

HALACHICALLY SPEAKING

Volume 9 Issue 11



{ TOPIC }

Happy Birthday



SPONSORED BY:

K

KOF-K KOSHER SUPERVISION

Compiled by
Rabbi Moishe Dovid Lebovits

Reviewed by
Rabbi Benzion Schiffenbauer Shlita

All Piskei Harav Yisroel Belsky Shlita are
reviewed by Harav Yisroel Belsky Shlita

S P O N S O R E D :

לרפואה שלמה
מרת רחל בת פעסיל

S P O N S O R E D :

לרפואה שלמה
חיים צבי בן אסתר

Design by:


vividesign

SRULY PERL 845.694.7186

**SUBSCRIBE
FOR FREE**

and view archives @

www.thehalacha.com



HALACHICALLY SPEAKING

HALACHICALLY SPEAKING

► Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former *chaver kollel* of *Yeshiva Torah Vodaath* and a *musmach* of *Harav Yisroel Belsky Shlita*. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, Shlita* on current issues.

WHERE TO SEE

HALACHICALLY SPEAKING

► Halachically Speaking is distributed to many shuls in Flatbush, Lakewood, Five Towns, Far Rockaway, and Queens. It is sent via email to subscribers across the world.

To sponsor an issue please call

718-744-4360

© Copyright 2013
by Halachically Speaking

Happy Birthday

The Jewish people have always focused on birthdays. On Pesach, we celebrate the birth of the Jewish nation. We say in *Mussaf* that the world was created on Rosh Hashana. Many question whether making a birthday party is a Jewish custom. Indeed, there are customs for the day of a birthday which are not well known. In this issue we will discuss these issues and many others.¹

Early Sources on non-Jewish Birthdays

The only birthday party which is recorded in the *Torah* is that of *Pharaoh*.² The *posuk* says, “It was on the third day, *Pharaoh’s* birthday, that he made a party for all his servants...” Based on this, some *poskim* maintain that the custom to have a birthday party is in fact an issue of “following in the ways of the non-Jews”³ and is not the practice of Jews.⁴ The *Yerushalmi*⁵ says that when *Amalek* attacked *klal yisroel*, they used warriors whose birthday was the same day.⁶

The *Mishnah* in *Avodah Zarah*⁷ says that non-Jews would celebrate the birthdays of their kings.

This has ramifications regarding Jewish people making birthday parties.

1. On this topic refer to Ohr Mizrach 31:pages 172-183 in great depth.
2. Bereishis 40:20. Refer to Seichel Tov Bereishis 40:20.
3. Vayikra 18:3.
4. Opinion of Harav Chaim Kanievesky Shlita quoted in Hakotton V’hilchosov 1:page 21:27.
5. Meseches Rosh Hashanah 3:8.
6. This is expressed in Yalkut Shemonei Chabakuk remez 564 as well.
7. 1:3, 8a. Refer to Rambam Hilchos Avodas Kochavim 9:5, Shulchan Aruch Y.D. 148:7.

איזן לל להקצי"ה בעולמו אלאי יאמות של הלקה בלביד... (ברכות ה)



כל השנה הלכות בכל יום מובטח לה שיהא בו עולם הנא... (תדה עב)

Early Sources Regarding Birthdays

The *posuk* in *Hoshea*⁸ says, “The day our king...” The *Metzudas Dovid*⁹ says that the custom of Jewish kings was to make a *simcha* and *Yom Tov* on their birthdays.

The *Gemorah*¹⁰ says that when *Rav Yosef* reached sixty years old he made a party since he had avoided *kares*.¹¹

The *posuk* in *Tehillim*¹² says that the life expectancy of a person is seventy years and if he is stronger it is eighty years. Therefore, some celebrated their 70th birthday.

Others did not necessarily like the day they were born, as was expressed in *Yirmiyahu*, “Cursed should be the day I was born.”¹³

In *Koheles*¹⁴ it says, “The day of death (is better) than the day of birth.” However, the *Medrash Sechel Tov*¹⁵ says, “Most people are happy and make a *seuda* on the day they were born.”

Growing at Certain Stages

The *Mishnah*¹⁶ lists the following regarding stages of growth:¹⁷

A five year old begins learning Chumash; a ten year-old begins Mishnah; a thirteen year old begins mitzvos; a fifteen year old begins studying Gemorah; an eighteen year old gets

8. 7:5. See Yerushalmi Avodah Zarah 1:2.

9. Hosea ibid.

10. Meseches Moed Kotton 28a.

11. Ibid.

12. 90:10.

13. 20:14. Refer to Iyov 3:1.

14. 7:1.

15. Bereishis 40:20.

16. Meseches Avos 5:21.

17. Refer to Journal of Halacha and Contemporary Society 51:page 74.



married; a twenty year old begins running after (parnasa); a thirty year old attains full strength; a forty year old receives understanding; a fifty year old can give advise; a sixty year old is considered old; a seventy year old attains ripe old age; an eighty year old shows strength; a ninety year old become hunch-back; a hundred year old is considered as if he is not alive and has gone from the world.

Relevance of a Birth Date Among Early Jewish Luminaries

We find early sources regarding the benefits of the day one was born. *Yitzchok* was born on the fifteenth day of *Nissan*, and that is the day we left *Mitzrayim*.¹⁸ *Moshe Rabbeinu* was born in *Adar*, and this protected us during the miracle of *Purim*.¹⁹ On *Shavuos* we focus on the birthday of *Dovid Hamelech*.²⁰ On *Lag B'omer* we celebrate the birth of *Rabbi Shimon Bar Yochai*²¹ (all of the above three individuals died on the day they were born).²² *Moshiach* was born on *Tisha B'av*.²³

Mazal

The *Gemorah*²⁴ says that the *mazal* of the day and hour he is born has an impact on his *mazal*. We know that “*ein mazal l'isroel*,”²⁵ which means that the Jewish people have

18. Tanchuma Bo 9.

19. Meseches Megillah 13b, Rashi.

20. Sharei Teshuva 494:6.

21. Taamei Haminhagim page 251:kuntres achron 604, page 271:11, Bnei Yisoschor (Iyar) 3:2:page 123b (new), Sefer Hatodah page 258, Moadim B'halacha pages 299-300, Yechaveh D'as 5:35.

22. Refer to Meseches Kedushin 38a.

23. Refer to Yemei Shenoseinu page 15:footnote 13.

24. Meseches Shabbos 156a.

25. Ibid.

אין על להקב"ה בעולמו אלא י
אמות של הלכה בלבד... (ברכות ח')



the ability to overcome any ill effects that a *mazal* may have.²⁶

We wish a person *mazal tov* when he reaches a milestone in his life, such as a *bris milah*, *bar* or *bas mitzvah*, or an engagement telling them there *mazal* should continue to be good.²⁷

Those In Favor of Birthday Parties

Throughout the ages, birthdays were celebrated by Jewish people, even *Gedolim*. Their views will now be detailed below:

Some *seforim* say that the *Tiferes Yisroel* instructed in his will that his children should write letters to each other on their birthdays.²⁸

The *Leket Yosher*²⁹ records that the *Terumas Hadeshen* made a *siyum* on the day he turned sixty years old.

The *Ben Ish Chai*³⁰ says, “Some have the custom to make every year on their birthday a *Yom Tov* and it is a good *simon*, and we do so in our house.” In addition, he says that when one reaches sixty or seventy it is proper to wear a new garment or eat a new fruit and make a *shehechyanu* and have in mind his age as well (see below).³¹

The *Ben Yehoyada*³² says that one should make his birthday like a *Yom Tov*.

The *Ba'al Shem Tov zt"l* was known for making a *seuda* on the eighteenth day of Elul which was the day he was

26. Rashi “ein,” Tosfas “ein.” Refer to Teshuvos Maharil 203.

27. Refer to Michtav M'Eliyahu 4:page 98, Shoneh B'shoneh 5740:pages 152-155.

28. Hakotton V'hilchosov 84:footnote 1:page 199.

29. Y.D. page 40.

30. Re'eh 1:17.

31. Refer to Kinyan Torah 3:21, Rivevos Ephraim 4:240:page 398.

32. Meseches Berochos 28a:page 30.

כל השנה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (תדה עב)

SPONSORED BY:



born.³³ Many *Chassidim* make as *seuda* on this day as well to commemorate his birth.³⁴

The author of the *Sdei Chemed* made a birthday party when he reached seventy years old.³⁵

The *Chasam Sofer*³⁶ says that *Avraham Ovinu* made a party each year on the day that he had a *bris milah*.³⁷ The *Ben Ish Chai*³⁸ says the custom in his house was not to make a party on the day that his *bris* was performed.³⁹

It is stated in the *Ginzei Yosef*⁴⁰ that “*anshei ma'ase*” recite a *shehechyanu* on a new fruit or garment each year when they reach their birthday (which brings them joy, see below).⁴¹ It is definitely proper to give thanks to *Hashem* on the day of your birthday.

The *Kesav Sofer*⁴² made a *siyum* every year on his birthday, and when he turned fifty he made a *shehechyanu* and made a *siyum* on *Meseches Pesachim*.⁴³

When the *Chofetz Chaim zt”l* reached the age of ninety he finished the *kuntres* “*Bais Yisroel*” and invited some close friends and made a *seuda*.⁴⁴

33. Shoneh B'shoneh 5736;page 243.

34. Shoneh B'shoneh 5736;page 243.

35. Shoneh B'shoneh 5736;page 243. Refer to *Ginzei Chaim* mareches yud:16.

36. Vayeira page 11.

37. Some state that the *Chasam Sofer* did not make birthday parties (*Apraksisa D'yana* 1:123).

38. Re'eh 1:17.

39. However he does say a *tefillah* on that day refer there for the *tefillah*.

40. 7:page 33.

41. In regard to saying a *shehechyanu* when reaching seventy years old see *Ben Ish Chai* Re'eh 1:9, *Ginzei Yosef* 4:page 33.

42. Y.D. 148.

43. Ibid.

44. Shoneh B'shoneh 5736;page 243.

איזן על להקצי"ה בעולמו אלז"י אמות של הלכה בלביד... (ברכות ח)

כל השנה הלכות בכל יום מובטח לי שהיא בן עולם הנא... (תדה עב)

The opinion of *Harav Ovadia Yosef zt⁴⁵*; is that a birthday party made with *divrei Torah* and *shevach* to *Hashem* would turn the party into a *seudas mitzvah*.

There were many *Chassidische Rebbes* who celebrated their birthdays as well.⁴⁶

Those Opposing Birthdays

Although many opinions maintain that there is nothing wrong with celebrating a birthday, there are some who take issue with this. These opinions will be brought below.

The *Gemorah*⁴⁷ says that it is preferable not to be born. This would support the argument that celebrating a birthday is not advisable, since it is not a good thing that one was born.

Based on this, the *Divrei Torah*⁴⁸ maintains that we have no tradition of our holy Rabbis or fathers to make a birthday party.

In addition, some bring a proof from the fact that *Pharaoh* made a birthday party that it is a non-Jewish custom. Indeed, the *Gemorah*⁴⁹ says that one of the holidays of a non-Jew is their birthday.

Some *poskim* note that there is no mention in the *Gemorah*, *Geonim*, *Rishonim* or *Achronim* about a party on the day one was born. The only mention regards *Pharaoh*.⁵⁰ The friends of *Harav Spector zt^l* wished to make him a 50th anniversary of his job in *Rabbonus*, but he declined.⁵¹ The

45. Yabea Omer O.C. 6:29:4.

46. Refer to Ohr Yisroel 24:pages 179-181.

47. Meseches Eiruvin 13b.

48. 5:88:pages 751-752.

49. Meseches Avodah Zarah 8a. See Bais Dovid 2:176, Lehoros Nosson 9:5.

50. Refer to Asei Lecha Rav 4:26, Shemasin 99:page 52.

51. Otzer Kol Minhagei Yeshurun page 304:14, Shoneh B'shoneh 5736:page 237.

SPONSORED BY:



*Otzer Kol Minhagei Yeshurun*⁵² says that people make these parties because they want to be like their neighbors, but what is the purpose of the joy?

What is the Joy of a Birthday?

A birthday is a good time to give thanks to those who have contributed to your very existence, *Hashem* and your parents. Birth is a great miracle. Just as we recite a *beracha* when we experience a miracle, we should give thanks for being born.⁵³

We rejoice over a birth and mourn a death. Logically, the opposite should be true, since a newborn faces uncertainty, while a dead person has fulfilled his mission. Regarding this, *Koheles* says, “The day of death (is better) than the day of birth.”⁵⁴ However, each Jewish person has a *chazaka* that he will do well (*chezkas kashrus*)⁵⁵ therefore, we are happy when a person is born. This is the joy of a birthday as well, as we celebrate the opportunity to fulfill *mitzvos* and improve ourselves each year.⁵⁶

Shehechyanu When Turning Seventy

Some *poskim* are of the opinion that when one reaches seventy he should make a *shehechyanau*,⁵⁷ while others disagree.⁵⁸ One should make the *beracha* without the *shem* or *malchus*.⁵⁹

52. page 304:14. See Kinyan Torah 3:21.

53. Ohr Yisroel 24:page 182. Refer to Zichron Shlomo 5754:pages 197-198.

54. 7:1.

55. This can explain why at a *bar-mitzvah* we are happy even though we do not know the boy will follow in the way of the Torah (Ohr Yisroel 24:pages 184-185).

56. Ohr Yisroel 24:page 185. Refer to Hapardes 46:8:page 22.

57. Refer to Chavos Yair 70, see V'yan Yosef O.C. 73.

58. Ginzei Yosef 4:page 33. Refer to Hillel Omer 139.

59. Shiurei Beracha 223:1.

איך ללמוד להלכה של אמונת ה' בעולמו אלא י' (ברכות ה')



כל השנה הלכות בכל יום מובטח לה שיהא בן עולם הנא... (תדה עב)

Practices on a Birthday

On one's birthday, it is proper to:

- Give thanks to *Hashem*.⁶⁰
- Give *berochos* to Others.
- Give extra money to *tzedaka*.⁶¹
- Make a *siyum*.⁶²
- Receive an *aliyah* to the *Torah*.⁶³
- Set aside extra time to learn *Torah*.⁶⁴
- *Daven* for the *amud*.⁶⁵
- Go to a *tzaddik* and receive a *beracha* (common in many *Chassidische* circles).⁶⁶
 - Engage in introspection and seek ways to improve himself.⁶⁷
 - Visit the *Kosel Hama'aravi*.⁶⁸

Which *Tefillos* to say on Specific Birthdays

From age seventy and on one should say *Tehillim* chapter 103 on every birthday.⁶⁹

60. Yemei Shenoseinu pages 34-35, Ginzei Yosef 4:page 33.

61. Tzedaka L'Chaim page 35. This was the custom of Harav Shmuel Salant zt"l (Shoneh B'shoneh 5736:page 242). Some say this should be for ones child who is too young to do so on his or her birthday (Hapardes 62:Sivan 9:page:4).

62. Kesav Sofer Y.D. 148.

63. Ohr Yisroel 24:page 188, see Teshuvos Hador 18, Hapardes 62:Sivan 9:page 4. Refer to Hapardes 46:8:page 22

64. Hapardes 62:Sivan 9:page 3, Hillel Omer 139.

65. Ohr Yisroel 24:page 188.

66. Ohr Yisroel 24:page 189.

67. Hapardes 62:Sivan 9:page 4, Yemei Shenoseinu pages 38-40, Ohr Yisroel 24:page 190, see Chekel Yitzchok page 6:3.

68. Yemei Shenoseinu page 44.

69. Ginzei Yosef 4:page 34.

SPONSORED BY:



“Live Until 120”

A common *beracha* we give to people is that they should live until 120 years old. *Moshe Rabbeinu* lived to 120.

Blowing out Candles on a Cake

The practice of putting candles on a birthday cake corresponding to the celebrant's age does not stem from a Jewish custom and should not be done.⁷⁰ Candles in the Jewish religion represent the soul.

When extinguishing the candles, one should not blow it out with his mouth. The *poskim* say it is a danger to do so,⁷¹ especially since this custom stems from the non-Jews.⁷² The custom seems to be lenient with this, but one should avoid it if possible.⁷³

Conclusion

Although some *poskim* say that making a birthday party is not a Jewish practice, the custom is nevertheless to make birthday parties. However, these parties should not be turned into jokes and levity.⁷⁴

70. Miyum Hahalacha 4:46.

71. Kol Bo (new) page 492, Kaf Ha'chaim Y.D. 116:115, Ben Ish Chai Pinchus 2:18, Salmas Chaim (old) 498, Keser Shem Tov page 477, Derech Sicha page 273, Rivevos Ephraim 4:54:35, Halichos Olom 7:page 248, Vayitzvar Yosef 2:page 40:248, Orchos Rabbeinu 1:page 239:10. See Orchos Rabbeinu 1:121:page 130, V'ei Lumo Michshal 4:page 107.

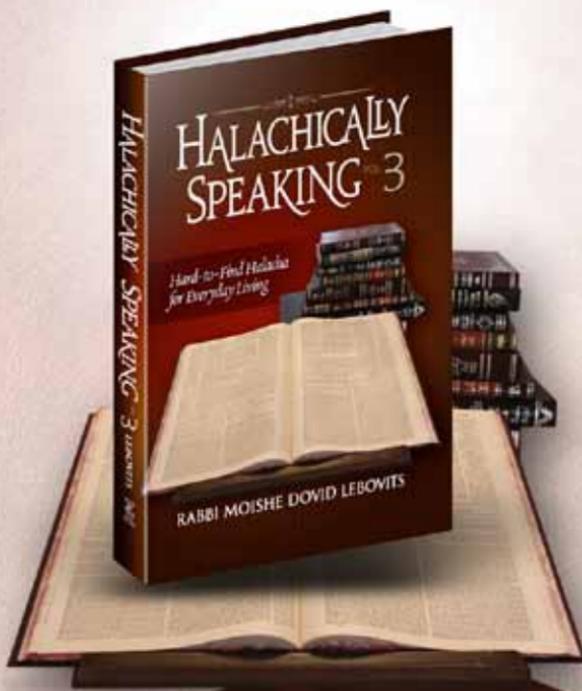
72. Miyum Hahalacha 4:46.

73. Harav Yisroel Belsky Shlita, see Halichos Olom 7:page 248, Yabea Omer 9:95:14.

74. Miyum Hahalacha 4:46, Hakotton V'hilchosov 84:1, Asei Lecha Rav 4:26.

CHAPTERS

- Lefties
- Wearing a Yarmulka
- Putting on and Removing Tefillin
- Hair Covering for Women
- Kol Ish and Other Tznius Issues
- Tefilla B'tzibur
- Aliyah L'Torah
- Moving a Sefer Torah
- Personal Use of a Shul
- Hamotzei vs Mezonos
- Pizza and Kevias Seuda
- Halachos Pertaining to Sleep
- Personal Requests on Shabbos
- Toys and Games on Shabbos
- Coloring on Shabbos
- Shearing on Shabbos
- Sewing on Shabbos
- Lag B'omer
- The Upsherin
- Showering on Yom Tov
- Fast Days
- Zecher L'Churban
- Avoiding Danger in Our Lives
- Tevilas Keilim – What Requires Tevilah
- Forbidden Images
- Referring to a Parent By Name
- Shaimos
- Panim Chadoshes
- The Shadchan
- The Will of Rav Yehuda Hachassid
- Summer Halachos



HALACHICALLY SPEAKING

Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former chaver kollel of Yeshiva Torah Vodaath and a musmakh of Harav Yisroel Betsky Shlita. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

Each issue reviews a different area of contemporary halacha with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant shittos on each topic, as well as the psak of Harav Yisroel Betsky, Shlita on current issues.

WHERE TO SEE HALACHICALLY SPEAKING

Halachically Speaking is distributed to many shuls in Flatbush, Lakewood, Five Towns, Far Rockaway, and Queens. It is sent via email to subscribers across the world.

Please make checks payable to:

Halachically Speaking

1643 Coleman St Brooklyn N.Y. 11234

Donate online at www.thehalacha.com

For more information please email mlebovits@kof-k.org
or call 718-744-4360

SPONSORSHIP OPPORTUNITIES:

\$1000

FULL PAGE

\$500

HALF PAGE

\$250

QUARTER PAGE

Any other donation amount will have name mentioned in back of sefer.

All donations are tax deductible

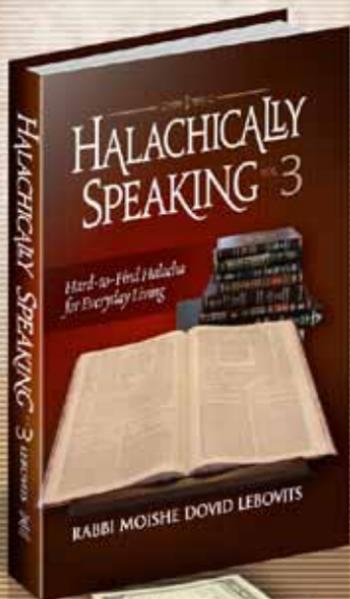
HALACHICALLY SPEAKING



The *Pela Yoetzl* in a paragraph entitled דפוס דפוס says the following about donating for a *sefer* to be published:

... אבל זה הנותן לצורך הדפוס
צדקתו עומדת לעד לדור
דורים והוא מוכח את הרבים,
זכות הרבים תלוי בו ויולך לפניו
ולאחריו, צדקו אחריו מה טוב
חלקו קנה שם טוב קנה לו דברי
תורה קנה לו חיי העולם הבא
וגם העולם הזה כסף כסף רבה:

"The money given for printing of a *sefer* lasts for many generations, and he has the *zechus* of benefiting the public. The merit of the public is with him and it goes before and after him. How good is his fortune? He acquires a good Name. He acquires *Divrei Torah*. He acquires life in the World to Come, and in this world he gets more and more money."





FUNDING RESOURCES
MORTGAGE CORP.

— We put the truth in lending —

RATES ARE AT HISTORIC LOWS.



Evan (Ephraim) Tempelman
NMLS ID #28392
Loan Officer
917-291-1951
et@fundingrnc.com

Licensed by the NY, NJ, CT, IL, MD & FL Dept. of Banking & Ins. NMLS ID 24675

Business Accounting
Financial and Tax Planning
Business Management and Consulting

Mutty Lebovits, CPA
Of Saul N. Friedman and Company

Having a team with over 35 years of experience makes a difference..

347-268-8085
Email me at - mlebovits@snfco.com

A SMALL SAMPLING OF COMPANIES UNDER KOF-K KOSHER SUPERVISION





BJ's

WHOLESALE CLUB

EXCITING NEWS!
Cakes, Cookies, Muffins,
Pastries and Croissants at
BJ's Bakery are now
KOF-K Kosher Certified



A large variety of
pre-packaged
kosher pareve
products are
available in our
bakery

Coming Soon!
Kosher
pre-packaged
Chicken, Meat,
Cheese and
Appetizers!!



66-26 Metropolitan Ave
Middle Village, NY

137-05 20th Ave
College Point, NY

50 Daniel St.
Farmingdale, NY

4000 Nesconset Hwy. (Rte. 347)
East Setauket, NY

339 Gateway Drive
Brooklyn, NY
(off Belt Parkway, Exit 15)

6000 Brush Hollow Road
Westbury, NY

232 Larkin Dr.
Monroe, NY

55 Music Air Road
Owings Mills, MD

610 Exterior St
Bronx, NY

825 Pelham Pkwy
Pelham, NY

125 Green Acres Road
Valley Stream, NY

100 Mill Road
Freeport, NY

3635 Hempstead Turnpike
Levittown, NY

711 Stewart Avenue
Garden City, NY

26 Whittier St,
Framingham, MA

3303 Crompond Road
Yorktown Heights, NY

COMING SOON:

901 Technology Center Dr.
Stroughton, MA

66 Seyon Street
Waltham, MA

500 N State Road 7
Royal Palm Beach, FL

1540 W Boynton Beach Blvd
Boynton Beach, FL

4000 Oakwood Blvd
Hollywood, FL

5901 W Hillsboro Blvd
Parkland, FL

1155 Palm Bay Road
Melbourne, FL

5100 NW 9th Avenue
Fort Lauderdale, FL

Any questions please call

Rabbi Moishe Lebovits

Rabbinical Administrator KOF-K Kosher Supervision
at 718-744-4360 • email: mlebovits@kof-k.org

2013 BJ's Wholesale Club, Inc.