

On the Air with Rav Aviner

*Q&A from
Rav Shlomo Aviner's
radio call-in show*

transcribed and translated by Rabbi Mordechai Friedfertig
edited by Fred Casden

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❖ INTRODUCTION

Ha-Rav Shlomo Aviner – Rosh Yeshiva of Ateret Yerushalayim in the heart of the Old City of Jerusalem and Rav of Beit El – hosts a radio call-in show in Israel focusing on questions of Jewish law and faith. The questions range from familial relationships to national and international issues, from the most minute details of halachic observance to broad Torah philosophy, from current issues of the day to life in the World to Come. Rav Aviner is one of the leading Rabbis of Religious-Zionism today. A prominent student of Ha-Rav Tzvi Yehudah Ha-Cohain Kook, who followed directly in the footsteps of his father, Ha-Rav Avraham Yitzchak Ha-Cohain Kook, Rav Aviner answers every question from his amazing breadth of Torah knowledge, with great insight and sensitivity and with his incredible sense of humor. The callers span the entire gamut of observance and non-observance. Rav Aviner speaks to each of them "ba'asher hu sham" – in his current spiritual state.

We did not devise the themes of this book; rather they are a reflection of issues that were on the callers' minds. The Gemara in Shabbat (122a) uses a concept in relation to the laws of Shabbat: "Ner Le-Achad Ner Le-Meah" – literally meaning that a candle for one is a candle for one hundred, i.e., there are acts which are performed by one person, and there is no extra effort involved if more than one person benefits from the act. For example, if a non-Jew lights a candle for himself on Shabbat, he does not need to exert extra effort for a Jew benefit from it as well. The answers in this book were provided to individuals in their own particular circumstances, but the entire community may benefit from them. And while each response answers a specific question, together

they form a picture of many of the fundamental principles of the Torah.

May all those exposed to Rav Aviner's light be inspired by a love of the Nation of Israel, the Land of Israel, the State of Israel and the Torah of Israel.

I would also like to thank Fred Casden, who edited this book and edits the weekly parashah sheets of Rav Aviner's Torah with love, dedication and incredible meticulousness.

Mordechai Friedfertig
In the heart of Jerusalem between the Walls

Note: Rav Aviner often quotes the sources for the rulings. On occasion, we added notes and exact sources for those interested in additional learning.

ORACH CHAIM (Laws of Daily Living)

Kippah

❖ Ba'al Teshuvah and a Kippah

Q: How should I as a "Ba'al Teshuvah" (a newly-repentant Jew) begin to wear a kippah? I have a lot of non-observant friends and I fear that they will make fun of me.

A: There are four approaches: 1. The In-Stages Approach – to occasionally wear a kippah: for 15 minutes a day, then a half an hour, an hour, etc... By beginning slowly, you will become accustomed to wearing it, as will your friends. 2. The Attack Approach – to start wearing the kippah all the time. If someone asks you about it, you can say: "I changed direction." 3. The Hidden Approach – Don't wear a kippah, wear a hat. 4. The Explanatory Approach – These are your friends. Say: "My friends, I have changed direction. I have become religious and I am wearing a kippah, but we will remain friends. I am not eradicating our world of values and there are many ideals which we share. I found my way and if you are interested, I will explain how this happened to me." Which course to choose is a personal decision.

❖ Accidentally reciting a blessing without a Kippah

Q: If I accidentally recite a blessing without a kippah, do I have to recite it again?

A: It is clear that you must wear a kippah while reciting a blessing, but if you accidentally recited it without a kippah, you fulfilled your obligation and do not have to repeat it. It sometimes happens. Someone recites a blessing and realizes that he does not

have a kippah. There is a dispute in Massechet Sofrim whether or not there is a requirement to wear a kippah while reciting a blessing. The Beit Yosef (Orach Chaim chapter 8) wrote that the basic law is that you do not need a kippah to recite a blessing. His proof is that in the morning blessings, we recite all types of blessings for Hashem providing us with our daily needs (see Berachot 60b). For example, when we get out of bed we recite, "Blessed is Hashem who straightens the bent." When we fasten our belts we say, "Blessed is Hashem who girds Israel with strength." And when we put on a kippah or a hat we say, "Blessed is Hashem who crowns Israel with glory" (today we recite these blessings in shul). The Beit Yosef argued that based on this order we see that the person was not wearing a kippah for all of the blessings he recited at the beginning. The Vilna Gaon also brought this proof. Other authorities argue against this position. If you recited a blessing without a kippah, you can therefore, after the fact, rely on this opinion and you fulfilled your obligation.

Tzitzit

❖ Techelet

Q: What is Ha-Rav's opinion about wearing Techelet?

A: We only wear white. This is based on three reasons, each of which is sufficient on its own:

1. One of the authorities of last generation, the "Beit Ha-Levi," Ha-Rav Yosef Dov Soloveitchik of Brisk, held that in the absence of a continuous tradition, it is impossible to reinstitute the identification of the Techelet, even with proofs. This identification has disappeared until the reestablishment of the Sanhedrin. But even if we say that it is possible to reinstitute it with the aid of proofs,

they must be strong, clear and beyond doubt. The proofs relating to the Murex Trunculus are not one hundred percent. And the identification of the Techelet today is the third identification. The first identification was by the Chasidic Rebbe of Radzyner, and the Breslav Chasidim also adopted it. The second identification was by Ha-Rav Yitzchak Herzog, who later became the Chief Rabbi of Israel. And this is now the third identification. The great Rabbis of our generation have not accepted these suggestions since they are waiting for a possible fourth identification.

2. We are not strict to wear any Techelet since our Sages said that a blue color which is not Techelet (called "kala ilan") invalidates an entire Talit (see Baba Metzia 61b and Menachot 40a, 43a). It is thus possible that wearing this Techelet could invalidate the entire Talit. Furthermore, when we are strict about something, in general, it is when we are certain that we are better off regarding the mitzvah, but if we are uncertain, it is not considered a "stringency."

3. This is casting aspersions on the earlier ones and the great Rabbis of our generation who did not and do not wear the Techelet. A Torah scholar once asked Maran Ha-Rav Kook about Techelet. He did not ask if he should wear Techelet. He said: "I wear Techelet on my Tzitzit, which I tuck in. Should I also wear them on my Talit?" Maran Ha-Rav Kook answered: "No, by doing so you would be casting aspersions on the earlier ones who did not do so. It is fine if you are wearing them and they are tucked in: "I walk with wholeness of heart within the confines of my house" (Tehillim 101:2), but do not wear them out.

It is also forbidden to act with "yuhara" – religious arrogance – before the great Rabbis of our generation. The Gemara in Baba Kama (81) discusses that Yehoshua bin Nun made the inheritance of Eretz Yisrael conditional on ten laws. One of them is that people may walk on the side of the road (on the border of others'

property) to avoid hardened clumps of dirt on the road. Rav and Rabbi Chiya were once walking on the road, and they veered off to the side of the road to avoid the clumps of dirt. Rav Yehudah bar Kenosa was ahead of them, and walked in the middle, taking big steps to avoid the obstacles. Rav said: "Who is that? It is 'yuhara' not to rely on Yehoshua's enactment!" Rabbi Chiya said: "Perhaps it is my student, Rav Yehudah bar Kenosa. All his actions are for the sake of Heaven." It is haughty to act strictly in front of one's Rabbi. Rav Yehudah bar Kenosa was different, however, as he always acted strictly. If someone wears Techelet, we do not disparage him; he has on whom to rely. But if someone comes and asks, we say to him: "Do not display 'yuhara.'" The Torah scholars of our generation wore and wear white Tzitzit and we are going to act strictly in front of them? Do we know more about Techelet than Ha-Rav Avraham Shapira, ztz"l?! Do we know more about Techelet than Ha-Rav Mordechai Eliyahu Shlit"a?!

In sum: We need to continue to research the matter, and it is a long journey. Although the heart aches, we wait. In the meanwhile, we wear white: "It has completely turned white, it is pure" (a play on Vayikra 13:13).

[MF – note: It is worth noting that Rav Aviner was once asked: What was Maran Ha-Rav Kook's attitude regarding Techelet?

Answer: When a Torah scholar who wore Techelet on his Tzitzit asked Maran Ha-Rav if he should also put Techelet on his Talit, he responded: "It is sufficient for you to have the Tzitzit with Techelet. Techelet on your Talit will be seen as casting aspersions on the earlier ones who did not put Techelet on their Tzitzit" (brought in "Sefer Ha-Techelet of Rav M. Bornstein, p. 192).

"When Maran Ha-Rav saw that Ha-Rav David Cohain, Ha-Nazir, put Techelet on his Tzitzit, he asked him: Do you feel the lack of the Techelet on your Tzitzit and that you have a need for it?

Ha-Nazir took this as a criticism and ceased putting on the Techelet. After a short time, Maran Ha-Rav came in a second time and said to him: Nu, nu, continue putting the Techelet on your Talit. Ha-Nazir however held fast to the first comment and refrained from doing so, and only put on the Techelet in private after the death of Maran Ha-Rav" (ibid., p. 188). I – the lowly one – heard the story in the following version: "When Maran Ha-Rav saw Ha-Nazir wearing Techelet on his Tzitzit, he rebuked him that he should not follow a path about which almost all the great Rabbis of Israel had reservations. Ha-Rav then entered his room and after a few minutes came out again and said to Ha-Nazir that there is nonetheless a place for this. Despite that this is not the path to be followed by the community, unique individuals may follow it, and since Ha-Nazir is unique and special, he could follow this special path."]

Tefillin

❖ A skull that did not wear Tefillin

Q: Why is failing to wear Tefillin such a severe transgression that the Gemara (Rosh Hashanah 17a) says: "Who are the sinners of Israel? Rav said: a skull that did not wear Tefillin"? And can someone who did not put on Tefillin rectify it?

A: Some explain that "a skull that did not wear Tefillin" refers to someone who did not wear Tefillin even one time during his lifetime (Rabbenu Channel ibid. and Rif ibid. 4a in the pages of the Rif). Others explain that the reason he did not put on Tefillin is because the mitzvah is embarrassing to him. He does not want to put straps and boxes around his head and on his arms (Tosafot ibid. and Rosh ibid. 1:5). And there are still others who explain that this statement does not only apply to Tefillin but to

any mitzvah that is done with one's body, since it is forbidden to shame any mitzvah and it is a disgrace not to fulfill it even one time (Ron ibid. in pages of the Rif and Korban Netanel ibid. #10). The Tosafot there, however, did mention that if someone did not put on Tefillin, he is able to repent. Everything can be repaired. Nothing stands in the way of repentance even in the case of severe transgressions. The Tosafot said that if he repents, the repentance will hang in the balance until he dies and the suffering of death will complete the process of repentance. There are people who stand in the street and try to get Jews to put on Tefillin even if they will not do so again. The last Lubavitcher Rebbe – Ha-Rav Menachem Mendel Schneerson – explained that a person should put on Tefillin at least once in his life so he does not have "a skull that did not wear Tefillin" according to the first explanation (see Sha'arei Halachah U-Minhag vol. 1, p. 84).

❖ Tefillin of Rabbenu Tam

Q: Should one put on both Rashi Tefillin and Rabbenu Tam Tefillin every day (the four Torah portions which mention the mitzvah of Tefillin and are inside the boxes are placed in different orders according to these opinions)?

A: No. It is stated in the Shulchan Aruch (Orach Chaim 34:2) that only one who is known for his great piety should put on Rabbenu Tam Tefillin. If one is not known for his piety and puts them on, it is called "yuhara" – religious arrogance. I have seen many great Rabbis who only put on Rashi Tefillin. The Vilna Gaon also only put on Rashi Tefillin. Rabbi Chaim of Volozhin asked his teacher, the Vilna Gaon: "Perhaps I should put on Rabbenu Tam Tefillin? I am not asking for Ha-Rav, since you wear Tefillin all day long and if you put on Rabbenu Tam Tefillin, it would take away from the mitzvah of wearing Rashi Tefillin, which is the main mitzvah.

But I do not wear Tefillin all day, so perhaps it would be worthwhile for me to put on Rabbenu Tam Tefillin at a time when I would not be wearing Tefillin anyway." The Vilna Gaon said: "Why are you asking specifically about Rabbenu Tam Tefillin? There are sixty-four different opinions on the proper way to make Tefillin. Are you going to put on sixty-four different pairs?!" Rabbi Chaim of Volozhin said: "But Rabbenu Tam Tefillin is special and perhaps they will ask me in the World to Come: why didn't you put them on?" The Vilna Gaon responded: "We do not fulfill mitzvot for the sake of the World to Come, we fulfill mitzvot for the sake of serving Hashem." As we said, the opinion of the Shulchan Aruch is that only those who are known for outstanding piety should put them on. There are communities in which everyone puts on Rabbenu Tam Tefillin, such as the Chabad community. In such a case, there is no issue of "yuhara," since everyone is wearing them. Most places, however, only put on Rashi Tefillin (In the book *Michtavei Ha-Rav Chafetz Chaim*, p. 27, the son of the Chafetz Chaim said that the reason his father put on both Rashi and Rabbenu Tam Tefillin was not because he had lived among Chasidim during the First World War and wished to act as they did, but because of the tractate of the Jerusalem Talmud that had "been discovered" which mentioned Rabbenu Tam's position. When it later became known that this tractate of the Jerusalem Talmud was a forgery, he continued to put on Rabbenu Tam Tefillin since he had already begun to do so. And see *Shut Igrot Moshe*, Orach Chaim 4:9, for Ha-Rav Moshe Feinstein's response to the Lubavitcher Rebbe as to why he did not put on Rabbenu Tam Tefillin in America when he had done so in Russia).

[MF – note: When Maran (our revered teacher) Ha-Rav Kook was engaged to the daughter of the Aderet, the Rav of Mir, the Aderet sent a package to Ha-Rav Kook at the Volozhin Yeshiva

before Purim which contained three pairs of Tefillin: Rashi Tefillin, Rabbenu Tam Tefillin and a small pair of Rashi Tefillin which Ha-Rav Kook could inconspicuously wear all day as was his custom (Le-Sheloshah Be-Elul vol. 1, p. 32 and Tal Ha-Re'iyah, p. 58. Ha-Rav Aviner mentions in Shut She'eilat Shlomo 3:33 how Maran Ha-Rav Kook wore the Tefillin under his hat and shirt during the course of the day. Regarding this issue, in the book Peninei Ha-Rav, p. 22-23, Ha-Rav Hershel Schachter writes that Ha-Rav Soloveitchik's brother, Ha-Rav Shmuel, said that Reb Chaim Brisker did not like this custom of Ha-Rav Kook, but Ha-Rav Kook was closer to the other Rosh Yeshiva, the Netziv, who approved of it).

Q: I once asked Rav Aviner: Did our Rabbi, Ha-Rav Tzvi Yehudah Kook, put on Rabbenu Tam Tefillin like Maran Ha-Rav Kook?

A: No.

Q: Does Ha-Rav?

A: No.

Q: Why not?

A: "Yehirut" (religious arrogance).]

❖ Rabbenu Tam Tefillin by accident

Q: If someone accidentally says the blessing for Tefillin and puts on Rabbenu Tam Tefillin instead of Rashi Tefillin, does he have to say another blessing when putting on the Rashi Tefillin?

A: Yes, he must say the blessing again because there was "Hesech Ha-Da'at" – he took his mind off the blessing, and also because much time has passed. Even if he put on another pair

of Rashi Tefillin, he would have to say another blessing. Furthermore, one does not usually say a blessing on Rabbenu Tam Tefillin because it is a stringency, and he therefore did not plan for the blessing to apply to the second set of Tefillin. Despite all of this, putting on Tefillin without a blessing is still a mitzvah, as we say in Halachah: "A lack of blessing does not impede fulfilling a mitzvah."

❖ Tefillin factory in the desert

Q: How could the Jews prepare Tefillin for 600,000 men after receiving the Torah?

A: There are two parts of Tefillin: The boxes and the parashiyot (four sections of the Torah which mention the mitzvah of Tefillin and are placed in the boxes). People could have prepared the boxes themselves. While preparing Tefillin is a difficult process today, requiring all types of machinery and equipment, it is possible that the Tefillin of that time were much simpler to make. Some authorities explain that their Tefillin were thin, or more precisely, they were elastic. This would also explain how people wore Tefillin to work, to offer sacrifices, to wage war, etc... In general, there are many activities which require great scientific knowledge today which were easily done in earlier times, and we do not understand how they were done. Regarding the parashiyot, one certainly requires expertise in order to write them. It is possible that part of the people knew how to write them or the Levi'im knew how to write them. There were 22,000 Levi'im out of 600,000 men, so each Levi could have written the text for 30 pairs of Tefillin. Perhaps they could write better and faster than us since we write with a pencil or pen and are not used to writing with a quill and ink. It is possible that since they

were accustomed to writing in this way, writing Tefillin and mezuzot was for them like writing a letter is for us today.

❖ Removing Tefillin and erasing Hashem's Name

Q: How is it permissible to remove the Tefillin straps on the hand which we wrap in the form of Hashem's Name – "shin," "dalet" and "hey" (Shaddai)? Isn't this erasing Hashem's Name, which is forbidden?

A: The book "Kitzur Ha-Shelah" does mention that we should not wrap the straps in the letters of Hashem because of this problem, but removing the Tefillin straps is not erasing Hashem's Name because this is not the type of writing which the Torah is discussing. The Torah is discussing Hashem's Name written with ink on paper. The letters formed by the Tefillin straps are similar to letters on blocks. It is permissible to line up three blocks with a "shin," "dalet" and "hey" and take them apart. This applies both on Shabbat when both writing and erasing are forbidden (see Shemirat Shabbat Ke-Hilchata 16:23) and regarding the prohibition of erasing Hashem's Name.

❖ Tefillin straps and Tzitzit on the floor

Q: Is it a problem that people put the tefillin straps on the floor and slowly wrap them around their hand, or drop the tzitzit of the Talit on the floor and then put it on?

A: One must be careful about this. Therefore, when I unroll the straps, I place them on a table, a stand, or a chair. I keep them close to me so that they do not fall on the ground. Regarding a talit as well, there is no reason for it to fall on the floor. I take out my talit, lift it up and open it so that it does not fall on the floor. A person is not evil if the tzitzit fall on the floor for a second,

but one should certainly not treat objects used for a mitzvah in a disgraceful way. The solution is a technical one and is not complicated.

Praying

❖ Concentrating during prayer

Q: I am in fourth grade and it is very hard for me to concentrate during prayer. Is it permissible for me to daven only part of the davening?

A: It is obviously better to have concentration for part of the davening than having no concentration at all. A person does what he can. If you can only concentrate on one part, it should be an important part, i.e., Shema or Shemoneh Esrei. You can build yourself up. This week concentrate on one part, next week add a verse or a paragraph, or next month. Little by little, in stages, continue to add. One needs to understand that davening without concentration or without understanding also has value since a person is fulfilling what Hashem requested of you. This is stated in a responsum of the Rashba (vol. 1 #423). Many people outside of Israel do not understand one word of Hebrew and would we say that their prayers are not worth anything?! G-d forbid. A person does what he can. You should daven it all, and concentrate on what you can.

Q: So if I daven without proper intention it still has the value of prayer?

A: Yes, davening without having proper intention for even one word has the value of prayer, even for an adult. The "Shelah" – Rabbi Yeshayahu Horowitz – has a saying: "Prayer without proper intention is like a body without a soul." If so, it is not

worth anything. The Vilna Gaon says that this is not clear-cut, since prayer corresponds to the sacrifices. There are two different types of sacrifices: A: "Zevachim" – animal sacrifices. B. "Menachot" – flour offerings. "Zevachim" is a body with a soul. "Menachot" is a body without a soul. Therefore, a person who davens with proper intention is like one who offers "Zevachim," and one who davens without proper intention is like one who offers "Menachot." The Holy One Blessed Be He also loves "Menachot," as it says: "And then the Minchah offering of Yehudah and Yerushalayim will be pleasing to Hashem, as in past days and former years" (end of Shemoneh Esrei).

❖ Unanswered prayers

Q: Why are there Jews who pray, but their prayers are unanswered? For example, we have prayed and prayed for a child, along with all of the medical procedures, but have not been answered.

A: Prayer is not magic. Idol worshipers believe that if they perform a certain act it will obligate the deity to do what he wants. Hashem makes certain decisions – how many children a person will have, when he will have children, if he will have children, etc... We do not know what Hashem decided so we plead with Him, but this does not obligate Him to do what we want. Hashem has His own calculations. What we think is bad, He may think is good. When we pray to Hashem, we plead with Him, but we do not pressure. Our Sages tells us in the Gemara (see Berachot 55a) that if we pressure it is called "iyun tefillah – analyzing prayer" in the negative sense. This means that Hashem remembers a person's transgressions when he prays and says: Nu, nu, nu, where is the outcome? Hashem says: You are pressuring and you should know that everything you received up to now is

not necessarily because you deserved it. I provided you with kindnesses, but you are beginning to pressure and demand. Perhaps I will take them away. We therefore plead before Hashem. You can see in history that many great and holy people prayed and prayed and prayed and did not have children, since Hashem decided that this was good for them.

❖ Praying for an evil non-Jew to die

Q: Is it permissible to pray for evil non-Jews to die, such as the President of Iran, Mahmoud Ahmadinejad?

A: Yes. Why not? See the book "Mesillat Yesharim" (end of chap. 19) that it is a pious act to pray for evil Jews to repent. In general, we do pray for non-Jews to repent, as we say in the prayer "Aleinu": "To repair the world of Shaddai, and for all living flesh to call Your name, and for all the wicked of the Earth to turn to You. May all the world's inhabitants recognize and know that to You every knee must bend and every tongue must swear loyalty." This is certainly our aspiration, but we have not heard that it is a problem to pray for a particular evil non-Jew to die. One should obviously pray with humility, since Hashem does not necessarily have to do that for which we pray. How we prayed and prayed for the death of Hitler, may his name be blotted out, but we suffered greatly by his hand. It is, however, permissible to do so in principle.

❖ "My son does not wake up for davening"

Q: My son, who is 32 years old and who lives with his family next to us, does not wake up for davening on Shabbat morning. I am angry with him about it and we argue about it, etc... What should I do?

A: I suggest that you leave him alone. Is he above the age of bar mitzvah?

Q: Yes, I mentioned that he is 32 years old and a father of two.

A: Then he is above bar mitzvah?

Q: Yes.

A: It is not okay that he does not get up for davening, but you do not need to force yourself upon him. I hope that this is the only thing about which you are forcing yourself upon him. If it is not, I would advise him to move, since sometimes love, concern and a good heart can suffocate a person. You need to leave him alone. You can ask him: Do you want me to come to wake you up for davening? If he says yes, it is set. If he says no, leave him. A person should not intrude into another person's life without requesting permission. It is customary in the US that when someone wants to suggest something to someone else, he asks: "Do you want to talk about it?" After all, you can see for yourself that what you are doing now is not working. It is only causing arguments and it is forbidden to argue on Shabbat, as the Zohar learns from the verse: "You shall not light a fire in any of your dwellings on the day of Shabbat" (Shemot 35:3). By the way, it is forbidden to argue on weekdays as well.

❖ Women talking in shul

Q: What should I do about women talking in shul? I spoke to them about it and they were upset.

A: This subject can be divided into a three parts:

1. You were certainly correct to speak to these women in a gentle and loving way without insults and it is their problem if they are upset. If you want to be strict, you can say to them: "I

am sorry for pointing it out to you." Even though you are correct, there are times that even a person who is correct can ask forgiveness from someone who is not right. At times you should be wise instead of right.

2. Regarding speaking to them further, the mitzvah of rebuke is based on the Gemara which says (Yevamot 65b): Just as it is a mitzvah to say something which will be heard, so too is it a mitzvah not to say something which will not be heard. To our distress, speaking to them will not help. They have a bad habit of talking in shul and you cannot change it.

3. There are various possibilities: you can pray in the shul in a quiet corner in the women's section or – and this will sound funny but some women do it – use ear plugs. You can also pray in a different shul or at home.

❖ Daily immersion in a mikveh

Q: Is it a daily obligation to immerse in a mikveh before davening?

A: There is no obligation. Ezra decreed that there is an obligation to immerse if one has a seminal emission, but as is known, our Sages ruled that we do not follow this, as is written in the Shulchan Aruch, Orach Chaim 88. In our time, it is a stringency if one wants to do so and it is a double stringency for one who is pure and wants to do so. A person is not obligated to immerse before davening and not on Shabbat, but there is an established custom to do so on Erev Yom Kippur (Shulchan Aruch, Orach Chaim 606:4). Chasidim do have the daily custom to immerse since they say: sadness is not a transgression but it is the worst thing and immersion is not a mitzvah but it is the best thing. "Mitnagedim" (non-Chasidic Jews) do not have the custom to immerse on a daily basis. One important "Mitnaged" Rabbi was asked:

why don't you immerse? He answered: I immerse in the waters of knowledge. I immerse in the Torah, which is a purifying fire. In sum: there is no obligation to immerse. If a person sees that immersion increases his holiness and awe of Heaven, he should immerse. If someone sees Torah or something else increases his holiness and awe of Heaven, then each person should follow his own path.

❖ To wait or not to wait

Q: Our shul gets a minyan with difficulty. Should we daven at the announced time or wait for a minyan to arrive?

A: Quite simply, one is required to daven with a community. Davening with a community is reciting the Shemoneh Esrei with a minyan, i.e., everyone begins the Shemoneh Esrei together. From a practical standpoint, however, this is difficult since if you wait for some people, others will leave. Some people arrive early, others arrive in the middle and still others arrive late. If the shul is not consistent in davening the Shemoneh Esrei at the same time, the minyan will fall apart. No one will come. You must begin the minyan on time. If the minyan is supposed to begin at six, you must begin at six. Everyone will then know that the minyan is at six. If you wait, then people will come late. It will be a catastrophe. You must begin and continue without stopping. If you arrive at the Barechu and there are ten men, recite the Barechu even though some people are at the beginning of the davening and others are at the end. You must continue on like a combat officer who runs into the middle of the battle as they shoot at him and his soldiers fall, G-d forbid, but he does not stop. Even though you will miss reciting some prayers with a minyan and enter into situations which are not the preferred halachic

way, if you do not do this, the minyan will disintegrate. Therefore, everyone must know that you start on time.

❖ Quick davening

Q: What should I do if I do not daven as quickly as the "sheliach tzibur" (the person leading the davening)?

A: A person must daven with a community. Davening with a community, which is called "Tefillah Be-Tzibur," means that we begin the Shemoneh Esrei at the same time. You should therefore begin to daven slightly earlier than everyone else – five minutes, ten minutes, etc... – so that you arrive at the Shemoneh Esrei with everyone else. If you are unable to begin earlier, you should skip over certain parts of the davening according to the rules of which parts may be skipped. For example, in place of reciting all of Pesukei De-Zimrah, one skips and says: "Baruch She-Amar," "Ashrei" and "Yishtabach" and then continues on so that you begin the Shemoneh Esrei with everyone else (note: the parts which were skipped should be recited after davening).

❖ Proper direction for prayer

Q: Which direction should we daven in our shul in which the Ark faces south but Jerusalem is in the east?

A: Quite simply, one must face Jerusalem when praying (Shulchan Aruch, Orach Chaim 94:1-2). But everyone must also pray in the same direction. If some people daven in one direction and others daven in another direction, this does not look good. There were many times that shuls in Exile were not in the direction of Jerusalem because of building restrictions. For example, there were shuls in which the non-Jews did not agree to have the door facing a certain street, since it was the main street and it

had a church on it. They therefore demanded that the door face a different direction and it was not always possible to have the Ark opposite the door because it would be disturbing to have people coming in and out during the davening. They therefore placed the Ark in the opposite direction and they prayed in that direction. This is not the end of the world, since there are opinions in the Gemara that we should pray in other directions: One opinion is that we must daven towards Jerusalem and the Temple (Berachot 30a), another says we should pray towards the west because the Shechinah (Divine Presence) dwells in the west, and still another says to face south because of the principle "One who desires wisdom should go south" (Baba Batra 25a-b). In this case, the shul can daven towards the Ark or Jerusalem or even at an angle not to be disrespectful to either, but they should decide and all pray in the same direction (Be'er Heitev on Shulchan Aruch *ibid.*, Netziv in Shut Meishiv Davar 1:10 and Ha-Rav Moshe Sternbuch in Shut Teshuvah Ve-Hanhagot 1:79, unlike Magen Avraham #3 and Be'er Heitev *ibid.* in the name of the Yad Eliyahu).

❖ Davening on a bus

Q: Is it permissible to daven on a bus while seated?

A: It is clear that a bus is not a great place to daven, and it is difficult to concentrate on a bus. Sitting is also not appropriate, since one needs to pray as if standing before a king. But we must differentiate between when there is a choice and when there is no choice. If a person is on a bus for some reason and he will miss davening since he will arrive too late, then it is preferable to daven on the bus. If it is possible to stand – he stood stand; if it is impossible – he should sit. But if there is a choice then he

should certainly daven in the proper frame of mind in an appropriate place (Shut Be'er Moshe 3:14).

❖ Women covering their hair for prayers on their own

Q: Do I have to cover my hair when I recite the bedtime Shema?

A: A woman is permitted to recite the Shema and Shemoneh Esrei without her hair covered. This is explicitly written in the Shulchan Aruch, Orach Chaim 75:1. It certainly adds awe of Hashem and holiness when she does cover her hair. In the mikveh, Ashkenazic women recite the blessing with their hair uncovered, although some put something on their hair to increase awe of Hashem. Sefardic women, however, recite the blessing beforehand while fully clothed (see Shulchan Aruch, Yoreh Deah 200:1). There was a custom among Sefardic communities in North Africa for even single women to put something on their hair for prayer. Young girls would even put something on for school. In Israel today, this is not the practice of Ashkenazic or Sefardic Jews.

❖ Davening in sandals

Q: Is it permissible to daven in sandals without socks?

A: One is required to daven dressed in a way in which he would stand before a king. How one stands before a king is dependent on the place and time in which one lives. The Beit Yosef says that one is obligated to daven barefoot (Orach Chaim 91:5). Not only is it permissible but one is obligated to daven barefoot. Obviously, today if someone shows up barefoot to daven, he would be thrown out of the shul. Therefore, it is dependent on reality. Wearing sandals nowadays is respectable (this applies in Israel; other locations may differ). Wearing flip-flops, however, is not

considered respectable since a person wears them when getting out of the shower or at the pool or on the beach.

❖ Catheter in Shul

Q: Can someone who has a catheter attend shul?

A: He is certainly permitted to attend shul, since a catheter is a closed container which is covered and cannot be smelled. A person with a catheter may also pray. If the individual feels a flow from his body he should stop praying, and continue after he no longer feels it.

❖ Davening from a siddur with a picture of a Rabbi

Q: Is it permissible to daven from a siddur which has a picture of a Rabbi on it?

A: It is forbidden to daven in front of a picture of a Rabbi, but it is permissible to daven from this siddur since one davens with the siddur open. If you are not using the siddur, you can put something on top of it to cover the picture.

❖ Turning off a cell phone during Shemoneh Esrei

Q: If you remember that you did not turn off your cell phone, is it necessary to stop in the middle of Shemoneh Esrei to turn it off?

A: Yes. One is required to stop even if there is only a slim chance that someone will call, since this has the potential to disturb other people. It is forbidden to interrupt the Shemoneh Esrei by speaking, but there is no prohibition on interrupting by moving. For example, if someone is praying by heart on Rosh Chodesh, and he does not know "Ya'aleh Ve-Yavo," he can take a few steps to

get a siddur and walk back. This is not considered an interruption (see Piskei Teshuvot, Orach Chaim 104). Therefore, since a cell phone has the potential to disturb everyone, one should stop for a moment and turn it off. In fact, this may not even be considered an interruption, since this action is for the prayer itself.

❖ Learning during repetition of Shemoneh Esrei

Q: Is there any permission to learn during the repetition of the Shemoneh Esrei? I see G-d-fearing Jews and great Torah scholars do so at times.

A: There is no permission. The Mishnah Berurah (see Shulchan Aruch, Orach Chaim 124) explicitly says that one must concentrate during the repetition and not learn Torah. This is especially true for Torah scholars, because if they learn Torah, people who are not Torah scholars will see them and chatter or read the newspaper during the repetition. Besides the problem itself, it causes other people to act inappropriately. According to the Arizal, the repetition is even greater than the silent Shemoneh Esrei. This is an innovation, because the Gemara says that it was established for those who do not know how to daven. It therefore seems that it is less than the prayer, but the Arizal says it is more important. Either way we are obligated to listen. I saw that Ha-Rav Avraham Shapira, ztz"l – former Rosh Yeshiva of Mercaz Ha-Rav – would listen and follow along with his finger in the siddur. This is being strict, but you, yourself, should listen and say "amen" and hopefully others will follow your example.

❖ "Mi She-Berach" for the sick

Q: How should the prayer "Mi She-Berach" for the sick be recited

in shul – reciting each name aloud or each person saying the names to themselves?

A: When one person says the "Mi She-Berach" for the sick and everyone comes up and gives a name, this takes a lot of time and people do not listen, they chatter, etc... I have suggested that the person begin the prayer and then each person says the name or names to themselves. It is important to remember that this is not a magic prayer which forces Hashem to heal the sick. The Sefer Ha-Chinuch asks how we can pray at all and try to force Hashem to do something. He answers that we are not forcing Hashem; if He responds, it is because He is acting mercifully towards us. You cannot simply recite a formula; you have to pray and plead or perform an act for the person, such as giving tzedakah. Repentance, prayer and tzedakah remove the harsh decree.

❖ Drinking in the middle of the davening

Q: A "Sheliach Tzibur" (one who leads davening) says that his throat gets dry in the middle of davening, and there is no problem to drink between the blessings of the Shema, and it is not considered an interruption. Is there a problem?

A: It is certainly forbidden to drink and eat in the middle of davening. It is also forbidden to eat and drink before davening, but if he needs this in order to daven or his throat will prevent him, it is not considered that he is drinking and eating for his own benefit. The source is the Gemara in Berachot (10b) based on the verse, "Do not eat over the blood (dam)" (Vayikra 19:26). We learn that we should not eat (in the morning) before praying for your "dam," i.e., your life. It is considered haughty. You have not prayed for your blood and you eat?! Here, however, he is drinking and eating in order to be the "Sheliach Tzibur." If he drinks

in the middle of davening, it is not called an interruption, since it is for the purpose of davening. This is similar to one who does not have a siddur in the middle of the "Shemoneh Esrei" and needs one. He can go get a siddur, because it is the same matter. Likewise, if someone is making noise and one says "shhhhh," it is not an interruption. The Mishnah in Berachot (2:1) says that you can greet someone you fear or must honor between the blessings. Reciting a blessing to Hashem is not less than fear or honor of a person. I have to say, however, that I am only answering this because you asked me. In my eyes, it is very strange. I have never seen such a thing.

❖ Non-observant Cohain reciting Birchat Cohanim

Q: Is it permissible for a non-observant Cohain to recite the Birchat Cohanim?

A: Yes. The Rambam answers this question in Hilchot Nesi'at Capayim (15:6). He says two things: 1. We do not say to a person who is sinning: "Perform another sin." This means that we do not tell him **not** to say the Birchat Cohanim. Transgression A does not exempt someone from mitzvot B and C. You are not exempt from eating kosher because you are desecrating Shabbat and you are not exempt from the laws of Family Purity because you are not eating kosher, etc... Our Sages say in Gemara Berachot (51a): If one ate garlic, causing him to give off an offensive odor, should he eat more garlic, to increase the odor?! Therefore, someone who is sinning is not exempt from any other mitzvah. 2. While he is obligated to recite the Birchat Cohanim, what is his blessing worth? "He is blessing me?! – He is a sinner!" Answer: He is not blessing us, Hashem is blessing us. "May **Hashem** bless you and safeguard you. May **Hashem** illuminate His countenance upon you and be gracious to you. May

Hashem lift His countenance upon you and establish peace for you. Let them place My Name upon the Children of Israel and **I shall bless them**" (Bamidbar 6:24-27). Hashem is the One who is blessing us and the Cohanim only serve as agents to bring the blessing. The Cohain is not the one who is blessing. Therefore, a non-observant Cohain must also recite Birchat Cohanim.

❖ Kaddish after learning Torah and reciting Kaddish too many times

Q: Should one recite Kaddish after learning Torah with a minyan, since the Aruch Ha-Shulchan said that we should not recite Kaddish too many times?

A: The Aruch Ha-Shulchan was concerned that people were reciting Kaddish too many times during prayer. He was not speaking about learning Torah, and one must certainly recite the Kaddish after learning Torah. The Kaddish after learning Torah is mentioned in the Gemara in Sotah (49a). The Mourner's Kaddish is not mentioned in the Gemara, but in the Midrash. The Mourner's Kaddish is also not mentioned by the Rambam or the Shulchan Aruch, but by the Rama (Orach Chaim 25:13 and 132:2). One must therefore certainly recite the Kaddish after learning. The "custom" of reciting a Psalm, Kaddish, Psalm, Kaddish, etc...is not needed. One can recite two or more Psalms or prayers in a row followed by a Kaddish. The Aruch Ha-Shulchan was objecting to this practice. The practice of reciting Kaddish over and over again is based on a German custom, mentioned by the Rama (Yoreh Deah 376:4) that only one person recites a Kaddish at a time. There were therefore many recitations of Kaddish so that each mourner could have one. The Gabbai would pass out each Kaddish: Dr. Burgman, you have the first Kaddish, etc... The Sefardic custom is for everyone to stand in a line and

recite the Kaddish simultaneously. Only one Kaddish is needed. Then there is an Ashkenazic custom of Poland in which everyone stands on their own and starts when they want, and everyone goes at his own pace and whoever finishes first wins. This is a bad custom since no one hears and no one understands (see *Gesher Ha-Chaim* vol. 1, chap. 30 #12). Nevertheless, in a place in which everyone recites Kaddish together, the *Aruch Ha-Shulchan* is correct: There is such a thing as a Kaddish in vain, just as there is a blessing in vain.

Blessings

❖ Reciting a blessing on seeing the President of the United States

[This question was asked when President George W. Bush visited Israel]

Q: If someone sees President Bush should he recite the blessing of "Baruch...she-natan michvodo le-vasar ve-dam – Blessed are You...who has given of His glory to flesh and blood"? (In the Gemara in *Berachot* 58a, our Rabbis teach that one who sees a non-Jewish king recites the blessing. It is recorded in the *Rambam*, *Hilchot Berachot* 10:11 and *Shulchan Aruch*, *Orach Chaim* 224:8. The *Chatam Sofer*, *Orach Chaim* #159, rules that even if one sees the king outside of his area of "rule," one must still recite the appropriate blessing).

A: No, the President of the United States is not a king. Halachic authorities mention four criteria in order to be considered a king for this purpose:

1. One must be the absolute ruler of his kingdom or country (*Orchot Chaim* in name of *Sefer Ha-Eshkol*, *Hilchot Berachot* #49, *Shut Ha-Radvaz* 1:296). The President of the United States

does not have absolute authority. He must bend to the will of the Congress whether he likes it or not.

2. The king must have the ability to administer capital punishment (Shut Chatam Sofer *ibid.*). The President does not possess this power. While he does have the power to grant life by issuing a pardon, he does not possess the power of death (Shut Be'er Moshe 2:9). If he issues a pardon to Jonathan Pollard, we can discuss this further.

3. The king must have royal clothing. The President of the United States wears a suit like everyone else (Shut Yechaveh Da'at 2:28 and Shut Teshuvot Ve-Hanhagot 2:139).

4. The king must have an entourage (see Shut Teshuvot Ve-Hanhagot *ibid.* Ha-Rav Sternbuch writes there that he heard that Ha-Rav Yosef Chaim Zonnenfeld, the great Rav of Yerushalayim before the establishment of the State, once had a private meeting in a tent with the King of Jordan and he recited this blessing even though he was without his entourage). While the President is traveling with 400 guards, it is for his protection. The Satmar Rebbe similarly ruled that one does not recite a blessing over the President of the United States since he is not a king (see the book "Edut Bi-Yosef," p. 49 #76). The Steipler Gaon also ruled that no blessing is recited over a President (Orchot Rabbenu vol. 1, pp. 93-94).

People get very scared about what the President says, but there is no need. What he says does not mean that this is the way it is. This is for two reasons: 1. The United States does not help us simply to be kind, but because they profit from it. They need us militarily. We handle this part of the world. They need us technologically. They make planes in the US, and then bring them here and the "chevra" makes them into super-planes. The biggest plane manufacturer has a plant here. It is not to be kind, but to profit. They need us no less than we need them. 2. The President

must bend to the will of Congress. The Congress was pro-Israel even before the establishment of the State. They are sometimes even more pro-Israel than we are because while in Exile we learned to be weak and frightened. We need to add strength and courage and then the non-Jews will relate to us in a proper manner. The Monroe Doctrine was stated by President James Monroe that Europe would no longer interfere with the affairs of the US: America for Americans. Our Rabbi, Ha-Rav Tzvi Yehudah, applied this doctrine to us: We will not interfere with what America is doing and America should not interfere with what we are doing here.

The President of the most powerful country, with the biggest army, the largest economy, the super-power of the world is visiting the tiny State of Israel, and yet some people say that this is not "Atchalta De-Geulah – the beginning of the Redemption." Ha-Rav Shlomo Zalman Auerbach in Shut Minchat Shlomo (the last responsum in vol. 1) wrote that one is obligated to recite four blessings when the Messiah arrives:

1. "Baruch...Chacham Ha-Razim – Blessed are You...Knowers of secrets" which is recited when seeing 600,000 Jews together and certainly at least this many Jews will go out to greet the Messiah.

2. "Baruch...she-chalak mechomato lirei'av – Blessed are You...who, using His knowledge, has appointed those who fear him" which is recited when seeing an outstanding Torah scholar and the Messiah will certainly fit this criteria.

3. "Baruch...she-chalak michvodo lirei'av – Blessed are You...who has shared His glory with those who fear him" which is recited when seeing a Jewish king.

4. "Shehechianu" – Blessing Hashem for having arrived at this moment.

We still are waiting for this time to arrive, but we are continuing

to advance. After all, the President of the United States is visiting the State of Israel. Instead of reciting a blessing over the President, I recommend reciting two prayers for the Nation of Israel, two which we recite every day before the Shema, but now we should do so with extra proper intention: "Blessed are You, Hashem, who chooses His Nation Israel with Love" and "Blessed are You, Hashem, who love His Nation Israel."

Q: Should we try to see the President since he is the most honored person in the world?

A: You do not need to run to greet him. The Gemara in Berachot (9b) says that a person should strive to see non-Jewish kings, so that he will be able to perceive the difference between the non-Jewish kings and the Messiah. President Bush, however, is not a king. It is possible to have a king who is not honored and an honored person who is not a king. Our Sages established this decree for a king, and provided the definition of a king. Don't worry. We will be able to tell the difference between him and the Messiah!

❖ Difficulty in reciting Birkat Ha-Mazon

Q: Many times when I eat, my baby cries, I take care of him and the time for reciting Birkat Ha-Mazon passes. What should I do?

A: If you began to eat, you must recite Birkat Ha-Mazon. You can sometimes shorten the Birkat Ha-Mazon and end after "Ve-Al Yechasrenu" and then recite the "Ha-Rachaman, Ha-Rachaman, Ha-Rachaman" later. You have to plan it out so that you can eat and recite the birkat ha-mazon. If the baby cries, you do not need to jump up and immediately care for him. I am not talking about a situation where something happened to him, but where he is simply crying. It is not healthy for a baby if you run to him every

time he makes a peep. Some psychologists says that one should be a good mother, but not too good of a mother. This is not because we do not love our children, but we do not want them to think that their needs will always be immediately met. They will be overly pampered and not value what others do for them. Even if you are not in the middle of the Birkat Ha-Mazon, you do not need to run immediately for every peep.

Shabbat

❖ Shabbat candlesticks at different heights

Q: Is there a problem to have Shabbat candlesticks which are at different heights?

A: No, there is no problem. There is a discussion regarding Chanukah that the candles must be at the same height in order to ensure that it is clear which night of Chanukah is being celebrated. On Shabbat, however, the candles are to provide light and it is not important if they are at different heights. It is therefore permissible to have Shabbat candlesticks with different artistic styles which are of different heights.

❖ Shabbat candle lighting when eating outside

Q: If we are eating outside on Shabbat and sleeping in a tent, where should we light Shabbat candles?

A: There are a few possibilities: 1. You can light in the tent assuming that it is permissible and there is no danger of setting the tent on fire. 2. You can light candles in a lantern and then the wind will not blow it out. They are also inexpensive. There are lanterns which you light with gas and there are others in which you put a candle. Many Jews have something which resembles

an aquarium in which they light Chanukah candles in which you can also light Shabbat candles. This is similar to when I was in the army and we wanted to light Shabbat candles. We took a jelly jar and fiddled with the height of the candle so that enough air could enter and it would not be extinguished. Baruch Hashem for the technical creativity of the Nation of Israel. 3. If neither of these options is viable for various reasons, it is permissible to light with an electric light. There has been much discussion about using electric lights for Shabbat "candles" and in the end, the Rabbis permit using something like a flashlight with a charged battery. A candle consists of three parts: the wick, the oil and a vessel to hold it. The halachic authorities say a flashlight parallels a candle: the wire is like the wick, the electricity is like the oil and the bulb is light the vessel. This is not the case with a fluorescent light which uses electricity to excite gases which produce visible light and where there is nothing which parallels the wick. The Rabbis therefore do not agree to the use of fluorescent lights for Shabbat "candles," but they do permit other electric lights in situations where, for example, there is a fear that an elderly person or someone disabled might knock over a candle and cause a tragedy.

❖ Giving gifts on Shabbat

Q: We are joining our daughter and her classmates for a final Shabbat in the Ulpana (Girl's high school). Her teacher asked us to write a "bracha" (blessing) and bring a small gift. May I give my daughter a gift on Shabbat, or it is a problem similar to commerce? I was thinking of a silver Magen David on a silver chain.

A: There are two possibilities for giving a gift on Shabbat mentioned in the book "Shemirat Shabbat Ke-Hilchata" (29:29): 1. Give the gift to another person and have them acquire it for your

daughter before Shabbat. You can then bring it to her on Shabbat. This is based on the principle of "zachin le-adam she-lo be-fanav" – "we can do something for someone else's benefit even without the latter's knowledge or permission." The person will thus acquire the chain for your daughter before Shabbat and you can bring it to her on Shabbat. 2. Lend it to your daughter on Shabbat and she will acquire it from you after Shabbat. Tell her to have this intention in mind.

❖ Bug spray on Shabbat

Q: Is it permissible to spray bug spray on ants or cockroaches on Shabbat?

A: You may not spray bug spray on ants or cockroaches, because you will kill them, and it is forbidden to kill any creature on Shabbat. What you can do, however, is to spray bug repellent around.

Q: For example, what type of spray?

A: I am not an expert in these types of sprays, but I do know that such things exist. This is similar to mosquito repellent which you spray on your body. It does not kill the mosquitoes, but drives them away. There is a similar type of spray for what you need.

❖ Discussing a recipe on Shabbat

Q: Is it permissible to discuss a recipe on Shabbat?

A: While it is obviously forbidden to cook on Shabbat, it is permissible to discuss how something is made. If I want to make a cake after Shabbat, I cannot learn how to make it on Shabbat. This is preparing on Shabbat for a weekday which is forbidden. However, If I am simply interested in how it was made, it is per-

missible for me to be interested on Shabbat. On Shabbat, it is permissible for me to be interested how a cell phone is made. I like hearing about different things. It is therefore permissible.

❖ Calling relative outside of Israel while it is still Shabbat there

Q: Is it permissible to call my sister, who does not keep Shabbat and who lives outside of Israel, while it is still Shabbat there, but after Shabbat in Israel?

A: It is certainly forbidden. The fact that she desecrates Shabbat is a sin, but we do not throw rocks at her. At the same time, however, we will not cause her to violate Shabbat. It is forbidden to place a stumbling block before the blind and it is forbidden to aid someone in performing a transgression, and here it is even more so: if I entice her to perform a transgression.

❖ Sending an e-mail overseas after Shabbat

Q: Can a Jew in Israel after Shabbat or Yom Tov send an e-mail to a Jew in the US who may then read (either on the computer or blackberry) and respond to it while it is still Shabbat there?

A: If you are certain that the person will answer the e-mail and thereby desecrate Shabbat or Yom Tov, it is forbidden to send them an e-mail on account of "Do not place a stumbling block before the blind" (Vayikra 19:14). If you are uncertain if they will read it, it is permissible to send an e-mail and we are "tolim" (literally "hang" on the assumption) that he will not violate Shabbat or Yom Tov. We learn this principle in the Mishnah Shevi'it (end of chapter 5) regarding lending different types of utensils and agricultural equipment during the Shemitah year.

❖ Dancing on Shabbat

Q: Is it permissible to dance on Shabbat?

A: The Mishnah and the Gemara in Beitzah (36b) say that it is forbidden to dance on Shabbat and holidays out of a concern that someone may play an instrument, something may happen to the instrument and then he may repair it which is a Torah prohibition. Today, it is permissible to dance for three reasons: 1. The Rama in the Shulchan Aruch (Orach Chaim 339:3) wrote that we do not protest dancing on Shabbat, since people are already accustomed to this activity, and it is better for them to perform it unwittingly than doing so knowing it is wrong. He also wrote that some explain that nowadays it is completely permissible since we are not experts in repairing instruments and there is no concern of violating a Torah mitzvah. This helps Ashkenazic Jews, but not Sefardic Jews, as they do not rely on the Rama. It is clear that based on the style of the Rama, he was not enthralled with this leniency. But many communities do dance on Shabbat, and not only Religious-Zionists. In Shut Minchat Eleazar (1:29), Ha-Admor of Munkatch, who was definitely not a Religious-Zionist, wrote at length that it is certainly permissible to dance, as does Shut Devar Yehoshua. They permit dancing as is the custom of many communities. 2. In the book "Ha-Kuzari," Rabbi Yehudah Halevi, who was a Sefardic Jew, wrote that there is a value to fasting and ascetic practices, but there is also a value to rejoicing, and our dancing on Shabbat and holidays is no less of Divine worship than fasting and ascetic practices. This means that there is a Sefardic Rishon (Rabbi of the Middle Ages) who permitted this activity. 3. The Aruch HaShulchan (ibid. #9) wrote that the concern and the reason for the prohibition are only when people dance to a precise rhythm, but what people do today is not considered "dancing." People go around in a circle and jump

up and down. People do not dance in a way that it must be accompanied by musical instruments and there is thus no fear that someone will repair a musical instrument. There is a story about Ha-Rav Moshe Feinstein that a student in his yeshiva finally got married after many, many years. At the Aufruf, they were so excited that they began to dance around the bima including Ha-Rav Feinstein. A student asked him: Isn't it forbidden to dance on Shabbat? Ha-Rav Feinstein responded: You call this dancing?! The permission to dance therefore applies to both Ashkenazic and Sefardic Jews. This is the reason that many communities for many generations dance on Shabbat and holidays.

❖ Removing hair from food on Shabbat

Q: Is it permissible to remove a hair from food on Shabbat because of "Muktzeh" (not moving certain things on Shabbat) or "Borer" (selecting)?

A: It is not a problem of "Muktzeh," since the hair is disgusting. This is called "geref shel re'ei – chamber pot," and our Sages did not make a prohibition for disgusting things so that people could remove them. It is, however, a problem of "Borer," since it is removing an undesired item from a desired item. You cannot remove the hair by itself, but it is permissible to remove the hair with a little bit of food. It is thus no longer "Borer," since it is hair plus food.

❖ Charging a cell phone during Shabbat

Q: Is it permissible to put a cell phone in its charger before Shabbat and charge the cell phone over Shabbat?

A: It is permissible to have electricity running for us during Shabbat. There is a dispute in the Mishnah in Shabbat (1:5-9)

between Beit Hillel and Beit Shammai, who forbade this activity. It is forbidden for me to work on Shabbat and it is forbidden for my animals to work on Shabbat, but what about my possessions? Beit Shammai says that it is forbidden and Beit Hillel says that it is permissible. We 'hold' like Beit Hillel. Therefore, as long as they are activated before Shabbat begins, the electricity can work on Shabbat, the oven can work on Shabbat, a fan can run on Shabbat, the cholent can heat up during Shabbat and the cell phone can charge up on Shabbat.

❖ Refrigerator light on Shabbat

Q: What should we do on Shabbat if we open the refrigerator door and the light goes on?

A: First of all, we recommend that anyone who buys a refrigerator, takes the bulb and throws it in the garbage for now and forever, since major errors can occur from it on Shabbat. I often have young married couples come to my door on Shabbat night, and I know their question: what should they do now that the door is open and they forgot to remove the light? If this occurs, one should not close the door but place a towel on the door so that it does not close. Food that is perishable should be placed in the freezer or placed in a neighbor's refrigerator and non-perishable food should be pushed to the back of the refrigerator.

❖ Washing dishes on Shabbat

Q: Is it permissible to wash dishes on Shabbat?

A: It is certainly permissible to wash dishes on Shabbat for their use on Shabbat with the condition that you do not use a sponge and you use liquid soap. Even if I have other dishes for Shabbat,

it is permissible to wash dirty dishes if I want those particular dishes. There is no obligation to use other dishes. Therefore, I can wash dishes from Shabbat dinner for Shabbat lunch and dishes from Shabbat lunch for Seudat Shelishit. There is also no obligation to count the exact number you need; you can estimate. There is no permission, however, to wash what is left in the sink or on the counters which make the kitchen look messy. One can solve this problem in one of two ways: cover the sink with a towel or place all of the dirty dishes in a bag and put it on the side. Theoretically, if one is suffering from the mess and wants a clean kitchen, washing the dishes would not be considered preparing on Shabbat for a weekday, but performing an act for the present. It is similar to a case in which you finish eating Seudat Shelishit and it is forbidden to clear the table because it is preparing on Shabbat for a weekday. But it is permissible if you want to sing zemirot at a clean table. The same is true here: it is permissible to wash the dishes if the mother is walking around the kitchen and the mess is destroying her spirit. I, however, gave two other solutions to the problem.

❖ Visiting non-religious parents on Shabbat

Q: Should I go to visit my parents on Shabbat even though they do not observe Shabbat?

A: There is no law that one is obligated to visit his parents. It is a kindness and as in every kindness, it is according to one's ability and the need. It is possible that your parents really need it: they are sick, lonely, etc... And according to your ability – this is a technical question: is it far or near? Do you have a car or time? And it is an emotional question: it is pleasant or difficult there? As a result, you do not have to go every Shabbat, this is extreme. And never going for Shabbat is also extreme. It is based on your

ability and their need. It is not easy to quantify: perhaps once a month.

Q: What should I do when they watch TV and the phone rings?

A: Do not watch the TV and do not answer the phone.

❖ Postponing a Brit Milah in order to prevent Shabbat desecration

Q: If there is a brit milah on Shabbat and many of the guests will violate Shabbat to attend, should it be postponed until Sunday?

A: If the brit milah is postponed until Sunday, they fail to fulfill a positive mitzvah, since it is supposed to be performed on the eighth day. They do not fulfill a positive mitzvah for one day, but a major desecration of Shabbat is much worse. There are therefore authorities who permit postponing it. Others forbid postponing the mitzvah. In the book "Yalkut Yosef," Ha-Rav Ovadiah Yosef brings both of these opinions and he permits using the opinion of delaying the brit milah. In the past, I did not advise people to postpone the brit milah, because I did not see halachic authorities who permitted such a thing and I did not see myself as having broad enough shoulders to permit it. When people delayed the brit milah without asking me, I did not say anything. I later saw authorities who ruled that the brit milah should be postponed – great authorities and Charedi (Ultra-Orthodox) authorities. As a result, if there will be a major desecration of Shabbat, i.e. many people violating Shabbat, not just one person coming, I tell people to postpone it until Sunday.

Rosh Hashanah

❖ Travelling to Uman to the grave of Rebbe Nachman on Rosh Hashanah

Q: Is it permissible to travel from the Land of Israel to Uman (Ukraine) to visit the grave of Rebbe Nachman on Rosh Hashanah?

A: This is a new "custom" based on the statement of Rebbe Nachman of Breslov: "Anyone who visits my grave and gives eighteen coins to tzedakah will merit life in the World to Come." One may only leave Israel for a mitzvah (see Rambam, Hilchot Melachim 5:9 and Tosafot to Avodah Zarah 13a). Anyone who violates this, we hope that he will repent. Worse than this is one who travels under the impression that he is performing a mitzvah, because how will he then repent?! Visiting the graves of tzadikim (righteous people) is not defined as a mitzvah – not a rabbinic mitzvah and not a Torah mitzvah; it is a positive act. Based on this, Maran Ha-Rav Kook ruled that we do not leave Israel to visit the graves of tzadikim and he wrote "are we without graves in the Land of Israel that you travel to the Exile?!" (Shut Mishpat Cohain #147).

It is true that Rebbe Nachman said: "Anyone who visits my grave and gives eighteen coins to tzedakah will merit life in the world to come," but Avraham Avinu is greater than Rebbe Nachman. Rebbe Nachman himself said this. Anyone who goes to Ma'arat Ha-Machpelah in Hevron and gives eighteen gold coins can be certain that Avraham Avinu will aid him. Furthermore, know that the Land of Israel is holier than Uman. Rebbe Nachman himself said this.

Also know that it is not enough to visit a grave and give eighteen coins to tzedakah to be worthy of life in the World to Come, but

one needs to perform acts of loving-kindness, learn Torah and perform the mitzvot. And it is not proper to spend thousands of shekels to travel there. You should give the money to tzedakah. The value of traveling there is unclear, but giving tzedakah is clear, it is an explicit verse in the Torah.

Also, if you leave your wife alone and sad on Rosh Hashanah, know that you will not leave guilt-free from the Heavenly Court. The custom of Ha-Rav Shlomo Zalman Auerbach was to stand across from the national cemetery on Mt. Herzl and say: "These are the graves of the righteous who died sanctifying Hashem's Name. Why should I travel far distances?"

Therefore, go to Ma'arat Ha-Machpelah.

[MF – note: A collection of other leading Rabbi's statements on this issue –

Ha-Rav Mordechai Eliyahu: "It is not proper to leave Israel on Rosh Hashanah or during the rest of the year, and it is preferable for one who wants to pray at the graves of tzadikim to visit the graves of tzadikim in the Land of Israel – Hevron, Kever Rachel, Kever Rashbi – who was the teacher of Rebbe Nachman, etc... – and not to leave Israel for the impurity of the lands of the other nations."

Ha-Rav Yosef Shalom Elyashiv: "Go daven at the Kotel."

Ha-Rav Ovadiah Yosef: "How did the grave of Rebbe Nachman become more important than the graves of the Rambam and Ha-Gaon Rav Yosef Karo?"

Ha-Rav Dov Lior explained how absurd is the thought-process who those who travel to Uman: "People travel to the grave of Rabbi Shimon bar Yochai in order to ask him to help them to travel to the grave of Rebbe Nachman so they can make a request of him."]

❖ Yahrzeit on Rosh Hashanah

Q: My father's Yahrzeit is on Rosh Hashanah, when should the memorial be held?

A: You recite Kaddish and learn Torah to benefit his soul on Rosh Hashanah, but the memorial should be moved up or delayed. There are opinions on both sides. The soul of the deceased is judged each year, because it is exalted and rises to a higher level. He is not judged on what was already judged. We add merits and he ascends. According to this reasoning, it should be moved up, but the whole idea of a memorial is not mentioned in Halachah. Fasting is mentioned, but this is not. This is a proper custom, but you cannot say that it is forbidden to do this or that, since there is no obligation at all. Many people do not even have a memorial. It should be done when it is good for people. It should not be a burden for them, because the will of the deceased certainly was not to burden others.

Yom Kippur

❖ A pregnant woman fasting on Yom Kippur

Q: Must a pregnant woman fast on Yom Kippur?

A: Quite simply, everyone is obligated to fast on Yom Kippur, including a pregnant woman, unless a doctor rules that the mother or fetus is in danger. This question must be asked of a G-d-fearing doctor, since it is easier for an unobservant doctor to simply say: "Eat." What does it matter to him if he instructs her to eat? Therefore, one must ask a G-d-fearing doctor if the mother or the fetus is in danger. If the mother does not feel well, this is not a reason not to fast. She can lie in bed. It is more important not to eat than to attend shul. She can lie in an

air-conditioned room the entire day. And if she has other children, others can help take care of them. But if she feels she is in danger or the doctor says she is in danger, she should eat.

Sukkot

❖ The Obligation of sleeping in the Sukkah in Israel today

Q: Is there an obligation to sleep in the sukkah?

A: Regarding this issue, as in many issues, things were turned on their heads – we act leniently with the strict and strictly with the lenient. The law of sleeping in the sukkah – for men – has a greater foundation in Halachah than does eating in the sukkah. The Halachah is that except for the first night, there is no obligation to eat in the sukkah unless one is eating foods made from flour such as bread, cakes or noodles. But if one eats meat, fruit or vegetables there is no obligation to eat in the sukkah (Kitzur Shulchan Aruch 135:7). One who glorifies the mitzvah to eat even snacks (not containing flour) in the sukkah is praiseworthy, and many people act this way, although it is not required by the basic law (see Siddur Olat Re'eyah vol. 2, pg. 367). Despite this, sleeping in the sukkah is an absolute law, including napping (Kitzur Shulchan Aruch ibid. 8). If so, why don't many men sleep in the sukkah? This is only what has become habitual from the Exile. The great authorities of Israel searched for reasons in order to defend people who did not sleep in the sukkah:

- 1) There are those who wrote that it is because of thieves, since if one left his house thieves would come and rob it (Aruch Ha-Shulchan). This reason does not apply to our reality.
- 2) The Rama defends this practice (639:2) based on the law that one who is in distress is exempt from the sukkah. Since every per-

son did not have his own individual sukkah in the Exile, but there was a communal sukkah, a man was therefore unable to sleep together with his wife and he was therefore greatly distressed, and as a result he was exempt from the sukkah. This explanation was not accepted as the Halachah (see Mishnah Berurah *ibid.*), and it also does not apply to our reality, since everyone has his own individual sukkah (see Shulchan Aruch Ha-Rav 639:9).

3) The Mordechai wrote that the reason was that it was extremely cold in the Exile, and a distressed person is exempt (Rama *ibid.*). But this reason does not apply in the Land of Israel which has a temperate climate.

Therefore, we should return the crown to its original pristine state and reinstate the practice of sleeping in the sukkah.

[MF – note: See Sefer Rabbenu – on the Life of Ha-Rav Tzvi Yehudah Ha-Cohain Kook, p. 187 – where it is related that our Rabbi, Ha-Rav Tzvi Yehudah, would remind his students of the importance of sleeping in the sukkah. When he was in Switzerland in the cold and snow, he would not forgo even one night of sleeping in the sukkah.]

❖ My wife sleeping alone in the house on Sukkot

Q: We live in a small settlement in Israel and when I sleep in the sukkah, my wife is scared to sleep alone in the house. What should I do?

A: If she is scared, she is distressed, and a distressed person is exempt from the sukkah. You are not scared, but it does not make a difference. You are distressed because she is distressed. It is the same: you are distressed and she is distressed. One person is distressed because he is cold, one person is distressed because he is hot, another because of the flies, another because of the cats, another because of the snakes, another because of the

terrorists and another because it is difficult for his wife. And this is even more than being distressed. She is scared and when someone is scared it is impossible to speak to his intellect and convince them not to be scared. What does she do when you are on reserve duty?

Q: She goes to her parents' house.

A: You therefore see that she is not just saying it. She is scared and you need to take that into consideration.

Chanukah

❖ Tzahal soldier lighting chanukiyah

Q: I am a soldier in Tzahal and cannot always light the chanukiyah. What do I do?

A: You are exempt from lighting the chanukiyah. "Someone who is involved with one mitzvah is exempt from another mitzvah." You are involved in the mitzvah of serving as a guard in Tzahal, you are therefore exempt from the mitzvah of lighting the chanukiyah. Here it is not only that you are performing a mitzvah, but it is a great mitzvah of protecting the Nation and Land of Israel and sanctifying Hashem's Name. As a soldier, it is certainly not the first time you cannot perform a mitzvah. Sometimes you cannot daven, say Kiddush, etc... If you can light, great; but if not, you are exempt. I remember that there was once a discussion in the yeshiva. A soldier on guard duty asked about davening Minchah. One Rabbi said that he was exempt because he was fulfilling a mitzvah. Another Rabbi said that it is forbidden for him to daven because he will not be able to guard properly!

❖ Maximum distance between Chanukah lights

Q: What is the maximum distance the Chanukah lights can be from one another?

A: I have never seen this discussed, but reason tells me that as long as they appear as one, it is permissible. These types of things are dependent on reality. For example, if the chanukiyah is on the roof and they are far apart and we are far away, they will appear as one. We do not fulfill our obligation with these, but if we did, here is an example. Our Sages did not give a definition. The Gemara in Shabbat (22a) says that the maximum height for the Chanukah lights is 20 amah (10 meters or 30 feet), so that the eye can see them. Perhaps we can say that since 20 amah is the maximum height, it is also the maximum width, so that the eye can see them.

❖ Shabbat Chanukah away from home (This question was asked five times on one show!)

Q: I am spending Shabbat at my in-laws' (or brother's, friend's) house. Do I light Chanukah lights at home or at my host's house?

A: You can light at either place, whichever you wish.

❖ Lighting outside

Q: In the Talmud, our Sages originally decreed that the chanukiyah be lit outside, but then they ruled that we should light inside because of the fear of non-Jews (Shabbat 21b). Today most people in Israel light outside. How can this be – don't you need a rabbinic court that is greater in wisdom and number to change the decree?

A: One of the Achronim (later authorities) – Devar Yehoshua –

actually rules this way. He says that after there was a decree to light inside, we should continue to do so even if there is no longer a problem with non-Jews. All of the authorities disagree with him. They give two possible answers: 1. The Rabbis originally made two decrees: Light outside if there is no danger and light inside if there is danger (ibid.). 2. The decree to light inside was only in a place where there was danger. This is like the ruling of "Mayim Megulim" (exposed water). The Rabbis ruled that it is forbidden to drink water which was left uncovered because a snake could have put its venom in it. Tosafot ask (Beitzah 6b): how then do we drink uncovered water today? They explain that the decree was only in place where there are snakes. In Israel, there are no snakes because this is "Eretz Chatulim – the Land of Cats" and the cats eat all of the snakes. In India, they killed all of the cobras and as a result there was a great increase in rats and mice, so they had to bring the snakes back. In China, they killed certain types of birds and as a result there was a great increase in bugs, so they had to bring them back. Hashem knows what He is doing by balancing nature. Regardless, the decree of "Mayim Megulim" only applies in a place where there are snakes. Similarly, the decree to light inside was only for a place where there is danger.

❖ A seven-branched candelabrum

Q: Is it permissible to light a seven-branched candelabrum?

A: It is forbidden to make any item in the form of one of the objects in the Temple (Avodah Zarah 43a). It is possible that this candelabrum does not have the same form as the menorah in the Temple, but it does not matter since any seven-branched candelabrum would have been kosher for use in the Temple. When the Hasmoneans entered the Temple after defeating the Assyrians–Greeks, they did not have enough materials to create

a beautiful menorah so, they did what they could and made a simple one. If you look into the Rambam's commentary on the Mishnah (Menachot 3:7), he has a picture with the menorah with round branches and not straight ones. There is a dispute whether the picture drawn by the Rambam is correct or not. Either way, it is forbidden to have a seven-branched candelabrum of any shape. There are a few solutions: 1. There is a novel ruling of our Rabbi, Ha-Rav Tzvi Yehudah, to which Ha-Rav Yitzchak Herzog (former Chief Rabbi of Israel) agreed: you should take screws and connect the candelabrum to a table or shelf, and it is thus not no longer an object. An object is something which is carried and this is not something which will be carried around. 2. Add a branch. There is a famous question for Chanukah which has one hundred answers (see the book "Ner Le-Meah"): if there was enough oil for one day, then the miracle of Chanukah only occurred for seven days. Why then is Chanukah celebrated for eight days? This is called "Kushiyyat Ha-Beit Yosef" (the difficulty of the Beit Yosef), since he quotes this question (Orach Chaim 670). One of the answers of Maran Ha-Rav Kook is that since it is forbidden to make an item in the form of one of the objects in the Temple, the Rabbis added a day to Chanukah or it would have been forbidden to use a chanukiyah (Mitzvah Re'eiyah, p. 84). Thus, you can add a branch. 3. You can remove a branch and you will have six.

Purim

❖ Court case against a Jew during Adar

Q: Our tradition says that the month of Adar is an auspicious time for a court case. Does this also apply to a case against a fellow Jew?

A: This is a good question, since the source of this idea is that we were victorious over the non-Jews during this month. We therefore say that it is a good month for us. In regards to a case against a Jew, however, this is quite different. This is also said regarding a case in the non-Jewish courts. Even if a Jew makes a claim against you in a non-Jewish court, he is acting inappropriately, but this is not considered a case against a non-Jew. I therefore do not think that this whole idea applies.

❖ Ta'anit Esther for a mailman

Q: Is a mailman who is walking all day in the sun exempt from fasting on Ta'anit Esther since there is a risk of dehydration? What about the other fasts?

A: He is obligated to fast on Ta'anit Esther. Although it is not as strict as the other fasts and the Halachah therefore says that there is a leniency on Ta'anit Esther that someone who has eye pains is exempt, all others who are healthy should not separate from the community (Rama, Orach Chaim 686:2). The Magen Avraham (#4) comments that even someone who is traveling and it is difficult for him to fast is obligated to do so. A mailman is similar to someone who is traveling. He is therefore obligated in all of the fasts. Obviously, if during the fast he feels in danger of dehydration, he has to drink a lot of water. But if he knows from the outset that if he works on a fast day he will need to drink, this is as if he made a condition that he would not fast. He cannot enter this situation and he needs to work it out, such as by switching shifts, taking a day off or distributing the mail slowly.

❖ Purim and the Holocaust

Q: Why did Hashem save us during the time of Purim, but not during the Holocaust?

A: We do not know the secrets of Hashem. We obviously do not understand the Holocaust. While our Rabbi, Ha-Rav Tzvi Yehudah, taught at length why the Holocaust occurred (see *Sichot Ha-Rav Tzvi Yehudah – Moadim*, vol. 2), he said both before and after speaking about it that it is a Divine secret. We grasp in the dark in order to understand what happened, but with or without Purim, we do not understand. We also do not know when it comes to individuals why one person is murdered and not another. My dear brother-in-law was murdered by a terrorist in the street and this was worse than the Holocaust for my sister-in-law. The Holocaust destroyed one-third of the Nation of Israel, but my brother-in-law was everything to my sister-in-law. The Gemara in Yevamot (50a) says that Hashem establishes how long each person will live – it is the secret of souls. Someone once traveled to the United States to raise money and recruit students for the Hevron Yeshiva. One student who he recruited was killed in the riots in Hevron. Whenever he returned to the States, he feared that he would meet the father, and he would travel in a roundabout way in order not to meet him. One day he met the father on a street corner. The father took him by the shoulders and said: "You took my son to Hevron and he was killed. This was a sign that Hashem decided to take him. If he would have stayed here, he would have been killed by some gang in Chicago; now he was killed for the sake of our Land, the sanctification of Hashem's Name and the Torah. Therefore, I have been looking for you to thank you." The Master of the Universe sometimes performs a miracle for us and sometimes He does not. Joseph Stalin also wanted to destroy the Jews. He planned to trans-

fer all of the Jews to Siberia in one day. Everything was ready – trains, buses, trucks, cars, etc... The plan was for half of the Jews to die on the way and half of them to die in Siberia. Stalin died Erev Purim, three days before the plan. I was a little kid. I remember that in shul on Shabbat everyone was very excited after davening and drank a "Le-Chaim." I asked them in Yiddish: *Wos? Wos?* – What? What? They told me: Stalin died. I asked: Who is Stalin? They said: The leader of Russia. Like any child I asked: A good non-Jew or a bad non-Jew? They said: A bad non-Jew, very bad. I said: Then give me a "Le-Chaim" too. But they didn't know how bad he was. We only learned later. Sometimes there are miracles and sometimes there are not miracles. A friend of mine who is a high-ranking officer in the army told me: "We have prevented 300 terrorist attacks this year. We captured 300 terrorists with explosive belts." It was not that they thought that perhaps the terrorists would do something – they caught them with the explosive belts. But there is sometimes one terrorist who they do not capture. Why this one and not that one? Why was this person injured and not that one? Why was this person killed and not that person? We do not know. These are the secrets of Hashem.

Pesach

❖ Fast for the firstborn

Q: Maran Ha-Rav Kook mentioned in his instructions given on Shabbat Ha-Gadol, printed in his commentary on the Siddur "Olat Re'eiyah" (vol. 2, p. 243), that a firstborn who is healthy and knows that he will not be prevented from fulfilling the mitzvot of Pesach night should fast on Erev Pesach, and not rely on the

completion of a tractate of the Gemara to eat. Do the students of Ha-Rav Kook follow this ruling?

A: It is true that our Rabbi, Ha-Rav Tzvi Yehudah, included this practice when he organized his father's teachings, but the Mishnah Berurah decided that one may rely on the completion of a tractate (470:10). When our Rabbi, Ha-Rav Tzvi Yehudah, was shown this ruling of the Mishnah Berurah, he said that one could follow it, since the Mishnah Berurah is accepted as a great authority. Thus, one who wishes to be strict, may a blessing come upon him, and one who wishes to be lenient has an authority on whom to rely.

❖ Perfume on Pesach

Q: Does perfume require kosher certification for Pesach?

A: Yes, perfume requires kosher certification for Pesach. An item which is inedible for a dog, such as makeup (besides lipstick – see below) does not require kosher certification for Pesach, but perfume is edible. It is possible to drink perfume. I don't even know how to drink wine, but people who are accustomed to drinking 90-proof alcohol have no problem drinking perfume. People who have nothing to drink – such as strong alcoholics – can certainly drink perfume. Ultra-Orthodox cosmetic stores have kosher-for-Pesach perfume.

❖ Kosher medicine

Q: Do medicinal pills require kosher certification during the year and for Pesach?

A: A general rule: All medicines which lacks taste are kosher since they are not food, and they are also kosher for Pesach. And we even turn medicine which has taste into medicine which lacks

taste. How? We wrap the pill in a thin piece of paper. There are authorities who even permit medicine with taste since the ingredients which give the taste are kosher or not chametz. The non-kosher and chametz ingredients lack taste and kosher ingredients with taste are added. This is the opinion of Ha-Rav Shlomo Zalman Auerbach in the book "Halichot Shlomo" (6, 4 and in notes). As a result, almost all medicines are kosher and almost all medicines are kosher for Pesach. There are organizations which publish catalogues with long lists of which medicines are kosher for Pesach as a kindness for people, since they could sum it up in one sentence: 99% of medicines lack taste and are kosher. People are concerned, however, so they publish long lists.

❖ Saving a piece of the afikoman

Q: Some people have the custom of saving a small piece of the afikoman for a segulah (good luck). I heard that people eat it on Purim, or at least before the next Pesach. Is this correct?

A: These types of "segulot" are not mentioned in the Torah, not in the Mishnah, not in the Gemara, not in the Rambam and not in the Shulchan Aruch. To someone who is searching for segulot, I suggest even greater segulot: Do not speak "Lashon Ha-Ra," learn Torah, love other people and repent.

❖ A Ba'al Teshuvah (newly-repentant Jew) and Kitniyot

Q: I am Sefardic and I am having a guest coming for Pesach who is Ashkenazic and a Ba'al Teshuvah who was influenced to become religious by Sefardic Jews and so he eats kitniyot. Can I serve him kitniyot?

A: You may serve it to him. He knows what he is doing and

asked a Rabbi what is the correct way to act. I was once at a Rabbinic conference and Ha-Rav Mordechai Eliyahu – the Sefardic Chief Rabbi of Israel – was there and someone asked him a similar question: Chabad Chasidim have influenced many Sefardic Jews to become religious and they are now Sefardic Jews who have all sorts of Ashkenazic practices. Is this a problem? Ha-Rav Eliyahu responded: May it be Hashem's will that all Israel repents even if they become Ashkenazic!

❖ Permission to sell Chametz in stores on Pesach

Q: What should we do regarding the secular courts of Israel ruling that it is permissible to sell chametz in stores on Pesach?

A: This is very bad. Nonetheless, they do not force anyone to eat chametz. Those who do not want to eat chametz, and this is the majority of Israel, will not eat chametz. Those who want to eat chametz will eat chametz even if the stores are closed. This law is obviously very severe, but we do not live alone in this country. What can we do? In order to change something, we need to convince. If this does not work, we use the strength of the law, but the law does not help us in this case. The only way is to persuade people. The way to do this is to teach Torah and the light of Torah will heal all illnesses. Hashem gave us the Torah as a medicine to heal all of the sicknesses of our Nation: the chametz which they sell on Pesach, the Shabbat which they desecrate, the kashrut which they do not observe, the problems of raising children, the problems between husband and wife, the education which lacks faith and many other areas. There are problems less severe than selling chametz on Pesach and problems much greater. The medicine for all of the illnesses is the Torah. The Gemara in Eruvin (54a) says: If you have a pain in your head, learn Torah. If you have a pain in your stomach, learn Torah...

And the same applies here: If you have a pain from the secular court, learn Torah. If you have a pain from the Government, learn Torah... The Torah will fix it all. We do not speak harshly, since this drives people farther away. We must first remember that every Jew is a loved one and a friend. The first mitzvah is the love of fellow Jews; we then must increase the light of Torah.

Sefirat Ha-Omer

❖ Women reciting a blessing on Sefirat Ha-Omer

Q: Can an Ashkenazic woman recite a blessing on Sefirat Ha-Omer (Sefardic woman do not generally recite a blessing when performing a time-bound positive mitzvah)?

A: The Mishnah Berurah (489:3) writes that she should not recite a blessing since she may forget to count on one of the nights and some authorities say that the past blessings will have been in vain. Women have incredible responsibility and burdens. A woman's time is not her own. You cannot tell a baby not to cry between certain hours. Babies and children need their mothers. The Torah therefore exempts women from time-bound positive mitzvot. Since there is concern for reciting a blessing in vain, the Mishnah Berurah rules that if women count it should be without a blessing. If a woman is positive, however, that she will not forget and she has a system for remembering, she may recite the blessing. For example, see the book "Orchot Rabbenu" (vol. 2, p. 94) that the Steipler Gaon would remind the women and girls in his home to count each night.

❖ A boy who becomes bar mitzvah during Sefirat Ha-Omer

Q: If a boy becomes a bar mitzvah during the period of Sefirat

Ha-Omer, should he continue to count Sefirat Ha-Omer with a blessing after his bar mitzvah?

A: He may continue to count Sefirat Ha-Omer with a blessing based on three reasons which join together:

1. Although he did not have an obligation to count before his bar mitzvah, he nonetheless counted. Counting is counting.

2. He had a rabbinic obligation of "chinuch – education" to count before his bar mitzvah and the mitzvah of Sefirat Ha-Omer is a rabbinic mitzvah in our time. Both obligations are therefore rabbinic in nature, and one rabbinic obligation can join with the other rabbinic obligation. Nonetheless there can be discussions whether these obligations are equal since perhaps before he is a bar mitzvah there are two rabbinic laws and after he is a bar mitzvah there is only one rabbinic law.

3. There is also an opinion among the Rishonim (early authorities) which states that each day of Sefirat Ha-Omer is a separate mitzvah. There is a dispute whether there is one mitzvah to count all forty-nine days or whether each and every day is a mitzvah in and of itself. In this dispute, the halachic authorities rule that we are strict not to continue counting with a blessing if we forget to count one day because of a doubt which opinion is correct (Shulchan Aruch, Orach Chaim 489:8). In our case, however, since we are combining a few reasons together, we can state that perhaps the opinion which states that each day of counting is a mitzvah in and of itself is the correct one.

There is in fact a dispute regarding our question. Some authorities rule that a bar mitzvah should not continue to count with a blessing, including: Shut Pri Ha-Aretz (3:1), Shut Har Tzvi (2:76) and Ha-Rav Ovadiah Yosef in Shut Yechaveh Da'at (3:29). Other authorities rule that a bar mitzvah should continue to count with a blessing, including: Sha'arei Teshuvah on the

Shulchan Aruch (ibid.), Shut Ketav Sofer (Orach Chaim #99), Aruch Ha-Shulchan (ibid. #15) and Shut Teshuvot Ve-Hanhagot of Ha-Rav Moshe Sternbuch (1:313).

Based on a combination of the three above reasons, I say that one should follow the authorities who rule that a bar mitzvah should continue to count Sefirah with a blessing. Even though the basic mitzvah is to count and one who counts even without a blessing fulfills the mitzvah, the reality is that one who counts without a blessing feels that he is not really counting. This idea is mentioned in "Shearim Metzuyanim Ba-Halachah" (vol. 3, p. 129). This feeling is not correct and it is not a halachic factor, but it is an additional reason to add as to why a bar mitzvah should continue to count Sefirat Ha-Omer with a blessing.

❖ Woman cutting hair during Sefirat Ha-Omer

Q: May a woman cut her hair during the period of Sefirat Ha-Omer?

A: The basic Halachah is that women may cut their hair during Sefirat Ha-Omer if there is a need. Sefirat Ha-Omer is derived from the laws of mourning and a woman who is in mourning may take a haircut after "shiva" if there is a need. She may therefore certainly cut her hair if there is a need during Sefirat Ha-Omer, which is mourning over an event in the distant past. This is the opinion of Ha-Rav Moshe Feinstein in Shut Igrot Moshe (Yoreh Deah 2:137), although he writes that she should be strict unless there is a pressing reason. Therefore, if there is a need for her to cut her hair, such as a case where there is an issue of modesty or a need for immersion in a mikveh or her hair is bothering her, she may do so.

❖ Changing musical ring on cell phone during Sefirat Ha-Omer

Q: Is it necessary to change a musical ring of a cell phone during the period of Sefirat Ha-Omer?

A: There are two sides to this question: 1. The one who owns the cell phone should ideally change to a ring without music. In the book "Doleh U-Mashkeh" (p. 193), Ha-Rav Chaim Kanievsky answers this question that it is best to be careful and change it. If he does not change it, however, it is not an eternal tragedy since it is only a few seconds of music. Furthermore, this is not exactly music; it is a short snippet. 2. If you call and you receive a musical ring, it is called a "benefit which comes to a person against his will" (Pesachim 25b).

❖ Background music during Sefirat Ha-Omer

Q: What should a person do if there is background music playing at his work during Sefirat Ha-Omer?

A: He has no choice and he is not obligated to quit his job on account of this. It is called a "benefit which comes to a person against his will" (Pesachim 25b) or in simpler words: "an unintended act." He is not guilty if he hears, but he should not listen. There is a difference between hearing and listening. He may continue to work there.

❖ Purchases during Sefirat Ha-Omer

Q: Is it permissible to receive something I ordered for my house during Sefirat Ha-Omer?

A: The issue during Sefirat Ha-Omer is not buying new items, but reciting the blessing of "Shehechyanu." This is not a good time

of the year (since 24,000 of Rabbi Akiva's students died during this period); how then can one say "Blessed is Hashem...Who has granted us life, sustains us and has brought us to this time"? Who is happy during this time? The Shulchan Aruch does not mention the practice of not reciting "Shehechyanu" during Sefirat Ha-Omer, but mentions not reciting it during the period of "Bein Ha-Metzarim" (the Three Weeks before Tisha Be-Av) (Shulchan Aruch, Aruch Chaim 551:17). Righteous people have the custom not to recite "Shehechyanu" during the Three Weeks, but this practice did not transfer to the period of Sefirat Ha-Omer. We therefore have a double stricture: 1. During the Three Weeks, this practice is not obligatory, but an act of piety. 2. It is mentioned in the Shulchan Aruch during the Three Weeks, but not during Sefirat Ha-Omer. It was only mentioned by later authorities. Nonetheless, it is not even a question in our case, since you are buying items for your home. When you buy items for a group – such as for you, your husband and your children – you do not recite the blessing of "Shehechyanu," but the blessing of "Ha-Tov Ve-Ha-Meitiv" (Hashem is good to me and does good for others). This means that it is not that there is a question and this is the answer, but there is no question at all.

❖ New clothes during Sefirat Ha-Omer

Q: Is it permissible to wear new clothes during the period of Sefirat Ha-Omer?

A: When one wears new clothing he recites the blessing of "Shehechyanu." The issue involves whether one may recite the blessing of "Shehechyanu" – which blesses Hashem who has brought us to this time – during Sefirat Ha-Omer since it is not a good time of the year. There are three opinions: 1. Some authorities rule that it is forbidden to wear new clothing during this pe-

riod even on Shabbat. 2. Some rule that it is permissible to wear new clothing even on a weekday. 3. Others provide a middle position: It is permissible to wear new clothing, but only on Shabbat (because it is appropriate to recite "Shehechyanu" on Shabbat). Since this entire ruling is either a rabbinic law or a custom and has not been definitively decided, one may be lenient. Therefore, the basic law is that one may wear new clothing even on a weekday, but it is proper to do so only on Shabbat.

❖ Moving during Sefirat Ha-Omer

Q: Is it permissible to move to a new apartment during the period of Sefirat Ha-Omer?

A: Some authorities rule that one should not move during this period, because there is great joy in moving. Other Rabbis rule, however, that no such problem exists since there is not immense joy in moving (Shut Yechaveh Da'at 3:30). These authorities also permit moving when one has an apartment and he wants to move to a nicer place, and all the more so when there is a real need. As far as the "chanukat ha-bayit – the dedication of the house," one should have the essential chanukat ha-bayit of having the first use of the house be Torah learning or praying during the period of Sefirat Ha-Omer. The custom of inviting people to the new home should be done after Sefirat Ha-Omer.

❖ Painting a house during Sefirat Ha-Omer

Q: Is it permissible to paint a house during the period of Sefirat Ha-Omer?

A: There is no prohibition against painting between Pesach and Shavuot. We do not paint during the Nine Days before Tisha Be-Av, and many of the laws and customs of the Nine Days have

been transferred to the period of Sefirat Ha-Omer, but no such prohibition exists. The Mishnah Berurah (493:2) says that one should not increase joy during the period of Sefirat Ha-Omer, and there are therefore authorities who say that one should not have a "chanukat ha-bayit – the dedication of the house" with inviting guests, since there is great joy, but painting does not cause such joy (Shut Yechaveh Da'at 3:30).

Yom Ha-Shoah

❖ Mourning for the Holocaust

Q: Why is there such limited mourning for the Holocaust?

A: There is a major principle that we cannot mourn for every tragedy of the Jewish People, because if we did so we would be mourning every day of the year. The Mishnah in Ta'anit (4:6) says that five tragedies occurred on Tisha Be-Av (9th of Av) and we mourn for all of them on that day. This list includes the destruction of the First Temple and the Second Temple even though one was destroyed on the ninth of Av and the other was destroyed on the seventeenth of Av (see Gemara) since our Sages decreed that would mourn over all of these tragedies on Tisha Be-Av. Tisha Be-Av includes all of the tragedies of the Jewish People, and in fact many shuls include lamentations for the Holocaust. In Sefer Orot, Maran Ha-Rav Kook writes that we mourn during "Tikun Chatzot" (special prayers recited at midnight) specifically for the destruction of the Temple because we distinguish between the results and the source. The source of all of the destruction is the exile of the Divine Presence from the Temple. Because of the exile of the Divine Presence, the First Temple was destroyed, the Second Temple was destroyed, the Crusades occurred, the Holocaust occurred, etc... Everything is

included. All of the four days of mourning for the destruction of the Temple (Tisha Be-Av, Shiva Asar Be-Tammuz, Asara Be-Tevet and Tzom Gedaliah) include all of the destructions – including the Holocaust – because they are in essence the same destruction.

Yom Ha-Atzmaut

❖ Standing in silence during the siren for fallen soldiers of Tzahal

Q: Is it permissible to stand in silence during the siren on Remembrance Day for fallen soldiers of Tzahal?

A: Some say that it is forbidden on account of "Chukot Ha-Goyim" (following the practices of the non-Jews). This is not "Chukot Ha-Goyim." The Tosafot (Avodah Zarah 11a) define "Chukot Ha-Goyim" as an act rooted in idol worship or devoid of meaning and the Maharik (#88) says that it has a taint of heresy. But it is permissible to do something which non-Jews do if it does not have roots in idol worship and is logical, such as doctors wearing white coats or wearing glasses. Standing in silence for fallen soldiers is therefore not considered "Chukot Ha-Goyim," since it is to honor the deceased. Furthermore, there are no other nations in which the entire nation stands in silence for fallen soldiers.

Others claim that this act is "Bitul Torah" (taking time away from learning Torah). But there is no problem to think about Torah or learn Torah by heart as it relates to the self-sacrifice during that time.

I once saw in the name of the Kabbalist, Ha-Rav Ashlag, that the siren has an aspect of wiping out the memory of Amalek similar to making noise upon hearing Haman's name. If this is so, then

there is certainly no problem. It is difficult to agree or disagree since it is not clearly exact how this wipes out the memory of Amalek.

Regardless, the entire community stands in silence for the fallen soldiers and one should not separate himself from the community. There are certainly better paths in our traditions for remembering the deceased – learning mishnayot, reciting "Kel Maleh Rachamim," etc... – but here one should not separate from the community.

❖ Shaving for Yom Ha-Atzmaut

Q: Is one obligated to shave before Yom Ha-Atzmaut (since there is a custom not to get a shave during the period of Sefirat Ha-Omer)?

A: Yes, just as one shaves all year long to honor Shabbat, it is a mitzvah to shave in honor of Yom Ha-Atzmaut. Obviously, if a person does not shave his beard at all, he does not do so, but if he generally does so for Shabbat, then he also shaves for Yom Ha-Atzmaut. The same applies to getting a haircut. Ha-Rav Yitzchak Nissim, former Chief Sefardic Rabbi of Israel, rules in *Shut Yayin Ha-Tov* (vol. 2, Orach Chaim #11) that it is permissible to have a haircut and shave in order to honor the day based on various authorities who allow haircuts and shaving during Sefirat Ha-Omer for similar reasons. For example, Ha-Rav Chaim Palagi (*Sefer Moed Le-kol Chai siman 6*, p. 36) wrote that in his city of Izmir there were families who experienced miracles during Sefirat Ha-Omer and established them as days of joy and thanksgiving like Purim and cut their hair and shaved on them. Ha-Rav Nissim therefore concludes that on a day when a miracle occurred during Sefirat Ha-Omer – like Yom Ha-Atzmaut, when the State of Israel was declared after 2,000 years – it is certainly per-

missible (and a mitzvah!) to have a haircut and shave on that day (see also Ha-Rav Yaakov Ariel, Chief Rabbi of Ramat Gan, in Siddur Ga'al Yisrael for Yom Ha-Atzmaut p. 32, #13. And Ha-Rav Shlomo Goren ruled that it was permitted for soldiers to have haircuts and shave on Yom Ha-Atzmaut, as indicated in a Command of the General Staff of the Chief Rabbinate of Tzahal #34.0207 brought in Hilchot Tzava of Ha-Rav Zechariah Ben Shlomo, p. 861). The Chief Rabbi of Yerushalayim, Ha-Rav Tzvi Pesach Frank, also gave permission to trim the beard on this day (See luach "Shana be-Shana," published by Heichal Shlomo, 5752, p. 145. For those who disagree see Ha-Rav Ovadiah Hadaya in Shut Yaskil Avdi 6:10 #2 and Ha-Rav Yosef Dov Soloveitchik in Nefesh Ha-Rav, p. 94). I remember that some students once asked our Rabbi, Ha-Rav Tzvi Yehudah Ha-Cohain Kook, before Yom Ha-Atzmaut if it is permissible to shave for this day. Our Rabbi did not answer. Later he responded: "Tomorrow there will be an exam on your faces." On Yom Ha-Atzmaut he saw that some students had been strict with themselves and had not shaved. He said of them: "Their faces show their character" (Yeshayahu 3:9, i.e., they had not absorbed the true joy of the day). He added: When there is faith, there is joy, and when there is joy there are no halachic doubts. How long will we speak out of both sides of our mouths (see Melachim 1 18:21)?! Do we believe in the Revealed Redemption or not?!"

Q: When should one get a haircut or shave, since Erev Yom Ha-Atzmaut is Remembrance Day for the Fallen Soldiers of Tzahal?

A: One should do so a little bit before the holiday begins. For example, if Ma'ariv is at 7:00 PM, he should shave at 6:00 PM.

❖ Hallel on Yom Ha-Atzmaut with a blessing

Q: Is it permissible to reciting Hallel on Yom Ha-Atzmaut with a blessing even though the Chief Rabbinate of Israel ruled that it should be recited without a blessing?

A: I heard with my own ears that the Chief Sefardic Rabbi of Israel, Ha-Rav Yitzchak Nissim, said that he once met with a delegation from the Religious Kibbutzim and they asked why the Chief Rabbinate ruled to recite Hallel without a blessing. He responded that in truth the Chief Rabbinate needed to do this in order to avoid increasing disputes amongst the Nation of Israel. It is better, he reasoned, that a majority recite Hallel without a blessing than a minority with a blessing; i.e., if we rule that Hallel should be recited with a blessing only a minority of the people will accept this ruling, whereas if we rule the opposite the majority will follow. The delegation then asked him: What about one who wants to recite it with a blessing? He responded: A blessing will come upon him. Ha-Rav Shlomo Goren also ruled that Hallel should be recited on this day with a blessing. Baruch Hashem – Blessed is Hashem – we therefore merit saying Hallel on Yom Ha-Atzmaut with a blessing.

❖ Mourning on Yom Ha-Atzmaut

Q: Why doesn't Yom Ha-Atzmaut cancel out the mourning practices of "shiva"? While it is not a Torah-ordained holiday, it is known that when there is a conflict between personal mourning and communal joy of Klal Yisrael, the joy of Klal Yisrael takes precedence.

A: Regarding its laws, Yom Ha-Atzmaut is like Chanukah and Purim. But regarding the laws of mourning, the Shulchan Aruch (Orach Chaim 696:4) states that Chanukah does not override the

laws of mourning, while Purim partially overrides the laws of mourning. The reason for this is that Purim is a decree of the Prophets, while Chanukah is a Rabbinic decree. Since Yom Ha-Atzmaut is also a Rabbinic decree, it is similar to Chanukah and does not override the laws of mourning.

Tisha Be-Av

❖ Learning Torah in depth on Tisha Be-Av

Q: Is it permissible to learn Torah in depth on Tisha Be-Av?

A: Some authorities say that it is forbidden to learn in depth because it makes people rejoice. Others say that learning Torah not in depth is not called learning. The definition of learning in depth is to the end of one's intellectual abilities. According to this, it is permissible to learn in depth even though there is joy to a certain extent. But what can we do? The last Lubavitcher Rebbe said that he had a teacher who learned Torah on Tisha Be-Av. People asked him: "How can you learn Torah on Tisha Be-Av?" He answered: "I am teaching the entire year and this is the only day that the children are not learning. I therefore only have one day to learn Torah." They said: "But it is forbidden." He said: "When I arrive to give a Divine accounting, I will receive many lashes, some of which I will receive for learning Torah on Tisha Be-Av." I see that many people learn on depth on Tisha Be-Av, and mourners do as well. I sometimes come to pay a shiva call and Torah scholars are arguing about the details of laws of mourning. This is learning in depth. I am not talking about the Rogachover (Ha-Rav Yosef Rosen), who said when he was a mourner that he was obligated to learn Torah or it would be a life-threatening situation.

YOREH DEAH (All laws not related to daily living, Family Law or Civil Law)

Kashrut

❖ Which Kosher certification is acceptable?

Q: Is it acceptable to eat food under the kosher certification of the Chief Rabbinate of Israel or should I only eat from Badatz (the certification of the Ultra-Orthodox community)?

A: Quite simply, all kosher certifications are acceptable, whether it is Mehadrin, Badatz, or the Chief Rabbinate. Any product with any kosher certification is presumed to be acceptable until proven otherwise. We rely on the principle of "chazakah – presumption" based on the Gemara in Niddah (15b) that a Torah scholar "does not allow food to leave his domain without its kashrut being ensured." Sometimes there are differences of opinion, but one needs to prove that something is not kosher. It is true that sometimes there are people who are deceptive. There is a list which is constantly updated on the website of the Kashrut Department of the Chief Rabbinate of Israel. There is, however, a general principle: We must not doubt the kosher certification of Rabbis. It does not matter which Rabbi gives certification – whether it a Rabbi with a knit kippah or with a velvet kippah. If we say that it is not kosher, we are saying that this Rabbi is a sinner. He is feeding non-kosher food to the Jewish People! This is a serious accusation. This thought itself is the height of non-kosher thinking. Why would he do this? What is his motivation? He wants to make money? In order to make money he is willing to feed non-kosher food to people?! Making such an accusation against

a Torah scholar is a serious transgression. One must be very careful about acting this way.

Reb Chaim Brisker was extremely strict on Pesach only to eat "shemurah matzah," which was guarded from the time of harvesting. Today, all of the "shemurah matzah" is guarded from the time of harvesting since the farmers are Jews, but this was very difficult outside of Israel. Reb Chaim was once following behind the wagon with the wheat; he was stepping in puddles and lost sight of the wheat momentarily. He said: That is it. I can't use it. He went to a store and bought wheat. His son said to him: Abba, you think the store owner follows the wagon through the puddles?! He responded: The store owner has "chezkat kashrut – a kosher presumption" and I am not doubting him! Rav Avrum, ztz"l (Ha-Rav Avraham Shapira), would tell this story whenever people were talking about a particular kosher certification.

A young person once called me: "Is this product kosher or not?" I said: "I don't know. What is written on it?"

He said: "There is a kosher certification."

"If there is kosher certification it is acceptable."

He asked: "Is it acceptable to rely on the kosher certification of this Rabbi?"

I asked: "Why not?"

He said: "I asked Ha-Rav Na'im Eliyahu (brother of Ha-Rav Mordechai Eliyahu, former Sefardic Chief Rabbi of Israel) if it is acceptable to rely on this Rabbi."

"What did he tell you?"

"He said that it is acceptable to rely on this Rabbi."

"Then why are you calling me?"

"Can I rely on Ha-Rav Na'im Eliyahu?"

I said: "If I tell you that you can rely on him, you will have to call someone else to ask if you can rely on me."

"You are right," he said. "I didn't think about that."

This is an impossible situation. Sometimes people look for problems. Someone once came to Ha-Rav Moshe Yehudah Leib Landau of Bnei Brak and asked: Is it permissible to eat a particular brand of fish? Ha-Rav Landau answered: "Yes." "Is there a dispute?" "No." "Are there any doubts?" "No." "There are no problems?" "No." "But I do not want to eat it." "Don't eat it." The next day posters were everywhere: Ha-Rav Landau says, "Don't eat this particular brand of fish." People look for difficulties. All kosher certifications of all Rabbis are therefore acceptable until proven otherwise. I am obviously only referring to Orthodox Rabbis who are particular about the laws of Kashrut.

Q: Nonetheless, perhaps I should be strict and only eat food with the kosher certification of the Ultra-Orthodox?

A: May a blessing come to anyone who is strict. The Yerushalmi (Jerusalem Talmud) quoted by the Tosafot in Avodah Zarah (36a) says, however, that one of the conditions of one who is strict is that he does not shame other people and, all the more so, a Torah scholar. The Yerushalmi relates a story that a Rabbi once came from Babylonia to Israel. He was strict not to eat a particular type of fat of an animal. The Rabbis of Israel ate it, and he said that he does not eat it. They told him: "You are going to eat it or we will declare you a "zaken mamre – a rebellious elder." This was just an expression since there was no Sanhedrin at the time to make such a declaration. Someone who wants to be strict can be strict about whatever he wants, not necessarily relating to the laws of kashrut. He can be strict about the laws of tzitzit or Shabbat or Lashon Ha-Ra (evil speech) or the Land of Israel or loving other people. Each person can choose to be strict about whatever he wants, but a person must also know where he stands. The book "Mesillat Yesharim" discusses being strict in "Sha'ar Ha-Perishut – The Gate of Abstinence": A. To separate

from any pleasure which is unnecessary in life. B. To act strictly regarding everything in the world. C. To dedicate all of one's time to Divine service. I do not know if we are at this level. I am not at this level. A person who wants can be strict, but he must remember the "Vidu'i" (confession) of Rav Nissim Gaon: "For that which you were strict, we were lenient; for that which you were lenient, we were strict." You were strict in the laws of kashrut, but lenient in the laws of Lashon Ha-Ra. If you want to be strict, you can be strict, but I say that it is more important to be strict in honoring Torah scholars.

There is a story about this concept in Mishnah Berachot at the end of the first chapter. There is a dispute regarding what is the proper position for reciting the Shema. Beit Hillel says that at night one may recite the Shema in any position he wishes: Standing, sitting, reclining, etc., but Beit Shammai says that one must recite the nighttime Shema while reclining since the Torah states "when you lie down." Beit Hillel explains that this is not the meaning of "when you lie down"; rather it refers to the time of lying down, i.e., nighttime. The Mishnah relates that Rabbi Tarfon once acted strictly like the position of Beit Shammai and recited the nighttime Shema while lying down; bandits came and almost killed him. He told this to the other Rabbis and they said to him, "If they would have killed you, you would have deserved it because you violated the opinion of Beit Hillel." A question: Rabbi Tarfon did not violate the opinion of Beit Hillel, since it did not matter to Beit Hillel in which position he recites it. One can recite it sitting, standing, reclining, etc. If Rabbi Tarfon recited the Shema while reclining, how does he violate the opinion of Beit Hillel? The book "Mesillat Yesharim" (chapter 20, the chapter on balancing piety) explains that this issue was a major dispute between Beit Hillel and Beit Shammai, and the halachah was finally decided in accordance with Beit Hillel. A great person –

Rabbi Tarfon – got up and publicly ruled like Beit Shammai, which impinged upon the authority of Beit Hillel. People were saying, "Beit Hillel is lenient in this matter." The damage which he caused by acting this way was greater than the value of reciting the Shema, according to Beit Shammai. Therefore, if someone wants to be strict in a matter, it is better to be strict in honoring Torah scholars than in questioning the validity of a kashrut certification.

Ha-Gaon Rav Avraham Dov Auerbach, Av Beit Din (Head of the Rabbinic Court) of Tiveria, once told me about an incident that occurred in the past in Tiveria. One time the "eruv" was damaged, and the Rav of Tiveria ruled that the "eruv" was kosher. There was a great Torah scholar who lived there and he bumped into the Rav of the city after Shabbat. They talked, the Torah scholar walked him home, and they sat and chatted. The Torah scholar said, "Let's learn some Torah." The Rav of the city obviously agreed. The Torah scholar took Massechet Eruvin and they learned. Suddenly, the Rav of the city said, "Oy va-voy! If so, I ruled incorrectly today!" The Torah scholar said, "It appears so." The Rav of the city asked, "Did his honor announce in his shul not to carry on Shabbat?" "No," he responded, "since carrying in this place is a rabbinic prohibition, but honoring a Torah scholar is a Torah mitzvah. I therefore did not say anything." If we say that the kosher certifications which Rabbis provide are not acceptable, this impinges on the honor of Torah scholars. One must therefore be extremely cautious.

Q: If someone eats food with kosher certification which turns out not to be kosher does he have a "dulling of the heart" (dulling of one's spiritual sense, which is often equated with eating non-kosher food)?

A: No. Maran Ha-Rav Kook, writes in his book "Musar Avicha"

(p. 19) that the dulling of one's heart comes from one's violating a prohibition (Yoma 39a). As a result, there is no difference between whether one eats non-kosher food or violates other prohibitions. Therefore, someone who eats food with kosher certification which turns out not to be kosher does not have a "dulling of the heart," as his intention is not to violate a prohibition. He thinks that he is eating kosher food.

❖ Which Kosher certification for guests?

Q: I invited a guest for a Shabbat meal and he told me that he only eats from a particular kosher certification of meat. Do I need to buy that type of meat or can I buy meat with the kosher certification which I usually use?

A: There are two possibilities: A. Buy what he wants. There is a guest, go out to greet him. B. You can tell him, "No, I always buy this kosher certification." Does a guest dictate what you do in your house? I once heard a story about a Rabbi in North Africa who had an event at his house, a bar mitzvah or something, and he honored one of his guests, who was also a Rabbi, to lead the "Birkat Ha-Mazon" (blessing after eating). The guest replied, "Thank you, but I do not eat from this kosher certification." When he heard this, the host took a key, locked the door, stood next to him with a chair and said: "You will eat this right now or I will break this chair over your head." "Kol Ha-Kavod" – Way to go! What is this? You are invited by people, and you say that what they are eating is not kosher?! If this is how you feel then don't come, or say that you have a stomach ache or I don't like this food. You are not obligated to eat everything, but don't come to someone's house or event and say it is not kosher enough.

One Sukkot, students came to visit the sukkah of Ha-Rav Shlomo Zalman Auerbach. He served them fruit. They took the fruit and

separated "Terumot and Ma'asrot" (tithes) right under his nose. He took the so-called "Terumot and Ma'asrot" that they separated, ate them and said: "Bal Tashchit" (It is forbidden to wantonly waste things). What nerve! You are invited to a Rabbi's house and you say "Terumot and Ma'asrot" have not been separated from his food?! My father-in-law z"l once told me that he visited Ha-Rav Eliyahu Dessler on Pesach. The Rav put out oranges and my father-in-law ate them. Rav Dessler said: "You are the first person who ever ate the oranges I put out" (others feared that the ink of the seal or the pesticides was chametz – leaven). One who wants to act strictly may do so. May a blessing come to anyone who is strict. The Talmud Yerushalmi quoted by the Tosafot in Avodah Zarah (36a) says, however, that one of the conditions of one who is strict is that he does not shame other people. Being strict is praiseworthy, but shaming others is forbidden. There are many people who are strict in their home, but they eat what is served when they are guests – obviously, provided that the food is kosher. It says in the Book of Tehillim (101:2), "I walk with wholeness of heart within the confines of my house" – in the confines of my house I am strict, with other people I am not. In the book "Ve-Alehu Lo Yibol" (vol. 2, p. 66-67), which contains stories about Ha-Rav Shlomo Zalman Auerbach, Ha-Rav was asked by female seminary students about eating at certain families' homes who were not as strict as they were. He said: "I do not understand what you are asking. Will they serve you non-kosher food there?" "No." He responded: "Then eat." They asked him: "Ha-Rav also acts this way?" He said: "Yes. When I am invited to a wedding, I eat what is there. What I do not eat in my home, I eat when I am invited."

Ha-Rav Auerbach was also asked by a couple about their practice to eat at their parents' house food which is under kosher certification, but which they do not eat in their own house. He re-

sponded that Ha-Gaon Ha-Rav Yosef Chaim Sonnenfeld, ztz"l, when he was at a brit milah of a Sefardic family, ate the meat which was prepared under the Sefardic slaughtering practices. When you eat at your family's house or with other G-d-fearing people, you must eat from everything they give you. They are not feeding you non-kosher and treif food! The basic halachah is that all of the kosher certifications from local Rabbinate are good, and while certain kosher certifications are strict on different issues, this does not affect the basic halachah. Ha-Rav Auerbach also said to the Rabbi of a kibbutz: For something which has a standard production process, such as kosher certified tea for Pesach, one can rely on the kosher certification which a known Torah scholar gives to the factory, and there is no need to go to the factory and see the production process. Anything which affects the public, you may only rule according to the basic halachah and not according to stringencies. You may only be strict in regard to yourself or for individuals who wish to be strict. Someone who is invited and feels in his soul that he must be strict should not go.

The Shulchan Aruch (Yoreh Deah 112:13) says that some people who live outside of Israel eat commercially baked bread which is produced by non-Jews (called "Pat Palter"). There are others who are strict and only eat bread baked by Jews. If a host does not eat "Pat Palter" and his guest does, and the guest wants to eat "Pat Palter" because it tastes better, the Shulchan Aruch rules that the host should say the blessing on the "Pat Palter" and eat it in order to honor his guest. This means that the host should give up a stringency for the sake of the good feeling of the guest. And all the more so, a guest should not place his stringencies upon his host.

This is from the side of the guest. From the side of the host, if you are willing, give the guest what he wants. He is ready to eat

from your utensils, so he does not think that you eat non-kosher there.

❖ Sefardim eating in restaurants

Q: Can a Sefardi eat in a kosher restaurant where Arabs cook the food?

A: This is really a problem. While Ashkenazim rely on the Rama (Yoreh Deah 113:7) that it is enough for a Jew to light the fire, gas, or electricity, and the non-Jew may place the pot or pan on it and it will not be considered "bishul akum" – food cooked by a non-Jew, which is forbidden, Sefardim follow the ruling of the Shulchan Aruch (ibid.) that it does not matter whether the fire is lit by a Jew or a non-Jew, the essence is that the Jew places the food on it. In many kosher restaurants, either the "Mashgiach" (kosher supervisor) or someone under his guidance lights the fire and then the non-Jews cook. Ha-Rav Ovadiah Yosef in Shut Yechaveh Da'at (5:54), however, finds a leniency and writes that a regular employee has the same leniency as a servant. Today we do not have servants as laid out by the Torah, but when there were non-Jewish servants, it was permissible for them to cook. Non-Jewish workers are not servants in the legal sense, but the Rama (ibid. 4) says that our permanent workers have the same ruling as servants. Ha-Rav Ovadiah Yosef says that we have a case of a double doubt. Regarding each individual Halachah, Sefardim do not rule this way, but there are two doubts here: perhaps the Halachah follows the opinion that a Jew lighting the fire is enough and perhaps the permanent, non-Jewish workers do have the status of servants. It is thus possible for a Sefardi to be lenient and rely on the opinion of Ha-Rav Yosef. If someone wants to be strict – may he be blessed – he has to check the process followed in each restaurant. It is clear that such a restau-

rant is kosher since there is a "mashgiach," but they do not follow all of the stringencies that you do at home. Such problems also exist in the army, since there are non-Jewish cooks: Druze and immigrants from Russia. One obviously needs to eat in the army and the cook/soldier is truly a servant since he receives orders. There are other reasons to permit a Sefardi to eat in the army since when one goes to a restaurant he can choose the restaurant in which he eats, while there is no choice in the army.

❖ Glass dishes for milchig and fleishig

Q: Is it permissible to use glass dishes for milchig and fleishig?

A: Sefardim use glass for both milchig and fleishig based on the assumption that glass is smooth and does not absorb anything. It is not clear that this is such a good idea since there are times when things get out of control in a house and plates and pots and pans can get mixed up. This, however, is a different calculation. The basic Halachah is that it is permissible for Sefardim. Ashkenazim are strict not to use glass for both milchig and fleishig. This is based on the assumption that glass is like earthenware, which is the worst material, since it absorbs everything and is impossible to kasher. This ruling appears for Ashkenazim in the laws of Pesach (Rama, Orach Chaim 451:26). There is a dispute among Ashkenazic authorities as to the status of glass during the rest of the year, but the majority of Rabbis are strict that glass should be used for either milchig or fleishig.

❖ Veggie dog with cheese

Q: Is it permissible to eat a veggie hotdog with cheese or is it a problem of "ma'arit ayin" (the appearance of violating the prohibition) of eating meat and dairy together?

A: It is permissible for two reasons:

1. It is true that our Sages decreed that one may not eat almond milk with meat unless one leaves the almonds out for everyone to see (Rama, Yoreh Deah 87:3), but almond milk is a rarity. In my entire life, I have never seen almond milk. Everyone has seen and knows about veggie dogs. There is therefore no problem of "ma'arit ayin."

2. We do not make new decrees. That which our Sages decreed is decreed, and that which our Sages did not decree is not decreed. They did not make a decree against eating veggie dogs with cheese. Perhaps you will say that they did not make a decree because veggie dogs did not exist at their time, but it is included in the original decrees of "ma'arit ayin." The halachic authorities explain that we do not make such an argument and it is not included.

I remember when I was a little kid and they invented parve margarine. People ate the margarine with meat and other people did not know what it was. Many people were strict and put the wrapper on the table. There is also non-dairy creamer which looks like milk. There is a responsum of Ha-Rav Ovadiah Yosef in Shut Yechaveh Da'at (3:59) which permits these items because they are well publicized and everyone knows about them.

❖ A three-year-old waiting between meat and milk

Q: How long must a three-year-old wait between eating meat and milk?

A: He does not have to wait, because he is a child. We obviously have to educate him; but if there is a need, then he does not have to wait at all. Sometimes we serve a child meat and he eats with difficulty and now he is hungry, or we want him to eat more and we give him something else like milchigs. Some Rabbis have

established guidelines that at a certain age a child should wait one hour, at this age two hours, at this age three, etc. (see, for example, Shut Be'er Moshe 8:36), but this is not definitively set from a halachic perspective. It is certainly logical that a child should slowly be educated so that he will be able to fully wait by his bar mitzvah. In Shut Yabia Omer (vol. 1, Yoreh Deah #4), Ha-Rav Ovadiah Yosef discusses this issue and writes that it is a case of a double doubt: The first doubt is perhaps the Halachah follows the opinion of the Rishonim, such as the Rashba (Yevamot 114 and Shut Ha-Rashba vol. 1 #92), that it is permissible to give a child something to eat which is forbidden by the Rabbis (although we do not hold this way in practice – see Shulchan Aruch Orach Chaim 343:1) and waiting between meat and milk is a Rabbinic prohibition. The second doubt is perhaps the Halachah follows the Tosafot (Chullin 105a) that there is no obligation to wait between eating meat and milk. It is forbidden to mix them, but if I eat meat, clean the table, wash my hands and brush my teeth, it is permissible to eat milk (although we do not hold this way in practice – see Shulchan Aruch Yoreh Deah 89:1). Therefore, there is no problem to give a child under bar mitzvah milk after meat when there is a pressing need.

❖ Serving milk after meat to a non-religious child

Q: I work for a non-religious family. Is it permissible for me to serve milk after meat to the children?

A: It is permissible because it is a case of a double doubt: 1. There are authorities, such as the Rashba, who permit giving a child something to eat which is forbidden according to the Rabbis (Yevamot 114 and Shut Ha-Rashba vol. 1 #92). Other authorities disagree (see Shulchan Aruch Orach Chaim 343:1). The requirement to wait between meat and milk is a Rabbinic require-

ment. 2. There is a dispute as to how long one must wait between eating meat and milk. The Gemara (Chullin 105a) says that one must wait until the next meal. According to the Rif and the Rambam (Hilchot Maachalot Asurot 9:28) this is six hours, but according to the Tosafot (Chullin 104b, 105a) it is literally the next meal. According to Tosafot, if I eat fleishigs, clear the table, wash my hands and brush my teeth, I can eat milchigs right away. We do not hold like the Tosafot, but we wait six hours (Shulchan Aruch, Yoreh 98:1, Shach 98:8, Taz 98:2, Aruch Ha-Shulchan 89:7). There are, however, various traditions: Jews from Germany wait three hours and Jews from Holland wait one hour. We thus have a double doubt – perhaps the Halachah follows the Rashba that one may give children food which is prohibited by the Rabbis, and perhaps the Halachah follows the Tosafot that one may eat milchigs immediately after fleishigs. It is certainly preferable not to give children milchig food right away, but in your situation it is permissible. This is also the opinion of Ha-Rav Ovadiah Yosef in his responsa "Yabia Omer" (vol. 1, Yoreh Deah #4).

❖ Bringing boss coffee with milk after a meat meal

Q: Can I bring my (Jewish) boss a cup of coffee with milk after a meat meal?

A: You certainly cannot bring him coffee with milk after a meat meal. You have to let him get it himself. If he gets it himself, we do not throw stones. There is an opinion of the Tosafot (Chullin 105a) that you can eat milk after meat from one meal to the next, but we do not hold that like. There is also the custom of Jews from Holland to wait only an hour, but I understand that he is not from Holland. There is therefore a problem and he will need to get it himself.

❖ Fish and dairy

Q: Eating fish and dairy together: Is there a rabbinic prohibition against it, or a custom not to do it, or a fear of danger from it?

A: This is not written in the Gemara. As is well known, the Gemara (Pesachim 76b) says that it is forbidden to eat fish and meat together, but it does not mention fish and dairy. The Beit Yosef (Yoreh Deah 87) says in the name of doctors that it is dangerous to eat fish and dairy together. This means that he does not mention it in the name of the Gemara, the Rishonim (Rabbis of the Middle Ages) or the Divine Spirit, but in the name of doctors. It is possible that this is what doctors said at his time, but doctors do not say this now. The doctors could not change what is written in the Gemara, but if the source is the doctors of that time, the doctors of this time can overrule them. In practice, Ashkenazic Jews largely are not concerned about eating fish and dairy together. There are some Sefardic Jews who do refrain from eating them together and others who do not refrain from doing so. There is a teshuvah of Ha-Rav Ovadiah Yosef in Shut Yechaveh Da'at (6:48) in which he rules that the basic halachah is that eating them together is permissible, but one who wants to be strict may do so.

❖ Noodles cooked in a clean meat pot

Q: Does someone who ate parve noodles cooked in a clean fleishig pot have to wait six hours before eating dairy foods?

A: He does not have to wait, since the noodles are not fleishig. Today this is called: meat equipment. This is a new phrase. The halachic phrase is "noten ta'am bar noten tam" (literally "giving a taste the son of giving a taste") and is known by its acronym: "Nat bar Nat." This means that the meat gives a taste into the pot and

then the pot gives a taste into the noodles. The noodles thus do not receive a direct meat taste, but a taste from a secondary source. Nat bar Nat causes a weak meat taste, and after eating a food with a weak meat taste such as this, one does not need to wait six hours.

❖ Eating from vessels which have not been immersed

Q: Is it permissible to eat at someone's house where the food is kosher, but the vessels have not been immersed in the mikveh?

A: This is a problem, since it is forbidden to eat from vessels which were not immersed, unless they are plastic. Therefore, sometimes we cannot eat at other people's houses. But what should one do if it is his parents' house – not go there? In such situations when eating there is a necessity, we can combine four reasons in order to be lenient (see the book "Tevilat Keilim" for discussions of each of these issues):

1. There is a lone opinion that the obligation to immerse utensils and vessels is not on the guest but on the host. This is a lone opinion and we do not follow it, but we are combining various reasons to be lenient here.

2. Some explain that there is an obligation to immerse the vessels, but there is no prohibition against using un-immersed vessels. This is similar to the obligation to put up a mezuzah. Some explain that there is an obligation to affix a mezuzah, but there is no prohibition against sleeping in a room without a mezuzah. Obviously, in the meantime, I transgress the positive mitzvah of affixing a mezuzah every moment I do not. The same in our case: I transgress the positive mitzvah of immersing the vessels as long as I have not done so, but it does not prevent me from using them in the meantime. We do not rely on this, even in

pressure-filled circumstances, but again we are combining reasons.

3. It is forbidden for me to use an un-immersed vessel, so what should I do? Remove the food. I can remove the food from the plate with a spoon and it does not matter where I put it, in an immersed plate or in my mouth. This obviously works if I have tea in an un-immersed cup and I am removing the tea into my mouth, but it does not work if I am removing the food from an un-immersed plate with an un-immersed spoon. In our case, this does not help us, but we still have the first two reasons.

4. "Kavod Ha-Beriyot" – people's honor (dignity): The obligation to immerse metal is a Torah mitzvah and the obligation to immerse glass is a Rabbinic mitzvah. In certain cases, Rabbinic mitzvot can be overlooked for the sake of "Kavod Ha-Beriyot" (Berachot 18-19), such as a person eating at his parents' house. If he does not eat, they will be insulted and hurt. But they put me in this situation? It is like a person offering me a cigarette on Shabbat and he will be insulted if I do not smoke it?! I am insulting you? You are insulting yourself! True, but we only apply this principle for Rabbinic mitzvot, i.e., for glass but not metal. Most people do not eat on metal, although silverware is often metal, so this will not always help us.

Nonetheless, combining these four reasons will permit a person to eat at his parents' house in a pressing circumstance if the food is kosher, but the vessels have not been immersed in the mikveh. Obviously, it would be best if you could immerse all of their utensils and vessels. And if you only use plastic, the problem will be solved. But what about "Kavod Ha-Beriyot"? In such situations, you can say: "My Rabbi says I have to act this way." The person will not be offended, since he can interpret it to mean that perhaps my Rabbi says this and his Rabbi says otherwise. "My Rabbi

says that when I eat at other people's houses, I have to eat off of plastic."

Avodah Zarah – Idol Worship

❖ "Igrot Kodesh" ("Holy Letters") of the Lubavitcher Rebbe

Q: When some Chabad Chasidim have a question, they open the Rebbe's collection of letters and find the answer on that page. Isn't this prohibited on account of "consulting the dead" (Devarim 18:11) or "Do not engage in sorcery" (Vayikra 19:26)?

A: The commentators of the Shulchan Aruch (Yoreh Deah 179:4) mention that it is permissible to open a holy book and find an answer, and this is even called a "minor prophecy" (see Shach *ibid.*). This means that there is no prohibition. There is a similar method of opening the Tanach, and locating verses which answer particular questions. This is called "Goral Ha-Gra" – the lottery of the Vilna Gaon. There is the famous story about the Tzadik of Jerusalem – Reb Aryeh Levin – in which he used the "Goral Ha-Gra." During the Israeli War of Independence, a group of thirty-five soldiers was sent to provide additional defense for the Gush Etzion Settlements. All in the group were tragically killed. After the war, the bodies were discovered but the Chief Rabbinate of Israel was unable to identify twelve of the corpses. Reb Aryeh Levin used the Goral Ha-Gra – which involves using a particular format of the Chumash, flipping the pages back and forth until eventually a particular verse is chosen. In each case, the verse chosen clearly identified a fallen soldier with a particular body (See "A Tzaddik in Our Time: The Life of Rabbi Aryeh Levin," pp. 111-117). The "Goral Ha-Gra" was also used by Ha-Rav Aharon Kotler when he wanted to immigrate to Israel

from Russia, but Ha-Rav Moshe Feinstein was greatly urging him to come to America in order to strengthen Judaism there. The verse which came out in the "Goral" was "Hashem said to Aharon: Go meet Moshe in the desert" (Shemot 4:27). He understood this to mean: "Hashem said to Aharon" – this was a hint to his name, Ha-Rav **Aharon** Kotler. "Go meet Moshe in the desert" – Go meet Ha-Rav **Moshe** Feinstein, who is in the spiritually desolate desert of America. Ha-Rav Kotler indeed went to America and established the yeshiva in Lakewood, New Jersey, one of the largest yeshivot in the world today (see the book "Ha-Gaon," p. 1118 by Ha-Rav Dov Eliach). There is therefore no prohibition against acting this way, but that does not mean that it will work. Reb Aryeh Levin and Ha-Rav Aharon Kotler were Torah giants and holy individuals. It depends on who performs it. It is possible to ask any question in the world through the "Igrot Kodesh" but that does not mean that everyone will receive a true answer. Although this is a minor prophecy, not everyone is suited to receive it. It is related that Rav Chaim Brisker – who was a completely righteous person – once tried the Goral Ha-Gra. He opened the Chumash, landed on the verse: "You shall be wholesome with Hashem, your G-d" (Devarim 18:13) and stopped. Therefore, someone who acts this way does not perform a transgression, but this is not the way of the Torah. If you want to know the answer to a question you have to exert effort or take counsel with a Torah scholar.

❖ Is it permissible to have a séance?

Q: Are there permissible ways to speak to the deceased, such as a séance?

A: Everyone knows what is written in the Torah: "There shall not be found among you...one who inquires of Ov or Yidoni or one

who consults the dead" (Devarim 18:10-11. Rashi explains that "Ov" is a type of witchcraft in which the deceased would speak through one's armpit). According to the Rambam, any type of consultation with the dead is absolutely prohibited (Hilchot Avodat Cochavim 11:13). According to the Ra'am quoted in the Hagahot Maimoniyot (ibid.), it is forbidden to communicate with the body of the deceased, but it is permissible to communicate with the soul of the deceased. This is because it is forbidden to consult the "dead" – the body died, the soul did not. Some explain, however, this is problematic because the soul also has a physical part to it called "Shitufa De-guf – partner of the body" which resides in the bones. This dispute is found in the Shulchan Aruch, Yoreh Deah 179:14.

There is a responsum of Maran Ha-Rav Kook (Shut Da'at Cohain #69) to a Rabbi in Romania regarding this issue. There were people who were desecrating Shabbat by keeping their stores open. The Rabbi spoke out against this, but the people did not listen. He knew how to communicate with the dead, so he invited one person and called his grandfather. The grandfather yelled at him, "Shabbos!" The people in the community began to complain that the Rabbi was consulting the dead. The Rabbi asked Ha-Rav Kook his opinion. Ha-Rav Kook said that it was forbidden because it is what is called "Sefek sefeka de-chumra" – a double doubt about which we are strict regarding a Torah prohibition. There is a doubt about whether we rule the Rambam or the Ra'am. And even if we follow the opinion of the Ra'am, which permits communicating with the soul, how can you be sure that you are enough of an expert to know that you are only communicating with the soul and not the body? In sum: Ha-Rav Kook rules it is forbidden.

The only possible way of communicating with the deceased is in a dream. A person, before he goes to sleep, can pray to Hashem

that his father z"l or loved one come to him in a dream. He is not consulting with the dead, rather he asks Hashem to do him a kindness and have the deceased revealed to him in a dream. Nonetheless, since the person comes in a dream, not everything he says is necessarily true. Ha-Rav Kook relates that when he was in Yafo, there was a Jewish doctor who would speak with the dead. One day he said to Ha-Rav Kook: I stopped. Ha-Rav Kook asked: Why? He answered: Because they lie. Not every deceased person lies, but some do. Therefore, speaking with the dead is forbidden, and even someone who violates the prohibition, it is not clear that he is receiving anything worthwhile.

Some authorities write that one who searches to know what will be in the future, even in a permissible manner, violates "You shall be wholesome with Hashem, your G-d" (Devarim 18:13). One who is worried about the future should prayer, repent and give tzedakah and Hashem will save him.

In the responsum to the Rabbi, Ha-Rav Kook says that mediums like this do not strengthen faith, and that one should fulfill the verse, "You shall be wholesome with Hashem, your G-d" (Devarim 18:13). Our Rabbi, Ha-Rav Tzvi Yehudah, would add that Rav Kook would nullify the value of stories like the one of the Rabbi from Romania, and said, "Hashem will only be praised through people performing kindness, justice and know Hashem" (see Tzvi Kodesh on the life of our Rabbi, Ha-Rav Tzvi Yehudah, p. 36).

❖ Witchcraft and sorcery

Q: Do witchcraft and sorcery exist?

A: There are three opinions: 1. The Ramban says that they exist even today. 2. The Rambam says that they never existed and it is pure deception. 3. The Tiferet Yisrael in the name of Maharam

Chagiz says that once they did exist, but they no longer do. Today, however, we have not heard reliable testimony that anyone has seen witchcraft or sorcery. There are all sorts of people who claim they are witches or that they have seen such things, but when they are checked they are found to be nothing. The Association of Magicians in the United States, which is run by James Ramsey, says that you can show them any sorcery in the world and they can perform the same thing with tricks. They also say that anyone who claims that he has unnatural powers and can prove it will receive a prize of one million dollars. Hardly anyone tried and those who tried were videotaped and it was shown to be a deception. People have quick hands, but when you watch it slowly on the video you can see what they are doing. Today, we do not see that such things exist, but even when they did exist, nothing happened to someone who was full of faith in Hashem. We learn this from the Gemara in Sanhedrin (66b), which says that a "witch" tried to cast a "spell" on Rabbi Chanina ben Dosa, one that had worked on others before. He stopped her by saying: "There is none beside Him." Rabbi Chaim of Volozhin in his book "Nefesh Ha-Chaim" (end of sha'ar 2) says that nothing will happen to anyone who believes that "Hashem is one and His Name is one."

❖ Tarot cards

Q: Is it idol worship to predict the future by using tarot cards?

A: It is not idol worship, but what is called "Darkei Emori" (the ways of the Emorites). It is not idol worship since you are not serving another god, but you are involved in nonsense. Something which has no logic reason and non-Jews perform it is called "Darkei Emori" or "Chukat Ha-Goyim" (the practices of the non-Jews) which is also forbidden according to the Torah. It is

not the Torah prohibition of idol worship for which one is liable for death, but it is still forbidden. It is therefore forbidden to use such cards, as it says: "There shall not be found among you...one who practices divinations, an astrologer, one who reads omens, a sorcerer, an animal charmer, one who inquires of Ov or Yidoni or one who consults the dead" (Devarim 18:10-11). All of these activities are severe transgressions. While the Rambam says that these things have some ancient connection to idol worship, today they no longer do, and are therefore included in the prohibition of "Darkei Emori."

❖ "Overeaters Anonymous"

Q: Is it permissible to participate in the 12-Step program of "Overeaters Anonymous" even though it was created by and run by people who are not observant Jews?

A: This program was created by non-Jews in the United States, some of who were non-believers and others who were Christians. But the Rambam, in his introduction to Pirkei Avot called "Shemoneh Perakim," says: "Accept truth from one who says it." The Rambam mentions this teaching in "Shemoneh Perakim" in particular because it is a work on perfecting character traits and overeating is a negative character trait. I do not necessarily need Torah in order to repair a negative character trait, but I can reach the highest levels of proper character traits through the Torah. The motto of OA is not "I believe in G-d," but "I believe in some power" and they leave it open to interpretation for each individual. A person who is an atheist understands it to refer to some power. One who believes understands it to refer to G-d. Someone like us will understand it to refer to being G-d-fearing and learning Torah and fulfilling mitzvot. We take this idea and convert this method of "I can" and we add faith and fear of Heaven.

There are also various groups of "Overeaters Anonymous" in Israel which are run by religious individuals. One can overcome overeating even without Torah, but by adding faith and fear of Heaven, one reaches more supreme levels.

❖ The Olympics

Q: Are the Olympics idol worship or connected to idol worship?

A: The Olympics were not idol worship in the past, but simply sport. People involved idol worship in the Olympics since they connected idol worship to everything. Today, the Olympics are certainly not idol worship. Nonetheless, watching competitive sports is nonsense and is called "moshav leitzim – frivolity" (Avodah Zarah 18b). It is fine if a person wants to play sports and strengthen his body or to get some fresh air, but to watch how others play a sport is prohibited because of "moshav leitzim." It dulls the brain. Furthermore, one needs to look up to Torah scholars, people who perform acts of loving-kindness, soldiers who serve with self-sacrifice, etc... and not to someone who can get a ball into a certain spot. I recall that people once asked a great Torah scholar in the old settlement of Jerusalem if it is permissible to play soccer on Shabbat. He asked: What is soccer? They said: You try to get a ball into a net. He said: You can put it in the net on Friday. They said: But they want to play on Shabbat. He asked: Why? They said: Because there is another team and they are taunting them. He said in innocence: Then they are crazy and therefore exempt from Shabbat. We clearly understand that all of this is nonsense and Torah scholars have opposed it. One must be involved with positive activities.

❖ A necklace with a dollar bill

Q: I was given a necklace with a dollar bill as its charm. Is it permissible to daven while wearing the necklace? I do not know who is on the dollar, a Christian or someone else?! Also, can I wear the necklace on Shabbat?

A: There is no problem. It is not a Christian figure, it is George Washington. There is no fear that you are worshipping America by wearing it. It is just a piece of jewelry. Regarding Shabbat, this dollar is not muktzeh, even though money is generally muktzeh, since it is no longer considered to be currency, but is now part of the necklace.

❖ The cross on Swiss Army knives

Q: Is it permissible to have a Swiss Army knife since it has a cross on it?

A: I understand that the cross is the symbol of Switzerland, since there is a cross on the Swiss flag. This means that it is not a religious cross, but a national symbol. Therefore, there is no problem to own a Swiss Army knife.

❖ The cross of a Chevrolet

Q: Is the cross on a Chevrolet forbidden?

A: I understand that it is not really a Christian cross; it is simply a decoration. It is similar to when someone writes a plus sign: he is not writing it in connection with Christianity. The Shulchan Aruch explicitly writes that a decoration in the form of a cross which is not connected to Christianity is permissible.

Endangering One's Life for Another

❖ Endangering yourself to save another

Q: A female athlete was rowing in the Yarkon River in Tel Aviv, when her boat capsized and she nearly drowned. People saw and they were concerned about jumping into the polluted water of the Yarkon. In the end, someone did jump in and saved her but she is in critical condition. Is it permissible for a person to endanger himself to save another person?

A: It is a dispute between Achronim (later authorities). While the Torah does say "Do not stand idly by your fellow's blood" (Vayikra 19:16), the Radvaz writes that one only needs to save him without endangering yourself, as is known: "Your life takes precedence over your fellow's life." This is based on the Gemara in Baba Metzia (62a) which discusses the case of two people traveling in the desert, and only one of them has a jug of water. If both drink, both will die. If one drinks, he will make it to civilization. The Halachah is that one person drinks, i.e., a person need not save another person while endangering his own life. This is all the more so true when one has the water: he is not obligated to give it to the other person. The Radvaz therefore said that it is certainly a mitzvah to save another person but one does not have to endanger himself since the ways of the Torah are pleasant (Shut Ha-Radvaz 3:625 and brought in Pitchei Teshuvah, Yoreh Deah 157:15). Other authorities disagree. They say that it is true that your life takes precedence over the life of your fellow, but it is obligatory for one to place himself in uncertain danger in order to save the victim from certain danger. This is the opinion of Hagahot Maimoniyot (Hilchot Rotzeach 1:14 brought in Beit Yosef, Choshen Mishpat 426) and Kesef Mishnah (ibid.). Their source is the Gemara in the Jerusalem Talmud that a Torah

scholar was once taken captive. Many said: To our distress, prepare burial shrouds. Reish Lakish said: I am going to kill or be killed. Baruch Hashem, he was successful, but we see from here that Reish Lakish was ready to endanger himself to save another person. There is therefore a dispute.

In the article "Le-Mitzvah Ha-Aretz" (Le-Netivot Yisrael, p. 157), our Rabbi, Ha-Rav Tzvi Yehudah, agreed that a person should endanger himself to save another person. He brought a proof from the Gemara in Sanhedrin (73a) that when one sees a person drowning in a river, or being dragged by an animal, or being pursued by bandits, he must save him, as it says: "Do not stand idly by your fellow's blood." In the majority of situations, a river, animal and bandit are dangerous. Furthermore, the Rambam (Hilchot Rotzeach 1:14) changed the word from "a person drowning in a river" to "a person drowning in a sea" which is even more dangerous situation. And the Rambam wrote (ibid.): "One who can save and does not save transgresses: Do not stand idly by your fellow's blood." A person who can save and does not obviously transgresses?! He means that the only exemption for a person not to save is when he is unable to save.

But in our case, jumping into the polluted waters of the Yarkon is a minor danger. If someone enters, he can immediately receive a shot which is like a retroactive immunization, and there will be no ill consequences. This is the responsum of Ha-Rav Ovadiah Yosef in Shut Yechaveh Da'at (3:84), to the question if it is permissible for a living person to donate a kidney. Ha-Rav Yosef holds like the Radvaz that a person does not have to endanger himself to save another person, but donating a kidney is a minor danger, and one does need to take such a risk. Thus, even according to the Radvaz, one needs to take a low-level risk.

Therefore, they did have to jump into the Yarkon to save the

athlete, and "Yashar Koach" to the one who did. He is a national hero!

Shaving and Haircuts

❖ Electric razors

Q: Which electric razors are permissible to use and which are forbidden?

A: This is a very difficult subject. When electric shavers were invented approximately one hundred years ago, our Rabbis had a dispute as to whether they were permitted or not. The majority of halachic authorities ruled that it is forbidden to use electric razors, since they were similar to a razor. The Torah says (Vayikra 19:27): "Do not destroy the corners of your beard." Based on the word "destroy" (takifu), the Halachah is that it is permissible to cut one's beard with scissors, but not with a razor (see Shulchan Aruch, Yoreh Deah #181). Scissors have an upper blade and a lower blade, and the lower blade guards the skin from the upper blade and does not allow the beard to be destroyed. A razor, however, directly touches the skin and destroys the hair. The Rabbis wrote that electric razors, which do not have an upper and lower blade but only one blade, are similar to a razor. There are a minority of Rabbis who permit electric razors, such as Ha-Rav Tzvi Pesach Frank (quoted in Shut Minchat Yitzchak 4:113), who permits it on condition that one does not put the electric razor too close to the skin. The majority of Rabbis, however, prohibit its use (see the comprehensive volume on this subject, of almost 1,000 pages, "Sefer Hadrat Panim Zakan"/"The Cutting and Growth of the Beard in Halachic Perspective," by Ha-Rav Moshe Wiener, who has compiled everything available on this issue and the myriad of Rabbis who opposed the use of

electric razors). As time has passed, this question has become even more severe, since electric razors have become more and more efficient. The filament guard, which covers the blade, has become thinner and more flexible. They have also invented the "Lift and Cut Razor" in which the beard hairs are pulled outward and cut, and the remnant of the hair returned to its hair follicle. As a result, one cuts not only the hair which is on the skin, but hair which is even deeper. We therefore must certainly prohibit their use. The problem is that there are many religious Jews who use electric razors, including students of Lithuanian Yeshivot, Sefardic Yeshivot and Religious-Zionist Yeshivot (although this is not the case in Chasidic Yeshivot). There are even some Roshei Yeshivot who are clean-shaven. We are therefore obligated to find a solution. Ha-Rav Shlomo Zalman Auerbach is quoted in the book "Halichot Shlomo" (on Tefillah, chapter 2, p. 11) that one should not place the electric razor too close to the skin, and the litmus test of whether it is far enough away is if you rub your hand over the skin and you can still feel the scruff. There are other authorities who permit electric razors based on different explanations, such as that the razor does not cut, but tears. In conclusion: the majority of Rabbis prohibit the use of electric razors. A minority permit certain models or under certain circumstances. It is better, however, to have a beard and save ourselves from all of these problems. Maran Ha-Rav Kook writes in one of his letters (Shut Orach Mishpat, Orach Chaim 34): "What?! There are shoachim (ritual slaughterers) here who do not have beards?! How is this possible?" He was shocked. It is therefore better to have a beard, but we should not go overboard if someone does not have one. There is a story about a Holocaust survivor who knew the Satmar Rebbe before the Holocaust and came to visit the Rebbe in America. The students saw a clean-shaven Jew speaking about all sorts of Torah subjects with the Rebbe and

they were surprised. After he left, one of the students asked the Rebbe: who is this clean-shaven person who came to speak with the Rebbe? The Satmar Rebbe responded: "When that Jew ascends to give a Divine accounting, Hashem will ask him: 'Jew, where is your beard?' But when you ascend to give a Divine accounting, Hashem will ask you: 'Beard, where is your Jew?'"

❖ Long Pe'ot

Q: What is the source for the custom of having long pe'ot?

A: First of all, it is similar to every mitzvah in which it is possible to be strict. May a blessing come upon one who is strict. There is an innovation in growing long pe'ot because usually being strict about quantity (having longer tzitzit, etc.) is for positive mitzvot and this is a negative mitzvah. We do not have other such examples. The commentators on the Shulchan Aruch (Yoreh Deah, chap. 181) discuss the issue of long pe'ot, insofar as some authorities raise an issue based on the words of the Arizal that one should not mix the pe'ot of one's head with the pe'ot of one's beard (the five places it is forbidden to cut on one's beard). These are different mitzvot and represent different mystic lights. Therefore, when one's pe'ot reach one's beard, he should trim them. This is why Chabad Chasidim have short pe'ot. It thus appears that long pe'ot are a disadvantage, not according to the Halachah but according to the mystical teachings of the Arizal. There are authorities who do justify this custom together with the teaching of the Arizal. For example, see Shut Mishneh Halachot of Ha-Rav Menashe Klein (4:116, 5:124, 6:149) who wrote that it is explicitly written in the Shulchan Aruch that one should not touch his pe'ot, that we do not find anywhere any prohibition about letting them grow, and that it is known that Rabbi Akiva Eiger would not even brush his pe'ot. By the way, it seems that a Cohain in

the Temple may not have long pe'ot since the Halachah says that it is forbidden for a Cohain to be unkempt with long hair. What is long hair? Hair which has not been cut for 30 days. There is no problem for a Cohain to have a long beard, but it is a problem for him to have long pe'ot. Therefore, when the Temple is rebuilt – may it be speedily in our days – Cohanim will have short pe'ot.

Chukot Ha-Goyim (Customs of the Non-Jews)

❖ Are Levis Kosher?

Q: Is it permissible to wear jeans or a jeans skirt? I heard that some rabbis ruled that it is forbidden because jeans are not modest.

A: Quite simply, the material itself is not a problem. This material is durable, not easily ruined and, as is well known, quite affordable. This material also does not stick to the body. A material which sticks to the body and outlines its contours is not modest for men and, all the more so, for women. My understanding is that the rabbis who say that it is forbidden to wear jeans do not do so because of immodesty, but because they represent a distorted culture. When you wear jeans, you identify with this culture. The whole problem of wearing clothing which represents the surrounding non-Jewish culture is called "chukat ha-goyim" – following the non-Jewish practices. It is forbidden for us to wear the same clothing as non-Jews. This prohibition applies, however, if the non-Jews are the only ones who wear a particular type of clothing. If observant Jews also wear them, there is no problem of "chukat ha-goyim." This discussion is similar to one regarding the black suit worn today by many yeshiva students. Originally in Russia, yeshiva students did not wear suits; they wore all sorts of long coats. What happened? Rabbi Yisrael Salanter once vis-

ited Paris and he saw that university students were wearing suits. He said, "Those who are learning in yeshiva need to dress like those students. They are students of Torah and holiness." In Lithuania, the students therefore wore suits. When those students arrived in Jerusalem, the Sages of Jerusalem excommunicated them. They wrote harsh broadsides that wearing this type of clothing is a violation of "chukat ha-goyim." One needs a long coat. There is a principle, however, that if people breach this prohibition and dress like non-Jews, they are in violation, but once this practice has spread, it is no longer forbidden since this dress is no longer worn solely by non-Jews. This is stated in the responsa of the Rashba (vol. 5 #121). It is possible that in the past someone who wore jeans was identifying with the distorted culture, but today all sorts of people wear clothing made with jeans material, both men and women, including righteous, G-d-fearing individuals. It is therefore permissible to wear such clothing. Ha-Rav Moshe Feinstein also has a responsum on this issue in "Igrot Moshe" (Yoreh Deah 1:81). He was asked if there is a requirement to wear the clothing which Jews wore in Poland, since in America both Jews and non-like dress alike. Ha-Rav Moshe answered that it is permissible to wear the clothing like the non-Jews since there is no unique type of Jewish clothing, and even G-d-fearing Jews wear the clothing like the non-Jews. Similarly, there is a story told about a couple who moved from Hungary to America, and the wife wanted to cover her hair with a wig like others in America, instead of shaving her hair and wearing a scarf as had been the custom of her foremothers in Hungary. The husband, however, did not agree and he went to Ha-Rav Moshe Feinstein to ask about this issue. Ha-Rav Feinstein saw that the husband did not have a beard. He asked: Did your father and grandfather have beards? He said: Of course, everyone had a beard. He asked: Why are you clean-shaven? He

said: This is America! Ha-Rav Feinstein said: If so, there is no problem for your wife to wear a wig. Everything is dependent on the issue of modesty. If the jeans and the jeans skirts are modest, they are acceptable. If they are not modest, including having images and decorations which draw the attention of others, they are not acceptable. In short: It is not a question of the material, but the piece of clothing as in the case of all other items of apparel.

Family Purity

❖ Showering after immersion in a mikveh

Q: Is a woman obligated to shower after immersion in a mikveh?

A: No, just the opposite. Our Sages decreed that a woman should not bathe after immersion in the mikveh. Women used to bathe after immersing in a mikveh since they did not immerse in clean mikvaot as we have today. They immersed in pits of water which were filled with mud and they emerged filthy, so they bathed afterwards. As a result, people began to believe that both the mikveh and the bathing were required for purification. The Rabbis therefore decreed that it is forbidden to bathe after immersing in the mikveh (Shabbat 14a and Rama to Shulchan Aruch, Yoreh Deah 201:75). We have similar problems in our time. Although our mikvaot are extremely clean, there are women who are sensitive and feel that they need to bathe after the mikveh. Even though a man's immersion in the mikveh is less strict than a woman's immersion (since in the majority of cases he is not obligated to immerse), there is a story in the name of Ha-Rav Shlomo Zalman Auerbach that he would bathe before and after immersion in the mikveh. The students asked why he acted this way. Ha-Rav Shlomo Zalman said: I shower beforehand to fulfill "Love your fellow as yourself" – so I do not make the mikveh

dirty – and I shower afterwards because of those who do not fulfill "love your fellow as yourself" (Ve-Alehu Lo Yibol vol. 2, p. 286). Regarding women who want to bathe after the mikveh, it is permissible to wash the body one part at a time: the hands, then the feet, then the head, then the back, etc. Ha-Rav Yosef Shalom Elyashiv created a "chidush" (innovative ruling) that a shower does not wash the entire body all at one time but part by part. And even if the shower covers the entire body, each drop of water is still separate and touches a different part of the body. This "chidush" allows a woman to shower after immersion in the mikveh if she wishes, but she is certainly not obligated to do so.

❖ A woman who does not want to immerse in a Mikveh

Q: What should a newly observant man do if his unobservant wife adamantly refuses to immerse in a mikveh? After all, he cannot even touch her if she does not immerse in the mikveh after her menstruation. Can he have marital relations, since he is "anoos" (in a situation beyond his control) or must he divorce her?

A: It is truly a tragedy that she will not immerse. However, he is not considered "anoos," but he also does not have to divorce her. He needs to speak to her heart, since all couples have issues on which one concedes to the other. He sometimes concedes to her and she sometimes concedes to him when something is extremely important to the other. He needs to say to her: I concede on certain things for you; please do so for me since this is extremely important to me. In such a situation, we should not be strict with her on all of the stringencies in the laws of immersing in the mikveh; he has to be as lenient as the Halachah allows. If they do not succeed in solving this issue, they should go to a

marriage counselor and we hope that he will succeed in bringing peace.

❖ Immersion in the Mediterranean Sea or Kinneret on Shabbat

Q: Is it permissible for a woman to immerse herself (for reasons of Family Purity) in the Mediterranean Sea or the Kinneret on Shabbat?

A: In general, it is permissible to immerse on Shabbat since it is for a mitzvah, but in this case it is dangerous. It is therefore only permissible if there is a lifeguard. The tide can easily pull one down and you can drown. I had a friend who was an excellent swimmer, and he was pulled under by the tide and drowned. It is forbidden to immerse if there is no lifeguard.

Honoring Father and Mother

❖ Forcing your mom to go to the doctor

Q: A few days ago, the doctor told my mother that she needs to have a few tests done because he is very concerned about her health. My mother refuses to go. What should I do? Should I physically force her to go?

A: You can physically force her to go since it is for her own good. It is a case of "pikuach nefesh – preserving life." The Gemara in Kiddushin (31a-b) says that one can feed his father expensive chicken and lose this world, while someone else can force his father to work in a mill and attain the World to Come. The commentators explain that if a person feeds his parent expensive meat, but does so with a mean attitude, he is going to "Gehinom" (purgatory). For example, if the parent asks, "Where did you buy

this meat?" and the child responds, "Shut up and eat." He provides much, but does so with a lack of respect. In the other case, however, someone can force his father to work, but does so for his parent's benefit. For example, if by the father working, he will not be drafted into the non-Jewish army. There are times we must force our parents to do something for their own good. We obviously do so without insults or yelling. We say, "Mom, you have to go." We take her hand – two sons or two daughters or daughters-in-law – and we take her. "Mom, everything will be okay. Don't worry." Pull her a little. You can avoid the problem if you find someone in the family or someone she respects – a rabbi or a neighbor – to try to convince her and who can find the pathways to her heart. Then there is no problem. This is the best way, but if she does not listen, you are obligated to physically take her.

❖ Honoring father and mother and choosing a yeshiva

Q: Is there an issue of honoring father and mother in choosing whether the son attends a regular yeshiva or a hesder yeshiva (which combines Torah learning and army service)?

A: There is no issue of honoring father and mother, since this mitzvah only applies in matters directly related to the parents. The answer to your question is found explicitly in the Shulchan Aruch (Yoreh Deah 240:25) quoting a ruling of the Terumat Ha-Deshen (#24) that learning Torah supersedes honoring father and mother. The example provided there is that a father agrees that the son should learn Torah, but he wants him to learn at a different yeshiva from the one that the son wants to attend. The reason that the father does not like the son's yeshiva is that the yeshiva is located in a dangerous place and the father is afraid for his safety. It is written that the son may learn wherever he

wishes since a person only learns well what his heart desires to learn (Avodah Zarah 19a). Furthermore, the Pitchei Teshuvah (#22) wrote in the name of Chamudei Daniel, that even if the son is in doubt whether he will do well at that yeshiva, he can still choose to go there. As mentioned, this ruling is brought in the Shulchan Aruch in the name of the Terumat Ha-Deshen. By the way, the questions of the Terumat Ha-Deshen were questions which he thought of himself, created from real-life situations. We see that the Terumat Ha-Deshen was correct because he created a question which you are asking hundreds of years later.

❖ Calling one's father-in-law by his first name

Q: Is it permissible to call your father-in-law by his first name?

A: A person is obligated to honor his father-in-law (Shulchan Aruch, Yoreh Deah 240:24). We learn this from Moshe Rabbenu, who honored his father-in-law, Yitro, when he bowed before him (Shemot 18:7) and David, when he honored his father-in-law, King Shaul, by calling him "my father" (Shmuel 1 24:12). This, however, is not the same as honoring one's parents. One is obligated to honor his in-laws, but is not obligated to fear them as he is for his parents. The way to honor in-laws is not defined as it is for honoring parents. Furthermore, the prohibition against calling a parent by his first name seems to be an issue of fear more than honor. Therefore, the basic Halachah is that there is no prohibition against calling your father-in-law or mother-in-law by their first name, but the custom is not to do so. For example, if they want, you can call them "Dad" and "Mom" or you can add a title to their name such as Reb Shaul. In sum: You should do what makes your father-in-law and mother-in-law comfortable.

Honoring Rabbis and Torah Scholars

❖ Same question to various Rabbis

Q: Is it permissible to ask the same question to more than one Rabbi?

A: It depends on what you are asking. The Gemara in Avodah Zarah (7a) says that one who asks a Rabbi a question and he declares it impure may not ask another Rabbi who will declare it pure, and one who asks a Rabbi a question and he declares it forbidden may not ask another Rabbi who will declare it permissible. This ruling is quoted in the Shulchan Aruch (Yoreh Deah 242:31). Why is it forbidden to ask the same question a second time to a different Rabbi? Some explain that it is because of the honor of the first Rabbi (Rashi to Niddah 20b): You asked a question and don't like the answer so you are going to a different Rabbi?! You are shaming the first Rabbi! Others explain that when the first Rabbi rules, the object on which he ruled now has the status which he placed upon it. This means that if I ask a Rabbi if something is kosher or not and he rules that it is not kosher, the ruling of another Rabbi cannot change it. The Halachah follows the second explanation (This is the opinion of most Rishonim – Rabbis of the Middle Ages – including Ra'avad, Ramban, Rashba quoted in the Ran, Avodah Zarah, *ibid.* and Rosh, *ibid.* 1:3). Therefore, when I ask a Rabbi a question about a piece of meat, the meat has the status of his ruling, but if I have another piece of meat and I have the same question, I can ask a different Rabbi. There are also questions regarding a person's activities: How do I act in a given situation? A Rabbi's ruling fixes the status of an object, but not the status of a person's activities. Regarding an object, you can only ask one Rabbi, but regarding a person's conduct, you can ask various Rabbis. Even in the case

of an object, if I really, really want to ask a second Rabbi, I can ask a second Rabbi if I tell him that I already asked the first Rabbi. If the second Rabbi so desires, he can talk to the first Rabbi and try to convince him to change his mind (Rama, *ibid.*). I remember that someone once asked me a question regarding the laws of Family Purity and I answered: She is impure. The questioner went and asked Ha-Rav Mordechai Eliyahu. Ha-Rav Eliyahu called me and said: "Rav, look at it from this perspective and that perspective." I then understood that it was permissible to be lenient and I said: "I retract; she is pure." Furthermore, it is obvious that someone who asks a theoretical question may ask as many Rabbis as he wants. You may also ask questions to different Rabbis at different times, since all Rabbis are Torah.

❖ Forgiving someone who was disrespectful to a Rabbi

Q: In the community where I live, there is someone who was disrespectful to the Rabbi, and I can't even talk to him. He does not seem to regret what he did, and I don't think that he will accept my rebuke. Do I have to or am I permitted to forgive him?

A: This is not your honor, it is the Torah's honor. We are not obligated to forgive someone who has not requested forgiveness. You are allowed to forgive someone who has done something to you. If you have a good heart, you can forgive him. This is an act of piety. Here, he was not disrespectful to you; he was disrespectful to the Rabbi, and you therefore cannot forgive him in place of the Rabbi. If you are angry with him in your heart, you have to tell him that you are upset for this or that reason. This is like what Rashi says about Yosef's brothers. The Torah says that they could not speak to him peacefully, and Rashi explains that out of their shame, you learn their praise: They did not speak to him one way, but feel differently in their heart (Bereshit 37:4). It

is even worse for someone who shames a Torah scholar. There is no cure for his ailment. In the Gemara in Baba Metzia (84b), Rabbi Elazar Ben Rabbi Shimon died, and they laid him on a slab in the attic for many years. One day, they saw a worm came out of his ear, and they were surprised. He came to them in a dream and said that it was because he once heard a Torah scholar shamed and did not protest. On such things, we need to protest. We need to protest everything which is against the Torah, but this in particular. Shaming a Torah scholar is not only his shame, but the shame of the Torah. Disputes and disagreements are acceptable, but not shaming. It is written in the books that Torah scholars do not want to discuss this subject, because then people will say that they are saying it for their own benefit. Torah scholars therefore do not talk about this, but it is very severe. The Gemara in Sanhedrin (99b) says that a heretic is one who shames a Torah scholar. The Talmud Yerushalmi (Sanhedrin 10:1) compares this to a structure of stones: If one stone is shaken, the entire structure is shaken (Jerusalem Talmud, Sanhedrin 10:1). That is to say, one who scorns any Torah scholar, knocks over the entire building of the Oral Torah in Israel. The Radvaz (vol. 4 #187) writes that even a Torah scholar who errs should not be shamed. His proof is from the Gemara in Sanhedrin (99a) that a Torah scholar named Rabbi Hillel – not Hillel the Elder – said that the Messiah will not come. Rav Yosef said: May Hashem forgive his sin and he brought proofs. Rav Yosef spoke to him in the third person with honor, and said that he erred and should be forgiven, because the damage done by shaming him would be much worse than the damage done by him saying that the Messiah will not come!

❖ "Get Yourself a Rav"

Q: Does the concept of "Get Yourself a Rav" (Pirkei Avot 1:6, 16) mean that you must have one Rabbi for everything?

A: "Get Yourself a Rav" is not an obligation. It is not stated in the Rambam or the Shulchan Aruch that one is obligated to have a Rav, but it is exalted advice. If a man has a Rabbi, the Rabbi can direct and guide him. He helps to exalt him in a spiritual sense. But it is not an obligation. A person can therefore have more than one Rabbi. He can also have a Rabbi for all questions and issues except for one. For example, the Gemara in Shabbat (22a) writes that Rava followed his Rabbi – who was called "Rav" – in everything except three cases. There is also a concept called "Rabo Muvhak," i.e., a Rabbi from whom one has acquired the majority of his wisdom (see Baba Metzia 33a). Nonetheless, there is a halachah in the Shulchan Aruch (Yoreh Deah 242:4) that it is forbidden for a person to give a halachic ruling or to establish a yeshiva without permission of "Rabo Muvhak." The exact wording is that one needs permission from one's foremost teachers – "Rabotav Ha-Muvhakim." But how can one have more than one "Rabo Muvhak" – after all a "Rabo Muvhak" is a Rabbi from whom one has acquired the majority of his wisdom?! The Shach explains there (#12) he has "Rabo Muvhak" in Torah, "Rabo Muvhak" in Gemara, "Rabo Muvhak" in Halachah, etc. We see from here that a person can have various Rabbis, each in a different area. The ideal is obviously for a person to have one Rabbi for everything so that he can have a unified system of thought and practice.

Torah Learning

❖ Learning Torah for the sick

Q: Is there something else I can do for the recovery of Ha-Mordechai Eliyahu in addition to praying?

A: Ha-Rav Chaim of Volozhin in his commentary on Pirkei Avot (1:1), "Ruach Chaim," related that a woman once yelled at the Taz: "My master, my son is going to die!" The Taz responded to her: "Am I in place of G-d?" She said: "I am yelling at the Torah within you, since the Holy One Blessed Be He and the Torah are one." He said: "This is what I will do. I will give the Torah learning which I am engaged in now as a present to your son, and perhaps he will live in its merit, as it says (Devarim 32): 'You will lengthen [your] days through this thing (the Torah).'" At that moment, the child's fever dropped. We can therefore learn Torah for the recovery of our master, Ha-Rav Eliyahu.

❖ The Kabbalah fad

Q: What is Ha-Rav's opinion about all sorts of people learning Kabbalah? What about after the age of forty?

A: The Shach in his commentary on the Shulchan Aruch (Yoreh Deah 246:6) writes that one should not learn Kabbalah before the age of forty. This does not mean that after the age of forty everyone may learn Kabbalah. The Arizal, the great mystic, learned Kabbalah before the age of forty. In fact, he died at the age of thirty-eight. Kabbalah is not subject matter to be studied by all of the Jewish People. It is to be studied only by special individuals. The Mishnah in Massechet Chagigah (2:1) says that if you know Kabbalah, you may only pass this knowledge to these unique people. It is not for everyone. The Shach wrote that

one should wait until the age of forty because there had just been a catastrophe for the Jewish People with Shabbatai Tzvi, the false messiah. People believed that he was the Messiah because they studied Kabbalah, but did not understand it properly. The source for this is in the Gemara in Chagigah (14b-15a) that four Sages entered the orchard of mysticism: Ben Azai gazed and died, Ben Zoma gazed and went out of his mind, Acher entered and "cut down the plantings" (i.e., he became corrupt) and Rabbi Akiva entered in peace and exited in peace. Even these great Rabbis were not free from the potential damage of studying Kabbalah. Before learning Kabbalah, one must learn many other subjects: Chumash, Tanach, Mishnah, Gemara, Rambam, Rabbi Yehudah HaLevi, sifrei musar (ethical books), etc. You cannot learn differential or integral mathematics if you do not know basic algebra. In every subject one must progress gradually – slowly, slowly. You cannot jump over steps. People are jumping to Kabbalah. We see that non-religious Jews, who have not learned any Torah, are studying Kabbalah. Non-Jews, who do not know anything about Judaism, are studying Kabbalah. It is a spiritual drug. They jump to Kabbalah because it is interesting and nice for their imaginations. One must, however, progress slowly, step-by-step.

Q: Do you teach Kabbalah at Yeshivat Ateret Yerushalayim?

A: No, but some students who have learned for many years are studying Kabbalah. Each student learns according to his level.

❖ Skipping mishnayot

Q: We are teaching children entire massechtot (tractates) of the Mishnah. Should we skip the parts which deal with purity and impurity of men and women?

A: In general, we do not skip. You can read it and you do not

have to explain it to them in great detail. Speak in general terms: There is such a thing as purity and impurity. For example, there are all types of discussions in Massechet Berachot. We should not skip, and not go into detail. On the contrary, if we skip, it raises the students' curiosity. We do not skip in the Torah or in the Mishnah. We read it all and explain to the students according to their level.

❖ Midrashim of our Rabbis

Q: How should we relate to midrashim of our Sages when certain things seem exaggerated?

A: Quite simply, if there is no pressing need, we understand the midrashim according to their simple meaning. If there is something which seems strange, we can read the midrash as a parable. For example, the Gemara in Eruvin (63a) says that it is forbidden for a student to give a halachic ruling in the presence of one's teacher, and one who does so is liable for death. The Gemara then relates a story in which a student gave a ruling in the presence of his teacher and died, and it provides details of the city where he was located and the city where his teacher was located, etc. The Gemara asks: Why are you providing so many details? It answers that it is in order so that you do not say that the story is a parable. Why would I say that it is a parable? Because it is strange, and difficult to believe. You die because you give a ruling in your teacher's presence?! Perhaps this is a parable. Perhaps "liable for death" is some kind of punishment, but not actual death. Our Sages, therefore, say that it follows its literal meaning and they provide details in order that you do not say that it is a parable. The Maharal wrote a book called "Be'er Ha-Golah" which is a defense of the midrashim of our Sages. Some people said that the midrashim are strange, and not cor-

rect, and not scientific, etc., and the Maharal wrote this book to defend them. He says that from this Gemara in Eruvin we learn the general principle that if there are midrashim that are strange, we can explain them as parables. There are actually times that the commentators disagree whether a midrash is according to its simple meaning or a parable.

❖ Studying in university

Q: Is it permissible to study in a university?

A: It is dependent on two aspects: 1. The area of study. There are kosher subjects, such as mathematics, and there are non-kosher subjects, such as biblical criticism. There are also subjects which are a mixture, such as psychology. It contains proper ideas, but sometimes there are outlooks which are inappropriate. If the subject is forbidden, it is forbidden. If it is permissible, it is permissible. If it is permissible and sometimes there are issues, one must be careful to ring the bell of criticism against those ideas. 2. There is the atmosphere. Sometimes the atmosphere at a university is not filled with awe of Heaven and a person can be drawn to this atmosphere and stumble. If the atmosphere is problematic, one should either not attend or stay clear – both physically and spiritually – from people who act inappropriately. If it is possible to study the same subject in a religious institution, this is certainly preferable.

❖ Learning Torah and playing guitar

Q: I take care of my mother for long periods and relax by playing the guitar. How much time is it permissible for me to play guitar without it being considered "bitul Torah" (neglect of Torah learning)?

A: There are two opinions which define "bitul Torah": 1. One opinion says that a person is obligated to learn Torah every free moment and he is only exempt when performing essential needs, such as performing mitzvot, make a livelihood, eating, etc. Therefore, if playing the guitar is essential for your spiritual health, it is permissible to play when you need it. If it is unessential, you cannot play. 2. There is another opinion that a person is permitted to engage in other activities on condition that he sets times for learning Torah. In the remaining time, he can do what he wants provided it is a kosher activity. We then say that anyone is praiseworthy who increases his time learning Torah. We do not require you to learn Torah every moment, but encourage you to learn as much as possible. According to this opinion, you can play the guitar since you really enjoy doing so.

❖ Forgetting Torah learning

Q: Is it considered Torah learning if I forget what I learned?

A: Quite simply, true learning requires remembering and one needs to review. There are even those who say that the definition of learning is when one learns in a fashion that he will not forget. Thus, if he is learning in a way that he forgets, it is not a problem of forgetting, but a problem in the learning itself. Not everyone agrees with this explanation. When you learn, you must exert effort so as not to forget. You must review. Maran Ha-Rav Kook wrote to his brother (Igrot Re'eiya vol. 1, p. 9): "I am surprised that you only review your Torah learning three times. I know from my experience that I do not remember unless I review at least ten times." This is Maran Ha-Rav Kook! The students once asked our Rabbi, Ha-Rav Tzvi Yehudah: How many times does Ha-Rav review? He said in innocence: "One hundred and one times" as is written in the Gemara (Chagigah 9b). The great prin-

ciple is that you review. But there is an even greater principle: A person only learns Torah in a place that his heart desires (Avodah Zarah 19a). If after reviewing, you are sick of learning and you are learning out of a feeling of coercion and are therefore distressed, this is not the intention. A person must therefore learn in a manner that he will be most joyous and it will penetrate within him. But in the best circumstances, he should try as much as possible to review his learning.

❖ Learning Torah while lying in bed

Q: Is it permissible to learn Torah while lying in bed or on a couch?

A: One must learn Torah in awe, fear and trembling (Berachot 22a). This idea is also found in the Mishnah Sotah (9:15) that we should learn while standing for the honor of Torah (see Megillah 21a). In truth, it is proper to learn Torah only while standing but we do not have the strength and we therefore learn while seated. But even while seated, we must learn in an upright position and with an awe of holiness. One should certainly not learn while lying down. But if someone is sick or tired and needs to lie down, it is permissible to learn while doing so. In other words, when we learn, we do not need to lie down but when we lie down, we certainly need to learn.

❖ Rebbe Nachman of Breslov

Q: I am just now returning to Judaism, and wanted to know if learning the teachings of Rebbe Nachman in Likkutei Moharan is considered learning Torah?

A: It certainly is learning Torah, but one must know that the Sages of Israel were not thrilled with Likkutei Moharan, and the

writing of Rebbe Nachman in general. We are not discussing "Mitnagdim," who opposed all Chasidic teaching, but even "Chasidim" were not thrilled with this. There are those who are in favor of Rebbe Nachman, there are those who are against it, but I, the lowly one, follow the path of our master, Maran Ha-Rav Kook. When our Rabbi, Ha-Rav Tzvi Yehudah, was young, Chasidei Breslov brought him some of Rebbe Nachman's writings. He asked his father, Ha-Rav Kook, and Ha-Rav Kook said that Rebbe Nachman was a great and holy man, but his books should not be read at the beginning of the journey, but only later, after a person has learned and grown in Torah. I do not hold like the extreme side which says throw everything in the garbage, and not like the "Chasidim" of Rebbe Nachman, rather I say that Rebbe Nachman is a part of Judaism, not all of Judaism, and also it is not the first part of learning. It is for later (see Likkutei Ha-Re'iyah vol. 2, p. 262 and Chayei Ha-Re'iyah, p. 172).

Sifrei Kodesh (Holy Books)

❖ Missionary literature

Q: What should I do with literature which includes verses or a Tanach with the "New Testament" which missionaries disseminate?

A: It is permissible to throw them into the garbage since these verses and books possess no holiness, even if they include Hashem's Name. The Rambam writes in Hilchot Yesodei Ha-Torah (6:8) that a Sefer Torah written by a heretic should be burned. I do not recommend burning them – it is a waste of matches. You can throw them directly into the garbage. They are not words of holiness, but words of impurity.

Tzedakah

❖ Giving a tenth during difficult financial times

Q: What should we do if I want to continue to give "Ma'aser Kesafim" (ten percent to tzedakah) as we have done in the past, but my husband is opposed on account of our difficult financial situation?

A: The question can be divided into two parts: 1. How does a couple make decisions? It is clear that a couple must make decisions together. This is not always simple since there are differences of opinion. It is natural that there are differences of opinion because people are different, faces are different, opinions are different, but you must reach a joint decision. Even when making a joint decision, one side does not have to change its opinion. Sometimes one side gives in and sometimes the other side gives in and sometimes there can be a compromise. It is not always possible to reach a compromise. For example, one person wants the children to learn at one school and the other wants them to learn at another school; it is not possible to learn in two different schools. It is possible to compromise on monetary issues. If someone wants to give 1,000 shekels and another wants to give 200 shekels, there can be a compromise and give 600 shekels. You must therefore sit and discuss the issue until you reach a compromise. 2. Is someone who is having financial difficulties obligated to give "ma'aser kesafim"? See the book "Ahavat Chesed" of the Chafetz Chaim that giving ten percent for "ma'aser kesafim" is for people who have an average income, and someone who is wealthy should give more and someone who is poor should give less. Most halachic authorities point out that the Torah does not mention giving ten percent of one's income; it is only mentioned in connection to giving of one's produce. The practice of giving

ten percent of one's income is a holy and supreme custom of Israel. When discussing tzedakah, the Torah says that one should give according to the need and one's ability. Regarding the need, there is obviously great need. The deciding factor is therefore one's ability. It is very difficult to determine one's ability. Our Sages thus fixed ten percent as the average ability. If one's financial situation is difficult, he should give less. In sum: you and your husband should sit together in love, fraternity, peace and friendship, and decide your ability together, "without making a vow," since your financial situation may change.

❖ Shul built by the Keren Yedidut (Friendship Fellowship)

Q: Is it permissible to daven in a shul built with money donated by the Friendship Fellowship?

A: The Friendship Fellowship is a shortened name of the Friendship Fellowship of Christians and Jews. They shortened the name in order to hide the word "Christians." This is money from missionaries. The Evangelical Protestant missionary institutions try to infiltrate anywhere they can by whatever means possible. Now they have found the golden pathway – financial support. Financial support is their present method of slowly infiltrating us. It doesn't happen all at once. Not everyone who accepts their money immediately becomes a Christian. Yet their influence involves a seepage process that can spread over years. Those people are very patient and gradually they make inroads. Many Rabbis – from all streams – have ruled that it is forbidden to accept money from them. The head of the organization came to speak to Ha-Rav Avraham Shapira and he pretty much threw him down the stairs. The prohibition, however, is on receiving the

money, not on a shul built with the money. After the fact, when the shul is already built, it is permissible to daven there.

❖ Writing a Torah or giving Tzedakah to those who learn Torah

Q: Which is preferable – to write a Sefer Torah or to donate money to those who learn Torah?

A: A person is commanded to write a Torah. But what is the purpose? In order to learn Torah, not in order for it to sit in the Ark. Therefore, the Rosh (Tur, Yoreh Deah 270) followed by the Sha'agat Aryeh (#31) ruled that today one should buy printed books, Chumashim in particular, in order to fulfill this mitzvah, since people now learn from books. This is a leniency. But there is also a stringency: you must also buy a Mishnah, Gemara, halachic authorities, etc., and you must learn them, since the essence is learning. Therefore, in order to fulfill all of the opinions, we participate in the completion of writing a Torah. A few times, I was invited to complete the writing of a Torah and with a trembling hand, I filled in one letter and it is considered as if I wrote the Torah. Regarding the question of which is preferable – writing a Torah or donating money to those who learn Torah – this is discussed by the Chayei Adam (Hilchot Sefer Torah, klal 31). He says that people mistakenly think that writing a Torah is most important. But this is in error since the purpose of Torah is for people to learn it. He therefore says that one should donate money to those learn Torah. He then adds that there is something is worse: when people have a "Hachnasat Sefer Torah," it is accompanied by eating and drinking, etc. People spend all of this money to feed those who are not hungry instead of giving the money to those who learn Torah. We should certainly have a "Hachnasat Sefer Torah" with singing and dancing and joy, but

we do not need to eat all of the time. A religion of food! People are mistaken: in place of writing a Torah, they should give tzedakah to those who learn Torah.

❖ Donation for a wedding

Q: If someone does not have money for Shabbat or a wedding, should he collect donations?

A: He certainly should not collect donations. Collecting donations is only legitimate for necessary needs like food or medicine, but not for non-essential things. This is written at the end of the Mishnah in Pe'ah (8:9): "Anyone who does not need (to take tzedakah) and does so anyway will not leave this world before being in need of other people (because he is poor); and anyone who needs to take (tzedakah) and does not do so will not die from old age before supporting others from what he has acquired." This means that a person should not ask for donations for extras. The Gemara says: "Make your Shabbat like a weekday and do not require [the help] of others" (Shabbat 118a, Pesachim 112-113), i.e., it is better to eat simple food such as bread and salt than to receive tzedakah. But if he does not have anything to eat, he should ask for tzedakah. The same applies for a wedding: a person needs to get married but he does not have to make a fancy wedding if he does not have the money to do so. I have friends who do not have a lot of money: one made a wedding in a nice outside area and brought sandwiches and the entire wedding cost 50 shekels. Another friend invited ten of us to the building of the Rabbinate, which has a small hall. We drank coke and ate some cake and the entire wedding cost 20 shekels. Getting married is a mitzvah, but there is no obligation to have a fancy wedding. In Jerusalem in the Old Settlement as well as in Poland, people were poor and they made a wedding an hour

before Shabbat, then davened Ma'ariv and ate their Shabbat meal, which was also the wedding meal. If a person wants to live with extras it is a personal decision, but living with extras with other people's money is unheard of.

❖ Giving a little Tzedakah to many or a lot of Tzedakah to one person

Q: Is giving tzedakah to a large family considered giving tzedakah to many people?

A: It is written in Pirkei Avot (3:15): everything is according to the greater part of one's actions. The Rambam explains there that it is preferable to give one shekel per person to ten people than give ten shekels to one person since every act refines a person's soul. This is all based on his performing many acts and this is not so if he gives money to ten people from the same family in one act. But one should also take something else into account: if I give a shekel to ten poor people, it is not much help since there is not much to buy with one shekel, but if I give ten shekels to one person, it is worth something. Thus, from the perspective of the elevation of the giver, it is preferable to perform many smaller acts and from the perspective of the benefit of the recipient it is preferable to receive a larger one-time sum. Therefore, giving to a large family is only considered one act.

❖ Giving Tzedakah to Beggars

Q: When I visit the Kotel, there are so many people asking for money. Should I give money to the beggars? What about people on the street? What about people who knock on my door and ask for money?

A: There are various issues involved:

Most Beggars are Swindlers – The Halachah is that we do not give money to beggars until we clarify that they are truly poor. This is a "Takanat Chazal" (Ruling of our Sages) since most beggars are swindlers. This ruling is found in the Shulchan Aruch (Yoreh Deah 251:10) and it applies to this day. Rabbis estimate that ninety percent of people who ask for money today are swindlers. If someone asks for money we do not give it until he provides verification from a reliable Rabbi. If someone asks for food, however, we give him immediately. What if he is being deceptive? It is a potentially life-threatening situation and we therefore provide food without delay. Today, most beggars in Israel do not ask for food because there are many soup kitchens, and if you offer them food, they say that they prefer money.

Is Giving Tzedakah to someone who is not Poor a Mitzvah? – The halachic authorities discuss if one fulfills the mitzvah of giving tzedakah if the recipient is in fact not poor. They point to the Gemara in Baba Batra (9a and see Rishonim and Achronim) and they also discuss whether the intention of the giver matters, but for certain he loses out on the mitzvah by giving that money to someone who is not truly poor. Perhaps you will say that giving tzedakah is still worthwhile even if the person is not poor since it strengthens one's personal character traits (tikun midot), as the Rambam explains in his commentary to Pirkei Avot (3:15), that by performing an act over and over, one will achieve proper character traits. This, however, does not occur when one is performing an act which is not beneficial. A person is cruel if he does not give to the poor, but he is not kind if he gives to the wealthy. We have to give to truly poor people. A person should not buckle under emotional pressure from a beggar: "I have many children and a husband who is sick," "You have a kippah but you are not really observant," you give a shekel and they throw it down, etc. If a person was poor before he asked for money at the Kotel,

after a day he would no longer be considered poor: They collect 1,000 shekels a day!

Rabbinic Verification – Even providing rabbinic verification is problematic today. Anyone can print a Rabbi's letter or signature off the internet in thirty seconds. One time some people from a tzedakah organization in Ashdod came and asked for my signature. I did not know them and asked if they had other Rabbis' signatures. They told me that they had the support of the Lubavitcher Rebbe. I said: If so, I will blindly support it. Please send me the letter. When I received it, I saw that in the signature there was an extra "alef" Menachem Mendel, it was signed by the previous Rebbe, Ha-Rav Yosef Yitzchak, who died almost sixty years ago! It was a forgery! Oftentimes there are people who request money for yeshivot or organizations which do not exist, never existed and will never exist. One time I signed a letter in support of giving money to the poor. I found out that they were giving \$1,000 to anyone about to be drafted into "Nachal Ha-Charedi" (Ultra-Orthodox unit in the army) to convince them not to join. They claimed they were poor: They were in great spiritual poverty if they were about to join Tzahal. I called and requested they remove my name from the letter, but they did not. I called again, no response. I called again, no response. I sent a letter, no response. I sent a letter from a lawyer and they called: "Why not talk like a mensch? Come on, let's talk," etc. We have to be extremely careful about where we give our money.

In sum: We only give tzedakah to people who we can verify are poor or to trustworthy organizations. Give to one, two, three trustworthy organizations. It is not possible to provide for every poor person in any event. Most beggars are not evil people, they are mentally and emotionally unstable. We do not judge them, but we only give tzedakah to actual poor people.

Brit Milah

❖ Sandek for mamzer

Q: Is it permissible to be a sandek (the one who hold the baby at a brit) for a mamzer (child born from a forbidden relationship)?

A: We are obligated to circumcise a mamzer. If he is a mamzer, we give him a name which will ensure that we remember that he is a mamzer so he will not marry someone who is forbidden to him. For example, we give the name "Kedar," which is the name of one of Yishmael's descendants (Bereshit 25:13). A mamzer is obligated in all of the mitzvot and can be a great Torah scholar. In fact, the Gemara in Horayot (13a) says that a Torah scholar who is a mamzer takes precedence over a Cohain Gadol who is unknowledgeable. The role of a sandek is important. A mohel cannot perform the brit by himself; someone must hold the baby. May Hashem have mercy that a mamzer was born, but it is a mitzvah to give him a brit milah.

Mourning

❖ Why do we mourn?

Q: Why do we mourn if everything which Hashem does is for the best?

A: When someone dies, we mourn even though we know that it is for the best. But what is the meaning of "for the best"? It means that good will come from this event, but it is not good at this moment. When something bad occurs to a person from which good will come, should he recite the blessing of "Dayan Ha-Emet," which is recited upon hearing bad news, or "Shehechyanu," which is recited upon hearing good news? The

Gemara in Berachot (60a) discusses the case of one's land which was flooded and his crops are destroyed, but the flood deposited mud, which will help fertilize the field and yield even more produce in the future. Which blessing should he recite: "Dayan Ha-Emet" or "Shehechyanu"? Answer: Since there is destruction now, he recites "Dayan Ha-Emet," and in the future, when there is abundant produce, he recites "Shehechyanu." This means that these blessings are said on one's current feelings and not over the future outcome. Therefore, if someone's loved one dies, this is sad and he recites "Dayan Ha-Emet." Furthermore, we know that death is beneficial for us in the end – it creates a separation between the body and soul, it purifies the body and soul, and it prepares a person for the Resurrection of the Dead. Thus, at the time of the Resurrection of the Dead, we will recite another blessing. Rashi asks a similar question: The end of Parashat Bereshit (6:6) says, "And Hashem repented that He had made man on the earth, and it saddened Him in His heart." Rashi quotes the words of our Sages that a heretic once asked Rabbi Yehoshua ben Karcha: "Don't you agree that Hashem sees the future?" He said: "Yes."

The heretic said: "But it says, 'and it saddened Him in His heart?'" Rabbi Yehoshua ben Karcha answered: "Do you have a son?"

"Yes."

"What did you do when he was born?"

"We had a party."

"Didn't you know that he would eventually die?"

"Yes."

"Then why did you have a party?"

The heretic responded: "We are joyous at times of joy, and mourn at times of mourning."

Thus, the question is also correct from the opposite angle: Why are we glad when a baby is born when we know that he will

eventually die? We are happy now and when he dies after 120 years, we will be sad. And the opposite: When he dies we are sad and when he rises at the time of the Resurrection of the Dead, we will be happy.

❖ Tattoos and burial

Q: Is it forbidden to bury a Jew with a tattoo in a Jewish cemetery?

A: It is forbidden to get a tattoo (Vayikra 19:28), but after someone has already violated this mitzvah, he is not disqualified from being buried in a Jewish cemetery. There is also no obligation to remove the tattoo after death and there may even be a problem of "nivul ha-met" – desecrating the dead – if one cuts a corpse. There are Jews who have tattoos and then they repent. The tattoo does not prevent one from repenting. There is a teshuvah in Shut Minchat Yitzchak (3:11) in which Ha-Rav Yitzchak Yaakov Weiss deals with this issue. A man had served in the army and during his time in the military, he got a tattoo on his left arm. The tattoo – of all things – was of a naked woman. Now the man had become religious and wanted to start putting on Tefillin. He asked: Is it permissible to put Tefillin over the tattoo of the naked woman? The Minchat Yitzchak wrote that the man has no choice but to put his Tefillin on his left arm, even though it bears the tattoo (see Menachot 73a), and the tattoo is not a "chatzitzah" – obstacle – between the Tefillin and the skin. The problem, however, is that a man cannot daven or recite a blessing before a naked woman, even if it is a picture, since it could lead to impure thoughts. To counter this problem, the Minchat Yitzchak recommends three things: 1. Expose only as much of his arm as is necessary to wrap the Tefillin; thus the entire image will not be visible. 2. Wear the smallest size Tefillin that is halachically permitted

to minimize the contact between the Tefillin and the tattoo. 3. When saying the blessing, keep the entire arm covered, so as not to recite the blessing in front of the image. If he does these three things, he may put on his Tefillin. It is permissible to remove the tattoo and he may want to try to do so with laser surgery (also see Shut Lehorot Natan 8:72 and Shut Revivot Ephraim 8:306 regarding removing tattoos).

❖ Mourning for a secular Israeli

Q: Does one sit shiva for a secular Israeli?

A: It is true that we do not sit shiva for one who separates himself from the ways of the community (Rambam, Hilchot Avel 1:10 and Shulchan Aruch, Yoreh Deah 345:5). The Rambam says (ibid.) that people who separate themselves from the community are "The people who cast off the yoke of the mitzvot from their necks and are not included among the community of Israel." And the Shulchan Aruch writes (ibid.): "They are like free people for themselves like the rest of the nations." This means that they are people who left the Nation of Israel and someone who leaves defines himself as an outsider. But Maran Ha-Rav Kook makes an important clarification in his article "Al Bamotenu Chalalim" (Ma'amrei Ha-Re'eiyah, p. 89). He discusses the exact same question about shiva for two members of the secular movement "Ha-Shomer" who were killed in the Galil. Maran Ha-Rav Kook said that secular Jews are not defined as those who separate from the ways of the community. The separation which appears in the Rambam and the Shulchan Aruch is comprised of two parts: separation from Judaism and separation from the Nation of Israel. In the past, one went with the other, if one left the religion he left the Nation and he was outside. Maran Ha-Rav Kook says that today this is not so. Some people leave the religion but do not

leave their connection to the Nation of Israel, and they display self-sacrifice for the Nation and are killed for the Nation as the members of the "Ha-Shomer" movement. Therefore, this law does not apply to them. As is known, in the language of Halachah, they are "Tinokot She-nishbu" (literally, Jewish children captured and raised among non-Jews). The Rambam explains in Hilchot Mamrim (3:3) that a "tinok she-nishba" is a Jew who did not receive a proper Jewish upbringing and education. In simple words, they are confused. They do not separate themselves from the religion in order to destroy the Nation of Israel, they separate themselves because they do not know any better. The great authorities already ruled that these difficult halachot do not apply to secular Jews in our days, since they are "tinokot she-nishbu." This is also the opinion of the Charedi authorities. For example, Nitei Gavriel (Hilchot Aveilut) quotes the Charedi authorities who rule that we do sit shiva for a "tinok she-nishba" – which is a secular Israeli today.

❖ A mourner preparing for Shabbat

Q: When should a mourner who is sitting shiva begin to prepare for Shabbat?

A: One should prepare for Shabbat approximately one hour before Shabbat. He can change his clothes and wash up a little. It is true that it is forbidden for a mourner to wash, but it is permissible if he is dirty or sweaty. While our Sages prohibited pleasure washing, they permitted removing a distressing situation. The source for this idea is in the Mishnah in Berachot (2:6) which says that Rabban Gamliel bathed when he was a mourner. His students said: Didn't you teach us that it is forbidden for a mourner to bathe? Rabban Gamliel responded: I am an "istinis," i.e., I am punctilious about keeping clean and I will suffer terribly if I do

not bathe. I am not washing for pleasure, but to remove a distress. Today, everyone is considered an "istinis." Everyone bathes almost each day, and some people even bathe twice a day – in the morning and evening. It is therefore permissible to take a shower, but obviously it should be done quickly and in lukewarm water. The same applies to clothing. On Shabbat a mourner wears outer clothing which is clean, but does not change his undergarments, since dirty outer clothing would be mourning publicly. Again, nowadays people change their undergarments daily and if they do not they will suffer greatly. Therefore, one should take clean undergarments and dirty them a little by drying the bathroom sink, etc., in order to remove the pleasant feeling of clean clothing.

❖ A play during mourning

Q: I am in mourning for my mother and my son's yeshiva is presenting a play with serious content. My son is not in the play, but he is in the stage crew. Is it permissible for me to attend?

A: This subject is divided into two parts: 1. Quite simply, it is forbidden to attend plays during mourning. It is also forbidden to attend other functions with many people since you will bump into all sorts of friends there. 2. If your attendance is not in order to benefit from the play, but to show support for your son, you may attend and benefiting from the play is considered an unintended act (Pesachim 25b). You may therefore attend the play, but not other parts of the program, e.g., cast party, etc.

❖ A father who is a mourner attending his son's wedding

Q: May a father who is in mourning attend his son's wedding?

A: A father and mother have a unique status regarding the laws of mourning. We do not permit other mourners to attend a wedding. The mourners may attend the chuppah, but not the festive meal. A parent is different, however, since the point of this law is that it is forbidden for a mourner to rejoice. If a father does not attend his son's wedding, it is not that he will be prevented from rejoicing, it will cause him great distress. This is not the goal. Many authorities, therefore, permit a parent in mourning to attend their child's wedding (see Ha-Rav Ovadiah Yosef in Hilchot Chatan Ve-Kallah).

❖ Painting a mourner's apartment

Q: My wife is in mourning. Can we paint our apartment?

A: There are two issues: 1. We do not find a prohibition against painting a mourner's home. 2. It is not only the mourner's home; there are other people who live there who are not mourners. Although it would be forbidden to benefit the mourner, it would be permissible for the others. A more serious example: it is forbidden to listen to music during mourning, but there are other people in the house and they want to listen to music. It is permissible for them to listen and if the mourner hears the music it is a benefit which comes to a person against his will (Pesachim 25b). Here, however, there is no prohibition against painting.

❖ Soccer ball on tombstone

Q: Is it permissible to put a symbol on a tombstone?

A: Yes, people put a menorah, a Jewish star or hands if the deceased was a Cohain. It is permissible, but a tombstone is not a newspaper. I don't know what benefit it is to the deceased, but it is okay. Once a soccer player died and they asked me if it was

permissible to put a soccer ball on the tombstone. It didn't seem so appropriate to me.

❖ One visit to the cemetery for both mother and father

Q: My parents died very close to one another on the calendar. Can I visit the cemetery one time for both of them near their yahrtzeits?

A: There is no problem. You can visit one time even if there is a week or month between their yahrtzeits, since it is not an obligation to visit the cemetery, only a worthy practice, and as such, each person may choose the best way to perform it. The parents certainly would not want it to be a burden and especially when the dates are close to one another. Furthermore, there are times when you cannot visit on the yahrtzeit itself, such as when it falls on Shabbat and you have to move the visit. You see from this that it is possible to visit on a different day. You can therefore visit your mother's and father's graves on the same day. The Kad-dish, however, should be said for each one of them on the proper day.

❖ Visiting a cemetery

Q: Is there a reason not to go to a cemetery?

A: No, people have always had the practice to visit cemeteries to honor the deceased on a yahrtzeit and to pray at the graves of righteous people. This is an ancient custom: Calev ben Yefuneh prayed at the grave of our forefathers in Hevron (Sotah 34b and brought in Rashi to Bamidbar 13:22) and Yaakov buried Rachel on the road so that the Jews could pray there when they went into exile in Babylonia (Bereshit Rabbah 82:10 and Rashi to Bereshit 48:7). Some authorities do say that one should not go

because a cemetery is an impure place. The custom of the family of Ha-Rav Yosef Soloveitchik – which included the Beit Halevi and Rabbi Chaim Brisker – was not to visit cemeteries based on a teaching of the Vilna Gaon. This is found in "Nefesh Ha-Rav" (p. 254) of Rav Soloveitchik. And this is the custom of Beit Brisk, their physical and spiritual descendants. They also add the reason that it should not appear as if one is making requests of the deceased. In the letter of the Vilna Gaon, written on his way to the Land of Israel, he wrote that one should not go to cemeteries at all, but this was specifically for women, because he wrote the letter to his wife. Therefore, there are authorities who do not visit. And there are some authorities such as the Satmar Rebbe, who said that one should not visit cemeteries too often, but visit only on a yahrtzeit. But the majority of authorities say that one can visit, except for Cohanim; and many righteous and G-d-fearing people do so all of the time. In matters such as these where there are not clear laws but customs, we say: Go and see how the people act and follow them.

❖ Moving the grave of Rebbe Nachman to Israel

Q: There have been many issues regarding the grave of Rebbe Nachman in Uman in the Ukraine: They say that they won't let us visit, etc. Is it a good idea to bring him to Israel?

A: This is an explicit Gemara at the end of Ketubot (111a) that it is good to bring the deceased to Israel, and many people do so. The Yerushalmi (Jerusalem Talmud – Kilayim 9:3) has a criticism: "He lives outside of Israel, but he is buried in Israel. " Nonetheless, one who is buried outside of Israel is not comparable to someone who is buried in Israel, because anyone who is buried in Israel it is as if he is buried under the altar. And even better than being buried in Israel is to die in Israel, and even bet-

ter still is to live in Israel. Throughout the generations, they brought people to be buried here. Many of the followers of Rebbe Nachman wrote and received approbations from great Rabbis – including Ha-Rav Ovadiah Yosef – that Rebbe Nachman should be brought here, because Rebbe Nachman saw himself connected to the Land of Israel and wrote about it in various places and it was his desire to be buried here. Even if he did not say anything about it, it is obvious that all of the righteous, and even the simple, want to be buried here and, all the more so, Rebbe Nachman.

Q: Is there any idea that he could help others during the Resurrection of the Dead if he is there?

A: No, he could always travel there if they need help. The Gemara at the end of Ketubot explains that those buried in Israel are resurrected easier and those buried outside of Israel experience "gigul atzamot – rolling in tunnels" to Israel. We don't find that he is needed to gather people there. If need be, he'll travel there.

❖ Keeping a sonogram picture of a miscarried fetus

Q: What should we do with a picture of a miscarried fetus from three years ago?

A: There is no prohibition about keeping it and none about throwing it out. If a person experiences a tragedy, he needs time to come to grips with his feelings, but one year is enough. As is known, we mourn for a year. Mourning for someone who lived in this world is only for a year and all the more so for someone who was not born. This follows what Hashem said to Shmuel: "How long will you mourn over Shaul" (Shmuel 1 16:1). Hashem did not tell him not to mourn. If we do not mourn, we are not

normal. If you are not mourning and sad over what occurred, you have no heart, but a year is enough. There is no problem about keeping the picture, but if you continue to mourn, you will never be freed from these feelings and it is unhealthy. You may need professional help to free you, since a person must be happy and full of life. You also have a husband and perhaps children, and you should not live among the deceased, but among the living.

EVEN HA-EZER (Family Law)

Finding a Match

❖ Beshert

Q: Does a person have only one Beshert (match made in heaven), or are there various possibilities and he/she needs to decide who is the right partner?

A: There is one person chosen by Heaven. We see in the Gemara in Sotah (2a) that forty days before one is born, a Divine voice says that the daughter of this person is to marry the son of that person. How do we know? After all we do not have prophets. If we act properly, we will have Divine direction, i.e., we choose a spouse first based on intellect and then emotion. There are occasions that one's partner is not here because he was killed in a war or died for another reason, but it is still possible to marry. This is what is called: "G-d makes the lonely ones dwell in a house" (Te-hillim 68:7 according to Sotah ibid.), i.e., Hashem places the lonely who are not exactly matched into one house and they are a good match in the end. It is possible that it is difficult at first – "It is as difficult to find a match as it was to split the Red Sea" (Sotah ibid.) – but they will work it out and live in love, fraternity and friendship. There is therefore no real difference whether one marries his Beshert or not. Either way, you must marry with respect and love and then invest energy.

❖ Children married in order

Q: Do children in a family have to be married in order?

A: Generally, yes. Lavan says: "It is not so done in our place, to

give the younger before the older" (Bereshit 29:26. This ruling is found in Shach, Yoreh Deah 244:13). Although we generally do not rule like Lavan, we do so here since either this is not a matter of Halachah but proper manners (Shut Maharsham 3:136) or "we receive truth from whoever says it" (see Baruch She-Amar on the Torah – Bamidbar 24:5 based on this statement of the Rambam in his introduction to Pirkei Avot). This is, however, only if the parents organize the marriages and search for matches for their children. If a younger child met someone on his or her own, we do not postpone the wedding until after the older children are married (see Shut Igrot Moshe Even Ha-Ezer 2:1, Shut Minchat Yitzchak 8:125, Shut Divrei Yatziv Even Ha-Ezer #9).

Q: If the younger is getting married first do they have to ask forgiveness from the older?

A: No, this does not exist. It is certainly proper to tell the older sibling that you love them and care about them, since it may be difficult for them. This is basic kindness.

❖ Matchmaker, make me a match – for payment?

Q: Is it permissible for a "shadchan" (matchmaker) to take payment?

A: Someone who makes a match exerts much effort, and we want him or her to perform this holy work. One must dedicate much time in order to be successful in this area. There are problems and doubts and one must overcome many obstacles. This task requires much time, and it is therefore proper that we pay someone who performs this mitzvah. But if they receive money is it still a mitzvah for its own sake? There are three answers to this claim: A. Even if it is not a mitzvah for its own sake, it is still worthwhile for one to perform it. This mitzvah is not on the same

level as a mitzvah for its own sake, but it is still a mitzvah. If only all of the single people would find their match by people who performed this mitzvah not for its own sake! B. There are authorities (Shulchan Aruch in the name of Rabbenu Manoach) who explain that if a person performs a mitzvah both for its own sake and not for its own sake, it is considered for its own sake. For example, if a person who makes his living selling tefillin also wants people to put on tefillin, it is therefore considered a mitzvah. C. If someone takes payment for making matches it is not to make money; he takes payment in order to make matches. If he did not take payment, he would not have time to dedicate to this mitzvah, and he would have to make a living. It is therefore considered a mitzvah. I, myself, many times have given a note to a shadchan and said, "Give this to the couple." It says, "Dearest Bride and Groom, please pay the shadchan." I know many people who stopped matchmaking because it takes up so much time, and in the end they were not paid and they needed to make a living. I therefore say that a matchmaker should receive payment.

❖ Amount to pay matchmaker

Q: Is there an accepted amount to pay a matchmaker?

A: There is no accepted amount. Here are a few possibilities: 1. To agree beforehand. 2. Not to set an amount and have the family decide what they think is fair. Someone told me that in Charedi (Ultra-Orthodox) yeshivot, the accepted amount is that each side – the bride's and groom's – pays \$1,000. If that is the accepted amount, then that is what should be given. This is inexpensive, since in my estimation a good wife is worth billions of dollars.

❖ Truth in making a match

Q: Is there a need to relate to a young man that the woman I am suggesting for him to date for the purpose of marriage takes anti-depressant pills? If there is an obligation, who should relate it?

A: This is the general principle: a serious matter must be related, otherwise it is deception; but an unimportant matter need not be related. An unimportant matter is what is brought in the Gemara in Yevamot (45a): for example, a person has a non-Jewish father and a Jewish mother. He is Jewish and there is therefore no obligation to reveal that. On the other hand, depression is serious in that it can ruin a marriage. But it depends: if she takes pills and thus does not suffer from depression, there is thus no depression. What is the difference if there is no depression on account of a natural process or on account of the pills? If the current state is stable and there is no risk of a future deterioration, there is no need to tell. But if there is a risk that the pills will not work properly and depression will return – a risk greater than a regular person to whom this can also occur – then there is an obligation to reveal it. Who should reveal it – the woman or the matchmaker? It does not matter. They should work it out and the person for whom it is most comfortable should tell him.

❖ Canceling a date

Q: Is it permissible for me to cancel a first date with a young man after I heard information which makes him inappropriate for me?

A: If you are not interested, there is no reason to meet. It is clear that there was an error in not checking thoroughly enough before the first meeting but just because there was one error does not mean that there needs to be a second error. Meeting with him

when you are not interested will simply cause him distress and it is "ona'ah" (allowing someone to believe something which is not true and will cause distress). It is similar to a person entering a store when he has no intention of buying. If he is unsure and he is looking around, it is permissible, as there is no obligation to buy. But if he knows that he is not going to buy, it is forbidden to enter since the seller will have his hopes raised and then it will cause him distress when you do not buy. This applies all the more so here when the young man might be interested and he will have hopes, and he will be hurt when you tell him "no." Therefore, it is permissible to cancel the meeting. But you need to put the blame on yourself. Do you say that you do not want to meet because you checked and found something that you do not like? He will be hurt. You should rather say: I am sorry. I thought I could meet, but I am currently in a sensitive state which is not good for meeting, or some responsibility suddenly came up at home or at work. You take the blame and ask his forgiveness that you are canceling the meeting so that he will not be hurt. And we pray that he will find someone and you will find someone and you will each build a faithful house among the Jewish People.

❖ Matching up a couple whose fathers have identical names

Q: Is it permissible for a groom and bride to marry when their fathers have the same name?

A: Certainly. This is mentioned in the Testament of Rabbi Yehudah Ha-Chasid (#23 and brought in Pitchei Teshuvah, Even Ha-Ezer 2:107 and Yoreh Deah 116:6). There is a dispute whether the Testament of Rabbi Yehudah Ha-Chasid only obligates his offspring or everyone. The Noda Bi-Yehudah (Second

Edition, Even Ha-Ezer #79) wrote that this "prohibition" is not mentioned in the Gemara and it is not possible to add prohibitions which are not found in the Gemara. The Rebbe of Sanz did not agree and he said that everything in the Testament of Rabbi Yehudah Ha-Chasid applies to everyone (Shut Divrei Chaim, Even Ha-Ezer #8). Authorities give the advice that one of the fathers can add a name and there is then no issue. Maran Ha-Rav Kook wrote three responsa on this subject at the beginning of Shut Ezrat Cohain (#5-7). He says that being particular about this issue is only when someone suggests a match, because it is possible to suggest many other people. If the couple meets on their own, however, this is different since it is not easy to meet someone to marry. Maran Ha-Rav Kook also said that this does not apply in Israel, since the merit of Eretz Yisrael protects one from such spiritual matters. He mentioned the Gemara in Berachot (44a) that there was one city in Eretz Yisrael called Gufnit and it had eighty pairs of brothers who were Cohanim married to sisters, the daughters of Cohanim. We see that they were not worried about "pairs" (a spiritual concern) since they were in Eretz Yisrael. In general, one who is not concerned about such matters is not affected by them. Furthermore, if a couple has an inclination and desire to marry, there is no concern. In sum: There is nothing to worry about, and if you add a name then there is no problem according to all opinions.

❖ Advice for finding a match for a forty-year-old woman

Q: I am a forty-year-old woman and I have not yet married. What can I do to find a husband?

A: By the age of forty, it is certainly time to get married and we hope that you will quickly find your match. In order to do so, you need to perform both spiritual acts and physical acts. There

are three spiritual activities: prayer, repentance and tzedakah. Prayer: say a chapter or two of Tehillim each day. Plead to Hashem. Repentance: repent for what you are not doing well. Only you can decide what this is. "For there is not a righteous person on the earth who does good and does not sin" (Kohelet 7:20). Tzedakah: give tzedakah to the poor. How much? This is a personal decision. Then there are physical activities to help you look for someone to marry. This should take two forms: 1. The aid of friends and family. You need to nudge them over and over and over. In general, it is not proper to nudge people, but it depends why you are doing it. Asking for favors is disturbing, but here we are discussing an essential need. Every time you meet a friend, ask: Perhaps you know someone? I myself know that many people ask me and I write it in my diary and I later meet someone else who would be a good match, but I already forgot about the first person's request and I do not always look in my diary. Therefore, you have to keep nudging. 2. You need to turn to organizations that help people find matches, including those on the internet. There are many people who have been married through the internet. You have to be careful, however, since there are many men who sign up on these sites and do not have intention to get married, but to be involved in shameful and lowly acts. Therefore, if you meet someone on the internet, do not disclose your name or telephone number. If there is potential after corresponding, ask for references. After you speak to the references, you can give him your phone number, and only after talking on the phone should you meet him in a public place. Furthermore, if you are not interested in any of people's suggestions, perhaps you are being too choosy. And if everyone whom you meet is not interested, perhaps you have a certain behavior which is causing this feeling and you need to figure out what it is and fix it. But if you meet men and sometimes you are inter-

ested and they are not or, just the opposite, sometimes you are not interested and they are, then you are completely normal and you need to continue on. In the end, you will find someone in whom you are interested and he is interested in you.

❖ Convincing daughter to wait for Hashem to send the right match

Q: My daughter has been divorced twice. How do I convince her to wait for Hashem to send her the right match?

A: Nowhere is it written that Hashem will look for the perfect match for someone. Hashem did not promise this. It is therefore not proper to wait for it. If Hashem promises manna, and I do not believe that it will come, this is a problem. Rabbi Avraham ben Ha-Rambam says that conversely if Hashem does not promise us manna and I say, "Where is the manna?" – this is chutzpah. No prophet promised this. They had to travel far to find Yitzchak a wife. One must exert effort, and he will merit a blessing. Our Sages explain the verse, "For Hashem, your G-d, has blessed you in all of your handiwork" (Devarim 2:7). You might think that this is true even if you sit idly. The Torah therefore says "in all of your handiwork." If you perform it, you will be blessed. If you do not perform it, you will not be blessed (Midrash Socher Tov, mizmor 23). Along with exerting effort, you must also pray to Hashem for help. One requires both of these elements. The Gemara in Niddah (70b-71a) asks: What should a person do in order to grow wise? Answer: He should spend much time learning and minimize business. They said: Many did so, and they did not become wise. Rabbi Yehoshua said that he should just pray. The Gemara says: One must both learn and pray because neither will work without the other. Question two: What should a person do in order to become wealthy? Answer: He should engage in busi-

ness with integrity. They said: Many did so, and it did not work. Rabbi Yehoshua: He should pray. The Gemara says: One must both work and pray because neither will work without the other. Question three: What should a person do in order to have male children? Answer: He should sanctify himself at the time of relations. They said: Many did so, and it did not work. Rabbi Yehoshua: He should pray. The Gemara says: One must both sanctify himself and pray because neither will work without the other. A person acts and Hashem helps. This is the way.

Wedding and Beyond

❖ Parents walking down the aisle

Q: Is it permissible at a wedding for the groom's parents to walk the groom down the aisle and the bride's parents to walk the bride down the aisle? This is the way my son and soon to be daughter-in-law would like to do it at the wedding.

A: The custom in Israel is not to do so. The custom, based on modesty, is for the two fathers to escort the groom and the two mothers to escort the bride. This has been the custom throughout the generations. This was also the custom in America. In Shut Mishneh Halachot, Ha-Rav Menashe Klein wrote two harsh responsa against this custom being changed (3:147 and 4:206 – the second vol. 4). Even though there are some who act this way in America, it is largely not practiced in Israel. It is therefore not proper. Nonetheless, we should not argue over anything. They should ask their Rabbi and follow what he instructs them to do. When people ask me this question, I certainly tell them that they should act as everyone else. Sometimes, I am not asked and arrive to perform a wedding, and I see that each set of parents is walking their child down the aisle. I obviously do not say any-

thing; it is not the time or the place. You should not argue about it, but you can recommend that they ask their Rabbi.

❖ Minimum wedding or bar mitzvah gift

Q: Is there a minimum amount one must give as a gift when invited to a "simcha"?

A: No, there is no specific ruling in this matter. Ha-Rav Chaim David Ha-Levi – former Chief Rabbi of Tel Aviv-Yafo – does write in *Shut Aseh Lecha Rav* (1:24) that the gift a person brings to a wedding should at least cover the cost of the meal he is served, since he is coming to make the groom and bride happy and not to eat on their bill. But this is not necessarily the case. There are people who spend lots and lots of money on weddings and it is impossible to say to an invitee: "You must absorb the costs." He could respond: "I didn't ask for something so expensive. Why am I responsible?" There are also poor people who are unable to bring big gifts. It is therefore impossible to obligate a certain amount.

❖ The obligation of "Sheva Berachot"

Q: Is there an obligation to make "Sheva Berachot" every day?

A: There is no mitzvah to make "Sheva Berachot." "The purpose of the "Sheva Berachot" is to bring joy to the groom and bride and there is no obligation to make "Sheva Berachot" at every meal and twice a day. Sometimes a couple wants to have one "Sheva Berachot" with family, another with the groom's friends, another with the bride's friends, etc. In earlier times, as written by the Chatam Sofer in his responsa (*Even Ha-Ezer* #122, see also *Pitchei Teshuvah* on *Choshen Mishpat* 7:13), people would only make one "Sheva Berachot"—at the wedding meal. A groom

once had "Sheva Berachot" on Shabbat and everyone mocked him. In other words, there is no obligation to organize "Sheva Berachot." Rather if there are ten men who gather together to bring joy to a groom and bride, then they say "Sheva Berachot." The deciding principle is how to bring joy to the two of them (see Halichot Shlomo p. 325, note 27). (MF – note: see Ha-Rav Aviner's book "Re'im Ahuvim," p. 167-169 that a couple can forgo "Sheva Berachot" if their wish is to go on a honeymoon).

❖ Ketubah with sister

Q: Is it a problem for a woman to keep her ketubah with her sister?

A: No, it is not a problem. A married woman must have a ketubah. It is permissible to have the Ketubah with her in her house and there is no problem of "Ayin Ra – the Evil Eye," or she can have it with her sister or a friend. The important thing is that the Ketubah not be lost. Under the chuppah, Ha-Rav Mordechai Eliyahu always says: "Here is the Ketubah and may you never use it," since it is only used in the case of a divorce. We want you to have a Ketubah in order that you never use it.

Child-Bearing

❖ Number of children

Q: We have two boys and two girls. I want to continue to grow the family, but my wife does not. What is Ha-Rav's advice?

A: After you have a boy and girl, one should continue to have children as it says: "In the morning sow your seed, and in the evening do not withhold your hand" (Kohelet 11:6 and Yevamot 62b). But we are not told how many children to have. The guid-

ing principle is to have the most children possible based on one's ability – one's physical ability, one's emotion ability, and one's financial ability. One's ability is a personal decision. You cannot force your wife insofar as she would like more children but is unable. This reminds me of the words of the Meshech Chochma on the mitzvah of "Be fruitful and multiply" (Bereshit 9:7). As is known, women are not obligated in this mitzvah. This is a wonder – how can a man have children alone? The Meshech Chochma explains that women are not obligated since sometimes pregnancy is quite difficult, and childbirth is difficult, and taking care of a baby all of the time is difficult, and the Torah does not force someone to do something which may sometimes be beyond his ability. But if Hashem does not command women to have children, how will children come into the world? Hashem also implanted a desire for children within women, as we see with Rachel: "Give me children or I will die" (Bereshit 30a). Therefore, a woman has children because of her desire. There is a balance between the desire and the difficulties, and a woman navigates between them. This appears in the Torah, not when Hashem commands Adam: "Be fruitful and multiply" (Bereshit 1:28), but after the flood when he commands Noach: "Be fruitful and multiply." The first command was before the curse of "You shall bear children in pain" (Bereshit 3:16) and there was therefore no reason to be lenient. But now there is the difficulty of the curse. I therefore recommend not to pressure your wife and let her decide on her own.

❖ A widow becoming impregnated by her deceased husband

Q: Is it permissible for a widow to become impregnated by the frozen sperm of her deceased husband?

A: It is forbidden to perform such an act from a deceased man. First of all, a deceased man is not obligated in the mitzvah to be fruitful and multiply. A deceased man is not obligated in the mitzvot at all. He is free. Secondly, it is forbidden to cause a child (or anyone for that matter) sorrow. The Torah says over and over: an orphan is unfortunate, an orphan is unfortunate. But sometimes there is an orphan and we have mercy on him. Here, however, we create a child orphaned from his father with our own hands! And he is even worse than an orphan, because an orphan had a father and he died, but here the man died and only then did he become an orphan. We must explain to the child that he never had a father. We understand that the mother is suffering from loneliness and she would be happy if she had a baby, but we do not save her from loneliness by causing a child to suffer his entire life.

Child-Rearing

❖ Nursery school or playgroup

Q: Should a three-year-old be in a nursery school or a playgroup?

A: Some children require more social interaction and some require less. Even if we decide that your child requires more social interaction, a few other children will suffice. A child at this age does not really play with other children, but plays in the presence of other children, i.e., parallel play. He therefore does not need the presence of so many children. There is an advantage to a playgroup in that he will not drown in a sea of children. It is obvious that the best caregiver is the child's mother, but there are other circumstances that do not always allow her to be with the child all of the time. The caregiver must therefore be as motherly

as possible. If there are fewer children, it is easier. There is, however, also confusion for a child in a playgroup, since the mothers often take turns in a playgroup and children love order and stability. There is therefore also something lacking. In sum: Both options are good, and do what is best for you and your child.

❖ Speaking to children in a language besides Hebrew

Q: Is it proper to speak to children in a language other than Hebrew if one of the parent's mother tongue is a language other than Hebrew (but this parent can speak Hebrew)?

A: This is not a good idea. We are not against a person being bilingual. It is often beneficial: to teach Torah to people from other countries or to learn a trade or to do business. Nonetheless, a child – as much as possible – needs to breathe clean air. A child should learn as much Torah as possible and not secular subjects, and a child should speak Hebrew as much as possible and not other languages. They can learn another language later. While a child who learns a language from birth will be more proficient in that language, Hebrew – the holy language – is our language. Sometimes it is necessary to speak to a child in another language when the grandparents do not speak Hebrew, but you should not create an atmosphere of a foreign language in your home. I am not speaking about the radical approach of Eliezer Ben Yehudah, who displayed great self-sacrifice to speak to his wife and son solely in Hebrew. Even though it was difficult for the child, Ben Yehudah did not give in at all. In the period in which they made aliyah (5642), people barely spoke Hebrew in Israel. Each community spoke its own language: Yiddish, Ladino, Arabic, etc. Only when these different groups came together did they speak broken Hebrew. Ben Yehudah had a vision of reviving Hebrew and so they only spoke Hebrew regardless of the difficulty. In my

home, I – the lowly one – only spoke Hebrew. Even though I know French, German, English and Yiddish, I only spoke Hebrew. My wife also knows English, and even better than me, but we only spoke Hebrew, even when we didn't want the kids to know what we were saying. They grew up in an environment of Hebrew and they later studied other languages.

❖ Advice for weaning a child off thumb-sucking

Q: Is it possible to wean a child from sucking his thumb? If so, at what age is it appropriate to do so? My child is three years old.

A: It is certainly possible to wean a child from sucking his thumb and the proof is that adults do not suck their thumbs. But this should not be done with force – as with everything involving educating children and especially at this age – since a child loves to suck his thumb and it makes him happy and gives him comfort. Three years old is a reasonable age to wean a child from sucking his thumb. You can make a deal with him that if he stops you will give him a gift. Some say that a pacifier is preferable to thumb-sucking since a pacifier is softer and the thumb can push the child's teeth forward. You can also take the pacifier away from the child, but he always has his thumb. I recommend that you buy ten books on child-rearing at a young age – it does not matter which; they are all good but not all are complete, so they will complement one another. If you read these ten books, you will have a good picture of what to do.

❖ A child who hits

Q: What should we do with our son who hits everybody?

A: There are various tactics: 1. Do not let him do it. You need to prevent him by gently taking his arm and explaining that we

do not hit – without insulting him. 2. It is possible that he hits for many reasons. Perhaps he is bored and he is looking for activities which possess elements of speed and potential danger – he hits, runs, hits, runs, etc. If this is the case, you have to find activities which will allow him to release his excess energy: get boxes and let him break them with a hammer, give him a bath and let him spritz water all around, bring him on little trips. Or perhaps he is distressed. Why? I do not know – he has an older brother or a younger brother, there are tensions at home, etc., and this is how he releases his stress. It is also possible that he feels neglected and is in competition with his siblings. If this is the case, you need to give him attention. Either the father or mother should give him their undivided attention for 15 minutes a day. There are many possible reasons and it is hard to judge from afar. 3. I recommend to all parents to buy ten books on child-rearing at a young age – it does not matter which; they are all good but not all are complete, so they will complement one another. If you read these ten books, you will have a good picture of what to do.

❖ Pictures of our forefathers for children

Q: Is it permissible to show pictures of our forefathers and foremothers to children?

A: We do not show pictures of our forefathers and foremothers for three reasons: 1. We do not know what they look like and we cannot invent things. 2. If Hashem wanted us to know what they looked like, he would have given us pictures. They knew how to draw in that generation. They knew earlier than that. There are drawings in caves. 3. If I draw Avraham Avinu like an Ashkenazic Jew, a Sefardic child will feel that he is not his forefather. If I draw him like a Sefardic Jew, an Ashkenazic Jew will feel that he is not his forefather. If I draw him as a hybrid between an Ashkenazic

and Sefardic Jews, an Ethiopian child will see that he looks white. This is horrible and we therefore avoid doing so. A child drawing on his own is fine. An Ashkenazic child will draw him as an Ashkenazic Jew, a Sefardic child will draw him as a Sefardic Jew, a Yemenite child will draw him as a Yemenite Jew. This is a child's imagination. We therefore avoid the problem. What do we do? We do not draw our ancestors with bird's heads like the famous Bird's Head Haggadah. This will certainly confuse children. We draw them from the back. I have also seen books which show the bodies without faces, just an oval. I am not saying that this is the end of the world, but we should try.

❖ Clean your room!

Q: I am eleven years old. I do not like cleaning my closet and it is pretty messy. My parents say that it is important. Is it important to have a clean closet?

A: Yes, there must be order. If a person has a clean closet, he also has a clean head. If he has a messy closet, he also has a messy head. If he is not responsible in his closet, he is not responsible in life. If he fulfills the mission to clean his closet, he becomes accustomed and educated to accept other missions and advance in them. Therefore, there should always be order. I understand that it is difficult for you to clean, but you need to see this as a challenge and begin in stages. Let's say that your closet has eight different areas: you can clean one or two areas a day. It does not matter how much as long as you are progressing. In the Musar Yeshivot, there were two opinions regarding order. Some said that order was a preparation for serving Hashem. Others said that order itself was serving Hashem – not serving Hashem like observing Shabbat, but serving Hashem nonetheless. The Master of the Universe created the world in disarray, as

it says (Bereshit 2:1): "And the earth was chaotic and darkness was upon the surface on the deep." Hashem organized the world and He asks us to continue to organize the chaos that is in the world.

❖ Why don't my kids visit?

Q: I am close with my children, but they do not visit as they used to. Why don't they visit?

A: Did you ask them why they do not visit so often?

Q: Yes, they say that they are busy with work and their families, etc.

A: Do you think it is true or just an excuse?

Q: I know that it is true and that they love me, but why don't they visit?

A: You are saying that your children are extremely busy and are not able to visit, and you are looking for a solution. Many times what people do is the exact opposite. The grandparents go and visit the kids. I personally do this. I cannot demand from my children who work hard and have families and babies and traveling is a burden, and some do not have cars, to come and visit me. My wife and I go and visit them. When people love each other and they need to do something, they figure out who has the lightest burden in doing so. Grandparents are therefore the ones who often visit. This does not mean that they never come to visit you, but I see that many people do this.

Bar/Bat Mitzvah

❖ Bar Mitzvah money

Q: When a bar mitzvah receives money for a present, to whom does the money belong – the bar mitzvah or his parents?

A: From a halachic perspective, since the child is already bar mitzvah, the parents cannot take his money. Theoretically, the parents could say: We are not taking your money but we are not obligated to feed you, give you lodging, etc. According to the Torah, a parent is only obligated to provide for the child until the age of six and then he can go work, and the Chief Rabbinate made a ruling that it is until the age of fifteen. But even after the age of fifteen, a parent could give bread and a place to sleep. They are not obligated to go beyond the letter of the law, and thus people ask whether they can use ma'aser money for their children's education [since ma'aser is not used for obligatory expenses]. We say that if you use ma'aser money to raise your kids there will be nothing left to give to others. Based on ethics, fairness and truth, this money should go to the parents after all the money they have spent. Therefore, if the parents are not lacking for money, what does it matter to give the money to the bar mitzvah boy and put it in an account for him? But if the parents are not in a great financial state and they spent a lot of money on the bar mitzvah, they can certainly say to him: "Our dear child, it is true that you received the money, but we need the money. Don't worry, if you need money, we will give you as we have done up until now. We live together in this house and we work hard but we are lacking money. Therefore, you need to be a partner with us." This education not only pertains to the bar mitzvah money, but we must tell the child that they are partners in the house: You, the children, are not the masters and we serve you.

You need to help. This is the source of many arguments at home, but we should not give in on it. You must sit together when all is calm and tell them that they need to help. Give a list of household chores, and they can each choose a few. This should be the approach not only for the bar mitzvah presents but for all of their cooperation in caring for one another.

❖ Bat Mitzvah

Q: My wife wants to have an event for women only, and I want to have an event for the whole family. What is Ha-Rav's opinion?

A: There are no general principles for a Bat Mitzvah, just as there are also no general principles for a Bar Mitzvah. The Bar Mitzvah boy is called to the Torah nowadays, but not in the past. After the davening, they would give out some schnapps and cakes. They now have big affairs. We are not against such things, but we need to know that it is not obligatory. It is therefore a personal decision to have women only or to have men as well. If you have it with men it must obviously be modest. In any event, this is the Bat Mitzvah girl's celebration and it needs to be what she wants and not what we want. It needs to be something that she enjoys and something that brings her the most spiritual benefit.

Modesty

❖ Educating about modesty

Q: I am a teacher in a high school for girls. How do I teach about modesty?

A: This is not an easy subject. Girls will wage war over their clothing, because they see it as an issue of free expression. We must therefore take a broader tactic than simply saying that this type

of clothing is forbidden or that style is prohibited. Instead we should discuss modesty and humility in general and that a person should not make himself conspicuous, draw attention to himself, or take pains to make an impression on others. We understand that a person feels a need to feel the "I" or else he is miserable. In order to feel the "I" a person does not need to impress others, but can do so by performing mitzvot and good deeds, by having sterling character traits and through faith in Hashem. This is what the Maharal of Prague explains in "Netivot Olam" – "Netivat Tzeniyut" that there are even good things which a person should save for himself. Our Sages compared a thigh and words of Torah (based on Shir Ha-Shirim 7:2): Why? Since just as a thigh is to be hidden, so too words of Torah are to be learned in private, not in public (Sukkah 49b and Moed Katan 16a). Torah learning is certainly something good but it is not to be used to impress others. The students of Rabbi Yehudah Ha-Nasi were once learning in the market and he said to them: Go inside (Moed Katan ibid.). Emotions are also not to be so noticeable. A person can relate his feelings to a friend or spouse, but not on the TV scene. I was once listening to an interview with Prime Minister Golda Meir on the radio during the Yom Kippur War. After a difficult night the interviewer asked: Mrs. Prime Minister, what did you personally feel? She answered: "What I personally felt is personal." This is a good answer! Emotions are personal. One does not need to pour into the open everything that is inside: not emotions, not opinions and not one's body. A person's body is private. Therefore, modesty is related to the overall trait of humility.

❖ A widow who is sick and hair covering

Q: I am a widow and I am very sick. It is very difficult for me to

cover my hair. It itches, it is hot, etc. Am I obligated to cover my hair?

A: Quite simply, a widow is obligated to cover her hair. It is difficult for many women to cover their hair because it bothers them, it itches, etc. There are a few solutions: you can wear an extremely thin scarf which will not be hot. It should be the same color as you hair so that it is not possible to see your hair through it. You can also wear a thin wig, even made from your own hair. If your own hair does not make you hot, a wig made from your hair should not make you hot either. All of this is when you are outside of your house. You do not need to cover your hair when you are inside your house. If someone comes to visit, you can cover your hair. Many women follow these suggestions, which they find helpful. If they don't, there is a leniency that a widow need not cover her hair. A married woman is obligated to cover her hair by the Torah and a widow is obligated by the Rabbis. Ha-Rav Moshe Feinstein in *Shut Igrot Moshe (Even Ha-Ezer 1:57)* asked: Is there a mitzvah for a woman to cover her hair or a transgression for a woman to expose her hair? There is a major difference: it is forbidden to perform transgressions, but if someone is not able to perform a mitzvah, what can he do? It is doubtful if it is a mitzvah or a transgression, and since a widow covering her hair is a Rabbinic obligation, one can be lenient in a case of doubt. Ha-Rav Feinstein wrote (*ibid.*) that a widow who cannot find work on account of her hair covering can be lenient in this extenuating circumstance. He also has a *Teshuvah (Even Ha-Ezer 4:32 #4)* that a divorcee – who is also obligated by the Rabbis to cover her hair – who cannot finding a spouse because people think she is married because she covers her hair may also be lenient. The same applies when a widow cannot find work, cannot find a spouse or her head feels like it is going to explode

and itches, etc. Based on Ha-Rav Feinstein's Teshuvah, you can be lenient (this leniency would not apply to a married woman since she is obligated by the Torah), but I first recommend seriously trying the other solutions I gave.

❖ Shaking hands with an elderly woman

Q: Is it permissible to shake hands with an elderly woman?

A: No. It does not matter whether she is elderly or young. Ha-Rav Ovadiah Yosef once received the Israel Prize and it was presented by the Prime Minister, Mrs. Golda Meir. She put out her hand, but he did not shake it. People said that it was not polite. He responded: The Torah is more important than politeness. And Ha-Rav Mordechai Eliyahu once met with the Queen of England and she put out her hand. There were cameras from all around the world, but he stood still like a soldier and he did not shake it. That evening Rav Eliyahu received a letter from the person responsible for royal protocol and they apologized. They checked the books of protocol of the British Kingship and they found that the Queen of England was not to put out her hand to a Jewish Rabbi (a Jewish Rabbi!). As a result, if you do not shake a woman's hand, you have the authority of Halachah, as well as Ha-Rav Yosef, as well as Ha-Rav Eliyahu, and the Queen of England, who is extremely polite! Therefore, one has to plan: carry a bag in each hand. Or I once saw someone said: I am saving my hand for my wife. Or say: My Rabbi said it is forbidden. He is strict. What can I do?

CHOSHEN MISHPAT (Civil Law)

Loans

❖ Dispute over amount of money repaid

Q: I lent someone 400 shekels, and he brought me the money. I counted the money later and only counted 300 shekels. He insists that he gave me 400 shekels. What do I do?

A: We have a principle "One who wants to extract money from his fellow is obligated to bring proof." The person who wants the money must prove that the other person owes him. If not, he loses. You need to create a way to count the money so that it is clear how much there is. Our Rabbis say that when you lend money, you should write a document to specify the details of repayment. It does not need to be a million-page document. It is bad enough that you lost money; it is not fair now to tell you that you transgressed the words of our Sages.

Buying and Selling

❖ Buying from a store which does not charge tax

Q: Is it permissible to buy from a store which disregards taxes?

A: Certainly not. There are three different levels:

1. If you buy in a store, you are not obligated to check if they pay taxes or not. It is certainly a good thing if you inquire, but it is not a transgression if you do not check, as it is the store owner's obligation.

2. If you know that the storekeeper disregards taxes, it is forbidden to buy from him because you are helping him to sin. Our

Sages say that it is forbidden to buy from a thief and they use the expression: "It's not the mouse that steals, it's the hole that steals" (Kiddushin 56b and elsewhere in the Gemara. Shulchan Aruch, Choshen Mishpat 356:1), i.e., if the mouse would not have a hole to conceal what he steals, he would not steal. In our situation, if the thief would not have anyone to purchase what he stole, he would cease stealing; and if the person who disregards taxes would not have anyone to buy from him, he would stop avoiding paying taxes. Therefore, one who purchases from a store which does not pay taxes is aiding in the transgression.

3. Even worse still – if a store owner says: "If you buy it with a receipt it is 100 shekels, but if you buy it without a receipt it is 80 shekels." If you buy it, it is not that you are helping him – you yourself are stealing! You are stealing and he is stealing.

❖ A decision made in one's heart

Q: I saw in the Kitzur Shulchan Aruch in the laws of business transactions (62:16) that if a person thought to do something for another person, he is obligated to do so. If I thought about doing something and then realized that it was not such a wise idea or I was overly enthusiastic in my offer, am I still obligated to fulfill it?

A: If I decided in my heart to sell you a chair for 20 shekels, but you were willing to pay 30 shekels, the basic halachah is that I can sell it to you for 30 shekels. The ruling of the Kitzur Shulchan Aruch is a "chumra – stringency" called "dover emet bilvavo – speaking truth in one's heart." Rav Safra spoke truth in his heart (Makkot 24a with Rashi). He decided to sell a particular object for – let's say – 10 shekels and the person came to pay him. The man said: "I brought you the 10 shekels." Rav Safra did not answer because he was in the middle of saying the Shema. The

man said: "Okay, I will give you 20 shekels," but again Rav Safra did not answer since he was davening. The man said: "30 shekels." He finished davening and the man handed him 30 shekels. Rav Safra said: "No, I decided that I was selling it to you for 10 shekels and I am selling it to you for 10 shekels." This is speaking truth in one's heart. This is a proper and praiseworthy "chumra," but the basic halachah is that if I intended to sell it for 10 shekels and he is willing to pay you 30 shekels, it is permissible to take the 30 shekels. A person can change his mind if there is good reason. The *Kitzur Shulchan Aruch* does not say that it is an obligation, but uses the phrase: "A G-d-fearing person should fulfill..." One must accustom himself to pay close attention to the words used by halachic authorities: it is an obligation, it is proper, it is customary, etc. The author of the *Kitzur Shulchan Aruch* was a great genius. Although this is a simple book, he also wrote deep works with innovative and brilliant explanations on the Gemara. He did not use the phrase "it is obligatory," but purposefully used the word "stringency."

❖ Paying for a service which was not requested

Q: A guard told me that I had to give him five shekels (approximately \$1.25), claiming that he watched my car. Do I have to give it to him?

A: Since you did not request anything from him, you are not obligated to give him anything. Five shekels, however, is hardly anything. If someone is asking for five shekels, it is almost certain that he is in a desperate financial state. This reminds me of a story about Ha-Rav Shlomo Zalman Auerbach. Once in the middle of the Pesach seder, a young girl came in, one of the neighbor's children, and asked if a certain egg was kosher or not. On the spot, he filled a basket with all types of food and sent it

to the neighbor. They asked him, "Why did you do this?" He replied, "If a person has a question on an egg and sends it to the Rabbi on seder night it is a sign that he is in a bad financial state. It is a sign that he does not have anything to eat." The same is true here. If the guard is asking for five shekels, which is almost nothing, he is in a bad state and it is proper to give it to him. The basic law is you are certainly not obligated, since you did ask him to perform this act, and he did not give you something tangible. For example, a person works your field, even though you did not request it, and the field improves. He did something tangible. In our case, however, you are not obligated to pay anything, but you should act beyond the letter of the law.

❖ Selling cigarettes

Q: As is known, smoking is forbidden according to halachah. Is it permissible for a store owner to sell cigarettes? After all, if he does not do so, he will lose a lot of customers. And what about a worker who is not the owner: is it permissible for him to sell cigarettes?

A: Stores certainly should not sell cigarettes and there is no need to worry about losing business. This is not the only thing which attracts customers. One should not be afraid and thus sell items which kill people. Ten thousand people die every year in the State of Israel from smoking and hundreds of thousands are sick and suffer from smoking. Nonetheless, we give someone who does sell cigarettes the benefit of the doubt for various reasons:

1. If he does not sell them, others will. It is therefore not a violation of "Do not place a stumbling block before the blind," which is a Torah prohibition, but a violation of "aiding someone who is committing a transgression" which is a rabbinic prohibition.

2. Furthermore, since the customer is not smoking all of the cigarettes immediately upon purchase but at a later period, it is not considered "Do not place a stumbling block." This is similar to the halachah that it is forbidden to give food to someone who will not recite a blessing before eating. The halachic authorities ask: Why doesn't the halachah mention that it is forbidden to give food to someone who will not recite the Birkat Ha-Mazon, which is a Torah mitzvah (reciting a blessing before eating is a Rabbinic mitzvah)? Answer: The Birkat Ha-Mazon is recited at a later time.

3. There are some authorities who rule that the prohibition of "Do not place a stumbling block" does not apply in business.

4. There are also some authorities who say that the prohibition of smoking does not apply to each and every cigarette, but that smoking in general is a negative trait.

All of these reasons can be added together, and it is therefore impossible to throw stones at one who sells cigarettes. But if someone asks, tell him: Do not sell cigarettes and do not be concerned that on account of this you will not make a livelihood.

Lost Objects

❖ Two cans from coke machine

Q: I paid for one can of coke from a coke machine, but two cans came out. What do I do?

A: You have no way to put it back into the machine, so let's say that you try to find to whom the machine belongs. You have to search and call and figure out, etc. The halachah says that when I return a lost object I can ask for my expenses: my time and the telephone calls. In this case, since a can of coke only costs about five shekels, and you will ask for the expenses – let's say, twenty shekels – it will not be worth it for them. Even though the can

belongs to the owner of the machine, since the expenses are greater than the returned object you may keep the can of coke.

❖ Taking someone's bag by mistake

Q: I was in the shuk (the market) and accidentally took someone else's bag. I brought it back to the store, but I am not sure that they will come back to get it. What else should I do?

A: Since there is no real solution, we should estimate the worth of the contents of the bag and give that amount to a tzedakah which benefits the entire Nation of Israel. This means that you should not give to a particular yeshiva, but to a place that benefits everybody, since the person will then benefit from it. For example, Tzahal or a big hospital in the city. In the past, they would give such money to the wells from which people drank when ascending to the Temple for the holidays. Such things, to our distress, occur. You are not the first and will not be the last.

❖ Returning a lost object

Q: How do I return a bracelet which I found in the Central Bus Station?

A: Obviously, hanging a sign will be of no benefit, since no one will look at it. You can do three things:

1. Bring it to the lost-and-found of the Central Bus Station. Perhaps the owner will look for it there.
2. Bring it to the Police Station. Maybe the owner does not know that he lost it in the bus station.
3. There is an internet site for lost objects in Israel – www.ebood.com – where you can post it.

Q: What if no one claims it?

A: If a person knows that he lost it, despairs of finding it, and then you find it, it is yours since you found an ownerless object. But if he does not realize that he lost it before you found it, you must return it, and you would have to hold on to it all of your life. But since the chances of him coming are slim, you should record the details and value of the object in a diary and you can use it. If he eventually claims it, you should give him the value of the bracelet.

Tza'ar Ba'alei Chaim (cruelty to animals)

❖ Live worms for fishing

Q: Is it permissible to use live worms for fishing or is it considered "tza'ar ba'alei chaim"?

A: We can divide this subject into two parts: 1. "Tza'ar ba'alei chaim" is when a person causes an animal distress for no reason. There is no prohibition, however, if there is a human need. For example, it is permissible to have a zoo, since there is a human need – not a physical need, but a cultural need. The Rama (Even Ha-Ezer 5:14) writes, however, that even though plucking a feather for a quill from a live goose is permissible, people refrain from doing so because it is cruel. If one is able, he should find a viable substitute. The basic halachah is that it is permissible to pluck the feather, and it is certainly better to pluck a feather and cause the goose pain than to kill it for the feather, if there is no other option. Regarding the worm, it is preferable to find a viable substitute, but it is not obligatory. 2. Is it permissible to go fishing at all? This whole discussion is dependent on the reason one is going fishing. Is he going fishing in order to eat or for sport? Rabbi Yechezkel Landau in Shut Noda Bi-Yehudah (Yoreh Deah 2:10) was asked: Is it permissible to hunt? He was asked in regard

to the danger involved, since the animal could attack him. He said that it depends on the reason he is hunting. Is he hunting for his livelihood or for fun? If it is his livelihood, it is permissible to take a limited risk. If it is for fun, however, it is a problem. He said that not only is the potential risk a problem, but it is also cruel. Hunting is the way of Nimrod and Esav. He did not rule that it is forbidden according to the basic halachah, since it does have a human need, i.e., human enjoyment, but one should refrain from hunting on account of the cruelty involved. The same applies to fishing: Is one going fishing to eat or for one's livelihood, or is it for fun? If the latter, not only do the worms suffer, but the fish suffer as well. They are caught on the rod, a hook cuts their mouth, they are reeled in and later released, etc. This is not the type of pleasure which is appropriate for dear Jews.

❖ Hunting for sport

Q: Is it permissible for me to hunt animals with the purpose of eating them?

A: This subject is discussed at length in the responsa "Noda Bi-Yehudah" (Tanina, Yoreh Deah #10). It is permissible to hunt in order to make a living. There is no prohibition of "tza'ar ba'alei chaim," since there is a human need, whether for food or another use. There is an issue of endangering a human life when hunting dangerous animals, such as a bear for its fur. It is ruled, however, that it is permissible to take a small risk in order to make a living, such as climbing a tree to pick fruit or building a structure while standing on scaffolding. In the case of hunting for pleasure, however, it is certainly prohibited to take even a small risk.

There is no prohibition of "tza'ar ba'alei chaim" in our case, since it is also considered a human need, similar to riding on a horse, using a cow to plow, or putting animals in cages at the zoo (see

Shut Yechaveh Da'at 3:66). "Tza'ar ba'alei chaim" is only forbidden when one causes them pain for no reason, while it is permissible if there is a human need. Furthermore, "tza'ar ba'alei chaim" is in a case that one causes the animal pain and keeps it alive, but there is no prohibition if one kills the animal in the midst of the pain.

But the Noda Bi-Yehudah wrote that hunting for sport is cruel and lowly, and reminds us of Nimrod and Esav. On the contrary, Hashem is merciful to all of his creatures. It is not strictly prohibited but it displays a negative character trait. For example, it is permissible to pluck a feather from a goose in order to use it for a quill, but the Rama wrote that the Jewish People refrain from doing so because it is cruel. If you intend to hunt sheep in order to eat them; there is no cruel entertainment involved, since it is obviously permissible to eat animals. The question thus becomes how you can hunt an animal without injuring it in such a manner that will not make it "treif" (unkosher), unless you catch it with a trap or lasso.

Theft

❖ Davening on the job

Q: At my workplace, we daven Shacharit and people generally punch into work after davening. Some people, however, punch in before davening, and are on the clock during the davening. Can they be counted in the minyan and lead the davening?

A: It is forbidden to fulfill mitzvot during work time. The book "Mesillat Yesharim" (chapter 11) brings this exact example when discussing theft. The Ramchal said that if someone fulfills a mitzvah during work time, it will not be considered a merit, but a transgression. If someone performs a transgression, it cannot be

considered a mitzvah. A person who steals wheat and makes bread and then recites a blessing, it is not a blessing, but a disgrace. What is the difference between stealing an object and stealing time? When someone steals an object and performs a mitzvah – "Saneigor na'aseh kateigor" – a defender becomes a prosecutor. Something which is generally used as a vehicle to reach Hashem is transformed into a vehicle for sin. The same applies to stealing time. There are three levels of performing a mitzvah through a sin: 1. You fulfill a mitzvah through a sin, and now you have a mitzvah and a sin. The sin does not cancel out the mitzvah. 2. More severe – the mitzvah is canceled out because you performed it through a transgression. 3. Even more severe – the mitzvah becomes a sin. We see in the "Mesillat Yesharim" that someone who fulfills a mitzvah during work time, his act is considered a sin. This appears to be the opinion of the Jerusalem Talmud in the chapter "Lulav Ha-Gazul – the Stolen Lulav" in Massechet Sukkah. It is possible that others disagree with the Ramchal on this point. If a person davens during work time and he is sinning, how then is it possible to count a sinning person in a minyan? We are not saying that he is evil. A person is judged according to the majority of his actions. It is possible that besides this sin, he has many merits. At this moment, however, he is not davening, but sinning, and cannot be counted in a minyan and, all the more so, he cannot lead the davening. How do we inform him of this? You need great wisdom. Perhaps you can photocopy chapter 11 of "Mesillat Yesharim" and highlight the appropriate parts and give it out to everyone. I should add that a short mitzvah – like davening Minchah – which takes five to ten minutes is permissible, since you receive a break once in a while anyway. Shacharit takes much longer.

❖ Parking in the mall parking lot

Q: Is it permissible for me to park in the free mall parking lot and visit a friend who lives close to the mall or am I stealing by using their parking?

A: It is a problem, since the parking lot is for a certain purpose and you are using it for another purpose. While this is not explicitly written in any place, it is clearly the intention.

Q: If I buy a drink in the mall, can I leave my car in the parking lot for two hours to visit a friend?

A: Everything must be done based on what we understand to be the intention. This means that if the parking lot is empty and you bought a drink, it does not matter to them if you stay. But if the parking lot is crowded, then their intention is not that the cost of the drink buys you parking there for a long period of time.

❖ Cheating

Q: Is it permissible for a student to cheat?

A: It is forbidden to cheat on tests. It is "genevat da'at – deception" (Rambam, Hilchot De'ot 2:6), which is a Torah prohibition according to most authorities, included in the prohibition of "Do not steal" (Smag, negative mitzvah #155). When one cheats, he will receive better grades and will eventually get a job based on these grades. He will receive the job over another person partly based on this deception. The claim that "teachers know students cheat" does not permit it, just as the knowledge of the police that there are thieves does not permit theft. The opposite is true: the police force uses this knowledge to prevent theft. Similarly, a teacher's knowledge of cheating does not mean approval, but rather the opposite: he tries to prevent the cheating, and is not

happy with it. The proof is that if he discovers a student cheating, he will punish him. For a person to study Torah, he must first have integrity – "derech erez kadmah la-Torah – proper ethical behavior precedes Torah," and only on its foundation can one build all the holiness of Torah.

❖ Reusing stamps

Q: The postal service in America crosses lines through the stamps on a letter to show it was processed and thereby not allowing you to reuse these stamps. Sometimes there are no lines through the stamps. Can you reuse these stamps?

A: It is certainly forbidden. Ha-Rav Menashe Klein in Shut Mishneh Halachot (vol. 6 #288) wrote that a stamp is how a Government charges a person for the service provided of delivering mail. If a government – as the Government of the United States does – has equal laws for all of its citizens, the laws of "Dina De-Malchuta Dina" (the law of the land is the law) apply. Therefore, it is certainly forbidden to reuse a stamp, as the law states that you must pay a fee for sending a letter through the post office. Ha-Rav Klein related that when the Chafetz Chaim sent a letter through a messenger instead of through the mail, he would rip up a stamp. Ha-Rav Klein says that there is no halachic or legal obligation to act this way, but the Chafetz Chaim did so in his great holiness and righteousness.

❖ A taxi in a different city

Q: Is it permissible for a taxi driver from Be'er Sheva to take passengers around Yerushalayim or is it considered stealing from the Yerushalayim taxis?

A: It is not stealing, since it is an open market and this is common

practice. Yerushalayim does not only belong to the taxis of Yerushalayim. There are taxis of Tel Aviv, Haifa, etc., which also operate there. There are also taxis of Yerushalayim in Tel Aviv, etc. It is certainly permissible.

❖ Taking a picture against someone's will

Q: Is it permissible to take a picture of someone against his will?

A: It is a dispute among halachic authorities. There are authorities who say that it is forbidden, it is a sort of theft in which one steals personal ownership from a person. This was Ha-Rav Menashe Klein's explanation in *Shut Mishneh Halachot* (4:114). Others say that there is no prohibition, since one has not actually stolen anything. This is the opinion of Ha-Rav Bezalel Stern in *Shut Bezeil Ha-Chochmah* (4:85). He did agree, however, that while there is not a prohibition, it is not ethical to take someone's picture against his will. My opinion is that it is forbidden not on account of theft, but because one violates "Love your fellow as yourself." It is prohibited to damage another person whether physically or emotionally, and he is damaging him. If someone takes his picture against his will, he certainly violates "Love your fellow as yourself."

❖ Downloading from the internet

Q: Is it permissible to download things from the internet for free when they are sold?

A: It is forbidden because of copyright laws. This is a decree of our Sages. A person who invests time and money to create something – a book, a program, a game, a song, etc. – it is his. He sells it to you, but he still maintains ownership and you are not allowed to do whatever you want with it. Therefore, it is for-

bidden to copy it. In order for it to be permissible to copy, there are two conditions which must be met: it is permissible according to halachah and it is permissible according to the law. In these matters, what the law prohibits is also prohibited by the halachah, whether in Israel or outside of Israel. In order for it to be permissible according to the halachah, it has to be that the person would not buy it in any event: he does not have money, it does not interest him enough, etc. If this is so, if he copies it, the creator does not lose money – he would not have bought it anyway. These are obviously things which are within a person's heart. They also must be used only for personal use and not commercial use. According to the law as it now stands in Israel, it is forbidden to copy any electronic products. It is thus prohibited to download from the internet whether you would have bought it or not. You have to buy it. After all, this is the reason it is there.

Damages

❖ A guard dog

Q: Is it permissible to have a guard dog in your house?

A: Yes, it explicitly says in the Shulchan Aruch (Choshen Mishpat 409:3): It is forbidden to raise an evil dog...but it is permissible to raise one in a city close to the border. A border city is similar to a situation in which one needs to be guarded. Don't ask me where the border is in Israel today since there are murderers throughout the entire country and it is all like a border. It is certainly permissible to raise a dog which is not evil in any place. An evil dog bites and scares people. There is a story in the Gemara (Shabbat 63b) about a dog who scared a woman and she miscarried. If the dog does not scare people, and does not

bother people in the middle of the night, it is permissible and all the more so for protection.

LASHON HA-RA (speaking ill against others)

❖ Laws of Lashon Ha-Ra in Shulchan Aruch

Q: Why aren't the laws of Lashon Ha-Ra mentioned in the Shulchan Aruch?

A: The Shulchan Aruch does not mention many, many things, for example, simple and obvious laws and customs. The Shulchan Aruch also does not mention that it is forbidden to murder, that it is forbidden to steal and that it is forbidden to light a fire on Shabbat. It mentioned details which may not be known. The Rambam, however, does mention the prohibition of Lashon Ha-Ra in Hilchot De'ot (last chapter), since the Rambam mentions everything, including simple things. Many items which are not mentioned by the Shulchan Aruch are filled in by the commentaries on it. The Magen Avraham (156:2) mentions all of the mitzvot between people which were skipped by the Shulchan Aruch. For example, the Shulchan Aruch also skips "Love your fellow as yourself," the mitzvah of rebuking, the prohibition of dispute, revenge, grudges, "Do not place a stumbling block before the blind," judging another person favorably, loving the convert, etc. The Mishnah Berurah (156:4) also mentions these items. Why does the Shulchan Aruch virtually skip over the mitzvot between people? Because everyone knew them. The laws of Lashon Ha-Ra are explained at great length by the Rambam, and Rabbenu Yona in Sha'arei Teshuvah and the Chafetz Chaim did awesome and holy work and gathered them together from all of the different places.

❖ Talking about current events

Q: Is it permissible to speak about current events or is it Lashon Ha-Ra?

A: It is possible to speak about current events without speaking Lashon Ha-Ra. Someone once related that he visited the Chafetz Chaim and he thought that it would be like a monastery in which no one speaks. It was not like that, however; the Chafetz Chaim spoke and spoke and spoke without a break. He not only said Divrei Torah, he also spoke about matters relating to the Nation of Israel. It is therefore possible to speak about matters relating to the Nation and the Land of Israel without speaking Lashon Ha-Ra, but one must be very careful as with all speech. The Torah itself relates many stories. Once in a while there is a negative story – like Korach – but this is permissible. It is all dependent on what is being said.

❖ Elections and Lashon Ha-Ra

Q: How is it possible for a candidate not to violate the laws of Lashon Ha-Ra during an election?

A: This is certainly complicated, but we can apply what Rabbi Yisrael Salanter said. "If you want to be chosen, do not dig a hole for others, build a mountain for yourself." If you want to be higher than others, you must build a mountain. This means – do not say that others have this deficiency or that deficiency, talk about yourself. "I want to do this and that, and I hope that I succeed." Do not speak negatively against others, speak positively about yourself. A person must think a thousand times before he speaks "lashon ha-ra." If someone has to go to the hospital on Shabbat, he thinks and doubts. "Maybe I do not need to." He asks rabbis. Even when a person is permitted to speak Lashon

Ha-Ra in order to help others, when the seven conditions of the Chafetz Chaim are met, he needs to think and doubt and ask Rabbis. We see that King David did not speak Lashon Ha-Ra against King Shaul. He knew a lot about King Shaul. He knew he had a bad spirit within him. He knew that he wanted to kill him. He knew that he was pursuing him and he had to hide. He knew that he threw a spear at him a few times. To expose this publically would have been a great electoral tool for King David. He did not say a word and, in the end, you see that he became the greatest king.

❖ Friends speaking Lashon Ha-Ra

Q: I have friends who speak Lashon Ha-Ra all of the time. I have tried to stop them and it has gotten to the point that I don't want to be around them. What should I do?

A: There are two things you can do: 1. When they speak Lashon Ha-Ra, you don't have to rebuke them and tell them, "This is Lashon Ha-Ra. This is Lashon Ha-Ra." You need to act with wisdom. You can gently say, "Let's leave this. It doesn't matter, etc." 2. When they begin to speak Lashon Ha-Ra steer the conversation in another direction, change the subject. You do it in a subtle manner. Talk between friends is free, and you can change subject by association.

❖ Speaking Lashon Ha-Ra about secular Jews

Q: Is it permissible to speak Lashon Ha-Ra about secular Jews?

A: The Chafetz Chaim wrote that it is permissible to speak Lashon Ha-Ra about an "apikoros" (heretic). Our Rabbi, Ha-Rav Tzvi Yehudah, agreed that this is correct, but he said that this also opens up a breach to allow everyone to decide who is an

"apikoros." I will decide that anyone who does not think exactly like me is an "apikoros." The entire House of Israel will then be full of Lashon Ha-Ra. It is permissible to me to disagree with a G-d-fearing Jew, but I do not have to consider him an "apikoros." Further, while secular Jews certainly seem to be heretics, many authorities have already ruled that they are "Tinokot She-nishbu" (literally, Jewish children captured and raised among non-Jews), i.e., Jews who did not receive a proper Jewish upbringing and education. In order to be an "apikoros," one must be knowledgeable. Someone once came to our master, Rav Kook, and said all sorts of things against the Tanach. Rav Kook said: You are right. He said: I am?! "Yes, if the Tanach is as you say, then what you are saying is correct, but the Tanach is something else." He was not denying the Tanach, he simply did not know it. This is not an "apikoros," it is an unknowledgeable Jew. Secular Jews are not heretics; they are simply "Tinokot She-nishbu." They have not learned and do not know; therefore do not speak ill against them. It is possible that a secular Jew is an "apikoros," but it is not so simple, because the "spirit of the time" is extremely strong. Sometimes someone did learn Torah, but there are all sorts of influences. The Rambam (Hilchot Mamrim 3:3) defined someone with a corrupt education as a "Tinok She-nishba." Today, however, one's education is not limited to one's parents, but includes the "street." What is the "street"? These are all of the possible "foggy" influences: Radio, TV, Internet, books, etc. We build walls, but things still enter. There is a saying that the apple does not fall far from the tree. The Chief Rabbi of Israel, Ha-Rav Yitzchak Herzog, was once asked, what happened with his son Chaim, who became the President of Israel and who was secular? Ha-Rav Herzog said: The apple doesn't fall from the tree only applies with a usual wind, but an unusual wind can carry it far away. He was referring to the Tosafot on Baba Kama 27b. It is

therefore even possible for the son of the Chief Rabbi to receive a corrupt education. Not from the Chief Rabbi, but from what is going around in the "street." In short: Do not be quick to apply the term "apikoros" to anyone.

❖ Lashon Ha-Ra on Chaim Nachman Bialik

Q: Is it permissible to speak Lashon Ha-Rav about Chaim Nachman Bialik?

A: No, it is forbidden to speak Lashon Ha-Ra about a Jew. It is true that this Jew learned in the Volozhin Yeshiva and later did not observe the mitzvot, but he did believe in Hashem. In Tel Aviv, he battled to give the city a Shabbat atmosphere. He said that it is not enough to excommunicate others and throw stones, so he organized Shabbat get-togethers and he would not smoke there. His "Sefer Aggadah," in which he collected and organized the midrashim, is very good. He also felt a great responsibility for the Nation of Israel, to the extent that people refer to him as the "National Poet." He did not write to make a name for himself or for the mere pleasure of writing, but he worked to be a mouth-piece for the serious national problems with the aid of his writing and poems. He was a complex person and included both lights and shadows, and why should we speak Lashon Ha-Ra about him?

REPENTANCE

❖ How do we help others repent?

Q: As a religious community, how do we get other Jews to repent?

A: Maran Ha-Rav Kook clarified this question in his book "Eder Yakar." He asked: What causes heresy? He provided two answers, one a standard explanation and one that is unusual. The standard answer is that the development of science is to blame. This is what is called "Scientific Heresy." There appear to be contradictions between the scientific description of the world and the religious description. Since people learn and rely on science, faith suffers. We will not discuss the question of who decided that such contradictions exist. It is enough for us to understand that these contradictions are imaginary and stem from a surface understanding of both science and faith. If one examines in depth, he can see that they work together.

Maran Ha-Rav Kook's second reason is what is called "Ethical Heresy." Contemporary man, armed with a critical sense, sees that in daily life some religious people are not so ethical. He therefore decides that religion lacks any benefit and that he can be an upright and ethical person outside of religion just as within religion, and actually even more so. We cannot respond to this problem because there is simply no answer. It is the greatest desecration of Hashem's Name.

Truth be told, this answer of Maran Ha-Rav Kook is not new at all. It is mentioned by our Holy Rabbis in the Gemara in Yoma (86a). They say that if a person learns Torah, but he is not careful about how he speaks – he insults and speaks ill of others, he is not honest in his business practices, he deceives and lies – people

will say: "Woe is the person who learns Torah. Woe is his father who taught him Torah. Woe is his Rabbi who taught him Torah. See how corrupt are the ways and how ugly are the acts of this person who has learned Torah." As a result, Hashem's Name is desecrated.

So how do we deal with this terrible problem?!

We also know the way to help others repent: increase sanctification of Hashem's Name. The same Gemara explains: If, however, a person learns Torah and he speaks pleasantly, and he is honest in his business practices – he pays his obligations and does so on time – people will say: "Praiseworthy is the person who learns Torah. Praiseworthy is his father who taught him Torah. Praiseworthy is his Rabbi who taught him Torah. See how pleasant are the ways and how sweet are the actions of this person who learns Torah." We understand that we do not get others to repent, but bring ourselves to integrity, truth, good relations with other people, and good character traits. The Gemara (ibid.) tells us that through this we sanctify Hashem's Name as it says, "You, Israel, I am praised through you" (Yeshayahu 49:3). Almost all of those who repent and become observant are not the fruit of some frontline, explanatory onslaught, but the fruit of a meeting with holy people living in their lives.

❖ A scoundrel within the parameters of the Torah

Q: How is it that I see observant Jews who are not good and moral people?

A: It is not enough for a person to just learn Torah in order to be righteous. He must also work on perfecting his character traits. The Rambam explained in Shemoneh Perakim that if a person does not do an accounting of his soul, he can make mistakes, even serious mistakes. Our Sages say that if a person merits, the

Torah will be a medicine of life – and if he does not merit, it will be the drug of death (Yoma 72b). The same Torah can be the elixir of life, goodness and blessing for one person and it can be lethal for another. The Torah can actually teach him tricks and deceptions. We therefore also need good character traits. This obviously does not refer to the entire Nation of Israel, which is a good and righteous Nation, but to individual people who have free choice. When people act this way, this is what our Sages call "Desecration of Hashem's Name" at the end of the Gemara of Yoma (86a – cited above). A Jew once came to the Steipler Gaon and the Steipler said, "Give me a mazel tov. My granddaughter is getting engaged." The Jew said, "Rav, how do you choose a groom?" The Steipler said, "It is simple: A lamdan (one who learns Torah seriously) with good character traits." The visitor said, "If he is a lamdan, doesn't he have good traits?" The Steipler said: "It is not necessarily true. A lamdan is a person who stood before a shtender (podium on which students learn). A shtender is a very comfortable product. You can move it any way you want. You can move it forward or backward. You can say what you want to it: Go away, I am tired or I am going to the store. A spouse, however, is not a shtender. A person may have learned a lot of Torah, but he does not know how to relate to a spouse." The visitor said: "But he learned Torah. Doesn't this have an effect on his personality?" "It absolutely had an effect. If he had not learned Torah, he would have been a monster. In merit of learning Torah, he is a person with bad traits." Thus, every person who learns Torah, but is immoral, we must understand that without the Torah – oy va-voy – he would have been horrible. In the introduction to "Mesillat Yesharim," the Ramchal wrote that people learn all sorts of holy works, but people do not learn "tikun midot" – perfecting character traits. The book "Cheshbon Ha-Nefesh" says that in the time of the Tanach, they

said something once and they would remember and do it. The later generations declined and there was a need to constantly repeat. We see this in the time of the Mishnah. It says over and over, "He would say... He would say... He would say..." And this is even more so for us. We need to hear something a thousand times, and have a spiritual accounting to see how we are doing. The Torah was not given immediately with the Creation of the world. Why? Isn't the Torah the foundation of the world? Answer: This is to teach us that proper conduct precedes Torah. For two thousand years, they had to work on their character traits until our forefathers – Avraham, Yitzchak and Yaakov – perfected their traits and this is the foundation on which the Torah was given.

❖ A sinning Jew is still a Jew

Q: Is a Jew who denies the Torah still considered a Jew?

A: A denying Jew or a sinning Jew is still absolutely a Jew. The Gemara in Sanhedrin (54a) explicitly says, "A Jew, even though he sins, is a Jew." He is a sinning Jew; it is forbidden to sin, but he is a Jew. I was once speaking to a ba'al teshuvah (a Jew who returned to observance), who seemingly was not taught correctly, and he said, "A Jew who does not observe the mitzvot is not a Jew." I said: If that is so, do you know the kindness you just performed for the many women whose husbands who are not observant refuse to give them a "Get" (religious divorce)? He will not give a "Get" and they cannot remarry. If you are correct, he is a non-Jew, and if she is "married" to a non-Jew, she does not need a "Get." It is not considered a marriage. She is free! You see, however, that the Rabbinic courts arrange divorces for those who deny Torah and who do not perform mitzvot. It is therefore clear that they are Jewish.

❖ "May his name be blotted out" for a Jew

Q: I have heard that Ha-Rav said that it is forbidden to say "May his name be blotted out" for an evil Jew, even if he opposes the Nation and Land of Israel. Is this correct?

A: One must certainly fight against such ideas, but this does not mean that it is permissible to say "May his name and memory be blotted out." I did not invent this. It is said in the name of the Sochachover Rebbe, the author of "Avnei Nezer." The proof is quite simple. If a man dies childless, his wife must marry the brother of her deceased husband. This is called "Yibum." The Torah says that the reason for "Yibum" is so that "his name is not erased from Israel" (Devarim 25:6). But what should I care if his (the evil Jew's) name is erased? If I say "may his name and memory be blotted out," what is the problem if his name is erased from Israel? There is no halachah, however, which eliminates the need to perform "Yibum" for a sinning Jew (Shulchan Aruch, Even Ha-Ezer 157:3). This therefore means that I must be concerned that his name not be erased from Israel. It is true that he is a sinner, but there is a solution: He can repent. This is based on what Beruriah said to Rabbi Meir in the Gemara in Berachot (10a). Rabbi Meir had evil neighbors who had caused him much distress, and he prayed that they should die. His wife said: "Doesn't it say in Tehillim (104:35), 'Let sins cease and let the wicked be no more.' It does not say 'Let sinners cease,' but 'Let sins cease.' You should pray that they repent, not that they die." In fact, he prayed for them to repent, and they did. Therefore, we should not say "may their names and memories be blotted out," but we should pray for them to repent.

❖ A child who has gone off the path

Q: What should I do with my child who wants nothing to do with Torah and mitzvot?

A: In dealing with children, there are no tricks or patents. If there was, Avraham would have used it with Yishmael. Yitzchak would have used it with Esav. Moshe would have used it with his grandson who worshiped idols, etc. So what do you do? You must build bridges and trust. He has to trust you. Right now, he suspects you, and takes every word and looks at it as a criticism. Little by little you have to build the bridges which collapsed. The more he feels your authority, the more he will rebel. You have to listen to him, come to him, talk together. You have to figure out how to live together without making demands. You can say something like: "You do this and you know that it pains us, but we love you until the end of time. Let us figure out how to stay close." If he does not listen to you, find someone he trusts – a family member, a friend, a neighbor – and have them talk to him. You have to talk together again and again and again, and maybe you will move a millimeter. One step forward and two steps back. It is a long process. There is no miracle cure. Children go through crises, ups and downs, and they need a parent. When? You can't know, but one day the door will be open. You have to have love, understanding and patience. Maran Ha-Rav Kook has three letters in Igrot Ha-Re'eiya (#50, 138, 332) to Ha-Rav Milstein, whose sons abandoned Torah, the Nation of Israel and the Land of Israel. Ha-Rav Kook tells him to support them spiritually and financially, and talk to them. If it does not have an effect now, it will have an effect later. If it does not have an effect later, it will have an effect with their sons. If it does not have an effect with their sons, it will have an effect with their grandsons. He placed

the "tractate of patience" before him. With the help of G-d, you will not have to wait that long, but you need to be patient.

❖ Change one's name, changing one's luck

Q: I have a lot of difficulties in my life, and perhaps it is on account of my name. If I change my name, will it change my luck?

A: The Rambam (Hilchot Teshuvah 2:4) cited the opinion of our Sages that one can change an evil decree by changing his name. It is not, however, magic. If a person changes his name he will not see miracles and wonders. The Rambam explained that if he repents in a serious way, he changes his name. This means, "I seriously repented and I am no longer the same person." This certainly changes the decree of a person. Rabbenu Nissim – the Ran – has the opposite approach (Rosh Hashanah 3b in the pages of the Rif). He said that if I change my name and every time I mention the new name, it inspires me to repent, I can change my situation. The essence of changing one's name is not a trick. The point is to say: I am not the same person, I am someone new.

❖ Rebuke for someone with a physical decline following a spiritual deterioration

Q: Should I rebuke my relative who is declining physically following a spiritual deterioration?

A: We can divide this subject into two parts: First of all, we have no proof that one's physical state which is declining is on account of his spiritual state. After all, we see that this is not the case around the world. There are people who are ethically and spiritually deficient and they are healthy. And conversely, there are righteous people who are extremely sick and even die. The as-

sumption that anyone who is sinning is immediately punished is incorrect, and anyone who has intellect will not swallow it. Our Sages already said that there are righteous people who suffer and evil people who experience goodness (Berachot 7a). Secondly, one should certainly rebuke, but one needs to know how to rebuke, as is the case with all of the mitzvot. If I want to put on Tefillin, I need to know how to do so, not just take any boxes. Regarding the mitzvah of rebuke, our Sages say in the Gemara in Arachin (16b): Is there anyone in our generation who knows how to rebuke? Then they ask: Is there anyone in our generation who can receive rebuke, since when someone says "Remove the woodchip from between your eyes," the person responds, "Remove the beam from between yours!" This means that if I am rebuking someone, maybe I have greater transgressions than he does. One must therefore seriously consider whether the person will accept rebuke. In order to rebuke someone, you have to be his good friend and you need to love him. When a person loves me, I listen to him. A person who does not love me and has never helped me and then comes to rebuke me, to him I do not listen. I respond: Where were you all of these years? Why didn't you help me? My heart is not open to him. Furthermore, it is not a simple matter to rebuke a person who is not observant. There is no standard formula to speak to a person who is far from Torah. Moshe Rabbenu and all of the prophets did not know of a simple formula to help people repent. Avraham Avinu did not even know how to help Yishmael repent. Yitzchak Avinu did not know how to help Esav repent, even though the Torah explicitly says that he loved Esav. And there are others: Eli Ha-Cohain did not know how to help his sons repent, nor did Shmuel Ha-Navi, nor King David, even though they all surely loved their children. This does not mean that it is impossible to help someone repent, but it is not a one-time conversation. You need many, many,

many conversations. In order to start a conversation with him, you have to know how to begin. In America, when good-mannered people want to talk about a sensitive matter, they say: Do you want to talk about it? If the answer is no, then the answer is no. If he responds positively, then a gate is open. If you want to dedicate time to this endeavor, ask him: "Do you want to talk about it?" and see what he says.

MEDICAL ETHICS

❖ Vaccinations

Q: What is Ha-Rav's opinion about children receiving vaccinations?

A: They are extremely important. Before there were vaccinations, infant mortality rate was extremely high. Two out of every three children in a family would die. I am not talking about plagues, where countless numbers would die, but regular infant mortality rates. Vaccinations were like a miracle. Before vaccinations, the world population was constant; after vaccinations it grew and grew, and now we have billions of people. The other reason for the drop in infant mortality is plumbing; before that sewage was flowing in the street. Some people are against vaccinations, claiming that you are putting poison into the child. This is true that you are inserting poison, but it is a small amount which the child can easily overcome. Originally many children died from the measles vaccination, so they stopped vaccinating and there was a terrible outbreak of the measles, and ten times the amount of children died. On Pesach of 5763, following a visit to Israel by a Charedi (Ultra-Orthodox) child from England who was not vaccinated, measles broke out in the Charedi sector, where some do not vaccinate for ideological reasons. Within two weeks there were sixty cases of measles in Jerusalem and other places due to its fast spread. There were some places that children in an entire daycare center got measles because they only vaccinate children at the age of one in Israel. If someone does not vaccinate his children, it is not only that he endangers his own children, he also endangers other people's children. Some countries have laws that people are obligated to vaccinate, and some Rabbis wrote that

according to halachah, you can force people to vaccinate their children because they endanger their children and the population at large (Refu'ah U-Mishpat 1, p. 79). It is true that periodically children do die from the vaccination, but in medicine – as in every field and every medicinal treatment – we follow the majority and the overwhelming majority of children are helped by the vaccinations. Furthermore, the authorities already discussed taking a minor risk to be saved from a greater danger (Tiferet Yisrael on Massechet Yoma 8:3). The idea that people want to be natural does not make sense. Okay, be natural, but do not be extreme. When they write, they do not write with their finger dipped in water; they write with a pen which is not natural. They use a computer which is not natural, and a phone which is not natural. They have clothing which is not natural. They do not wear a fig leaf. It is true that as much as possible it is good to be natural, but not to be an extremist. Vaccinating is not a joke. There is an obligation to vaccinate all children.

❖ Hastening birth

Q: Is it permissible to take pills to hasten birth?

A: If the due date passed – say, two weeks – doctors highly recommend hastening the birth because the situation can quickly deteriorate. In this case, a woman would be obligated to hasten the birth. If it is before the due date, Ha-Rav Moshe Feinstein wrote a responsum (Shut Igrot Moshe Yoreh Deah 2:74) where he says that a woman should not hasten the birth. His reason is that there is a certain level of danger in giving birth, not a usual level of danger as there is with everything, but a more serious danger. If we hasten the birth, we place the woman in a dangerous situation and we should not place her in danger. This is how Ha-Rav Feinstein answered, and how I would answer as well.

Later on I discussed this issue with doctors and they told me that what Ha-Rav Feinstein said was correct, but now medical technology has advanced to the level that there is no longer any danger in hastening the birth. Thus, it is permissible to hasten birth whether with conventional means or natural means; although I do not know if natural means are useful. This should not be done for mere convenience, but because she is having difficulty and suffering. This should only be done under the instruction of a doctor.

❖ Cohain entering a hospital

Q: Can a Cohain enter a hospital to visit a loved one?

A: Yes, it is permissible. There are two potential problems with a Cohain entering a hospital: A rabbinic prohibition and a Torah prohibition. It is obviously forbidden for a Cohain to be in the same room as a dead body, but there is also a rabbinic prohibition for a Cohain to go through a door which the deceased may pass through. It is possible that a door that the Cohain enters may have a dead body brought through it. Since there is a doubt in this rabbinic prohibition, because it may or may not happen, it is permissible for him to walk through the door to fulfill the mitzvah of visiting the sick. The second issue is that attached to many hospitals is a medical school with a pathology department which has actual dead bodies or body parts for examination, research or learning purposes. If the doors are all open, the impurity will spread through the entire building. This is a clear Torah prohibition. In the past, they wanted to make revolving doors in the hospital and then the doors would always be closed, but they did not do this or they broke, etc. If that were the case, there would be no problem, but even without this solution it is permissible to enter because you are not entering the pathology depart-

ment and there are many doors – some open and some closed. It is highly unlikely that at the precise moment all of the doors will be open. It is therefore permissible to enter for the sake of a mitzvah.

❖ Advice to quit smoking

Q: I am newly religious but cannot stop smoking on Shabbat. I have tried so many different treatments, but none help. Does Ha-Rav have any advice on how to quit smoking?

A: You should begin a "behavioral program." How many cigarettes do you smoke a day?

Q: A pack and a half.

A: That's 30 cigarettes a day. Begin by only smoking 29 a day. Then only 28, then 27, etc. It is not so hard to smoke one less cigarette. This is called a "behavioral program." You will gain encouragement and strength by the fact that you now smoke one cigarette less. You gradually take one away. One can take one away each day, every two days, each week, etc. The pace does not matter. The essential thing is not to backtrack. You must always move forward. The reason that people are unsuccessful in quitting smoking is that the cigarettes contain many ingredients. There are poisonous ingredients, but there are also ingredients which relax a person. If there are ingredients which relax a person, perhaps we should all smoke? No! Hashem knows that we need to relax and the brain therefore releases endorphins into the blood, which are like drugs that relax a person. When a person begins to smoke, the brain sees that there are relaxants coming from the outside, and ceases releasing the endorphins. When a person stops smoking, he has nothing to calm him, since he does not receive relaxants from the cigarettes or the body. If he is in-

credibly strong and can hold on, the brain will realize what is happening and eventually begin to release endorphins. A person must be extremely strong willed to do this. If he cannot, he can follow the "behavioral program" as we said, and little by little, as he stops receiving the endorphins from the cigarettes, the brain will release them. He will thus relax, and have clean lungs, clean air, a clean Shabbat and clean weekdays.

❖ Storing umbilical cord blood

Q: What is Ha-Rav's opinion regarding storing umbilical cord blood?

A: Collecting and banking umbilical cord blood is proven medicine and not nonsense. There are illnesses which can be cured by umbilical cord blood. At the same time, the chances of actually using this blood are quite low. I understand that this blood only lasts until the person reaches twenty years old, and the chances of being stricken with one of the illnesses before twenty is quite low. Perhaps you will say: What's the difference? It is worthwhile for someone to protect himself from even a low risk. While this is true, perhaps it is preferable to direct the money to other medicine advancements which have greater risks. We therefore suggest a compromise solution: instead of banking private umbilical cord blood, which is costly, one should donate the blood to a communal bank, which is free. As a result, the chances of someone benefiting from the blood are greater and he himself is more protected since he is part of a group. In sum: if you are already storing umbilical cord blood, give it to a communal bank.

❖ Chinese Medicine

Q: Is it permissible to use Chinese Medicine?

A: The Torah does not teach us which types of medicine are good and which are not good. The Rambam in his letters to the Sages of Marseilles wrote that there are three ways to discern if a certain type of medicine is beneficial, and these are through intellect, trial, and prophetic revelation. Chinese medicine is built upon all sorts of things which are not clear and we therefore cannot intellectually ascertain if it is beneficial. Experience has shown us that Chinese medicine does not work any more than a placebo. When someone takes a placebo, the brain releases endorphins which help heal the body. And we have not received a prophetic revelation. The Chinese do not even use Chinese medicine, Europeans come and use it.

❖ Plastic surgery

Q: Is plastic surgery permissible?

A: There are a variety of responsa which discuss this issue: Shut Tzitz Eliezer (11:41) Shut Igrot Moshe (Choshen Mishpat 2:66) and Shut Minchat Yitzchak (6:105). The Gemara in Baba Kama (85a) says that a doctor has permission to heal the sick based on the verse: "He shall surely heal" (Shemot 21:1). Why does a doctor need permission to heal? Isn't it a mitzvah and it saves lives? The Ramban wrote in the book "Torat Ha-Adam" that there is a certain amount of danger involved in healing someone. A doctor may say that since there is potential danger and he will be held liable if things go wrong, why should he be involved at all. The Ramban therefore explained that the Torah gave permission: Hashem permits you to heal even though there is a chance that you may harm them. You will not be held liable. This explanation is for doctors in general. Plastic surgery, however, is not to heal, it is to improve one's physical appearance. The question then becomes whether one can engage in a dangerous situation even if

it is not for a purely medicinal purpose. Answer: Medicine is not only to save a person from physical pain and suffering, but also to save him from mental and emotional pain and suffering. It is also to improve a person's quality of life. The permissibility of plastic surgery is dependent on its purpose. If it is to make someone prettier, it is a problem. If it is to remove "ugliness," it is acceptable, since that is the removal of anguish. So what if a person is not pretty? There is no obligation to be pretty, but if he is "unattractive" and this is a source of pain, it is permissible. All of the sources can be found in the Encyclopedia of Medical Halachah.

❖ Dissecting a cadaver

Q: I am a medical student, and there is a dispute among the students. Is it permissible to perform a dissection of a cadaver?

A: The fact that some students have one opinion and other students have another opinion is correct because there are opinions of Rabbis on both sides. Maran Ha-Rav Kook prohibited dissecting a cadaver for three reasons: there is an obligation to bury the dead, it is forbidden to benefit from the dead, and it is a disgrace to the dead. Ha-Rav Kook said that the solution is to dissect non-Jewish cadavers (Shut Da'at Cohain #199). There are many poor countries – like India – where many people die and they sell the dead bodies in order to buy food for the living. This was his solution. Other authorities, like Ha-Rav Bentzion Uziel, former Sefardic Chief Rabbi of Israel, say that if a Jew donates his body to science, it is acceptable (Shut Mishpatei Uziel, Yoreh Deah vol. 1). By doing this, he forgoes his disgrace. Others say that it is not even disgracing the dead. Disgracing is simply cutting a dead body for no reason, but here they are learning how to be doctors – it is not a disgrace. Furthermore, some say that the prohibition against benefiting from the dead is only a physical benefit – to

make drums with the skin, G-d forbid. Here, however, it is permissible because the benefit is knowledge. In sum: We should use non-Jewish cadavers, and many people say that it is even possible to learn everything from plastic models. When there is no choice, however, you can rely on the lenient position.

❖ "Body Worlds" museum exhibit

Q: Why are the Ultra-Orthodox and the Chief Rabbi trying to prevent the exhibit "Body Worlds," which is an exhibition of preserved human bodies from German citizens who donated their body for this purpose, from appearing at the Israel National Museum of Science in Haifa? Two petitions against the exhibit are already making their way to the High Court of Justice, and Ultra-Orthodox leaders in the country vowed to stage mass rallies against it. Ha-Rav Yona Metzger – Chief Ashkenazic Rabbi of Israel – unequivocally ruled that "such an exhibit has no place in the Holy Land, and I therefore recommend that you don't get involved in this... The Jewish people, who take great care to honor and bury their dead, must extend the same treatment to non-Jewish deceased, so as not to prompt animosity and hatred towards the Jewish people." The Chief Rabbi further wrote that in the event that such an exhibit was to be held in Israel, "Our outcry would reach the ends of the earth." What is Ha-Rav's opinion?

A: If the Chief Rabbinate has already ruled that it is forbidden, then it is forbidden. They are the ones who decide. A discussion of this issue is not really connected to embalming. Embalming is done to honor the deceased so that the body does not decompose. According to the halachah, embalming is forbidden. Authorities permitted it in the rare case that the deceased was being brought from far away – such as being brought to Eretz Yisrael

– and there was a fear that the body would reek and decompose. This is the explanation of why Yosef embalmed Yaakov Avinu. Embalming is only to honor the deceased, but embalming a corpse to exhibit it in a museum is shaming the dead. The same strictures do not apply to non-Jewish corpses as they do for Jewish corpses, as Maran Ha-Rav Kook explained in Shut Da'at Cohain (#199): Just as a Jew has many strictures in life, he also has many strictures regarding his burial. There are many disputes regarding a non-Jewish corpse: if it is permissible to have benefit from a non-Jewish corpse, if there is a prohibition of "Bal Talin" (leaving the corpse unburied overnight), if there is a prohibition not to bury the corpse at all, if there is a prohibition of having an autopsy, etc... Many authorities permit an autopsy on a non-Jewish corpse for medical purposes and they rely on all of the lenient positions, since medical needs are life-saving. But there is no medical need here! It is therefore not possible to rely on the lenient positions. Some people say that the goal of the exhibit is to teach the proper balance of one's body and proper health practices, and that this is a medical need. It is possible to compare them, but they are not the same. A medical student needs to learn on an actual corpse (although some argue that it is possible to learn on a plastic model), but there is no need for an actual corpse in order to teach the general public. In our days, it is possible to make excellent plastic models and they are even less expensive than using real corpses.

❖ Organ donation

Q: Is it permissible to donate organs?

A: Every Jew knows that saving a life is a great mitzvah which overrides nearly all of the Torah's prohibitions – "Do not stand over your fellow's blood" (Vayikra 19:16). The donation of or-

gans therefore overrides the prohibitions of desecrating the dead, benefitting from the dead and leaving the dead unburied. There are over one thousand people in Israel waiting for organ donations. If they do not receive them, they have a death sentence, G-d forbid. In the meantime, they live lives of horrible physical suffering. I know of cases where one person saved seven people from death. This obviously must be performed according to halachah. We do not take organs from people until after they have died, which means brain stem death. We must distinguish:

A. Coma: The person is considered alive for every purpose, but does not wake up.

B. Cessation of cardiac activity: This situation is reversible, with the help of Hashem.

C. Vegetative State: The brain is irreversibly damaged, but the brain stem is normal. This person is considered alive according to halachah.

D. "Brain death": Irreversible cessation of respiratory activity. This is caused by complete and irrevocable damage to the entire brain stem. According to halachah, a person in this state is considered dead even though the body of this deceased person has the ability to function with artificial respiration, and to maintain other bodily functions dependent on breathing. This, however, is like breathing into the body: The person will not be revived through this action.

The Gemara in fact states that respiratory cessation is death (Yoma 85a). The Chatam Sofer also ruled this way (Shut Chatam Sofer, Yoreh Deah #238). This means that independent breathing, without artificial aid, is dependent on the brain stem. Based on this, Ha-Rav Moshe Feinstein ruled that irreversible damage to the brain stem is the definition of death (Shut Igrot Moshe, Yoreh Deah vol. 3 #132). The Chief Rabbinate of Israel also

ruled this way under the leadership of Ha-Rav Avraham Shapira and Ha-Rav Mordechai Eliyahu in the year 5747.

It is therefore a great mitzvah to donate organs for transplantation from a person who is definitely deceased. It is also a mitzvah for the family to agree to donate the organs from a loved one who passed away – especially if he expressed his desire to do so while he was still living. At such a moment, the family should turn to a halachic expert in the field of donating organs. If the family wants, they are permitted to oppose this decision and cancel the agreement of the deceased, but we are confident that the family will respect his wishes.

Perhaps you will claim: The doctor may murder one person in order to save another person. This is a wicked lie! We have never heard of a doctor descending to such depths in our country! Incidentally, death is established according to the precise parameters of the law and with the aid of doctors unrelated to transplants. Even if a doctor committed such a transgression, the sin is his, but the mitzvah is the donor's. As we said, however, such a thing has never happened. It is a blood libel.

And if you ask: What will happen during the Resurrection of the Dead? Will he be lacking limbs? Nonsense! He will not be lacking anything. Someone who was sick or a wounded soldier will arise whole. Regardless, everything decays in the ground after a short time. On the contrary, a limb which was used for a great mitzvah will appear illuminated with a double light (see Shut Tzitz Eliezer 13:91 who is one of the main proponents who held otherwise). And if you ask further: Perhaps there is an "evil eye" in committing to donate organs which will cause one to die soon? This is also nonsense without a source. There is no "evil eye" in this matter, just as there is no such thing in obtaining life insurance. On the contrary, this is a "segulah" (an action which will bring about a particular consequence) for a long life like every mitzvah.

Q: Is it permissible to accept organ donations from China?

A: It is absolutely forbidden. They murder people in order to take their organs for donation. They anesthetize people, harvest their organs so they are fresh and then they murder them. They do this to criminals as well as to innocent people. I have read much material on this subject. There are pictures, testimony, etc. It is pure evil.

Q: Is it permissible to donate organs outside of Israel when they may be given to non-Jews?

A: It is also a mitzvah to donate organs outside of Israel. While the donation may be given to a non-Jew, non-Jews donate organs and they are given to Jews. If we do not donate to everyone, they will not donate to us. By donating to non-Jews, you are helping Jews as well, because then they will donate to us. I am therefore connected to the Halachic Organ Donation Society (www.hods.org) and I have a donor card.

❖ Organ donation to Arabs in Israel

Q: It is well known that Ha-Rav supports organ donation. I feel uncomfortable with the idea that my organs may go to an Arab. Is there a problem with the organs being donated to an Arab?

A: You are correct that according to the procedures used in organ donation, a person cannot make a condition that his organs go to Jews and not non-Jews. There are two answers to your question: 1. In a best-case scenario, a person can donate seven organs and it is possible that one would go to an Arab. This is like a tax: in order for six organs to save Jews, you also give one to an Arab. 2. The pool of organ donors is all-encompassing. This means that non-Jews donate to us, including non-Jews from

other countries. As a result, when I donate to an American in America, Jews will always receive organs, since we are in the pool and they will donate to us. There are countries who say: If you do not donate to us, we will not donate to you. Currently in Israel, the Arabs donate to us. They donate a lot. The two largest groups of donors in Israel are the Jews who made aliyah from Russia, apparently because they do not have extraneous mystical outlooks such as what will be with the body at the time of the Resurrection of the Dead, etc., and the Arabs for reasons which I do not know. If we say that we will not donate to the Arabs, they will say tomorrow that they will not donate to us. Therefore, when I donate to Arabs, in the end, I donate to Jews.

Q: This is an intellectual answer, but what about the emotion? What would Ha-Rav say regarding the fact that I am uncomfortable to give to an Arab?

A: It is the same answer but it must be said with emotion. Look, I remember a young man who died and he donated his organs and there was a woman who received his kidneys. The doctors told his parents: if he had not donated she would have died and he saved her at the last moment. What a miracle! One of his organs also went to a non-Jew and people ridiculed him, but the parents were happy that he saved a Jewish woman. This is a true story. This is the same answer but with feeling. We can also say – don't you care about Jewish lives?! Don't you know that 1,000 Jews are waiting for a transplant and they will die without it? Put yourself in their place or it's your sister or daughter, and someone does not want to give because an Arab will receive too. Same answer with feeling!

LAND AND STATE OF ISRAEL

❖ Reciting the Prayer for the State of Israel

Q: Should we recite the Prayer for the State of Israel when the State is acting improperly, since it says, "And send Your light and truth to its leaders, ministers and counselors and provide them with good counsel before You," and they do not possess the light, truth or good counsel?

A: If the leader, ministers and counselors are following an improper path we should recite the Prayer for the State of Israel twice! They need more illumination and more good counsel, since they are currently the leaders of the State. If we do not recite the Prayer for the State of Israel, it does not mean that there will be a change of leadership. It is similar to flying in an airplane and it is not flying well. The people investigate what is wrong and it turns out that the pilot does not know how to fly. What do you suggest: sitting next to him, insulting and cursing him? The plane will then almost certainly crash. On the contrary, we encourage him, "be careful here," "do you want tea?" etc. He is currently the pilot. There is no choice. Since we currently have certain leaders – whether they are suited to be the leaders or not – we need to pray that they perform their jobs the best way possible.

❖ Standing for the Prayer for the State after the expulsion from Gush Katif

Q: Is there an obligation to stand for the Prayer for the State of Israel, especially after the Expulsion from Gush Katif?

A: There is clearly no source regarding this matter since it is a new prayer. One can stand or sit, it is unimportant. It does not

strengthen the State if one stands, and it does not weaken the State if one sits. Each place should act as it desires. The prayer is obviously not connected to the Expulsion from Gush Katif. Even before the Expulsion, there were problems: violations of Shabbat, a problematic system of justice, etc. If the Government is acting inappropriately we should recite this prayer twice. If someone is sick, we pray for him. If he becomes sicker, we pray more. Maran (our revered teacher) Ha-Rav Kook wrote that our Nation is sick, but it will heal. Whether standing or sitting, what is important is that we pray for its recovery. Fortunate is the Nation that loves to argue in shul regarding proper practice instead of arguing over money, riches, glory, etc.

❖ Encouraging the non-observant Jews to make Aliyah

Q: The book "Lev Eliyahu" of Rav Eliyahu Lopian (vol. 3, pp. 38-39) mentions a story which he heard from a trustworthy source about Maran Ha-Rav Kook, whom he does not mention by name but as the Rav of Yafo. When Ha-Rav Yitzchak Blazer visited Ha-Rav Kook, the latter explained the verse from Yirmiyahu (2:7), "You came and defiled My Land" as meaning "If only My children would come and defile My Land." Rav Blazer responded that there is a verse in Parashat Acharei Mot (18:28) which says "Let not the Land vomit you out when you defile it." If this is so then what is the benefit of coming and defiling the Land – they will be exiled again?! What then does Ha-Rav Kook mean when he said "If only My children would come and defile My Land"?

A: The statement "If only My children would come and defile My Land" was not invented by Maran Ha-Rav Kook; it is the words of our Sages in the midrash in Yalkut Shimoni (Eichah #1038) when Hashem says: If only My children, My Nation, would be in

the Land of Israel, even though they make it impure. Our Rabbis mean that the essence is for the Nation of Israel to return to the Land of Israel, even though they are not observant. The question is: should a non-observant Jew make aliyah or not? According to this midrash, a non-observant Jew should certainly make aliyah. But won't he transgress and defile the Land? The logic is that even though the Land will suffer, B'ezrat Hashem – with the help of Hashem, he will repent over time. This means that when there is a meeting between the sanctity of the Nation of Israel and that of the Land of Israel, neither of which is readily visible, the Nation of Israel will repent. We in fact see in our times that the Jews in Exile are assimilating and disappearing, while the Jews in Israel are repenting and strengthening themselves.

There is a story that after the establishment of the State of Israel, Jews from North Africa and Yemen made aliyah and were abandoning traditional observance. The person who headed the Department of Aliyah at the Jewish Agency was a Torah scholar named Ha-Rav Shlomo Zalman Shragai, and he was being eaten up inside by this fact. He did not know whether it was proper to continue to bring Jews to Israel under such circumstances and he turned to the Chief Rabbi of Jerusalem, Ha-Rav Ha-Gaon Tzvi Pesach Frank, and asked him what to do. Ha-Rav Frank said to him: Can you do me a favor and hand me the Yalkut Shimoni? He opened it and showed him the words on Megillat Eichah: "Hashem says: If only My children, My Nation, would be in the Land of Israel, even though they make it impure." And he continued: What do you want from me – to transgress the words of our Sages?! You are not guilty for what is occurring. You must bring Jews to Israel and make every effort to connect them to Torah. Ha-Rav Shragai continued to bring Jews to Israel and he mentioned this story various times. I printed a letter which Ha-Rav Shragai sent me in my book "Sichot Ha-Rav Tzvi

Yehudah – Eretz Yisrael" (p. 57, 221-222) describing exactly what happened. It is even more severe in this case since we are not discussing unobservant Jews outside of Israel, but observant Jews who made aliyah and then were no longer observant. If this is so, what was Ha-Rav Tzvi Pesach Frank's calculation? Ha-Rav Shragai once visited France in a place where many North Africa Jews who did not make aliyah settled, and he saw their situation. They did not only abandon traditional observance, but abandoned Judaism altogether – complete assimilation. He then understood that Ha-Rav Frank was correct that we should bring the Nation of Israel to the Land of Israel and we should know that everything will work out in the end.

We can also recall that a certain Rav once explained the line in the Haggadah, "If we received the Torah, but did not enter the Land of Israel – it would have been enough," that it would have been better for the non-religious pioneers to have remained outside of Israel rather than to commit sins in the Land of Israel. These words caused much consternation and when the students came to class, they told our Rabbi, Ha-Rav Tzvi Yehudah, what they had heard. They thought he would discuss this issue at length, but he responded briefly: "See Yalkut Shimoni #1038" and taught the class as usual (Iturei Cohanim #181).

❖ Voting in the Israeli elections

Q: How should we respond to the Ultra-Orthodox who say that since the Satmar Rebbe wrote in the book "Va-Yoel Moshe" that it is forbidden to vote in elections in the State of Israel – "it is preferable to sit and not act"?

A: The Chazon Ish already spoke about this issue and said that it is a mitzvah to vote. His students asked him: a mitzvah like matzah? He said: 'No, a mitzvah like maror.' However, it is pos-

sible to say that it is a mitzvah like matzah. It is correct that if we do not vote it is a matter of "sit and do not act" since other people do go and vote. We are always crying and staging all types of protests in order to influence the Government. This is an opportunity to influence the Government without the need to protest. The Chatam Sofer says in his responsa that there were local elections and someone later complained. The Chatam Sofer asked him: Then why didn't you vote? It is true that the Government of Israel is not the ideal Government we want but we do not say: it is all or nothing. There are many discussions in the Gemara that even if it is impossible to fix everything, we should fix what we can. The Gemara in Avodah Zarah (16a) says that Rabbi Yehudah Ha-Nasi paid money in order to delay the sacrifice of idol worship to another day. The Gemara explains that he wanted to uproot the sacrifice altogether but he was doing it gradually, step-by-step. The Gemara in Sotah (48a) says that if men sing and women answer, it is lewd. If women lead and men answer then lust flares like burning chips of flax, since men have to listen carefully to the women's voice. The Gemara asks: What difference does it make – both are forbidden?! Answer: If one cannot stop both, he should prevent the latter, since it is more severe (Rashi). The Rashba (vol. 5 #238) wrote that if you cannot fix everything, fix what you can. It is true that we will not elect King David by going to vote, but we should influence the Government to follow Torah law as much as possible. We have an obligation to do this. I have learned the book "Va-Yoel Moshe" and it is difficult to understand his proofs in relation to the State of Israel. I have a relative who is a Satmar Chasid. I once visited him when I was on "shelichut" in America and he told me: The Satmar Rebbe once showed his book to a Dayan (Judge) on the Beit Din of Satmar. After some time, he asked: "Did his honor look in my book?" He did not and he said: "It is not enough to

just look in his honor's book, it requires study." The Satmar Rebbe waited some time. He then asked: "Did his honor study my book?" The Dayan saw that he could not avoid the question so he said: "If this book is based on sources from the Gemara, I do not understand what is written there. If it is based on the 'Ruach Ha-Kodesh – Divine Spirit' of his honor the Rebbe – then what can I say?" This is how a Dayan on the Beit Din of Satmar responded. He also said that there were things which are not understandable. The Satmar Rebbe wrote in the book that it is forbidden to speak Hebrew; one must speak Yiddish and before that Aramaic was spoken. King David and King Shlomo spoke Aramaic?! The whole Nation spoke Aramaic then? It is possible to prove otherwise. It is difficult to understand many things in this book. Therefore, even if we are not completely happy with many things that are happening in the State of Israel – and there are many things about which we are not thrilled – we influence what we can. This is called by the halachic authorities: "To save what can be saved."

❖ Receiving the US child tax credit in Israel

Q: Is it permissible to temporarily leave Israel in order to fly to the United States in order to attain US passports for our children so we can receive the child tax credit for them?

A: As is known, it is forbidden to leave the Land of Israel. It is, however, permissible to temporarily leave Israel to make a living. Making a living is not that I am starving. I have money, but I can earn more. One may temporarily leave Israel for this purpose. "Temporarily" means a week or so. Money does not grow on trees. If a person can earn a decent amount of money by traveling outside of Israel, why shouldn't he be allowed to do so? It is not an educational problem for children; you can explain it to

them. If there is a question, it is a more general one: Is it permissible to receive tzedakah from Americans? We are not Americans, we are here. Why should an American taxpayer support me here? If I was born in America and contributed to America and now I made aliyah, I can say to Americans: "I contributed a lot to you and you still have not contributed as much to me." In this case, it is certainly seem justifiable to take. But if I did not contribute to America, how can I take? This is not only an ethical problem, it is a halachic one. There is a discussion if we can take tzedakah from non-Jews. The Gemara in Sanhedrin (26b and see Tosafot and Rashi) says that one who takes tzedakah from non-Jews is like one who eats "something else," i.e., pig. And the Gemara in Baba Batra explains the verse "dried-up produce will break" (Yeshayahu 27:11) that when produce is dry it will break, but it will not do so when it is wet. Similarly, when you allow the non-Jews to give tzedakah, they increase in merit and power. It is not so clear that we can take tzedakah. But if I am a dual citizen and I contributed, it is not tzedakah. Others explain that this is not simply American money, it is also money from Jews. The money also comes from Jewish taxpayers in American and it is obviously permissible to take tzedakah from Jews. The Jews would be happy to know that other Jews are receiving it. Ha-Rav Kook in Shut Da'at Cohain (#132) was asked: Is it permissible to receive tzedakah from a general charity fund from outside of Israel? He said: yes, since Jews also donate to it. Therefore, it is ethical, if you contributed. You are receiving something in return, and if you did not contribute, it is money from Jews. Therefore, it is permissible to temporarily leave Israel to be eligible for the child tax credit. People have also asked me: Should I vote in the US Presidential elections? I do not think so. We live here. Even though some people have US citizenship, who gives us permission to interfere with what is happening in America? When one

comes to live in Israel it is similar to a divorce: even if the wife received alimony (i.e., social security), she should not interfere in the husband's life. It is true that we can decide which person will be a better President for the Jews, but it is not ethical because we live here and not in America.

❖ Establishing a yeshiva on Mt. Sinai

Q: I saw in the media that the President of Israel, Mr. Shimon Peres, suggested establishing a yeshiva on Mt. Sinai. I do not know if he was serious or not. What is Ha-Rav's opinion?

A: I did not hear this, but it is possible to establish a yeshiva anywhere. We obviously do not know where Mt. Sinai is located. There are many suggestions, but we do not know. Nonetheless, there is nothing holy about Mt. Sinai. And if Mt. Sinai is in the Sinai Desert, there are no Jews there, and it is not under the control of the State of Israel. One needs to live within Eretz Yisrael and within the State of Israel. Before the establishment of the State of Israel, we lived everywhere in the Land of Israel. After the establishment of the State, we need to live within the State of Israel and it is forbidden to leave it. The proof is from King David who said (Shmuel 1 26:19): "they drove me away today from being connected to the inheritance of Hashem, saying: Go serve other gods." Our Sages explain in the Gemara in Ketubot (110b): Did anyone tell David to serve idolatry? Rather this teaches that anyone who lives outside of Israel is like one who serves idolatry. But King David did not leave Israel, he was in Gat. But it was not under the control of Israel and one should leave it. We do not know where Mt. Sinai is, but it is logical to assume that it is in the Sinai Desert. If so, there is no need to leave Israel to establish yeshivot when we need to establish them here in Eretz Yisrael.

❖ Entering the Dome of the Rock to save an Arab

Q: My daughter is completing the course of Magen David Adom. Is it permissible for her to enter the Dome of the Rock in order to save an Arab?

A: Quite simply, it is forbidden to enter the Temple Mount. If someone needs to be saved, someone else must save him. From my understanding, there are always different people on call for Magen David Adom. While there is no difference between an observant person and a non-observant person regarding this prohibition, a non-observant person will not ask this question. If so, they will save him. In general, since we are responsible for the citizens of the Land of Israel, we are responsible to save non-Jewish citizens. This is not Russia of one hundred years ago when someone else would perform these acts. We have a responsibility to be concerned about their lives. If we do not do this, we must admit that there are parts of the Land of Israel which are not ours and another authority is needed. We are therefore required to save them, but another paramedic should perform the task, since he will do so in any case. Thus, she does not have to even ask this question, and it is better that there is no question at all than a question with a complicated answer.

❖ Visiting the Bahai Temple in Haifa

Q: Is it permissible to visit the Bahai Gardens and Temple in Haifa?

A: It is certainly forbidden to enter a Temple of idol worship or anything connected to idol worship, but the Bahai faith is not idol worship. The Bahai faith is a universal, general belief which was a reform breakaway from Islam. They believe in loving everyone, human respect, world unity, and other universal values. They

also do not hate the Nation of Israel and do not wage war against the Nation of Israel, which Muslims do, to our distress. It is a good sign that they have positive relations with the Nation of Israel, which has returned to the Land of Israel. They had Muslim roots, but they are not Muslims. Islam is also not forbidden, but there is still a problem with it because it has as a belief that the Torah was nullified. It is therefore a false belief. This is what Rabbi Yosef Albo wrote at the beginning of Sefer Ha-Ikarim that Islam is a false belief, since it "erases" the Torah. This is the error of Islam, but the Bahai faith is not Islam. It is therefore permissible to enter the Temple, which is built over the grave of its first leader, "Bab," and to see the beautiful gardens.

❖ Visiting Jerusalem on the holidays

Q: Is there a mitzvah in our time of "Aliyah Le-Regel" – traveling to Jerusalem for the three pilgrimage festivals (Pesach, Shavuot and Sukkot)?

A: There are authorities who say that such a mitzvah exists today, but the basic law is that it is a proper custom and not an obligation. The mitzvah of "Aliyah Le-Regel" is traveling to the Temple, offering sacrifices, etc. (see Shut Igrot Moshe, Yoreh Deah 3:122, Shut Tzitz Eliezer 10:1 #93, Shut Yechaveh Da'at 1:25). Visiting the Kotel today on these three holidays is similar to a remembrance of this mitzvah.

❖ Cohanim in Ma'arat Ha-Machpelah in Hevron

Q: Is it permissible for a Cohain to enter Ma'arat Ha-Machpelah?

A: There is a halachic dispute if the graves of the righteous are impure. If the graves of the righteous are not impure, then it would be permissible for Cohanim to enter Ma'arat

Ha-Machpelah, Kever Rachel, the grave of Rabbi Shimon bar Yochai, etc. While some permit it, most authorities rule that the graves of the righteous are impure and that it is forbidden for Cohanim to enter. It is not possible to give lashes to someone who does enter, since there are those who permit it. Some authorities also explain that Ma'arat Ha-Machpelah is built so that the lower structure where the graves are located is covered and detached from the building. Much has been written about this issue. I do not know much about this, since I am a Cohain and I have never been inside Ma'arat Ha-Machpelah. Maran Ha-Rav Kook did not visit the graves of the righteous in general since he was a Cohain (*Le-Sheloshah Be-Elul* vol. 1, p. 76) and did not enter Ma'arat Ha-Machpelah. As I am not more righteous than him, so I also do not enter. The same question applies to Kever Rachel. Even according to the opinion that the graves of the righteous are impure, some say that the building was made in a way to make it permissible. Ha-Rav Mordechai Eliyahu relates that he once told our Rabbi, Ha-Rav Tzvi Yehudah, that it is written in the book "Kuntres Yechi'eli" that it is permissible for Cohanim to enter Kever Rachel. Our Rabbi asked him: What do people say there? He answered that they read the verses about our mother Rachel there. Our Rabbi traveled there, but only went as far as the door. When he returned, Ha-Rav Eliyahu asked him: Why didn't you enter? He answered: My father did not enter, therefore I did not enter" (*Parashah Sheet "Kol Tzofa'ich #279*. See also *Sichot Ha-Rav Tzvi Yehudah – Eretz Yisrael* p. 142 note 1, that after the Six-Day War, the students of our Rabbi organized a trip to the liberated areas in the Shomron. One of the places they visited was Kever Yosef. The students entered inside, but our Rabbi remained outside, because he was a Cohain). Again, Maran Ha-Rav Kook did not enter Ma'arat Ha-Machpelah, so I do not.

[MF – note: We can also mention that in the book "Ke-Chitzim Be-Yad Giborim" (vol. 3, p. 108), Ha-Rav Avichai Ronski, the current Chief Rabbi of Tzahal, was asked: Is it permissible for a soldier who is a Cohain to enter Ma'arat Ha-Machpelah for a tour in order to learn about the place in the event of a terrorist attack where his unit would be required to take action? Ha-Rav Ronski answers that it is permissible for three reasons: 1. It is obvious and clear that the security apparatus that would be sent on such a mission must train for it properly. 2. In general, it is not clear that the graves of our forefathers are directly located under the floor of the prayer halls, and even if they are located there, it is possible that the impurity does not break out and spread upward since it is possible that there are hollow spaces larger than a "tefach" (handbreadth – 7.6 cm–9.6 cm) which separate between the floor and the graves. 3. There are Rishonim (Rabbis of the Middle Ages) who ruled that the graves of the righteous do not cause impurity, and Ha-Rav Mordechai Eliyahu permits Cohanim to enter Ma'arat Ha-Machpelah and Kever Rachel. Even though the majority of authorities prohibit entering, it is possible to add this lenient opinion to the other reasons to permit it. [Ha-Rav Aviner writes in his comments to this book that it is important to know that the first reason is the main one, and the second and third reasons are only additional minority positions which can be added to permit it. And we must point this out so that people do not learn that there is a blanket permission to enter.]

REDEMPTION

❖ Will Redemption come when there are 36 righteous people?

Q: Is it written that Redemption will come when there are 36 righteous people?

A: No, this is not written anywhere. What is written is that there are 36 righteous people in each generation (Sanhedrin 97b). Today, however, there are hundreds of thousands of righteous people. A woman once said to me that she never saw a righteous person. I said that I had seen our Rabbi, Ha-Rav Tzvi Yehudah, but she had never seen him. I said that in the morning she should look in the mirror and she would see a righteous person. She had adopted ten children with difficulties and raised them.

❖ Messiah arriving when we are not thinking about him

Q: How is it possible that the Messiah will arrive when we are not thinking about him when the Rambam says that we are required to wait for him to come every day?

A: The Gemara in Sanhedrin (97a) says that three things come when people are not thinking about them – the Messiah, a found object, and a scorpion. The meaning of "when people are not thinking about the Messiah" is that he will come in unexpected ways. Redemption sometimes seems messy and confusing, but do not despair. The Messiah can arrive in ways that we do not know. The Netziv – Rabbi Naftali Tzvi Yehudah Berlin – comments on the words of Moshe Rabbenu: "But they will not believe me, and they will not listen to my voice, for they will say, Hashem did not appear to you" (Shemot 4:1). He explains that it is clear

that Moshe did not say that they will not believe in the Redemption at all, since this is what they were requesting. Rather Moshe said that they will not believe him that Hashem appeared to him. This is because they did not know that Moshe grew up with the Torah which was passed down from their forefathers. His holiness and righteousness were not known, since he grew up in Pharaoh's palace in his youth, and he dressed and spoke like an Egyptian. From a human perspective, it was more appropriate that Hashem would appear to Aharon, the holy one of Hashem, who prophesized while still in Egypt. This was Moshe Rabbenu's claim that they would not believe him since he looked like an Egyptian. The Netziv explained that when the Redemption arrives it will come in ways which you did not imagine, so do not reject it. Hashem can bring the Redemption in ways that you did not think about (Igeret Acharit Ke-Bereshit, Kovetz Shivat Tzion vol. 1, pp. 17-18 and in a shortened form in Ha-Emek Davar – Shemot 4:1).

The Maharsha in his commentary on the Gemara (ibid.) raised the following difficulty: we explained that "the Messiah will arrive when we are not thinking about him" means that he will come in unexpected ways, but what does it have to do with a found object and scorpion, which also arrive when we are not thinking about them? This is obvious – we do not need our Sages to tell us this?! The Maharsha explained that this statement is all one subject. The Messiah arriving in unexpected ways is a found object for one person and a scorpion for another. Hashem is bringing the Redemption and if one has already figured out how the Redemption should occur and it is suddenly different, he will be disappointed and angry. For him, the Messiah is a scorpion. But if someone has not decided how the Redemption will occur, he will be happy in any event and the Messiah will be like a found object.

We therefore wait for the Messiah every day. The Gemara in Eruvin (43b) says that if someone says: "I will be a Nazir on the day that the son of David (i.e., the Messiah) arrives" – he is immediately a Nazir, since the Messiah may come today. If night falls and the Messiah has not arrived, he is a Nazir the next day. This means that we must wait for the Messiah each day and it is forbidden to be distracted from this thought. The sixth Lubavitcher Rebbe – Rabbi Yitzchak Yosef – said three things regarding this issue: 1. We must wait for the Messiah each day. 2. We must act like a people who are waiting for the Messiah to arrive on that day in holiness and purity, learning Torah, and performing mitzvot and good deeds. 3. If everyone is waiting for the Messiah each day and acting like people who are waiting for the Messiah to arrive on that day, the Messiah will certainly arrive on that day.

❖ Is the Rebbe the Moshiach?

Q: Is the last Lubavitcher Rebbe the Moshiach (Messiah) as many Chabad Chasidim claim? If he is not, should we excommunicate them for claiming that he is?

A: There is a small group of Chabad Chasidim who say that the Rebbe is a Divine essence placed in a body and that his entire reality is Divine; and the Rebbe therefore knows everything, cannot sin and is not limited. And one who speaks to him is like one who is speaking to G-d: it is permissible to pray towards his picture and bow to it on condition that one's intention is towards the completely Divine being that did not die. This small group of "Godists" is totally rejected by almost all Chabad Rabbis.

The question is regarding those who say that he did die, but he will arise by resurrection to complete his work, and it is still possible to proclaim: "May our master, our Rabbi, the King

Moshiach, live forever." This is a hope and a belief, a prayer and a request for the future. We must therefore ask: Can a man who did not redeem the Nation of Israel be defined as the Moshiach? Certainly not! Since the role of the Moshiach is to be the Redeemer, if he did not redeem – he is not the Moshiach, although he may have other lofty traits of Torah, wisdom, holiness and kindness. The Rambam in Hilchot Melachim (11:1) defines: "In the future, the King Moshiach will rise up and reestablish the Kingdom of the House of David to the former first governing body, build the Temple, gather the scattered of Israel and reinstate all of the laws in his days as they formally were." If someone did not reestablish the Kingdom of the House of David, if he did not build the Temple, if he did not gather the scattered of Israel and if he did not reinstate the laws of Israel – he quite simply is not the Moshiach.

Some claim that we find in the Gemara that the students classified their rabbi as the Moshiach. The students of Rabbi Shila said that the Moshiach's name will be "Shilo." The students of Rav Yannai: Yinun. The students of Rabbi Chaninah: Chaninah. The students of Rabbi Menachem: Menachem. And they also said that if the Moshiach is alive today, it is Rebbe (Rabbi Yehudah Ha-Nasi), and if he is dead, it is the prophet Daniel. Rav Nachman said: If he is alive today, it is me (Sanhedrin 98b). The same thing occurred in later generations. Rabbi Shalom Shachna wrote: "I say Shachna is his name" (Beit Shmuel, Even Ha-Ezer 129 and Shemot Anashim, chapter on Shachna) and the author of "Or Ha-Chaim" writes: "The name of the Moshiach of Hashem is Chaim" (Devarim 15:7 and others). This is true, but it is essential to remember: Even a great and righteous King of Israel, who does wondrous things for the sake of the Nation, leads the Nation according to the Torah and wages the wars of Hashem against our enemies is only a presumed Moshiach (Rambam. Hilchot

Melachim 11:4). Only if "he defeats all of the surrounding nations, builds the Temple in its place and gathers the scattered of Israel" (ibid.) will he be deemed as the definite Moshiach. "If he does not succeed to this point or he is killed, it is known that this is not what the Torah promised and he is like all of the proper and kosher Kings of the House of David who died" (ibid.). If so, it is clear that a King of Israel who is killed or who dies is not the Moshiach. It is clear that he will arise during the resurrection of the dead, and it is even possible that he will arise before others and perform salvations, as our Rabbis wrote. In the meantime, however, a proclamation regarding the Redemption before the Redemption does not make him Moshiach. Furthermore, the Rebbe himself never clearly said that he is the Moshiach. He scattered a few hints which are interpreted in various ways by his followers.

Regarding excommunication, there are great authorities who consider the claim that a deceased person can be the Moshiach as an uprooting of Judaism. They include: Ha-Rav Aharon Soloveitchik, Ha-Rav Aharon Kotler, Ha-Rav Shach and the Steipler Gaon. It seems, however, that we should stand on guard and preserve "Ahavat Yisrael – the love of Israel." Everyone knows that Chabad Chasidim are righteous, G-d-fearing individuals who engage in saving Judaism with self-sacrifice and perform kindness without calculation. We therefore say the words of our master, Ha-Rav Kook, to the "Messiahists": "Despite the fact that an error in Divine matters is something which does great damage, the damage from these mistaken ideas do not reach the point of destroying the person's soul. The point of no return will be reached only when he reveals it in action, or when he at least descends into thoughts and emotions which will of necessity be revealed in action. But this point has not been reached here" (Maran Ha-Rav Kook, *Shemoneh Kevatzim* 1, 30).

WAR

❖ Being Drafted into Tzahal – Israel Defense Force

Q: Is it a mitzvah to be drafted into Tzahal?

A: Absolutely. It is a mitzvah for three reasons – just as everything in the army is in threes:

1. Pikuach Nefesh – The army protects the lives of millions of Jews from our many enemies. Saving a life overrides just about every mitzvah in the Torah except the most essential ones.

2. Conquering the Land – The army safeguards the Land of Israel. There is a mitzvah to conquer the Land and then to hold on to the Land. At the end of the book "The Kuzari," the King of Kuzar asks, is the reason you do not make aliyah to Israel that it is dangerous? The Jewish spokesman answers that it is not dangerous, and even if it were dangerous, it is not more dangerous than an obligatory war which we are also required to fight.

3. Sanctification of Hashem's Name – When the Nation of Israel is low, pitiful and oppressed, it is a desecration of Hashem's Name. When we are strong and settled in our Land it is a sanctification of Hashem's Name. Ha-Rav Nisenbaum – who was a major Zionist – once said: What is sanctification of Hashem's Name? It is not when it is written on a Jew's tombstone that he was murdered sanctifying Hashem's Name.

Some say that the army is no good. It does not protect modesty, it expels Jews, etc. Don't exaggerate! It is true that there are immodest things which occur, but it is not completely immodest. It is true that it was used to expel Jews, but do not say that it is the "Israel Expulsion Army." We struggle against these things, but just as a person is judged on the majority of his acts, so is an army. "There is no righteous person in the world who does good and

does not sin” (Kohelet 7:20). The army is judged on the majority of its acts. Yes, there are problems, but what do you suggest? No army? If we did not have an army, we would have no problems of modesty – all Jews would be dead. Likewise, there would be no expulsions, because all Jews would be dead. On the whole the army is good, and it is an army of Hashem.

❖ Fighting against the enemy

Q: Why do we need to go to the army? After all, Hashem wages war against the evildoers!

A: The Torah says "From twenty years old and upwards, all that are able to go out to war in Israel" (Bamidbar 1:3). And in the war with Amalek, Moshe Rabbenu commanded Yehoshua bin Nun: "Choose men for us and go wage war against Amalek" (Shemot 17:9). Similarly, in the war with Sichon and Og, Moshe Rabbenu led the war, and he himself killed Og. Yehoshua bin Nun led the war to conquer the Land against the thirty-one kings. Why didn't they just sit back in all of these cases and Hashem would do the work? The answer is simple. In the Gemara in Niddah (70b-71a), our Sages ask: What should a person do in order to grow wise? They answer: He should spend much time learning and minimize business. They said: Many did so, and they did not become wise. Rabbi Yehoshua said that he should just pray. The Gemara says: One must both learn and pray because neither will work without the other. Question two: What should a person do in order to become wealthy? Answer: He should engage in business with integrity. They said: Many did so, and it did not work. Rabbi Yehoshua: He should pray. The Gemara says: One must both work and pray because neither will work without the other. Question three: What should a person do in order to have male children? Answer: He should sanctify him-

self at the time of relations. They said: Many did so, and it did not work. Rabbi Yehoshua: He should pray. The Gemara says: One must both sanctify himself and pray because neither will work without the other.

The same applies to war: neither will work without the other. We are obligated to wage war and Hashem will send His blessing. We are agents of Hashem in order to bring victory, as it is written "For by you, I run through a troop" (Tehillim 18:30), as an agent of the Master of the Universe.

❖ Charedim (Ultra-Orthodox) and self-sacrifice

Q: Why don't Charedim display self-sacrifice like Religious-Zionists?

A: Throughout the generations, Jews displayed self-sacrifice for the Land of Israel, whether making aliyah, establishing settlements, or serving in the army. This has included Religious-Zionists and secular Jews and the Charedim (Ultra-Orthodox). Charedim – whether the students of the Vilna Gaon or the students of the Ba'al Shem Tov – made aliyah and established settlements with great self-sacrifice. For example, Charedim established Me'ah She'arim within an Arab settlement with self-sacrifice, and the city of Petach Tikvah, despite the malaria when many paid with their lives, and the neighborhood of Nachalat Shiva in Jerusalem, which was an extremely dangerous place. Even Ha-Gaon Ha-Rav Yosef Chaim Sonnenfeld, ztz"l, one of the harshest opponents of Zionism, said that we cannot abandon even one place in the Land of Israel – even if there is danger involved. The story is told in the book "Ha-Ish Al Ha-Chomah" (vol. 2, pp. 175-180) that during the Arab Pogrom of 5689 a multitude of Arabs descended on Me'ah She'arim; their leader had his sword drawn and they screamed, "Slaughter the Jews!"

When they passed the flour mill, two Charedi Jews came out, one wielding a pistol, and shot and killed the leader of the gang. The second one threw a hand grenade and the entire gang fled while the two of them pursued them – one with a pistol and the other with a hand grenade. The Arabs killed many of their own in their panicked flight, trampling one another. The next day, Ha-Rav Sonnenfeld, who lived within the walls of the Old City, had to go to Me'ah Shearim for a brit milah. He left through "Sha'ar Shechem" (the Damascus Gate), and in front of their eyes lay the dead Arabs. His students said to him: "Rav, what about safeguarding one's life?" He answered them: "If we surrender walking through 'Sha'ar Shechem,' there will be no Jews." By the way, the Charedi Jew who fired the pistol was Ha-Rav Aharon Fischer, the father of Ha-Gaon Ha-Rav Yisrael Yaakov Fischer, who was the Av Beit Din (head of the rabbinic court) of the Ultra-Orthodox community until a few years ago. We therefore see that the Charedim did not fear anything – not diseases and not Arabs, and they even used a weapon when necessary.

❖ Does every bullet have an address?

Q: During a war, there are many bullets fired and missiles and mortars shot. Is there Divine Providence regarding who is killed, injured or saved, or is it all luck?

A: It is certainly true that not only is there Divine Providence for the entire world, there is also Divine Providence for each individual and for each thing which occurs, down to the smallest detail. We obviously do not know the calculations of Hashem but there is Divine Providence in life and all the more so in when a person will die, as is written in the Gemara in Yevamot (50a). This does not mean, however, that a person can take risks and say: "If Hashem decreed that I will live then I will live and I do not need

to be careful." This is not so. The book "Mesillat Yesharim" (chap. 9) says that a person who sins will be punished and if he takes risks and transgresses the mitzvah of "And you shall safeguard your soul," it is possible that the punishment will be a shortening of his life. A person must therefore always be cautious but it is possible that he could be injured or killed whether he is cautious or not. However, if he is cautious he fulfills a mitzvah and if he is not cautious he commits a severe transgression. While there is Divine Providence, a person must also pray and the prayer may change the Divine decision. It is similar to a king who says that a person who sins will receive a punishment, but if he asks for forgiveness he will not be punished. The same here: it is possible that Hashem says that if a person prays it will be one way and if he does not pray it will be another way. A man therefore should not fret about Divine Providence and he should act properly. May Hashem protect our Nation and the cities of our G-d.

❖ "One who is fearful and fainthearted"

Q: What does a soldier do if he is afraid to go into war?

A: Although in an optional war "one who is fearful and fainthearted" may remain at home, we are now in an obligatory war and "one who is fearful and fainthearted" also goes to battle. But why would we want "one who is fearful and fainthearted" in battle? Answer: When the Land of Israel is in danger and the Nation of Israel is in danger, a person who is weak also says: "I have courage!" It is true that a soldier is sometimes scared, but this is until he shoots the first bullet and then he is filled with strength and courage. He has no time to be scared. He is constantly active. A person once caused some mayhem on the Temple Mount and there was a multitude of Arabs on the street. At that exact time, I was driving by the Old City with other people in the back.

The Arabs attacked the car, broke the windows and started to hit me inside the car. I continued driving in a zigzag between the Arabs. I arrived at the Dung Gate, turned off the car, took out the key and promptly fainted. I woke up in the hospital with a pleasant doctor with a kippah and a short, pointy beard stitching my head. I said: "What a miracle that I passed out after I stopped the car. If I would have fainted before that, they would have slaughtered me and the others." He said: "It is not a miracle. When a person is exerting effort, he will not pass out. When he finishes exerting effort, he passes out." A person in the midst of a war is therefore not emotionally free to be scared. He is trembling with fear when he is waiting to go into battle because he is not doing anything. When he is active, he is not worried because he is doing something.

❖ Killing a terrorist when he has stopped murdering

Q: Is it ethical to kill a terrorist when it is logical to assume that he will no longer murder?

A: This question can be divided into two parts: 1. From the perspective of reality, how is it possible to be certain that he has stopped murdering? It is impossible to know. 2. Even if we know that he will no longer murder, we must still kill him. But why isn't this the law of a "rodef" (literally "pursuer" – a case in which one is permitted to kill a pursuer so that the pursued person is saved from harm)? If he is in pursuit, we kill him and if he is not in pursuit, we do not kill him. There are three answers given by halachic authorities: A. The terrorist is not finished being a "rodef." He is not an "individual rodef" who is angry with a particular person and wants to kill him, he is a "communal rodef" who wants to kill Jews and he does not care which Jews they are. If we capture him, put him in jail, and he is later released,

as is the custom – to our great distress – he will continue to murder. The organization of parents of those murdered by terrorists has exact records which state that more than 180 Jews have been murdered by released terrorists who have murdered again. This means that when you free a terrorist with the proper goal of helping Jews, you endanger more Jews. This person is therefore not a one-time "rodef," but a perpetual "rodef." B. The halachic authorities also say that you should kill him in order that others will see and be frightened. This "rodef" is teaching other "rodefim" through his action. If he kills Jews and when the police approach, he gives up and we have mercy on him, we encourage others to act like him, thus endangering other Jews. Therefore, in situations like these, we must be extremely ethical. The question is, ethical to whom – the "rodef" or others Jews? Answer: to both of them. We must be ethical to the Jews who have done nothing wrong and to him, since if we kill him, we stop him from killing others and lessen his "Gehinom" (punishment in the World to Come). The Mishnah in Sanhedrin (71b) says that the "ben sorer u-moreh" (the rebellious son – see Devarim 21:18-21) is killed on account of his future. While he has done many things wrong, he has not committed a sin for which he is liable for capital punishment, but he is killed so that he will die innocent and not guilty. In our case the terrorist is already liable, but he should die liable and not even more liable. We do not use the concept "he should die innocent and not die guilty" to create new laws, but to explain them. C. These are halachot of war, and in war, we do not lock up an enemy who is shooting at us, but we fire back at him. This is similar to what King Shaul said to the "Keni" (Shmuel 1 15:6): "Go, depart, go down from among Amalek, lest I destroy you with them." This means, even though you are my friend, if you are there, you could get hurt or killed. In the halachot of war, we do not make such calculations as it says, "The best of the

non-Jews should be killed." The Tosafot raised a major difficulty with this statement: How can we say such a thing when according to halachah it is forbidden to kill a non-Jew and all the more so the best of the non-Jews (Tosafot to Avodah Zarah 26b and see Beit Yosef Yoreh Deah 158)? Tosafot explained that this statement refers to a time of war. This non-Jew seems pleasant or, in our case, he killed but he will be pleasant. No, we did not make such calculations in a time of war; even a pleasant-seeming non-Jew is killed.

In sum: we therefore see that killing a terrorist is ethical.

❖ "May their name be blotted out" for Arabs

Q: Is it permissible to say "May their name be blotted out" for Arabs?

A: Arabs are not all the same, just as – "le-havdil – to differentiate" – Jews are not all the same. There are Arabs who are murderers. There are Arabs who are not murderers, but who encourage murderers and are happy when they do so. And then there are Arabs who are not murderers and do not support them. We obviously are unable to tell the difference between them and so we are cautious about all of them. We respect them and suspect them. We do not call all of them murderers, since this is not true. Sometimes there is an Arab who seems pleasant and turns out to be a murderer, and sometimes there is an Arab who appears not to be okay and is okay. Much information comes to the security forces in the war on terror from Arabs. The Arabs do not necessarily pass it along because they love the Nation of Israel, but they do not want the killing because they know it is not good for them and causes chaos. We would not call them the most righteous people in the world, but we also would not say "May their name be blotted out."

The Terrorist attack at Yeshivat Mercaz Ha-Rav

❖ "When Adar enters" and the attack on Mercaz Ha-Rav

Q: Our Rabbis say "When the month of Adar enters joy increases." How then could this attack occur on Rosh Chodesh Adar?

A: There is no connection. This month of Adar is a month of joy and we are grief-stricken and broken over what has occurred. We have mixed feelings. Educators have called me and said: We are going to go ahead with the activities we planned (many schools have fun events for the beginning of Adar). We will continue to dance and sing because the enemy wants to break our morale, but they will not succeed. Terror cannot destroy a country, but it can lead it to despair. A Chinese aphorism: Kill one person and cause thousands to fear. The principals of the schools said: On the contrary, we will dance and rejoice. They asked: What do you think? I said: You are right, but you should begin with prayer, Tehillim and somber words. Adar is Adar and we are also sad – both. In Parashat Shemini, Aharon's sons are killed during the dedication of the Mishkan and Moshe Rabbenu said: Remove them. Rashi explains: Take the deceased away from the bride. This is the great wedding of the Nation of Israel with the Land of Israel which has continued for more than 120 years. There are highs and lows during a wedding as the Gemara (Shabbat 130a) says: There is no ketubah without issues. There are precious deceased ones at the wedding and after we mourn we will return to the bride.

❖ Birchat Ha-Gomel

Q: I learn at Mercaz Ha-Rav, but was not there during the attack. Should I recite Birchat Ha-Gomel (for having been saved)?

A: No, you were not there.

❖ Reciting Tehillim at night

Q: Is it permissible to recite Tehillim at night for those who were injured?

A: It is well known that people say not to recite Tehillim at night, but this is not certain. 1. There is a ruling not to learn Chumash at night brought by the Mishnah Berurah in Sha'ar Ha-Tziyun (chapter 239 #1). This ruling, however, is not found in the Gemara, Rambam, Shulchan Aruch and not even in the Mishnah Berurah itself. From this source, we learn that it is not an obligation, but a stringency based on mysticism. There is also a midrash that when Moshe Rabbenu was in Heaven, he learned Chumash during the day and Oral Torah at night. This, however, is a stringency and it is certainly permissible to learn Chumash at night. 2. Many authorities point out that Tehillim is not Chumash, it is Nach – part of the Ketuvim. 3. Reciting Tehillim is not learning Torah, it is prayer. There are therefore three reasons which can be joined together to allow it. Maran Ha-Rav Kook writes in one of his responsa that people sometimes do not use their brains – instead of learning Torah at night, they waste their time. This is certainly not our Rabbis' intention. It is therefore permissible. Furthermore, we do not recite Tehillim on Shabbat for the sick because we do not plead with Hashem on Shabbat. In cases of a life-threatening situation, however, we desecrate Shabbat in that manner and in this case it is therefore permissible to recite Tehillim.

❖ Religious-Zionists harmed more often

Q: Why are Religious-Zionists harmed more often than Charedim (Ultra-Orthodox) by terrorists? Perhaps this is a sign that we have erred in our position.

A: On the television station of Hezbollah, Al Manar, they said that Yeshivat Mercaz Ha-Rav was attacked precisely because it produces many soldiers. It is obvious that a combat soldier is harmed more than a soldier in a support unit – although the latter are also important. And someone who goes to the army is obviously harmed more than someone who does not go to the army. And someone who lives in a dangerous place is obviously harmed more than someone who does not live in a dangerous place. They attacked Mercaz Ha-Rav because it produces courageous and strong soldiers. They are therefore afraid of it and with good reason. This is certainly a sign, since the forces of evil always attack the strongest point and that which threatens them the most.

Questions from the War against Hamas in Gaza

❖ A Wedding in Ashdod during the War with Hamas

Q: Is it permissible to travel to a wedding in Ashdod (in Southern Israel) which is in range of the Kassam and Grad rockets, or is it forbidden based on the commandment of "You shall surely safeguard your soul" (Devarim 4:15, 23:11)?

A: It is permissible. There is a clear distinction in halachah between a high-probability danger and a low-probability danger. If this were not the case, we would not be able to travel in a car since every year, to our great distress, six hundred people are killed in car accidents in Israel. Many more people have been

killed in car accidents since the establishment of the State of Israel than all of the Kassam rockets and all of the terrorist attacks and all of the wars, even when they are added together. We nonetheless travel in cars, obviously with the required caution, since this is called "a non-frequent danger" in halachah (Pesachim 8b). In our time there are statistical tools to verify the frequency of a danger. There is a halachic responsum on this subject by Ha-Rav Yitzchak Zilberstein, Rabbi of "Ramat Elchanan" (neighborhood in Bnei Brak). A student was learning in a yeshiva in "Yesha" (Yehudah, Shomron or Gush Katif) and his parents were concerned about the danger. Ha-Rav Zilberstein proves that "a frequent danger" is five percent. This means that if – G-d forbid – five percent of the students of the yeshiva were murdered, it would be forbidden to learn in that yeshiva. This is obviously far from reality – Baruch Hashem – since the Kassam and Grad rockets are not killing five percent of the population. In fact, Ha-Rav Yitzchak Isaac Herzog in Shut Heichal Yitzchak proved based on Shut Rabbi Akiva Eiger (#60) that a frequent danger is not five percent, but one in a thousand, but – Baruch Hashem – Kassam and Grad rockets are not killing one in a thousand people either. Furthermore, it is permissible to take a "small risk" for the sake of a mitzvah, and bringing joy to a groom and bride is a mitzvah. The Tiferet Yisrael discussed this principle on the Mishnah in Massechet Berachot at the end of chapter one. There is a story about Rabbi Tarfon, who said the Shema at night while reclining according to the view of Beit Shammai. He endangered himself while doing so and the Sages admonished him for following the view of Beit Shammai instead of Beit Hillel. But the question remains: Why did Rabbi Tarfon endanger himself, since reciting the Shema is not in the category of "Be killed and do not transgress," i.e., requiring one to sacrifice his life for its fulfillment? The Tiferet Yisrael explains that it was permissible since there was only a

small risk of danger. There is an additional proof from when Rabbi Akiva was in jail, and he used the water he received for "netilat yadayim" (ritually washing his hands) instead of for drinking. The halachic authorities ask: How could Rabbi Akiva endanger his life for this practice? The answer is that Rabbi Akiva understood that he would obtain more water, the danger he was taking was extremely minute and it is permissible to take a small risk for a mitzvah. This is also the ruling found in "Pitchei Teshuvah" (Shulchan Aruch, Yoreh Deah 157).

In conclusion:

- a. A non-frequent danger is not considered a danger according to halachah and the danger in Ashdod is a non-frequent one.
- b. It is permissible to take a minimal risk for a mitzvah, and bringing joy to a groom and bride is a mitzvah.

❖ Communal prayer at a time of danger

Q: Should we daven in a large communal prayer in shul at a time when there is danger of Kassam or Grad rockets and mortars falling or in a small minyan in a bomb shelter?

A: If there is an explicit instruction not to gather communally by the Home Front Command or by the Rabbi, there is no question. If there is no explicit instruction but a recommendation, it is suggested that people not gather when there is no pressing need; but it is permissible when there is a need such as communal prayer. In truth, the risk is minute. People – to our great distress – are killed four times more often in car accidents in the State of Israel than through all of the terrorist acts and wars combined together. Even when there is a slight risk, we do not take risks by walking in the street for no reason, but davening with a minyan is certainly not for no reason. In general, terror does not have power. Throughout all of history, terrorism has not succeeded in con-

quering a country. Terrorists can kill tens of people, hundreds, thousands, even tens of thousands, but there are still millions of people. Terrorism is a psychological war. There is a Chinese saying: Kill one person and frighten tens of thousands. Their goal is to disturb normal life, weaken the citizens' trust in the government, and destroy the societal glue which binds a nation together. Thus, anyone who continues with life's routine is waging war against terror. And if the media does not report about terror, the terrorists will see that their activities are not working and it will cease.

❖ Warning siren in the middle of Shemoneh Esrei

Q: What should a person do if he hears a warning siren for an incoming missile and he is in the middle of the Shemoneh Esrei?

A: He should certainly run to the bomb shelter and continue to daven the Shemoneh Esrei there. This is based on two reasons: 1. It is a case of a life-threatening situation. 2. Walking in the middle of the Shemoneh Esrei without speaking is not considered an interruption. For example, if I am davening the Shemoneh Esrei and a child is bothering me to the point that I cannot concentrate, I can move to another place. Or if I am davening by heart and I cannot remember "Ya'aleh Ve-Yavo," I can go and get a siddur. Speaking is forbidden but there is no problem of moving if there is a need (Mishnah Berurah 104:2). Therefore, if I am in the middle of the Shemoneh Esrei and I hear a warning siren for an incoming missile, I should go to the bomb shelter without talking and continue to daven in the place where I left off (see Piskei Teshuvot, Orach Chaim 104).

❖ A Soldier Killed by Friendly Fire

Question: It is known that a soldier killed in battle is considered holy. Is a soldier killed by friendly fire also considered holy?

Answer: If a soldier is killed in battle or during military exercises under any circumstances, whether it is in error or in a superfluous mission, he is considered holy and was killed sanctifying Hashem's name. The use of the expression "holy" in this context is taken from the responsa of the Chatam Sofer (Yoreh Deah #333) regarding a person who was murdered by non-Jews. While here the soldier was seemingly killed by our own troops, this is not correct, because the reason we are at war is that the non-Jews continually attack us. There is no difference in how he was killed since the nature of war is bound up with danger. In war, there is the fog of battle and it is complex. It is impossible to run a war in a gentle manner until the enemy says "uncle." These occurrences are a part of war and part of the self-sacrifice of the soldiers. If in the responsa of the Chatam Sofer the murdered was referred to as "holy" since he was murdered by non-Jews for no reason, this is all the more so true in our case in which a soldier willingly goes into battle to protect the Nation of Israel, the Land of Israel, and to sanctify Hashem's name. And he knows from the outset that things such as this can occur as it says in the Gemara in Shevuot (35b) that a king who kills a sixth of his soldiers in battle is not punished, since this is part of the calculations of war. We are obviously not freeing those who made the error; Tzahal thoroughly investigates such incidents. We are only discussing the soldier who was killed sanctifying Hashem's name.

❖ Rejoice or cry?

Q: I am confused: our military operation in Gaza is succeeding

but there are also Jews who are being killed, which is extremely distressing. Should we rejoice or cry?

A: We need to distinguish between the community and the individual. There are communal calculations and personal calculations which are not always the same. The majority of the time, we are concerned for both the community and the individual, but there is occasionally an exception such as at a time of war. During a war, the national goal overrides the individual's needs. The individual displays self-sacrifice for the national goal. Regarding the question, we are both rejoicing and crying. The Halachah says that if a person is happy he recites "Shehechyanu" and if he is sad he recites "Dayan Ha-Emet." What is the law if one's wife gives birth to a boy and she dies in childbirth? He recites two blessings: "Shehechyanu" and "Dayan Ha-Emet" (see Berachot 59b). They are two different calculations and we do not mix them together. Is the husband not sad about his wife because a baby was born to him? And is the father not happy about his new child baby because his wife died? He has both feelings. Therefore, we are sad for those who have been killed and wounded, but this does not affect our joy over our accomplishments. Our operation is succeeding and it is a great victory. One officer said: it will take years for them to reconstruct what we have destroyed. In the war of the Maccabees, people were killed, but we still rejoice. The same is true with the war for the conquest of Israel and all of the wars. Therefore, we are sad for the killed and wounded, and we rejoice over Tzahal's accomplishments.

❖ Satmar Chasidim and Neturei Karta

Q: How should we relate to Satmar Chasidim and Neturei Karta, who pray for the downfall of Israel when we are at war?

A: First of all, it is not certain that it is all Satmar Chasidim and

all Neturei Karta. We need to be very careful about making generalizations, which is something which Anti-Semites do. I am sure that there are many Satmar Chasidim who do not think this way and many Neturei Karta who do not think this way. And if you ask them, they will respond that those who act this way are "meshugena – crazy" and they do not represent anyone. Regarding those who do pray for the downfall of Israel, who protest against Israel and who meet with the President of Iran, they are "meshugena." They are confused. In the language of halachah, they are "Tinokot She-nishbu" (literally, Jewish children captured and raised among non-Jews). The Rambam explains in Hilchot Mamrim (3:3) that a "tinok she-nishba" is a Jew who did not receive a proper Jewish upbringing and education. Even though he sees other people acting differently, he is captive to his education. I do not understand how someone can be so confused, but people are sometimes filled with distorted views. He lives in a closed society and everyone sustains one another. As a result, it is a situation from which one cannot liberate himself. They are truly confused. We therefore need to pray that Hashem illuminates their eyes and they repent.

❖ Rachel Imenu (our foremother Rachel) in the Gaza War against Hamas

Q: Rumors have spread about a woman presenting herself as our foremother Rachel appearing to Tzahal soldiers and warning them of explosives, booby-trapped houses and terrorist ambushes within the Gaza Strip during the war. Is this true?

A: In truth, Rachel Imenu was certainly with us during our long Exile, as the Maharal explained in his book "Netzach Yisrael" (end of chap. 1 and beginning of chap. 34). He wrote that Rachel is the power that sustained the Nation of Israel during the course

of the Exile and returned us to our Land, as it says: "Withhold your voice from crying...and your children will return to their border" (Yirmiyahu 31:15-16). And Rashi explained at the beginning of Parashat Va-Yechi (Bereshit 48:7): Why wasn't Rachel buried in the Cave of Machpelah or even in Beit Lechem, but by the side of the road? In order for her to protect the Nation of Israel while we were on the way. This is the inner power which binds the Nation together. After all, it is a miracle and wonder that we were able to remain steadfast for two thousand years in the Exile. We were a lamb among seventy wolves and we are now returning to our Land. But regarding the idea that Rachel personally revealed herself to this person or that person, on such matters it is said: "A fool will believe anything." There are two types of extremism: one type of extremism is to deny miracles, and another type of extremism is to believe that when someone tells you about a miracle that there really was one. We need to check. It is possible that they may have been imagining. Sometimes a person imagines things, even a sane person. Sometimes one is under pressure, tired, hungry, and thinks he sees something that isn't there, and later fosters it in his memory. This is called FMS – false memory syndrome. It may have been a non-Jewish woman. There are also good Arab women – not all of them are, but there are some. And maybe someone dreamed up this idea to strengthen faith, and to say: "You see? There are people that go to war and there are people that don't go to war but they pray, and Rachel came to save us on account of their merit." Therefore, we need proof for such matters. There were soldiers who fell in battle and Rachel was not there. There were also soldiers who won battles due to their great dedication and wisdom and courageousness to fight, and Rachel was not there. This means that Rachel was not there in the image of a woman guiding them and telling them go this way or that way, shoot here

or shoot there. But Rachel was certainly there in the sense in which we explained: the inner power which sustains the Nation of Israel and returns us to our Land. [There was a news story that Ha-Gaon Ha-Rav Mordechai Eliyahu prayed for Rachel Imenu to help. Rav Aviner gave this answer before this story spread about Rav Eliyahu.]

❖ More on Rachel Imenu

Q: Did Rachel Imenu really reveal herself in the war or not? In other words, who is obligated to prove it – the one who claims that she did appear or the one who claims that she did not appear?

A: The simple answer is based upon the halachic principle: "Ha-motzi me-chavero alav ha-ra'ayah – The burden of proof rests upon the one who demands the money," i.e., the burden of proof rests upon one who makes a claim which veers from the usual. The usual is that Rachel Imenu does not appear in war. Rachel Imenu was not in our first war when Yehoshua bin Nun waged war against Amalek. She was not in the war of Moshe Rabbenu against Sichon and Og. She was not in the war of Yehoshua bin Nun to conquer the Land of Israel. She was not in any of the wars of the Judges. She was not in the wars of King Shaul and of King David. She was not in the wars of any of the Kings of Israel. She was not in the war of the Hasmoneans. She was not in the war of Bar Kochba. She was not in the War of Independence, the Six-Day War or the Yom Kippur War. She was not in any war. The presumption is that she does not go out to war. Now, there are those claiming that she was there. It is possible, but it must be proven. How? We need to hear from the soldier who claimed that it happened. We need to question him before a Beit Din according to the halachah: Did you really see

her? Maybe it was an Arab woman? Maybe it was a Jewish woman captured by the Arabs and she was reminded that she was a Jew? Maybe you imagined it? As long as it has not been investigated, it has not been proven. Up until now, I have not heard anything.

I was therefore happy when a friend told me what he saw with his own eyes. During the war, a bunch of reservists were sitting around a fire on a freezing-cold night with warm jackets which they brought from home. A few regular soldiers arrived and they were frozen to the bone. The reservists did not hesitate to take off their jackets, which were almost more precious to them than their weapons, and gave them to the other soldiers. This is Rachel Imenu! Rachel Imenu gave up Yaakov – who was the most precious thing to her – for her sister. I am not saying that a jacket and a spouse are comparable, but this act at its source comes from Rachel Imenu.

In David's lament for Yonatan, he says: "Your love was more wonderful to me than the love of women" (Shmuel 2 1:26). The Targum (the Aramaic translation) says: "the love of two women." A Chasidic Rebbe once asked: Who are these two women? His answer: Rachel and Leah. David was saying: "Yonatan, your love for me in which you were willing to forgo the kingship flows from the love of two women – when Rachel was willing to forgo for Leah." Giving up a jacket is obviously not like giving up the kingship, but it still flows from Rachel Imenu.

And Rashi explains at the beginning of Parashat Va-Yechi (Bereshit 48:7): Why wasn't Rachel buried in the Cave of Machpelah or even in Beit Lechem, but by the side of the road? So that when we were on our way to Exile she would be an aide for her children, as it says: "A voice is heard in Ramah. Rachel cries for her children...there is a reward for your actions and your children will return to their border" (Yirmiyahu 31:14-16). But

couldn't she be an aide from Ma'arat Ha-Machpelah – it is only a little farther away?! I heard one Rav explain that for the sake of her children Rachel gave up being buried in Ma'arat Ha-Machpelah. We see that Rachel Imenu was willing to forgo and we must do the same. The Exile was on account of "Sinat Chinam – Baseless Hatred" and the Redemption will be on account of "Ahavat Chinam – Baseless Love." In this way, Rachel is an aide for her children. She teaches us "Ahavat Chinam – Baseless Love." Every soldier who entered the Gaza Strip did so with self-sacrifice to save other Jews. This is not a jacket, a spouse, the kingship or a spot in Ma'arat Ha-Machpelah, it is risking one's life. Therefore, Rachel was there. She was with every soldier who entered with self-sacrifice for the sake of his brothers. It truly was Rachel!

The Terrorist Attack on the Chabad House in Mumbai

❖ The murder of the Chabad emissaries

Q: How could the Chabad emissaries, Rav Gavriel and Rebbetzin Rivka Holtzberg, may Hashem avenge their blood, have been murdered in Mumbai, India, by terrorists at the Chabad House when the Gemara states, "Harm will not befall one on the way to perform a mitzvah?" They were not on their way to perform a mitzvah, they were performing a mitzvah!?

A: See the Gemara in Pesachim 8b. "Harm will not befall one on the way to perform a mitzvah" is said in regard to an infrequent danger. The example given there is one who is checking for chametz and perhaps he should check under rocks. No, he should not check because there may be snakes or scorpions under the rocks. The Gemara asks: How so, harm will not befall one on the

way to perform a mitzvah. Answer: This is a frequent occurrence and there is therefore a chance that he may be harmed. Another example: A person has a joint wall with a non-Jewish neighbor, and perhaps he should stick his fingers into the cracks in the wall to search for chametz. No, he should not check because the neighbor may accuse him of witchcraft and causes him terrible problems. The Gemara asks: How so, harm will not befall one on the way to perform a mitzvah. Answer: This is an evil neighbor and it is considered a frequent occurrence. We do not apply this principle when there is a frequent occurrence. The Gemara states that the proof for this idea is found in the Book of Shmuel (1 chap. 16) when Hashem tells the prophet Shmuel to anoint David as king. "And Shmuel said: How can I go – if Shaul hears he will kill me" (verse 2). Hashem said: Tell him that you are going to offer a sacrifice in order that he will not be suspicious. The Gemara asks: But he was going to perform a mitzvah directly told to him by Hashem and "Harm will not befall one on the way to perform a mitzvah" (see Rashi). Answer: When there is a frequent danger then even those performing a mitzvah can be harmed. This is discussed at length in the book "Mesillat Yesharim" at the end of chapter 9. It is obvious that if one is seized by terrorists it is considered a frequent occurrence and even people performing a holy mitzvah such as these Chabad emissaries can be harmed.

FAITH

❖ Does Ehud Olmert deserve to be sick?

After Prime Minister Ehud Olmert announced that he has prostate cancer, someone asked the following question:

Q: Is it permissible to say, "The Prime Minister is sick. He deserves it, because of what he has done and plans to do [regarding giving away parts of Eretz Yisrael]?"

A: Of course not. It is forbidden because of three reasons, each of which is sufficient on its own:

1. How do you know why he is sick? You know the secrets of the Master of the Universe? How do you know that it happened because of this or that reason? Don't you know that there are bad people and sometimes good things happen to them, and there are good people and sometimes bad things happen to them? There are even people who deserve to be punished, but their punishment is suspended because of their good deeds. Even the woman who is a Sotah (suspected of adultery and drinks the bitter waters to verify her status), and she is found to be guilty, the Mishnah says that sometimes her heavenly punishment is suspended – a month, a year or even more – on account of her merits (Sotah 3:4). If so, the entire trial of the Sotah is not worthwhile!? It is worthwhile, but we need to understand that the punishment is not always immediate. The Gemara in Sanhedrin says that if someone is deserving of capital punishment, but the Sanhedrin no longer exists, the punishment is not canceled and he will still be punished by Heaven (Sanhedrin 37b). The Tosafot ask: How can the Gemara say such a thing, as we do not see this in reality? Answer: Merit can suspend the punishment (ibid. "miyom"). Even Nebuchadnezar had one merit which suspended

his punishment for twelve years (Tosafot, Sotah 20b d.h. yesh zechut). You therefore do not know the secrets of Hashem. If there is a prophet, he hears what is said behind the curtain. You are not a prophet. You see good things happen to bad people and bad things to good people. Hashem mixes up the cards to ensure free choice.

2. It is forbidden to cause anguish to another person with words (hona'at devarim). The Gemara in Baba Metzia says that if someone is suffering, do not say, "You deserve it," like Iyov's friends did to him (Baba Metzia 58b). This hurts and pains another person. It is forbidden to cause another person distress and, all the more so, it is forbidden to insult the Prime Minister whose honor is spread throughout Klal Yisrael (the entirety of Israel). Aviha, King of Yehudah, insulted Yeravam ben Nevat, King of Israel, and he was punished. Aviha said that he worshipped idols and he therefore died (see Yerushalmi Yevamot 16:15, Bereshit Rabbah 65:20 and Vayikra Rabbah 33:5). Our Rabbi, Ha-Rav Tzvi Yehudah, discussed this in *Le-Netivot Yisrael* (vol. 2, #98). It is true that there is a mitzvah to rebuke, but it has to be done with wisdom. This is not the way.

3. People who make comments like this think that they will help the Nation of Israel to repent. "You see, he did this and look what happened to him." This is repentance out of fear. A movie came out which said that anyone who had any part in the expulsion from Gush Katif is or will be punished. It has been explained over and over during the last one hundred years that this generation will not repent out of fear. This generation will only repent out of love. This is all explained by Maran Rav Kook, in "Ma'amar Ha-Dor." There is even a responsum in *Shut Mishpat Cohain* in which someone wrote to Ha-Rav Kook that people were saying that there was a plague and people died on account of the "Heter Mechirah" (Jewish land in Israel sold to a non-Jew during the

Shemitah year – the seventh year). Ha-Rav Kook said, "This is the way that you convince people, by scaring them? This will not work. They will repent out of love, not fear." If ten settlers say that the Prime Minister is sick because of this or that reason, people will be scared? People won't be scared. Some say that people came to Israel because of the fear of pogroms in Russia. This is not true. The people who fled only out of fear of the pogroms went west – to England and America. Ninety-seven percent of the people who came to Israel did so not simply to flee the pogroms, but because they wanted the Land of Israel. Every house, every settlement, every road, every plant, every soldier, everything here has been built out of the love of the Land of Israel.

It is therefore forbidden to say that he deserves this sickness: 1. You're not a prophet. 2. It is forbidden to distress another person. 3. We do not help people repent out of fear, but only out of love.

❖ Did man evolve from monkeys?

Q: Did man evolve from monkeys?

A: First of all, no one claims that man came directly from monkeys. Some say that man and monkeys have a shared ancestor, and this shared ancestor split into human beings and monkeys. There is actually a midrash in the Gemara in Sanhedrin (109a) that a part of the generation which built the Tower of Babel was transformed into monkeys. Our Rabbis teach with this midrash that people must be extremely careful, since the opposite can occur: people can turn into wild animals. People have a soul which was created in the image of G-d, but they are capable of turning into wild animals. We do not need to explain what it means for a man to turn into a wild animal; we have seen it on our flesh during our entire Exile, especially during the Holocaust. In the

Land of Israel, there are also non-Jewish murderers who look like people on the outside, but are wild animals on the inside.

Regarding the essential question of whether Hashem created man directly from the earth or whether Hashem created man in a slow process from the earth in stages, we do not know factually, since we were not there. It is possible to explain the verses of the Torah either way. When the Torah says that Hashem took earth to make man, it is possible to explain that he created man in an instant and it is possible to explain that He created man in a long, long process. After all, we have found skeletons of creatures which are intermediates between man and monkey. We have found them in many places. We have also found drawing on walls in France from thirty thousand years ago. It is possible that these creatures were not like man, but had some intellect and knew how to draw. The simple meaning of the Torah is that Hashem created man directly from the earth, but it is possible to explain the beginning verses of the Book of Bereshit not according to their simple meaning, but as deep secrets.

Maran Rav Kook was asked this exact question in one of his letters (vol. 1 #91): Geographic layers have been found all around the earth, and these layers can be dated. In each of these layers there are the same skeletal fossils. This means that there were creatures in certain periods and then they became extinct and other creatures appeared. These are facts, not theory. Theory claims – and it needs to be proven – that the creatures evolved from one creature to the next. Obviously, a person who is an atheist says that the creatures evolved and a person who believes says that Hashem caused the evolution, just as a person who is an atheist says that a baby develops, and we say that Hashem caused him to develop. Maran Ha-Rav Kook was asked his view of this issue and responded that it is written in a midrash that our Rabbis said that Hashem created worlds and destroyed them be-

fore creating our current world (Bereshit Rabbah 3:7, 9:2 and Kohelet Rabbah 3:11). He explains that these finds in nature are the remnants of the destroyed worlds. The worlds were destroyed, but certain remnants remain.

In sum: We are involved with Torah; we are not involved with science. We love science, we respect science, and we respect scientists. There is even a blessing upon seeing a great scientist: Blessed is Hashem...who gave of His wisdom to flesh and blood (Shulchan Aruch, Orach Chaim 224:7). The Torah, however, is not a science book. Whether man was created directly from the ground or from a long process is not the subject of the Torah. Our subject is how man needs to act. Our subject is not if man came from an animal, our subject is how not to be an animal. Science comes to describe the world. The Torah does not come to describe what is, but what should be. The Torah does not come to describe if we have a shared ancestor with the monkey, but to describe how not to be a wild animal and not to be a monkey, and how to have a pure soul and to be a holy and righteous person.

❖ Maran Ha-Rav Kook and Vegetarianism

Q: Must one be a vegetarian according to Maran Ha-Rav Kook?

A: Maran Ha-Rav Kook wrote in "Kovetz Tzimchonut Ve-Ha-Shalom – Vegetarianism and Peace" – that vegetarianism is a future vision. Its importance is real, but not for today. Why not? Because it is impossible to skip stages (in human development). Some vegetarians explain that they do not eat meat because it is showing compassion to animals. That is certainly important, but we first need compassion towards human beings, and we have not finished all of our obligations towards human beings. After we finish being merciful and righteous to human be-

ings, we will move on to animals. We cannot skip stages. We are not criticizing those who are vegetarians. If a person wants to be a vegetarian, he may do so, but it is impossible to define it as a mitzvah or even as a stringency. Someone once asked me: I am a vegetarian and I have decided to stop. Do I need a "hatarat nedarim" (annulment of vows), since someone who performs a proper custom a few times and wants to stop must perform a "hatarat nedarim"? I said that there is no need for a "hatarat nedarim," since vegetarianism is not a mitzvah or stringency. It is a good, compassionate, and proper character trait for one who wishes, but it is before its time. An individual who desires to be a vegetarian is fine, but this cannot be – as Maran Ha-Rav Kook refers to it – a communal practice. Maran Ha-Rav Kook also warns in the same article that vegetarianism can actually be a hijacking of the feelings of compassion. This means that sometimes there are people who are cruel to other people, but because their Divine souls cannot bear this cruelty, and need to be pacified, they say: we will be vegetarians and be compassionate to animals. In fact, there were Nazis in the concentration camps who were vegetarians and some say that Hitler himself was a vegetarian!

Maran Ha-Rav Kook ate meat, as did our Rabbi, Ha-Rav Tzvi Yehudah. In the letters of Maran Ha-Rav Kook, he wrote a letter to our Rabbi, when he was young and not eating meat, and asked: Why aren't you eating meat? You need to eat meat; it is not our level to refrain from doing so. You know that there are many cruel people in the world and many vegetarians who are cruel. Maran Ha-Rav further wrote: A Torah scholar, along with other things, needs to know how to slaughter animals. There are certainly Torah scholars who do not know how to slaughter, but it is good and proper. Please learn to slaughter (Igrot Re'eiyah vol. 3, letter 780). Then another letter (ibid. letter 784): Did you

learn to slaughter? Another letter (ibid. letter 799): So, are you learning to slaughter? And finally a letter (ibid. 839): I am happy that you learned to slaughter. Now that you learned, you need to do so. So, did you slaughter yet (see letters 852, 853 and 860)? Maran Ha-Rav Kook pressured our Rabbi so that he did not possess an ideology that it was forbidden to slaughter or eat animals.

Not eating meat is a future vision. How do we reach this future? Slowly, in stages, through all sorts of Halachot which teach us that we need to respect animals, not to be cruel to animals, not to cause undue pain to animals, etc.

❖ Visiting Concentration Camps

Q: Is it proper to travel to Poland to visit the concentration camps?

A: According to my humble opinion, this is not a good idea. One must obviously remember the Holocaust, "Remember what Amalek did to you" (Devarim 25:17), but in order to do so there is no need to travel there. So much has been written, so many pictures and movies, which in truth is the way to remember: through study.

Perhaps you will say: Experience shows that the young person who travels there returns completely taken over by the powerful experience, which deeply penetrates his soul. He is changed into a different youth, with more fear of heaven, good character traits and seriousness. An actual inner transformation occurs, since this is not only learning but also an experience. No, this is a perception of the eyes. An experience affects with great intensity and alacrity, but disappears with the same speed. Please examine this youth in a year or two; everything disappears and evaporates like the morning fog. What they learn through effort and deep

thought remains forever. Emotion vanishes. We are not against emotion; we know that emotion is important. We know that it has an advantage in that it grabs an entire person with intensity, but it also has a weakness: it quickly vanishes.

Perhaps you will also say: Prayer is worship of Hashem with emotion. In truth, prayer also entirely transforms the personality, but its effect on the soul also weakens after several hours. And the solution is to pray again. We therefore return to the same prayer three times a day. This is not the case with learning. Something which is well understood is transformed into a possession, and there is no need to return to it incessantly, since it is deep-rooted. But every experience vanishes. One who travels to a concentration camp surely returns with an intense experience, but it becomes worn and evaporates over time and it is obviously impossible to travel every half a year.

Futhermore, according to the Rambam, it is only permissible to travel outside of the Land of Israel in order to learn Torah or to get married (Hilchot Melachim 5:9), and with all of the importance of the study of Holocaust, it is not on the level of learning Torah. According to the Tosafot, however, it is permissible to leave for any mitzvah (Tosafot to Avodah Zarah 13a d.h. lilmod), but we do not find that seeing the remains of the Holocaust is a mitzvah. It is certainly a mitzvah to reflect on history, as it is written, "Remember the days of old, understand the years of generation after generation" (Devarim 32:7), but the intent is not to study historical facts but to observe the hand of Hashem which acts in the world. There is no mitzvah at all to see historical places. If there is a youth, however, who is completely distanced from Judaism, and his connection to the Nation of Israel will be aroused in this way, then this can be considered a mitzvah. This is "pikuach nefesh – saving a life," but this is an exceptional case. We also should not provide financial gains to the extremely

wicked Polish, and all the more so the Ukrainians, who allowed the establishment of concentration camps on their territory. They knew that the Germans were annihilating Jews and they looked upon this with joy. They were of one heart with the Nazis; it was therefore not by happenstance that the concentration camps were established precisely there. The Polish fulfilled the verse: "Will you murder and also inherit" (see Melachim 1 21:19). We do not want to give them money.

This program is also intended only for wealthy students. Where have we heard that a school organizes activities for the wealthy and not for the poor?! This is a disgrace like no other. We know that there are wealthy and poor in our country. We are distressed that there are poor, but we are not envious of the wealthy. We are not jealous of a wealthy child who enjoys the summer on an expensive vacation. But it is not possible for a school to organize activities only for the rich. It is true that they attempt to support the poor with a scholarship of two hundred dollars, for example, but this is not enough, when the student needs to pay one thousand dollars. This is an intolerable disgrace!

We must approach the Holocaust in a context of learning, education and deep analysis, and then the matters will penetrate deep within the soul and remain there forever.

❖ The Evil Eye

Q: What is the "Evil Eye" and does it have the power to damage me?

A: The Mishnah and the Gemara state that the evil eye does exist, but not in the way that people think. When people have problems they say that a mystical evil eye was thrown upon them and cause them all sorts of damage. This does not exist. The simple meaning of the evil eye is jealousy, selfishness and miserliness

(see Mishnah Terumah 4:3 and Pirkei Avot 2:11). This means that an evil eye is when a person desires other people's property. He is not happy with his own portion, and he is jealous of what others have. He then causes damage to these people since he takes things from them, or bothers them or speaks ill about them. There is another aspect to the evil eye which is when a person is a negative influence on others. If a person acts in an evil way, he will influence others to do the same. If he is always angry, he will cause others to be angry. We must all remember a fundamental principle of faith as taught by the Chazon Ish (Choshen Mishpat in Likutim at the end of Baba Batra): Everything is from Heaven and Hashem is the One who decides what happens to people. Hashem decides who will possess something and who will lose something. At times, Hashem brings certain events about through the agency of a person who has caused you problems. This is called, "bad things are brought about through the agency of a bad person" (see Rashi to Devarim 22:8 – this is in order to punish the evil even more). For example, you have a car and you lose it for some reason. Hashem may perform this through a person who has given you trouble in the past. I will end with what I saw in the book "Gam Ani Odecha" of Ha-Rav Gamliel Rabinowitz (vol. 2, p. 48). Ha-Rav Chaim Kanievsky of Bnei Brak was asked, "Should we be concerned about potential damage caused by the evil eye?" He responded, "The evil eye does not reign in Bnei Brak." What does this mean? There is no evil eye in Bnei Brak, but there is in Jerusalem?! No, he did not mean that there is no evil eye in Bnei Brak only, but rather there is no evil eye at all.

❖ "Amen Meals"

Q: What is Ha-Rav's opinion about "Amen Meals" (participants

take different types of food and recite a blessing before eating, and those who hear the blessings answer "Amen")?

A: This is a new creation. It is permissible to participate since they are not doing anything inappropriate; they are reciting blessings and saying "amen." Why do women do this? In order to increase merits for themselves, for the sick, for young women to find mates, etc. But if people want to increase merits they do not have to invent new venues. The problem of increasing one's merits has always existed, and we have already been told what to do: repent, pray, and give tzedakah (prayers of the High Holidays). One should pray, give the money one would spend on the "Amen meal" to tzedakah and repent for things he is not doing well. Is it worthwhile to participate in an "Amen meal"? It is preferable to increase merits not through newly created paths but through well-established and clear ones. There is, however, another aspect to these meals: they are a social gathering. Some women are being constricted at home by running the household and taking care of the children and they need to get together with friends. Without friends they will die, as it says in the Gemara: "friendship or death" (Ta'anit 23a). Instead of bumping into friends at the supermarket and chatting, they recite blessings and answer amen. This is fine, but if it is to increase merits, Hashem already thought of this and gave us 613 mitzvot and we do not have to create new things.

Q: What about women gathering to separate challah?

A: This is also a new creation. If one bakes and uses a certain amount of flour there is a mitzvah to separate challah, but nowhere is it written that people should gather together to do so. It is possible to take that time and use it to fulfill other mitzvot – ancient creations.

❖ Amulets

Q: What is Ha-Rav's opinion about using amulets?

A: Quite simply, the main method of solving problems throughout the generations was NOT by using amulets. For example, Lot was captured, and Avraham Avinu did not make an amulet. He went to war. Yitzchak did not make amulets. Yaakov had all sorts of difficulties with Lavan, but he did not make amulets. Moshe Rabbenu did not make amulets even though he was in great danger. King David did not make amulets. Even afterwards in the time of the Mishnah, there were many problems in life. People were killed, people had no livelihood, but we do not find that they made amulets. We do not find in the Torah, the Tanach, the Mishnah, the Gemara, the Rishonim (early authorities) and the Achronim (later authorities) that the established way to solve problems was with amulets. If a person is sick, he goes to the doctor and he prays. If a person does not have a livelihood, he seeks a financial advisor and he prays (see Niddah 70b-71a). If it was proper to use amulets the Torah should have said: "Hashem said to Moshe, saying: Speak to the Children of Israel, and when a stressful situation befalls the Nation and when sickness afflicts you, write an amulet." Why didn't Moshe Rabbenu say this? Why isn't it written in the Mishnah? Why isn't it written in the Shulchan Aruch? In the laws of the sick, it should say: "Write amulets!" Why did they hide this solution from us? There are two possibilities: 1. They did not know about this solution. It is impossible to make such a claim, however, that we are greater sages than the earlier generations of the great Rabbis. 2. They knew about this solution, but they hid it from us. This is also impossible, to say that they hid something which could help us.

It is true that amulets are mentioned, but in very rare cases. For example, the Gemara in Sukkah (53a-b) relates that King David

was digging to prepare to build the Temple and suddenly water burst through. He took a note and wrote Hashem's Name on it and threw it in. These, however, are extremely rare cases. It is possible that in exceptional cases, after great deliberation, they used this method, but we see that this was not the main way that they tried to solve problems. An exceptional case is a story about the Noda BiYehudah, who was one of the great halachic authorities and could be quite sharp. A woman who was getting married came to him and begged: "An amulet, an amulet, an amulet. It is life or death!" He had mercy on her and gave her an amulet. He told her: "Open it in a month. If what I wrote inside has disappeared, everything will be fine." She opened it and it was empty. Ah! This is an interesting story about this genius. We therefore say that we only act this way in rare cases.

I personally only gave an amulet once. A woman once came to me crying. Her husband said that it was forbidden to use the dishwasher. He said that it was afflicted by the evil eye. I talked and talked and talked with him, but to no avail. And who was washing the dishes in the meantime? The wife with the sore hands. The man then mentioned an amulet. I gave them an amulet. How did I get an amulet? During the Six-Day War, they were giving out millions of amulets, which were later thrown on the floor. I collected amulets from the floor so that they would not be disgraced and put them in a plastic bag. I took the amulet, hung it on the dishwasher and – Baruch Hashem – the dishwasher washed dishes the way it was supposed to. I recall my sin today. I had pity on this woman since it was impossible to convince the husband otherwise. He wasn't washing dishes. But this is not the usual way.

I am not talking about Sefer Chasidim of Rabbi Yehudah Ha-Chasid, who wrote in one place that amulets are nonsense, and in another place that one who uses an amulet in a court case

will be successful. This is a well-known contradiction. Some explain that there are two types of amulets: One which works and one which does not work. Since we learn Torah, however, we clearly see that this is not the way. If amulets save, why are so many people sick? Why are so many people suffering? Why are so many people poor? And where were they when six million Jews were murdered in the Holocaust? We see that this is not the way of the Master of the Universe. I do not say this in my name. Look what is written in all of the books or – more precisely – what is not written.

❖ Earning a livelihood

Q: As it known, Hashem decrees a person's earnings for the year (Rosh Hashanah 16a). If this is so, will I gain anything from working extra hours?

A: Ha-Rav Yosef Albo asked this exact question in *Sefer Ha-Ikarim* (4:8) in the section which discusses Divine Providence. If Hashem decrees a person's yearly earnings, why should he toil? He gives three possibilities for Hashem's decree:

1. It is possible that Hashem decreed that you will find a treasure even if you do nothing all day long.
2. It is possible that Hashem decreed that you will find a treasure on condition that you search for it. Obviously, if you search and find the treasure, there is no relationship between the effort exerted in doing so and the worth of the treasure.
3. Or it is possible that Hashem decreed that your earnings will be proportional to the effort you exert.

Thus, there are three possibilities and we do not know which Hashem has decreed for us. Therefore, we must exert ourselves. And this is indeed the conclusion of Ha-Rav Yosef Albo.

❖ Serving Hashem through emotion or intellect

Q: How should one serve Hashem: through emotion or with intellect?

A: It is written on almost every page of the book "Mesillat Yesharim" that one needs to serve Hashem through intellect. A person is obligated to be good and to distance himself from evil. How can a person improve himself? Answer: through intellect. The intellect is the main power of a person. Animals also possess emotion. The fact that you have an emotion does not make you a man. For example, apes have an incredible motherly emotion to the point of self-sacrifice. They hold their babies for five years even when they gather food or fight off an enemy. Animals also have emotion, a body, desires, imaginations, etc. The Rambam therefore writes in "Shemoneh Perakim" (chapter 1) that the intellect must reign over all of these powers. The intellect is the king. Not a ruler who murders all of his citizens so he can reign all by himself, but one who takes care of them. Rabbi Yehudah Halevi also wrote this in the book "Ha-Kuzari" (in the third section) when he discussed the righteous person, one who is similar to a king who provides all of the needs of his citizens; and when he asks them to rally around the flag, they come running. The same applies to the intellect, which gives each human power its status and role. The intellect examines if a given emotion is positive or negative. If you are excited about our state and army, this is a good emotion. But being excited by some actor – what kind of emotion is this?! A person certainly needs to be excited – if he does not he is not human – but the question is what is he excited about. How can we know which emotion has deep meaning and which does not? This is the job of the intellect. We learn Torah and know what is right and wrong. To our distress, it is true that emotion and imagination control most people of the world, but

we are not discussing what exists, but what should exist. What should exist is that the main power should be the intellect. The intellect is the company commander which gives the orders. Emotion began ruling the world with the sin of Adam. Hashem said: Do not eat from this tree. "But it is beautiful..." and so he ate from the tree. From that time, man has not been directly controlled by his intellect, but has been enslaved to emotions and imagination. But Hashem had mercy on us and gave us the Torah, which teaches us what is good and evil, what is a mitzvah and what is a transgression, what is a law and what is a stringency, etc. We therefore know how to act in the world, and we can examine an emotion through the intellect. For example, "I hate you" – the Torah says "Do not hate people." "I am jealous" – the Torah says "Do not be jealous." "But I have a powerful emotion" – the Torah says "Do not be jealous of another person." The Torah clarifies for us a prohibited emotion which must be eliminated, a permissible emotion which can remain, and a supreme emotion which should be strengthened.

❖ The Evil Inclination

Q: Is the evil inclination really an agent of Hashem?

A: It certainly is. There are no independent powers in the world which are not under the reign of Hashem, and the evil inclination is included. The evil inclination is to test us. Hashem obviously does not want us to listen to the evil inclination. The Ba'al Shem Tov related a parable: There was a king who wanted to know which of his subjects were loyal and which were not. He requested from the viceroy to go out and entice people to revolt against him and see how they would respond. The viceroy went out and said: "This king is no good. We need to replace him. We need to revolt against him." Some of the people said: "Yes, you

are right." This obviously pained the viceroy greatly, and he would record their names in a little book. Other people said: "Aren't you embarrassed? How could you say such things?" They would insult him, etc. This obviously made him very happy and he would record their names in a little book. All of a sudden, an elderly man came and said: "My friends, you don't know what is happening here? This guy who is enticing you. I recognize him, he is the viceroy." And everyone left him. When the evil inclination comes and entices people, we don't have to listen to him. Hashem sent him to test us. We don't have to pay any attention to him. We can shame him and throw him out.

❖ Relying on a miracle

Q: Can my neighbor, who is a mother with a newborn, turn on the heat if she does not have the money to pay the heating bill and rely on a miracle?

A: She may turn it on because it is a life-threatening situation. A few people have already died from the cold, and it is especially dangerous for a newborn. There is, however, a different solution: You need to collect money for her. All of the neighbors should chip in a small amount of money for her heat. This is the answer to the question. Sometimes complex arguments are needed to answer halachic questions, but this is the simple answer here. The Chasidic Rebbe of Sanz once said that when he was young he could answer difficult halachic questions with complex solutions, but now that he is old he does not have the ability. He will therefore answer a simple difficulty: On the one hand, it is right before Pesach and it is forbidden for people to eat chametz (leaven), but people do not have enough money to buy matzah, etc. On the other hand, it is forbidden to steal. Solution: No one is leaving here until you give money to resolve this difficulty. We therefore

do not need complex Torah arguments here. We need everyone to donate a small amount of money for heat for this woman. If you cannot collect enough money, call me and I will send you the money.

❖ Hashem hiding His Face

Q: Why do we say that Hashem hides His face in the world (Hester Panim) when Hashem is everywhere?

A: Hashem can be found everywhere, but He sometimes hides; He is here but we cannot see Him. This means that everything which occurs in the world is under Divine direction, even strange events such as destructions, but Hashem is hiding. The Torah says: "I will surely hide My face" (Devarim 31:18). "I will hide" – He is there but we cannot see Him. "He was standing behind our wall, observing through the windows, peering through the lattices" (Shir Ha-Shirim 2:9). The Shechinah (Divine Presence) is always there but there are different levels. For example, Pirkei Avot says (3:6): If ten people learn Torah the Shechinah rests among them...and where do we learn that even five?...and where do we learn that even three?...and even two?...and even one? If the Shechinah is found with one person learning Torah, then why does the Mishnah have to begin with ten people? Go directly to one person. Answer: there are different levels of intensity by which the Divine Presence is found in a particular place. There is a level of the Shechinah dwelling when we are in our Land during the Redemption. There is a level when we are in Exile which is called "Shechinta Be-Galuta – the Shechinah in Exile." When the Temple is standing, the Divine Presence rests among us more, and when the Temple is not standing, less so. Hashem is now slowly returning His Divine Presence to Zion. We are in an intermediate stage. He is hiding His face, because there

is suffering and pain, and it is impossible to say that we have reached the complete Redemption. But we are not in Exile – pursued, plundered and murdered. In the Haggadah of Pesach, we say: "The day is approaching which is neither day nor night" (from the song "U-ve'chain Va'yehi Ba-chatzi Ha-liela" at the end of the Seder). It is like twilight; there is both darkness and light at the same time. Even though we are certainly waiting for the day which is completely "day," we know that the Redemption comes "slowly, slowly."

❖ Feeling happy

Q: Thank G-d, I have many good things in life, but I do not feel joy over them. How can I feel joy in my heart?

A: Perhaps it is because you have gotten used to the goodness, and you think that that is the way it is. It says in the book "Mesillat Yesharim" in the chapter on alacrity in the service of Hashem, that a person must think that the kindnesses he has are not necessarily the way it has to be. If he has money, it is not because that is the way it has to be; after all many people do not have money. If he has health, it is not because that is the way it has to be; after all there are many people who are sick. Our Sages explain that the reason that we dwell in the sukkah for seven days is that we were once in huts, and now we have houses, but it does not necessarily have to be so. There are plenty of people without a house. People have to value the "riches" that they have. In your merit, I just remembered the following story: Once Rabbi Avraham Ibn Ezra was in England for some time. He was very sad because he was sick, had no money, and was not with his family. His students who were there said, "Let's at least solve one problem and give money to our Rabbi." They knew that he would refuse, so they placed gold coins on

the path between his house and the shul. Of course, it was according to the halachah: It was clear that the money was abandoned and he did not have to return it, etc. They hid behind the trees and saw that he was walking in a weird way. He walked and stumbled, walked and fell into a tree, stumbling and bumbling all the way like a drunk, and he did not pick up the money. He finally made it to the shul and their blessed plan failed. They asked, "His honor did not see the money?" "No." "Why did our Rabbi walk like this?" He answered: "I walked with my eyes closed the whole way." They said: "Why?" "I do not have health, or money, or any family here. I thought to myself: What if I was blind and they told me that there is a therapy or surgery which cures it in England, but it takes a long time, you will have to separate from your family, it will eat up all of your money and it will cause you to be sick. Do you want to have it? Of course, I will do it in order to see. I therefore walked the whole way with my eyes closed, arrived at shul, opened my eyes, and said with great intention: Blessed is the One who gives sight to the blind. It says in all of the "Sifrei Musar" (Books of Ethics) that one must dedicate thoughts to all of the kindnesses that Hashem gives you. The siddur is filled with recognition of the kindnesses that Hashem gives us, and that it does not necessarily have to be so: "The Beneficent One, for Your compassions never ceased, and the Merciful One, for Your kindnesses never ended – we have always put our hope in You" ("Modim" in the Shemoneh Esrei"). Nothing is for certain. A person must realize that the world is filled with kindnesses, and he must express gratitude to Hashem for what he has. Furthermore, there is "Simchah shel Mitzvah" – a person should be happy for the mitzvot and kindnesses which he performs.

❖ Spouses during the Resurrection of the Dead

Q: If a woman was married to two different men during her lifetime, who will she be with after the Resurrection of the Dead?

A: There is an answer to this question in the book "Piskei Teshuvah" of Ha-Rav Avraham Pitrovsky (#124). He quoted the book "Shut Matzav Ha-Yashar" on the Zohar that there was a young woman who was married a wonderful man and he died at a relatively young age. The young woman did not want to marry again. She said, "Why should I get married to someone else? During the Resurrection of the Dead I will be married to my second husband, and my first husband is dearer to me than anything. I prefer to remain a widow all of my life and then be married to my true soul mate." There is a similar question in the book "Ha-Techiya Ve-Ha-Pedut" (question #6) of Ha-Rav Sa'adia Gaon: How will I find my wife during the Resurrection of the Dead? Ha-Rav Sa'adia did not want to answer, since it is forbidden to answer a halachic question before someone who is greater than him in wisdom. Since this is a question of the Resurrection of the Dead, Moshe Rabbenu will be there and it is therefore forbidden for me to answer. If there are questions that arise now – what can we do? We have to answer them. Questions that have to do with the future, however, we leave for Moshe Rabbenu and the other prophets. It therefore seems that the question in "Shut Matzav Ha-Yashar" cannot be answered, but this is before the Zohar was revealed. After the Zohar was revealed, it contains the answer to our question. Regarding a Jewish servant, the verse says, "If he arrives by himself, he leaves by himself; if he is the husband of a woman, his wife leaves with him" (Shemot 21:3). This means that he enters the Resurrection of the Dead with his wife – his first wife. There are commentators who explain that the meaning of the Zohar is that she will return to her true spouse,

i.e., the most successful marriage (see note in Piskei Teshuvah). Thus, she will return to the marriage which was filled with the most love, fraternity, peace, and friendship.

AUTHOR'S BIOGRAPHY

Ha-Rav Shlomo Chaim Ha-Cohain Aviner was born in 5703 in German-occupied Lyon, France. As a youth, he was active there in the religious Zionist youth movement, Bnei Akiva, eventually becoming its National Director. He attended university, where he studied mathematics, physics, and electrical engineering. At the age of 23, infused with the ideal of working the Land of Israel, Rav Aviner made aliyah to Kibbutz Sedei Eliyahu, in the Beit She'an Valley of the Galil. He then went to learn at Yeshivat Merkaz Ha-Rav in Yerushalayim, where he met Ha-Rav Tzvi Yehudah Ha-Cohain Kook, Rosh Yeshiva and son of Israel's first Chief Rabbi, Ha-Rav Avraham Yitzchak Ha-Cohain Kook. Ha-Rav Tzvi Yehudah became his foremost teacher, and he became one of his "Talmidim Muvhakim – leading students." During this time he also served as a soldier in Tzahal – the Israel Defense Force, participating in the Six-Day War and the Yom Kippur War, earning the rank of Lieutenant. At the direction of his Rabbi, he joined a group that was settling Chevron and learned Torah there. In the year 5731, Rav Aviner became the Rabbi of Kibbutz Lavi in the lower Galil, where he spent half of his day working on the farm. In 5737, he left Lavi to serve as the Rabbi of Moshav Keshet in the Golan Heights. In 5741, he accepted the position of Rav of Beit El (Aleph), in the Binyamin region of the Shomron. Two years later, he also became the Rosh Yeshiva of the newly established Yeshivat Ateret Yerushalayim (formerly known as Ateret Cohanim). Located in the Old City of Yerushalayim, Rav Aviner's yeshiva is the closest yeshiva to the Har Ha-Bayit – the Temple Mount, the holiest spot in the world. In its more than twenty-year history, Yeshivat Ateret Yerushalayim has produced rabbis, teachers, educators and offi-

cers in Tzahal, while also promoting the building and settling of the city of Yerushalayim.

Rav Aviner has become a ubiquitous presence in Israel. He has published hundreds of books and articles, including *Sichot Ha-Rav Tzvi Yehudah* (talks by Ha-Rav Tzvi Yehudah), "Tal Hermon" on the weekly Torah portion and holidays, and his multi-volume responsa, *Shut She'eilat Shlomo*. His talks and responsa appear monthly in the Yeshiva's journal, "Iturei Cohanim." While his opinions are frequently printed in Israeli newspapers, Rav Aviner also contributes weekly to four parashah sheets, "Ma'aynei Ha-Yeshu'ah," "Be-Ahavah U-Be-Emunah" of Machon Meir, "Rosh Yehudi" and "Olam Katan" which are distributed every Shabbat in shuls throughout Israel. He hosts two weekly radio programs, has a video blog (www.video.maale.org.il), teaches weekly classes and gives talks in many different venues. The yeshiva also sends out weekly teachings of Rav Aviner in Hebrew, English, French and Spanish (to subscribe: mororlyzeqint.net) and has an English blog which is updated on a daily basis (www.ravaviner.com). In addition to these scheduled events, Rav Aviner also makes himself available to hundreds of people from all walks of life who come to him with questions via mail, telephone, fax, email, text messages, his radio show and his video blog Q&A.