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# PARSHA ENCOUNTERS

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Parshas Vaeira  Rabbi Shlomo Pomerantz

## Peace of Mind

When explaining the midah k'neged midah (measure for measure) for the makos (plagues), Rashi (in perek 8 posuk 17) quotes the midrash that the makos were sent in a way which was similar to how an army wages war against an enemy. First, they sever the water supply. This corresponds to the makah of Dam (blood). Then they sound off their trumpets to put fear and confusion into the enemy. This corresponds to Makas Tzfardaya. This implies that a major component of Makas Tzfardaya was to cause confusion and to remove tranquility from the Mitzreyim.

It's known, that while each makah was a retribution to the Mitzreyim, in turn it also brought a remedy to Bnai Yisroel. If so, notes R' Schorr Shlita (in his sefer Halekach v'halibuv) through the makah of Tzfardaya one can surmise that Bnei Yisroel acquired the attribute of Yishuv Hada'as, tranquility and peace of mind. It stands to reason that through this midah of Yishuv Hada'as one is able to conquer our enemy, the Yetzer Harah.

R' Schorr Shlita quotes the seforim that state how the ten Makos came to rectify the ten Sefiros beginning from the bottom and going up. Therefore, Makas Dam corresponds to number ten which is Malchus, and then Makas Tzfardaya came to rectify number nine which is Midas Yesod. This is loosely translated as the control of one's base urges and pleasures and their use only for the service of Hashem.

From here we learn, that in order for one to safeguard himself from the Yetzer of Yesod, one must master the midah of Yishuv Hada'as.

During the sixth Hakafah done on Hoshana Rabah which corresponds to Yosef Hatzadik (who is the paragon of Midas Yesod), all the requests we make are for success in the physical world. We ask for bumper crops, robust grapes, and

then regarding man we ask for "Nefesh Mibahalal" which means removal of confusion from ourselves.

Once again we see the thought reiterated that serenity is a prerequisite for overcoming the Yetzer Hara especially with regard to forbidden pleasures.

In fact, the Slonimer Rebbi Zt"l used to say, if one doesn't sleep enough it's tantamount to one's leaving the door to his house ajar thereby inviting intruders in. If one is tired, he can't possess the presence of mind to ward off the Yetzer hara which is lurking to enter.

R' Shorr makes a marvelous observation. One would think with the advancement of technology there would be more tranquility in the world. But the reverse has occurred. Indeed, in our day and age, we have much less peace of mind. Take for example, the cell phone. Rather than give peace of mind, many a time it removes our tranquility. R' Shorr writes that the biggest obstacle for growth in America is the plague of lack of Yishuv hada'as.

Now that Shovivim (the time period between Parshas Shmos and Mishpatim) is upon us which is set aside to work on guarding our Midas Yesod, we can learn a lesson from Makas Tzfardaya on how to conquer that Yetzer hara. If one works on slowing down and acquiring a bit more Yishuv hada'as, that will hopefully enable one to gain more control over his actions. Once a person has Yishuv hada'as, he can use his acquired yiras shamayim to overcome his base urges and desires, thereby enabling him to live a life of Torah and holiness.

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# HALACHA ENCOUNTERS

## Shabbos Wages and Earnings

*Rabbi Avi Weinrib*

**S**habbos, our Rabbis teach us is not just a day where we desist from forbidden forms of work. The very essence of the day should be different, infused with spirituality and removed from mundane matters. Business matters should be absent from one's speech and preferably even from one's thoughts. Included in business matters forbidden on Shabbos is for one to accept money for work done on Shabbos, no matter when the hiring took place. This is referred to by the Poskim as Schar Shabbos and in this week's Halacha Encounters we will explore when and where does this prohibition apply.

The first point to clarify is whether it is only forbidden to accept Schar Shabbos or to pay for work done on Shabbos as well. The practical difference would be if one would be allowed to pay a gentile for work done on Shabbos. [To pay a Jew would be forbidden under the prohibition of Lifnei Iver. One cannot place a stumbling block to cause another to sin. Being that it is forbidden for a Jew to accept Schar Shabbos it would likewise be prohibited to cause a Jew to accept it] The consensus of the Poskim is that it is only forbidden to accept payment but to pay for such work would be permitted. [See Shmiras Shabbos Kihilchoso 28—49 and footnote 112]

There are a number of situations where it is permitted to even accept payment for work done on Shabbos. One must be aware of them before getting involved in common situations such as babysitting, tutoring, waiting, or any other work performed on Shabbos. Additionally Schar Shabbos is not limited to work but also includes monies paid for renting a room, utensils or any other form of payment for services rendered on Shabbos.

### Havloah

Chazal only forbade accepting wages when the wages are exclusively for the work done on Shabbos. However, if the payment would be for weekday work as well this is considered Havloah [literally swallowed]. The Shabbos wages are swallowed together with the weekday wages. It is not sufficient, though, to merely pay for both jobs at one time. This is not considered Havloah as the two payments are in no way connected. Havloah only applies where the original hiring was for both jobs. In addition it must be a situation where after hiring it is generally accepted that neither party will back out. When these conditions are fulfilled we see both the Shabbos and weekday work as one unit and the payment is not a Shabbos payment but a weekly or monthly payment. [See Mishna Berura 306-20 and Shmiras Shabbos Kihilchoso 28-58.] Based on this, if one would tutor on a weekly basis it would be permissible to

accept wages for the week even though this would be in part for Shabbos. This would also explain how a hotel or rental agency could accept payment for a room, car, etc. even though the rental period includes Shabbos. Being that the rental begins somewhat before Shabbos and commences sometime after Shabbos, then the payment is not a Shabbos payment but a payment for the unit of days which includes both weekday and Shabbos.

### Expenses

An extension of Havloah would be if one incurs expenses for the work done on Shabbos. If this were the case then the payment is not just for the work but rather for the work performed and the expenses incurred. This is based upon the Noda B'Yehuda [Tinyana, 26] who permits a Mikvah to accept money for Shabbos services based on this rationale. Being that the Mikvah incurs expenses, [heating the water, electricity, etc.] when one pays he is paying a lump sum to cover the expenses and the use of the mikvah.

### Mitzvah

There are those who permit Schar Shabbos when the work performed is for a Mitzvah. For example, to accept payment for being a Chazan or the one who blows Shofar on Rosh Hashanah would be permissible. The Shulchan Aruch [306-5] brings two opinions regarding this practice. However, even according to the opinion which permits this, the Mishna Berura [S.K. 23] tells us that the person will not see Siman Beracha [literally a sign of blessing] from the money. This would mean that even if he thinks he has profited from the money he will suffer a loss somewhere else. However, if it is necessary to prepare during the week he can then be paid B'Havloah. However R' Shlomo Zalman Auerbach ZT"l [Shmiras Shabbos2 and footnote 145] raises a very important point. Havloah would only work if the weekday work would normally be paid for. However to hire a Chazan for Rosh Hashanah and a weekday Tefillah would not be a valid form of Havloah. Since no one pays a Chazan for a normal weekday Tefillah the payment cannot be considered to be going on both. However the time put in for preparation is part of what one gets paid for and this can be considered Havloah.

### Present

One can accept a present for work done on Shabbos since it is not wages. However, it must be clear he is not charging for the service and no offense will be taken if nothing is given. Some add that one cannot do a job which no one would do without payment and consider the wages as only a present. Only for a job where it is accepted to be done without payment can a present be given and accepted. [See Shut Avnei Yishpa Volume 1 O.H. 75-5]

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