



פרשת אמור  
אייר תשפ"ג  
שנת הקהל



## HAKHEL IN THE PARSHA

Parshas Emor includes many Mitzvos that relate to the Kohanim and to the Kohen Gadol. Both the Kohanim and Kohen Gadol have a strong connection to the Mitzvah and theme of Hakhel.

The Tosefta records how the Kohanim would blow trumpets to rally the people and gather them for Hakhel.

When Moshe teaches the Mitzvah of Hakhel, he was addressing the Kohanim and Zekeinim. Based on this, some commentators write that the reading of Hakhel was performed by one of the Kohanim, possibly the Kohen Gadol. The historian Josephus records that the reading of Hakhel was performed by the Kohanim Gedolim.

The Mishna teaches that Aharon, the first Kohen Gadol, epitomised the quality of Ahavas Yisroel. According to Chassidus, this quality of Chessed and love is the defining characteristic of all Kohanim.

The Mitzvah of Hakhel was about gathering the Jewish people together, which reflects the theme of Ahavas Yisroel.

Further, Hakhel was about inspiring the people in the observance of Torah and fear of Hashem. The approach of bringing Jews closer to Hashem and to the observance of Torah, must be approached with love - אוהב את הבריות ומקרן לתורה.

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## Shining our Weeks and Days

וספרתם לכם ממחרת השבת מיום הביאכם את עמר התנופה שבע שבתות תמימת תהינה. עד ממחרת השבת השביעת תספרו חמשים יום

*"And you shall count... from the day of you bringing the Omer... seven weeks, they must be complete... Until the day after the seventh week, fifty day shall you count."*

The Omer offering and the Minchah of the Sotah, were the only two meal-offerings that came from barley. All other Menachos were made from wheat. Wheat is generally considered the food of man, whereas barley was primarily for animals. The Mishna explains that because the Sotah acted in an animalistic way, her offering is made of animal fodder.

Chassidus explains that the Omer came from barley, because it too is connected to animalism. The weeks of Sefiras Haomer are a time of self-improvement and rectifying our animalistic selves; our negative and self-centred emotions and drives.

The words וספרתם לכם "you shall count for yourselves", can also mean "to make yourselves shine" (the word ספיר means brilliance). The Alter Rebbe taught that we do this through refining the seven emotional drives of our animalistic selves, so that they become seven "Shabbosos" - pure and holy like the day of Shabbos.

We count a total of seven weeks, being 49 days. Each week corresponds to one of the seven Middos. The week is further divided into days. These are the more specific details and subsets of each Middah and how they are experienced and manifest.

For example, the feeling of love is not one homogeneous experience. Love can be expressed in a way of open, strong love (Chessed Shebechessed), but it can also be expressed as a feeling of sternness or anger, for example when we discipline our children because of our love for them, or when we dislike that which stands in the way of obtaining our desire.

There is a well-known dispute between the Rishonim over the status of the Mitzvah of Sefiras Haomer after the destruction of the Beis Hamikdash, when we can no longer bring the Korban Omer.

The Rambam is of the view that counting the Omer is independent from the bringing of the Korban Omer

and remains a Biblical Mitzvah in all times and places. The Rosh, Tosfos and others, understand that the Mitzvah of counting the Omer is dependent on the Korban Omer. When the Omer could no longer be offered, the Biblical Mitzvah of Sefiras Haomer ceased. The counting that we do was instituted by the Rabbis as a Zecher Lemikdash.

Rabbeinu Yerucham (14th Century France/Spain) takes a hybrid approach. From the Pesukim quoted above, we derive 2 obligations; to count the weeks "you shall count... seven weeks" and to count the days "fifty days shall you count". In the Pesukim, only the Mitzvah of counting the weeks is connected to the offering of the Korban Omer. The Mitzvah of counting the days is recorded in a separate verse. Based on this, he asserts that whereas as our counting of the weeks of Sefira is only Rabbinic, our counting of the days remains a Biblical obligation.

When viewed through the Chassidic explanation of the Mitzvah of Sefira, the Rebbe distils an incredible lesson from Rabbeinu Yerucham's division of the elements of the Mitzvah.

Counting the weeks represents a high-level, overarching and total refinement of each of the Middos. This is no longer a Biblical imperative. Since the destruction of the Beis Hamikdash, the average soul experienced a descent, so that we are no longer capable of such a degree of self-mastery. Only the few Tzaddikim can be in complete control of their emotions.

The Avodah expected from the rest of us is to be in control of our actions and behaviours; in thought, speech and deed. These are driven by the specific manifestations of our emotions, not the high-level emotion which is still removed from application. So whilst we cannot completely master our emotional make-up, we have to work on controlling the specific manifestations and nuanced modes in which our emotions are expressed.

Therefore, the Avodah of counting and "shining" the days remains a Biblical imperative and expectation from each of us. Through our Avodah, may we merit the restoration of the Beis Hamikdash and the Korban Omer, when the entire Mitzvah of Sefira will be observed Biblically once more אמנן סלה במהרה בימינו

# The Weekly Halacha Analysis

## Childbirth on Shabbos - part 3

Rabbi Yonason Johnson

### False alarm / returning home

If the woman arrives at the hospital and it turns out to be a false alarm, if it is towards the end of Shabbos, she should remain in the hospital until after Shabbos. If it is towards the beginning of Shabbos or early in the morning, she may return home with a non-Jewish driver, especially if she has young children at home. We do not obligate her to wait around in the hospital lobby. Her husband may accompany her.

The same Halachos apply if the Yoledes is discharged on Shabbos. One can be even more lenient as after birth as there are also the needs of the baby. One should try to arrange to be able to stay in the hospital room for Shabbos. Or, if it is medically-safe and practical, one should go home before Shabbos rather than relying on leniencies when being discharged on Shabbos.

### Dropping off children

During the last weeks of pregnancy, it is preferable to arrange a babysitter to move in for Shabbos, or to arrange for the children to sleep out at friends or family members. If this was not arranged or was not feasible and one needs to go into hospital, one may call the babysitter to come. If one arranged to drop off their children somewhere else, they may bring them in the taxi and drop them off on the way. If it is the middle of the night, one may ring the bell (with a Shinui) to wake up the babysitter.

### Planning

In the lead-up to the birth, the couple should make a plan of what to do if she goes into labour to give birth on Shabbos, for example how she will contact her husband if he is at Shule, who will watch the children, how she will get to the hospital etc.

### Getting into the hospital

Most hospitals have electronic doors. It is preferable to follow someone else in after they have activated the doors. One could also ask a non-Jew to open the doors for them. If this is not possible, for example if one arrives in the middle of the night, one may enter the doors, preferably with a Shinui. If one needs to ring a bell, they should do so with a Shinui.

The same would apply for using an elevator. One should ask a non-Jew to press the buttons to call and activate the elevator. If this is not possible, one should press the buttons with a Shinui. The husband may accompany his wife in the elevator as she needs his presence and support and cannot be left alone in labour. When on his own, such as after the birth, the husband must use the stairs rather than the elevator.

### Eruv carry in hospital, into hospital

If the taxi parks outside in an area which is not fenced in, one should ask the taxi driver or another non-Jew to bring the bag into the hospital. If this is not possible, one should bring it in using a Shinui. Once the bags are inside the hospital, including an under-cover carpark, one may carry without any concern. One may carry throughout the hospital and no Eruv Kinyan is required.

### Writing

One should ensure to be pre-registered with the hospital so that they will not need to fill in or sign forms on arrival. If one needs to sign waivers or paperwork, it is preferable if they can be filled in or signed digitally e.g. on a tablet. If a pen must be used, one should do so using their left hand as a Shinui.

### Activities for the sake of calm

Previously we discussed the permissibility for violating Shabbos for the needs of *דעותה*, to calm the Yoledes in labour Chaza"l give the example of lighting a candle to calm the Yoledes, even if she is blind, if it will put her at ease. Practical examples of this may include turning on a hot-shower to relax and cope with the pain during the contractions. Wherever possible, this should be done by a non-Jew.

But how It is questionable how far can we take this principle? Can one turn on music for calming the woman in labour? What about writing to a Tzaddik to request a blessing for an easy birth or driving back home to get a Shir Hamaalos card?

Perhaps we can give some guidelines based on the Halacha concerning a pregnant woman who has strong cravings to eat on Yom Kippur. Before we give her food, we whisper into her ear that it is Yom Kippur. Perhaps remembering the holiness and severity of Yom Kippur will put the desire for food out of her mind and she will not need to eat.

Similarly here, when deciding what is needed, one must remember that it is still Shabbos. One should give prior consideration to what is absolutely and genuinely needed for her calmness in labour and what would be a nice 'extra' that one would do at a weekday birth, but could give a miss when considering the holiness of Shabbos.

There will be a high degree of subjectivity involved in this decision and it will depend on the level of nervousness. Wherever possible, these things should be done by a non-Jew, which makes it easier to be lenient.

### Food and meals

The Yoledes may eat food that is cooked or heated up by a non-Jew. However, the husband or companion would not be able to eat food that was heated up for then in the hospital, since they may not benefit from forbidden actions performed by a non-Jew on their behalf.

Likewise, the companion would not be allowed to ask for a tea or coffee to be made for them. If a non-Jew boiled the kettle to make tea for themselves, a Jew may use the left over hot water.

The Yoledes should make Kiddush before eating. If she cannot drink wine or grape-juice, or if none is available, Kiddush is recited over Challah or Hamotzi. She is also obligated to make Havdalah herself if there is no one to make Havdalah for her. If she cannot drink wine or grape-juice, Havdalah can be recited over tea.

1. Since she has the status of a Choleh She'ein Bo Sakanah
  2. Shulchan Shlomo 330:4 quoting Rabbi Shlomo Zalman Auerbach
  3. Even though she is not categorised as a Yoledes, she has the status of a Choleh She'ein Bo Sakanah for whom activities done by a non-Jew are permitted.
  4. I personally advise husbands in the last 2 weeks of their wife's pregnancy to either daven nearby and walk home at regular intervals to check on their wives,
  5. This is permissible in this case because the non-Jews in the hospital are strangers, so there is no concern that they will 'add' more for the Jew next time.
- or to daven at home. If they are staying with family or have someone who can call the husband from Shule, someone can be sent to alert him. Some Rabbis permit the husband to carry a mobile phone in his pocket so that the wife can contact him if she goes into labour or needs to go to the hospital.