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

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

Halochoh of

Bar

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Please do not
read during
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Krias HaTorah

Halachos of a Bar Mitzva Boy

Parshas Va'eira 5781

209

Halachos of a Gadol

1. There is a halacha l'Moshe MiSinai that a boy must meet two criteria to get the deoraisa status of a gadol: first, he must complete 13 full years of life and enter his 14th year; second, he must have signs of a gadol, i.e., two adult hairs (גמ' נדה דף מ"ז ע"א), as will be explained.

13 Years Old

2. The poskim argue whether a boy becomes a bar mitzva right at tzeis upon the completion of his 13th year and the start of his 14th year, or whether he must wait until the exact time he was born, e.g., if he was born at 1 p.m., he does not become a bar mitzva until 1 p.m. of that day.
3. **Exact time.** Some hold that he must wait until the time he was born to have the status of a gadol (לחם חמודות נדה פ"ה אות ב', שאילתות דרב). (אהאי קט"ז, מקור חיים להו"י סי' נ"ג סק"י). Some add that we do not differentiate, and he must always wait until the entire day passes, i.e., 13 years plus a day (באה"ט סי' נ"ג סק"יג בשם שכנה"ג בשם מהר"י ברונא).
4. **Start of the day.** But almost all poskim hold that a boy is already considered a 13-year-old at the beginning of his birthday, i.e., after tzeis of the night that begins his 14th year (סי' נ"ג סק"י, מג"א שם). (סק"יג, ש"ד וסמ"ע חו"מ ריש סי' ל"ה). We follow this opinion for all matters (מ"ב סי' נ"ג סק"לג וסי' נ"ה סקמ"ב).
5. **Born bein hashemashos.** If a boy was born during bein hashemashos, we are machmir both ways, i.e., he is not motzi others in anything and he is personally machmir to fulfill mitzvos. Thus, he should put on tefillin the previous day even though it is an uncertain chiyuv. He can make a bracha on the tefillin and the seudas mitzva and Yom Tov can be made for him on the first day since he is obligated in mitzvos, albeit out of doubt (שו"ת שבט הלוי ח"ד סי' כ"ז).

"Chazaka d'Rava"

6. On a deoraisa level, it is not enough for a boy to be 13 years old; he must also have two adult hairs, as mentioned above. However, there is an assumption, known as "chazaka d'Rava," that a 13-year-old boy already has two adult hairs like most 13-year-old boys. Thus, even if they did not check, he has the status of a gadol, even deoraisa, as the Torah follows the majority for all matters. The same is true if they checked and did not find: we assume he had them and they fell out.
7. **Deoraisa halachos.** Although this chazaka tells us that a 13-year-old is considered a gadol, Chazal were concerned that perhaps a boy is part of the significant minority of 13-year-olds without two adult hairs. Thus, for deoraisa matters, they were machmir derabanan not to consider a boy a gadol until it is known with certainty that he has two adult hairs. For derabanan matters, they relied on chazaka d'Rava to consider him a gadol (מ"ב סי' נ"ה סק"לא בשם הפמ"ג). We will now cite some examples.

Tefilla

8. **Shliach tzibbur.** A 13-year-old boy can be the shliach tzibbur since most poskim hold that tefilla is only derabanan. Even according to the ones who hold it is deoraisa (שיי הרמב"ם), nowadays the shliach tzibbur is not motzi others in tefilla so we can rely on chazaka d'Rava (מ"ב סי' צ"ה סק"לא).
9. **Set shliach tzibbur.** Out of respect for the tzibbur, we only appoint someone with a full beard or at an age that he could grow a full beard, as explained above, can be the shliach tzibbur on occasion (שו"ע סי' נ"ה סי' וס"ה ומ"ב סק"ה). In a yeshiva ketana, where the tzibbur consists mostly of young bochorim, a 13-year-old can be the set shliach tzibbur since that is not disrespectful to the tzibbur (הגרשו"א, הליכות שלמה תפלה פ"ב ארחה"ל הע' 76).

10. **Counted as one of the ten for a minyan.** This is a derabanan halacha so we can rely on chazaka d'Rava (מ"ב שם).

Birkas Hamazon, Zimun

11. Since most poskim hold that the chiyuv of zimun is derabanan, a 13-year-old can be part of a zimun (שער הציון שם סק"ט, שער הציון שם סק"ט, עיי' מש"כ גליון 147 אות ב'). He can also lead the zimun and bentch on a cup of wine. He cannot be motzi others in their chiyuv to bentch, which is deoraisa, but since today everyone bentches for themselves, a 13-year-old can lead the zimun. This is the minhag: the bar mitzva boy leads the zimun at his seudas bar mitzva (ערוה"ש ס"ד).

Baal Korei

12. A child cannot be the baal korei for Krias HaTorah, but once a boy is a bar mitzva, i.e., 13 years old, he can be the baal korei even if it is not known that he has two adult hairs; for this matter, we rely on chazaka d'Rava since he is not being motzi the tzibbur in a chiyuv deoraisa (מ"ב סי' רפ"ב סק"יג, ודלא כהב"ח סי' תרפ"ה שס"ל שקריאת התורה מן התורה).
13. **Minhag for bar mitzva boy to lein the parsha.** There is a minhag for a bar mitzva boy to lein the weekly parsha in shul on the first Shabbos after his bar mitzva (שירת לבושי מרדכי אר"ח סי'). This makes it known to everyone that he is a bar mitzva, as a child cannot lein for others. That is why the father makes the bracha of (מ"ב סי' רכ"ה סק"י, שער הציון סק"ז) at this time "ברוך שפטרני מענשו שלזה".
14. **Caution when a bar mitzva boy leins.** On the one hand, a bar mitzva boy must prepare the leining properly to the best of his ability so that he will lein loudly, pronounce the words properly, and not slur or swallow letters. On the other hand, the tzibbur must understand that this is the first time he is leining. Therefore, if he makes a mistake, he does not need a beis din of 73 members to point out his error...especially if it is a mistake in the trop or pronunciation that does not change the meaning. Thus, it is proper to appoint someone, e.g., the regular baal korei or one responsible person, to stand next to the boy and gently make corrections when necessary. Whereas the issuer to embarrass someone is deoraisa, krias haTorah is only derabanan.

Making Tzitzis

15. **Spinning tzitzis.** Lechatchila a bar mitzva boy should not be allowed to spin tzitzis strings for others if we do not know that he has two adult hairs since there is a deoraisa requirement to spin tzitzis for the sake of the mitzva ["lishma"] and we do not rely on chazaka d'Rava for deoraisa matters (פמ"ג הובא בביאה"ל סי' י"א ד"ה טואן). If a bar mitzva boy already spun them and there is no way to check, some poskim say one can be meikel bedieved (רע"א אר"ח סי' ז', ישועות יעקב סי' ל"ב). While others say they are pasul even bedieved (ל"ט, ביאה"ל שם).
16. **Tying tzitzis.** As far as attaching and tying the tzitzis onto the beged, the poskim write that one should make sure the boy is 13 but he can rely on chazaka d'Rava and does not need to know that he has two adult hairs (פמ"ג הובא במ"ב סי' י"ד סק"ד). The reason for this is because it is a double safeik: perhaps he has two adult hairs, and perhaps the halacha is that a child can attach the tzitzis (פרשת ציצית).
17. **Does a koton who tied tzitzis have to untie them as a gadol?** Some poskim say that if a koton made tzitzis and knows that he made them for the sake of the mitzva, he does not need to untie and retie them when he becomes a gadol since he knows he made them lishma, he can rely on himself, and it is like a bedieved case (ביאה"ל סי' י"ד ד"ה). However, some are concerned about the opinion that a koton inherently cannot do things lishma (רבינו יונה). Thus, a virtuous person will be machmir to untie and retie them once he becomes a gadol (מור"ד הגר"י בלויא, חנוך לנער פ"ג הע' ה', פ"ט הע' ט"ז).

Bar Mitzva that Falls on Shabbos

Becomes a Gadol at the Beginning of the Night

18. If a child was born during the day and becomes a bar mitzva on Shabbos, he does not need to wait until the time he was born. As soon as tzeis on Friday night arrives, he becomes a bar mitzva, in accordance with the ruling of most poskim (above, 4).

Maariv

19. If a boy becomes a bar mitzva on Friday night and the tzibbur is davening before tzeis [a very common occurrence in Chutz La'aretz on the summer Shabbosos], he cannot serve as the shliach tzibbur for Kabbalas Shabbos and Maariv (רמ"א א"ח סי' נ"ג סי'). Although as far as tosefes Shabbos, it is considered Shabbos with respect to tefilla, it is not like night with respect to this boy's koton status (ד' עקבי חיים סי' ד').

20. Nevertheless, strictly speaking he may daven himself and be yotzei; he does not need to wait until night, as even if a koton cannot be motzi gedolim, he can satisfy his own chiyuv while he is a koton, and it will be valid even after he becomes a gadol (עי' רע"א א"ח סי' קפ"ו) עיי רע"א א"ח סי' קפ"ו (ש'וע"ע סי' קפ"ו). Others hold that it is just derabanan (ש'וע"ע סי' כ"ח) (סק"ד). If he bentched while he was a koton, he certainly does not need to bentsch again after he becomes a gadol, even if it is within the amount of time it takes to digest ["shiur ikul"] (תשו"נ ח"א סי' קפד).

Kiddush

21. Some hold that even if a tzibbur took in Shabbos before the night, a koton should not make Kiddush until it is definitely night since the Kiddush that he made before night does not help him be yotzei his deoraisa chiyuv of Kiddush (אמרי בינה דיני שבת ז"א ושורת בנין שלמה ח"א) (סי' י"ח ושורת שבט הלוי ח"ח סי' ד').

22. If he made Kiddush before night, he should not make Kiddush a second time at night (שורת שרגא המאיר ח"ה סי' ס"א אות ג') Instead, it is proper for him to hear Kiddush from a gadol who did not yet make Kiddush (שבה"ל שם) or to have in mind to be yotzei his deoraisa chiyuv of Kiddush with Retzei in Birkas Hamazon (שורת להורות נתן ח"ז סי' י"ג) (שורת להורות נתן ח"ז סי' י"ג), though some note that Yetzias Mitzrayim is not mentioned in Retzei.

Netilas Yodayim

23. If a boy becomes a bar mitzva in the middle of a meal, i.e., he started before night, he does not need to wash his hands again when he becomes a gadol (ובה"ל נ"ח) (גיטין דף נ"ט ע"ב). However, in our case the division will not be equal since there is only one Maftir who will also lein the Haftara, which is the preferable one for a bar mitzva boy. Hence, and they should determine who gets which aliya by lottery (עי' ע"ב) (הגר"ש"א, חשוקי חמד יומא דף י"ז ע"ב).

Aliya

24. **Bar mitzva "bo bayom."** If a boy becomes a bar mitzva on Shabbos, he should be given one of the seven required aliyos, not Maftir (באור (הלכה סי' קל"ו, ספר נוהג כצאן יוסף עמ' ל"ד).

25. **"Qudsho" for a Kohen.** The poskim discuss a case where two boys become bnei mitzva in the middle of the week and they both want to get Maftir on Shabbos, as is customary for bar mitzva boys: should a Yisroel yield to a Kohen because of the mitzva of וקדשתו? The answer is that וקדשתו only dictates that if something is divided equally, a Yisroel should tell a Kohen to take what he wants first, as mentioned in the Gemara (גיטין דף נ"ט ע"ב). However, in our case the division will not be equal since there is only one Maftir who will also lein the Haftara, which is the preferable one for a bar mitzva boy. Hence, and they should determine who gets which aliya by lottery (עי' ע"ב) (הגר"ש"א, חשוקי חמד יומא דף י"ז ע"ב).

Zimun

26. Some say that if a boy started to eat before night and became a bar mitzva at night, he can lead the zimun if he was sitting at the meal with the others and ate a kezayis of bread at night, after he became a gadol. If he did not eat a kezayis at night, he cannot lead the zimun (כיצד מזמנין פ"ג אות כ"ט) (שורת שבט הלוי ח"ח סי' נ"ז) (שורת שבט הלוי ח"ח סי' נ"ז).

Birkas Hamazon

27. As far as bentsching goes, if a boy ate before night, became a gadol before he digested the food, and did not eat after tzeis, some are unsure if his chiyuv to bentsch is deoraisa or just derabanan (הג' רע"א) (ש'וע"ע סי' כ"ח) (סק"ד). If he bentched while he was a koton, he certainly does not need to bentsch again after he becomes a gadol, even if it is within the amount of time it takes to digest ["shiur ikul"] (תשו"נ ח"א סי' קפד).

28. If he also ate a kezayis after becoming a gadol, his chiyuv is definitely deoraisa and he can even be motzi others (שורת צ"א ח"ב סי' ב') just in practice, everyone bentsches for themselves nowadays.

29. **Bentsching at seuda shelishis when becoming a bar mitzva on Sunday.** The above discussion is also relevant if a boy becomes a bar mitzva on Sunday and he finished eating seuda shelishis before night and bentched – does he need to bentsch again once it is night while he is still satiated (עי' רע"א שם)? Some rule that it is clear he does not need to bentsch; Birkas Hamazon is for eating, with a requirement that one be satiated, not on satiation alone (תשו"נ שם).

Tefillin

30. **Sunday or Friday?** For those who follow the Rama's opinion (א"ח סי' ס"ג) that a boy should only start putting on tefillin the day he becomes a bar mitzva, when the bar mitzva falls on Shabbos, the boy should put on tefillin for the first time on Sunday (דרכי חיים ושלום עמ') (ל"ג ובשורת יגל עקב א"ח פ"ז) (ל"ג ובשורת יגל עקב א"ח פ"ז) on Erev Shabbos so that the day of the boy's bar mitzva not go by without him ever having put on tefillin (כתר נהורא בשם מהר"ש מבעלזא).

31. **Shehechyanu on tefillin.** The poskim argue whether a boy makes Shehechyanu when he puts on tefillin for the first time. The Mishna Berura concludes that he does not (מ"ב סי' כ"ב סק"ב), and in the Biur Halacha he concludes that it is proper to create a separate chiyuv to make Shehechyanu, e.g., with a new garment or fruit. A boy who puts tefillin on for the first time on Sunday cannot make Shehechyanu on new clothing that he wore on Shabbos, so he should try to leave a new garment or fruit for the day he puts on his tefillin for the first time.

Av Harachamim

32. Most poskim hold that Tachanun is still said when there is a bar mitzva boy present (אז נדברו ח"א סי' מ"ח) (שורת אז נדברו ח"א סי' מ"ח); accordingly, Av Harachamim is said if it is Shabbos.

Gift for the Bar Mitzva Boy

33. **Gift on Shabbos.** One may not give a gift on Shabbos unless it is for a Shabbos or mitzva purpose. The minhag to give dishes as a gift to a chosson who gives a drasha is improper (ש"י סק"ג) (מ"ב סי' ש"ו סק"ג). Accordingly, some allow giving sefarim as gifts since they are for a mitzva purpose.

34. **Kinyan through someone else.** One can transfer ownership of a gift to the bar mitzva boy through someone else before the start of Shabbos. Even if he was not yet a bar mitzva on erev Shabbos, it is still possible to transfer ownership to him through someone else; as the Shulchan Aruch points out (ח"מ סי' רמ"ג סי"ח), one can benefit a koton through an acquisition.

35. Another permissible method is to tell the recipient not to intend to acquire the gift until after Shabbos (ש"י פ"ג, ששי"כ פכ"ט ל"א) (שורת מהר"א אסאד א"ח סי' פ"ג, ששי"כ פכ"ט ל"א).

36. The Acharonim discuss whether one can handle a kli shemelachto (issur, e.g., a camera, to give it as a gift, as a form of tzorech gufo umekomo: perhaps the benefit of giving a gift is considered letzorech gufo usage (על המש"כ ח"ג סי' כ"ח, רע"א גליון ש"וע"ע דפוס יהנסבורג ש"ו) (על המש"כ ח"ג סי' כ"ח, רע"א גליון ש"וע"ע דפוס יהנסבורג ש"ו).

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"אודה ה' מאד כפי וכתוך רבים אהללנו....עד הנה עזרונו רחמך ומחליים רעים ונאמנים דליהנו...ואל תשנו ה' אלוקינו לנצח"
We were deeply touched and truly overwhelmed, by the outpouring of heart-felt touches, the multitudes of caring sentiments, and the many offers of help during the time I was hospitalised. Avi Yodaiken & Family

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