ותלמדם "שקי שים" לעשות רצונך בלבב שלם

ליקוטי ופסקי הלכות "הוקר הולהם"



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

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

Dinim of Birth of Child

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Birth of a Child

Parshas Chayei Sarah 5783

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Brachah on the Birth of a Child

1. The brachah of HaTov v'HaMeitiv is said on the birth of a son, and Shehecheyanu for a daughter. Many people are unaware of this and end up not making these brachos at the time of birth. Thus, we saw a need to cite these halachos so that people know them and everyone can make the appropriate brachos at the time of their simchah, may it be b'karov by all of Klal Yisroel. May the zechus of learning these halachos be a cause of brachah and siyata d'Shmaya that people should actually make these brachos, Amen.

Birth of a Son

- 2. One makes the brachah of Shehecheyanu upon hearing news that is only good for him; if it is good for others too, he makes HaTov v'HaMeitiv (שו"ע או"ח ס" רכ"ב ס"א). Thus, if one's wife gives birth to a boy, he says HaTov v'HaMeitiv (שו"ע או"ח ס" רכ"ג): Hashem was good to him, for a person wants a son, and He was also good to the wife, for she also wants a son. This is true even if they already have several sons (מ"ב סק"ג).
- 3. **Just hearing the news.** This brachah is said even upon just hearing the news, e.g., if a father is in another city and hears that his wife gave birth to a boy (מ"כ סק"מ). If one made the brachah upon hearing the news and then came home within thirty days, he does not say Shehecheyanu upon seeing his son for the first time since HaTov v'HaMeitiv is a more inclusive brachah and because one should not make a brachah in a situation of safeik (מ"כ ה סק"ה סק"ה).
- 4. Wife also makes brachah. The woman who gave birth also makes the brachah herself (שו"ע שם) after she has washed her hands and is clean and fit to make a brachah.
- 5. Already has several sons. If one has several sons but no daughters and he wants to have a daughter, but he has another son, it is unclear whether he can say HaTov v'HaMeitiv upon merely hearing of the birth of his son (ביאה"ל ס" רכ"ג ד"ה זכר). In practice, he can say the brachah (ב"ב). However, everyone agrees he should say Shehecheyanu upon seeing his son since he certainly experiences joy then (הגר"ח קנייבסקי).
- 6. Until when can the brachah be said? L'chatchilah, the brachah should be said as soon as one hears the news or sees his son, before the newness wears off and the joy subsides (מ"ב ס" רכ"ג). But even if one did not say the brachah right when he heard, he can still say it since the joy remains (מ"ב סק"ג). Some say that as long as it is within three days, one can say the brachah with Hashem's Name if he still feels joy (מור וקציעה ס" רכ"ד ד"ה אבל אם).
- 7. Some say one can say the brachah as long as he is involved in the matter and has not diverted his focus from the news (מ"א בוטשאטש א"א בוטשאטש). Others hold he can say it as long as the impact of the joy is still in his heart (כפה"ח סק"ח). Others hold he can even say it until the bris if the joy is still in his heart (הגר"ב קרליץ). Yet others hold he can say it as long as he is still informing others about the birth of his son (תשוה"ב ח"ב סי" קל"ב).

Birth of a Daughter

8. **Shehecheyanu.** HaTov v'HaMeitiv is not said on the birth of a daughter since the joy is mainly for one. However, both parents say Shehecheyanu upon seeing her for the first time(ב'"ג סק"ב) – this is no worse than seeing a friend for the first time in thirty days (ע" ע רכ"ה ס"א). Even though nowadays people do not usually say Shehecheyanu upon seeing a friend (ע"ר, ערוה"ש) – especially now that we more frequently see or speak to each other by phone etc. (מ"ג ס"ב) – everyone agrees one feels joy upon seeing his daughter for the first time.

- 9. **Just hearing the news.** Unlike when a son is born (above, 3), Shehecheyanu is said only upon seeing a new daughter for the first time, not upon just hearing of her birth. When it comes to news, the birth of a daughter is not like the birth of a son, and one only says a brachah upon seeing her (מי", סי", ברכת הנהנין סי", ברכת הנהנין סי", בי", מ"ב סי", הוא, if one returns from abroad and sees a daughter for the first time, he can still make a brachah (פמ"ג, מ"ב סי" רכ"ה סק"ה).
- 10. **Already has many daughters.** However, even if a man already has several daughters and does not have such a desire for another one, he still says Shehecheyanu upon seeing a new daughter for the first time (הגר"נ קרליץ, הגר"ח קנייבסקי, לפאר ולברך עמ' קכ"ו). One certainly does not say Baruch Dayan Emes upon hearing about the birth of a daughter even if he is upset; that brachah is for something that one had and was taken from him, not something that was never given to him (דיאה"ל ס"ב ד"ה דיין).
- 11. **After many years.** Even if a couple has a daughter after being childless for many years, they should only say Shehecheyanu, not HaTov v'HaMeitiv. Chazal did not institute HaTov v'HaMeitiv for the birth of a daughter under any circumstances, even if it took many years (מגר"נ קרליץ, הגר"ח קנייבסקי, לברך ולפאר עמ' קכ"ז).
- 12. **Wife also says the brachah.** The wife also says the brachah upon seeing her daughter for the first time (אוד הלכה שם דבר הלכה אות once she is fit to say a brachah (see above, 4).

Birth of Twins

- 14. **Two girls.** All of this applies to the brachah of Shehecheyanu on the birth of twin daughters.
- 15. **A boy and a girl.** If one has a boy and a girl, he says HaTov v'HaMeitiv on the boy and Shehecheyanu on the girl even if they were both born before he said a single brachah, as HaTov v'HaMeitiv does not apply to the birth of a daughter (הגר"ח קנייבסקי).

Birth of Grandchildren

- 16. **HaTov v'HaMeitiv.** Some poskim hold one says HaTov v'HaMeitiv if he is overjoyed at the birth of a grandson (ס"ד, קצוה"ש). However, many hold it is not said since we do not find explicitly that Chazal instituted a brachah on the birth of a grandson (ע"פ שר"ת הרשב"א ח"ד ס" ע"ז, מג"א ריש ס" רכ"ה). In practice, it is proper to minimize the saying of these brachos where they are not specifically called for (ביאה"ל ריש ס" רכ"ב).
- 17. Shehecheyanu. The poskim also discuss whether one can say Shehecheyanu upon seeing a grandchild for the first time. Some say one should not say it since Chazal only said to say it on the birth of a daughter (הגרשז"א, הליכות שלמה תפילה פכ"ג דבה"ל אות י"ד, הגר"נ שלמה תפילה פכ"ג דבה"ל אות י"ד, הגר"נ קנייבסקי שם (קרליץ, הגר"ח קנייבסקי שם).
- 18. However, others hold that although it is unclear whether HaTov v'HaMeitiv may be said, Shehecheyanu may certainly be said upon seeing a grandchild for the first time. In line with the Mishnah Berurah's reasoning to say Shehecheyanu on the birth of a daughter (above, 8), this is no worse than seeing a friend for the first time in thirty days. Especially when seeing a grandchild causes tremendous joy, e.g., the first child born to one's son or daughter, one can say the brachah; we do not say "safeik brachos I'hakeil" (ע"פ הב"ח או"ח ס" כ"ט אות ב'). Thus, there is valid basis for one to be meikel to say the brachah when he experiences great joy.

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Brachah of HaGomel

After Birth

- 19. Someone who recovered from an illness must thank Hashem and say the brachah of HaGomel (שו"ע סי׳ רי"ט ס"א) in front of a minyan (שם ס"ג). The poskim discuss whether a postpartum woman must
- 20. Say the brachah. Some women say HaGomel in front of a minyan. Either a minyan comes to the woman's house for Maariv, or she says HaGomel when there are ten men together at the shalom zachar, or she says it in the ezras nashim or by the door of a shul when a minyan is present (שו"ע הרב סדר ברכת הנהנין פי"ג ס"ג, חיי אדם נכלל ס"ה ס"ה). Many women in the Old Yishuv of Yerushalayim did this (שלמות השלחן ס"ה סק"ו, סידור היעב"ץ דיני ברכת הגומל אות ב', שו"ת שלמות ,(חיים סי' נ"א, שו"ת מנחת שלמה ח"ב סי' ס' אות י', תשובות והנהגות ח"ד סי' נ"ג), and many Sephardim do this (ברכי יוסף סי' רי"ט סק"ב, כה"ח סק"ג).
- 21. A woman who makes the brachah should wait until seven full days after the birth, as she is considered a cholah until then (כמבואר סי"ע סי" ש"ל ס"ד). If she still feels weak after seven days, she should wait to say the brachah until she feels stronger (שו"ת שלמת חיים שם).
- 22. Don't say the brachah. However, the prevalent minhag is not to make this brachah (ערוה"ש ס"ו, מ"ב סי' רי"ט סק"ג) because the brachah is said in front of a minyan, which is not in keeping with the manner of women or the principles of tznius (שם, חזו"א הובא בארחות רבינו ח"א עמ' צ"א, שו"ת בצל החכמה ח"ו סי' ע"ח, שו"ת מנח"י ח"ד סי' י"ב). Thus, someone whose minhag is not to make the brachah should not change her minhag (12 'הגרשז"א הליכש"ל תפלה פכ"ג אורח"ה הע'. A woman without a minhag should not make the brachah (שו"ת מטה לוי ח"ב סי' ח").
- 23. When husband says Barchu. Some say that a woman should thank Hashem for her recovery by listening to her husband get an aliyah in shul and say "ברכו את ה' המבורך." He should have in mind that he is thanking Hashem for the birth, and she should also have in mind to thank Hashem through this (בשם הי' רכ"ב בעת תורה סי' רכ"ב בעת הי"ט סק"ה, דעת תורה סי' רכ"ב ס"ק ס"ק באר משה ח"ח סי"ק"ת מנחת שלמה שם, שו"ת באר משה ח"ח סי" ק"כ.).

Guarding a Yoledes

Shemirah

- 24. A yoledes must have shemirah from the time of the birth (ברכות נד:ג מ"ב רל"ט סק"ט), i.e., she should not be alone. Some say this is to guard her from mazikin (רש"י ד"ה שימור); others say it is because the Satan accuses in times of danger and times of joy (רבינו יונה על הרי"ף ברכות מג.).
- 25. **Until when?** Some say she requires shemirah until thirty days after the birth (הגר"ח קנייבסקי הובא בשמירת הגוף והנפש סי' ק"פ הע' א'); others say until seven days after the birth (חזו"א הובא שם, בעל ויואל משה).
- 26. Child. Even a child can be the shomer for a yoledes (יוסף אומץ 351 הקדמון עמ'). He should probably have some level of daas and have reached an age of chinuch, e.g., five years old.
- 27. Non-Jew. However, a non-Jew is not an effective shomer. Thus, the presence of a non-Jewish nurse in a convalescent home does not constitute shemirah (שו"ת שלחן הלוי ח"א פכ"ג אות ו').

Inside and Outside

- 28. Outside. A yoledes should not leave her home unaccompanied, even by day (ערוה"ש אבהע"ז סי' ס"ד ס"ג, שפתי חכמים ברכות שם).
- 29. Inside. Some hold she should not even be alone in her house (שיי טהרה עמ' תרפ"ד בשם הג' יעב"ץ). Although someone else should always be in the house, the shomer does not need to be in the same room as her (שם), and the shemirah is effective even if the shomer is sleeping (שם).
- 30. However, others hold she does not need shemirah at home (משמעות מהרש"א ברכות שם, שו"ת שלחן הלוי שם). Some are meikel to treat an apartment building like one big house for these purposes and rely on the fact that there are people around in other apartments (71 'פסקי תשובות סי' רל"ט).
- 31. Wherever possible, one should try to ensure that there is always a shomer in the house. If that is difficult, one can hang up a "shemirah l'yoledes" kamia [amulet] (see below) or rely on other tenants in the building where applicable.
- 32. Hanging up a kamia. Some have the minhag to hang up a printed kamia called "shemirah l'yoledes" as a shemirah in the yoledes's room in the house for thirty days after the birth. There are early sources for this (סי"ב, בעל סי"ב, דוכר הברית שי"ן, זוכר הברית סי" ג' הי"ב, בעל ייטב לב הובא בס' זכרון למשה תולדות החת"ס מכתבי תהילה סי' י"ד אות ב', חזו"א (הובא בארחות רבינו ח"ז מילה ל"ז).
- 33. However, care should be taken not to do anything degrading in front of the kamia, which contains Names of Hashem (כף החיים סי׳ מ' סקי"ח). For this reason, some refrain from hanging up a kamia in the house (מנהגי חת"ס החדש פי"ג אות ט').

Leaving the House the First Time for a Devar Kedushah

34. Many have the minhag that the first time a yoledes leaves her house should be to hear something of kedushah. Therefore, the

- very first time she leaves her house, she goes to the beis medrash to hear the brachah of Barchu (שו"ת פנים מאירות סי' קכ"ד, שו"ת זכרון סי' קכ"ד, שו"ת פנים מאירות סי 'ט, נ"ג אות מ"ט, ני ברית אבות סי' י"ג אות מ"ט, ני).
- 35. Barchu. Sometimes, she goes at a time when there is Krias HaTorah, e.g., Shabbos Minchah, and her husband gets an aliyah "ברכו את ה' המבורך." He has a chiyuv to get an aliyah that overrides a yahrzeit and all other chiyuvim besides for a chosson at his aufruf and a bar mitzvah boy on his bo bayom (see Issue 137, par. 37). This also serves as a brachah of gratitude to Hashem in place of HaGomel (above, 23).
- 36. She can also go out to a Maariv to hear Barchu. After this, she can leave her house for non-mitzvah purposes.
- 37. For a bris. For these purposes, leaving for a son's bris is not considered leaving for a devar kedushah. Still, a yoledes may leave her house for the bris even if she hasn't yet gone to the beis medrash, as a bris is a mitzvah matter, not a personal matter.

Minhag of Shalom Zachar

Reasons for Making a Shalom Zachar

- 38. There is a minhag to make a festive seudah on the Friday night after a boy is born. Everyone comes to eat something where the baby is, and it is also a seudas mitzvah (רמ"א יו"ד סי' רס"ה סי"ב). The poskim offer some reasons for this seudah.
- 39. Saved from the womb. Some say the reason is to thank Hashem for saving and freeing the baby from his mother's womb (תוס' ב"ק רס"ט סי' רס"ט). For this reason, the seudah was called "ישוע הבן" (גמ' שם, לפי' ר"ת בתוס' שם).
- 40. Visiting to console him. Another reason given is that we go to visit the newborn and console him over the Torah he learned in his mother's womb and forgot (דרישה סוף סי׳ רס"ד, ט"ז סקי"ג). This is based on the Gemara (נדה דף ל' ע"ב) that says that when a baby is born, a malach comes and strikes him on his mouth, causing him to forget the Torah he learned. We eat arbes [chickpeas], a round food, in the manner of aveilim.

Friday Night

41. This seudah is held on Friday night because everyone is home then (תרומת הדשן שם). Also, Shabbos completes and prepares the baby for his bris (ט"ז יו"ד שם סקי"ג). This is based on the Medrash (ויקרא רבה פכ"ז) which gives a mashal of a king who decreed that all guests must first see a certain noblewoman before seeing him. So too, Hashem says not to bring a korban until the animal goes through a Shabbos; seven days cannot go by without a Shabbos, and a bris cannot happen without a Shabbos (ביאור הגר"א שם סקמ"ט).

In the Baby's Home

- 42. L'chatchilah, it is preferable to have the shalom zachar in the house where the baby is, as people are coming to console him (above, 40). This has been the minhag since early times.
- 43. Nevertheless, if it is hard to hold the shalom zachar in the baby's home or if the baby is not still in the hospital, it can be held in the beis medrash, relying on the idea that it is a seudas hoda'ah (above, 39), which can be held even without the baby's presence.
- 44. By the Rebbe. Many chassidim have a minhag to hold the shalom zachar at the Rebbe's tish so that it is in the presence of many people. Still, it is best to hold a small shalom zachar in the baby's home before the tish so that it is more clear that the seudah is in honor of the newborn. This way, one also fulfills the idea of consoling the baby.
- 45. Announcing the event. It is customary to announce in shul that the father will be making a shalom zachar seudah (כורת הברית בפי׳ וחל הברית סי' רס"ה ס"ק ס"ח because people are careful that the father himself does not invite people to this seudah.

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