

ליקוטי ופסקי הלכות "חוקי היום"

ותלמד
"חוקי היום"
לעשות רצונך
בלבב שלם



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

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Please do not
read during
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Krias HaTorah

Mitzvah Items after Sukkos, Davening for Rain | Bereishis 5782

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The Sukkos Mitzvah Items after Sukkos

S'chach after Sukkos

- Putting s'chach in the garbage.** On Sukkos, s'chach may not be used for any purpose other than the mitzvah. However, after Sukkos one may make personal use of s'chach in a way that is not degrading. Thus, while one should not disrespect s'chach by throwing it in the garbage, as it is an item that was used for a mitzvah (מ"ב כ"א סק"ו), one may put s'chach next to a garbage even though it will ultimately get thrown out by the garbagemen (ע"פ מ"ב שם סק"ו, ש"ת מקדש ישראל צ"ח), as long as he places it in a way that people will not step on it.
- Stepping on s'chach.** S'chach should not be stepped on, as it is considered "tashmishi kedushah" and may not be treated disrespectfully. Thus, one should not throw s'chach in a spot where people walk since doing so causes the s'chach to be degraded (מ"ב ס"י תרל"ח סק"ד).
- Wrapped s'chach.** S'chach wrapped in a bag, e.g., bamboo mat s'chach that became wormy or moldy in its package, may be thrown out if there is no fear it will become exposed in the garbage (הגר"י קרליץ, חוט שני סוכות עמ"ר רל"ד).
- Bamboo mat s'chach as a partition.** After Sukkos, one may use bamboo mat s'chach as a partition, e.g., around a yard or balcony, since that is not a degrading usage.
- S'chach in shemitah.** Someone who cut palm branches for his s'chach does not need to treat them with kedushas shevi'is since they do not have kedushah. Thus, he may place them next to the garbage even though he is causing them to be thrown out. He just may not disrespect the mitzvah by throwing them out directly (above, 1).

Sukkah Decorations after Sukkos

- One should not make use of sukkah decorations after Sukkos in a degrading way. Thus, if one hung fruits [e.g., pomegranates, esrogim, or dates] as decorations and they are still edible, he should eat them. If they are inedible, he should not throw them out in a degrading manner. He should first put them in a separate bag and then throw out the bag.

Arba Minim after Sukkos

- Esrog.** After Sukkos is over, one may eat or derive benefit from an esrog used on Sukkos, but he may not treat it disrespectfully. Some people make esrog jam for Tu b'Shevat night (ליקוטי מהר"ח, כף החיים) (מ"ב תרס"ד ס"ק ס' שם). Some people give esrog jam to a pregnant woman as a segulah for an easy delivery (שם).
- Shemitah esrog.** If an esrog was picked after Rosh Hashanah 5782/2021, we are machmir to treat it with kedushas shevi'is out of uncertainty as to the halachah. Thus, it must be treated accordingly.
- Lulav.** Some have a minhag to burn their lulav with their chometz Erev Pesach to use it for another mitzvah. Others keep it in the house for protection (היד"א בספרו ככר לארון, סדר היום). Lulavim do not have kedushas shevi'is (ש"ת מנחת יצחק ח"א סי' קפ"א, דרך) (אמונה פ"א סק"ז).

Hoshanos

- On top of the aron.** Some have the minhag to put their hoshanos on top of the aron kodesh in shul (בעל תוס' יו"ט, מלבושי יו"ט על הלבוש, ש"ת מהרש"ם) (ה"ד סי' נ"ג). This is not disrespectful to the aron kodesh since beis din makes a condition enabling the minhag to be fulfilled.
- For protection.** Some take the hoshanos home and store them for protection of the house (התניא הקדמון סי' פ"ו) or for protection on the road (מנורת המאור נר' ג' כלל ד').

משיב הרוח Halachos

משיב הרוח ומוריד הגשם

- In Mussaf of the last day of Sukkos, we begin saying משיב הרוח ומוריד הגשם in the second brachah of Shemoneh Esrei, and we continue to say it until Mussaf of the first day of Pesach (ש"י א"ח סי' ק"ד ס"א).
- Some say משיב הרוח ומוריד הגשם, with a komatz under the gimel (ש"ת אג"מ א"ח סי' ק"ד סי' מ' וש"ת אבן ישראל ח"ח סי"ט ומוריד הגשם (היד"א יוסף אומץ, ליקוטי מהר"ח) with a segol under the gimel.

Mistakes Regarding משיב הרוח

- If, in the winter, one said משיב הרוח, which he was used to saying in the summer [nusach Sephard], and he realized his mistake during the brachah, he should rectify it by mentioning geshem (ביה"ל שם ד"ה) (אין). If he remembered after "ונאמן אתה" he must repeat "ונאמן אתה" to make the words before the chasimah similar to the chasimah (מ"ב סק"ט). If he already said "ברוך אתה ה'", he should continue davening since we need dew even in the winter.
- However, if he did not even say משיב הרוח [this often happens to those who daven nusach Ashkenaz and do not say it in the summer] and already finished the brachah, he may say משיב הרוח if he did not yet start קדוש or אתה קדוש. If he already started קדוש, he must start Shemoneh Esrei again (ש"י סי' ק"ד ס"ה, ומ"ב). He does not need to say שפתי תפתח ד' again (מ"ב סק"א) or ברוך שם כבוד מלכותו since his tefillah was a tefillah, albeit missing a part.

Unsure if He Said משיב הרוח

- If one is unsure whether he said משיב הרוח and it is within thirty days [21 Cheshvan] or 90 tefillos after starting to say it, whichever comes first (מ"ב סק"ז), he is assumed to have omitted it since he is still not used to saying it. If he is at a point in the tefillah which necessitates repeating it, he must repeat it. [A set shlich tzibbur has an advantage since he says each tefillah twice and gets to 90 sooner (ש"י)].
- If after thirty days one finds himself making this mistake three times, he loses his chazakah and it is as if he is within thirty days unless he always corrects himself right away (א"א בוטשאטש).
- If right before or during Shemoneh Esrei one was aware that he had to say the proper addition, then even if he became unsure right after Shemoneh Esrei, we assume he said the right one. However, if he became unsure within Shemoneh Esrei, near the relevant brachah, it is likely he made a mistake, and if necessary, he must repeat Shemoneh Esrei (מו"ק). If he did not remember before or during Shemoneh Esrei to add the proper words, even if he remembered after Shemoneh Esrei, he must daven again.
- One who knows he is the type of person who is always unsure if he said the right thing should only pay attention to doubts that arise right away, not to doubts that arise after some time.

Southern Hemisphere

- The poskim discuss what Jews living in the Southern Hemisphere, e.g., South Africa, South America, or Australia, whose summer coincides with our winter, should say in their tefillah. Originally, some held that all they should do is ask for what they need in Shema Koleinu (ש"ת תורת חיים ח"ג סי' ג').
- Subsequently, many poskim ruled they should daven like the rest of the world since rain is not harmful to them in their summer. Nowadays that rain can be utilized even during the summer, most poskim agree they should daven like the rest of the world. Thus, during these days, they too say משיב הרוח ומוריד הגשם (ש"ת מנח"י ח"ו) (משיב הרוח ומוריד הגשם) (סי' קע"א, תשובות והנהגות ח"א סי' צ"ח).

ותן טל ומטר Halachos

When to Begin

22. In Eretz Yisroel, ותן טל ומטר is said in Bareich Aleinu starting from the night of 7 Cheshvan [Tuesday evening of Parshas Lech Lecha this year, 5782/2021] since there is more of a need for rain in Eretz Yisroel (שור"ע סי ק"יז).
23. In Chutz La'aretz, ותן טל ומטר is said from the evening of the 60th day after tekufas Tishrei, i.e., the night between the 4th and 5th of December [when it is not a solar leap year]. This year, 5782/2021, that comes out on Motzei Shabbos Chanukah, the first day of Rosh Chodesh Teves.
24. Even if one davens before tzeis the night we start saying ותן טל ומטר, he still says it (שור"ע ס"ד) (שור"ע ס"ד) (שור"ע ס"ד).

Forgot ותן טל ומטר

25. If one did not say ותן טל ומטר when he should have said it, he must daven again (שור"ע סי ק"יז ס"ד).
26. **In Bareich Aleinu.** If he remembered during Bareich Aleinu, he should stop, go back to ותן טל ומטר, and continue from there (מ"ב סקט"ז).
27. **Before Shema Koleinu.** If he remembered before Shema Koleinu, he should say "ותן טל ומטר לברכה, כי אתה שומע וכו'" in Shema Koleinu. If he already finished Shema Koleinu but remembered before starting Retzei, he should say "ותן טל ומטר לברכה, רצה וכו'".
28. If he remembered after beginning Retzei but before taking three steps back, he should go back to Bareich Aleinu. If he took three steps back, he must start Shemoneh Esrei over.
29. If one said the second לרצון יהיו after the requests at the end of Shemoneh Esrei, it is as if he took three steps back even if he did not yet say עושה שלום (מ"ב סק"יח).
30. The poskim discuss whether answering to Kedushah, Kaddish, or Barchu during Elokai Netzor is considered finishing davening which would necessitate repeating Shemoneh Esrei (א"א בוטשאטש סי תכ"ב). Therefore, several poskim ruled that it is preferable to be silent and listen to the chazzan say Kedushah or Kaddish (שור"ע שבת ה"ו). Nevertheless, if one answered, bedieved he can rely on the poskim who hold he only must go back to the brachah in which he erred (אג"מ ח"ג סי נ"ו והליכות שלמה פ"ח אות ל"א).

Went Back Unnecessarily in Shemoneh Esrei

31. If one forgot ותן טל ומטר; continued davening; then remembered and davened again; but subsequently realized or noticed the halachah that he only had to go back to Bareich Aleinu, he should stop wherever he is – even in the middle of a brachah – and continue with Bareich Aleinu (שור"ע שדה אלתן א"ח סי ג).
32. If he went back to Bareich Aleinu because he thought he did not say ותן טל ומטר but then remembered he said it, he should immediately go back to where he left off originally (מ"ד סי נ"ד).

Ben Eretz Yisroel Traveling to Chutz La'aretz

33. The leading poskim debate the halachah regarding ותן טל ומטר for a ben Eretz Yisroel traveling to Chutz La'aretz and vice versa (פ"ח). (ופמ"ג, והברכי יוסף הובאו במ"ב סק"ה ובאר היטב סק"ד). We will summarize the opinions of many of the poskim.
34. **If he traveled to Chutz La'aretz before 7 Cheshvan,** he should say ותן טל ומטר in Shema Koleinu starting from the night of the 7th, while continuing to say ותן טל ומטר in Bareich Aleinu (אחדות רבינו). (ה"א עמ"פ, ד"ד, ומ"ד בשר"ת קנה בשם ח"א סי י). Nevertheless, if he said ותן טל ומטר in Bareich Aleinu, as they do in Eretz Yisroel, he has many poskim to rely on (שור"ע אג"מ ח"ב סי ק"ב ושור"ע וישב משה ח"א סי ק"ב).
35. **Bochurim.** The same applies to yeshivah bochurim from Eretz Yisroel who travel to Chutz La'aretz at the beginning of the zman to learn there.

36. In the above case and other cases in which מטר is mentioned in Shema Koleinu, some say one should specify "ותן טל ומטר לברכה" (הגר"ש"א). Others hold he should say "ותן טל ומטר" (שור"ע דברי יציב ח"א סי ס"ח). "לברכה בארצינו הקדושה ובכל מקום הצריכים לו". However, the early poskim imply one should only say "ותן טל ומטר" and not add words to the text composed by the Anshei Knesses Hagedolah (כ"ק מרן גאב"ד ירושלים).

37. **If he left Eretz Yisroel after 7 Cheshvan,** since he already started saying ותן טל ומטר, he should continue doing so in Chutz La'aretz so as not to make the matter look like a joke (שור"ע סק"ב בשם ברכי יוסף). However, if he resettled there with his family, he davens like a ben Chutz La'aretz (שור"ע באר משה ח"ד דיני בני א"י והר"ל סי ק"יז).

Place without a Jewish Community

38. One who travels to a place where there is no Jewish community planning to come back to Eretz Yisroel that year should say ותן טל ומטר in Bareich Aleinu like a ben Eretz Yisroel since there is no issue of "lo siggededu." This applies to those who travel to kivrei tzaddikim in Europe or the like where there is no Jewish community. Even if he subsequently goes to a place with a Jewish community, he continues to daven like a ben Eretz Yisroel.

Ben Chutz La'aretz Traveling to Eretz Yisroel

39. **If a ben Chutz La'aretz travels to Eretz Yisroel before 7 Cheshvan** and will be in Eretz Yisroel then, he should daven like a ben Eretz Yisroel while he is there (שור"ע דברי יציב הנ"ל ושור"ע קנה בשם שם). If he returns to Chutz La'aretz before the 60th day of the tekufah, he should stop saying ותן טל ומטר (שור"ע מנח"י ח"י סי ט'). Some say in such a case he should say מטר in Shema Koleinu (תשובות והנהגות ח"ב סי נ"ה).
40. If he will remain in Eretz Yisroel after the 60th day of the tekufah, e.g., a yeshivah bochur or seminary girl learning in Eretz Yisroel, he or she should start on 7 Cheshvan like a ben Eretz Yisroel.
41. If a ben Chutz La'aretz in Eretz Yisroel or a ben Eretz Yisroel in Chutz La'aretz made a mistake, he does not need to go back since there are opinions that what he did was correct (שור"ע מנח"י שם).

Shliach Tzibbur Davening Different from His Minhag

42. If one is a shliach tzibbur in a place that is davening differently than he is, in his own Shemoneh Esrei he should follow his minhag, and in Chazaras Hashatz he should follow the local minhag (ברכי יוסף סק"ח). One may be a shliach tzibbur lechatchilah in these circumstances (הגר"ש"א).

Shailah Arose Mid-Shemoneh Esrei

43. **Looking up the halachah in the siddur.** If a shailah ever arises in the middle of Shemoneh Esrei regarding one of the additions to Shemoneh Esrei, one may turn to the back of the siddur [e.g., in an ArtScroll siddur] to look up the halachah.
44. **Going to a sefer.** If his siddur does not have halachos in it, he may walk to the sefarim shelf in the middle of Shemoneh Esrei to look up the halachah in a sefer (מ"ב סי ק"ד סק"ב בשם חיי אדם). Still, he should not make an interruption long enough to finish the entire Shemoneh Esrei, since that would create a safeik whether he has to start over.
45. **Asking a rav.** If he does not know how to look up the halachah, does not know where it appears, or does not have sefarim, he may ask a rav what he should do (מ"ב שם).
46. **Calling a rav.** If there is no rav present, he may call a rav mid-Shemoneh Esrei to ask what to do if it is something vital to the tefillah, but he should do so discreetly, e.g., under his tallis or outside the shul, to avoid a chillul Hashem and mar'is ayin of talking on the phone in the middle of Shemoneh Esrei. He should not say "Yasher koach" at the end of the call.
47. If possible, it is better to write the shailah without speaking (מסגרת) (זהב על קצווע"ע סי י"ח סק"ג).

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