruments played specifically in service of idolatry, not to songs intended merely for entertainment or to create a festive atmosphere.

This distinction is derived from the words of the *Shiltei Giborim*, who writes explicitly that the prohibition applies to music played before an idol. He states: "If one sees the ornaments of idolatry or hears the melodies of priests playing before the idol, if they do not intend to derive benefit, as they have no desire for or need of such enjoyment, it is permitted. However, if one intends to benefit, it is forbidden, for even sound and sight, though intangible, are prohibited to derive benefit from."

Rav Moshe Feinstein, in *Igrot Moshe* (Y.D. II: 111), elaborates: "Regarding listening to songs played for idolatry, it is certainly forbidden. Playing music for idolatry is considered an act of respect akin to kissing or bowing, as discussed in *Sanhedrin* (63b) and ruled by the *Rambam* (Avodat Kochavim 3:6). If such music is part of the idol's worship, it incurs the penalty of death. Therefore, it is undoubtedly forbidden to intentionally listen to such music.

If the music comes from instruments designated for idolatry, benefiting from it is prohibited, even rabbinically. However, if the music is sung without instru-

ments or without lyrics praising idolatry, there is no inherent prohibition, though it remains distasteful. Songs with lyrics praising idols are forbidden, even if not intended as worship.

Music heard from speakers or recordings, not live performances, does not fall under the strict prohibition but is still considered distasteful."



The *Rema* notes that actions without intent to derive benefit are permitted, but one should avoid situations where such intent might arise.

Someone traveling during the Christian holidays, and they are wished "Marry Xmass" or even "Happy Holidays," should refrain from responding with "Happy Holidays" in return. Instead, they should reply with "Thank you" or another neutral phrase that does not imply agreement with their holiday.

The *Rambam* (Melachim 10:9) writes: "if a gentile observes a day of rest, even on a weekday, as if it were a Sabbath for themselves, they are liable for punishment, needless to say, if they establish a festival for themselves. The principle is: we do not allow them to create new religions or commandments on their own initiative."

Since it is forbidden for them to establish new holidays, we should avoid wishing them "Happy Holidays," as doing so implies agreement with their mistaken practices.

Moreover, because their holidays glorify idolatry—especially the festivals at the end of the secular year—one should refrain from such greetings, as doing so indirectly honors their idolatry.

When one responds in such a manner, knowing that the holiday elevates idolatry, they violate the

THE HALACHIC PERSPECTIVE ON NON-JEWISH HOLIDAYS

prohibition of flattery (*chanufah*).

The holy books have written extensively about this negative trait. Our sages (*Sotah* 41a) said regarding King Agrippa: when he was reading from the Torah and reached the verse, "You shall not appoint a foreigner over you" (*Devarim* 17:15), his eyes filled with tears. They said to him, "You are our brother!" At that moment, the enemies of Israel (a euphemism for the Jewish people) became liable for destruction because they flattered Agrippa.

If one is greeted with "Happy Holidays," they may respond with "Thank you," intending it as gratitude for the well-wishes regarding Chanukah, which occurs around the same time.

One may extend greetings such as "Good morning" or "Hello" even on the holiday of Christians. However, it should be done in a subdued tone and with seriousness.

The *Shulchan Aruch* (Y.D. 148:9) states: "It is forbidden to enter the house of an idolater on their festival day to greet them, but if encountered outside, it is permitted to greet them, though one should do so in a subdued tone and with seriousness."

The *Shulchan Aruch* words refer specifically to entering the idolater's personal residence on their holiday. This prohibition does not extend to entering a property rented from them, such as a house (Rbnb) or hotel room.

If one needs to give a gift to a non-Jew on their holiday, it is preferable to do so the day before or after their holiday. However, if this is not possible, it may

also be given on the holiday itself.

It is a common gesture to give gifts during this season to the mailman, the school bus driver, and neighbors. But is this permitted?

The *Rema* (Y.D. end of 148) states: "If one sends a gift to a gentile in these times on the day that they consider significant, if possible, they should send it the evening before. If not, they may send it on the holiday itself."

The *Shach* (148:13) explains that sending the gift the evening before avoids potential animosity. Furthermore, in modern times, when it is uncommon for the recipient to attribute the gift to their idol worship, it is certainly permissible to send it.

One should be careful not to attend or watch the celebrations and joyous events associated with idolatry practiced by idol worshippers.

The *Chochmat Adam* (*Avodah Zarah*, 87:5) states: "It is obvious that it is forbidden to stroll there and observe their celebrations. Everyone must be cautious not to watch their gladiatorial games, dances, or any form of their rejoicing, as it is written, 'Rejoice not, O Israel...'. If you hear that they are rejoicing and celebrating, you should sigh and feel sorrow over the destruction of the Temple and pray:

'Master of the Universe, Your people, whom You brought out of Egypt, have sinned doubly and have been punished doubly in measure. Yet, do not remain angry forever and do not let Your wrath extend endlessly upon the flock of Your pasture. Rebuild Jerusalem and bring us joy in it.' (*Beit Yosef*, also mentioned in *Magen Avraham*, O.H. 224:3)."

Furthermore, attending such events, even those organized by Jews, is considered a "gathering of scoffers."

SUFGANIYOT: A STICKY AND SWEET HALACHIC TREAT

While memories of Chanuka often revolve around lit candles, festive music, and dreidel games, one cannot overlook the classic food staple: the doughnut. Though seemingly innocent, this pastry presents an intriguing halachic conundrum.

At Jewish bakeries where fresh and delicious sufganiyot are prepared, the workers behind the counters are often gentiles. Those purchasing from such establishments must be aware of a significant halachic question regarding this practice.

Bishul Akum vs. Pat Akum

Since sufganiyot are prepared by deep frying, the question arises: Are they considered baked or cooked? This has implications for both *bishul akum* and the bracha of *hamotzi*. If a Jew turns on the fire but a gentile fries them, are they regarded as baked, like bread—which would be permitted because the Jew ignited the fire—or as cooked food, which would be prohibited?

Let us begin with the well-known differences between Sephardim and Ashkenazim in the laws of *bishul akum*. The halacha per-



mits *pat akum* (bread baked by a gentile) when a Jew ignites the oven (Y.D. 113:7). However, *bishul akum* (food cooked by a gentile) is not permitted under such conditions according to the *Shulchan Aruch*. The *Rema* allows it, but Sephardim who follow the rulings of the *Beit Yosef* (*Shulchan Aruch*) forbid it.

What is the bracha for a Sufganiya?

The above question has also implications for the bracha of the doughnut. The bracha of 'hamotzi' is recited over plain baked dough. However, there is a halachic debate regarding dough that is cooked in water or fried in deep oil instead of baked. Rabbeinu Tam holds that cooked or fried dough retains the bracha of 'hamotzi,' while Rabbeinu Shimshon asserts that the cooking

process reclassifies the dough as 'cooked,' necessitating the bracha of 'mezonot.'

The *Rema* rules in favor of Rabbeinu Shimshon, while the *Shulchan Aruch* (O.H. 168:13) records the dispute and advises that a G-d-fearing person should wash hands and eat a slice of bread before consuming cooked or fried dough to avoid the disagreement.

SUFGANIYOT: A STICKY AND SWEET HALACHIC TREAT

However, in the laws of *hafrashat challah*, the Shulchan Aruch sides with Rabbeinu Shimshon, stating that cooked or fried dough is not considered bread and does not require *challah* separation. Some authorities interpret this as the Shulchan Aruch implicitly ruling like Rabbeinu Shimshon, with the added recommendation of piety for those who wish to avoid any doubt.

Regarding Chanuka doughnuts, which are fried in oil, Rabbeinu Shimshon's view exempts them from requiring hand washing or the bracha of 'hamotzi' and 'birkat hamazon,' regardless of quantity consumed. However, as cooked items, they fall under the prohibition of *bishul akum*—food cooked by a gentile (Y.D. 112:18). Unlike *pat akum* (bread baked by a gentile), which has certain leniencies when produced in a bakery (Y.D.112:2), *bishul akum* remains prohibited.

This prohibition presents additional challenges for Sephardim as explained above.

Viewing doughnuts as cooked food yields both leniencies and stringencies. On the one hand, one recites 'mezonot' and 'al hamichya,' regardless of the quantity consumed. On the other hand, they become subject to the prohibition of *bishul akum*.

Rabbi Ovadia Yosef in *Yechaveh Da'at* (5:53), offers a balanced approach. Since both the bracha and *bishul akum* are rabbinic laws, the principle of leniency in cases of doubt applies. Therefore, one may treat fried dough as cooked, recite 'mezonot,' and simultaneously exempt it from the prohibition of *bishul akum*.

Are Jewish bakeries safe?

On the surface, it seems that this question was resolved according to Chacham Ovadia. However, upon closer examination, the issue with Sufganiyot is more complex than with baked goods and raises concerns for Ashkenazim as well.

Rav Shternbuch (Teshuvot VeHanhagot 3:249) cautions that purchasing from a Jewish-owned bakery may be more problematic than buying from a non-Jewish bakery. This is because items prepared by a non-Jew in a Jewish establishment are classified as *bishul*—cooked food—rather than baked (*Shach*, Y.D. 112:7).

Many other poskim have also warned about this issue, but Rav Moshe Feinstein (Y.D. 1:45) was lenient. He explained that the restriction mentioned in the *Shach* (based on the *Tur*) applies

when the Jew is the owner, as they can easily complete the baking themselves, and therefore, Chazal were not lenient in such cases. However, today, since bakers are often very busy serving large crowds, this situation falls under the leniency of *pat akum* as permitted for a baker.

Squeezing the Oil from the Sufganiyot on Shabbat

Many Sufganiyot are soaked and saturated in oil, and people often squeeze them to remove as much oil as possible before eating. Can this be done on Shabbat? The halacha states (320; 7): "Squeezing pickled fruit and vegetables or stewed vegetables: If done for their own improvement—that is, one does not need the liquid and is merely squeezing to enhance the food for eating purposes—then even if one squeezes into an empty plate, it is permissible." Accordingly, it would also be permitted to squeeze the oil from the doughnut, as the intent is for the improvement of the food, not to extract the liquid for another use.

Heating the donut on Shabbat

Another issue on Shabbat is whether one is permitted to heat donuts. This question is divided into two parts: the donut itself and the jelly.

The donut was fully cooked, so the principle of *ein bishul achar bishul* (no prohibition of cooking after cooking) would seemingly apply. However, some poskim hold that this principle does not apply here because the donut was fried, and placing it on the *blech* is not considered frying. Therefore, reheating it in this manner would not be permitted (see discussion in 318; 5).

Additionally, reheating the donut might cause it to harden, which some poskim view as creating a new state. The *Mishna Berura* permits this (see discussion in b.h. 318; 4), but the *Ben Ish Chai* holds that it constitutes a Torah violation.

The jelly, if it was precooked, would generally be permissible to reheat. However, since it is often in a liquid state, it is subject to the prohibition of cooking on Shabbat, as the principle of *ein bishul achar bishul* does not apply to liquids that have cooled.

Even if the liquid is no longer in a liquid state, it can still be an issue according to the *Rema* (318; 15), who prohibits causing it to melt.

THE HALACHOT OF POST-CHANUKAH PRACTICES

There is a halachic dispute regarding the leftover oil from the Chanukah menorah:

Kedusha of the Leftover Oil: One opinion holds that oil left over after the candles have burned for the required half-hour possess no sanctity (*kedusha*). According to this view, if the candles burned for less than half an hour, the leftover oil should be treated respectfully and not disposed of, but rather allowed to burn. However, if the menorah burned for the full half-hour, the leftover oil is permitted to be used for whatever one desires.



Condition Prior to Lighting: Another opinion maintains that the leftover oil does not have sanctity if the person explicitly states

before lighting the menorah that any leftover oil may be discarded. This preemptive declaration allows for the disposal or use of the remaining oil without concern for its sanctity.

Lehalacha, the *Mishna Berura* (siman 672; 7) states that *lechatchila*, one should make a condition before lighting the menorah to allow for the disposal of any leftover oil, thereby covering the second opinion. However, if one forgot to make this condition, and the candles burned for the required half-hour, the leftover oil may be disposed of. Needless to say, one

may not intentionally burn out the candles before the required half-hour of lighting. However, if the candles were extin-

THE HALACHOT OF POST-CHANUKAH PRACTICES

guished by themselves, one has still fulfilled their obligation. Still, there are many poskim who hold that even bedieved, if one did not say the condition beforehand, they must burn the oil and not use it for other purposes.

Old menorahs or glasses of the menorah that are no longer needed may be disposed of in a respectful manner. The reason is that these items are considered objects of a mitzvah, which do not possess any kedusha. However, since these objects assisted in performing a mitzvah, we want to avoid disrespecting them by dis-

carding them with regular trash. The proper way to dispose of them is with dignity, such as placing them outside the house, not with the garbage, and allowing the sanitation department to take them. One can also place them in a clean bag and dispose of them personally.

The leftover oil in the bottle that was not used may be used for whatever one wishes, as it does not even have the status of an object of a mitzvah.

הנמצא במקום שמתנגנים בו ניגונים של עבודה זרה

וגם בשו"ת חוות יאיר (סימן א' השגה יא, יב) נזקק לזה וכתב שאין בו איסור וגמגום אפילו בפה מכמה טעמים. חדא, שאפילו שנקרא שם לעבודה זרה ממש כשם אדם, אין איסור להזכיר שמה מאחר שגם עכשיו יש הרבה בני אדם שנקראים בשמות כאלו והרי לא עובדים את אותם האנשים. וכן כבר אמרו חז"ל שגוים בזמן הזה אינם עובדים עבודה זרה ממש. והנה כבר היראים (סימן עה) שאין איסור להזכיר אלא שם אלהות, אבל שם הדיוט, כגון כרע בל קרס נבו, אף על פי שעשו אותן אלהות מאחר שלא ייתן השם לשם אלהות ואינו נשמע אלהות ואדנות מותר. וכן הובא להלכה בבאור הגר"א (יו"ד סימן קמז סק"ב), וכתב שלכן הוזכרו שמות אותו האיש ותלמידיו בש"ס בכמה מקומות.

רחוב או עיר הנקרא על שם עבודה זרה, מותר להזכירו בפיו וכן לכתבו.



המטייל במקומות שנקראו בשם עבודה זרה, נתקל בשאלה אם מותר לו לומר או לכתוב את שם המקום, ולדוגמא כששוכר מונית צריך לומר לנהג לאן פניו מועדות, ולכן צריך לנקוט בשם זה. והנה נפסק להלכה בשולחן ערוך (יו"ד סימן קמז ס"א) שאסור להזכיר שם אלילים בין לצורך ובין שלא לצורך.

ובספר משנה הלכות (ח"ט סימן קסט) נשאל בזה, וכגון המבקר בעיר בוענס איירעס בברזיל, שיש בה רחובות הנקראים על שם אותו האיש, וכן באירופה ישנם עירות הנקראות על שם העבודה זרה שלהם. והשיב שלגבי כתיבה ודאי יש להתיר מטעם דכתיב 'לא ישמע על פיך', דמשמע רק בפיו ולא בכתיבה. וכבר הסתפק בזה בספר מנחת חינוך (מצוה פו), והעלה על פי דברי השאגת אריה (סימן יג) להתיר.

Rabbi Shay Tahan
Starting New Smicha Program
Starting Hilchot Nidah
Call Rabbi Avezov 347-938-4969
Kollel Shaarei Ezra Bnei Yosef

Mehudar Tefilin & Mezuzot Sell & Check
Rabbi Shay Tahan 3476663467

Leylul Nishmat Tune but Bahiye

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.

LILUI NISHMAT
Tune' bat Bahiye.

אורלי בת בתיה שרה
Manzal Bat Shelomo
David ben Zohov
Gavrilova Zoya Bat mafrat

REFUAH SHELEMA
ESTHER BAT MAZAL

אילנה שיראן בת בתיה שרה
בתיה שרה בת טובה

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

Lev Mavashev from Alpha Realty Hatzlacha and Parnasa Tova.

Now you can also download our newsletters from the following websites: Shiurenjoyment, Dirshu, Ladaat, Gilyonos, Kol Halashon, Parsha Sheets, Chidush, Shareplus. Prog.