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Parshat Shimini

Zmanim for New York:

Candle Lighting: 7:07pm

Shabbat ends: 8:09pm

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THE PESACH CLEANING RUSH: HALACHIC AND MORAL DIMENSIONS OF HIRING A CLEANING LADY

WRITTEN BY RABBI SHAY TAHAN

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Before Pesach, every household gets very busy cleaning and kashering their house. Since it's a significant job and people today are extremely busy with their daily chores, work, and many other tasks, we tend to use the extra help of cleaning services such as cleaning ladies. However, using a cleaning lady comes with many halachic concerns that must be discussed.

Questions arise such as: Can we rely on their cleaning and kashering? Can we leave them alone in the house with our kitchen, where so many things can go wrong and render our kitchen non-kosher? Can the husband or our boys stay alone with her, or is it considered yichud? Additionally, there are monetary-related concerns that must be discussed.



Snatching the Cleaning Lady: Ethical and Halachic Considerations Before Pesach.

Today, we will start with the monetary concerns, and BH in future articles, we will address the other issues. A common concern that many households face as Pesach approaches is the dilemma with our cleaning lady, whom we use throughout the year, and when we need her the most—before Pesach—she disappears or keeps calling in sick, claiming her son is ill. We know clearly that it's just an excuse, as many others are offering her more money to come and clean their houses.

A few questions come to mind. Firstly, can we also reach out to other cleaning ladies and offer them more money to "grab" them before Pesach?

This question is based on a Gemara (א, נט, א) קידושין named 'Pauper Engaging with a Loaf of Bread.' The Gemara deals with a pauper who is engaging in the acquisition of a loaf of bread that he found, and

another person comes and takes it from him. The Gemara says that it's forbidden to take it away before the pauper has a chance to take it, and if he does, he is considered wicked. From here, the Gemara says that if someone is looking to buy a certain house, no one is allowed to go before him and buy it. Tosafot (ד"ה ע"ג) also learns that if a student has a certain rabbi teaching him, it's not permitted for another rabbi to overreach and offer his services to that student.

Tosafot also teaches that not in every scenario is there a prohibition to engage with such cases. It is only not permitted where the "merchandise" is something that can be purchased or found elsewhere. In such cases, we would say to him, "Go and bother to find it elsewhere." However, in a situation where it is a unique deal that isn't found elsewhere, he is permitted to buy it.

An example would be if someone is looking to pick up a lost item (such that doesn't have an obligation to return to its owner), and before they pick it up, one is permitted to grab it, saying it's not something they can find elsewhere. Therefore, Tosafot says that if, for example, a student (or his father) is interested in a certain rabbi because of his teaching skills but he is already employed elsewhere, they may reach out to him with a better offer and take him. It's permitted because they can argue that it's not possible to find someone with such skills, and it's similar to our case above of finding an item.

This is the opinion of Tosafot and the Rema (ח"מ, רלז, סימן) which the Ashkenazim follow as their ruling. However, the Shulchan Aruch presents another opinion (Rashi) that there is no difference, and any form of snatching is not permitted, whether one can find such services elsewhere or not (י"א וי"א הלכה כ"א בתרא).

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Applying this to the case of the cleaning lady, according to Ashkenazim, if she possesses unique skills or qualities that are not easily found elsewhere, such as specialized cleaning techniques, specific knowledge of your household's needs, or exceptional reliability, it might be permissible to offer her a higher wage to secure her services before Pesach. Also, if it's challenging to find other cleaning ladies, it would be permitted to offer her better pay and continue to use her services.

Still, we should keep in mind that even if it is permitted according to halachic terms, it's extremely not moral and fair to do so and should be avoided. This practice causes others much aggravation and pain, and it also leads cleaning services to unfairly raise their fees, which is a form of price gouging when the demand is bigger than the supply. (שו"ת מנחת יצחק ח"ה סימן עז). However, if cleaning services could be found elsewhere, it would be obligated to find another cleaning lady as explained by the laws of the 'Pauper Engaging with a Loaf of Bread.'

This was the opinion followed by the Ashkenazim, but Sephardim who follow the Shulchan Aruch may not take the cleaning lady in any case, whether they can find other help or she is the only one available.

While it's wrong and forbidden to "snatch" someone else's cleaning lady, the cleaning lady also shares fault if she had been hired by one place throughout the year when they could have found a different worker, and now when it's harder she leaves. According to halacha (,) it is permitted to hold their salary if it wasn't paid yet in order to ensure they don't disappear when most needed. However, this halacha is strictly bound by city law. If it is illegal to withhold salary in such a scenario according to local laws, it should not be done.

The same idea applies to doing business with someone regularly. When two people or two companies have been dealing with each other for a while, it is considered as if the buyer 'belongs to the

seller' as long as they deal exclusively with each other, and one may not try to take the buyer from the seller (מבוא, מועד פסח, ב"מ סימן קנ"ה).

However, if the buyer decides to leave and buy from elsewhere, then there is no problem dealing with him (סמ"ע סימן שפ"ק). Similarly, in the event that the cleaning lady offers her services independently to another person without them trying to poach her, or if she left her previous work place, then it is permitted to use her services.

Dealing with agencies.

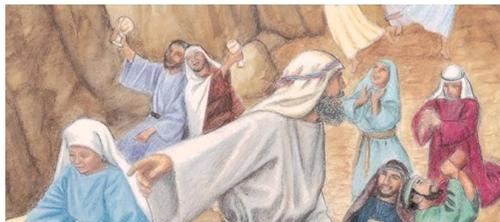
Another question on this topic is when people use agencies to match them with a cleaning lady. The agency gets a cut of the profit from this match. After a while, the cleaning lady builds a relationship with her employers, and they may discuss continuing their service without the agency, which would save the employer a few dollars for every hour she works. Is this permitted? The answer is that it's not permitted.

The poskim explained that there is an obligation to pay the shadchan (matchmaker) their cut for the service. This isn't any different from any other business transaction, such as buying real estate, which obligates the seller to pay the agent their share, or even buying merchandise from a store where the buyer pays more than what the merchant pays and sells for more.

In conclusion, it is important to remember that while we are obligated to clean our houses for Pesach, using a cleaning service can certainly make this task easier. However, we should not allow this mitzvah obligation to lead us to violate other prohibitions. We must heed the wisdom of our sages, who cautioned against performing a mitzvah that arises from a sin, as this is not acceptable in the eyes of Hashem. Therefore, as we prepare our homes for Pesach, let us do so with mindfulness, ensuring that our actions align with the spirit of the holiday and the values of our tradition.

AARON'S TRIUMPH, MOSHE'S' MODESTY

When Rabbi Akiva Eiger and the Lisa's Rav, the Netivot, arrived to the rabbis' meeting in Warsaw, the entire Jewish community came out to greet them. As the rabbis sat on the chariot led by horses, the people, wanting to honor them, removed the horses and began pulling the rabbis' chariot themselves. Rabbi Akiva observed the honor given to the Netivot and felt compelled to join them. Without realizing they were honoring him as well, Rabbi Akiva descended and joined the crowd in pulling the chariot. Upon seeing this, the Netivot also descended and joined in pulling the chariot. Eventually, the entire community, together with Rabbi Akiva Eiger and the Netivot, were pulling an empty chariot in honor of the Torah (ילקוט לקח טוב שמות עמוד קיב).



Our parasha (Shmini) is named "The Eighth Day," as it was on the eighth day of preparation, which coincided with Rosh Chodesh Nissan, that the sacrifices were brought for the first time on the altar. Aaron was chosen to perform this sacred task, yet he felt scared and embarrassed by the weight of this elevated responsibility. When Moshe Rabbeinu noticed Aaron's feelings, he reassured him by saying that it was Aaron who was chosen above all others for this important role (רש"י ויקרא ט, ז).

After Aaron followed Moshe's command, he observed that all the sacrifices had been offered and all the rituals performed, yet the Shechinah, the Divine Presence, did not descend for Israel. He was deeply troubled, thinking to himself, "I know that Hashem is angry with me, and it

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is because of me that the Divine Presence did not descend for Israel!" He turned to Moshe and said, "My brother Moshe, is this how you have treated me? I entered the Mishkan and was shamed." Immediately, Moshe entered with him, and together they pleaded for mercy. It was then that the Shechinah descended for Israel (רש"י ט, כג).

When Moshe emerged to the nation, who were now rejoicing as they witnessed the Shechinah descending, he declared, "Behold how Aaron is greater than me, for it is through his sacrifices and work that the Shechinah has come down, as Hashem has chosen him."

Let's explore some enlightening points from here about our leader Moshe Rabbeinu. It is truly remarkable to see how he managed this event. Moshe observed that the Shechinah did not descend for Aaron, so he went in to assist him. After successfully fulfilling his mission, Moshe emerged and praised Aaron, giving credit where it was due, even though the success was clearly a result of

Moshe's efforts. However, a question arises: How could Moshe then tell the nation that Hashem had chosen Aaron for the task over himself, when it was Moshe who effectively appeased Hashem? Doesn't this seem to contradict the principle of not speaking falsely, the teaching of "Midvar Sheker Tirchak"? Wasn't Moshe obligated to inform the people that Hashem had actually chosen him?

We must acknowledge that Moshe, of course, spoke truthfully as he understood it. In this instance, because Moshe was exceedingly humble, he didn't feel he deserved any credit for this success. Instead, even though he entered with Aaron to help, he believed it was Aaron's merit that brought down the Shechinah to the nation. This highlights Moshe's incredible outlook—he didn't perceive any of his own greatness, as he was the most humble person on earth. Yet, at the same time, he saw greatness in others even more than they saw it in themselves.

ECLIPSES AND SPIRITUAL CAUSES: JEWISH PERSPECTIVES

On Monday, April 8, a historic total solar eclipse will take place. This cosmic event will be visible across a narrow route, called the path of totality, which extends through Mexico, the United States, and Canada. During this event, on that path, the sky will darken for several minutes and the air will get colder. After the total solar eclipse on April 8, 2024, the next one visible from the contiguous United States will be on August 23, 2044. (Of course, we expect Mashiach to arrive way before then.)

Rashi (בראשית א, יד) addresses eclipses and says that when Hashem created the world, He created the two big luminaries. Rashi points out that when the lights are dimmed, as in a solar eclipse, it is a bad omen (sign) for the world.

The Gemara (סוכה כט, א) also tells us why eclipses happen, attributing them to four different sins.

The mefarshim (commentators) ask that since an eclipse is a natural world event that can be calculated ahead of time, why would we consider it good or bad. It's not any different from any other natural occurrence.

For example, the Torah tells us that Hashem had a treaty with the world not to flood it again as He did in the time of Noah. As a sign at times when the world should be flooded as a result of their bad deeds, He creates a rainbow. The rainbow is a reminder of this treaty. The question is obvious: rainbows occur when light from the sun is scattered by water droplets (e.g. raindrops or fog) through a process called refraction. Refraction occurs when the light from the sun changes direction when passing through a medium denser than air, such as a raindrop. So, why then does the Torah say the reason is the treaty?

Amongst the various explanations, one that we like to bring

out is the Maharal's (באר הגולה באר ששי). He says the above question is based on a mistaken assumption that Chazal told us how nature operates, and therefore we can assess their statements and see if they fit scientific scenarios, which many times they do not. Thus, we come to the mistaken conclusion that they were wrong.

The truth, explains the Maharal, is that Chazal don't deal with earthly things because it's beneath their endless wisdom to concern themselves with findings that can be done by scientists. Rather, they deal with the spiritual reasons things happen. Chazal teach us that every event that happens in the world has spiritual causes, which are not revealed to anyone besides Torah scholars.

Therefore, when people sin to the point that Hashem wants to flood the world, He sends rain and then scatters the droplets by sunlight, which creates a rainbow.

When Chazal tell us the reasons eclipses happen, it is to point out which sins brought nature to operate this way.

This means that since those sins mentioned in the Gemara were not rectified, nature will continue to have eclipses at those times. However, if they were to be rectified, then nature would change its course, and no eclipses would occur anymore.

It's like a person who experiences back pain every time it rains. Therefore, we can predict that whenever it rains, he will be in pain. Similarly, with the sins and eclipses, the sin brings about the eclipse every once in a while. If the sin is not corrected, the celestial sign of the eclipse will continue to manifest at their predicted times.

The gmarah (סוכה כט, א) presents three opinions regarding the



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eclipse ramifications. The last of the three opinions holds that when the sun is eclipsed, it is a bad omen (sign) for the nations. When the moon is eclipsed, it is a bad omen for the Jewish people.

Let's try to understand the reason behind those words. Israel is often compared to the moon, while the nations of the world are compared to the sun. There are many explanations for this comparison. Some explain it is because, like the moon, Israel renews itself every month; even after falling, they raise themselves up. Additionally, after persecutions, they always come back in full force. Another explanation is that eventually, when Mashiach comes, they will shine out as a new creation.

Now that we understand what each player represents and that the eclipses represent the spiritual status of the nation, let's see how eclipses happen. A solar eclipse occurs when the Moon passes between the Sun and Earth, causing the Moon to cast a shadow on Earth. On the other hand, a lunar eclipse occurs when Earth is between the Sun and the Moon, causing Earth to cast a shadow on the Moon.

During a lunar eclipse, when the moon receives no light from the sun because the earth is between those two celestial bodies, it is considered as the worldly desires, represented by the earth covering the moon. As the moon resembles Israel, when it is covered by the earth (representing physical desires), it signifies that our physical desires are overtaking our nation and covering us completely. Chazal point out that this is a bad sign, possibly indicating negative events to come.

On the other hand, during a solar eclipse, the moon stands between the sun, representing the world's nations, and covers the earth. This represents that the small nation of Israel, which covers the sun, sometimes has the power to overcome all the nations and be victorious. This is a bad sign for the nations but a good sign for Israel.

Since a total solar eclipse is a rare event, recurring somewhere on Earth every 18 months on average, yet estimated to recur at any given location only every 360–410 years on average, the prophet Yoel already prophesied that before the time of Mashiach we will experience such eclipses (יואל ג')

"Before the great and terrible day that Hashem comes, I will set portents in the sky and on earth: Blood and fire and pillars of smoke; The sun shall turn into darkness And the moon into blood."

The prophecy says that at the time of the solar eclipse, the sun totally darkens and the moon turns a color of bloody red, which is indeed the moon's color expected to be at the upcoming eclipse. The Zohar (פרשת כי תצא דף רפא ע"ב) is more specific, saying that since Israel and Ishmael count the days of the month according to the sun (as opposed to the Christians who count according to the sun), depending on the day of the month when the solar eclipse happens, it makes a difference if it's considered bad for Israel or Ishmael. The Zohar says: "Since the moon can be good or bad, and since Israel and Ishmael count according to the moon, thus if the eclipse happens when the moon is full, it's a bad sign for Israel. But when the moon is not full, it's a bad sign for Ishmael." Since the eclipse happens on Monday, which is the end of the month of Adar, it is when the moon is completely missing and not visible in the sky, which is the very end peak of the month. This is hopefully a good sign of victory as the Zohar explained and hopefully a sign that Mashiach is here, as prophesied by Yoel.

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