

# Parsha Encounters

1 Tammuz 5765/July 8, 2005

www.cckollel.org

Parshas Chukas - Rabbi Shmuel Shapiro

## Summer Seder

**A**s the days of summer continue with their usual change of pace, important things – like our learning – sometimes get left out. The way to achieve what we really want is with *seder*, organization. Lack of *seder* points at a weakness in a true desire to succeed.

The Alter of Kelm likens adherence to *seder* to a clasp on a strand of pearls. Just as the precious pearls would scatter everywhere without the metal clasp, likewise, without adherence to *seder* we risk wasting our talents and potential.

Chazal derive from the pasuk, "This is the Torah: A man dies in a tent," that the Torah can only be retained by someone who gives his life for it. The Chofetz Chaim questions this. Does it not say "You shall live" with the Torah?

He explains with a parable of a successful businessman whose merchandise attracted customers from all around. His involvement with his work prevented him from even entering the shul to pray with the *tzibur*. Years went by and upon noticing his beard whitening and realizing he needed to prepare something he could really take with him, he decided to start accumulating merits, *tzaida laderech*.

He began by going to shul the next morning and learning two hours following davening, oblivious to his frantic customers and business. After making an excuse for his absence, he spent the rest of that day in the store. As he finished davening and began learning the following day, his wife came to the Bais Medrash. "I don't mind the loss of income, but I can't chase customers out of the store with such fierce competition for their business," she exclaimed.

"My dear wife," he responded, "What would you do if

the Angel of Death came and said to me 'your time has come...go...?' Could you tell him there's no time now... the store is full of customers...? Now, as well, when I'm learning consider that I've left the world. You certainly won't mind if I return to life in two hours and help in the store with you."

The message of the Chofetz Chaim's *mashul* is clear: we can only gain from keeping a *seder* and should not allow our other activities to distract us. We may still wonder, though, what indeed will be with a person's business?

The answer to this can be found in the gemara in Berachos (6b) which says, "One who is accustomed to coming to the *Bais Haknesses* and doesn't come one day, Hashem inquires about him, as it says in the *passuk* 'Who is there amongst you that fears Hashem who listens to the voice of his servant, who walks in darkness without light...'" Explains the gemara: "If he went for the sake of a mitzvah 'light will shine for him' (he'll be successful) but if he went for an elective matter, 'he won't have light'." Asks the gemara: "Why not? He should've 'trusted in the name of Hashem'." From this gemara we see, says the Alei Shur (vol. 1 pg. 67), that one who has a set schedule for doing a mitzvah merits special *siyata dishmaya* to enable him to fulfill that mitzva. At the same time, this *siyata dishmaya* also carries with it an obligation for a person to have a higher level of bitachon in Hashem that he'll be able to take care of his personal needs without giving up his *seder*.

The Chofetz Chaim concludes by saying, "if one thinks this way he can learn and uphold the Torah which gives life to those who learn and fulfill it."

Rabbi Shapiro learns full-time at the kollel. To dedicate an issue of parsha encounters call the kollel office at (773)262-9400.

THIS ISSUE OF PARSHA ENCOUNTERS IS DEDICATED BY  
Rabbi and Mrs. Shmuel Shapiro in memory of  
Malka Bas R' Tzvi Hirsch o"n

# Halacha Encounters

## Late Mitzvos Early Shabbos

Rabbi Ephraim Freidman

Throughout the entire year, regardless of how long or short the day may be, there is a mitzva of Tosfos Shabbos - to usher in Shabbos prior to the setting of the sun. This mitzva is not incumbent solely upon women, who traditionally light the Shabbos candles significantly before sunset at which point they routinely accept Shabbos. Rather it applies equally to all.

During the winter months when the days are short, many individuals find it somewhat challenging to fulfill this mitzva properly, and often Tosfos Shabbos is reduced at best to a few short moments. (There are various opinions as to how long Tosfos Shabbos must be. See Igros Moshe Orach Chaim Vol. 1, Siman 96 who rules that two or three minutes is sufficient. See also Mishna Brurah 261:22). During the summer months, on the other hand, many individuals - and even entire congregations - opt to bring in Shabbos considerably earlier in order to conduct the first Shabbos seudah at a convenient hour. As a result, the period of Tosfos Shabbos is lengthened significantly.

In a number of halacha seforim we find discussions involving one who accepted Shabbos early and subsequently realized that he, or she, neglected to perform a mitzva which should have been done before Shabbos began. The following question then presents itself. Has this individual forfeited the opportunity to fulfill the mitzvah having already accepted Shabbos, or does the fact that it is currently only Shabbos by personal choice leave room to still perform Friday's mitzva?

### The Ruling of the Taz

One primary source which many poskim draw upon when dealing with this question is a t'shuva written by the Turay Zahav (Taz) which can be found in his commentary to Shulchan Aruch Orach Chaim 600:2. The Taz discusses an incident where a particular community, which was robbed of their only shofar just before Rosh Hashanah, sent a representative to a neighboring town to secure a replacement. Rosh Hashanah in that particular year fell on a Thursday and Friday. Unfortunately, circumstances delayed the return of their emissary, and he did not appear with the shofar until late Friday afternoon after the community had already accepted Shabbos and davened Maariv, although it was not yet night.

In addressing this situation the Taz offers a number of arguments to allow and indeed require the blowing of the shofar at that point. Amongst his arguments, the Taz makes a reference to a ruling of the Shulchan Aruch (Orach Chaim, 263:14) that if an entire community accepted Shabbos thinking that night had arrived, and subsequently realized that the overcast sky had fooled them into

misjudging the hour, their acceptance of Shabbos is void and they are allowed to resume their weekday activities. If an error in judging the time of day is sufficient to reverse one's Kaballas Shabbos, reasons the Taz, why would the same not be true of other errors, such as the one in the case in point?

Furthermore, we find (Shulchan Aruch O.C. 342) that during bein hashamashos (the period between sunset and dark) one is permitted to violate certain Rabbinic prohibitions when necessary to fulfill a mitzva. Certainly this should be true before sunset, when it is considered Shabbos only due to one's kabbalah. Since the prohibition of blowing shofar on Shabbos is Rabbinic in nature, it would be permissible, says the Taz, during Tosfos Shabbos.

### Applications of this Ruling

Drawing on the decision of the Taz, the Sho'el U'maishiv (Vol. 2, Sect.2, Siman 23) rules that a woman, who, after lighting candles and bringing in Shabbos realized that she neglected to separate challah from dough which she had prepared that day for Shabbos, is permitted at that point to separate challah from the baked loaves. Since separating challah is not permissible on Shabbos, there is no question that the woman would not have accepted Shabbos yet if she had not been aware of her delinquency. Therefore, just as the Taz rules that an early Shabbos does not preclude blowing shofar subsequently, likewise it will not prevent the mitzva of separating challah from being performed.

A similar ruling can be found in Sha'alos U'tshuvos Torah L'Shema (Siman117). The subject discussed there is that of an employer who owed wages to an employee who worked for him Thursday night. Although the employer intended to pay his worker on Friday as he was obligated to do by Torah law, the matter slipped his mind until late Friday afternoon after he had already accepted Shabbos and davened ma'ariv in a nearby suburb where he intended to spend Shabbos. The Torah L'Shema rules that the employer was permitted to return to town and pay his worker-although this meant riding on an animal and travelling beyond the t'chum. Here too, the ruling of the Taz served as the basis of his psak.

### Final Ruling

The Mishna Brurah (600:7) paskens in accordance with the Taz that even one who already accepted Shabbos can blow the shofar, if no one else is available. However, only one set of thirty blasts should be sounded and a brocha should not be recited.

Of course, one must exercise caution before applying this ruling to the other situations. As always, the guidance of a competent Rabbinic authority should be sought.

Rabbi Friedman learns regularly and gives shiurim at the kollel.