



# Bet Horaah בית הוראה Shaarei Ezra שערי עזרא

Parshat Emor

Zmanim for New York:

Candle Lighting: 7:50pm

Shabbat ends: 8:57pm

R"T 9:22pm

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### SAFE SHABBAT JOURNEYS: HALACHIC PRECAUTIONS AND PRACTICAL ADVICE.

WRITTEN BY RABBI SHAY TAHAN

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When departing for Shabbat to spend it away from home, whether with family, friends, or alone in a rental house or hotel, one must come prepared in various ways. For example, it's essential not to depart without ensuring there's ample time to prepare food for Shabbat. One can either take food along or make arrangements with their hosts beforehand (שולחן ערוך סימן רמט ס"א).

Another crucial preparation involves leaving the house with sufficient time to reach the destination well in advance. While there's no precise time measure for departure, one should factor in potential unforeseen circumstances such as heavy traffic or common emergencies, ensuring sufficient time to arrive at the destination before nightfall (חוט שני לרב) (נסים קרליץ ח"א סוף פרק ח' שו"ת אור לציון פרק טז אות ו).

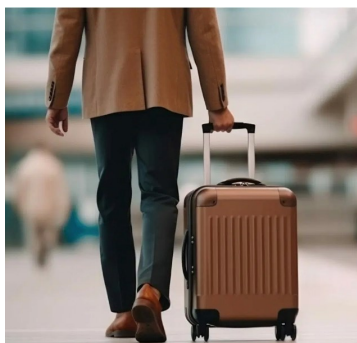
Rav Ben Tzion Aba Shaul ( ) advised ensuring arrival at the destination at least an hour before the onset of Shabbat. This provides ample time to address any unforeseen challenges that may arise during the journey.

### Traveling Into the Shabbat.

Given the paramount importance of avoiding any violation of Shabbat, whether by driving or crossing the techum of Shabbat (meaning one may not leave their designated place of dwelling by more than approximately 6/10 of a mile from the last house in the city), if a person finds themselves in a situation where they are riding in a car and it becomes apparent that they won't reach their destination before Shabbat begins, especially if they are not far from their home, they should turn back. Even if there's uncertainty, it's advisable to return home and not take any risks. This holds true even if the GPS indicates that they will arrive on time, as there's a chance that traffic may build up unexpectedly, as often occurs.

If it's not feasible to return home, one should endeavor to find alternative accommodations, such as a ho-

tel along the way. Alternatively, if there's a Jewish community nearby, they should contact the local rabbi and attempt to arrange for a place to stay. Despite potential discomfort, there is no permission to violate Shabbat to avoid such inconvenience.



If one finds themselves in an unsafe area while driving, they should continue driving to reach a safe place, such as a hotel in a secure city. Alternatively, if the next safe destination is their intended stop, they should proceed there, even if it involves a violation of Shabbat, as pikuach nefesh takes precedence over observing Shabbat (אורחות שבת ח"ג עמוד רצה).

Another scenario of danger might arise if one is traveling with little children who lack food or with individuals who cannot endure staying in a place without air conditioning in the summer or heat in the winter.

In such case if one anticipates arriving at their destination after Shabbat begins, they should consider arranging for a taxi to transport them or asking a non-Jew to drive them in their car, offering compensation for their time and effort. Using a gentile driver is subject to a rabbinical prohibition known as shvut, though the argument that the passenger's actions, such as pressing the gas pedal, cause the driver to use more fuel is not prohibited due to its negligible impact. (אגר"מ או"ח ח"א סימן קלב).

If those options aren't available, one should immediately park their car well before Shabbat and walk to the nearest hotel or Jewish community. If there's nothing within walking distance, they should then proceed to a location where they can secure a taxi.

In a scenario where the city is not within walking distance, one should enter the taxi before Shabbat begins. When a person enters a taxi with a gentile driver before Shabbat, they may continue driving into Shabbat, even crossing the techum, as it is the driver who is performing the action (ספר חשוּקֵי חַמַּד – שבת דף קנג ע"א).

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According to this reasoning, one may also take a ride in a taxi during ben hashmashot, provided they refrain from opening or closing the door (which then turns on and off the light). The Shulchan Aruch states that during ben hashmashot, one may ask a non-Jew to perform urgent tasks (סימן רסא וכן פסקו במראה הבזק ח"ה תשובה (ל').

### Flighting into Shabbat.

If you frequently travel by air, you're likely aware of the potential for flight delays. Therefore, it's advisable to book flights either before Friday or at least on Friday morning for domestic travel. However, if you've already booked a flight and it's delayed, with the

possibility of landing on or close to Shabbat without enough time to reach your accommodations, you should depart the airport before the flight takes off and book another flight for after Shabbat, even if it means incurring additional expenses.

If you find yourself on a flight that lands close to Shabbat without the opportunity to disembark before departure, you must arrange to stay in the airport or, if accessible, a nearby hotel before Shabbat begins. In this situation, one should not use a taxi to travel home unless remaining in the airport poses a safety concern, in which case using a taxi would be permissible.

## BAR MITZVA DRASHA OF ELI GUINDI

WRITTEN BY RABBI KOWARSKY SHLITA OF CHEVRA SHAS ZICHRON ELIEZER SYNAGOGUE

There is no greater simcha than simchas haTorah. With that said, the din is that a cohen is forbidden to marry a גרושה or other ladies mentioned in this week's parsha. Tosofot in Masechta Ketubot daf כג brings from Rashi that one can be lenient in the עדות to establish that a woman is כשרה for

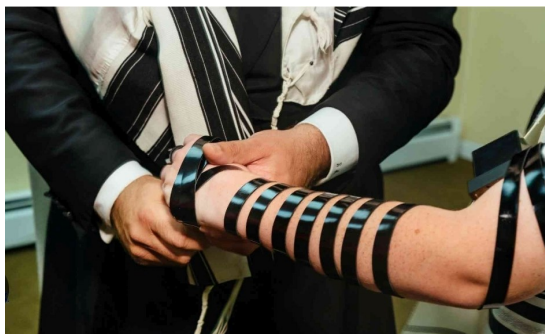
marriage with a cohen since in the worst case scenario a forbidden marriage could only result in the transgression of a לא לא עגונה where the potential איסורים carry the weight of עדות and כרת, and therefore we require a much higher standard of עדות.

Tosofot asks on Rashi, however, that a cohen who marries a forbidden woman can also carry the weight of כרת and מיתת ב"ד. This is because the son of a forbidden marriage is a חלל, and he may not do עבודה in the בית המקדש. If a חלל does עבודה in the בית המקדש, lacking the authorization which a true cohen has, it is חילול שבת which has a מיתת ב"ד and חיוב כרת. Hence, asks Tosofot, we should be even when we come to establish the כשרות of a cohen's wife, so why does Rashi say that we can be מקיל?

Harav Pinchas Horowitz zt"l in his Sefer Haflaah [ibid] asks that the Gemara tells us in several places in Shas that if a person thought that he is a כהן and he did עבודה and was later to be discovered that his yichus was פסול and he is a חלל, the korbonot are deemed to still be kosher, since the חלל is a descendant of אהרן הכהן. If so, when a חלל would do עבודה שבת thinking that he is a כהן, it should truly not be considered חילול שבת, since his עבודה is accepted as עבודה כשרה, so how could tosafot say that false עדות on the כשרות of a woman's yichus could end up with an עונש of כרת?

The Rashash wants to suggest that when a mistaken cohen does עבודה, although his עבודה is accepted, this is only with regard to the כשרות of the עבודה, but it does not allow him to be מחלל שבת. He compares this to the הלכה that שחיטת קרבנות is כשר even if done by a זר, but even still, says the Rashash, a זר is not allowed to shecht a קרבן שבת. The halacha that עבודה is

was only given for עבודה done by a כהן. So too, says the Rashash, a חלל who does עבודה, although it is כשר, it doesn't have the power to be דוחה שבת, like the שחיטה of a זר, and therefore tosafot is able to say that there will be ramifications of מיתת ב"ד and כרת through the forbidden marriage of a cohen.



We see that the רש"י learns that the special דין of a חלל is deemed כשר, based on the פסוק [וזאת] – ברך ה' חילו ופועל ידיו הברכה, לג יא] תרצה, is only to the extent of koshering the עבודה, but not to the extent of making the חלל a temporary cohen.

The Haflaah himself answers his question differently. He says that the case of a potential איסור כרת would be if the חלל was chosen to be a גדול, and he did כהן only by the נשחט on Yom Kippur which is פר עבודה of the כהן. This is because the Haflaah understands that the דין of ברך ה' חילו is only said with regard to the כשרות necessary for a חלל, but not with regard to the כשרות necessary for the special חשיבות of the גדול. In this case, there is a potential for כרת.

We see from the Haflaah that he differs from the רש"י and he holds that the special דין of חילו is not just that Hashem accepts the avodah of this false cohen, but rather he is deemed to be a true כהן until his פסול yichus is discovered. This is only with regard to considering him a חלל, כהן הדין, however, but not a גדול. Comes this מנחת חנוך in מצוה קפה and he is מחדש that the דין of חילו even gives a דין of a גדול to a חלל who thinks that he is kosher. The מנחת חנוך writes that he is enough of a גדול to release a person who killed בשוגג from his מקלט. According to this, we lose the explanation of the Haflaah as well, because even if this חלל would shecht the כפור on פר, כהן גדול, it would be kosher. So how could tosafot say that there is a ramification of כרת?

The Baltimore Rosh Yeshiva, Rav Ruderman zt"l, answers based on Harav Chaim Brisker zt"l who says that a כהן גדול has two kedushot, 1) which comes from being anointed with שמן המשחה, 2) from being elected by the בית דין to be the גדול. Certain halachot are triggered solely by the קדושה caused by the שמן

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המשחה, such as the איסורים in the beginning of this week's parsha, to marry an אלמנה or to be מטמא to close relatives. Other דינים come from the appointment by בית דין, however, such as the requirement to wear בגדים גדול. [If a כהן גדול would die, and then have תחיית המתים, the original קדושה from the משיחה is still on him, but he needs a new מינוי for the בגדים etc.]

If a כהן גדול by mistake had משיחה, we still consider him a כהן גדול up until the time that he was discovered to be a פסול. But הלכות which stem from his מינוי בי"ד are retroactively nullified since בית דין would never have chosen this כהן גדול if they would have known the true status of this person.

There are details of יום כיפור which require a full-fledged כהן גדול, for example, the גורל can only be done by a כהן גדול. Without a true כהן גדול, the גורל is useless and the שיעיר להשם is not כשר for the קרבן. If this false כהן גדול will do שחיטה on this animal, he will be מחלל יום כיפור which is חיוב כרת. Hence tosofot said that עדות of the כשרות of יחוס is חמור just like the עדות of an עגונה.

We learn from this in דרך עבודה that a כהן גדול needs two מעלות,

(1 that he has קדושה in his personal חיים, which is why he gets the קדושה of the המשחה, (2 that he is מעורב and beloved by the community and therefore is chosen to be the כהן גדול by the leaders of ישראל etc.)

I must publicly give הודאה today on my בר מצוה that השם has placed me as a child to my parents who have with great מסירות provided for me a home with constant חינוך and encouragement to strive in Torah, עבודה, and יראת שמים with טהרה. At the same time my parents have shown me how to care for others and always forsee our fellow יהודי's needs with an open hand. This מדה has won the accolades of leadership in our community.

I hope that השם too can have the זכות to grow to be a כהן גדול through kindness and נאהב על הבריות and to be קדושה and bring continuous נחת to my parents and beloved grandparents and all of my Rebbaim who have toiled to cultivate me with the יסודות of our great sages.

## ANTISEMITIC PROTESTS AND JEWISH PASSIVITY: LESSONS FROM OUR PARSHA

Anyone tuning into the news today can't miss a striking phenomenon: protests against Israel and Jews are erupting worldwide, even in the US. These protests are spreading rapidly and growing increasingly violent. Meanwhile, Jews seem to be going about their business as usual, with no visible efforts to counter-protest or mitigate the escalating tensions. One can't help but wonder: why aren't the Jews taking action?

As always, the Torah holds answers to all questions, and perhaps we can draw insights from our parsha.

We are all familiar with the story at the end of our parsha (Emor) concerning the boy who was the son of Shlomit bat Divri, and his father was an Egyptian. He attempts to place his tent in the territory of the tribe of Dan, as his mother was from the tribe of Dan. However, he is rebuked by another individual who claims that he doesn't belong there because the land of Israel was divided among men, not women, and since his father wasn't Jewish, he didn't have a share in the land (פירוש רש"י).

The rebuke was not merely a verbal reprimand but rather a deeply personal and painful insult directed at the boy's father, reminding him of the tragic incident where Moshe had killed his father (פירוש דעת זקנים). This insult escalated into a heated argument and physical altercation between the boy and the Israelite. Eventually, a crowd intervened, apprehended the boy, and brought him to the tent of Moshe (טור). Moshe instructed the assembly to convene a court session, which ultimately led to the verdict that the boy must vacate the disputed territory. Subsequently, the boy transgressed further by uttering curses. When Moshe sought guidance from Hashem on how to address the sinner, Hashem decreed that he should face capital punishment.



While the boy who cursed certainly committed a grave sin deserving severe punishment, the Israelite man who engaged in argument with him also bears culpability. The Kli Yakar notes that the man was a troublemaker, evidenced by his instigation of a fight and insults towards the boy. The Torah's mention of him in the same pasuk alongside the cursing boy, without even mentioning his name, underscores his unworthiness of mention due to his negative character.

The rabbis teach us that nothing positive comes from fights. Was it worth rebuking the boy in such an insulting manner and engaging in physical altercation, risking desecration of Hashem's name and potentially causing loss of Jewish souls? Couldn't he have chosen a different, more respectful and compassionate approach to reclaim the land? Imagine if he had dealt with the boy civilly, understanding his dire situation without land, and offering assistance in finding a temporary dwelling until Moshe could find a permanent solution. The Torah could have celebrated him as a great baal chesed (man of kindness) who extended help to others, showcasing a tremendous kiddush Hashem (sanctification of God's name) for eternity. Instead, he is remembered for eternity as an instigator and fighter, unwilling to compromise on what he believed belonged to him.

Moreover, why was he the only one involved in rebuking and fighting with the boy? Were there not others who shared similar sentiments? The answer to this lies in a deeper reason. When someone is not happy or content, they tend to engage in conflict with others because they perceive everything around them negatively; mirroring the negativity they feel about themselves. Conversely, someone who is content with their life tends to view things and others in a positive light.

**ANTISEMITIC PROTESTS AND JEWISH PASSIVITY: LESSONS FROM OUR PARSHA**

Let's revisit the question posed at the beginning of this article: why don't Jewish people gather to counter these protests? I believe the answer is simple: Jewish people are engaged in constructive pursuits. Some are immersed in learning, seeking personal elevation, while others are busy working towards building their financial futures. Parents are occupied with the vital task of educating and raising their children. Each individual is focused on advancing their life goals.

It's interesting to note that the Columbia University protest began on the Yom Tov of Pesach, a time when the entire Jewish nation was celebrating the festival, indulging in delicious food and drinking four cups of wine. They were singing praises to Hashem and attending synagogue with their children. The Gemara ( מגילה יב, ב) alludes to this phenomenon, stating that on Shabbat, when the

Jewish people eat and drink, they engage in words of Torah and praises to Hashem, whereas others, when they eat and drink, often engage in conversation that is crude and unpleasant. Anyone who observes the faces of the protesters can discern that they lack a sense of purpose; they resort to rioting, shouting, and vandalism as outlets for their aimlessness! would argue that most of them are not antisemites; rather, they are bored individuals seeking engagement, and the 'Palestinian' cause appears to be the new trend captivating their attention. They are often uninformed about the Middle East conflict and lack familiarity with the facts; they are simply empty and confused. When confronted with such senseless behavior, engaging in counter-protests only serves to fuel their unrest and generate more headlines.

**הלכות תפילה**

עד ארבע שעות של היום. והנה ישנם שני שיטות בחישוב הזמן, ישנה את שיטת תרומת הדשן (סימן א) ושיטתו שפסק כמותם המגן אברהם שמונים את שעות היום מעלות השחר, ולעומתם יש את דעת הלבוש (סימן רלג ס"א) ושיטתו שידועה כשיטת הגר"א לחשב את השעות מזמן נץ החמה. ומכיון שלא יצאנו מידי ספק ומחלוקת לכן כתבו הפוסקים שיש להחמיר בזמן קריאת שמע שהוא דאורייתא לסיימה בסוף שלוש שעות לזמן המוקדם יותר שהוא מעלות השחר, ולהקל לסיים תפלת שמונה עשרה בסוף שעה רביעית לשיטה המאוחרת יותר מזמן נץ החמה (מנחת כהן במבוא השמש מאמר ב פרק ט ובערך השלחן טייב סוף סימן תמג ושו"ת מנחת יצחק ח"ג סימן עא).

**אם נמצא במקום שאין הציבור מתפללים רק אחר זמן תפילה (שהוא עד ד' שעות של היום), יארגן לעצמו מנין בעשרה להתפלל לפני סוף זמן תפילה, ואם אין לו אפשרות אזי יתפלל ביחיד ולא יאחר זמן תפילה. ואם נמצא במקום שהציבור מתפללים לפני סוף זמן תפילה אבל קוראים את שמע מאוחר, יקרא את שמע מוקדם ללא הברכות ואח"כ יתפלל עם הציבור.**

יש לדעת שזמן תפילה הוא רק עד ארבע שעות של היום וכמו שנפסק בשולחן ערוך (סימן פט ס"א), ואחר כך עבר זמנה, ורק אם טעה או עבר והתפלל אחר זמן זה עד חצות יש לו שכר תפילה אולם לא שכר תפילה בזמנה. ויש שכתבו שאם הזיד ולא התפלל עד ארבע שעות הפסיד תפלתו ולא יתפלל שוב כלל, ועל כן טוב שיתפלל רק בתורת נדבה ויתנה שאם מצד הדין הוא פטור אז תפלתו היא רק בתורת נדבה (משנה ברורה סימן פט סק"ו).

ויש להזהיר על זה טובא שכל המתפלל תפילה של שחרית לאחר ארבע שעות עליו הכתוב אומר "נוגי ממועד אספתי ממך היו". מאי משמע דהאי נוגי לישנא דצערא הוא, דכתיב "דלפה נפשי מתוגה" (ברכות כח, א). והביא בפסקי תשובות (סימן פט סק"ז) שנקרא עבריין (מדרש דוד הנגיד בן רבי אברהם בן הרמב"ם), ומעוות שלא יוכל לתקון (פרי חדש), ונדחה הוא ותפלתו ויורש גהנום (היכל הברכה).

ועל פי פסק המש"ב דלעיל שטוב שיתפלל אז נדבה, עולה שבשבת ויום טוב שאין מתפללים נדבה אם איחר שחרית במזיד עד אחר ארבע שעות אינו רשאי שוב להתפלל אחר כן (הלכה ברורה סימן פט סעיף ט).

עוד כתב המשנה ברורה (סימן מו ס"ק לב) שאם ירא שמא הציבור יעברו זמן ברכות קריאת שמע אין לו להמתין להם כלל אלא יקרא את שמע בזמנה עם ברכותיה ויתפלל ביחיד שלא יפסיד ברכות ק"ש ותפילה שהם



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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