

Moreshet Maran השיעור השבועי

The Weekly Halacha Shiur of Maran HaRishon LeTzion Rabbi Yitzchak Yosef shlit"a

Based on the weekly Motzaei Shabbat shiur in the Yazdim synagogue
that was established by Maran Rabbenu Ovadia Yosef ztk"l.

Refuah Shelemah for Yishak Ben Hanom Hannah

ק"ק שערי ציון
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Dedicated in Honor of Mr Harry Adjmi for his tireless work for our community.

Ben HaMetzarim 5784: Part 1

The customs of Ben Hametzarim

¹We are currently in the period known as "*Ben HaMetzarim*", named after the verse in *Echah* 1:3, "All her pursuers overtook her between the straits (*ben hametzarim*).² There are differences in customs between Sepharadim and Ashkenazim, even though all Jews follow the same Torah, nevertheless, there are several differences in customs. There are two things we refrain from doing starting from the 17th of Tammuz, two more from the beginning of the month of Av, and two more during the week of the 9th of Av (*shavuah she'chal bo*).

Refraining from saying Shehecheyanu

Starting from the 17th of Tammuz, we do not recite the blessing of *shehecheyanu* on new fruit, as this is a time of mourning for the destruction of the Bet HaMikdash. How can one say *shehecheyanu* that we have reached "this time" (*la'zeman ha'zeh*) if it is a time of mourning? Similarly, if someone buys a new shirt, for example, worth 150 or 200 shekels (today you can buy five shirts for 100 shekels, and it will wear out after one wash), how can they say *shehecheyanu* on it?

1 Introduction to the shiur: *Chazak U'baruch* to Rabbi Yosef Efrati. I requested that he speak this week about Rabbi Elyashiv, in honor of his 12th on the anniversary of his passing. Rabbi Elyashiv had a close friendship with Maran zt"l for many years. Rabbi Efrati was privileged to publish the seven-volume book "*Yissa Yosef*" and more, and he lived by the principle that serving *talmidei chachamim* is more important than study. He asked Rabbi Elyashiv many questions, and he wrote the answers in his book, adding explanations and reasons. He didn't just write "permitted" or "forbidden." This was especially true for the *Mitzvot heteluyot ba'Aretz*.

The Rabbinat collaborates with Rabbi Efrati's institute on issues of *Orlah*, *maaser*, and matters regarding the *shemittah* year. Once, I had a discussion with Rabbi Efrati when I visited a place that grows water-grown crops (hydroponic), like lettuce and other things, and we discussed what *berachah* to recite over them. Rabbi Efrati's ruling, based on the opinion of Rabbi Elyashiv, was to recite *Boreh peri ha'adamah*. O tld him that this is similar to the *berachah* upon mushrooms, which are *Shehakol*; even though they grow on the ground, they grow from water. The poskim disagree about what the ruling is if one mistakenly recited *Ha'adamah*. The conclusion is that it is invalid and one must repeat the *berachah* (see *Chazon Ovadia, Berachot*, p. 155). Nevertheless, Rabbi Efrati told me in the name of Rav Elyashiv that since it has the appearance of lettuce, and most lettuce is not grown hydroponically, the *berachah* should still remain *ha'adamah*. I told him that I respectfully still disagree, and instead, we can write on the packaging that according to Rav Elyashiv, one can recite *ha'adamah*, and according to Maran zt"l, one should recite *shehakol*.

I heard a story today about Rabbi Elyashiv. Someone once recited the blessing *Shechalah me'chochmato li'reiav* upon seeing him, and he didn't respond "Amen." Incidentally, in the previous generation, I don't remember people reciting this blessing on rabbis. We were privileged to see Chacham Ezra Attia, Chacham Ovadia Hedaya, Chacham Yaakov Ades, and Chacham Ephraim HaCohen, and I don't remember anyone reciting this blessing on them. The one who emphasized this matter more was Maran zt"l, because he saw that the honor of Torah was diminishing. In order to elevate the honor of Torah, Maran published a ruling to recite the blessing of "*shechalah me'chochmato li'reiav*" on Torah scholars. But Rabbi Elyashiv didn't respond 'Amen', and when asked about it, he replied: "Perhaps I have wisdom (*chochmah*), but how can someone say that I 'fear' Hashem (*li'reiav*)."² See what humility he had, even though he was clearly one of the *Gedolei hador*. We should learn a moral lesson from Rabbi Elyashiv, who was one of the greatest of the generation, and he always conducted himself with humility. Rabbi Efrati was privileged to serve him. May he continue to increase Torah and make it great, and make no errors in his rulings.

However, for a high-quality shirt or pants, or a suit, or a hat - one would recite *shehecheyanu*. But for items like socks, underwear, a nightgown, or pajamas, one does not recite *shehecheyanu* as they are not considered honorable pieces of clothing. When we were children, it was uncommon to buy new clothes; usually, the older sibling's clothes were passed down. But today, there people are able buy a lot. When we got a new piece of clothing, Maran zt"l would ask us if we recited *shehecheyanu* on it, and if we didn't, he would tell us to do so. This was throughout the entire year, but during the Three Weeks, we do not recite *shehecheyanu* on new fruit or clothing. Also, starting from the 17th of Tammuz, we do not listen to musical instruments.

Getting married

Regarding marriages, from the beginning of the month of Av, we do not get married. Ashkenazim customarily do not marry from the 17th of Tammuz, but we marry until the beginning of Av. Perhaps some people are afraid that their Ashkenazi friends will not come to the wedding, but this is unfounded, as even Ashkenazim can come and rejoice with the groom, as he is following the custom of his fathers and the opinion of the *Shulchan Aruch* (551:2).

When Maran zt"l gave shiur in the Yazdim, he would tell a story about a time when he was chosen to be the Chief Rabbi of Tel Aviv. He saw a serious problem: weddings were frequently held on *motzaei Shabbat*, and this undoubtedly led to much Shabbat desecration which was involved in preparing the hall, salads, and electrical systems. When he heard about this, he sought to put an end to it and enact a rabbinical decree prohibiting weddings on *motzaei Shabbat*. The owners of the event halls came to protest. The head of the office was afraid and said, "Rabbi, they've come to protest!" Maran replied, "Relax, what are you afraid of? Let them come in." He was concerned that they might overturn his table, but the rabbi brought them in respectfully, saying, "Sit down." He spoke to them kindly and said, "Look, you hold weddings on *motzaei Shabbat*, but this does not occur every week since it is not always booked. How many days does that come out to in a year?" He then added up how many days this added up to, and then he continued, "I will give you, in exchange, several days, and if you do the math, you will find that you will have more. From the 17th of Tammuz until the beginning of Av, you can hold weddings for Sepharadim. (- At that time, there was a majority of Sepharadim in Tel Aviv, although that has changed today) - and also from the 33rd day of the Omer until Shavuot, you can hold weddings for Sepharadim, because Ashkenazim only marry on Lag BaOmer, and during the Three Weeks, they do not marry, but Sepharadim do."² They did the math and saw that the rabbi was right. They said to him, "Thank you very much..." They received a blessing and the rabbi sent them away. Maran zt"l knew how to guide each individual according to their perspective.

Shavuah chamurah

An Ashkenazi Rosh Yeshivah should not say to his Sephardic students that they should not get married during *Ben Hametzarim*. On the contrary, a Rosh Yeshivah should encourage his students, and even attend the wedding and rejoice with them. Each person should continue to keep and uphold his family's customs. This also includes performing the *shavuah chamurah*. Rabbi Elyashiv

² The truth is that there is room even for Ashkenazim to be lenient during this time in special cases, and if one has a doubt, he should consult a rabbi.

was very upset when he heard that there are some young Ashkenazic Roshei yeshivot who try to omit the *shavuah chamurah* at wedding of their Sephardic students. He couldn't understand why they would try to uproot a custom that was done in Yerushalayim for hundreds of years, and was done by all of the Sephardic gedolim. This custom dates back to the time of the Rambam, which was about 850 years ago. The *shavuah* is meant to ensure that the husband will not run away from home without telling his wife where he is going (such as going to Uman for Rosh Hashanah and leaving his wife along), so that he does not sell her personal items, and so that he does not divorce his wife against her will. The *Rama* (119:6) states that for Ashkenazim there is a "*Cherem Rabbenu Gershon*" that prevents them from marrying a second wife, but this does not apply to Sephardim. Therefore, the *shavuah chamurah* also includes that one will not marry a second wife without consent from his first wife. This is brought by many poskim, such as *Maharival* (cited in *Yad Aharon* 1); *Radvaz* (4:1292); *Maharchash* (siman 47); Chida (*Chayim Sha'al* 2:38), and others.³

The Sephardic pronunciation

At the weddings of one of my brothers, Rabbi Shlomo Zalman Auerbach was called up to the chupah to recite the *Sheva berachot*, and he recited all of the *berachot* with the Sephardic pronunciation. He even said Hashem's Name (*A-donai* instead of *A-doynoy*) like a Sephardi (see *Halichot Shlomo, Tefillah* 5:20). It is difficult for Ashkenazim to do this. The rebbi of the *Chatam Sofer*, Rabbi Natan Adler brought Rabbi Chaim Modai (who was one of the Chachamim of Egypt) to teach him how to pronounce the words like a Sephardi. It took him two years to learn this. Rabbi Elyashiv said that since we see that his student, the *Chatam Sofer*, did not also do so, it must be that he disagreed with his rebbe on this point since he held that one should not change his minhag. However, on the other hand, it is possible to say that the *Chatam Sofer* did not disagree with his rebbe, rather, he held that since it is difficult to do, there is no obligation to do so, but if one wants to, then he can. Rabbi Sheinberg and other Ashkenazic rabbanim who came to recite *berachot* under the *chuppah* of people in my family did not change their pronunciation, and Maran zt"l never mentioned anything to them about it.⁴ As long as the chatan understands what is being said, he fulfills his obligation, but if he doesn't understand, then it is a problem.

As we explained, the custom of Sephardim is to only refrain from getting married after Rosh Chodesh Av. After Rosh Chodesh, we also refrain from eating meat.

Shavuah she'chal bo

During the *shavuah she'chal bo*, we do not do laundry, even if one does not intend to wear the clothing until after Tisha b'Av. We also do not wear laundered clothing. We do not take haircuts, or bath with hot water even without using soap. This year it is not such a big deal since it is only from Sunday until Tuesday.

³ Even though the *Shavuah chamurah* indeed takes effect on the entire *ketuvah*, the intention of the vow is to include things that are out of the norm, such as in order to prevent a person from running away from his wife to a different country. It was not meant to also include normal day-to-day happening in one's marriage. It is normal for a person to not be able to afford new clothing, and it is normal for a person to get into an argument with his wife once in a while (even though the *ketuvah* says that one must respect his wife), this does mean to say that he violates a vow every time. It is very normal to argue with one's spouse once in a while, this is not considered something out of the ordinary and is not the intention of the *shavuah chamurah*.

Ashkenazim are very careful to keep all of their *minhagim*, even *minhagim* that are not obligations. For example, many Ashkenazim wear a *gartel* when they pray, even though this is not a requirement. Likewise, Ashkenazim are not embarrassed to not wear a tallit until they get married. If they are not embarrassed to keep their *minhagim*, why should we

⁴ Someone who got married during the Corona pandemic asked me that since he did not have ten people at his chuppah, he wanted to know if he was allowed to recite the *sheva berachot* later once he got a minyan. I told him that even afterward, it was permitted to recite the *sheva berachot* since they are *berachot* of praise and do not need to specifically be said at the time of the chuppah.

Listening to music during ben hametzarim

The prohibition of listening to music is not brought in any Rishonim, they only discuss the general prohibition of listening to instruments throughout the entire year. Some say that there is a prohibition to listen to music only when drinking wine. *Rambam* (*Taanivot* 5:14) says that it is permitted to sing praises to Hashem when drinking wine. This is also the ruling of *Meiri* (*Gittin* 7a) who says that it is only prohibited to drink wine and sing if one is singing songs that are not praises of Hashem.⁵ The source for not listening to music specifically during *Ben Hametzarim* stems from the *Magen Avraham* (551:10) who writes that one should not dance during these days. *Igrot Moshe* (*O.C.* vol. 4, 21:4) adds that this also includes listening to music that will bring one to dancing. He compares this to the twelve months of mourning for a parent. One should also refrain from listening to slow songs that will not necessarily cause one to dance.⁶ However, during a *seudat mitzvah*, such as Brit Milah

⁵ There are some Ashkenazi Jews in Meah Shearim who don't hold their weddings in Jerusalem, but rather in Beit Shemesh or Beitar. They only bring one instrument to Jerusalem, like a drum, as their ancestors did. We, however, don't have this custom.

For a *vort* (engagement party), some people argue about how many instruments to bring and spend a lot of money. It's a shame - it's an event that lasts three or four hours, why waste money? Save for your child and buy them an apartment.

I was a Rosh Yeshiva for over thirty years, and I would attend the *vorts* of many young men. I learned from Maran zt"l to write up the conditions and agreements between the two parents, such as when the wedding will be, how much is given for the apartment, how much for furniture, who will give the refrigerator, stove, bookcase, beds, where the wedding gifts will go, and also that she shouldn't wear a non-Jewish wig... everything is written down in a document called "*tana'im*". Afterward, they call the groom and bride and perform a *kinyan* so they can't retract their agreement.

Sometimes, at the *vort*, they argue among themselves, who will give the stove and who will give the refrigerator, and what kind of refrigerator, this one or that one, and it broke my heart to see this.

There was one very diligent young man who was always sitting and learning, he didn't even rest during his lunch break. When I came to his *vort*, it turned out that his father was in prison for drug trafficking. Hashem yerachem! Obviously drugs are dangerous and are absolutely forbidden. Abroad and in America, they are very strict about this, and a person who is caught selling drugs can be put in prison for years and years. We arrived there, they were living in central Israel, and only his mother was there, and they were very poor, with nothing. Rabbi Tzvi Siman-Tov zt"l was with me, and we sat and divided the tasks among ourselves. I would take the refrigerator, you take the washing machine, I'll take the cupboards, you take the beds. We collected from generous people and got him married. For the wedding, his father arrived with police officers from prison, and he had handcuffs on. This story is from almost thirty years ago, and today that young man is very successful, authoring important books, and always sitting and learning. *Baruch Hashem* he came out well.

Sephardim should learn from our Ashkenazi brothers to save. Who eats meat on weekdays? They only eat soup with *kneidlach*... so that they will have enough money for their children. It's a shame that people come to engagements and say "I don't have." They need to learn to save, and not to waste money at the *vort* and engagement. They should combine the *vort* and engagement party. Why do they need both? Isn't it *bittul Torah* to have all the friends come twice? Tell them to come at eleven o'clock, dance and be happy, and save as much as possible to help their children.

⁶ There is one instance when an *avel* is permitted to listen to music during the twelve months of mourning. Throughout the days of *Sukkot*, there is a *mitzvah* to have *Simchah*, and it is customary to have a *Simchat Bet HaShoevah*. The *Zekan Aharon* (*Siman* 213 - By Rabbi Elyah HaLevi, who lived about 500 years ago) explains that even though the *Gemara*, *Moed Kattan* 22b, states that an *Avel* may not attend a wedding, and a wedding is a *mitzvah*, a wedding is different than Purim because one does not necessarily have to attend the wedding, unlike the *mitzvah* of Purim or *Chol HaMoed* which is a *mitzvah* that is relevant to everyone no matter where they are.

On a side note: An *Avel* who is in the middle of sitting *shivah* is not permitted to attend the wedding of his child, such as if his parent passed away only a few days before the wedding. *Igrot Moshe*, *Y.D.* 2:169 states in the name of the *Keneset*

(even if it is not being done on the 8th day), it is permitted to listen to music.⁷

Giving a proper name

There was a brit milah in my neighborhood on Friday, and they told me to come as the *sandak*. I noticed that the father was not present, and I asked where he was. They said that no matter how much they talked to him, he didn't want to come. They also asked me what name to call the baby and suggested various names, one of which was Raphael. I said they should call him Raphael. Today, people invent all sorts of names, *Hashem yerachem*, even for girls. Whenever they would ask Maran zt"l, he would say to use names from the *Tanach*, like Sarah, Rivka, or Leah, but not strange names.

Reciting the berachah of Lechachnis and Shehecheyanu when the father is absent

I was the *sandak*, so I recited the *berachah* of "*lechachnis*" since the father was not present (see *Yabia Omer*, vol. 2, E.H. 4:9; vol. 7, Y.D. 21:1). After that I asked who will recite "*Shema Yisrael*," and they told me to do it, but I told the grandfather to say it instead.

After the circumcision, I didn't say *shehecheyanu*, as it's not relevant to me. Instead, we told the mother, who was standing to the side, to say *shehecheyanu*. The *Radvaz* (1:31), *Maharikash* (265:7), write that only the father can recite the *berachah* of *shehecheyanu* on the brit milah, since it is mitzvah that is an obligation of the father to fulfill. Even if the father is not present, others cannot not recite it in his place. When he sees the circumcised baby, he will then say *shehecheyanu*. Even though we see that Tziporah circumcised her son (*Shemot* 4:25), she only did so due to fear for the life of Moshe, who was almost punished for not circumcising his son (*Nedarim* 31a; *Shemot Rabba* 5:18), but according to the halachah, a woman is exempt from circumcising her son, and therefore, it seems that she would not say *shehecheyanu*.

56 years ago, Rabbi Menachem Yeshua zt"l, a Torah scholar and a student of Maran at the Shaul Tzadka synagogue, was killed. He was a good speaker and would travel to moshavim near Beit Shemesh, like Bar Giora, Mata, and Nes Harim, and give shiurim. There was a car that picked up rabbis to give shiurim, and at the end, it picked them all up. He was standing on the main road waiting to be picked up, but a car passed and hit him. The funeral was held the next day. He had ten children, and they established a committee of rabbis to help them, to support themselves. On the committee were Maran zt"l, Chacham Yehuda Tzadka, and Chacham Ben Zion Abba Shaul. They were friends in heart and soul, and they married off his children, some of whom have already passed away. When Rabbi Menachem was killed, his wife was pregnant, and when she gave birth to a son, they came and told Maran zt"l, who was the guardian, and Maran sat as the *sandak* - it is a merit for the baby to be a Torah scholar, as the *sandak* influences the baby - and he recited the *berachah* of *Lechachnis*, as the *Shem Chadash* (vol. 1, p. 18) writes that the custom in Yerushalayim is that when the father is not present, then the *sandak* recite the *berachah* of *Lechachnis*. In that situation, Maran zt"l told the mother to recite the *berachah* of *shehecheyanu*.

HaGedolah (end of Y.D. *siman* 392) and the *Gilyon Maharsha* that it is permitted for him to attend the chuppah and then go back home. However, Maran states in *Chazon Ovadia*, *Avelut*, vol. 2, p. 344, that this is not permitted, since the *Kenesset HaGedolah* was only permitting one who has already finished sitting *shivah*, and not during the actual *shivah*.

7 If a Brit milah is pushed off because the baby had jaundice or some other medical issue, the custom of Sepharadim is that the brit milah is not performed on a Thursday or Friday. This is in accordance with the ruling of the *Rashbatz* (1:21) which is cited in *Bet Yosef* (Y.D. 262). This is because the baby is considered to be in *sakanah* throughout the first three days following the brit milah, and pushing off the brit to Sunday will avoid one having to be *mechallel Shabbat* in order to help the baby.

This week someone asked me if he should push off his baby's brit milah since the baby had jaundice. I told him to go to a professional mohel, such as Rabbi Oren, who will know whether it is possible to perform the brit or not. There are times when the baby has jaundice, but it is still possible to do the brit milah without any concern.

If the brit milah will have to be pushed off a long time, such as if it is *erev Rosh Hashanah*, then I instructed people to bring an Ashkenazi mohel to perform the brit, and this way it can be performed on a Thursday or Friday, since he is doing according to his custom (see *Mishnah Berurah* 331:33).

Even in the year 5760, Maran zt"l served as a *sandak* when the baby's father was in prison. The mohel, testified (*Ot HaBrit*, pages 6, 15, 53, 57) that Maran zt"l recited the *berachah* of "*lechachnis*" and instructed the baby's mother to say "*shehecheyanu*." Because ultimately, she has a part in the mitzvah, thanks to her the child came into the world, and as it says in the *Gemara* (*Kidushin* 41a), that a person should personally do a mitzvah rather than appointing someone to do it on one's behalf. *Ran* and others write that a woman has a mitzvah to assist her husband in fulfilling the mitzvah of *peru u'revu*. This is also in addition to the opinions who say that we do not apply the rule of *safek berachot lehakel* regarding *birchot hashevach*, even though we do not rule this way, we can include these opinions in combination with other reasons (see *Yabia Omer*, vol. 4, O.C. 50).

Pidyon Haben during the Yom Kippur War

When I was a *sandak*, during the conversation I inquired if the son was a firstborn, and they said yes. What would happen with the *Pidyon haben*? The father refused to come, but the obligation to redeem is on the father, not the mother (*Kiddushin* 29a), and even retroactively if the mother redeemed him, the father would have to redeem him again without reciting a *berachah*.

During the Yom Kippur War, on the eve of Yom Kippur, they recruited several people from Kerem B'Yavneh and other yeshivot to be chazzanim - mainly Sepharadim - in several bunkers and stations near the Suez Canal. They didn't even know how to shoot a gun, and when the Egyptian bombings began, many of them were killed. Their wives, who were *agunot* (women whose husbands are missing and whose marital status is uncertain), came to the rabbinical court. Maran zt"l knew some of these men, and he had even tested them on the laws of Issur VeHeter only a few days before, and they did very well, and even knew *Pri Megadim* in order. Unfortunately, afterwards, he had to grant permission for their wives to get remarried. Several women were pregnant and gave birth to firstborn sons. Who would perform the *pidyon haben*? Many people thought that the mother could, but she cannot, and only the father performs the *pidyon*, but he is in heaven, so what should they do? *Yabia Omer* (vol. 8, Y.D. 31:3) cites the Rishon Letzion, Rabbi Raphael Meyuchas - who lived about 300 years ago - in his book *Pri HaAdamah* (vol. 1, p. 139b) that they should make a silver disc and write on it "this is a firstborn who is not redeemed" and put it around his neck, so that he would know to redeem himself when he grows up. But it is difficult for the disc to remain on him for thirteen years without being lost, so they would make additional signs. If the father is alive but is in another place, such as prison,⁸ there is another solution, that immediately after thirty days from his son's birth, he can find a kohen there, and redeem his son in front of him, by giving him money worth five *selah's*.⁹

If the child must be present at the pidyon

I heard a certain rabbi who was asked on the radio if a *pidyon haben* should be performed on a baby who is in the hospital because he has a bad case of asthma. This rabbi said that they should wait until the baby is out of the hospital in order to perform the *pidyon haben*, and this way, one can make a nice party and decorate the baby properly. However, this is incorrect, since the halachah is that the baby is not required to be present at the *pidyon*, and there is no justification to delay performing the mitzvah in such a case. (See *Yalkut Yosef*, *Sova Semachot*, vol. 2, p. 239).

If the father is in jail, then he can tell the rabbi of the jail, or his family members that he appoints them as his messenger to perform the mitzvah of *pidyon haben*. Even though there is a debate regarding this: according to *Rivash* (*siman* 131), one cannot appoint a messenger to perform the mitzvah of *pidyon haben*, since it is considered a mitzvah that only the father can physically perform. This is also the ruling of *Rama* (Y.D. 305:10) and *Chatam Sofer* (Y.D. 293, 295). I brought all of these poskim and their reasons in *Yalkut Yosef* (*Sova Semachot*, vol. 2, p. 235). However, the *Shulchan Aruch* does not bring this halachah, and according to most *Acharonim*, it is permitted to appoint a messenger to per-

8 I don't think that there is a jail in Israel that I haven't visited and gave a shiur in. One can see how much these people want to learn Torah, and unfortunately, the shiurim that I gave were packed with people. Many of these people appear to be religious as well, but they were caught doing illegal acts, such as cheating on their taxes and the like...

9 This can be done by sending a money transfer in the bank, or even through giving a *matanah al menat lehachzir*. (See *Yalkut Yosef*, *Sova Semachot*, vol. 2, p. 287)

form the mitzvah of *pidyon haben*. Therefore, in a case where there is no other option, the father can transfer money to a person to perform the pidyon on his behalf. That person should then get a Kohen who has good lineage, such as from the Tawil family, and perform the pidyon. Ashkenazim, who generally rule like the *Rama*, should not rely on doing this, in accordance with the ruling of the *Rama*.

Seudat Mitzvah

If one is having a meal in honor of a *pidyon haben* or brit milah during the *Ben Hametzarim*, it is permitted for him to have music. This is also the case if one donates a sefer Torah during *Ben Hametzarim* (such as in honor of one's parent who passed away during *Ben Hametzarim*), and he is permitted to bring a truck that plays songs during the procession. This is because it is a mitzvah, and people should see the honor of Torah (see *Chazon Ovadia, Yom Tov*, p. 259). Likewise, when making a siyum on a *masechet* of Gemara¹⁰ one can also have music. It is important to make a party and rejoice in order to show people the importance of Torah. Regarding engagement parties – even though it is permitted to get engaged during *Ben Hametzarim*, however, this is not included in the mitzvah of *simchat chatan ve'kallah*, since they are not halachically married. In such a case, he can do a siyum, and then he can have music as well. Also during a bar mitzvah party, if it is the being done on the day when the boy turns thirteen, then music can be played as well. We are lenient in all of these cases since there is no clear prohibition that is stated by the poskim against listening to music during *Ben Hametzarim*.

Reciting shehecheyanu

At the beginning of the shiur, I mentioned that we refrain from reciting a *Shehecheyanu* blessing during the time of *Ben HaMetzarim*. The source for this is from Rabbi Yehudah HaChassid (*Sefer Chassidim* 840). He explains that this is because one may not declare gratitude to Hashem for bringing us to these times, since the days of *Ben HaMetzarim* are sad days and times of judgment. Some people are lenient to save the fruit for Shabbat and recite the *Shehecheyanu* on Shabbat. This is also the ruling of the *Kol Bo* (cited in *Binyamin Ze'ev* 163). *Shulchan Aruch* (551:17) does say that this is prohibited outright, and only says that "it is proper to be careful not to recite *Shehecheyanu* on new clothing or fruit during *Ben HaMetzarim*." However, it is permitted to recite the berachah of *shehecheyanu* on the mitzvah of *pidyon haben* or the like, since otherwise one will miss the opportunity to do so.¹¹

10 The grandson of the *Bet Yosef* writes that the *Bet Yosef* only finished the entire *Shas* three times (see also *Magid Mesharim, Vayakhel*). He also writes in *Avkat Rochel* (siman 202) that it is uncommon to find someone who completes the entire *Shas*. Nowadays, people finish *Shas* right and left, but this is only because they learn it very quickly and on a superficial level. Learning the entire *Shas* with deep understanding can take many years to complete.

11 During a *pidyon haben*, the father recites the berachah "Al *pidyon haben*" and "shehecheyanu." It is also customary to recite the berachah of *Hagefen* on wine, and also upon *besamim*. First, one should drink from the wine, and then recite a berachah upon the *besamim*. The *besamim* are used in order to make it known to everyone that a *pidyon* was done. Therefore, it is important to also have ten people at the *pidyon*. However, the berachah of "Asher kidesh ubar..." should only be said without Hashem's Name, in accordance with the *Rosh* (*Kiddushin* 1:41; *Bechorot* 8:1) who says that one should not recite a berachah that is not mentioned in the Talmud.

However, the berachah of "Asher Kidesh yedid..." that is said during a brit milah is brought in the Talmud (*Shabbat* 137b), and therefore, it is recited with Hashem's Name. Immediately after reciting "Koret haberit," the one who recited the berachah should taste from the wine, and then continue with "Elokenu..." In *Chutz LaAretz* it is customary to split up the berachot to several people in order to honor them. However, it is better that only one person should recite everything, so that he should not waste any time. Maran zt"l would recite all of the berachah when he was sandak, since he was concerned for *bitul Torah*, since otherwise people would take their time reciting the berachot, and he would have to wait until they finished singing.

At a brit milah it is also customary to smell *besamim* so that people don't faint when they see the blood. There was an incident where a young child stood near the brit and when he saw the cutting, he fell and fainted. Since then, Rabbi Elbaz, who is a mohel, has been careful to keep children away, fearing they might faint and then they would have to take care of them instead of the baby...

It's good to place *ruda* (rue) on the baby during the brit to protect him from the *ayin hara* (*Yabia Omer*, vol. 8, O.C. 37). When Maran appointed as Chief Rabbi of Tel Aviv

The Arizal (*Shaar HaKavanot*, p. 89b) states that one should not eat a new fruit even during Shabbat during the *Ben HaMetzarim*. This is also the ruling of *Bet David* (O.C. 325), and this is also quoted by Chida (*Birkei Yosef* 551:10, 12; *Chayim Sha'al* 24). However, Chida says in *Yosef Ometz* (siman 56) that Rabbi Chaim Vital ate a new fruit on Shabbat during *Ben Hametzarim*.¹² This leniency is also brought in *Yosef Ometz, Yuzfa* (siman 861).

On the other hand, the *Terumat HaDeshen* (cited in *Leket Yosher*, p. 107) permits one to recite *Shehecheyanu* during *Ben HaMetzarim*. This is also the ruling of the *Taz* (551:17) and the *Vilna Gaon*. They support their ruling from the *Gemara* (*Berachot* 59b) that says that immediately upon hearing that one's father passed away, he is immediately required to recite two berachot: first he must recite the berachah of "Dayan HaEmet," and then, if he inherits a large inheritance, he must also recite the berachah of "Hatov ve'hametiv." It seems from here that even though the person is considered an *onen* and he is pained by the news of the passing of his father, this does not prevent him from being able to recite the berachah of *Hatov ve'hametiv* upon being eligible for a large inheritance. Thus, reciting the berachah of *Shehecheyanu* during the *Ben HaMetzarim* should also be permitted, since the mourning of *Ben HaMetzarim* does not contradict the fact that he is reciting a *Shehecheyanu* on a new fruit. *Maran zt"l* brings this opinion in *Yechaveh Daat* (1:37), and he deflects this proof. He explains that the *Magen Avraham* (551:42) says that the reason why one should not recite *Shehecheyanu* during the *Ben HaMetzarim* is that one thanks Hashem for bringing him "to this time," and this is inappropriate to say during a time which is intrinsically sad for the entire Nation. This is unlike when one has a personal *avelut*, when the time is a regular time and not intrinsically sad to everyone, but one has a personal mourning that he must observe. Similarly, we do not find any prohibition for an *avel* to recite the berachah of *Shehecheyanu* either.

Some Acharonim, such as the *Levush* (551:17), *Elya Rabba* (551:42); *Mateh Moshe* (697); *Ketav Sofer* (O.C. 103; Y.D. 105); and *Mishnah Berurah* (551:98) make a sort of compromise between the two opinions of the poskim that I have mentioned. They say that although one should be stringent and not recite *Shehecheyanu* during the weekdays of *Ben HaMetzarim*, it is permitted to recite *Shehecheyanu* during Shabbat. Furthermore, even the *Shulchan Aruch* did not explicitly state that it is prohibited, he only said that that it is "proper to be careful" not to say *Shehecheyanu*. After Rosh Chodesh Av, one should be stringent not to recite *Shehecheyanu* on a new piece of clothing even on Shabbat, but one can still be lenient regarding reciting *Shehecheyanu* on a new fruit.

on the 1st of Tammuz, 5729, he was going down the stairs, and his mother ran after him, saying: "Rabbi, take some ruda!" The rabbi turned around and she put it in his pocket, against the *ayin hara*. In all the special places he went, like his coronation as Chief Rabbi of Israel, he was careful to take ruda. It's a good thing (see *Anaf Etz Avot* 2:11). The *Ben Ish Chai*, Pinchas 2:13, writes in the name of the Chida that according to the Yerushalmi, people of Bavel - the Iraqis - need to be more careful and protect themselves from the *ayin hara* more than other places.

It's amazing! The Chida (*Nachal Kedumim, Bereshit* 16:10) wrote that anyone named "Yosef" has the numerical value of "jealousy," (*kin'ah*) and people are jealous of him. And the novelty today is that even those whose family name is Yosef are envied...

The *Gemara* (*Bava Kama* 107a) explains that one person dies a natural death and ninety-nine die from *ayin hara*. Therefore, a person who has a wedding and three hundred people come is fine, but if he has a wedding with great pomp, and he invests 20,000 shekels just on flower arrangements, G-d forbid, he can be harmed by the *ayin hara*. In a book about Rabbi Steinman, it's recounted that when Rabbi Chaim Kanievsky published his book, *Orchot Yosher*, and within a few days 5,000 copies were sold, he was immediately hospitalized with excruciating pain. When they came to Rabbi Steinman, he said, "Certainly, after he published a book he was effected by *ayin hara*. Go immediately to the son of Rabbi Aryeh Levin so he can perform a *tikkun* (spiritual remedy)," and he performed a certain *tikkun* as described there. Therefore, one should not underestimate this. Everyone should say: "I am from the seed of Yoseph, upon whom the evil eye has no power" (*Ana mi'zar-ah d'Yosef ka'atina delo shalta beih eena beesha*) (*Berachot* 55b).

12 There are some rabbanim who claim that every ruling of the Arizal is brought from Eliyahu HaNavi. However, there is not the case, as we see cases where Rabbi Chaim Vital did not follow the Arizal. The Vilna Gaon also stated that he does not believe that everything that is stated in the name of the Arizal was learned directly from Eliyahu HaNavi, and only a few halachot were learned from Eliyahu Hanavi, such as when he says so.