

לוקוטי ופסקי הלכות

"חוקי חיים"

ותלמודם
"חוקי חיים"
לעשות רצונך
בלבב שלם



שע"י "חדר הזרעה" שכונת מנחת יצחק פעיה"ק ירושלים תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochoh compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

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Challenging Times

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שע"י "חדר הוראה" שבונת מנחת יצחק פיעה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

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Halochos for Challenging Times | Acharei-Kedoshim 5780

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Halochos Pertaining to Masks

Davening in a Mask

- At the present time, the authorities in Eretz Yisroel are allowing minyanim of up to 19 people [if there are 20, they can split into two minyanim] to take place in open areas, but a distance of two meters must be maintained between people, and masks that cover the nose and mouth must be worn. This brings up several halachic discussions.
- When davening before Hashem, one must stand before Him in a respectful manner, the way he would stand before an important person in that place (ש"י"ע סי' צ"א ס"ה). Thus, we wrote that one may not daven on Purim with a mask (Chukai Chaim, Issue 170, paragraph 31). The same goes for medical masks. Although in the current situation, everyone goes out with masks and this is viewed as normal, in reality, if one met an important person, he would remove the mask and speak while keeping a distance. At gatherings of important people too, everyone sits at a distance from each other, but without masks.
- Shmoneh Esrei.** Therefore, one should not daven Shmoneh Esrei wearing a medical mask over his face since he is standing before The King and he would not speak before an important person this way; he would just make sure to keep a distance, so during Shmoneh Esrei, one should keep a distance from other people. But when davening to Hashem, there is a mitzvoh of kirvas Elokim – drawing close to Him.
- Chazaras Hashatz.** The shliach tzibbur should make sure to say both his own Shmoneh Esrei and Chazaras Hashatz without a mask. The others don't need to be makpid on this during Chazaras Hashatz.
- The rest of davening.** However, one may say the rest of davening with a mask since it doesn't need to be done strictly the way one stands before an important person. Upon reaching Shmoneh Esrei, one should remove the mask for that short time; this is no worse than when people remove their masks or let it hang over the ears or chin for a short time to converse outside or on the phone, or to drink or eat something.
- Recommendation.** Although, as stated above, people wouldn't speak to an important person with a medical mask, one can wear a regular scarf in a normal manner and cover his mouth with it even during Shmoneh Esrei. This is considered a normal garment, and one may cover his face with his tallis as well. This way, one can daven properly without compromising the serious issue of "ונשמרתם מאד לנפשותיכם".

Birkas Kohanim

- Something unusual.** A Kohein wearing an unusual garment or who has something unusual on his body may not do Birkas Kohanim out of concern that it will grab the attention of people in the tzibbur, and they will look at him during Birkas Kohanim (ס"ל והלאה). When the Kohanim did not cover their faces and hands with a tallis during Birkas Kohanim, it would have been assur to wear a medical mask on their faces. However, since Kohanim everywhere cover their faces and hands with a tallis today (ש"י"ע שם ס"ל"א), the people will not see it anyway, and they may say Birkas Kohanim wearing a mask.
- Loud voice.** A Kohein must say the brochoh in a loud voice (ש"י"ע סי' קכ"ה). If his voice is so low that there aren't ten people who can hear, he should not do Birkas Kohanim. Thus, if a Kohein is wearing a medical mask over his face that will muffle his voice, he must be extra careful to raise his voice enough that ten people will be able to hear it through the mask and his tallis, especially now that people are standing far apart from each other, taking required distancing measures.

Shabbos

- Carrying.** One may go out to a reshus harabim on Shabbos wearing any type of medical mask even in a place with no eiruv. This is not an issue of carrying since during today's challenging times, everyone goes out with masks, and they are like any other garment that people also wear during the week (מ"ב סי' ש"א סקפ"ג). In Eretz Yisroel, where a recent law was passed requiring everyone to wear a mask in public, it also may be allowed due to the fear of receiving a 200 shekel fine if one were to not wear it (הגר"נ אייזנשטיין).
- Boreir.** We were asked why wearing a mask is not a problem of boreir with a utensil made for filtering, as it prevents virus-containing particles from entering the wearer's mouth. Unfiltered water that is fit to drink for most people may be filtered on Shabbos even through a utensil made for filtering (ע"פ ש"י"ע א"ר"ח סי' ש"י"ט ס"י). However, if someone is sensitive ["istenis"] and will not drink unfiltered water, some poskim rule that for him, it is an action of boreir to filter water on Shabbos with a utensil made for filtering (הגר"נ קרליץ, ע"י ארחות שבת פ"ג אות ל"ט); others say it is muttar since the undesired particles in the water are invisible (הגר"נ קרליץ, ע"י ארחות שבת פ"ג אות ל"ט). If so, someone asked, since everyone makes sure to go out with a mask, everyone is considered sensitive, and at least according to the machmir poskim, why wouldn't it be an issur of boreir with a utensil made for filtering?
- The answer is that while water is in front of a person before he drinks, and a boreir-type action to the water improves it ["tikkun ochlim"], when it comes to air, there is nothing before the person that got a "boreir improvement" done to it. Additionally, anything that is done while eating is not an issue of boreir. That is why one may put a cloth over a cup of wine and drink straight from the cup, through the cloth (ש"י"ע סי' ש"י"ט ס"ז). Similarly, when breathing in air through a mask, the air goes directly into the mouth or nose.

The Days of Sefiras Ha'omer

Musical Instruments

- There is a minhag to keep to an issur of dancing during sefirah, especially when not for a mitzvoh (מ"ב סי' תצ"ג סק"ה).
- The general minhag is not to listen to music from instruments during sefirah even when not accompanied by dancing. This is derived as a kal vachomer (ש"י"ע ש"ב, ש"י"ע אג"מ א"ר"ח ח"א קס"ו, ש"י"ע מנח"י ח"א ק"א).
- Recorded music.** For the same reason, one may not listen to an audio recording of music from instruments (ש"י"ע חט"ו ל"ג).
- A cappella.** Many people today put out a cappella recordings [vocals without the accompaniment of instruments] especially for sefirah and the Three Weeks. They write that it is endorsed by rabbanim [anonymous ones...]. Practically speaking, the great poskim forbade this, especially when the singers imitate instrument sounds with their mouths; they consider this to be song with instruments (ש"י"ע ש"ב הלוי). ח"ב סי' נ"ז אות ב', וה"ח סי' קכ"ז אות ב', הוט שני שבת ח"ד עמ' שע"ט, (הגר"נ ש"א, תורת המועדים ס"ה אות א', מו"ר בעל קנה בשם).
- In fact, the poskim only allow listening to recorded music with difficulty all year; we are really not supposed to in order to remember the Churban (ש"י"ע סי' תק"ס ס"ג). They only allow it due to the weakness of the generation, etc. Thus, at least during the days we practice some aveilus, such as sefirah and the Three Weeks, we should keep to the original issur and not be influenced by the failings of the generation that motivate people to put out these recordings to make money and extinguish whatever weak feelings of aveilus that we still have.

17. **Therapeutic purposes.** One may listen to music if it is not for rejoicing, e.g., an ill person who needs his spirits lifted (הגריש"א, הליכות שלמה פסח) as well as someone experiencing melancholy or some depression (הגרי"ח קנייבסקי). If possible, it is preferable for him to listen alone, e.g., with earphones, and not have others also hear.

In Challenging Times

18. **In quarantine.** People who are quarantined and elderly people stuck at home due to the dangers on the streets may be having a hard time emotionally as a result of the prolonged loneliness that comes after being separated from people for a while. If so, they may be meikel and listen to music to cheer themselves up and lift their spirits in order to get through this period. If a cappella is enough for this (see above, 15), that is preferable.
19. **Children.** Children who need to be entertained may listen to recorded stories, even if they have background music, especially during these days, when most of them are home. This music is there to enhance the story, not to cause joy. Children may also listen to educational recordings even if there are snippets of music sprinkled throughout.
20. **Healthy person.** However, this is not a general heter for all healthy people these days because of the dangerous times; it is only for those who need it, as mentioned above. After all, we do practice some aveilus during sefirah because of the 24,000 talmidim of Rebbi Akiva who died over 33 or 34 days [which comes out to 727 people a day – way more than the number of people being niftar, lo aleinu, currently].

Learning Musical Instruments during Sefirah

21. **Teaching music classes.** Someone who makes a living teaching others music and musical instruments may continue teaching since it is for his livelihood, not rejoicing (שו"ת אג"מ אור"ח ח"ג סי' פ"ג).
22. **Taking music classes.** Someone who already started learning an instrument may continue to take classes from a music teacher because if he does not play a piece 100% correctly, he has to play it again, sometimes repeating it several times to fix a mistake, and that is not music for rejoicing. Similarly, one may practice an instrument to improve his musical abilities or to upgrade to the next level in the art of music (הגריש"א, ישא יוסף אור"ח ח"ג סי' קכ"א).
23. **Exercise music.** Someone who exercises for his health and listens to music with a beat to keep the rhythm may continue to do so during sefirah since the music is to keep the rhythm, not for rejoicing.

Remembering to Count Sefiras Ha'omer

24. Being that many Yidden are davening alone these days, people may easily forget to count Sefirah since they are not used to it. Thus, it is advisable to make a reminder in the house or siddur to count Sefiras Ha'omer. On Friday night in Chutz La'aretz, where people daven before tzeis, one must remember to count Sefiras Ha'omer after tzeis. If one accidentally skipped a day or is unsure if he forgot to count a day, see Chukai Chaim, Issue 132, where this is dealt with at length.
25. **Knowing the count.** When davening alone, one also does not hear the shliach tzibbur count first. Therefore, it is advisable to confirm the exact day of Sefirah it is in order to avoid mistakes. This should be done before the brochah. If one is unsure, he should consult a calendar before the brochah since lechatchilah, one should already know which day of Sefirah it is when he says the brochah to avoid an interruption after the brochah (מ"ב סי' תפ"ט סק"ט).

Bikur Cholim during These Days

The Mitzvah of Bikur Cholim

26. See Issue 64, where we wrote at length about the mitzvah of bikur cholim. We will cite some basic principles as well as things that are relevant to the current times. It is a mitzvah to visit the sick (שו"ע י"ד) (סי' של"ה). Almost all poskim hold it is a mitzvah deoraisa. Some say it falls under (רמב"ם פי"ד אבל ה"א, ע"י קרית ספר שם) "ואהבת לרעך כמוך"; others say it fulfills "ואורי ה' אלקיכם תלכו" - we see that Hashem visited the sick in the posuk, "וירא אליו ה' באלוני ממרא," so too we must visit the sick (שו"ע י"ד) (לבוש י"ד סי' של"ה).
27. **Not dangerously ill.** There is a mitzvah of bikur cholim even if the person's illness is not dangerous (שו"ת אג"מ י"ד ח"א סי' רכ"ב, מו"ר בשו"ת) (שבט הקהתי ח"ו סי' שצ"ד). However, someone dangerously ill takes precedence over someone whose illness is not dangerous.

The Fundamentals of the Mitzvah of Bikur Cholim

28. The poskim explain that Chazal determined that the mitzvah of bikur cholim consists of three parts, each with the aim of alleviating the choleh's illness: **1.** Taking care of the choleh's needs, e.g., sweeping or mopping, or looking after his health and anything else he needs (גמ' נדרים דף מ' ע"א); **2.** Davening for him (שם); and **3.** Speaking with him, seeing how he is doing, making things enjoyable,

gladdening him, and putting him at ease (גמ' ב"מ דף פ"ו ע"ב), based on each individual choleh's needs (הל' ביקור חולים פ"א אות ה').

In the Hospital

29. Even if one cannot fulfill all three aspects, he should fulfill what he can (תורת המנוחה לתלמיד הרשב"א פ' וירא דרשה ט', דרש משה עה"פ וירא). For example, if the choleh is in the hospital and they are taking care of his recovery needs, one should still visit him to daven and check up on him.
30. The reality is that when doctors see that a patient has many visitors, they also give him more attention and care. Thus, visiting a choleh also contributes to his medical recovery.
31. Also, sometimes the choleh is uncomfortable on his bed and needs to shift or raise a pillow or one of his limbs, but he does not want to call the nurse. Therefore, one can always ask the choleh if he needs any help to make him feel comfortable. This is included in taking care of his needs (שיטמ"ק).
32. **Unconscious.** If, lo aleinu, the choleh is unconscious or sedated on a respirator and unaware of his visitors, and one cannot ask him how he is doing, there is still a mitzvah to visit him to tend to his recovery needs and daven for him if people are allowed to enter.
33. **During these days.** Currently, the situation in the hospitals in many places in Chutz La'aretz is very bad. Because of the increase in patients and lack of staff and manpower, many patients are dropped onto a bed and neglected, without proper care. We have heard shocking cases of patients who did not get food for entire days and simply had no one to speak to. Who knows, maybe some people are simply dying of starvation, lo aleinu. Therefore, whoever can enter a hospital to visit the sick and see to it that they have food and their needs are met will fulfill a great mitzvah. If visitors are not allowed into the hospital, one should at least call the patient department to inquire about a choleh's welfare to whatever extent possible and with tact.

Phone Call, Letter, Shliach

34. **Phone.** When one cannot fulfill bikur cholim in person, he may at least fulfill it by calling the choleh and asking how he is doing, and afterwards davening for him. He is certainly yotzei the mitzvah if he takes care of his needs over the phone. It is best if he can at least go the first time in person, and afterwards keep it to phone calls (שו"ת מנח"י ח"ב סי' פ"ד).
35. **Letter.** One may also fulfill the mitzvah by sending a letter wishing the choleh a recovery and by davening for him if he cannot visit in person.
36. **Shliach.** Also, if one cannot visit in person, he may fulfill the mitzvah by sending a shliach to visit (שו"ת אג"מ י"ד ח"א סי' רכ"ג).
37. **Someone in quarantine.** It is also a mitzvah to contact older people who are at home at this time to see how they are doing, even if they feel fine, as being alone for an extended period of time can cause depression and the like.
38. **Someone who lives alone.** If there are lonely, childless people who live by themselves, it is a mitzvah to connect to them by knocking on their door or calling them on the phone every so often to see how they are doing. If there is no answer, the authorities should be informed – on multiple occasions, people have been found like this, lo aleinu, already lifeless for days in a state of disgrace to the body.

Bringing Torah Shiurim to Older People

39. We saw the need to make another point: many older people generally occupy themselves during the day with their fixed Torah shiurim. These invigorate them and give them the motivation to get up in the morning and go out. In the current times, they are confined to their homes and have nothing to fill up their days. Most of them have a hard time learning by themselves all day.
40. Therefore, it is a mitzvah to bring Torah shiurim to their houses and to set up devices that they can listen to them on, such as MP3 players, phones, or other kosher devices, each person according to his standard. The main thing is to give them guidance on how to use these sophisticated devices, which most of them have no idea how to operate [cassette tape players haven't worked for a long time now...]. Someone arranged for a certain 85-year-old talmid chacham to get shiurim over email, and he said that those shiurim absolutely invigorate him and give him pleasure and fulfillment in life after not leaving his house for a month and a half.

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