

# Short & Sweet

Text Message Responsa of  
Ha-Rav Shlomo Aviner Shlit"a

Volume 2

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## ❖ INTRODUCTION

More than 200 on an average day, 500 per day before a holiday, and 800 per day during times of war...

This is the number of text message questions received by Ha-Rav Shlomo Aviner Shlit"a – Rosh Yeshiva of Ateret Yerushalayim (in the heart of the Old City of Jerusalem) and Rav of Beit El. With unwavering dedication to the Nation of Israel, an amazing breadth of Torah knowledge, and an incredible gift for brevity, Rav Aviner personally responds to each and every question – whether with a prompt and concise answer, or, in the case of more complex issues, with the suggestion that the questioner call to discuss the matter in depth.

*Short and Sweet Volume 2* is but a small sampling of Rav Aviner's never-ending stream of text messages – a window into a new genre of Q&A, borne of modern technology but firmly rooted in traditional rabbinic responsa (see Rav Aviner's comments, below). Like the millions of little dots that comprise a pointillist painting, these individual responses coalesce to form a meaningful picture: one that depicts our relationship to the Nation of Israel, our attachment to the Land of Israel, and our love for the State of Israel, Tzahal and the Torah of Israel.

For those who are interested in the sources behind these brief rulings, or information for additional learning, notes have occasionally been added in parentheses.

*Mordechai Tzion*

In the heart of Jerusalem between the Walls

## Text Message Q&A

[Summary of a talk delivered by Ha-Rav Aviner at Heichal Shlomo in Jerusalem during a conference on “Halachic Responsa on the Internet and in Electronic Media”]

**Question:** When one answers text message responsa, isn't there a danger of "cheapening" Halachah?

**Answer:** There have been and always will be questions and difficulties raised about short answers and brief rulings.

This question was already asked about the work of one of the greatest Rabbis of our Nation: the Rambam's Mishneh Torah. The Mishneh Torah contains only the laws, without explanation or sources. The Ra'avad asks: how can one analyze the halachah without providing sources? The Kesef Mishneh explains the Rambam's rationale: not everyone has the ability to delve into the sources himself. Balebatim, "laymen", only need the rulings, and not the sources from which they derive. The Mishneh Torah answers this basic need of the Balebatim (see introduction of the Kesef Mishneh to the Mishneh Torah).

Later on, there was a further “deterioration”: the Shulchan Aruch. The Shulchan Aruch is even shorter than the Mishneh Torah! And not only does it lack sources, but it also only gives the Sefardic rulings. The Rama asks: where are the Ashkenazic rulings? Are there only Sefardim in the world?

And there were others who took issue with the Shulchan Aruch and its brevity: the Maharal, in his book Netivot Olam, is shocked at the idea that someone might make a

ruling based on the sourcesless Shulchan Aruch. The Maharsha (Chidushei Agadot on Sotah 22a) writes: "In these generations, those who rule from the Shulchan Aruch without knowing the reasoning and Talmudic basis [behind the rulings]... are among those who destroy the world, and should be reprimanded." But the Pitchei Teshuvah (Yoreh Deah 242:8) explains: this fear was justified during the time of the Maharsha, since there were not yet commentaries on the Shulchan Aruch. But now that we have the Taz, Shach, Magen Avraham and the rest of the Acharonim, and each law has been fully elucidated, it is proper to rule from the Shulchan Aruch and Acharonim on it.

We see in our time that although there is a decline in the quality of the Q&A, there is a great increase in the quantity. There are a number of ways to receive "quick" answers: fax, telephone, our radio program, letter and, of course, text message. If someone is interested in a more extensive reply, I have four volumes of responsa and numerous other books that they can consult.

But many people want nothing more than a "yes-or-no" answer. There is a joke: A person texts a Rabbi: I have a big problem. Is there a G-d? The answer: Yes. The sender replies: Thank you so much, Rabbi. You helped me greatly. I do not force anyone to send questions by text message, or ask people to read the text message responsa. But there are many people who want it. There are people in situations which do not permit asking questions at length, as for example, in Army Q&A. A soldier cannot come to the Yeshiva whenever he wants. Similarly, when someone is on a trip and runs into an issue. And then there are those who do not have a personal relationship with a Rabbi, and need someone to ask.

The Pele Yoetz writes (Erech Asufah) that one should not belittle those who gather halachic rulings. You are not required to read those books, he continues, but do not mock them, since these books are of great aid to the community at large. And so it is with text message responsa, and collections that are made of them.

## Text Message Responsa

### ❖ Text Message Responsa by the Rishonim

**Q:** Did the Rishonim also answer questions like text message responsa?

**A:** Yes. For example, the Rambam was asked if one owes money to a widow, will the Shemitah year cancel it out or not? He answered: "It will be cancelled" (Teshuvot Ha-Rambam #237).

### ❖ Text Message Q&A without Knowing Questioner

**Q:** Isn't there a problem answering a text message question when the Rabbi does not personally know the questioner?

**A:** There are questions which do not require one to know the questioner, whether one asks orally or in writing, and there are other questions which do require one to know the questioner, whether one asks orally or in writing (See Introduction to Ha-Rav's book "Piskei Shlomo").

### ❖ Text Message Q&A

**Q:** From where did the innovation of the text message Q&A come?

**A:** There is no innovation. People have always asked questions not only orally but also in letters. The same concept applies to faxes, emails and text messages.

### ❖ Ha-Rav... Heretic

**Q:** Is Ha-Rav so-and-so a heretic on account of his opinions?

**A:** You need to repent for even asking such a question.

### ❖ Text Message or Oral Question

**Q:** Is it better to ask a Rabbi a question orally than in a text message?

**A:** Certainly. But sometimes the question is urgent, or a person does not have a Rabbi, or the questioner is embarrassed and wants to remain anonymous.

### ❖ Stupid Questions

**Q:** Why does Ha-Rav answer stupid questions?

**A:** The person who asked the question is also a person who deserves respect and an answer. In general, it is not your role to give Mussar to others who ask questions.

### ❖ Text Message Questions

**Q:** Why do sometimes I receive an answer to my text message questions and other times receive an answer that I should call?

**A:** Sometimes there are details missing which are essential in order to answer (A young girl once came on Yom Tov to the house of Ha-Rav Shmuel Salant - the Rav of Yerushalayim - to ask a question. The Rav was learning in his room and one of his students opened the door and asked the girl: What is your question? She said: I baked a cake today and mixed in two eggs. Is it permissible to eat

the cake? The student didn't want to bother his Rav for such an insignificant question and he answered on his own accord that the cake was permissible. When the Rav heard the question and answer, he came out of his room and asked the girl how she made the cake and where she got the eggs. The girl related: My mother went to Shul and asked me to make the cake. When I went to get the eggs from the cabinet, I only found one. I went to the chicken coop hoping to find an egg. I was happy that I found a fresh egg which had been laid today. I took the egg and used it to bake the cake. When my mother returned from Shul, I told her the whole story. She said that there is a question regarding this cake and she sent me to ask you. The Rav answered: The cake is permissible to eat but only after Yom Tov, since an egg laid on Yom Tov is forbidden to eat on Yom Tov. The Rav then turned to his student and said to him: When a question comes to you which seems like a question of an ignoramus, don't be so quick to answer it. Investigate the question and find the driving force for the question, as we learn in Pirkei Avot (1:1): Be deliberate in judgment. Tiferet Banim of the Mattersdorfer Rebbe on Kitzur Shulchan Aruch 98:9).

### ❖ SMS Questions

**Q:** Does Ha-Rav only answer halachic questions or also questions of Emunah?

**A:** All questions, time permitting. If there is not time, halachic questions take precedence. Rambam, Hilchot Talmud Torah, end of Chapter 4.

### ❖ Shut SMS and Fear of Hashem

**Q:** People sit next to me in Shul during the Davening on Shabbat night and mock the text message Q&A which are published in the Parashah sheets. What should I say to them? Should I respond at all?

**A:** You can respond to them: 1. Davening is in order to Daven and not to read Parashah sheets. 2. Anger and mockery are bad character traits, and they should think about that. 3. The purpose of Torah is to add fear of Hashem and if the opposite is happening to them, these words of Torah were not written for them. And see the words of the Rambam at the beginning of Moreh Nevuchim: "And if one does not find in it anything which benefits him in any way, he should consider as if the book was not written." But it is better to remain quiet, since people who mock do not have ears which are able to hear. They should therefore add fear of Hashem through other words of Torah.

### ❖ Serious Text Message Questions

**Q:** Why don't I receive an answer when I send serious text message questions?

**A:** I apologize. They require lengthy explanation. Therefore, look into my books.

### ❖ Texting and Ta'anit Dibur

**Q:** Is it permissible to send a text message if I am in a Ta'anit Dibur?

**A:** It depends on what the person accepted upon himself. Ta'anit Dibur is a new invention and does not have specific Halachot.



## ❖ Text Message Answers

**Q:** I sent a question 3 times and did not receive an answer.

**A:** I receive approximately 400 text message questions a day, and 600 during the holidays. To my distress – I cannot answer all of them. If I do not answer by the following morning, turn to someone else. I apologize. And if you are learning in a Yeshiva, it is better in any case for you to ask your Ra"m directly.

# ORACH CHAIM (Laws of Daily Living)

## **Netilat Yadayim**

### ❖ Netilat Yadayim after Donating Blood

**Q:** After donating blood should one wash Netilat Yadayim as one would after blood-letting? What about after a blood test?

**A:** No. Since these are spiritual matters, we only do what is written in the Halachah and do not add to it. (Halichot Shlomo 20:19.) Some authorities however do say that donating blood is similar to blood-letting, and that it is proper to be strict. (Piskei Teshuvot Vol. 1 p. 58.) But certainly not after a blood test (And this is also the ruling in the Halachic-Medical Encyclopedia of Rav Steinberg Vol. 2 pp. 525-527, Vol. 3 pp. 429-430. It is also the opinion of Ha-Rav Yosef Shalom Elyashiv, since the amount of blood extracted when donating blood is equivalent to that in blood-letting while a blood test requires only a minimal amount of blood. Be-Dama'ich Chayi - collection of Halachot regarding blood donation pp. 51-54).

### ❖ Netilat Yadayim in the Morning

**Q:** What is the halachah if I wash Netilat Yadayim in the morning in a kitchen sink full of dishes?

**A:** You should not do so from the outset. After the fact, wash all of the dishes three times. Piskei Teshuvot 4:14.

### ❖ Netilat Yadayim with a Disposable Cup

**Q:** Is it permissible to wash Netilat Yadayim with a disposable cup?

**A:** Yes. Shut Tzitz Eliezer (12:23), unlike the ruling of the Shut Igrot Moshe (3:39).

## **Kippah**

### ❖ Large Kippah in Tzahal

**Q:** The main officer of my base told me that my Kippah is too large. What should I do?

**A:** A large Kippah is praiseworthy. Ask a military Rabbi or call the hotline for soldiers of the Military Rabbinate: 052-941-4414.

### ❖ Kippah during Military Exercises at Sea

**Q:** During military exercises at sea is a soldier obligated to wear a Kippah?

**A:** No. And it is a pious act to only remove it right before heading out to sea. Piskei Teshuvot 3:12.

### ❖ Kippah Made from Hair

**Q:** Someone made Kippot out of hair. Is it permissible to wear such a Kippah outside of Israel in a place which is dangerous for Jews?

**A:** Some forbid wearing a toupee without a Kippah on account of Maarit Ayin. (Mishnah Berurah 2:12.) This is the ruling of the halachic authorities, that one needs a recogniz-

able Kippah (This is also the opinion of Ha-Rav Yaakov Kamenetsky. *Emet Le-Yaakov* on the *Shulchan Aruch* *ibid.*). Nonetheless, in a pressing circumstance, it is permissible to cover one's head with a toupee (see *Mishnah Berurah* *ibid.*). This is on condition that the Rabbis of that place permit it. It is preferable, however, to wear a hat that is not unique to Jews (*Piskei Teshuvot* 2 note #57). It is true that if one is asked if he is a Jew, it is forbidden for him to say that he is a non-Jew. But the *Shulchan Aruch* (*Yoreh Deah* 157:2) already permits one to wear non-Jewish clothing so as to appear as a non-Jew, on condition that he not declare that he is a non-Jew (Regarding this question during the Holocaust, see *Shut Mi-Maamakim* of Ha-Rav Ephraim Oshry 1:15, 4:12, 5:3). And there is obviously an even greater solution: Making Aliyah. Here, in Eretz Yisrael, one can proudly wear a Kippah.

### ❖ Wearing a Kippah in France

**Q:** I am traveling to France. Is it permissible to go without a Kippah on account of fear?

**A:** 1. Ask the Rabbis there. 2. Wear a hat so that you won't be identified as a Jew.

## **Tzitzit and Talit**

### ❖ Talit which Falls Off

**Q:** Does one have to recite another blessing if his Talit falls off?

**A:** No. *Shemirat Shabbat Ke-Hilchata* 1:69. Not like the opinion of the *Mishnah Berurah* 8:15.

### ❖ Tzitzit in a Cemetery

Q: Is it permissible to leave one's Tzitzit out in a cemetery?

A: Not within 4 Amot (approximately 6 feet) of a grave. Shulchan Aruch Orach Chaim 23:3. Mishnah Berurah ibid.

### ❖ Talit for Single Man

Q: Should a single man wear a Talit?

A: There are various customs among Ashkenazi Jews. (Be'er Heitev 17:4. Mishnah Berurah Ibid. #10.) But he should certainly wear Tzitzit. The Sefardi custom is for single men to wear a Talit. Kaf Ha-Chaim 8:12.

### ❖ Tzitzit during Heat Wave

Q: Am I obligated to wear Tzitzit during a heat wave? It is really difficult!

A: Yes. Shut Tzitz Eliezer (8:4, 14:49). Shut Az Nidberu (2:55). Unlike the ruling of Ha-Rav Yosef Shalom Elyashiv (Ashrei Ha-Ish Chapter 2 #23).

### ❖ Wearing Tzitzit

Q: Why are we obligated to wear a four-cornered garment in order to fulfill the Mitzvah of Tzitzit? What is the transgression if one does not wear them?

A: It is correct that there is no transgression. But when Hashem is angry with a man, he will also punish him for avoiding fulfillment of this Mitzvah. Menachot 41a. Shulchan Aruch, Orach Chaim #24.

### ❖ Techelet on Tzitzit

**Q:** Should I put Techelet on my Talit? Others who learn in my Yeshiva wear Techelet...

**Q:** Gedolei Yisrael do not wear Techelet and the Minhag of Gedolei Yisrael is more important than the Minhag of your Yeshiva (Ha-Rav Yosef Shalom Elyashiv was once asked about a child who learned in a Yeshiva and asked if he should wear Techelet like all the other children there. He answered: Tell him that I do not go with Techelet. They asked further: Even though the Minhag there is to go with Techelet? He answered: Even though. From the book 'Mi-Pi Ha-Ish' p. 329).

### ❖ Glue and Knot at End of Tzitzit

**Q:** Is it permissible to put glue or tie a knot on the end of Tzitzit so they do not unravel?

**A:** Some authorities permit it and others forbid it. Piskei Teshuvot 11:14.

### ❖ Tzitzit without a Kippah

**Q:** It is difficult for me to wear a Kippah, but I have taken it upon myself to wear Tzitzit. Is it permissible to wear Tzitzit without a Kippah?

**A:** You also need to wear a Kippah! Yirat Shamayim – Awe of Hashem! (Rama, Orach Chaim 2:6. Mishnah Berurah #11).

### ❖ Wearing Tzitzit Out

**Q:** My boss at work demands that I don't wear my Tzitzit out. Should I concede?

**A:** The Mishnah Berurah (8:26) writes that one should always wear his Tzitzit out, and you should therefore not concede. (Shut Tzitz Eliezer 17:4). But it is enough to have a little bit of the Tzitzit sticking out (This is also the ruling of the Steipler Gaon in Orchos Rabbenu Vol. 1 p. 229).

### ❖ Talit for Sick Person

**Q:** If a person is sick and does not have the strength to stand, can he put on his Talit while seated?

**A:** The blessing over the Tzitzit, as with all blessings over Mitzvot, including wrapping oneself in the Talit, should be done while standing. (Shulchan Aruch, Orach Chaim Chapter 1.) But after the fact, one fulfills his obligation while seated. (Mishnah Berurah #8.) And for a sick person, it is permissible from the outset.

### ❖ Talit for Single Man

**Q:** Should an unmarried man wear a Talit?

**A:** According to Sefardim, an unmarried man wears a Talit (Kaf Ha-Chaim 8:12). According to Ashkenazim, some wear a Talit (Be'er Heitev 17:4) and some do not (Shut Levushei Mordechai Tanina #2). But everyone must wear Tzitzit.

### ❖ Tzitzit during a Ball Game

**Q:** Is it permissible to remove one's Talit Katan during a ball game when there is a fear that they will rip?

**A:** No. Tuck them inside your pants (And this is also the ruling in Shut Az Nidberu 2:55).

### ❖ Drying One's Hands on His Tzitzit

**Q:** Is it permissible to dry my hands on my Tzitzit?

**A:** No, since one may not use a piece of clothing through which you perform a Mitzvah for a disgraceful purpose. (Mishnah Berurah 21:12. Piskei Teshuvah 21 note #8.) But if one is drying his hands to perform a Mitzvah, e.g. Davening or Birkat Cohanim, it is permissible. It is also permissible to dry one's glasses on his Tzitzit since it is not disgraceful (unlike the ruling in Halichot Shlomo 1:3 #19). But for removing sweat it is forbidden (Makor Chaim by the author of Chavot Yair #2). It is always forbidden, however, to use one's Talit for any unholy purpose even if it is not disgraceful. Mishnah Berurah ibid.

### ❖ Blessing on a Talit which Falls Off

**Q:** I saw in the Shulchan Aruch (Orach Chaim 8:15) that if one's Talit accidentally falls off, he must recite another blessing over it, but I don't see people doing so. What is the Halachah?

**A:** Both Sefardim and Ashkenazim do not recite another blessing since a person's intention is to wear the Talit until the end of the Davening and his mind is not distracted from fulfilling this Mitzvah. Yalkut Yosef (8:3). Ha-Rav Shlomo Zalman Auerbach brought in Shemirat Shabbat Ke-Hilchata (Chap. 1 note #69).



### ❖ Machine-Made Tzitzit

**Q:** Does one need hand-made Tzitzit, or are machine-made Tzitzit also Kosher?

**A:** If they are machine-made and have Rabbinic certification, they are Kosher. But hand-made is better. Piskei Teshuvot 11:2.

### ❖ Blessing on a Shul's Talit

**Q:** If I used the Shul's Talit, do I recite a blessing over it?

**A:** One does not recite a blessing over a borrowed Talit, but a Shul's Talit is meant to be acquired by anyone who is in need of its use. One should therefore recite a blessing over it. However, if one wears the Talit to honor the community, e.g. to serve as a Shaliach Tzibur or to receive an Aliyah, then no blessing is recited. This is the ruling of the latter authorities - Acharonim (Halichot Shlomo, chapter 3 #12. Shut Mishneh Halachot 9:234).

## Tefillin

### ❖ Tefillin which Fell

**Q:** What should one do if Tefillin fell on the floor?

**A:** The basic custom is not to fast but to redeem the fast with Tzedakah. And one should also add Torah learning. Piskei Teshuvot 40:2.

### ❖ Wrapping Tefillin Straps around One's Fingers

**Q:** Sefardim put on the hand Tefillin while seated. Does the same apply for wrapping the straps around one's finger?

**A:** This is done standing. The same is true for removing them (Mishnah Berurah 27:8. Kaf Ha-Chaim 28:6).

### ❖ Tefillin Not Sitting on One's Forehead

**Q:** If I see that an adult's Tefillin is not sitting in the correct place on his head, but rather on his forehead, should I point it out? Perhaps he will be embarrassed?

**A:** You can either ask an older person to point it out to him, or point it out yourself by asking him a question such as: "I should put on my Tefillin this way or the way that I see you have them?" Or you can put them on the way he is wearing them and have a friend point out to you in front of him that they are sitting in the wrong spot.

### ❖ Tefillin at Night for Soldier

**Q:** Can a soldier who returns at night from an all-day operation, which began the previous night, put on Tefillin?

**A:** No. It is forbidden to put on Tefillin at night. (Shulchan Aruch, Orach Chaim 30:2.) But he can put them on during twilight (Bein Ha-Shemashot) without a blessing, and some permit reciting a blessing during this time. See Piskei Teshuvot ibid. #2.

### ❖ Placing Items in a Tefillin Bag

**Q:** Is it permissible to put items, such as a mirror and money for Tzedakah, in a Tefillin bag?

**A:** It is forbidden to place items in a Tefillin bag unless they are connected to performing the Mitzvah of Tefillin. Therefore, it is permissible to put a mirror in a Tefillin bag but it is forbidden to put in money for Tzedakah. Ha-Rav Shlomo

Zalman Auerbach in Halichot Shlomo Chapter 4 #34 (A father who suspected that his son was not putting on Tefillin once asked Ha-Rav Yitzchak Zilberstein whether he could put a chocolate bar in his son's Tefillin bag in order to discover the truth. Is it permissible to place something in the Tefillin bag for the great need of educating his son? Rav Zilberstein answers that it is permissible to place a mirror in one's Tefillin bag since it serves to insure that the Tefillin are resting in their proper place and is therefore essential to the Mitzvah. This is not the case however with a chocolate bar, since it is not part and parcel of the Mitzvah and it is therefore forbidden to place it in there. [In the book "Ve-Ha-Arev Na Volume 2 pp. 439-441.] And when Ha-Rav Ovadiah Yosef went to serve as a Rabbi in Egypt, there was a so-called "Chief Rabbi". Rav Ovadiah complained to him regarding all sorts of halachic violations which needed to be fixed, such as serving Treif food in the Jewish hospital, to which he responded: "There is no problem". There was a Torah scholar who served in the Rabbinate there, Chacham Yosef Chason, who told Rav Ovadiah that this "Chief Rabbi" doesn't even put on Tefillin! And how did he know? Every morning the "Chief Rabbi" would close himself in a room with his Talit and Tefillin bag, and come out after a half an hour. Chacham Yosef claimed that all he does in that room is smoke cigarettes and nothing else! Rav Ovadiah took out the Tefillin of the "Chief Rabbi" and replaced them with onions as a test. If he actually put on Tefillin and found onions in his bag, he would scream: "Where are my Tefillin"? No such scream ever occurred... [In the book "Sinai Ve-Oker Harim" pp. 97-99.] But how did Rav Ovadiah do such a thing, as it is forbidden to put onions in a Tefillin bag? This

was an extenuating circumstance of a spiritual life-threatening situation and a desecration of Hashem's Name).

### ❖ Removing Tefillin during Kaddish

**Q:** Is it permissible to remove Tefillin during Kaddish?

**A:** No, since one must have proper intention when answering "Amen, Yehei Shemei Rabbah", just as it is forbidden to remove Tefillin during the recitation of a blessing. Mishnah Berurah 25:56.

### ❖ Removing Tefillin to use the Restroom

**Q:** If one removes his Tefillin in order to use the restroom, does he recite another blessing when he puts them on again?

**A:** Ashkenazim recite a blessing. There are divergent opinions among Sefardim (Mishnah Berurah 25:47, 8:37. Biur Halachah 25:12 d.h. Ve-Yesh Omrim. Ben Ish Chai, Shana Alef, Vayera #13. Kaf Ha-Chaim 25:78).

### ❖ Buying Tefillin without Paying Taxes

**Q:** Is it permissible to buy Tefillin from a Sofer Stam who does not pay taxes?

**A:** It is forbidden. Shut Yechaveh Da'at of Ha-Rav Ovadiah Yosef (5:64).

### ❖ Wrapping the Tefillin

**Q:** When one wraps the Tefillin around his arm 7 times, do 2 half loops combine and count as one of them?

**A:** It is a dispute (Petach Ha-Dvir 27:2. Kaf Ha-Chaim 27:35).

## Hashem's Name

### ❖ Bill with Divrei Torah

**Q:** Is it permissible to bring into the bathroom a 200 shekel bill which has Divrei Torah on it?

**A:** Only if it is in one's pocket, since the words are legible to someone with good eyesight. See Shut Tzitz Eliezer 16:31.

### ❖ Hashem's Name on Skin

**Q:** My friend wrote Hashem's Name on my hand with a magic marker. Is it permissible to take a shower even though it will be erased?

**A:** No. Cover it with masking-tape.

## Bar Mitzvah

### ❖ Bar Mitzvah in Adar

**Q:** One who was born in Adar in a non-leap year, when is his Bar Mitzvah if it falls during a leap year?

**A:** Adar Bet (Rama, Orach Chaim 55:10).

### ❖ Bar Mitzvah Party

**Q:** My parents do not have money for a fancy Bar Mitzvah party, but I am jealous of my wealthy friends who do have them and I am embarrassed.

**A:** Do according to your parents' ability and do not waste money on this. There is nothing to be embarrassed about. On the contrary, one who wastes money should be embarrassed. I suggest that all the children who participate in youth movements revolt and decide together that their Bar Mitzvahs will not cost more than 300 Shekels.

### ❖ Bar Mitzvah Meal

**Q:** Can a Bar Mitzvah meal be dairy?

**A:** Yes. Other meals for a Mitzvah may also be. The essence is that the meal is respectable (see Piskei Teshuvot #194 in the notes. Shut Teshuvot Ve-Hanhagot 2:485, 3:294).

## **Prayer with Minyan**

### ❖ Helping My Wife

**Q:** My wife is pregnant, and she wants to sleep while I watch the kids. If I do this, I will not be able to Daven with a Minyan.

**A:** You are also obligated to take care of your children, and one who is involved in a Mitzvah is exempt from another Mitzvah – in this case, Davening with a Minyan (Sukkah 26a).

### ❖ My Wife is Tired

**Q:** If my wife is tired, is it permissible for me to Daven on my own at home and watch the kids so she can sleep?

**A:** Yes.

## ❖ Davening in a Chabad Minyan

**Q:** Is it permissible to Daven in a Chabad Minyan, where they believe that the Rebbe is the Messiah?

**A:** Yes. A person who errs is still counted as part of a Minyan (And similarly, Ha-Rav Aharon Yehudah Leib Shteinman answers this question: "Is it possible to Daven with someone who believes in nonsense?!" *Be-Zot Yavo Aharon*, p. 371).

## ❖ Counting Jews

**Q:** It is forbidden to count Jews. (Magen Avraham 156:2.) What then is the solution when it is necessary, i.e. a Minyan?

**A:** It is permissible under two conditions: 1. If it is for the sake of a Mitzvah. 2. If one counts not the people, but something else, e.g. fingers (Yoma 22b) or pieces of paper. (Piskei Teshuvot 156:24.) And the custom is to say the verse (Tehillim 28:9): "Hoshia Et Amecha" (which has 10 words) to count a Minyan. *Kitzur Shulchan Aruch* 15:3 (And the Kaf Ha-Chaim, *Orach Chaim* 55:11 in the name of *Chesed Le-Avraham* writes that many people mistakenly think that it is only forbidden to count: 1, 2, 3...but it is permissible to count: Alef, Bet, Gimmel... They should, rather, count in their thoughts and not aloud).

## **Prayer – Shaliach Tzibur**

### ❖ Precedence in Shaliach Tzibur

**Q:** I am a mourner but a major disagreement began regard-

ing who takes precedence in serving as the Shaliach Tzibur...

**A:** Give in. This will also give contentment to the deceased (Ha-Rav Moshe Feinstein told his son, Ha-Rav Reuven, that if there is a chance of dispute one should give up his "right" to serve as Shaliach Tzibur even if the Halachah grants him that right. Reb Moshe [in English], p. 201).

### ❖ Shaliach Tzibur and Kavanah

**Q:** If I am serving as a Shaliach Tzibur and have proper Kavanah, my Davening takes a long time and causes "Tircha De-Tzibura - a burden on the congregation". What should I do?

**A:** You should not cause a "Tircha De-Tzibura", since a person should not have more Kavanah at the expense of other people, just as one may not Daven out loud in order to have more Kavanah since it will disturb others (And when Ha-Rav Herschel Schachter was in mourning for his father, he did not serve as Shaliach Tzibur, since he Davens at length and did not want to burden the congregation).

### ❖ Shaliach Tzibur who Desecrates Shabbat

**Q:** Can a person who desecrates Shabbat serve as a Shaliach Tzibur or Baal Koreh?

**A:** Certainly not. Shulchan Aruch, Orach Chaim 53:4, 25 (See Meishiv Milchama of Ha-Rav Shlomo Goren #107).

### ❖ Stuttering Shaliach Tzibur

**Q:** Can a person who stutters serve as Shaliach Tzibur?



**A:** If the community agrees.

**Q:** And what about the honor of Hashem?

**A:** Fearing G-d is more important than this deficiency. The Gemara relates about a Shaliach Tzibur who could not properly say the letters (Megillah 24b. See Shai Cohain of Ha-Rav Shear Yashuv Cohain vol. 1 #1).

### ❖ Shaliach Tzibur who has to use the Restroom

**Q:** If I am the Shaliach Tzibur and I suddenly have to use the restroom, should I continue or stop?

**A:** There is a discussion whether or not it is permissible to continue based on the law of human dignity so that one will not be embarrassed (In general, it is forbidden to hold it in, and in particular, it is forbidden to Daven when one needs to use the restroom), but it is best to cough as if you have a problem with your throat, signal to another person that he should replace you, and go to the restroom as if you need a drink (see Ishei Yisrael 10:11, 12, 17 with notes).

### ❖ Fighting to be Shaliach Tzibur

**Q:** On a Yahrtzeit, should I battle in order to serve as Shaliach Tzibur?

**A:** It is a proper custom to serve as Shaliach Tzibur on a Yahrtzeit, but do not argue about it, since that is a major transgression. Yielding is a greater act to help the soul of a loved one ascend (See Shut She'eilat Shlomo 1:79 #21. Hashem always rewards one who yields. When Leah saw in her prophecy that she would have a boy and Rachel would have a girl, and Rachel would thereby have fewer tribes

than the maidservants, she pleaded with Hashem to switch the fetuses. And Hashem indeed did so. [Berachot 60a – Leah had Dinah and Rachel had Yosef.] On the face of it, Leah lost a tribe. But in the end, Leah's granddaughter, Osnat bat Dinah, married Yosef. [Pirkei De-Rebbe Eliezer, Chap. 35, 37.] The two sons of Yosef and Dinah each became a tribe. Leah therefore yielded and received a double reward. Heard from Ha-Rav Chaim Domb).

### ❖ Shaliach Tzibur Not Acceptable to All

**Q:** Must a Shaliach Tzibur be acceptable to everyone in the Shul?

**A:** A majority is sufficient. If it were not so, it would be extremely difficult to find a Shaliach Tzibur. Piskei Teshuvot 581:8.

### ❖ Shaliach Tzibur and his Wife

**Q:** If a man's wife dresses immodestly, can he serve as a Shaliach Tzibur?

**A:** Yes. He is not guilty.

### ❖ Woman leading Kabbalat Shabbat

**Q:** Is it permissible for a woman to lead Kabbalat Shabbat?

**A:** G-d forbid! And it is a double transgression since it is done in the name of the community. See the article "Le-Mikdash Me'at" of Maran Ha-Rav Kook in Ma'amrei Ha-Re'eiyah.

## Shemoneh Esrei

### ❖ Sim Shalom

**Q:** I saw in some Siddurim that in the Shemoneh Esrei of Maariv one says Sim Shalom and not Shalom Rav. Is there such an opinion?

**A:** Yes. The Arizal (brought in Mishnah Berurah 127:13).

### ❖ Davening in the Wrong Direction

**Q:** If I began Davening in the wrong direction, i.e. not towards Yerushalayim, may I turn around?

**A:** Yes, walking for the needs of Davening without speaking is not considered an interruption (Mishnah Berurah 104:2. Piskei Teshuvot ibid.).

### ❖ Bus Reaches its Stop in Middle of Shemoneh Esrei

**Q:** If I am riding on a bus and Davening Shemoneh Esrei of Minchah, since it is getting late, and the bus arrives at my stop, what should I do?

**A:** It is permissible to get off the bus and continue Davening there (This is also the ruling of Ha-Rav Chaim Kanievski. Ishei Yisrael Chapter 83:43).

### ❖ Saying "Tal U-Matar" Out Loud

**Q:** Is it permissible during the Shemoneh Esrei to say "Tal U-Matar" or "Yaale Ve-Yavo" out loud in order to remind others to say it?

**A:** One is required to recite Shemoneh Esrei with an awe

of holiness, as one would have standing before a king. It is therefore forbidden, although some authorities are lenient (The Chazon Ish opposed this custom since it was not proper to say it out loud during Davening. [Dinim Ve-Hanhagot Le-Chazon Ish 4:24. Orchot Rabbenu Vol. 1, p. 207.] Ha-Rav Chaim Kanievski related that in his youth, he once Davened with his uncle, the Chazon Ish, on the 7th of Marcheshvan [when we begin reciting "Tal U-Matar" in Eretz Yisrael] and he raised his voice when he said "Tal U-Matar". After the Davening, the Chazon Ish came out and said to him: "We do not yell out in Davening". [Divrei Siach #35 – Lech Lecha 5774.] Ha-Rav Shlomo Zalman Auerbach, however, said that there are Acharonim who mention the Shamash saying it aloud, e.g. Magen Avraham 114:2, but it is improper for others to do so. [Halichot Shlomo – Tefillah, Chapter 8 note #20. Brought in Ishei Yisrael, Chapter 20 note #72.] But Ha-Rav Yosef Shalom Elyashiv said that others may do so since it is for the benefit of the Davening. [Ashrei Ha-Ish, p. 113.] In any event, Ha-Rav Chaim Kanievski says that there are those who are lenient in order to remind others, but it is preferable to hit on the Shtender before the Shemoneh Esrei as a reminder. Da'at Noteh, p. 298).

### ❖ Addition in Musaf of Rosh Chodesh

**Q:** During a leap year, we add "U-le-Chaparat Pasha" into the Shemoneh Esrei of Musaf. When do we stop saying it?

**A:** There are three opinions. (Mishnah Berurah 423:6.) The custom is to cease at the end of Adar Bet (This is also the custom mentioned in Luach Eretz Yisrael).

### ❖ Difficulty in Concentrating during Davening

**Q:** Despite my best efforts, I can't concentrate during the Shemoneh Esrei. What should I do?

**A:** Concentrate at least during the first Blessing – "Avot" and at the conclusion of each blessing. Shulchan Aruch, Orach Chaim 98:1. Mishnah Berurah #1.

### ❖ Women and Musaf

**Q:** Are women obligated to Daven Musaf on Shabbat?

**A:** It is a dispute. Mishnah Berurah 106:4.

## **Prayer – Misc. Laws**

### ❖ Praying for Something More than Twice

**Q:** Is it permissible to daven for a match and a livelihood on a regular basis, even though it is said that one should not ask for something more than twice?

**A:** There is no such halachah. It is permissible.

### ❖ Davening for the Sick with His Name

**Q:** How should we Daven for the sick if one does not know his mother's name?

**A:** His father's name. And if he doesn't know that, then just his name. Hashem already knows (And the Chazon Ish also answered the same way. He also said that you can mention his city. Ma'aseh Ish Volume 5, p. 117).

## ❖ "Nusach Achid"

**Q:** I am Sefardi but feel a closer connection to "Nusach Achid" (The "Unity" Nusach for davening) than the Nusach of Sefardim. Can I use it?

**A:** "Nusach Achid" is essentially "Nusach Sefard" of Ashkenazim (which was introduced by the Chasidim in Eastern Europe). One should, as much as possible, use the Nusach of one's father and ancestors (Shut Yechaveh Da'at 3:6. We have heard in the name of Ha-Rav Shlomo Goren, who established "Nusach Achid", that his intention was not to create a Nusach to unite Klal Yisrael, but to use in the army where it is difficult to distribute all types of different Siddurim. He therefore chose this Nusach, which contains aspects of the various traditions).

## ❖ Clapping During Davening

**Q:** What is the source for clapping during Davening?

**A:** There is no source, and if it disturbs other people it is forbidden (see Mishnah Berurah 101:6. Shulchan Aruch, Orach Chaim 582:9. Mishnah Berurah #24).

## ❖ Women kissing the Sefer Torah

**Q:** Is it permissible for the Shaliach Tzibur to carry the Torah close to the Ezrat Nashim in order for the women to kiss the Torah?

**A:** No. 1. It is immodest (Kitzur Shulchan Aruch 152:8). 2. We do not change the accepted order of Davening (Shut Ha-Rashba 1:323. See Shut Orach Mishpat #35).

## ❖ Davening in Slippers

**Q:** If I am Davening at home, is it permissible to Daven in slippers?

**A:** No. One must Daven wearing clothing in which one would stand before an important person (Ishei Israel 10:6. And when Ha-Rav Moshe Feinstein would Daven Maariv on his own in his house, if he was wearing a house robe and slippers, he would switch into his regular clothing from his shoes up to his hat. He would even put on a tie. When Ha-Rav Aharon Felder saw this the first few times he was confused and thought Reb Moshe was planning to go somewhere. He asked: Where are we going? Reb Moshe answered with surprise: I'm getting ready to Daven Maariv. Reshumei Aharon Volume 1 p. 19).

## ❖ Rabbi's Prayer

**Q:** If I need help, which is preferable - to Daven for myself, or to ask a great Rabbi to Daven for me?

**A:** You should Daven for yourself (see Rashi on Bereshit 21:7 that the prayer of the sick is greater than the prayer of others for him, and takes precedence in being accepted. And a Jew once approached the Kotzker Rebbe and requested that he Daven for him to have a livelihood. The Rebbe responded: Daven for yourself. He said: But I don't know how to Daven. The Rebbe said: This is a much greater distress than the fact that you do not have a livelihood).

## ❖ Local Custom

**Q:** I am Ashkenazi and Daven in a Sefardi Shul. Should I stand for Kaddish (as is Ashkenazi, but not Sefardi, custom)?

**A:** Act as everyone else (see Massechet Derech Eretz, Chapter 5: "A person should not stand among those who are seated or sit among those who are standing").

### ❖ Personal Prayers

**Q:** Is a personal prayer from the heart equal to a prayer from the Siddur, or is it even greater?

**A:** It is less. The prayers from the Siddur came from the heart of the Members of the Great Assembly (Anshei Knesset Ha-Gedolah) which included prophets. They are the heart of Klal Yisrael. A personal prayer is therefore an addition to the prayers in the Siddur and not a substitute for them.

### ❖ Yigdal

**Q:** I heard that the Arizal said not to say Yigdal?

**A:** Correct. (Mishnah Berurah 68:2.) But the Shelah did say it, and this is the custom (And Ha-Rav Yosef Soloveitchik said that reciting Yigdal, which includes the foundations of Emunah, is forbidden because of "Chukot Akum" - imitating non-Jewish practice. This is because it is seen as similar to the Catholic practice of reciting the Catechism – an oral review of their articles of faith. Nefesh Ha-Rav, p. 231).

### ❖ Praying for a Non-Religious Son

**Q:** Is there value in praying for the health and success of my son who himself does not pray and does not perform the Mitzvot?

**A:** Certainly. One should pray for and love all Jews, and all the more so your own son. See Mesilat Yesharim, end of Chapter 19.



### ❖ Kol Isha

**Q:** Why is it written in the Shulchan Aruch (Orach Chaim 75:3) that it is forbidden to hear a woman sing during Keriat Shema, when it is always forbidden to hear a woman sing?

**A:** Then it is forbidden to even hear your wife sing (And the Rama explains so there).

### ❖ Screaming Ceremony

**Q:** When young people go out into the wilderness in order to scream to Hashem: "Please, Hashem, save us" or similar things, is it considered idol worship? Is it preferable to going to a discotheque?

**A:** This is an invention of Breslov Chasidim. It is not idol worship, since they are not worshipping a foreign god, but Hashem, and it is a type of prayer. It is surely better than a discotheque. but it is obviously preferable to Daven in the normal manner (see Shulchan Aruch, Orach Chaim 582:9 and the commentaries there).

### ❖ Modim De-Rabanan

**Q:** Why is the prayer "Modim" which the community says during the repetition of the Shemoneh Esrei called "Modim De-Rabanan" – the Rabbinic Modim? Is there a "Modim De-Oraita" – the Torah Modim?

**A:** It is called "Modim De-Rabanan" because the prayer is comprised of prayers from various Rabbis (Sotah 40a).

### ❖ Woman Covering Hair during Davening

**Q:** If a married woman Davens at home on her own, is she obligated to cover her hair?

**A:** The basic Halachah is that she is not obligated, but in practice, the Minhag is for a married woman to cover her hair when Davening, even if she is alone. Shut Yabia Omer (Vol. 6 Orach Chaim #15). Sefer Tefillah Ke-Hilchata (Chap. 7 note #24 in the name of Ha-Rav Shlomo Zalman Auerbach).

### ❖ Ashkenazic Pronunciation

**Q:** Did Maran Ha-Rav Kook and Rabbenu Ha-Rav Tzvi Yehudah daven and give classes in Hebrew with Ashkenazic pronunciation?

**A:** Davening – yes. Classes: Maran Ha-Rav in Ashkenazic pronunciation, Rabbenu in modern Hebrew pronunciation.

### ❖ Davening from a Siddur

**Q:** Is there a preference to Daven from a Siddur as opposed to a cell phone?

**A:** Yes, it is the normal way.

## **Birkat Cohanim**

### ❖ Blessing of a Tzadik or Birkat Cohanim

**Q:** Is it worthwhile to travel to visit a Tzadik in order to receive a blessing?

**A:** Birkat Cohanim – which is a blessing directly from

Hashem – is supremely greater than any blessing of a Tzadik (Ha-Rav Aharon Yehudah Leib Shteinman was also puzzled by the great distances people travel to receive a blessing of a Tzadik when one receives the blessing of Hashem each day in Birkat Cohanim [obviously this is in Eretz Yisrael or Sefardic Shuls outside of Israel where Birkat Cohanim is recited each day]. Be-Orchotecha Lamdenei p. 38).

### ❖ Talit for Cohain

**Q:** If one lends his Talit to a Cohain for Birkat Cohanim, is this considered an interruption causing him to have to recite the blessing again when he gets it back?

**A:** No (Shulchan Aruch, Orach Chaim 8:14. Taz #12. Magen Avraham #18).

**Q:** Is it proper for an unmarried Cohain who does not wear a Talit to have one for Birkat Cohanim?

**A:** Yes, in order not to trouble other people (see Piskei Teshuvot 128:53).

### ❖ Netilat Yadayim for Birkat Cohanim

**Q:** I am a Cohain. The doctor told me that it is forbidden for me to get my hands wet for two days. What should I do?

**A:** Do not go up to recite the Birkat Cohanim (See Shulchan Aruch, Orach Chaim 128:6. Piskei Teshuvot ibid. note #90).

### ❖ Cohain whose Hands Shake

**Q:** Can a Cohain whose hands shake because of Parkinson's recite the Birkat Cohanim?

**A:** Yes, since they are covered by the Talit and will not draw attention. This is on condition that he can raise his hands. See Mishnah Berurah 128:52.

### ❖ Carpet for Cohanim

**Q:** Is there a source for the custom to place a carpet under the feet of the Cohanim during the Birkat Cohanim?

**A:** No. See Piskei Teshuvot 128 note #144.

### ❖ Cohain who Embarrassed Another in Public

**Q:** One who embarrasses another person in public is considered as if he murdered him. If so, if a Cohain embarrasses someone in public can he recite the Birkat Cohanim, or is it forbidden since a Cohain who murders cannot recite Birkat Cohanim?

**A:** In this case, it is permissible for him to recite it. Piskei Teshuvot 128 note #332.

### ❖ Birkat Cohanim and Fertility

**Q:** We do not have any children. Will it help to ask the Cohanim to have us in mind during the Birkat Cohanim?

**A:** Yes. After all Hashem is the one who blesses and not the Cohanim, and the blessing of Hashem is a great thing (When this question was asked of Ha-Rav Chaim Kanievski, he responded: Why not? Segulot Raboteinu pp. 274-275).

### ❖ Child under Talit during Birkat Cohanim

**Q:** During Birkat Cohanim, some have the custom for the father to put his children under his Talit. What is the source?

**A:** Ba'al Ha-Tanya. But one is not obligated to do so (Mentioned in Ha-Yom Yom for 15th of Tishrei that the Ba'al Ha-Tanya would take the Tzemach Tzedek before he was married under his Talit for Birkat Cohanim. It appears that this is so the children also do not look at the Cohanim. See Nesiat Capayim Ke-Hilchata 15:6).

### ❖ Birkat Cohanim for someone with Prosthetic Legs

**Q:** A Cohain who has prosthetic legs that are not noticeable when he is wearing shoes, but will be when he removes them, even when wearing socks, is it permissible for him to ascend to say Birkat Cohanim? Should he remove his shoes?

**A:** Ha-Rav Meir Kahane asked this question of Ha-Rav Moshe Feinstein, who answered that there is room to permit such a person to ascend, whether he removes his shoes or not. This is because if he does not ascend, there is a concern that people may call into question his status as a Cohain. And the reason Cohanim do not wear shoes when Duchaning is because there is a chance that his shoe will rip and he will sit down to tie it while the rest of the Cohanim are reciting the blessing - and because he has not ascended, people will call into question his status as a Cohain. So better that the person ascend, even with shoes, than not. Shut Igrot Moshe Orach Chaim 2:32. (And there is a Teshuvah in Shut Igrot Moshe Orach Chaim 4:36 to Ha-Rav Kahane regarding celebrating a Bat Mitzvah in Shul. Both Teshuvot were written on the same day – 2 Sivan 5719 – when Rav Kahane was serving as a Rabbi in New York. And see Piskei Teshuvot 128:66).

### ❖ Birkat Cohanim outside of Israel

**Q:** Is it known who is "One of the Sages of our time" mentioned by the Mishnah Berurah in Sha'ar Ha-Tziyun (Orach Chaim 128 #131\*) who brings sources that Birkat Cohanim is also a Torah Mitzvah outside of Eretz Yisrael?

**A:** It is the Aderet, who wrote in one of his books that he brought these proofs and others to the Chafetz Chaim when they met in Warsaw. I heard this from Ha-Rav Chaim Domb.

### ❖ Tying Shoes before Musaf

**Q:** I am a Cohain. When I put my shoes back on after Birkat Cohanim in Shacharit on Shabbat, do I have to tie them or can I wear them untied until I Daven Musaf?

**A:** You must tie them properly right away, since one should stand as before a king (see Shulchan Aruch, Orach Chaim 91. Mishnah Berurah #1, 12-13).

## Torah Reading

### ❖ Weekly Parashah and Current Events

**Q:** Is there really a connection between the weekly Parashah and current events or do Rabbis just give creative Divrei Torah?

**A:** There is a connection. Magen Avraham, Chapter #580 (and so too the Tosafot on Megillah 31b).

### ❖ Aliyah to Torah for Cohain who Married Divorcee

**Q:** Can a Cohain who married a divorcee receive an Aliyah to the Torah?

**A:** Ha-Rav Moshe Feinstein permits him to receive an Aliyah of a Yisrael, since he nullified his holiness. Shut Igrot Moshe (Orach Chaim 2:33). And Ha-Rav Ovadiah Yosef permits him to receive an Aliyah only after the first 7 obligatory Aliyot. Shut Yechaveh Da'at (2:16).

### ❖ Missed Torah Reading

**Q:** If we did not read the Torah reading on Shabbat, is it possible to make it up at Minchah?

**A:** Yes. Mishnah Berurah 135:5, unlike the ruling of the Kaf Ha-Chaim ibid. #9.

### ❖ Chazak, Chazak Ve-Nitchazek

**Q:** What is the source for saying "Chazak, Chazak Ve-Nitchazek – Be strong, be strong and may we be strengthened" at the end of each book of the Torah during the Torah reading?

**A:** The Rishonim only mention saying "Chazak" at the end of each book. Brought in the Rama (Orach Chaim 139:11). "Chazak, Chazak Ve-Nitchazek" appears among the Acharonim. Aruch Ha-Shulchan (ibid. #14). And this is the practice among the Ashkenazim and some Sefardim.

**Q:** Is the last word pronounced "Nitchazek" (with a "Tzerei") or "Nitchazak" (with a "Patach")?

**A:** Most say "Nitchazek" (with a "Tzerei"). And some say "Nitchazak" (with a "Patach") as appears in the Book of Shmuel (2 10:10).

**Q:** Is there any importance in receiving the "Chazak, Chazak Ve-Nitchazek" Aliyah?

**A:** Yes. It is the completion of a Mitzvah. Maran Ha-Rav Kook preferred this Aliyah over Parashat Parah whose reading according to some is a Torah obligation.

**Q:** Why do we say it?

**A:** Yehoshua Bin Nun was commanded "Be strong and courageous" in Torah which is one of the four things which requires strength and encouragement. Berachot 32:2 (Yehoshua 1:8. And this is also the explanation of Ha-Rav Yosef Soloveitchik. Nefesh Ha-Rav, p. 164. And Rav Soloveitchik adds that perhaps this custom began because communities would read the last verse of each Chumash aloud. The Chumash had the abbreviation: CHaZ"aK, which meant: CHaZan and Kehilah, i.e. first the Torah reader says it and then the community. But perhaps people thought that they were supposed to say the word "Chazak" and did not understand that it was an abbreviation. Mi-Pinenei Ha-Rav p. 70).

## **Maariv/Night-time Shema**

### ❖ Best Time for Maariv

**Q:** Which is preferable – Davening Maariv on a bus while seated before midnight, or standing after midnight?



**A:** After midnight.

## **Laws of a Shul**

### ❖ Shul in Name of Yitzchak Rabin

**Q:** Is there a problem to Daven in a Shul named in memory of Yitzchak Rabin?

**A:** There is certainly no problem. That is a strange question.

### ❖ Failing to Pay Shul Dues

**Q:** If someone refuses to pay Shul dues, is it permissible for the board to not to give him an Aliyah or allow him to be a Shaliach Tzibur when he is a mourner?

**A:** Yes. A Shul is maintained by its board, which establishes the rules. If the person does not agree with these rules, he should go to a different Shul. And if it is on account of a lack of money that he has not paid, he should request an exemption or discount. See Rama, Orach Chaim 153:16 (Shut Tzitz Eliezer 2:22).

### ❖ Leaving Shul

**Q:** Should one bow when leaving Shul?

**A:** Yes, just as one does when leaving the Beit Ha-Mikdash. Rama, Orach Chaim 132:2. Mishnah Berurah #18.

### ❖ Running to Shul

**Q:** Is it a Mitzvah to run to Shul from my house?

**A:** No. Only when you are close to the Shul, so it is clear

why you are running. Shulchan Aruch, Orach Chaim 90:12. Mishnah Berurah *ibid*.

### ❖ Child and Shul

**Q:** What should I do if my child does not want to come to Shul?

**A:** If you force him to come and he Davens, it is permissible to force him. But if he comes and is bored out of his mind, do not force him, but rather come to an understanding with him that if he comes for part of the time and Davens, he will receive a prize (see Ha-Rav's book "Chinuch Be-Ahavah").

### ❖ Planting a Tree in the Shul's Courtyard

**Q:** Is it permissible to plant trees in the Shul's courtyard?

**A:** There are some authorities who forbid it just as it is forbidden to plant a tree near the altar in the Temple (since idol worshippers worshipped trees). (Rambam, Avodah Zarah 7:9.) And others permit it. Therefore, one should refrain from doing so. But even those who forbid it allow: planting a bush even the height of a person, planting a tree next to the street, and leaving trees that were there before the Shul was established (Piskei Teshuvot 150:19).

### ❖ Cell Phone in Shul

**Q:** A cell phone rang in Shul, everyone looked at me thinking that it was mine and I pointed at the person whose phone was actually ringing. Was this Lashon Ha-Ra?

**A:** One should signal: It is not me.

### ❖ Woman Delivering Dvar Torah in Shul

**Q:** Is it permissible for a woman to deliver a Dvar Torah during Davening?

**A:** Certainly not. 1. It is forbidden for men to gaze at a woman (Kitzur Shulchan Aruch 152:8-9). 2. It is forbidden to change the accepted order of prayer (Shut Ha-Rashba 1:323. See Orach Mishpat #35. And Ha-Rav Moshe Feinstein forbids it even not during Davening. Shut Igrot Moshe, Orach Chaim 5:12. And Professor Nechama Leibovitz strongly refused to deliver a talk in a Shul).

### ❖ Sefer Torah or Shul

**Q:** Which is preferable – donating money to write a Torah or establishing a Shul in a secular community?

**A:** Establishing a Shul, since we write a Torah NOT so it can sit in the Ark but rather to fulfill what is written in it, such as Davening. The Chayei Adam (Hilchot Sefer Torah Klal 31) similarly writes that it is preferable to donate money to those who learn Torah than to the writing of a Sefer Torah (And this is also the ruling of Ha-Rav Ovadiah Yosef that one should donate to building a Shul in a secular community).

### ❖ Mixed Seating

**Q:** Ha-Rav Soloveitchik ruled that it is preferable not to hear the Shofar if the only option to do so is in a mixed seating Minyan. How is being strict on modesty more important than a Torah Mitzvah?

**A:**1. It is not a stringency (See Shut Igrot Moshe, Orach

Chaim 1:39). 2. It is a Mitzvah performed through a transgression. But it is best to ask Rav Soloveitchik's students directly (Rav Soloveitchik ruled in this way regarding mixed seating Minyans, since family seating began in the houses of worship of idolators, and he published the above ruling in newspapers. He explains that if one went to a mixed seating Minyan, it is correct that he would fulfill the Mitzvah of hearing the Shofar, but at the same time, he would violate the prohibition of "Do not do so to Hashem Your G-d". And if he remains at home, he would nullify the Mitzvah of Shofar, but he would not violate the negative Mitzvah. In this situation, it is therefore preferable to "Shev Ve-Al Ta'aseh" – sit and do nothing. See Eruvim 100a. Nefesh Ha-Rav, p. 232. Divrei Ha-Rav, pp. 156-157).

## Meals/Food

### ❖ Eating while Standing Up

**Q:** I saw that the Rambam writes that one should eat while sitting. (Hilchot De'ot 4:3.) Is this the Halachah?

**A:** He writes this from a medical perspective, and now there is no such concern. But it is proper from the perspective of etiquette. Piskei Teshuvot 170:22.

### ❖ Throwing Bread

**Q:** Is it permissible to throw bread in a clean place where one knows it will not get ruined?

**A:** No. This is a special stringency by bread. (Shulchan Aruch, Orach Chaim 171:1. Mishnah Berurah #9.) But some permit it. Piskei Teshuvot ibid. #2.

### ❖ The Drink "BLU"

**Q:** Is it proper for a religious youth to drink energy drinks such as BLU?

**A:** It is forbidden, even for non-religious youth. It contains much caffeine which is dangerous.

### ❖ All You Can Eat

**Q:** Is there a problem with eating in a restaurant that is "All you can eat"?

**A:** Yes, it is gluttonous. Rambam, Hilchot De'ot Chapter 5.

### ❖ Mayim Acharonim

**Q:** Is there an obligation to wash "Mayim Acharonim" (after eating)? What about women?

**A:** There is an obligation if one's hands are not totally clean in order to recite the blessing after eating with clean hands. The same applies for women (Shut She'eilat 1:111).

### ❖ Eating Etiquette

**Q:** Are there guidelines for polite eating?

**A:** Certainly. Use utensils, don't lick one's fingers but use a napkin, don't put too much food into one's mouth, don't get food on one's clothing or beard, don't chew too quickly, don't make noise when chewing, etc. Piskei Teshuvot 170:14.

**Q:** Does this apply even when one is eating alone in his house?

**A:** Yes. Ibid.

### ❖ Food under the Bed

Q: I know it is forbidden to place food under a bed where one sleeps. And what if it happened?

A: There is a dispute, and after the fact one can use the food (The Chazon Ish was strict not to eat it, but would give the food to the poor and not waste it since it is permissible according to the basic Halachah, and the merit of this Mitzvah would protect those who eat it. Piskei Teshuvot 171 note #48).

### ❖ Bringing Food into a Bathroom

Q: What is the law concerning food or medicine in my pocket which I brought into the bathroom?

A: There is no prohibition to bring food or drink into a bathroom, and all the more so medicine. Some are strict not to do so, but the food is certainly not forbidden. Regarding medicine, there is no reason to be strict. Piskei Teshuvot 171:9.

## **Blessings on Food**

### ❖ Gluten-Free Food

Q: What is the blessing on gluten-free food?

A: "Shehakol", since it does not contain wheat flour.

### ❖ Blessing over Tears

Q: My wife sometimes cries from happiness and her love for me. Is it permissible to drink her tears? Do I recite a blessing?

**A:** Yes. You should recite a blessing if they are tasty.

### ❖ Changing Locations with Candy and Gum

**Q:** If someone is eating candy or chewing gum and goes outside does he have to recite another blessing?

**A:** No. Since this is the way of the world, it is as if he made such a condition from the outset. Shut Igrot Moshe (Orach Chaim 2:57. Unlike that which Ha-Rav Chaim Kanievski said in the name of the Chazon Ish: "In my youth, I once left the house with a piece of candy in my mouth, he [the Chazon Ish] said to me that leaving the house is a change of location and I need to recite a blessing, and when I come back inside I have to recite another blessing – even 100 times!" Divrei Siach Vol. 4 p. 20).

### ❖ Papaya

**Q:** What is the blessing on papaya?

**A:** Adamah. Shut Yechaveh Da'at (4:52).

### ❖ Blessing on Chocolate

**Q:** What is the blessing on chocolate?

**A:** It would have been proper to recite Eitz, but the custom is to recite Shehakol since it contains various ingredients aside from cocoa, and its form is changed and unrecognizable. Piskei Teshuvot (Ha-Rav Moshe Feinstein was once asked about the blessing on chocolate, and he responded that people have the long-standing custom to recite Shehakol, and we must clarify why this is so, since it is impossible for us to say that Klal Yisrael acts improperly.

[Reshumei Aharon of Ha-Rav Aharon Felder, p. 24.] And this was Rav Feinstein's opinion in general. Someone once told Reb Moshe that the Sanzer Rav, author of *Shut Divrei Chaim*, ruled that over a potato one recites Shehakol, because the potato does not really grow from the ground, rather it grows from air around the ground. Reb Moshe said that even if such reasoning was correct, which it is not, didn't the Sanzer Rav know that the custom of the world is already to recite Adamah, and thus it does not make sense to rule otherwise. See *Chullin* 136b. *Mesoret Moshe* p. 50. And Ha-Rav Shlomo Zalman Auerbach also ruled that one should recite Eitz on chocolate, but since the world did not accept his ruling, he said that in practice one should recite Shehakol. See *Shut Minchat Shlomo* 1:91. And *Ve-Zot Ha-Berachah* p. 101, for a discussion of why the blessing is not "Borei Pri Ha-Eitz").

## ❖ Bamba

**Q:** What is the blessing over Bamba?

**A:** It is a dispute - Shehakol or Adamah - therefore you should recite Shehakol (*Shut She'eilat Shlomo* 1:108. And this is also the ruling in the book "*Ve-Zot Ha-Berachah*", p. 389. And there is a dispute between the sons of Ha-Rav Ovadiah Yosef regarding this question. According to Ha-Rav David Yosef, one should recite Shehakol. [*Halachah Berurah* Volume 10, 208:30.] And according to Ha-Rav Yitzchak Yosef [who now serves as the Chief Rabbi], one should recite Adamah. [*Yalkut Yosef in Klalei Sefak Berachot* p. 176. *Ain Yitzchak*, Volume 2 p. 573.] And one year on the night of Pesach in Ha-Rav Ovadiah's house, they forgot to prepare bags of nuts to give to the children to



keep them awake for the Four Questions, so they gave the children Bamba. Ha-Rav Ovadiah asked his son Ha-Rav Yitzchak: What is the blessing? He answered: Adamah. Ha-Rav Ovadiah recited Adamah over the Bamba, passed it out to all of his grandchildren and told them to recite Adamah. Sinai Ve-Oker Harim pp. 179-180).

### ❖ Offering Food to Someone who will Not Make a Blessing

**Q:** There is a Halachah that it is forbidden to offer food to someone who will not recite a blessing on account of "Do not place a stumbling block before the blind". (Shulchan Aruch, Orach Chaim 169:2.) What should I do if I am hosting a non-religious person in my house?

**A:** It is clear that if you are able to ask in a pleasant manner if he will recite a blessing, you should certainly do so. This however is not always possible. Ha-Rav Shlomo Zalman Auerbach permitted one to give food to a person even if you know that he will not recite a blessing since the entire prohibition is based on "Do not place a stumbling block before the blind," and if you refuse to give him, you will cause him to violate an even greater prohibition of hating the Torah and religious Jews (Shut Minchat Shlomo 1:35. Shut She'eilat Shlomo 1:498. And Ha-Rav Chaim Kanievski stated that this was also the opinion of the Chazon Ish. Igrot U-Ketavim Derech Emunah, p. 32).

### ❖ Selling Food to a Jew who will Not Recite a Blessing

**Q:** Is it permissible in a store to sell food to a Jew if he will

not recite a blessing before eating it? Is there a prohibition of "Do not place a stumbling block before the blind" (Vayikra 19:14)?

**A:** It is permissible. 1. Perhaps he will recite a blessing. Regarding "Do not place a stumbling block", if one is uncertain if the person will transgress the halachah, we are "Tolim" (literally "hanging" on the assumption) that he will not violate it (Mishnah Gittin 5:9). 2. Some authorities hold that there is no prohibition of "Do not place a stumbling block" in business dealings (Shut Meishiv Dvar 2:32). 3. Some authorities hold that when the prohibition will be encountered later on and not at that exact moment, "Do not place a stumbling block" does not apply (Be'er Heitev 169:4 in the name of the Bach). 4. When one has the ability to obtain the item elsewhere, there is no prohibition of "Do not place a stumbling block".

**Q:** I asked a different Rabbi about the fourth reason Ha-Rav gave and he told me that even when one has the ability to obtain the item elsewhere and that store is owned by a Jew, there is no still the prohibition of "Do not place a stumbling block."

**A:** This is the opinion of the Mishneh Le-Melech (Hilchot Malveh Ve-Loveh 4:4) but the Ketav Sofer disagree (Shut Ketav Sofer Yoreh Deah #83. And in Shut Torat Chesed Orach Chaim #5, Ha-Gaon Mi-Lublin also permits it. And in Shut Divrei Chachamim p. 281, it is asked regarding "Do not place a stumbling block", if one owns a restaurant, may he sell food to a non-observant Jew? Ha-Rav Yosef Shalom Elyashiv and the Steipler Gaon answer that the world relies on Ha-Gaon Mi-Lublin in this case. So too Piskei Teshuvot 169:4).

### ❖ Cake for Dessert

**Q:** There is a dispute among Halachic authorities if one recites a blessing over cake for dessert. What should one do?

**A:** Recite the blessing. Rabbenu Ha-Rav Tzvi Yehudah did so in the name of Maran Ha-Rav Kook (see Rav Aviner's commentary on *Kitzur Shulchan Aruch* 43:6).

## **Birkat Ha-Mazon**

### ❖ Woman who is in Doubt about Birkat Ha-Mazon

**Q:** I am a woman and I am almost certain that I did not recite Birkat Ha-Mazon but I am not 100% sure. What should I do?

**A:** There is a huge debate regarding whether a woman who is in doubt about whether she recited Birkat Ha-Mazon should recite it or not. She therefore should not recite it (*Piskei Teshuvot* 186:2). But if you are almost certain that you did not recite it, then you should recite it.

### ❖ "Al Naharot Bavel"

**Q:** Should one say "Al Naharot Bavel" before the Birkat Ha-Mazon on weekdays?

**A:** It is proper to do so, but it is not obligatory since it is not found in the Gemara, Rambam or *Shulchan Aruch*, but in the *Shelah* (Our Rabbi, Ha-Rav Tzvi Yehudah, would not recite "Al Naharot Bavel" but rather "Shir Ha-Ma'alot" at each meal, because of our return to our Land. [*Iturei Yerushalayim* #26.] "Al Naharot Bavel", and when it is to be recited, does appear, however, in *Siddur Olat*

Ha-Re'eiyah (vol. 1, p. 360) – a siddur with Maran Ha-Rav Kook's commentary which our Rabbi himself arranged and annotated).

### ❖ Blessing the State of Israel in Birkat Ha-Mazon

**Q:** Did Rabbenu Ha-Rav Tzvi Yehudah say in the Birkat Ha-Mazon: "May the Merciful One bless the State of Israel, the beginning of the blossoming of our Redemption" and "May the Merciful One bless Tzahal, who stands guard over our Land"? Can I add it?

**A:** Rabbenu did not say it. You can add it but it is preferable not to make changes. After all, you see that Rabbenu did not add it and you are not more of a Zionist than him. The State of Israel and Tzahal are included in the blessing over the Land and the food (and see Shut Beit Mordechai #28 and Shut Be-Ohela Shel Torah 4:5 who explain that there is no blessing for the Mitzvah of Yishuv Eretz Yisrael since it is included in the second blessing of the Birkat Ha-Mazon, "The Blessing of the Land").

## Misc. Blessings

### ❖ Blessing of "Chacham Ha-Razim"

**Q:** At the funeral of Ha-Rav Ovadiah Yosef ztz"l, there were more than 600,000 Jews. Was there an obligation to recite the blessing of "Chacham Ha-Razim" (Knower of Secrets – blessing when seeing 600,000 Jews together)?

**A:** On the face it, yes. (Shulchan Aruch, Orach Chaim 224:5.) But we did not hear that the many great Torah scholars who were there did so. This may have been since

perhaps we only recite the blessing when one sees all 600,000 Jews at one time, since the Gemara relates the case that a Torah scholar recited the blessing on the Temple Mount (Berachot 58a). It is also not certain that there were 600,000. There may have been much less. Calculate it for yourself.

### ❖ Blessings over Torah Learning for a Woman

**Q:** Is a woman obligated to recite the blessings over Torah learning?

**A:** Yes. A woman is also connected to Torah (Shulchan Aruch, Orach Chaim 47:14. See Shut Orach Mishpat Siman 11 #2. Ha-Griz on the Rambam, Hilchot Berachot 11:16 at the end. Piskei Teshuvot 47:18).

### ❖ Shehechyanu for Reaching 70 Years Old

**Q:** Should one recite Shehechyanu for reaching 70 years old?

**A:** This does not have a clear source (Shut Chavot Yair #70 writes that one who reaches the age of 70 should recite Shehechyanu. And the Mishnat Yaakov 2:225 [brought in Piskei Teshuvot 223 note 50] writes that this was what the Chafetz Chaim did in front of his prize students). The age of 60 is mentioned in the Gemara as a holiday since one passed the time of Karet (Moed Katan 28a, and brought in Ben Ish Chai Re'eh #9 and Kaf Ha-Chaim 223:29). But the age of 70 is not mentioned (Pri Megadim, Mishbetzot Zahav 444:9 and the Chatam Sofer, Orach Chaim 225:1 write that it should be recited without mentioning Hashem's Name and Kingship). Some recommend wearing a new garment on

one's 70th birthday and reciting Shehechyanu on both. This is always possible (When Ha-Rav Shlomo Goren was Chief Rabbi of Tel Aviv, he recited Shehechyanu on the night of Yom Ha-Atzmaut in Shul as was his opinion. One of the people there questioned it, and Rav Goren waved his tie, as if to say that he was wearing a new tie, and so the blessing was on it. After the davening, Rav Goren scolded the man: It is obvious to you that one says Shehechyanu on a new tie, but not on a new State?! Nonetheless, Ha-Rav Aviner did not recite Shehechyanu on his recent 70th birthday).

### ❖ Shehechyanu on Donating Blood

**Q:** I am about to donate blood for the first time in my life. Is it permissible for me to recite Shehechyanu?

**A:** Yes. 1. One recites Shehechyanu on performing a Mitzvah for the first time (Shut Orach Mishpat pp. 268-269). 2. We recite Shehechyanu over good news (Shulchan Aruch, Orach Chaim 222:1). Furthermore, the Bach (Orach Chaim #29) writes that there is a major difference between the blessing of Shehechyanu and all other blessings: since the Shehechyanu is recited over joy, one does not violate taking Hashem's name in vain by reciting it, even in a case where it is not certain that it should be recited. And even though there are those who disagree (Pri Megadim #225), it is possible to rely on the Bach's opinion.

### ❖ Shehechyanu on Television

**Q:** I bought a TV. Should I recite Shehechyanu?

**A:** We do not recite a blessing on a calamity (Berachot 54a-b).

### ❖ The Blessing of "Poke'ach Ivrim"

Q: Should a blind person recite the blessing of "Poke'ach Ivrim" (Blessed is the One... who opens the eyes of the blind) in the morning blessings?

A: Yes, since it is general gratitude for what Hashem has done in His world. Shulchan Aruch. Mishnah Berurah (Shulchan Aruch 46:8. Mishnah Berurah #25).

### ❖ Blessing by an Atheist

Q: Is a blessing said by an Atheist a blessing in vain?

A: This is the opinion of Ha-Rav Moshe Feinstein but it is an innovative ruling (Shut Igrot Moshe, Orach Chaim 3:21).

### ❖ Blessing over the Smell of Coffee Beans

Q: Does one recite a blessing when smelling coffee beans?

A: No, since they were not planted for smelling (Commentary of Ha-Rav on Kitzur Shulchan Aruch 58:2).

### ❖ Tefilat Ha-Derech while Driving

Q: Is it permissible to recite Tefilat Ha-Derech while driving?

A: No. One will not concentrate properly on the prayer. It is dangerous (Ha-Rav Shlomo Zalman Auerbach. Brought in Shut Avnei Yashpe 8:14 #8).

### ❖ Tefilat Ha-Derech in Airplane

Q: When should one recite Tefilat Ha-Derech when flying in an airplane?

**A:** After the ascent, since there is danger if – G-d-forbid – the airplane falls (Ha-Rav Shlomo Zalman Auerbach. Halichot Shlomo 21:4).

### ❖ Standing During the Blessing for Thunder

**Q:** Is one obligated to stand while reciting the blessing for thunder?

**A:** One is not obligated to stand for the blessings of praise and thanksgiving, but it is proper to do so. Piskei Teshuvot 218:1.

### ❖ Blessing on Lightning

**Q:** If one saw the light of the lightening but not the lightning itself, should he recite a blessing?

**A:** Yes. Piskei Teshuvot 227:3.

### ❖ Blessing for a Torah Scholar

**Q:** Does one recite the blessing of "Baruch...She-Chalak Mechomato Lirei'av - Blessed are You...who, using His knowledge, has appointed those who fear Him" for Torah scholars in our day?

**A:** Certainly. For the great Torah scholars of our generation. Chayei Adam (63:9) also writes that one recites this blessing. Ha-Rav Yosef Chaim Sonnenfeld explained that the Chayei Adam obviously ruled this way since he met the Vilna Gaon... (Shut Shalvat Chayim #207. And it is related in the book Tal Ha-Re'iyah p. 87 that Rabbenu Ha-Rav Tzvi Yehudah said, in the name of his father Maran Ha-Rav Kook, that when the Aderet met with the Netziv in Warsaw



the Netziv recited this blessing. And see Piskei Teshuvot 224 note #17 that many great Torah scholars recited this blessing on other great scholars including the Chafetz Chaim, the Or Sameach, Maharil Diskin, the Rogachover, the Chazon Ish, Ha-Griz Mi-Brisk, Ha-Rav Elazar Man Shach and Ha-Rav Yosef Shalom Elyashiv. And Ha-Rav once told me that he heard this blessing recited on Ha-Rav Avraham Shapira and Ha-Rav Ovadiah Yosef when he visited Moshav Keshet in the Golan, where Ha-Rav served as Rabbi. And see Shut She'eilat Shlomo 1:117 regarding Ha-Rav Ovadiah's visit to Moshav Keshet. And see Ha-Rav's commentary to Kitzur Shulchan Aruch 60:9 at length).

#### ❖ Birkat Ha-Gomel for a Child

**Q:** My baby was saved by a miracle. Should I recite Ha-Gomel?

**A:** No. Shulchan Aruch, Orach Chaim 219:4. Biur Halachah.

#### ❖ Birkat Ha-Gomel over the Wash?!

**Q:** There was a terrorist attack 5 minutes from where I was and I was saved by a miracle. Am I required to recite Birkat Ha-Gomel?

**A:** No. Just as one whose pants return from the wash and he was miraculously not in them does not recite Ha-Gomel (Ha-Rav's answer in this vein is also brought in the new book "Rav Siach" of Ha-Rav Rami Brachyahu, Rav of the Yishuv Talmon, Volume 1 p. 62. And Ha-Rav Yosef Soloveitchik similarly related that someone once walked past a spot where a wall had fallen and killed some people. He

asked Ha-Rav Moshe Bick, who was a great Torah scholar in America: Am I required to recite Birkat Ha-Gomel? Ha-Rav Bick answered: Do you put your pants in the washing machine? He said: Of course. Ha-Rav Bick said: Perhaps you should recite Birkat Ha-Gomel, since you were almost in your pants when they were thrown into the wash... Ha-Rav Aharon Rakefet in the name of Ha-Rav Yosef Soloveitchik. And it is known that when Ha-Rav Yosef Shalom Elyashiv was asked such a question by one who was almost in a tragedy, he would say: You are almost required to recite Ha-Gomel...).

## Shabbat

### ❖ Blessing over Shabbat Candles

**Q:** Do women recite the blessing before or after lighting the Shabbat candles?

**A:** Ashkenazi women – after (Rama, Orach Chaim 263:5), some Sefardi women do so before (Shut Yechaveh Da'at 2:33) and some after (Darchei Halachah on the Kitzur Shulchan Aruch of Ha-Rav Mordechai Eliyahu 75:8). Each family should follow the practice of its forefathers.

### ❖ One Shabbat Candle

**Q:** If a woman only has one candle to light for Shabbat, does she fulfill her obligation?

**A:** Yes (A woman once called Ha-Rav Pinchas Hirschprung – Chief Rabbi of Montreal – and asked: Since she only has one candle to light for Shabbat, is it possible to light it facing a mirror so it appears as two candles? He answered that if

this were the case, there would be two women in the mirror, and both would have to light... The booklet "Gedulat Pinchas", p. 83).

### ❖ Measurement of Ha-Rav Chaim Na'eh

**Q:** I heard that the Kiddush cup of the Chafetz Chaim was like the measurement of Ha-Rav Chaim Na'eh and not like that of the Chazon Ish. What is the source?

**A:** This is brought by Ha-Rav Moshe Karp as testified by the Chafetz Chaim's grandson, Ha-Rav Hillel Zacks, the Rav of the Brachfeld neighborhood in Kiryat Sefer, who inherited the Chafetz Chaim's Kiddush cup. (Hilchot Chag Be-chag – Pesach, Chapter 19 note #11 (and also brought in Meged Givot Olam Vol. 2, p. 34.) And the author of Einayim Le-Mishpat, who inherited the Vilna Gaon's Kiddush cup, also testified that it was the smaller measurement. (Ibid.) And I also heard that someone has a Kiddush cup which was given as a gift by the Or Sameach and it is the smaller measurement as well. As for the Mishnah Berurah, he writes that for Rabbinic Mitzvot, one uses the smaller measurement and for Torah Mitzvot, one should be strict to use the larger measurement. 271:8. Biur Halachah ibid. 486:1 (and see Ha-Rav's commentary on Kitzur Shulchan Aruch 43:5. And we can add that Ha-Rav Eliyahu Dessler used to recite Kiddush with a smaller Kiddush cup as long as his wife was alive, since she brought the Kiddush cup from her family and he did not want to insult her. After she passed away, he began using a larger Kiddush cup. Ve-Ha-Arev Na Vol 1, p. 369-371).

### ❖ Kiddush by a Woman

**Q:** Can a woman recite Kiddush for her husband?

**A:** Yes. If he is sick and unable to recite it himself (Mishnah Berurah 271:3).

**Q:** And if there are other men there?

**A:** Certainly not. 1. It is forbidden to gaze at a woman. 2. It is forbidden to hear a woman sing. 3. It is forbidden to change the accepted order of prayer (see Mishnah Berurah ibid. #4. Ha-Rav Yaakov Ariel also forbids this and adds that doing so is an inappropriate form of social protest. Yeshivat Beit El website).

### ❖ Kiddush for One who Desecrates Shabbat

**Q:** Is there value for one who desecrates Shabbat by working to make Kiddush either before or after work?

**A:** Certainly. Thus he will not forget it is Shabbat and will know to where he needs to return (And Ha-Rav Yaakov Weinberg, author of Shut Seridei Aish, related that when Ha-Rav Yisrael Salanter came to Koenigsberg there were many who desecrated Shabbat. He told them to make Kiddush and come to Shul so that they would know it is Shabbat, and when they didn't need to work on Shabbat anymore they would return to observing Shabbat).

### ❖ Extra Soul on Shabbat

**Q:** Is it true that since one gains an additional soul on Shabbat, he does not gain any weight?

**A:** Nonsense.

### ❖ Traveling on Shabbat

**Q:** If a person drives his wife to the hospital to have a baby on Shabbat, can he use Waze in order to take the shortest route?

**A:** Yes, activating Waze is a Rabbinic prohibition, while traveling extra is a Torah prohibition (See Ha-Rav's commentary on *Kitzur Shulchan Aruch* Volume 3, Chapter 93).

### ❖ Inviting a Shabbat Desecrator

**Q:** Is it permissible to invite someone to a Shabbat meal to bring them closer to Torah if he will drive to get there?

**A:** No, on account of the prohibition of strengthening those who transgress (Shut Igrot Moshe, Orach Chaim 1:98-99. Ha-Rav Yosef Shalom Elyashiv in *Kav Naki* #87. Shut *She'eilat Shlomo* 4:109. Ha-Rav Yosef Soloveitchik was once asked by a Rabbi: The most serious question I face in my Rabbinate is the question of inviting my congregants, who do not observe Shabbat, to eat at my home since I feel that I can have a big influence on them, but I know that they will drive to my house. Ha-Rav Soloveitchik responded immediately: "What question is there about this? It is forbidden, and there is nothing to talk about". *Divrei Ha-Rav*, p. 170).

### ❖ Nurse Returning Home on Shabbat

**Q:** I am a nurse. If I am working on Shabbat and my shift ends, am I permitted to drive home or take a ride from a non-Jew?

**A:** According to Ha-Rav Moshe Feinstein, it is permissible.

According to Ha-Rav Shlomo Zalman Auerbach, it is forbidden. Therefore, one should return home in a car driven by a non-Jew. If this is not possible, it is permitted for a Jew to drive (Shut Igrot Moshe Orach Chaim 4:80, 5:25. Shut Minchat Shlomo 1:8. Ha-Rav Shlomo Zalman Auerbach adds a note there that this issue was discussed in the important and famous book "Shut Igrot Moshe" by the Gaon and Tzadik, Ha-Rav Feinstein, and he only printed his Teshuvah after asking permission from Ha-Rav Feinstein. See Ha-Torah Ha-Mesamachat pp. 229-230. Other authorities who hold like Ha-Rav Feinstein include: Ha-Rav Yaakov Yisrael Kanievski in the name of the Chazon Ish. Orchot Rabbenu Vol. 1 p. 213. The Brisker Rav, Ha-Rav Velvele Soloveitchik, brought in Asiya #56 p. 64. Shut Teshuvot Ve-Hanhagot 3:105, 4:80. Shut Amud Ha-Yemini #17).

### ❖ Food Coupons on Shabbat

**Q:** Is it permissible to buy a food coupon on a weekday in order to redeem it on Shabbat for food?

**A:** Yes. Shemirat Shabbat Ke-Hilchata (29:15).

### ❖ Ambush on Shabbat

**Q:** If a soldier goes out of an ambush on Shabbat or returns from an ambush on Shabbat, is it permissible for him to take personal items with him?

**A:** It is permissible to take food which will contribute to his alertness. There is a dispute regarding non-essential items. The Chafetz Chaim is lenient in his book "Machane Yisrael" (see Ke-Chitzin Be-Yad of Ha-Rav Avichai Ronski, former Chief Rabbi of Tzahal, Volume 2 pp. 36-37. And Kishrei

Milchama of Colonel Ha-Rav Eyal Krim, head of the Halachah Department of Tzahal, Volume 4 pp. 86-90).

### ❖ Ad of Shabbat Desecration

**Q:** Is it permissible for a newspaper to accept an ad for a company which violates Shabbat?

**A:** Certainly not. It is aiding and strengthening transgressors. And if it encourages Jews to participate in the Shabbat desecration, it is also forbidden on account of "Mesit" (enticing Jews to sin), as Ha-Rav Moshe Feinstein writes (Shut Igrot Moshe, Orach Chaim 1:99).

### ❖ Writing during a Life-Threatening Situation on Shabbat

**Q:** If one is obligated to write on Shabbat during a life-threatening situation, in the case of a doctor or soldier, is it preferable to use a pen or computer?

**A:** Computer, since writing with a pen or pencil is a Torah prohibition while writing on a computer, which involves electricity, is a Rabbinic prohibition (see Kishrei Milchama of Colonel Ha-Rav Eyal Krim 3:41).

### ❖ Writing on Fog

**Q:** Is it permissible on Shabbat to write on a window which is fogged up?

**A:** No (And so too Shemirat Shabbat Ke-Hilchata 16:28).

### ❖ Shabbat Meals

**Q:** What is preferable – eating meat at Shabbat lunch,

knowing that I will then be tired and fall asleep, or eating a light meal, and then having a lot of time to learn Torah?

**A:** A light meal. The essence is that it is tasty, since Shabbat is for Hashem, for the soul and not just for the body. See introduction to "Zichru Torat Moshe" on Hilchot Shabbat by the author of the Chayei Adam.

### ❖ Washing Dishes on Shabbat

**Q:** It is extremely difficult for me to see dirty dishes in the sink. Can I wash them on Shabbat even though we do not need them?

**A:** No. It is preparing on Shabbat for a weekday. You should therefore put them in a closed bag on the side.

### ❖ Skiing on Shabbat

**Q:** Is it permissible to ski on Shabbat?

**A:** It is forbidden on account of various problems: 1. The ski lift, even if it is activated by non-Jews for Jews. 2. According to some opinions, making slits in the snow violates the prohibition of plowing. 3. Leaving the Techum Shabbat. 4. Carrying the skis on one's feet from a snowy area to a non-snowy area. 5. Carrying the ski poles. 6. It is a weekday activity (Ha-Rav Chaim Kanievski was asked this same question, and responded: I do not know what it [skiing] is. They showed him pictures of people skiing, and he said that it is the same as the prohibition of sailing on Shabbat. In general, Rav Kanievski holds that the Halachah regards snow in a manner similar to water. The book "Ha-Noten Sheleg" p. 333).



### ❖ Lending an Electronic Object to Someone who does not Observe Shabbat

**Q:** Is it permissible for me to lend an electronic object to someone who does not observe Shabbat?

**A:** In general, yes. But it is forbidden if it is on Shabbat itself or if on a weekday the person explicitly says that he will use it on Shabbat. Mishnah Berurah 347:7.

### ❖ More than Israel has Kept Shabbat

**Q:** What is the meaning of "More than Israel has kept Shabbat, Shabbat has kept them"?

**A:** It is a heretical statement of "Echad Ha-Am", which means that Shabbat does not have Divine value but only a communal-national value.

### ❖ Diapers with Color Change

**Q:** Is it permissible on Shabbat to use a baby diaper with an indicator which changes color to let the parents know when the baby's diaper is wet?

**A:** Yes. It is an unintentional act. And it is performed by a baby (see Shemirat Shabbat Ke-Hilchata 18:18 note #70).

### ❖ Shabbat Elevator

**Q:** Is it permissible for anyone to use a Shabbat elevator or only one who is ill or suffering?

**A:** It is permissible for anyone. It is obviously always good to be strict. The effect of the weight of the rider is an unintended act and negligible. Shemirat Shabbat Ke-Hilchata

(23:58-59 and in the notes in the name of Ha-Rav Shlomo Zalman Auerbach).

### ❖ Open on Shabbat

**Q:** Is it preferable (on a weekday) to buy from a Jew who has his store open on Shabbat or from an Arab?

**A:** Certainly a Jew. "When you buy from the hand of your fellow (Jew)" (Vayikra 25:14. And this is also the ruling of Ha-Rav Shlomo Goren since a person who violates Shabbat today is doing so for his pleasure and not to rebel against Hashem, i.e. "Tinok Shenishba" [literally a Jewish child captured and raised among non-Jews; meaning a Jew who did not receive a proper Jewish upbringing and education]. As a result, it is clear that buying from a Jew is preferable on account of "Your brother should live with you". Vayikra 25:36. Terumat Ha-Goren vol. 1 #27).

### ❖ White Pants on Shabbat

**Q:** Is it proper to buy white pants for Shabbat?

**A:** According to the Arizal, one should wear 4 white garments on Shabbat (Ben Ish Chai, Lech Lecha #18). In practice, there is no need (Ha-Rav Ovadiah Yosef. Halichot Olam Volume, 3, p. 61).

### ❖ Tent on Shabbat

**Q:** Is it permissible on Shabbat for children to put a blanket over chairs to make a roof?

**A:** No. It is making a tent (Shemirat Shabbat Ke-Hilchata 24:2, 5).

### ❖ Call about a Sick Person on Shabbat

**Q:** My grandmother who lives outside of Israel is extremely ill. My irreligious uncle has called us 5 times from there on Shabbat. Is it permissible for us to call him after Shabbat here even though it is still Shabbat there to check on her?

**A:** No. It is only permissible when the call will help in a life-threatening situation.

### ❖ Water which Drips from Air Conditioner

**Q:** Is the water which drips from an air conditioner on Shabbat considered Muktzeh?

**A:** Yes. On account of Nolad (an item created on Shabbat), since it is created from the moisture in the air. See Shulchan Aruch, Orach Chaim 310 Mishnah Berurah #32. Unlike what I wrote in my book Shut She'eilat Shlomo 4:103.

### ❖ Dollar from the Lubavitcher Rebbe

**Q:** Is a dollar from the Lubavitcher Rebbe Muktzeh on Shabbat?

**A:** No. Since a person does not use it as money but rather as a Segulah (Madrach Le-Dinei Muktzeh, p. 49).

### ❖ Texting on Shabbat

**Q:** What is the source that it is forbidden to send a text message on Shabbat?

**A:** Ask a child in first grade and he will tell you that using electricity on Shabbat is forbidden.

### ❖ Spilling out Wine during Havdalah

**Q:** It is written in the Shulchan Aruch (Orach Chaim 296:1 in the Rama) to spill out a little of the wine on the floor during Havdalah. Should one act in this way?

**A:** It is a proper custom. But after Havdalah, one should immediately bring a towel to clean it up so as not to burden other people to clean it.

### ❖ Sewing on Motzaei Shabbat

**Q:** My button fell off on Shabbat and I asked my wife on Motzaei Shabbat to sew it back on. She said that it is forbidden to sew on Motzaei Shabbat. Is this true?

**A:** There are women who have the custom not to perform strenuous labors on Motzaei Shabbat. (Magen Avraham 299:1.) For example, sewing. (Ibid. in the name of the Chavot Yair.) Sewing on a button, however, is not a strenuous labor or the work of an expert. It is therefore permissible (See Piskei Teshuvot 300:6).

## Rosh Chodesh

### ❖ Yom Kippur Katan

**Q:** What is the source for the custom of observing Yom Kippur Katan on every Erev Rosh Chodesh? Is it obligatory?

**A:** Rabbi Moshe Cordovero, brought in the Mishnah Berurah Chapter #417. The custom is not obligatory, but one should fix Erev Rosh Chodesh as a day of repentance.

### ❖ Fasting on Rosh Chodesh

Q: Is there a problem with fasting on Rosh Chodesh?

A: It is forbidden. Mishnah Ta'anit. Shulchan Aruch (Ta'anit 15. Shulchan Aruch, Orach Chaim 418:1).

## **Pesach**

### ❖ Matzah which Remained

Q: Is it permissible to eat Matzah which remained from last Pesach?

A: Yes. After all, it is Kosher.

### ❖ Selling Chametz on the Phone

Q: Is it permissible to sell Chametz on the phone? What about making a Kinyan?

A: Yes. Appointing an agent does not require a Kinyan (Rambam, Hilchot Mechirah, end of Chapter 5). And the same applies to selling Chametz through a letter, on the internet or by a text message (The Chazon Ish and Steipler also did not require a Kinyan when appointing an agent for selling Chametz, based on the Rambam. Orchot Rabbenu Vol. 2, p. 13. But Ha-Rav Yosef Soloveitchik was particular to do so, since the Rambam mentions and explains this custom. Nefesh Ha-Rav, p. 179. Mi-Pinenei Ha-Rav, p. 220).

### ❖ Perfume on Pesach

Q: Does perfume require Pesach certification?

A: Yes, since it includes alcohol, which is often made from

wheat. Perfume is not necessarily inedible to dogs, and can have the taste of alcohol (Shut She'eilat Shlomo 1:208 #2. 4:111).

### ❖ Kitniyot

**Q:** Is the prohibition of eating Kitniyot on Pesach for Ashkenazim nullified in Eretz Yisrael, since there are no longer Ashkenazim, Sefardim and Yemenite Jews, rather everyone is Israeli?

**A:** It is certainly not nullified (see Aruch Ha-Shulchan, Orach Chaim 453:4-5)!

### ❖ Leaving Egypt

**Q:** Our Rabbis tell us that 4 out of 5 Jews didn't want to leave Egypt, and even those who did leave were mired in idol worship (Rambam, Avodah Zarah, end of Chap. 1) and had sunk to the 49th gate of impurity (Zohar). What then was the difference between them?

**A:** They had all sunk low, but the ones who left wanted to get out of it.

### ❖ The Number of those who left Egypt

**Q:** How is it possible that in such a short time 70 people grew to 600,000?

**A:** 210 years is 10 generations of 20 years. If each couple had 6 children – even not at one time – it is 3 to the power of 10 which is approximately  $50,000 \times 70 = 3.5$  million.

**Q:** I heard that the number 600,000 who left Egypt means 600 families, since 1000 equals a family?

**A:** Nonsense. “And they were numbered were six hundred thousand and three thousand and five hundred and fifty”. Bamidbar 1:46.

## **Sefirat Ha-Omer**

### ❖ Forgot to Count Sefirat Ha-Omer

**Q:** If someone forgot to count Sefirat Ha-Omer for an entire day and is extremely sad and embarrassed, can he continue to count with a blessing?

**A:** No. Although there is an opinion which permits it. (Sha’arim Metzuyanim Ba-Halachah 120:7). But this is a lone view.

### ❖ Bar Mitzvah in the Middle of Sefirat Ha-Omer

**Q:** If a young man has a Bar Mitzvah in the middle of Sefirat Ha-Omer, can he continue counting Sefirat Ha-Omer with a blessing?

**A:** Ashkenazim – yes. (Shut Har Tzvi Orach Chaim #72. Halichot Shlomo, p. 358. Ha-Rav Yosef Shlomo Elyashiv in Ashrei Ha-Ish, p. 423 and Shut Teshuvot Ve-Hanhagot 1:313. Ha-Rav Yitzchak Hutner and Ha-Rav Yaakov Kamenetsky. Shut Divrei Chachamim, p. 150). Sefardim – from the outset, he should count without a blessing, but if he counts with a blessing, he has on whom to rely. Chazon Ovadiah – Yom Tov, p. 221 (and see Shut Yechaveh Da’at 3:29).

### ❖ Converting in the Middle of Sefirat Ha-Omer

**Q:** If someone converts in the middle of Sefirat Ha-Omer, can he count from now on with a blessing?

**A:** Without a blessing. He is missing days. Birkei Yosef 493:20.

### ❖ Ashkenazic Woman Counting Sefirah

**Q:** Can an Ashkenazic woman count Sefirah?

**A:** Some say she is obligated. (Magen Avraham.) Some say that she may do so. (Ha-Rav Yosef Shalom Elyashiv in Ashrei Ha-Ish, p. 427.) And others say that she may do so without a blessing. (Mishnah Berurah 493:3.) (The Steipler Gaon would remind the women and girls in his house to count. [Orchot Rabbenu Volume 2, p. 94.] And Ha-Rav Moshe Feinstein said that the custom of their women is not to count, but they may do so with a blessing. He explains that perhaps since the custom is not to count, some say that they should not recite a blessing, but they may do so based on the principle of "One who is not commanded and performs the Mitzvah". Mesoret Moshe, p. 156).

### ❖ Sefardic Woman Counting Sefirah

**Q:** Can a Sefardic woman count Sefirah?

**A:** Some say that she should not count. And others say that she may count without a blessing. Kaf Ha-Chaim 493:9. Chazon Ovadiah – Yom Tov, p. 220.

### ❖ Yemenite Woman counting Sefirah

**Q:** Can a Yemenite woman count Sefirah?



**A:** No. Shulchan Aruch Ha-Mekutzar 67.

### ❖ New Apartment during Sefirat Ha-Omer

**Q:** Is it permissible to move into a new apartment or to renovate one's home during Sefirat Ha-Omer?

**A:** Some are strict, but the basic Halachah is that it is permissible. Shut Tzitz Eliezer 11:41 #4. Chazon Ovadiah – Yom Tov 270. Ha-Rav Yosef Shalom Elyashiv in Ashrei Ha-Ish, p. 431.

**Q:** Is it permissible to have a Chanukat Ha-Bayit?

**A:** Yes, without music. Chazon Ovadiah – Yom Tov 271. Ha-Rav Yosef Shalom Elyashiv in Ashrei Ha-Ish, p. 431.

### ❖ Being Drafted with Long Hair

**Q:** If a soldier is drafted with long hair down to his shoulders, and the army demands he get a haircut, is it permissible during Sefirat Ha-Omer?

**A:** It is permissible and a Mitzvah since having long hair is forbidden. 1. Creating an impediment between one's head and Tefillin, and therefore causing a blessing to be recited in vain when putting on Tefillin. 2. Following the ways of the non-Jews (which includes acts of conceit and haughtiness). 3. "Lo Tilbash" (the prohibition of men dressing or appearing as women) (Shut She'eilat 1:23).

### ❖ Cutting Nails during Sefirat Ha-Omer

**Q:** Is it permissible to cut one's nails during Sefirat Ha-Omer?

**A:** Yes. Ha-Rav Yosef Shalom Elyashiv in Ashrei Ha-Ish, p. 431.

### ❖ Lag Ba-Omer

#### ❖ Holiday on Lag Ba-Omer

**Q:** Is Lag Ba-Omer a holiday?

**A:** No, people just have the custom to have a little joy on that day. Rama, Orach Chaim 493:2.

#### ❖ Cohanim at the Grave of the Rashbi on Mt. Meiron

**Q:** Is it permissible for Cohanim to enter Kever Rashbi?

**A:** No. Halichot Shlomo, p. 366 (see Kum Hithalech Ba-Aretz #36).

#### ❖ Kever Rashbi

**Q:** If one visits Kever Rashbi, what should he do?

**A:** Pray and repent.

#### ❖ In place of Kever Rashbi

**Q:** If someone is not going to visit Kever Rashbi, but wants to do something to honor Rashbi, what can be done?

**A:** Learn the book "Shivchei Rashbi". Ha-Chida in Moreh Be-Etzba, p. 223.

### ❖ Lighting a Candle for Rashbi

**Q:** Which is preferable – lighting a candle to honor Rashbi or giving the money to the poor?

**A:** Tzedakah - a clear Mitzvah, which is not the case for lighting a candle, which does not have a clear source (The Vilna Gaon did not follow the custom to light a Yahrzeit candle. Shut Teshuvot Ve-Hanhagot 1:702).

### ❖ Sefirat Ha-Omer on Lag Ba-Omer

**Q:** If a person has not yet counted Sefirat Ha-Omer and says: "Today is Lag Ba-Omer", can he count with a blessing?

**A:** Some say that it is proper to take caution not to do so since one can count Sefirah in any language (Luach Eretz Yisrael of Ha-Rav Yechiel Michal Tucazinsky. Shut Teshuvot Ve-Hanhagot 1:311). Some say that he did not fulfill his obligation and may count with a blessing (Chazon Ovadiah – Yom Tov, p. 248). And others say that if he did so, he should not count with a blessing or hear the blessing from someone else (Shut Mishnat Yosef 7:93. Ve-Yishma Moshe vol. 1, p. 169 in the name of Ha-Rav Yosef Shalom Elyashiv).

### ❖ Mourner on Lag Ba-Omer

**Q:** How should a mourner celebrate Lag Ba-Omer?

**A:** He should not.

### ❖ Groom Fasting

**Q:** If a groom is getting married on Lag Ba-Omer, should he fast?

**A:** Some are strict. (Magen Avraham 574:1.) Some are lenient. Eliyahu Rabbah 493.

### ❖ Burning PLO Flag on Lag Ba-Omer

**Q:** Is it permissible to burn the PLO flag on Lag Ba-Omer?

**A:** Yes. According to the law of the State of Israel, it is only forbidden to burn the flag of a friendly country. The PLO is not a country nor is it friendly.

## Shavuot

### ❖ Learning on the Night of Shavuot

**Q:** Is there an obligation to learn the entire night of Shavuot?

**A:** No. But it is a proper custom. Someone who is unable should try to learn until midnight (Magen Avraham, Orach Chaim 494).

**Q:** Which is preferable – learning all night and falling asleep during Shacharit or going to sleep?

**A:** Going to sleep. Davening Shacharit without falling asleep is a basic halachah, and learning all night is a worthwhile addition.

**Q:** Which is preferable – learning during the night, or learning during the day, if I will learn more during the day?

**A:** During the day, since learning more Torah is a basic halachah, and learning Torah all night on Shavuot is a worthwhile addition (This is unlike the ruling of Ha-Rav Chaim Kanievski that the custom is to learn all night, and it is pref-

erable to learn during the night even if one learns less than he would have during the day. Piskei Shemuot, pp. 81-82. Although Ha-Rav Yitzchak Zev Soloveitchik, the Brisker Rav, was surprised that people are so particular to stay awake the entire night of Shavuot, which is a custom, while on Pesach night, where there is a law to discuss the Exodus from Egypt until one is overcome by sleep, people are not so careful. And in the city of Brisk, people were not careful to follow the custom of staying awake the entire night of Shavuot, since why is this night different from all other nights? And also, learning on Shavuot night is not more important than learning during the day. Uvdot Ve-Hanhagot Le-Beit Brisk vol. 2, p. 79).

**Q:** I heard that it is forbidden to engage in idle chatter on the night of Shavuot?

**A:** It is not a prohibition, but it is proper, and one should try as much as possible to refrain (Kaf Ha-Chaim 494:11).

**Q:** Is one obligated to learn the Tikun Leil Shavuot?

**A:** No. A person should learn Torah in a subject that his heart desires (Avodah Zarah 19a. And Ha-Rav Chaim Kanievski said that there are different customs, each of which is acceptable. Piskei Shemuot, p. 81).

**Q:** If one's father says the Tikun, should his son also say the Tikun, or is it permissible to learn Gemara?

**A:** It is a personal decision (Ha-Rav Yosef Shalom Elyashiv said: "It is better for him to learn Massechet Baba Metzia, Perek Ha-Socher Et Ha-Po'alim [One who hires workers], and even if his father says the Tikun." And Ha-Rav Chaim

Kanievski said: "If his father says the Tikun, he should also say the Tikun". Yadoon Moshe vol. 9 #59).

**Q:** Do women also need to learn all night?

**A:** They are not obligated, but it is certainly a good thing.

### ❖ Milchigs

**Q:** Is there an obligation to eat Milchigs on Shavuot?

**A:** It is the Custom. Yemenite Jews do not do so (Shulchan Aruch Ha-Mekutzar, p. 72).

**Q:** Does one have to eat an entire Milchig meal?

**A:** It is enough to have one dairy food. And it is then possible to wash out one's mouth, wash one's hands and clean the table, and have a Fleischig meal (Or Le-Tzion 3:196. And the Steipler Gaon would only have a Milchig meal at night. Orchot Rabbenu vol. 1, p. 98).

### ❖ Early Davening on Shavuot

**Q:** Can one daven Maariv early on Shavuot, or is it a problem because one needs 7 complete weeks of Sefirat Ha-Omer?

**A:** Ashkenazim – no. Sefardim are lenient (Mishneh Berurah 414:1. Shut Yechaveh Da'at 6:30).

## **Yom Tov**

### ❖ Smoking on Yom Tov

**Q:** Is it permissible to smoke on Yom Tov?

**A:** It is forbidden to smoke even on a weekday (Shut Tzitz Eliezer 17:21. Ha-Rav Chaim Kanievski in She'eilat Rav 1:52. Shut Teshuvot Ve-Hanhagot 4:115. Ha-Rav Nisim Karelitz in a letter at the beginning of the book "Chaim Le-lo Ishun". Ha-Rav Ovadiah Yosef in Maran Pe'er Ha-Dor p. 31).

## **Tisha Be-Av**

❖ Film about Expulsion from Gush Katif on Tisha Be-Av

**Q:** Is it permissible to see a film about the expulsion from Gush Katif on Tisha Be-Av?

**A:** It is forbidden to read books that arouse all sorts of inclinations. Shulchan Aruch, Orach Chaim 307:16. And this is all the more so for movies. Therefore, these films which usually arouse hatred towards the army, government, etc., are forbidden all year round, and all the more so on Tisha Be-Av.

## **Fast Days**

❖ Internet Fast

**Q:** Is it worthwhile to have a "Ta'anit Dibur" (a fast from speaking)?

**A:** It is preferable to have an internet fast.

## **Kotel Ha-Ma'aravi**

### ❖ To Whom Does the Kotel Belong

**Q:** I heard that the Arabs claim that the Kotel belongs to them and the proof is that Mohamed tied his horse to it.

**A:** Nonsense and lies (In the year 5690, Ha-Rav Yaakov Kamenetsky, Rosh Yeshiva of Torah Ve-Da'at in Brooklyn, said: The leaders of the nations of the world are discussing to whom the Kotel belongs – to the Jews or to the Arabs. This is shocking! We have an entire tradition in the Torah, Gemara and Midrashim relating to the Temple Mount and the Kotel: The Akedah took place there, Yaakov Avinu slept and had his dream there, King David bought the land for full price, etc..., while the Muslims have a "story" that Mohamed visited there and tied his horse to the Kotel. How is it possible that all of our rights are denied based on a story?! Rav Kamenetsky answered that it is measure-for-measure. Since we ourselves are in doubt about the traditions of the Tanach and our Sages, Hashem shows us that even the nations of the world, the majority of whom believe in the Tanach, err in what even a nursery school child knows. Divine Providence clearly shows us this fact. Emet Le-Yaakov on Pirkei Avot p. 136 #131).

### ❖ The Western Wall

**Q:** Is it true that one should not simply say "The Wall" (Ha-Kotel) but rather "The Western Wall" (Ha-Kotel Ha-Ma'aravi)?

**A:** Yes. Just as it is said about the ignorant that they call the Holy Ark (Aron Ha-Kodesh) a "closet" (Aron). Shabbat



32a (And Maharil Diskin was extremely particular regarding this issue. Tosafot Re'em p. 137. Hiko Mamtakim Vol. 1, p. 58 #15. Tel Talpiyot p. 31).

### ❖ Shaming the Kotel

**Q:** I sometimes Daven at the Kotel and see great Torah scholars there. Two of my classmates told me that we are obligated to Daven on the Har Ha-Bayit and not at the Kotel, and say "You enjoy talking to a wall"?! I am confused. What should I do?

**A:** Don't listen to the mockers of the generation but rather to its great Rabbis.

### ❖ The Kotel Tunnels

**Q:** Do the Kotel Tunnels have the same holiness as the Temple Mount?

**A:** No. Shut Ha-Radvaz (#691 brought in Sha'arei Teshuvah 561:2. And after the liberation of the Old City during the Six-Day War, there were extensive excavations of the Kotel Tunnels, which extend under the Temple Mount. Ha-Rav Meir Yehudah Getz, Rav of the Kotel, asked Rabbenu Ha-Rav Tzvi Yehudah, is it permissible to excavate under the Temple Mount to find the Temple implements? Our Rabbi answered, "No, do not dig." Our generation is still not ready to merit discovering the treasures of the Temple. The book "Rav Ha-Kotel", p. 306).

### ❖ “Makom Kavua” (Fixed Place) at the Kotel

**Q:** If I Daven regularly in the same place at the Kotel, is it my “Makom Kavua”?

**A:** Certainly not. No one has ownership of the Kotel. It belongs to Klal-Yisrael (Ha-Rav Yosef Shalom Elyashiv rules in the same way. In the book "Mi-Pi Ha-Ish" p. 213).

### ❖ Seeing-Eye Dog at the Kotel

**Q:** Is it permissible for a blind person to bring a seeing-eye dog to the Kotel?

**A:** Regarding bringing a seeing-eye dog into a Shul, it is a dispute (Those who permit it: Shut Igrot Moshe, Orach Chaim 1:45. Lubavitcher Rebbe, Igrot 6:936. Those who forbid it: Ha-Rav Menachem Mendel Kasher in Torah Sheleimah vol. 16, p. 147. Shut Chelkat Yaakov 3:87. Sha'arim Metzuyanim Ba-Halachah 13:2). It is therefore forbidden at the Kotel (on account of its higher level of holiness).

## **Temple Mount/Beit Ha-Mikdash**

### ❖ Visiting Temple Mount

**Q:** Is it permissible today to visit the Temple Mount?

**A:** Since the Chief Rabbinate of Israel posted signs there saying that it is forbidden, there is not even a question. There is therefore no need for an answer.

### ❖ Ascending onto the Temple Mount

**Q:** Perhaps the time has arrived to permit going onto the Temple Mount! Although the Chief Rabbinate of Israel prohibits it, a huge number of Jews go up!

**A:** Not true. This is a marginal phenomenon. The number

of Jews who have ascended over the last five years are: 5658, 5792, 7724, 8247 and 8528. And this is out of the 300,000-400,000 tourists who visit there annually!

### ❖ Ascending onto the Temple Mount

**Q:** Is there a Mitzvah to ascend onto the Temple Mount?

**A:** Yes. In order to bring a sacrifice. See Rambam at the beginning of Hilchot Chagigah. And there is also a prohibition of not appearing before Hashem (on the Temple Mount) empty-handed. Rambam *ibid.* (See similarly the booklet "Divrei Siach" of teachings between Ha-Rav Yosef Shalom Elyashiv and Ha-Rav Chaim Kanievski, p. 26. And I have heard that some Gedolei Yisrael explain that one should ascend to fulfill the Mitzvah of Mora Mikdash – showing awe to the Temple, but this is a big Chiddush).

### ❖ Wedding on the Temple Mount

**Q:** Can I have the first part of my wedding - the Kiddushin - in the afternoon on the Temple Mount and then the Chupah elsewhere at night?

**A:** It is absolutely forbidden to enter the Temple Mount!

**Q:** I follow a Rabbi who permits it.

**A:** I - the humble - follow the Chief Rabbinate of Israel who forbids it.

### ❖ Rabbenu Ha-Rav Tzvi Yehudah and the Temple Mount

**Q:** Is it true that Ha-Rav Tzvi Yehudah Kook strongly prohibited going on to the Temple Mount because he feared

that people were doing so in order to build the Temple? Since this fear does not exist today, is it now permissible?

**A:** Where is this written?! He prohibited going up on account of the holiness of the spot! This is also not his innovation. This is the way people acted throughout the generations, and the Chief Rabbinate forbids it.

### ❖ How Do I Get to the Temple Mount?

**Q:** If a Jew asks me in the Old City how to get to the Temple Mount, is it permissible for me to tell him?

**A:** No. It is forbidden on account of placing a stumbling block before the blind, and aiding and strengthening someone who is transgressing. You should therefore say: I do not know, meaning, I do not know of a way to permit this act (It is told about Ha-Rav Eliyahu Lopian that he was invited to eat a few times and he did not want to embarrass the one inviting him. He therefore said that the doctor forbade him from eating the particular food that would be served. And he explained to his students with a smile that he was not lying, G-d forbid, since the Rambam was a doctor! Lev Eliyahu Volume 1, p. 18 in the introduction).

### ❖ Davening on Har Ha-Bayit

**Q:** Which is preferable – to Daven Minchah on my own on the Har Ha-Bayit or with a Minyan elsewhere?

**A:** It is a severe prohibition to enter the Har Ha-Bayit, as the Chief Rabbinate of Israel rules. Maran Ha-Rav Kook and Rabbenu Ha-Rav Tzvi Yehudah also ruled this way.

### ❖ Picture of the Even Ha-Shetiya

**Q:** Is there a problem with seeing a picture of the Even Ha-Shetiya (the Foundation Stone, which is on the Temple Mount and is on the spot where the Kodesh Ha-Kedoshim stood)?

**A:** It is forbidden, since it was photographed by someone, whether a Jew or non-Jew, who transgressed by entering the Temple Mount.

### ❖ Entering the Temple Mount by Mistake

**Q:** I entered the Temple Mount a few times with a group of religious Jews and then learned it is a severe transgression. I am totally broken. How do I atone?

**A:** Ha-Rav Ben Tzion Abba Shaul said that one should remain awake all night and learn Torah. This is Teshuvah for one Karet and each night will exempt one of the punishments of Karet. Shut Or Le-Tzion 3:30 #4.

### ❖ Ascending to the Temple Mount

**Q:** Why don't we ascend to the Temple Mount? There are great Rabbis who permit it and other great Rabbis who prohibit it, and these and those are the words of the Living G-d.

**A:**1. There are different levels among Torah scholars. Those who forbid it are the greatest Rabbis of our generation 2. The Chief Rabbinate of Israel, which is the deciding body in national issues, prohibits it. 3. Our Rabbis, Maran Ha-Rav Kook and Rabbenu Ha-Rav Tzvi Yehudah, forbid it.

## ❖ How the Beit Ha-Mikdash will Appear

**Q:** Is there a Mitzvah nowadays to build the Temple or will it descend from the Heavens?

**A:** It is a Mitzvah to build it after appointing a King and eradicating Amalek (Rambam, Hilchot Melachim 1:1-2).

## **Rosh Hashanah**

### ❖ BBQ on Rosh Hashanah

**Q:** Is it proper to have a BBQ on Rosh Hashanah for lunch (obviously by transferring the fire)?

**A:** No. This is a serious day, a holy day, a day for personal reflection, a day of Teshuvah, and not a day for entertainment.

## **Repentance**

### ❖ Repentance out of Love or Fear

**Q:** Which is preferable to learn – books which awaken repenting out of love or out of fear?

**A:** Both. See Igrot Ha-Re'eiya of Maran Ha-Rav Kook, Letter #378 (also published in part at the beginning of Orot Ha-Teshuvah).

## **Forgiveness**

### ❖ Asking for Forgiveness

**Q:** My sister and I have been fighting for a long time. I

apologized. She accepted but demands that I apologize for something else, which I did not do but she did! She hasn't apologized at all. What should I do?

**A:** Don't be correct, rather be righteous and smart.

### ❖ Forgiveness and Truth

**Q:** A person badly hurt me and asked for my forgiveness, but I cannot grant it with a full heart. What should I say?

**A:** The truth. It is his responsibility to appease you. The Griz of Brisk – Ha-Rav Velvele Soloveitchik - said: If you say that you forgive him, and then you hate him in your heart, you are the one with the transgression (And it once happened that someone came to ask forgiveness from Ha-Rav Eliyahu Lopian. He said: "You hurt me badly and I cannot forgive you with a full heart. Come back in two weeks. In the meantime, I will learn books of Mussar in order to forgive you").

## **Sukkot**

### ❖ Stolen Lulav

**Q:** If someone picked a Lulav from a nature reserve, is it considered stolen?

**A:** Yes.

## **Chanukah**

### ❖ Chanukiyah in Hotel

**Q:** Where should one light his Chanukiyah in a hotel?

**A:** In his room, and he should remain present the entire time to avoid danger, and extinguish it after half an hour (since this is the basic Mitzvah). If it is impossible, he should light in the dining room or outside the entrance of the hotel (This is also the ruling of Ha-Rav Yosef Shalom Elyashiv. Ashrei Ha-Ish, p. 263).

### ❖ Working when Candles are Lit

**Q:** Should women refrain from working the entire time the Chanukah lights are lit?

**A:** It is enough to refrain for a half an hour (Mishnah Berurah 670:4).

**Q:** Is housework permissible?

**A:** Yes. Food prep, washing dishes and similar activities (Chazon Ovadiah – Chanukah, p. 12. Shut Kinyan Torah 7:52 #3).

**Q:** Should men also refrain?

**A:** Some are strict, but housework is permissible according to the basic halachah (Magen Avraham 670:1. Mishnah Berurah #3. Chazon Ovadiah – Chanukah, p. 14).

### ❖ Chanukah Lights in a Guard House

**Q:** Should someone on guard duty light in his guard house?

**A:** Yes. It is his temporary residence (Yalkut Yosef – Moadim p. 208). It is also a nice way of publicizing the miracle.



## ❖ Waiting for One's Family to Light Chanukah Candles

**Q:** Should one light Chanukah candles right away at night-fall or wait for one's spouse?

**A:** If one lights inside the house, he should wait. If one lights outside, he may wait as long as there are still passersby (The Chafetz Chaim's Rebbe, Rebbe Nachumke of Grodno, once waited several hours until his wife returned home before lighting the Chanukah lights. The Chafetz Chaim asked him why he waited, and his teacher explained that if one can only buy either Chanukah candles or Shabbat candles, we rule that he should buy Shabbat candles, since Shabbat candles are for "Shalom Bayit" - peace and tranquility of the home [Shabbat 23b. Shulchan Aruch, Orach Chaim 678:1]. "If Shabbat candles take precedence over Chanukah candles because of Shalom Bayit, then all the more so I should wait for my wife, since if I don't wait for her, she may be distraught." Ha-Rav Yosef Shalom Elyashiv explains, however, that this conduct of Rebbe Nachumke only applies outside of Israel where people light Chanukah candles inside: since the lighting is publicizing the miracle to his family, we therefore take "Shalom Bayit" into consideration. But in Eretz Yisrael, where we light outside, we must light while there are passersby in order to publicize the miracle to them. If it is too late, we do not fulfill the Mitzvah. We therefore do not take "Shalom Bayit" into consideration. Peninei Chanukah, pp. 172-173).

## ❖ Operation during Chanukah

**Q:** Is it permissible to undergo surgery during Chanukah

even though the person will not be able to light Chanukah candles?

**A:** Yes. It is permissible for a person to put himself in a situation where he will be unable to fulfill a Mitzvah on account of Pikuach Nefesh (preserving life). See Ha-Rav Yosef Shalom Elyashiv brought in Ashrei Ha-Ish, p. 233.

### ❖ Segulah for Chanukah Wicks

**Q:** I heard that there is a Segulah to find a match by taking the leftover oil and wicks from the Chanukiyah, burning them, and then walking over them 7 times. What is the source?

**A:** Nonsense (And Ha-Rav Ben Tzion Mutzafi wrote in Shut Doresh Tzion: I have not heard about this).

[By the way, regarding burning the wicks, the Shulchan Aruch (Orach Chaim 677:4) writes that one should burn the leftover oil in the Chanukiyah at the conclusion of Chanukah. The commentaries add that the same should be done with the wicks, which are saturated with the oil. The reason one should burn them is because they were set aside for a Mitzvah and may not be used for another purpose (such as burning or eating). If they are put aside for the next year, there is a fear that they will accidentally be used (see Tur ibid. and Mishnah Berurah #19).

If so, it would appear that there is no obligation to burn them according to the basic Halachah, since the only fear is that someone may use them. It would also therefore be permissible to bury them or place them in a plastic bag and throw them away.

In his commentary on Pirkei Avot, “Az Yomru” (pp.

131-133), Ha-Rav Yitzchak Aharon Goldberger, Dayan and Rosh Yeshiva of Chasidei Pupa, writes that he discussed this question with the Admor of Pupa. Rav Goldberger once saw the Admor in the middle of the night burning the wicks in the courtyard, moving them around with a stick in the fire until they were completely ash. Rav Goldberger said that perhaps there is no obligation to burn the wicks, just as it is permissible to throw out detached Tzitzit as long as it is done in a non-disgraceful manner, or to place them in a Geniza according to the custom of those who are meticulous in Mitzvah observance (Shulchan Aruch and Rama, Orach Chaim 21:1). Similarly, it is permissible to wrap separated Challah in paper and throw it in the garbage if it is difficult to burn it, so that no mishap occurs (Mahar"i Steif brought in Teshuvot Ha-Maor. And also brought in Moadim Uzmanim 7:177. See also Shut Minchat Yitzchak 4:13).

The Admor of Pupa responded that perhaps his words are correct, but since our Sages used the term "to burn it", he prefers to perform the obligation according to what our Sages said. He is therefore particular to completely burn the wicks. And this is the Minhag among some Chasidim, and the meticulous burn them among a large group of people. Ha-Rav Chaim Kanievski, however, answered that the wicks may be buried (Shut Yadon Moshe 12:71).

This, however, has no connection to a Segulah – M.T.]

## **Tu Bishvat**

### ❖ Fruit on Tu Bishvat

**Q:** Is there a custom to eat the fruit of Eretz Yisrael on Tu Bishvat?

**A:** Yes. Brought in the Mishnah Berurah in the laws of Tachanun (131:32. Shut She'eilat Shlomo 1:264).

## **Purim**

### ❖ Dressing up Like Rabbi on Purim

**Q:** Is it permissible to dress up as one's Rabbi on Purim?

**A:** No, imitating a Rabbi is shaming a Torah scholar. Our Rabbi, Ha-Rav Tzvi Yehudah, scolded someone who dressed up on Purim like the Chief Rabbi, Ha-Rav Shlomo Goren (Rabbenu p. 130. It once happened in Yeshivat Be'er Yaakov that a Torah scholar gave a Dvar Torah at a Sheva Berachot and told a story about Ha-Rav Aharon Kotler. During the story, he imitated the speech pattern of Ha-Rav Kotler. The Rosh Yeshiva, Ha-Rav Moshe Shmuel Shapira, immediately scolded him and would not speak to him for the rest of the day! Another time, a similar incident occurred and one of the students imitated Ha-Rav Menachem Man Shach, and Ha-Rav Shapira scolded him: "It is forbidden to imitate Gedolim!" Meged Givot Olam, p. 47).

### ❖ Mishloach Manot through a Messenger

**Q:** Is there an obligation to send a Mishloach Manot through a messenger?

**A:** There are those who say that there is an obligation (Shut Binyan Tzion 1:44. Brought in Mishnah Berurah 495:18), but the majority of authorities say that there is no obligation (Orchot Rabbenu Volume 3, p. 53. Halichot Shlomo, Chapter 19 note #44. Shut Az Nidberu 5:40. Shut Avnei Yashpe 1:133. And the Satmar Rebbe explained the position of the

Binyan Tzion that if Shimon is not in front of Reuven and Reuven sends Shimon a Mishloach Manot through a messenger it is a clear sign that Reuven remembered Shimon. But if Shimon is in front of Reuven and he gives him a Mishloach Manot, it is not a sign that he loves him and had forethought. Shut Divrei Yoel #64 note 2).

### ❖ Making Noise at Mention of Haman

**Q:** Is the Minhag to make noise during the reading of the Megillah only when Haman's name is mentioned, or also when his wife and sons are mentioned?

**A:** According to the Shevet Mussar, also for his wife and sons. (Piskei Teshuvot 690:9.) But in general, one should only make noise for Haman for a short amount of time and one should not disrupt the reading of the Megillah. Do not turn the essential into the unessential and the unessential into the essential (Ha-Rav Shlomo Zalman Auerbach did not make any noise at Haman's name, he did not even stamp his feet. *Ve-Alehu Lo Yibol*, Vol. 1 p. 246. See *She'eilat Shlomo* 1:276).

### ❖ Honoring Torah Scholars on Purim

**Q:** Is it permissible to have a play on Purim in which Torah scholars are imitated?

**A:** One must be extremely cautious on Purim not to embarrass another person and all the more so not to embarrass Torah scholars (Our Rabbi, Ha-Rav Tzvi Yehudah, scolded someone who dressed up on Purim as the Chief Rabbi, Ha-Rav Shlomo Goren. *Rabbenu* p. 130. And it is related that Maran Ha-Rav Kook said *Divrei Torah* on Purim in the

same style and with the same emphasis as his Rav, the Netziv, but Rav Kook knew how to do so with respect and holiness, and did not imitate his voice. See Shut She'eilat Shlomo 1:285. 4:131).

### ❖ Toy Gun for Children

**Q:** Is it permissible to buy a toy gun for children for Purim?

**A:** It is okay. During the course of the year, this is inappropriate, but it is not a problem on occasion.

### ❖ Drinking on Purim

**Q:** Is a person obligated to drink on Purim if it leads to stupidity?

**A:** No. The earlier Prophets only commanded us to rejoice in a manner that will lead us to show gratitude to Hashem, and not to behave with licentiousness and stupidity. Furthermore, we do not perform a Mitzvah through a transgression, such as missing Davening. (B'ur Halachah 695 in the name of the Meiri and Chayei Adam. Nimukei Yosef and Maharsha on Megillah 7b. Piskei Teshuvot 695:4.) And therefore on Purim, one should merely drink a bit more than he is accustomed to (The Steipler related that one time he got drunk on Purim, and then decided to refrain from doing so again. Ashkavtei De-Rebbe Vol. 1, p. 164. See Shut She'eilat Shlomo 1:274, 286. 3:159. 4:130).

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

## **Kashrut**

❖ Rabbi who Provides Kosher Supervision and is Strict

**Q:** Is it permissible for a Rabbi to provide Kosher supervision on a product but to be strict not to eat it himself?

**A:** Certainly. After all, he makes certain the food is Kosher, but has decided for himself to be strict (Although the Belzer Rebbe – Mahari"d – said that a Rabbi who provides supervision on a product and does not eat it at least once will not have much assistance from Heaven. And Ha-Rav Eliezer David Greenwald, author of *Keren Le-David* and Rav and Rosh Yeshiva in Satmar, who did not carry within the Eruv on Shabbat, did so once to show that it was completely Kosher. Similarly, Ha-Rav Mendel of Vitebsk did not carry within the Eruv on Shabbat in Tzefat, but did so once on Shabbat Shuva to show that it was Kosher. And Ha-Rav Moshe Halberstam of the Eidah Ha-Charedit in Yerushalayim related that the Admor of Pupa was in Yerushalayim and carried out a book on Shabbat in order to show that the Eruv of the Eidah Ha-Charedit was Kosher. Commentary on *Pirkei Avot* "Az Yomru" of Ha-Rav Yitzchak Aharon Goldberger, Dayan and Rosh Yeshiva for Pupa Chasidim, pp. 73, 77).

### ❖ Kashrut of the Chief Rabbinate of Israel

**Q:** I hold that the Kashrut of the Chief Rabbinate is not Kosher. How can they cause so many people to stumble by eating non-Kosher food?

**A:** It is Kosher like all other Kosher supervisions and actually even better than the others. It is also forbidden (in Israel) to eat from another Kosher supervision without the restaurant or products having the Kashrut of the Chief Rabbinate. But there is a real doubt whether it is permissible to eat your food, since one who denigrates Torah scholars is a heretic. You are therefore obligated to do Teshuvah (Sanhedrin 99b).

### ❖ Kashrut of Ha-Rav Avraham Dov Auerbach, Av Beit Din of Tiveria

**Q:** What is the level of Kashrut of the chickens under the supervision of Ha-Rav Avraham Dov Auerbach? Some claim it is Mehadrin (stringent level of Kashrut supervision) and others claim that it is not.

**A:** It is Mehadrin Min Ha-Mehadrin (the highest stringent level of Kashrut supervision). Ha-Rav Avraham Dov Auerbach is a great Torah scholar and a Tzadik. I know him personally. Cease believing salesmen who spread lies for competitive gains and besmirch the reputation of Torah scholars.

### ❖ Food from another Kosher Certification

**Q:** If I am a guest at someone's home and am served food from a Kosher certification that I refrain from eating, is it permissible for me to eat it?



**A:** Yes. All Kosher certification is acceptable until proven otherwise. Piskei Teshuvot 170:8 (and this is how Ha-Rav Yosef Chaim Sonnenfeld and Ha-Rav Shlomo Zalman Auerbach acted when they attended a Simchah. They would eat food which they were strict about in their own homes, as it says in Tehillim 101:2: "I will walk with the simplicity of my heart within my house", i.e. In my simplicity, I will be strict within the confines of my home, but not when I am with others. *Ve-Alehu Lo Yibol* Volume 2, p. 66).

### ❖ Female Kosher Supervisors

**Q:** There is an initiative to train female Kosher supervisors. Is it permissible?

**A:** It is permissible. *Shut Igrot Moshe* (Yoreh Deah 2:44). It is not new, it has been around for a long time.

### ❖ Kopi Luwak

**Q:** Is Weasel Coffee Kosher? The coffee beans are eaten by small animals, digested and defecated whole, and ground into coffee.

**A:** There is a doubt. There is a dispute if the urine of a non-Kosher animal is forbidden (*Shulchan Aruch*, Yoreh Deah 81:1). The beans also absorb the secretions from the digestive system, which is what gives them taste. It is therefore a doubt (see *Techumin* Volume 31, p. 423 which leans towards permitting it). Nonetheless, it is forbidden on account of *Bal Tashchit* since the cost is astronomical.

### ❖ Sushi

**Q:** Is it permissible to eat Sushi?

**A:** Yes, on condition that it has Kosher supervision, since there is a concern for worms.

### ❖ Kashrut of Toothpaste

**Q:** Does toothpaste require Kosher certification?

**A:** No. 1. If there is something not Kosher in it, the taste is spoiled and is within a mixture. (Shut Har Tzvi Yoreh Deah #95.) 2. It is not eating, but rather tasting. 3. This is not the manner of eating (It is related that Ha-Rav Yosef Soloveitchik was once asked if toothpaste requires Kosher certification for Pesach. He responded: No, it is inedible even to a dog. The person said: But I gave it to my dog and he ate it! Rav Soloveitchik said: Who are you going to believe, me or your dog? Another version: “Dogs do not hold by Nifsal Mei-Achilat Kelev” – the principle of inedible even to a dog).

### ❖ Coca-Cola

**Q:** Is Coca-Cola Kosher in all countries?

**A:** Not necessarily. There are many ingredients. It requires certification (See the amazing Teshuvah regarding the Kashrut of Coca-Cola in Shut Karnei Ha-Hod, end of Volume 2, of Ha-Rav Tuvia Gefen, who served as Rabbi in Atlanta, where Coke is produced in America. He discusses the secret ingredient in Coke).

**Q:** Is it true that Coca-Cola is unhealthy?

**A:** This is a medical question. All soft drinks cause damage on account of the sugar. And some claim that Coke causes

damage on account of the phosphoric acid which causes continuing damage to one's kidneys.

### ❖ Non-Kosher Cooking Program

**Q:** Is it permissible to watch a TV program in which they cook non-Kosher food?

**A:** No. It is a desecration of Hashem's Name (Rambam, Hilchot Yesodei Ha-Torah, Chapter 5).

### ❖ The Taste of Pork

**Q:** Is it permissible to eat a Kosher spice that has the taste of pork?

**A:** Yes. Like the brain of a Shibuta fish which tastes like pork (As Yalta says: "For everything that the Torah forbids, something similar is permitted". Chullin 109b).

### ❖ Switching Milchig Dish to Fleischig

**Q:** Is it permissible to switch a Milchig dish to Fleischig or vice versa through Kashering?

**A:** It is permissible for Sefardim. It is forbidden for Ashkenazim, since if one does this regularly, in the end, he will get confused. (Magen Avraham 509:11.) But there are various solutions when it is permissible to switch from one to the other: 1. If one is anyway Kashering for Pesach. (Mishnah Berurah *ibid.* #19). 2. In an extenuating circumstance. 3. If one sells his utensils to someone else, he can Kasher them. 4. If he makes them Treif, he can Kasher them and switch them. 5. If one has not used those utensils for 12 months. 6. One may Kasher them to Parve and later switch them. Piskei Teshuvot *ibid.* #16.

### ❖ Yak Milk

**Q:** I am in Tibet. Is it permissible for me to drink yak milk?

**A:** A yak has the signs of a Kosher animal but lacks a tradition that it is indeed Kosher. Nonetheless, if an animal has Kosher signs but lacks a tradition that it is Kosher, we refrain from eating its meat, but its milk is permissible. I heard this in the name of Ha-Rav Moshe Sternbuch regarding the yak. The milk is therefore permissible.

### ❖ Chewing Cud

**Q:** What is the reason that only animals which chew their cud are Kosher?

**A:** To teach that one should suffice with the minimal amount. (Vilna Gaon.) This is also the why fish which have a simple "jacket" of scales are Kosher.

### ❖ Utensil which was Cooked in on Shabbat

**Q:** Does one have to Kasher a utensil which was purposely cooked in on Shabbat?

**A:** No. Ha-Rav Ovadiah Yosef permits it (Livnat Chen 42), although the Mishnah Berurah (318:4) does not (Ha-Rav is also lenient for Ashkenazim, since it is a Rabbinic law).

### ❖ Eating at the House of a Non-Religious Jew

**Q:** The laws of Kashrut prevent me from eating at the house of my non-religious friends. Isn't it more important to be strict with loving a fellow Jew and sanctifying Hashem's Name than keeping Kosher?

**A:** The laws of Kashrut are not a bother but service of

Hashem and sanctification of Hashem's Name. It is true that for the sake of friendship one may decide to forgo stringencies but not the basic Halachah. And one must be 100% certain that everything is Kosher (see Shut Igrot Moshe, Yoreh Deah 1:54, 2:43. And see Ain Aya on Berachot, p. 361).

### ❖ Reusing Water Bottles

**Q:** Is it true that reusing small plastic water bottles is unhealthy?

**A:** There are those who claim that bacteria from one's mouth and hands build up in them and there is a problem with BPA. Ask a doctor (See Wikipedia – Reusing Water Bottles).

## **Tevilat Kelim – Immersing Utensils in Mikveh**

### ❖ Kashering and Tovelung

**Q:** If one purchases a non-Kosher utensil from a non-Jew, which should be done first – Kashering it or immersing it in a Mikveh?

**A:** Kashering it. Shulchan Aruch, Yoreh Deah 120:2 (And see a discussion of this issue in Ha-Rav's commentary on the Kitzur Shulchan Aruch 37:4).

### ❖ Netilat Yadayim Cup

**Q:** Does a Netilat Yadayim cup made from plastic require immersion in a Mikveh?

**A:** No. 1. It was made by Jews. 2. Plastic does not require immersion. 3. It is not a utensil for eating.

### ❖ Utensil in Right Hand when Immersing in Mikveh

**Q:** When immersing utensils in a Mikveh, should one hold the utensil in his right hand?

**A:** Yes, just as one holds the food or object in his right hand when reciting a blessing over it or for a Mitzvah. Shulchan Aruch, Orach Chaim 26:2. Mishnah Berurah #17-18 (And this is also the ruling of Ha-Rav Chaim Kanievski in Kuntres Ish Iter #38).

### ❖ Tevilat Kelim after Mechirat Chametz

**Q:** There are dishes in the closet where I placed the Chametz which was sold to the non-Jew. Do the dishes need to be immersed in a Mikveh after Pesach, since they were in the possession of a non-Jew?

**A:** No. It is written in the sale of document that we are not selling the dishes but only the Chametz within them. But even if it were written that we are selling the dishes, the majority of Poskim still exempt the dishes from immersion. (Chochmat Shlomo 448, Aruch Ha-Shulchan Yoreh Deah 120:52, Darkei Teshuvah ibid. #90.) This is the case since the buyer and seller both have in mind that the sale will not be permanent. The non-Jew therefore does not take possession of the dishes.

## ❖ Immersing Dentures

**Q:** Do dentures require Tevilat Kelim (immersion in a Mikveh) as do utensils?

**A:** No. Dentures are not a utensil, and their use on Shabbat is not called "Grinding" (Tochen) but eating (And this is also the ruling in the book "Tevilat Kelim" of Ha-Rav Tzvi Cohain 11:20 in the name of Ha-Rav Shlomo Zalman Auerbach).

## ❖ Using a Utensil without Immersion in a Mikveh

**Q:** I am a soldier. I have a new pot and am unable to immerse it in a Mikveh. Is it permissible to use it one time without immersion?

**A:** No. It is permissible to use disposal utensils without immersion (if they are used more than 3 times, many Poskim require their immersion), but a permanent utensil may not be used even once without immersion. In a pressing situation, it is permissible to give the pot as a gift to a non-Jew and then borrow it from him (since the utensil of a non-Jew does not require immersion). Shulchan Aruch, Yoreh Deah 120:16.

**Q:** And what if there is no non-Jew?

**A:** Call a military Rabbi, or the 24-hour phone line for soldiers of the Military Rabbinate 052-941-4414. They will sell the utensil to a non-Jew, or in a pressing situation, they will permit it based on the opinion that it is permissible since it is not the soldier's utensil (Kishrei Milchama of Ha-Rav Ayal Krim 3:58).

## Family Purity

### ❖ Stringencies in the Laws of Family Purity

**Q:** I once saw that the Ramban wrote that one should not be overly strict regarding the laws of Family Purity. Where is this?

**A:** It is correct. One should fulfill the Halachot properly and not be overly strict. Rambam, end of Hilchot Niddah (Chapter 9).

### ❖ Immersion in the Second Temple Period

**Q:** How did women immerse in the Second Temple Period, if they did not build Mikvehs?

**A:** Sea, river, spring, well. Not only women but also men. And the forty years in the desert as well, they immersed in Miriam's well, springs and different puddles (And Ha-Rav Chaim Kanievski said that in the desert they immersed in Miriam's well. Derech Sichah Volume 1, p. 318).

## Mikveh

### ❖ Showering Before Immersion in Mikveh

**Q:** Is it permissible for a man to shower before immersing in the Mikveh?

**A:** 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. And 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), therefore a man is obligated to take a shower before immersion in order to not make the Mikveh dirty. And Ha-Rav Shlomo Zalman Auerbach 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).

## **Neder**

### ❖ Bli Neder

**Q:** If one promises something but says "Bli Neder" (without taking an oath), is he obligated to fulfill it?

**A:** One is certainly obligated to fulfill his promises even if he says "Bli Neder". If one says "Bli Neder" and does not fulfill his promise he has not transgressed the prohibition of an unfulfilled oath, but he has still transgressed towards his friend (A groom once continuously bugged the Chazon Ish

to attend his wedding, but the Chazon Ish refused. The groom suggested: Ha-Rav can say he is coming "Bli Neder". The Chazon Ish was shocked: "Bli Neder" is still a serious acceptance, it is not something meant lightly. If I say it, I will be obligated to attend).

## **Avodah Zarah – Idol Worship and Heresy**

### ❖ Relating to Jesus and Muhammad

**Q:** How do we relate to Jesus?

**A:** Our Sages say that he was an extremely talented Jew who spoiled his proper character traits and faith. The Rambam writes that he led a huge part of humanity to idol worship and spilling of our blood. Rambam, Hilchot Melachim 11:4 – the uncensored version.

**Q:** And Muhammad?

**A:** The Koran described him as uneducated, and as one with improper character traits and an inclination for women. And see Rambam, Igeret Teiman. But he has the merit that he led a huge part of humanity to the belief in one G-d (and see Teshuvot Ha-Rambam #448).

### ❖ Cross on Swiss Flag

**Q:** Is it permissible to buy a product on which the Swiss flag appears, such as a Swiss Army knife or back pack, since it has a cross on it?

**A:** According to the basic halachah, it is permissible, since although the cross was originally associated with idol worship, it is used here merely as a symbol. No one worships

the flag or treats it with special honor. Furthermore, a person does not purchase the item because of the cross. It just happens to be on it. It is similar to the statue of Aphrodite which was placed by the Romans in the bathhouse. It was permissible to enter the place despite the statue's presence (Avodah Zarah 44b). For this reason, Ha-Rav Moshe Feinstein also permits using a stamp with a cross on it (Shut Igrot Moshe, Yoreh Deah 1:69). However, one should distance himself from the unseemly and anything similar to it, and one should therefore scratch out the cross.

### ❖ Knight Festival

**Q:** Is it permissible to go to the Knight Festival in Yerushalayim?

**A:** No, they were Christians and killed Jews during the Crusades.

Theological Discussions with Christians

**Q:** I heard that Ha-Rav Soloveitchik permitted theological discussions with Christians. What is the source?

**A:** Incorrect. He opposed it. An article was just published about it by Professor David Berger, Dean of Yeshiva University's Bernard Revel Graduate School. Makor Rishon from 3 Kislev 5773.

### ❖ The Fellowship

**Q:** The army gave me a monetary gift from the Fellowship. Is it permissible to keep it?

**A:** It is forbidden. The full name is "The International Fellowship of Christians & Jews". Christians have never been our friends and are not now. They murdered us physically

during the Crusades and are now preparing to murder our souls with a Monetary Crusade. Their method: To hug and choke us (see Igrot Ha-Re'eiyah Vol. 4, pp. 74-76).

### ❖ The Cross of the Red Cross

**Q:** Is it permissible to have items with the symbol of the Red Cross, or is it forbidden on account of idol worship?

**A:** The symbol of the Red Cross has no connection with idol worship and Christianity. It is therefore permissible (Rama, Shulchan Aruch, Yoreh Deah 141:1. And see Shut Yechaveh Da'at 3:68). And the same is true for the flag of Switzerland. It is obviously proper, however, to blur it because of the law of distancing oneself from that which is ugly, and from that which is similar to it, and even that which is similar to something which is similar to it (see Chochmat Adam 85:1. Shut Zera Emet 2:45. Shut She'eilat Shlomo 1:326. And Ha-Rav Chaim Brisker was particular to immediately separate a fork and knife which were in the shape of a cross. Nefesh Ha-Rav, p. 230. But this is a big stringency).

## **Segulot/Darkei Emori – Superstition**

### ❖ Value of Segulot

**Q:** Is there value in Segulot?

**A:** It depends on which. But the best Segulot are learning Torah and performing Mitzvot (When Ha-Rav Yosef Shalom Elyashiv had a great-great grandson – he merited having a great-great-great grandson in his life, which is extremely rare! – people told him that one who is the Sandek for a

great-great grandson will not see Gehinom [see Leket Yosher Yoreh Deah 52]. Ha-Rav Elyashiv replied: "I worked my entire life to enter Gan Eden through the main entrance, not the side door!" Gedola Shimusha of Ha-Rav Tzvi Weisfish, p. 230).

### ❖ Segulah for a Long Life

Q: Is there a Segulah for a long and good life?

A: "Who is the man that desires life and loves days of seeing good? Let him guard his tongue from evil and his lips from speaking evil." Tehillim 34:13-14.

### ❖ Protection from Troubles

Q: I have many troubles in my life. Is there a Segulah to protect me from them?

A: "Whoever guards his mouth and his tongue, keeps his soul from troubles". Mishlei 21:23.

### ❖ Segulah against Traffic Accidents

Q: Is there a Segulah against traffic accidents?

A: Driving carefully and performing kindness to those who need a ride (And the Belzer Rebbe – Ha-Rav Aharon Rokeach – also gave the Segulah that if one follows the traffic laws with the stringencies of the 10 Commandments, and also gives rides to those who need them, in the merit of these kindnesses which he does on the road, he will be saved from any bad occurrence. Shut Shevet Ha-Kehati 5:241).

### ❖ Folding One's Talit

**Q:** Is it true that folding one's Talit on Motzaei Shabbat is a Segulah for Shalom Bayit?

**A:** No. And regarding this question, a Tzadik answered: He should fold up his sleeves and help his wife. This is the greatest Segulah for Shalom Bayit (And some relate this in the name of the Satmar Rebbe. Satmar Chasidim end Shabbat very late due to a long Seudat Shelishit and the Rebbe's talk. Once, on a Saturday night, the Satmar Rebbe saw that one of his Chasidim was the last one in the Beit Midrash and was folding his Talit with great precision. The Rebbe asked him what he was doing. The Chasid said that he saw in various books that care in folding one's Talit is a Segulah for Shalom Bayit. The Rebbe responded: A better Segulah is to go home and help your wife wash dishes. And others say this incident in the name of Ha-Rav Chaim Shmuelevitz, Rosh Yeshivat Mir. The book "U-Piryo Matok - Bereshit" of Ha-Rav Yitzchak Zilberstein, p. 140).

### ❖ Book of Tehillim

**Q:** Should one sleep with a Book of Tehillim under his pillow?

**A:** No, rather he should recite Tehillim. And see Rambam, Hilchot Avodah Zarah 11:12.

### ❖ Red Baby Stroller

**Q:** Someone told me that using a red baby stroller will cause my baby to have a bad temper. Is this true?

**A:** Stupidity.

## ❖ Changing One's Place, Changing One's Luck

**Q:** We do not have children. Is it worthwhile to move, since changing one's place is one of the things which can change one's luck?

**A:** The Rambam (Hilchot Teshuvah 2:4) cited the opinion of our Sages that one can change an evil decree by changing his location. It is not, however, magic. If a person changes his place he will not see miracles and wonders. The Rambam explained that if he repents in a serious way, he changes his "location". This means, "I seriously repented and I am no longer the same person in the same place." This certainly changes the decree of a person. This is also brought in the responsa attributed to the Ramban #285. The essence is to repent, pray and give Tzedakah (And a Yeshiva student, who for a few years did not merit having children, asked Ha-Rav Aharon Yehudah Leib Shteinman: Is it worthwhile to move? Rav Shteinman responded harshly: There is no such thing! Is the apartment guilty that you have not merited having children!? There is no reason to move. Segulot Raboteinu pp. 121-122).

## ❖ Amulets

**Q:** Is it worthwhile for me to take an Amulet in order to succeed in Torah learning?

**A:** One succeeds in Torah learning by toiling in Torah and one does not need an Amulet. The Chida in the name of Rabbi Chaim Vital, student of the Arizal, warned that one should distance himself from such things. This is also written in Sefer Chasidim (Chida in Zeraa Yemin Petach Einayim

1:13. Sefer Chasidim #204-205. Makor Chesed ibid. and at the end p. 586. Ner Be-Ishon Laila pp. 286, 289. And when Ha-Rav Chaim Kanievski was asked this question, he responded: "Do not take Amulets". Segulot Raboteinu p. 286).

### ❖ Will

Q: Will I get the evil eye if I write a will?

A: Certainly not. Some authorities even hold that it is a Segulah for a long life.

### ❖ Bubbles in Coffee

Q: Do bubbles in coffee indicate that someone will win money?

A: Nonsense.

### ❖ Whistling

Q: My grandmother tells me that Jews should not whistle. Is it true? Is it forbidden on account of the prohibition of follow non-Jewish customs? And if it is permissible, is it permissible on Shabbat?

A: There is no prohibition against whistling. Outside of Israel, non-Jews whistled, so Jews refrained from doing so. In sum: Don't whistle in your grandmother's presence, out of respect for her. And it is permissible on Shabbat (Shut She'eilat Shlomo 1:182. This is also the ruling of Ha-Rav Yosef Soloveitchik. Divrei Ha-Rav, pp. 197-198).



### ❖ Swallowing a Fingernail

Q: Is it true that according to the Gemara a woman who swallows a fingernail will be unable to have children?

A: No.

### ❖ Brides Meeting

Q: Is it true that it is forbidden for two brides to meet within 40 days of the wedding, unless they exchange hair pins?

A: Superstition.

### ❖ Ants in the House

Q: We have a lot of ants in our house. Is it a sign from Hashem or a natural phenomenon?

A: Natural.

### ❖ Black Cat

Q: Is it bad luck if a black cat crosses in front of me?

A: It is a superstition and believing in it violates the prohibition of sorcery. Rambam, Hilchot Avodah Zarah 11:4.

Q: I read in Sefer Ha-Kaneh that it is forbidden to kill a black cat.

A: It is not quoted in the Halachah books. Regarding the issue of a black cat, see Ain Aya of Maran Ha-Rav Kook, Berachot Chapter 1 #47 (see Ner Be-Ishon Laila pp. 149-150).

### ❖ Doves in the House

**Q:** In the morning, my wife and I found 2 doves on the table. What does this mean?

**A:** That the window was left open (Ha-Rav Chaim Kanievski answered similarly to such a question from a newlywed husband).

### ❖ Tu-Tu-Tu

**Q:** Is it permissible to say "Tu-Tu-Tu" to keep bad luck away?

**A:** It is a superstition and forbidden.

### ❖ Walking under a Ladder

**Q:** Is it forbidden to walk under a ladder which is leaning against the wall?

**A:** Not walking under a ladder is a Christian superstition. The leaning ladder makes a triangular shape that recalls the Trinity, and walking under it is considered a desecration of their faith. One should, however, be careful when walking under a ladder that no object falls on him, and all the more so that the ladder itself doesn't fall on him or anyone else (Ner Be-Ishon Laila p. 234).

### ❖ 4-Leaf Clover

**Q:** Is it true that a 4-leaf clover brings good luck?

**A:** Nonsense.

## **Danger**

### ❖ Driver Talking on Cell Phone

**Q:** Should one report to the police a driver who is holding a cell phone and talking on it?

**A:** Certainly. It is a life-threatening situation (This is also the ruling of Ha-Rav Yosef Shalom Elyashiv based on Sanhedrin 72 and Ketubot 35. Kav Ve-Naki #676).

### ❖ Drunk Driver

**Q:** We have a driver at work who gets drunk. If I report him, he will get fired. On the other hand, it is dangerous.

**A:** You should certainly report it. He is warned from the outset regarding it. Baba Batra 21.

### ❖ Contemporary Authorities and Smoking

**Q:** Why don't the great Rabbis of our generation clearly and loudly forbid smoking?

**A:** Many do (Shut Tzitz Eliezer 17:21. Ha-Rav Ben Tzion Abba Shaul in Or Le-Tzion – Chochmah U-Mussar p. 221. Ha-Rav Shlomo Zalman Auerbach in Shulchan Shlomo on Refiah Vol. 2 p. 222. Ha-Rav Yosef Shalom Elyashiv in Shut Vayishma Moshe Vol. 1 p. 436. Ha-Rav Chaim Kanievski in She'eilat Rav Vol. 1 p. 92. Ha-Rav Aharon Yehudah Leib Shteinman in Yated Ne'eman and Ha-Modia – 12 Adar Alef 5660. Ha-Rav Moshe Sternbuch in Shut Teshuvot Ve-Hanhagot 4:115. Ha-Rav Nisim Karelitz in a letter at the beginning of the book Sefer Chaim Lelo Ishun. Ha-Rav Asher Weiss in a class on Parashat Ki Teitzei 5767).

### ❖ Smoking by a Pregnant Woman

Q: I am a medical student. Should I tell a pregnant woman who is smoking how dangerous this is to the fetus?

A: First ask if she is interested in talking about it.

### ❖ Ha-Rav Moshe Feinstein's Opinion Regarding Smoking

Q: I heard that Ha-Rav Moshe Feinstein permits smoking.

A: This is how he ruled when the doctors said that smoking was not dangerous (Reb Moshe's son, Ha-Rav David Feinstein, also said that his father's ruling in Shut Igrot Moshe, Choshen Mishpat 2:76, allowing one to act leniently and smoke was based on the presumptions of that time that the overwhelming majority of those who smoked were not in danger. This is certainly no longer the case. Kovetz La-Torah Ve-Hora'ah 5772 p. 67).

### ❖ Sleeping Security Guard

Q: If I enter a place and see the security guard sleeping, should I report it?

A: Certainly. It is a life-threatening situation.

### ❖ Babies Forgotten in Cars

Q: Are the 3 tragedies of babies dying from being forgotten in cars a hint from Hashem?

A: That we should be extremely careful.

## ❖ Smoking and Non-Kosher Food

**Q:** Is smoking as severe a prohibition as eating non-Kosher food?

**A:** There is an aspect to smoking that is more severe (And Ha-Rav Asher Weiss said that smoking cigarettes is like eating Treif food, and we are stricter with dangers than with prohibitions. Today there is no doubt that smoking kills. From his class on Parashat Ki Teitzei 5767).

## ❖ Smoking by Tzadikim

**Q:** If smoking damages and is dangerous, how is it possible that Tzadikim smoked?

**A:** In the past they did not know it was dangerous.

**Q:** But even since it has been discovered to be dangerous, Rabbis continue to smoke.

**A:** See the book "Michtav Mei-Eliyahu" (Vol. 1, p. 79) where Ha-Rav Dessler relates how he struggled to quit smoking and failed, and then waged war again and again. In the footnotes from his students, it is told that he finally succeeded in quitting.

## ❖ Light Drugs

**Q:** Is it forbidden to use light drugs? What is the source?

**A:** There is no such thing as light drugs, they are all hard drugs. They are forbidden by the law, and one will be punished with jail time, and they are forbidden by the Halachah. Rambam, Hilchot De'ot Chapter 4. (Shut Igrot Moshe, Yoreh Deah 3:35. An observant Jew once came to the ye-

shiva to speak to Ha-Rav Moshe Feinstein and explained that his son was in prison for selling drugs, and he wanted Reb Moshe to write a letter to the judge asking to have mercy on his son. Reb Moshe harshly said to him: "Your son causes people to be sick and hurts them. Let him sit in prison!" And the father tried over and over to convince Reb Moshe, but he in no way agreed to sign such a letter, and added that his actions were against the laws of the country, which are not forfeited. Reshumei Aharon, p. 22)

## **Shaving and Haircuts**

### ❖ Origami

**Q:** Is it true that Ha-Rav does origami for a child during the Upsherinish?

**A:** There are parents who lack sensitivity, the child is scared and crying, so I do origami to calm him down. And it is better not to cause him this suffering for something which has no source.

### ❖ Growing a Beard

**Q:** I want to grow a beard but my mother is opposed. What should I do?

**A:** You should grow it, and appease her by telling her that you want to marry a woman who wants a husband with a beard (Ha-Rav Chaim Kanievski related that the Chafetz Chaim also gave the same advice, and the mother of the man agreed that he should grow a beard. Minchat Todah p. 89).

## ❖ Long Pe'ot

**Q:** I cannot get a job because of my long Pe'ot, but I won't shorten them for any price. This trial is ripping me apart. What should I do?

**A:** Gird yourself with patience. Or put them behind your ears (See Orchot Rabbenu vol. 1, p. 236 that the Chazon Ish and Steipler were particular not to put Pe'ot behind one's ears, since it appears as if one is ashamed of them).

## ❖ Long Pe'ot

**Q:** I have begun growing long Pe'ot but my wife says she is embarrassed, since it is not so acceptable in our area. What should I do?

**A:** Since it is not an obligation, you should consider Shalom Bayit.

## ❖ Electric Shaver

**Q:** Which type of electric shaver is permissible?

**A:** All of them are problematic. There are those who permit their use on condition that one does not press too hard against his skin and one can still feel the scruff (Ha-Rav Shlomo Zalman Auerbach. Halichot Shlomo - Tefillah Chapter 2 p. 11. And Ha-Rav Moshe Feinstein did not want to write a responsum in his Shut Igrot Moshe permitting the use of an electric shaver since even if there is no prohibition against using it, the face of a Jew is meant to have a beard! Meged Givot Olam p. 96).

## **"Lo Yilbash" (Prohibition of Cross-Dressing or appearing as the opposite gender)**

### ❖ Wrist Watch for Men

**Q:** Is it permissible for a man to wear a wrist watch, or is it forbidden on account of "Lo Yilbash" (the prohibition of men dressing like or appearing as women)?

**A:** It is permissible, since all men wear watches, including many G-d-fearing individuals (including Ha-Rav Yosef Shalom Elyashiv and Ha-Rav Ovadiah Yosef:

[www.youtube.com/watch?v=XHcvuYAMr74](http://www.youtube.com/watch?v=XHcvuYAMr74). The Chazon Ish, however, prohibits it, as Ha-Rav Chaim Kanievski heard. Divrei Siach Vol. 4, p. 27).

## **Chukot Ha-Goyim – Customs of the Non-Jews**

### ❖ Birthday

**Q:** Is there a source for celebrating one's birthday?

**A:** There is no early source besides the Torah's mention of Pharaoh's birthday. There is no mention in the Mishnah, Gemara, Rambam or Shulchan Aruch. The Aderet harshly opposed birthday celebrations. The book "Nefesh David". And some authorities opposed it on account of "Chukot Ha-Goyim" – non-Jewish customs. But one may permit it since it is a custom based on a rational reason. The Chazon Ish did not celebrate his birthday in any way (in the name of Ha-Rav Chaim Kanievski. Segulot Raboteinu p. 350). And Rabbenu Ha-Rav Tzvi Yehudah said that there is some value in celebrating one's birthday on condition that one



does a Cheshbon Nefesh (taking an account of one's spiritual state) on that day.

## Honoring Father and Mother

### ❖ Honoring One's Father

**Q:** Which is preferable - going to a Torah class or driving my father somewhere so he doesn't have to travel on the bus?

**A:** Your father. It is a Mitzvah which cannot be performed by another person. Moed Katan 9a-b.

### ❖ Mother or Rashbi

**Q:** I visit Kever Rashbi every Rosh Chodesh but my family is moving this Rosh Chodesh and I assume that my mother would be happy if I stayed, although she did not ask me to do so. Which is preferable?

**A:** Certainly honoring your mother, which is an explicit Mitzvah in the Torah and is in the Ten Commandments. Visiting the Kever of the Rashbi does not have a source in the Torah, the Mishnah, the Gemara or in the halachic codes, and is thus not as important as a Torah Mitzvah (See Moed Katan 9:1-2. Rambam, Hilchot Talmud Torah Chapter 3. And Hilchot Maamrim 6:13).

### ❖ Honoring One's Mother and Wife

**Q:** Which is more important – honoring my mother or my wife?

**A:** You and your wife are one being, and together you

should think and decide how to honor your mother, who is a joint mother to the both of you.

## **Rabbis and Torah Scholars**

### ❖ Role of a Rabbi

**Q:** What is the role of a Rabbi?

**A:** To learn, to give Halachic rulings and to perform acts of loving kindness (To this question, R' Refael – Reb Chaim Brisker's father-in-law - said: A Rabbi should only sit and learn Torah day and night. The Aruch Ha-Shulchan said: To give Halachic rulings. And Reb Chaim Brisker: There are judges and halachic authorities to give halachic rulings, rather he should perform acts of kindness for his community. See the commentators on Parashat Yitro. Megeg Givot Olam, p. 57).

### ❖ Growing into a Torah Scholar

**Q:** How does one become a Torah scholar? Is there a Bracha or Segula you can give me to ensure that this will happen?

**A:** Years of toiling in Torah learning (Ha-Rav Shmuel Ha-Levi Wozner, author of Shut Shevet Ha-Levi, was born into a modernish Orthodox family in Vienna and blossomed into one of the major Poskim of our time. There is a famous story about his mother. She had a beautiful voice and was invited by the famous national Opera of Vienna to perform. This would have brought her fame and fortune, but one of the leading Rabbis told her it was forbidden to sing in front of men and/or a mixed audience. He gave her a blessing

that for overcoming this temptation she would merit a son who would illuminate the world. Rav Wozner often spoke about growing in Torah learning but never mentioned this story. He himself was not a gifted student at all, but by sheer desire, unending effort, and prayer he succeeded in becoming a great Posek. Rav Wozner's son, Ha-Rav Avraham Eliyahu, Av Beit Din of the "Shevet Ha-Levi" community in the Brachfeld neighborhood of Modi'in Ilit, once said that his father never related this wondrous story. When Rav Wozner was asked if it was true, he answered: "That's what they say". Rav Wozner wanted to avoid the impression that simply by the merit of a Bracha one can blossom into a Torah giant. This can only be accomplished through years of hard work and toil in Torah learning. In the book "Ve-Lo Shevet Ha-Levi Bilvad" pp. 24-25).

### ❖ Ruach Ha-Kodesh for the Rambam

Q: Did the Rambam have Ruach Ha-Kodesh?

A: Yes, Ruach Ha-Kodesh which revealed itself through the intellect.

### ❖ One Chief Rabbi

Q: Is it possible to have one Chief Rabbi (instead of both a Sefardic Chief Rabbi and Ashkenazic Chief Rabbi)?

A: If the Nation puts its trust in him. The same applies for Rabbis of cities.

### ❖ Shaming Rabbis

Q: I have a friend who does not refer to Religious-Zionist Rabbis with the title "Rabbi". What should I do?

**A:** Cease talking to him. He is a heretic since he denigrates Torah scholars (Sanhedrin 99b).

### ❖ Street Named after a Rabbi

**Q:** When a street is called after a Rabbi, does one have to call the street Rabbi X or Y, or is it permissible to just say the last name?

**A:** Rabbi (see Tuvcha Yabi'u Vol. 2, pp. 17-19).

### ❖ Charedi Torah Scholars

**Q:** Why are there more Charedi Torah scholars than Religious Zionist Torah scholars?

**A:** Because Charedi Torah scholars began 2000 years ago, and Religious Zionist Torah scholars began 100 years ago, but the quantity and quality grows at an incredible pace.

### ❖ Reish Lakish

**Q:** Is it permissible to relate to our youth that Reish Lakish was originally a bandit and then became a great Torah scholar in order to show them that everything is dependent on the choices people make in life?

**A:** One needs to be extremely careful since during his lifetime, it is forbidden to mention a Baal Teshuvah's past (Shulchan Aruch, Choshen Mishpat 428:4), and all the more so to a great Torah scholar. And Rabbi Yochanan was admonished for doing so to Reish Lakish (Baba Metzia 84a).

### ❖ Ha-Rav Shimshon Raphael Hirsch

**Q:** I understand that Ha-Rav Shimshon Raphael Hirsch wasn't a great Torah scholar. Is my understanding correct?

**A:** Incorrect. He was a great Torah scholar. "An angel of G-d" as explained by Maran Ha-Rav Kook in Igrot Ha-Re'iyah (1:182). He is also the great, great grandfather of my wife...

### ❖ Baba Sali

**Q:** Did the Baba Sali, Rabbi Yisrael Abuchatzera who died in 5744, only perform wonders or was he also a great Torah scholar?

**A:** Someone who is not a Torah scholar cannot perform wonders. The Baba Sali was also a great Torah scholar, Dayan, Av Beit Din and Posek, but most of his halachic writings have disappeared.

### ❖ One's Rabbi's Rabbi

**Q:** Is a person obligated to honor his Rabbi's Rabbi? Is it a dispute?

**A:** The Rama rules that one must do so (Shulchan Aruch, Yoreh Deah 242:21. But one honors his Rabbi more than his Rabbi's Rabbi. Shach #40).

### ❖ Calling the Minister of Education "Rabbi"

**Q:** Should we call the Minister of Education "Rabbi"? After all, he is implementing all sorts of changes against the Torah.

**A:** Yes. Even if there is criticism against him, he remains a Torah scholar (See the introduction to Alo Naale).

### ❖ Bnei Akiva

**Q:** Is it permissible to say “Bnei Akiva”, since it is forbidden to call a great Rabbi by his name, and it is named after Rabbi Akiva?

**A:** It is indeed a problem. But it is not possible to change the name at this point (see Chinuch Be-Ahavah Vol. 2, pp. 308-311).

### ❖ Reb Avrum

**Q:** The Gemara in Berachot (13a) says that one who calls Avraham: "Avram" violates a positive and a negative Mitzvah (brought in Magen Avraham, Chapter 156). If so, how is it that Ha-Gaon Ha-Rav Avraham Shapira ztz"l – Rosh Yeshivat Mercaz Ha-Rav – was called: "Reb Avrum"?

**A:** This prohibition only applies to Avraham Avinu himself. (Kaf Ha-Chaim 156:14.) And when done so in a shameful way. Shut Minchat Yitzchak 4:30 (And see Tzalach on Berachot 13a. Torah Temimah on Bereshit 17:5 #8).

### ❖ Honor of the Torah

**Q:** The Rabbi of our community made a mistake and permitted the Eruv which was damaged on Shabbat. Should I inform the people in my Shul not to carry?

**A:** No. Ha-Gaon Rav Avraham Dov Auerbach, Av Beit Din (Head of the Rabbinic Court) of Tiveria, once told me about this exact incident that occurred in the past in Tiveria. The

Eruv was damaged, and Ha-Rav Yaakov Chai Zereihen, the Sefardic Rabbi of Tiveria, ruled that it was Kosher. On Motzaei Shabbat, Ha-Rav Moshe Kliers, the Ashkenazi Rabbi of Tiveria, invited Rav Zereihen for Havdalah and to learn Torah. They learned Massechet Eirubin, and suddenly the Rav Zereihen said, "Oy Va-Voy! If so, I ruled incorrectly today!" Rav Kliers said, "It appears so." Rav Zereihen 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" (This is unlike the ruling of Ha-Rav Yosef Shalom Elyashiv who said that one is obligated to publicize that the Eruv is invalid, and there is no great embarrassment for the Rabbi to have erred and changed his ruling. This is based on the Gemara in Gittin 43a where Rabah bar Rav Huna said: "This stumbling under your hand" [Yeshayahu 3:6] - one understands words of Torah only after stumbling in them! And he himself admitted: I erred and now I understand and changed my ruling. [Rashi ibid. Kav Ve-Naki #312.] Ha-Rav Kliers and Ha-Rav Auerbach, however, do not hold like Ha-Rav Elyashiv).

### ❖ Sherayim of the Rebbe

**Q:** What is the source for eating Sherayim (leftover food) of a Rebbe? Is there something to it?

**A:** It has no clear source in the Gemara nor the Poskim. Some learn it from the Gemara Chagigah (13b) that it is forbidden to eat a loaf of bread from which a mouse nibbled since the impurity has spread throughout, and this is all the more so when a righteous person eats from it that the purity

spreads throughout (Ha-Rav Avraham Shapira explained it in this manner. When this explanation was related to Ha-Rav Moshe Halberstam, member of the Badatz of the Eidah Ha-Charedit, he said: "I am familiar with all the statements regarding Sherayim except this one." Rosh Devarcha, p. 108). Or the Yerushalmi Moed Katan [2:3] which says that after the meal celebrating the New Month, Rebbe Yochanan would collect the crumbs and eat them, saying: "May I spend my life in the next world together with those who ate here last evening" [Brought in Sha'arim Metzuyanim Be-Halachah 42:2. Derech Sichah vol. 1, p. 220 in the name of Ha-Rav Chaim Kanievski.] And Chasidim ask: If one is strict not to sell actual Chametz for Pesach, is it permissible for him to sell a piece of Sherayim from his Rebbe? The Poskim answer: yes. [Shut Nachat Pinchas 1:1 #65. Brought in Ki Ba Moed – Pesach vol. 1, p. 8.] And Ha-Rav Aviner told me: "This is a big Chiddush, since he is interested in saving it and perhaps there is no Bitul". And the Gerrer Rebbe once said to Maran Ha-Rav Kook: "Chasidim eat Sherayim of their Rebbe, i.e. they nullify themselves to their Rebbe. To whom do you nullify yourselves?" Maran Ha-Rav Kook answered him: "We eat the Sherayim of Klal Yisrael." And Maran Ha-Rav Kook already wrote that the greatest Tzadik does not reach the ankles of Klal Yisrael. See Orot 76, 176).

### ❖ Ha-Rav Chanan Porat

**Q:** Even if a Rabbi waives his honor, his honor is not waived since it is not only his honor but the honor of the Torah. Why then do we refer to Ha-Rav Chanan Porat Ztz"l by his first name?



**A:** The Halachah is that a Rabbi's honored may be waived, but he is not allowed to waive all of the Torah's honor. I, the humble, therefore always called him Ha-Rav Chanan (Shulchan Aruch Yoreh Deah 240:7).

### ❖ Torah Scholar with ADHD

**Q:** Is it possible to be a Torah scholar even if one has ADHD?

**A:** Definitely! Many, many Torah scholars had such challenges. One needs to find a method of learning that is appropriate for him.

### ❖ Stain on One's Clothing

**Q:** If a Torah scholar has a stain on his clothing on account of visiting a fruit and vegetable market to check that they were separating Terumot and Maasrot properly, is this stain shameful, as it says in the Gemara Shabbat (114a): Any Torah scholar who has a stain on his clothing is deserving of the death penalty?

**A:** No, since it was for the sake of a Mitzvah (I merited accompanying Ha-Rav when he visited the Chief Rabbi of Israel, Ha-Rav David Lau Shlit"a. At the end of the meeting, Ha-Rav gently pointed out to the Chief Rabbi that there was a stain on his jacket. The Chief Rabbi said that he had not seen it, but he knows where it came from. The previous night he had paid a surprise visit to the Tzerifim market to check the separation of Terumot and Maasrot. Similarly, the clothes of Ha-Rav Yosef Shalom Elyashiv were once all dusty from Bedikat Chametz. He told his grandson not to clean them since they were "Kitmei Mitzvah – stains from a

Mitzvah." And it says in the Gemara Pesachim 65b that it is praiseworthy for Cohanim to serve when they are up to their knees in blood! Beginning of Chashukei Chemed – Eiruvin. And also the Chatam Sofer wrote in his Chidushim on Sukkah 36a, that when an Etrog turns brown from being used so much, it is a Hidur!).

### ❖ Being Stricter than Your Rabbi

**Q:** Is it permissible to follow a Chumra which one's Rabbi does not?

**A:** Only in private, on account of "Yehura" – religious arrogance. See Baba Kamma 81a (The author of the Kochav Mi-Yaakov once asked the Admor of Hosiatin why he does not prepare all of his water before Pesach to avoid any potential problems of Chametz? He said that he learned this from what the author of the Degel Machaneh Ephraim said: that since the Baal Shem Tov was lenient, he does not act strictly. He then asked: What does one lose by being strict, since it is proper to add another stringency on Pesach? He replied that this is incorrect based on the Gemara in Beitza 36a that Abaye was punished for acting stricter than his Rabbi, Rabbah. However, in the biography of the Arugat Ha-Bosem, it is told that he was strict to learn with his hat on even on extremely hot days. He was asked: Why cause yourself distress? Didn't the Ketav Sofer – your teacher – learn without his hat? He responded: Is it forbidden to be stricter than one's Rabbis?! Commentary on Pirkei Avot "Az Yomru" of Ha-Rav Yitzchak Aharon Goldberger, Dayan and Rosh Yeshiva for Pupa Chasidim, pp. 74. And see Shut She'eilat Shlomo Vol. 4, p. 285 regarding one who is strict in a place where it was decided to be lenient).

### ❖ Rebbe Nachman will Lift One out of Gehinom

**Q:** Why shouldn't one travel to Uman for Rosh Hashanah? After all, Rebbe Nachman promised that he will lift out of Gehinom anyone who visits his grave!

**A:** Rebbe Nachman is not greater than Avraham Avinu, and it was already promised that Avraham Avinu sits at the entrance to Gehinom and will not even allow anyone who has a Brit Milah to enter (Bereshit Rabbah 48:8. And the Chidah wrote that Asher ben Yaakov stands at the entrance to Gehinom and saves anyone who knows Mishnah. Midbar Kidmot, Marechet 1 #51).

### ❖ Slap for Rav Ovadiah's Honor

**Q:** Is it permissible for me to give someone a slap who makes fun of Rav Ovadiah?

**A:** No. But admonish him.

### ❖ Passing of Ha-Rav Ovadiah Yosef

**Q:** When Ha-Rav Ovadiah Yosef passed away, I recited the blessing of "Dayan Ha-Emet". But I also feel that there is a good aspect to it since he was dragged into disputes and spoke against different communities. Should I also recite the blessing of "Ha-Tov Ve-Ha-Meitiv", like in the case of someone whose father dies and he receives an inheritance, in which he recites two blessings: "Dayan Ha-Emet" (over the death) and "Shehechyanu" (over the inheritance. See Berachot 59b).

**A:** You are crazy (I say this to give you the benefit of the doubt).

### ❖ Ha-Gaon Ha-Rav Ovadiah Yosef ztz"l

**Q:** I heard that there has not been a great Rabbi like Ha-Rav Ovadiah Yosef in the last 300 years, and others say since the time of the Rambam! Is this true?

**A:** Nonsense, this denigrates the great Rabbis throughout the generations. Ha-Rav Ovadiah ztz"l certainly would not be comfortable being honored through the degradation of great Torah scholars.

### ❖ New Book about Ha-Rav Elyashiv

**Q:** Is it permissible to read books about Ha-Rav Yosef Shalom Elyashiv, or is it forbidden since they often contain disparaging remarks against Ha-Rav Shlomo Goren?

**A:** It is permissible to read them, but you should skip over those sections (Regarding shaming Torah scholars in general, see Ma'amrei Ha-Re'eiyah p. 56).

### ❖ Ramchal

**Q:** Why is the Ramchal famous for his book Mesilat Yesharim and not for all of his other amazing books?

**A:** The other books are truly amazing, but it is possible that he was essentially sent to this world for Mesilat Yesharim.

### ❖ Rabbi's Picture

**Q:** I am a girl. Is it permissible for me to hang up a picture of a great Rabbi in my room?

**A:** Yes.

## ❖ "Rabba"

**Q:** I heard that 3 Orthodox women were appointed as "Rabbot" in America. Is this permissible?

**A:** No. If so, she is not exactly Orthodox. She is not called a "Rabbah" but rather "Maharat", a Hebrew acronym for Manhigah Hilchatit Ruchanit Toranit, a halachic, spiritual, Torah leader. This is an initiative of Rabbi Avi Weiss, who has unusual opinions. It is a slippery slope here (And the Agudat Yisrael of America declared that on account of this action, Rabbi Weiss's Shul is not Orthodox).

## ❖ Reform and Conservative Rabbi

**Q:** Is it permissible to call a Reform or Conservative Rabbi: "Rav"?

**A:** Certainly not. This is shaming the title of "Rav" which belongs to a Torah scholar (Ha-Rav Chaim Jachter wrote that Mrs. Atara Twersky told him that her father, Ha-Rav Yosef Soloveitchik, would correspond with a Conservative Rabbi. She saw that he wrote in English and not Hebrew, and asked about it. Rav Solovietchik responded that since he writes in English, he can use the title "Rabbi" for the sake of peace but in Hebrew he would be forced to use the title "Ha-Rav" which he did not want to do. Beit Yitzchak #40 5768 p. 242. And similarly, in Shut Igrot Moshe, Ha-Rav Moshe Feinstein always uses the term "Rabbi" for a Reform or Conservative Rabbi and "Ha-Rav" for an Orthodox Rabbi).

### ❖ Rabbis who Steal

**Q:** How do I answer a secular person who asks: Rabbis steal? Aren't they obligated to purify their character traits?

**A:** Answer what you answer to yourself. This is indeed a desecration of Hashem's Name. See Yoma 85 (and Eder Ha-Yakar, p. 50).

## **Maran Ha-Rav Kook and Rabbenu Ha-Rav Tzvi Yehudah**

### ❖ Maran Ha-Rav Kook and the Charedim

**Q:** If Maran Ha-Rav Kook's approach is correct, why don't the Charedim follow it?

**A:** They have not learned it in depth.

### ❖ Writings of Maran Ha-Rav Kook

**Q:** Why haven't all of Maran Ha-Rav Kook's writings been published?

**A:** Since they must undergo editing in order to prevent confusion and error. Otherwise, learning them is similar to someone walking on a flat roof without a railing. At the same time, we must understand that almost all of Rav Kook's thought is found in his published works.

### ❖ Maran Ha-Rav Kook and JNF Tzedakah Boxes

**Q:** I heard in a class by a Charedi Rabbi that Rav Kook preferred Eretz Yisrael over the Torah, and he therefore ruled to remove the Tzedakah boxes of Rabbi Meir Baal Ha-Nes and replace them with JNF Tzedakah boxes.

**A:** It is a lie! On the contrary, Maran Ha-Rav Kook ruled that the Tzedakah boxes of Rabbi Meir Baal Ha-Nes should remain affixed in the wall, as was the custom, and the JNF Tzedakah boxes should be placed on the table. Shut Da'at Cohain (#136).

### ❖ Dispute with Maran Ha-Rav Kook

**Q:** How is it that Charedi Rabbis disagreed with Maran Ha-Rav Kook?

**A:** They did not disagree. Quite simply, they did not read what he wrote and did not know what he actually said.

### ❖ Maran Ha-Rav Kook and Chabad

**Q:** What is the difference between Maran Ha-Rav Kook and Chabad?

**A:** Chabad is about perfecting the individual, Maran Ha-Rav Kook is about perfecting the community and the individual within the community (And when Maran Ha-Rav Kook arrived in Eretz Yisrael, Rabbi David Cohain, Ha-Nazir, walked all night from Yerushalayim to Hevron in order to greet his Rav, and heard a class from him there. After the hearing the talk, Ha-Nazir said to Rav Kook: What Ha-Rav said is like Chabad. Rav Kook smiled and said to him: "I am building the Nation". See Safran Shel Yechidim of Rav Hillel Zeitlin, p. 235).

### ❖ Orot Ha-Teshuvah

**Q:** Whose notes appear in Orot Ha-Teshuvah of Maran Ha-Rav Kook in the edition of Or Etzion?

**A:** They are the notes of Rabbenu Ha-Rav Tzvi Yehudah.

### ❖ Divine Messenger

**Q:** What is unique about Rabbenu Ha-Rav Tzvi Yehudah among all the other Gedolei Yisrael?

**A:** Maran Ha-Rav Kook and Rabbenu Ha-Rav Tzvi Yehudah are special Divine messengers for the appearance of Torah during the revival of Am Yisrael in its Land.

### ❖ Teachings of Rabbenu Ha-Rav Tzvi Yehudah

**Q:** What are the central tenets of the teachings of Ha-Rav Tzvi Yehudah?

**A:** Love and faith. Love of Hashem and Israel and faith in Hashem. Orot p. 69.

### ❖ Sichot Ha-Rav Tzvi Yehudah

**Q:** What is unique about Sichot Ha-Rav Tzvi Yehudah?

**A:**1. It contains the essentials of Rabbenu's philosophy in a manner comprehensible to all. 2. It is based on the weekly Torah portions. 3. It does not explain individual words and sentences, rather is a meeting with the Master of the Universe.

## **Teachers and Students**

### ❖ Choosing a Teacher

**Q:** What is preferable – a Torah teacher with a beard, or a Torah teacher without a beard who can explain better?

**A:** The one who explains better, since learning Torah is a



greater Mitzvah than having a beard (This is also the ruling of Ha-Rav Yosef Shlomo Elyashiv. Kav Ve-Naki #306).

### ❖ Montessori Education

**Q:** A nursery school teacher who follows the Montessori method of education was hired. Is this good?

**A:** Very good. It is an educational method which aids the child in developing himself.

### ❖ Bothersome Student

**Q:** If a student is being bothersome in class, should I send him to the principal?

**A:** Solve the problem by yourself.

### ❖ Teacher or Doctor

**Q:** I have the ability to be a doctor or a teacher. I am in doubt. Which is preferable?

**A:** Teacher. A teacher is for the soul while a doctor is for the body.

### ❖ Teacher with Bad Odor

**Q:** What should I do if one of my teachers has bad body odor?

**A:** Either leave him an anonymous note written politely, or inform the principal. The same applies to bad breath.

### ❖ Good Teacher or Good Students

**Q:** Which is preferable – a good teacher with students who

are not so G-d-fearing or a lesser teacher with G-d-Fearing students?

**A:** G-d-fearing students, since a person is influenced by his surroundings. (Rambam, De'ot 6:1-2.) Yaakov Avinu therefore wanted to get out of his mother's womb when she passed the Yeshiva of Shem and Ever, even though he was learning in the womb with an angel, because he wanted to get away from Esav. Rabbi Simchah Bunem of Pesishcha. Chatam Sofer (and Ha-Rav Chaim Kanievski also gave this answer in the name of Ha-Rav Elazar Menachem Man Shach. Minchat Todah, p. 85).

### ❖ An Insulting Teacher

**Q:** We complained about a teacher who always insults the students, and as a result, she was fired. She will not forgive us. What should we do?

**A:** This is the general principle: The teacher for the students and not the students for the teacher. A teacher who insults is fired. She is the one who must ask for forgiveness.

## Torah Learning

### ❖ Segulah for Torah Growth

**Q:** I want to grow in Torah learning. Is there a Segulah?

**A:** Learn Torah and do not engage in other matters, even if they are important. Others will be involved with them. "Each person should be in his designated camp, and each person under his own flag" (Bamidbar 1:52). Even in Torah learning, do not run in all directions, but rather concentrate on the essential matters, and do not engage with extraneous

Pilpulim (Regarding the importance of learning Torah in such a manner, Ha-Rav Yosef Shalom Elyashiv would often say: "Like the story with the Maharsham and the Shoel U-Meishiv". It once happened that Ha-Rav Yosef Shaul Nathanson, the author of Shut Shoel U-Meishiv, was traveling and stopped in a small town. He entered the local Beit Midrash and saw two students learning intently. He entered and laid out before them a major difficulty on the commentary of the Maharsha on the Gemara Sanhedrin. He said that he would return in a few days on his way home and stop by to hear their answers. When he returned, one of the students gave a major Pilpul which resolved the difficulty. The Shoel U-Meishiv then asked the second student: And what about you? The student responded: I will tell Ha-Rav the truth. I looked into the issue, saw that there is indeed a great difficulty that would require hours to work on. I decided that it was not a good use of my time, since I wanted to continue my learning. I therefore do not have an answer. The Shoel U-Meishiv was very excited and said: I am certain that he will be a major Posek in Israel, and indeed Rabbi Shalom Mordechai Schwadron – known as the Gaon of Berezhany – author of Shut Maharsham, became one of the foremost Poskim. Rav Elyashiv added: And the other student did not amount to much, he sold nails... In the book "Mi-Pi Ha-Ish pp. 50-51).

### ❖ Segulah for Learning Torah

**Q:** Is there a Segulah for growing in Torah learning?

**A:** Learn consistently and without interruption (And I heard Ha-Rav Herschel Schachter relate that after he was married, he and his wife did not have children, and they therefore

decided to visit Eretz Yisrael. He was told that it is worthwhile to receive a blessing from the Steipler Gaon. The way it worked was that one bought a book from him and at the same time asked for a blessing. The Steipler was hard of hearing, and one would communicate by writing on a notepad. The Steipler yelled in Yiddish: What can I do for you? Rav Schachter wrote that he wants to buy Kehilat Yaakov on Kiddushin, the Massechet they were then learning in Yeshiva. He bought it, received the change and said that the Steipler could keep the change as a donation. The Steipler said that he did not need the money, business is business. Then Rav Schachter asked for a blessing for children, and he blessed him. The Steipler asked: What else can I do for you? Rav Schachter said that he was learning in Kolel, and is it possible to receive a blessing for success in learning? The Steipler said: All the blessings in the world will not help. Rather sit and learn and you will succeed).

### ❖ Learning Torah or the Kotel

**Q:** Which is preferable – learning Torah or going to the Kotel?

**A:** Learning Torah is equal to all of them [the Mitzvot]. One should only go to the Kotel for special occasions (And our Rabbi, Ha-Rav Tzvi Yehudah Kook, would not simply go to the Kotel at any opportunity. He said: "I do not go to the Kotel every day, but only when there is a need and a feeling. The Kotel is a special place, a place from which the Divine Presence does not depart." [Rabbenu, p. 306.] And when Ha-Rav Chaim Pinchas Scheinberg was asked this same question, he answered: The Kotel is holy, but the Shtender is the holy of holies. Meged Givot Olam, p. 1).

## ❖ Humility in Torah Learning

**Q:** What should I do if the Tosafot's words do not seem logical?

**A:** You need humility to realize that they are logical. It is you who is not thinking logically. When Rabbi Akiva Eiger writes on a Tosafot: "Tzarich Iyun" - it requires investigation, he does not mean that the Tosafot requires investigation but rather he himself requires investigation in order to understand their words (In his youth, Ha-Rav Yosef Shlomo Kahaneman, who later became Rosh Yeshiva of Ponovezh, spoke in learning with Reb Chaim Brisker. A Tosafot came up and the Ponovezher Rav said that it was difficult to understand, and he repeated it a few times to emphasize that the Tosafot's words were truly difficult. Reb Chaim disapproved of this expression and said: "The Tosafot is not difficult, only your head has difficulty understanding it." *Rabban Shel Kol Bnei Ha-Golah – Toldot Ha-Grach* p. 559 note #25. And Ha-Rav Ovadiah Yosef once said to his grandson that the abbreviation of the letters "Tzadi-Ayin" does not mean: "Tzarich Iyun" - it requires investigation, but rather "Tzarich Amal" – it requires toil. *Maran Shel Kol Bnei Ha-Golah* p. 136).

## ❖ Rashi's Commentary

**Q:** I heard that some of Rashi's commentary on the Tanach is not by Rashi?

**A:** *Divrei Ha-Yamim* and *Iyov*.

**Q:** Is it also true that some of Rashi's commentary on the Gemara is not Rashi?

**A:** Nazir, most of Nedarim and Me'eilah. The same is true of the commentary on the Rif attributed to Rashi.

### ❖ Learning Tanach with Chazal

**Q:** Is it permissible to teach children the simple meaning of the Tanach or must we teach them with Chazal?

**A:** Hashem gave the Torah with a commentary, i.e. the Oral Torah. See the Rambam's introduction to the Mishneh Torah (Ha-Rav Yosef Soloveitchik explains the same way. When he was asked the same question, he said that without the Oral Torah, the Tanach is the "Bible of the Christians". He added that Ha-Rav Shimshon Rafael Hirsch is an expert in fusing the Oral Torah with the teaching of Chumash. Divrei Ha-Rav, p. 202).

### ❖ Biblical Criticism

**Q:** When is it permissible to begin learning Biblical Criticism?

**A:** Never. It is full of lies, blasphemy and heresy. There is nothing to it. See Rambam, Hilchot Avodah Zarah 2:2-3.

### ❖ Disputes

**Q:** Is there any halachic issue which is not a dispute among the Rabbis?

**A:** 99% of issues. Go through the Shulchan Aruch. But those issue which are disputes are discussed at length.

### ❖ Learning Torah with One's Grandson

**Q:** Is there a Mitzvah for a grandfather to learn Torah with his grandson?

**A:** Yes. "And make them known to your children and your children's children". Devarim 4:9. "If one teaches his grandson Torah, it is considered as if he received it from Sinai". Kiddushin 30a. And see Piskei Teshuvot 473:27 (And Ha-Rav Yosef Soloveitchik also pointed this out at the Brit Milah of the oldest son of his grandson, Ha-Rav Moshe Twersky HY"D, who was murdered Al Kiddush Hashem in the terrorist attack in the Shul in Har Nof. As related by Ha-Rav Menachem Genack).

### ❖ Gemara or Talmud

**Q:** Why do we use the Aramaic word "Gemara" instead of the Hebrew word "Talmud"?

**A:** Out of fear of the censor, since the Christians made a decree to burn all of the Talmuds, and they even hated the word "Talmud".

### ❖ Talmud of Rav Steinsaltz

**Q:** Is it permissible to use the Talmud of Rav Steinsaltz? I heard that great Rabbis said that it includes problematic parts.

**A:** 99.9% is not problematic. Skip those parts.

### ❖ Brief Torah Learning

**Q:** If I have half-a-minute free to learn Torah does it have worth?

**A:** Certainly. Every word of Torah a person learns is the fulfillment of a Mitzvah. Ha-Gra in Shenot Eliyahu on Peah Chapter 1.

### ❖ Learning Talmud Yerushalmi

**Q:** Why do we learn the Babylonian Talmud in Yeshivot today and not Talmud Yerushalmi which is Torat Eretz Yisrael?

**A:** The Talmud Yerushalmi is very condensed, not fully elucidated and with limited commentaries, and is therefore difficult to learn. We therefore first learn Babylonian Talmud.

### ❖ The Book "Maaneh Le-Igrot"

**Q:** What is Ha-Rav's opinion about the book Maaneh Le-Igrot, which disagrees with Shut Igrot Moshe?

**A:** It is permissible for a Torah Scholar to disagree with Ha-Rav Ha-Gaon Moshe Feinstein, but this book is written in a confrontational and brazen style against one of the greatest and most righteous Rabbis and should therefore be hidden away (In his time, the author of this work sent it to the Steipler, and then visited him. The Steipler harshly rebuked him and yelled at him for insulting Ha-Rav Feinstein, and threw him out of his house. The Steipler then told his son, Ha-Rav Chaim Kanievski, that Rav Feinstein is a great Posek and Tzadik. [Orchot Rabbenu Vol. 5, p. 169.] And it is written in the book Ma'adanei Ha-Melech Vol. 1 [at the end in Adanei Ha-Melech, pp. 81-82 note #27] that Ha-Rav Yitzchak Yosef [the Current Chief Rabbi of Israel] said that the students of Rav Feinstein bought all of the copies of Maaneh Le-Igrot and destroyed them. And Ha-Rav Ephraim



Greenblatt, the leading student of Rav Feinstein and author of *Shut Revivot Ephraim*, said that after this book came out, he sat down to write a Responsa to each claim and to refute them one by one. He asked for Rav Feinstein's permission to publish the Responsa. Rav Feinstein, however, took the pages, thanked him for his concern for his honor, but requested that he not publish them. He explained that if they do not respond to that author, his memory will be forgotten on its own in a year or two, and no one will remember him. But if they answer, his name will spread. And this is indeed what happened, and he did not succeed in selling more than 50 of the 1000 books he printed (which implies that the students did not buy them and destroy them). And Ha-Rav Ovadiah Yosef said that this book should not be put in the library of Yeshivat Chazon Ovadiah since it does not follow the proper manner of disagreeing. And this despite the fact that Rav Ovadiah held that some of his opinions were correct and he mentions them in his works (*Shut Yechaveh Da'at* 1:45, 2:22, 5:7. *Shut Yabia Omer* 6 OC 48, 8 OC 23, 8 OC 31 and 8 OC 38. Brought in *Shulchan Ha-Marechet* of Ha-Rav Yitzchak Yosef, Vol. 2 pp. 436-437).

Further, Ha-Rav Aharon Felder relates that Rav Feinstein once told him that he actually had met the author once and the author asked him for a favor, which he granted. Reb Moshe added: "I didn't know that the kindness I did for him was so great that he paid me back with such wickedness." [*Reshumei Aharon* Vol. 2, p. 4.] And Ha-Rav Shimon Solnica, my dear friend, told me that his uncle – Ha-Rav Baruch Solnica – had a Shul in New York close to the Shteibel of the author of *Maaneh Le-Igrot*. Sometimes it was difficult for the Shteibel to get a Minyan and they would

come to Rav Solnica's Shul to find people to come. Rav Solnica refused since he had besmirched Reb Moshe. Rav Solnica asked Reb Moshe how he should act and he said: You don't have to give him people to Daven there on a regular basis, but you should certainly give him people to help make a Minyan).

### ❖ CPR Course

**Q:** What is preferable – a CPR course or learning Torah during that time?

**A:** Learning Torah, which resuscitates the soul. Learning Torah is equal to them all. Ha-Rav Moshe Feinstein wrote that while it is a Mitzvah to save people, there is no Mitzvah to study medicine (In his Teshuvah on whether or not it is permissible for a Cohain to study medicine. Shut Igrot Moshe, Yoreh Deah 2:155).

### ❖ Rachel and Lavan's Idols

**Q:** Why did Rachel save the Terafim instead of destroying them or immediately burying them?

**A:** She feared that because of Lavan's deep connection to them, he would murder everyone because of them. She therefore left open the opportunity to return them to him in the case of real danger. Gur Aryeh of the Maharal.

### ❖ Gemara Learning in Korea

**Q:** In South Korea, there is much interest in learning Gemara. Is this worthwhile?

**A:** Certainly not. It is forbidden to teach Torah to non-Jews and it is forbidden for a non-Jew to learn Torah. The Torah

is betrothed to us and not to them. One does not learn Gemara for an intellectual experience – which is their interest – but out of Yirat Shamayim – fear of Heaven (Chagigah 13a).

### ❖ Important Books

**Q:** Ha-Rav has said many times that it is important to learn Mesilat Yesharim, but at other times recommends Chumash with Rashi and Kitzur Shulchan Aruch. Which should I learn?

**A:** All are extremely important, each in his own area.

### ❖ Burning Chidushim

**Q:** There are stories that great Rabbis, out of their humility, threw their Chidushim (innovative Torah ideas) into their fire. Is this permissible? (This is told about the Tosafot Yom Tov, the Kotzker Rebbe and the Chidushei Ha-Rim.)

**A:** This is an expression meaning that they hid them away (And to this question, Ha-Rav Chaim Kanievski answered: "Do not rely on stories". The booklet "Derech Torah" pp. 108-109).

### ❖ Chafetz Chaim's Library

**Q:** Is it true that the Chafetz Chaim had a small library? How then did he write all of his books?

**A:** It is true. He used borrowed books to save money, so that the time he would have to spend earning money could be spent learning Torah.

### ❖ Saying Verses By Heart

**Q:** I teach Torah and quote many verses, but I saw that the Kitzur Shulchan Aruch (1:6) writes that it is forbidden to recite verses by heart. Do I have to open up a Tanach each time I quote a verse?

**A:** You are not obligated to do so. 1. It is permissible to recite a verse which you know well. 2. According to Tosafot, one is only obligated to recite a verse from a Tanach if he is fulfilling a Mitzvah for others by doing so. 3. It is permissible to do so if it is a burden on the community (Piskei Teshuvot 49:9. See there for further permissible manners of doing so).

### ❖ Torah Learning and Teshuvah

**Q:** Is it true that one should do Teshuvah before learning Torah?

**A:** Yes, so that the learning will be with purity and fear of Hashem. (Even Shlomo. Nefesh Ha-Chaim. Orot Ha-Teshuvah.) And it is told that the book Ketzot Ha-Choshen was accepted by the entire world because the author learned with great fear of Hashem, and he would enter a special room before learning and repent with immense crying. Piskei Teshuvah #155 note #34.

### ❖ Learning Emunah

**Q:** I learn Emunah from books but find it very dry. What should I do?

**A:** Attend classes. If this is not practical, listen to them (There are thousands of classes on all subjects by Ha-Rav in

Hebrew on the websites [Rav] Avinerpedia, Sifriat Chava and Maale).

### ❖ Siyum of a Book of Emunah

**Q:** If I finish learning a book of Emunah, such as the Kuzari, should I make a Siyum as one would on a Massechet of the Gemara?

**A:** Yes (And Ha-Rav Menashe Klein, the Ungvarer Rov, was asked about making a Siyum on a Mussar book, and he makes a distinction between types of Mussar books. He says that the Vilna Gaon said that if the author of Mesilat Yesharim had been alive in his lifetime he [the Vilna Gaon] would have walked wherever he was to greet him. Therefore, any Mussar book which is similar to Mesilat Yesharim is considered worthy of having a Siyum upon its completion. [Shut Mishneh Halachot, Mahadura Tanina, Madur Ha-Yeshuvot 1:451.] But Ha-Rav Ephraim Greenblatt writes that he is unsure if one makes a Siyum on a Mussar book, therefore one should go elsewhere to hear a Siyum on Erev Pesach rather than hear a Siyum on a Mussar book. Shut Revivot Ephraim 1:189. Brought in the book Yoma Tava Le-Rabanan p. 38 note #21).

### ❖ Biblical Criticism

**Q:** How should we relate to Biblical Criticism?

**A:** It is nonsense which is not worth relating to. This was explained by Maran Ha-Rav Kook and Rabbenu Ha-Rav Tzvi Yehudah (See also Ha-Rav's book "Torat Emet").

## ❖ Torah Learning for the Ascension of a Deceased Person

**Q:** Does it benefit the deceased if one says before a regularly-scheduled class that the learning is "Le-Ilui Nishmat...?"

**A:** No. Only if they add extra learning after mentioning the deceased (Ha-Rav Chaim Kanievski said the same. Derech Sichah Vol. 1 p. 484).

## ❖ Rabbi Eliezer

**Q:** How is it possible that Rabbi Eliezer never said anything which he did not hear from his Rabbi (Sukkah 27b), when it is related that he gave a Dvar Torah which no ear had ever heard (Avot De-Rebbe Natan, Chapter 6)?

**A:** Maran Ha-Rav Kook explains that Rabbi Eliezer, with his deep ability to listen, understood things in his Rabbi's words which others did not understand. Ma'amrei Ha-Re'eiyah, p. 204 (and Ha-Rav Avigdor Neventzal wrote that he heard the same difficulty and answer from his teacher, Ha-Rav Chaim Shmuelevitz. Although he adds that in his humble opinion, there is no difficulty, since Rabbi Eliezer did not say anything which he did not hear from his Rabbi out of a concern that he would err and spread incorrect Torah. But when Rabbi Eliezer delivered a Dvar Torah which no ear had ever heard, he did so in the presence of Rabbi Yochanan ben Zakkai, his Rabbi, since if he erred, his teacher would correct him. In this case, therefore, there was no such fear. Iturei Cohanim #104).

### ❖ Fear of Hashem and Torah Learning

**Q:** Is fear of Hashem a condition for Torah learning or does one reach fear of Hashem through Torah learning?

**A:** Both of them. See Shabbat 31 and Maharsha. Out of fear of Hashem one learns Torah and then reaches a greater level of fear of Hashem.

### ❖ Teaching Divrei Torah to the Secular

**Q:** Is it permissible to teach Torah to secular Jews who have not recited the blessing over learning Torah?

**A:** Yes. This is the ruling of Rabbenu Ha-Rav Tzvi Yehudah (Ha-Rav Yosef Shalom Elyashiv also rules this way. Kav Ve-Naki 1:9).

### ❖ Learning Torah Every Moment

**Q:** Is there an opinion to learn Torah every free moment?

**A:** This is the opinion of Rabbenu Yonah in Igeret Ha-Teshuvah, Derush 1:13. The Mishnah Berurah 155:4 also leans in this direction.

### ❖ Stories about Gedolei Yisrael

**Q:** Is reading stories about Gedolei Yisrael considered Torah learning?

**A:** Yes, like learning books of Mussar. However, it is not at the level of toil and depth as learning Torah. See Piskei Teshuvot 155 note #41.

### ❖ Stories of Tzadikim in the Restroom

**Q:** Is it permissible to read stories of Tzadikim in the restroom?

**A:** No. They are full of fear of Heaven (Ha-Rav Ephraim Greenblatt was also asked about reading stories of Gedolei Yisrael, such as Ha-Rav Moshe Feinstein and Ha-Rav Yaakov Kamenetsky, and he responded that it is forbidden. Shut Revivot Ephraim 8:504).

### ❖ Hashem's Name during Torah Learning

**Q:** When the Gemara mentions a verse which includes Hashem's Name, is it permissible to pronounce it or should one say: "Hashem", "Elokim", etc.?

**A:** It is permissible (Piskei Shlomo Vol. 1 p. 22. Ha-Rav's commentary on Kitzur Shulchan Aruch 6:3).

### ❖ Books of the Maharal

**Q:** Which book of the Maharal do you recommend learning first?

**A:** Netivot Olam on proper character traits, and then Netzach Yisrael on Am Yisrael.

### ❖ Learning Halachah

**Q:** I do not have time to learn everything. Which subjects in Torah learning take precedence?

**A:** Learning the Halachot which are required for day-to-day living. Sefer Chasidim #1011. Shut Chavot Yair #124. And also books about Emunah and ethics. Will of Ha-Rivash, Chap. 11 #13.



**Q:** Why do Yeshivot learn the Massechtot of Nashim (Laws relating to marriage) and Nezikim (Laws relating to damages) as opposed to day-to-day Halachot?

**A:** Because it helps one develop the ability to learn in depth. Later, one should learn the day-to-day Halachot in depth. (Keraina De-Igarta of the Steipler Vol. 2 Letter #1.) Since if one is a Lamdan (serious Torah learner) and commits transgressions, this is a desecration of Hashem's Name. See Piskei Teshuvot 155:3.

### ❖ Evil Inclination

**Q:** How does one break the evil inclination?

**A:** Learning Torah. "If this disgusting one (the evil inclination) encounters you, drag it to the Beit Midrash. If it is stone - it will melt. If it is iron - it will shatter". Kiddushin 30b.

### ❖ The Incident with Beruriah

**Q:** Rashi on Avodah Zarah 18b brings an incident with Beruriah and Rabbi Meir which is shocking and hard to understand. How could Rabbi Meir do such a thing? Was it permissible?

**A:** It is a complicated subject for a text message. See my long article on the issue in Iturei Cohanim (#223 Iyar 5763, which explains it according to the opinion that the incident actually occurred). Nonetheless, early editions of Rashi do not contain this incident. Perhaps a mistaken student put it in (Ha-Rav Yosef Shalom Elyashiv also explains that this incident never happened. Divrei Yaakov of Ha-Rav Yaakov Adas on the Teshuvot of Ha-Rav Elyashiv, p. 263).

## Yeshiva

### ❖ Yeshivat Ha-Gush

**Q:** Is it correct to say today that we and Yeshivat Ha-Gush are two separate worlds, just as one would say about us and the Charedim?

**A:** I don't know who "we" is. All the Zionist Yeshivot are the same, with minimal differences. And the same with the Charedi world: that which we share is far beyond that which separates us. It is forbidden to create sub-groups within the Nation "And who is like Your Nation Yisrael, one Nation in the Land" (see Maran Ha-Rav Kook's article "Masa Ha-Machanot" in Ma'amrei Ha-Re'eiyah).

### ❖ Eating Lunch at a Yeshiva

**Q:** If I visit a Yeshiva to learn a little and hear a class, is it permissible for me to eat lunch there even though I am not a student there?

**A:** You have to ask one of the Rabbis there. I do not have the authority to decide for them.

### ❖ Learning Kabbalah

**Q:** Why don't they learn Kabbalah in Yeshivot?

**A:** Kabbalah is only proper for unique individuals who have filled their stomach with the entire Torah (And when Ha-Rav Yosef Shalom Elyashiv was asked about learning Kabbalah, he pointed to his stomach, smiled and said: There is still room in my stomach..., i.e. "his stomach" was still not full of Gemara and Poskim, as stipulated by the Rama, Yoreh Deah 246:4).

### ❖ Water Fight

**Q:** In our Yeshiva high school it is forbidden to have a water fight. If someone does have a water fight, he is fined 50 Shekels. Is a Yeshiva permitted to punish someone in this way?

**A:**1. You should ask your Rosh Yeshiva directly. 2. No one is obligated to learn there, but if you choose to do so, you are obligated to accept their rules.

### ❖ Ta'anit Dibur (literally, “a fast from speech” for a particular amount of time)

**Q:** Is it permissible for a Yeshiva student to take upon himself a day-long Ta'anit Dibur in order to learn better, or is it forbidden on account of arrogance?

**A:** Important question. You should therefore ask your Rabbi in Yeshiva.

### ❖ Stringencies

**Q:** As a Yeshiva student, do I have to adhere to every stringency in the Shulchan Aruch?

**A:** Ask your Rosh Yeshiva.

### ❖ Prayer and Torah Learning

**Q:** I wake up late at my Yeshiva. Which is preferable - Davening without a Minyan, or with a Minyan and missing some of the Torah learning in the morning Seder?

**A:** Ask your Rosh Yeshiva.

### ❖ Davening Vatikin in Yeshiva

**Q:** I am a Yeshiva student. Which is preferable - Davening Vatikin in a Shul outside the Yeshiva or later with a Minyan in the Yeshiva?

**A:** Ask your Rabbi in Yeshiva.

### ❖ Chevruta

**Q:** I give much to my Chevruta in Yeshiva and yet he insults me. Should I get a new one?

**A:** It is difficult to solve a problem such as this from a distance. Ask your Rabbi in Yeshiva.

### ❖ Blessing of a Guest in Yeshiva

**Q:** I learn in Yeshiva. Should I recite the blessing of a guest in Birkat Ha-Mazon?

**A:** Ask your Rabbi in Yeshiva.

### ❖ Selichot or Torah Learning

**Q:** I learn in Yeshiva and getting up early to recite Selichot makes me extremely tired and really affects my learning. Should I skip Selichot?

**A:** Ask your Rabbi in Yeshiva.

### ❖ Maaser from Kollel Stipend

**Q:** Should I give Maaser from the stipend I receive in Kollel?

**A:** Ask your Rosh Kollel directly.

### ❖ Gemach in Yeshiva

**Q:** I am a Yeshiva student and want to open a Gemach in the Yeshiva to lend money to those who need it. Should I?

**A:** Ask your Rabbi in Yeshiva.

### ❖ Breakfast in Yeshiva

**Q:** I learn in Yeshiva and didn't wake up on time. It is forbidden to remove food from the cafeteria. If I Daven, I won't eat until lunch. Is it permissible for me to eat now and then Daven?

**A:** Ask your Rabbi in Yeshiva.

### ❖ Question from Yeshiva Students

**Q:** Ha-Rav frequently responds to questions from Yeshiva students with the answer that they have to ask their Rabbi in Yeshiva. But I follow Ha-Rav's rulings.

**A:** You are required to ask your Rabbi in Yeshiva about things which relate to the Yeshiva.

## **Halachic Rulings**

### ❖ Fifth Section of the Shulchan Aruch

**Q:** What is the "fifth section" of the Shulchan Aruch?

**A:** It is a saying that as a Posek one must understand how to deal with human beings. In truth, however, it is included in the Shulchan Aruch. And there is also a "sixth section" of the Shulchan Aruch: How to deal with people who do not act like human beings... (It is related that the Chatam Sofer

once tested his student on the 4 parts of the Shulchan Aruch. The student knew them perfectly and the Chatam Sofer gave him Semichah. The Chatam Sofer then warned him: You should know that there is a fifth section of the Shulchan Aruch on how to deal and cope with people. The student became the Rabbi of an important community but didn't last long and was fired. The student returned to the Chatam Sofer to complain about his terrible situation. After hearing his words, the Chatam Sofer said: I warned you that there is a fifth section of the Shulchan Aruch on how to deal with human beings. Why didn't you follow my words? The student replied: My teacher and Rebbe, I learned the fifth section of the Shulchan Aruch, but I didn't learn the sixth section of the Shulchan Aruch: how to deal with those who don't act like human beings... Meged Givot Olam Volume 2 p. 16.

However, when Ha-Rav Shlomo Zalman Auerbach was asked regarding one of his rulings if it was based on the "Fifth section of the Shulchan Aruch", he responded: "No, rather based on the first [or beginning – 'Rishon'] section of the Shulchan Aruch," and he explained: "The Beginning ['Reshit'] of Wisdom is the Fear of Hashem" [Mishlei 1:7]. Hiko Mamtakim Volume 1 p. 153.

And once when Ha-Rav Elazar Menachem Shach was asked about the saying, "the Fifth section of the Shulchan Aruch", he said that one should not use this term, since people may think that it is permissible to add to the Shulchan Aruch, and it is as if his opinions are equal to those of the Shulchan Aruch. Kovetz Kol Ha-Torah, Choveret #52. Kuntres Hala-chah Ke-Rebbe Elazar by Ha-Rav Shmuel Baruch Genut p. 37).

## ❖ Contradictory Rulings

**Q:** Ha-Rav is sometimes asked a question and gives a different ruling than appears in his books. It is rare, but it happens. How do we relate to this?

**A:** There are times when a question can be answered in various ways and a person is obligated to rule according to his intellectual inclination at that moment. Sefer Ha-Chaim of Rebbe Chaim ben Bezalel, brother of Ha-Maharal (A halachic question once came to Ha-Rav Moshe Feinstein and he gave a ruling which was unlike a ruling published in his Shut Igrot Moshe. His family members asked in surprised: If Ha-Rav changed his mind then why do we republish Igrot Moshe each year without changing it? Reb Moshe answered that there are two opinions, and both are the words of the Living G-d. Meged Givot Olam, p. 56).

## ❖ Instructions to Rabbi

**Q:** Why don't Rabbis forbid...

**A:** We must ask Rabbis what we are obligated to do and not instruct them what to do.

## ❖ Halachic Rulings based on Stories of Gedolei Yisrael

**Q:** Is it permissible to make halachic rulings based on stories of Gedolei Yisrael?

**A:** No, since not all of them are factual, and even if they are factual, we do not rule based on "Ma'aseh Rav" (story of a sage), since all of the facts and reasons are not known (See Baba Batra 130b. Shut She'eilat Shlomo Volume 4 p.

275. And once Ha-Rav Moshe Feinstein picked up a carton of milk and then put it down without pouring from it. He then picked up another carton, which was a different brand, and he poured the milk into his cup. It was publicized the next day that Reb Moshe ruled that it is forbidden to drink the first brand of milk. When Reb Moshe was asked about it, he said: I put down the first milk because the carton was empty...).

### ❖ Ruling of Ha-Rav Against What is Written in His Book

**Q:** I asked a question and Ha-Rav answered differently than what is written in his book!

**A:** Rabbis sometimes do not want to include in their books rulings which could be relied on throughout the generations. They therefore present the basic Halachah in their books, but might rule leniently when the Halachah allows, or strictly when need be when asked orally (For example, A. Regarding a Sefardi eating in a Kosher restaurant or catering hall where non-Jews cook the food. While Ashkenazim rely on the Rama [Yoreh Deah 113:7] that as long as a Jew lights the fire, gas or electricity, 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 or catering halls, the Mashgiach lights the fire and then the non-Jews cook. Ha-Rav Ovadiah Yosef, 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. [Shut Yechaveh Da'at 5:54.] But when someone asked Rav Ovadiah this question orally, he would rule that preferably one should be strict and refrain from eating there. Yalkut Yosef – Isur Ve-Heter Vol. 2 p. 158.

B. The Chazon Ish rules in his book that it is forbidden to eat the bread of someone who violates Shabbat, but he would answer those who asked him orally that it is permissible to rely on the lenient opinion of the Tiferet Moshe. Shut Teshuvot Ve-Hanhagot 1:470.

C. In Shut Az Nidberu 2:69, Ha-Rav Binyamin Zilber writes that the Chazon Ish would answer orally that one should not eat sardines imported from outside of Israel because of Bishul Akum, but since the Chazon Ish did not forbid it in his book, it may be concluded that he did not hold that it was completely forbidden. Brought in Shulchan Melachim Volume 2 p. 1083).

## ❖ Question to the Wrong Rabbi

Q: I accidentally sent a text message question to a different

Rabbi and he sent me an answer. Am I obligated to follow his ruling or can I ask Ha-Rav?

**A:** If you intended specifically to ask me, the lowly one, it is permissible to re-ask the question. If you intended to ask a Rabbi in general, you must follow his answer (Similarly, it once happened that a couple had a question about the laws of Family Purity on Shabbat Night. Since they lived nearby to Ha-Rav Ovadiah Yosef, the wife went to his apartment building, but accidentally she went to the floor above Rav Ovadiah, where Ha-Rav Ben Tzion Abba Shaul lived, and he ruled that it was forbidden. When she returned home, the husband understood that his wife had made a mistake. He went on his own to Rav Ovadiah, who permitted it, and related that his wife had accidentally asked Rav Ben Tzion Abba who prohibited it. Rav Ovadiah said: Rebbe Ben Tzion is a Gaon in Halachah, but my opinion in this case is that it is permissible. Therefore, if you originally intended to ask me, it is permissible, but if you intended to ask any Rabbi, it is forbidden, especially since you asked Chacham Ben Tzion, and I cannot permit what he did not. Maran by Ha-Rav Michal Shtern pp. 247-248).

### ❖ Opposing Opinion

**Q:** When a Rabbi answers a question, does he have to present an opposing opinion if there is one?

**A:** No. There is no such principle. It is his decision. See Moreh Nevuchim 2:15. And Rashi on Niddah 7b.

### ❖ Asking a Rabbi

**Q:** Is it permissible to ask a Rabbi a hypothetical question?

**A:** If you inform him from the outset that it is not a practical question, since if he thinks it is a practical question, the Rabbi will spend much effort and toil to answer it. It is therefore forbidden to deceive him (When Ha-Rav Meir Brandsdorfer, author of *Shut Keneh Bosem* and member of the Beit Din of the Eidah Ha-Charedit, was asked a halachic question, he would often say: "Tell me the truth, is this a practical question?" When he was asked about this practice, he explained that when he gives a practical halachic answer, there is a special Divine help in reaching the truth of Torah. Another time, he said: "A Rabbi is not a factory to create answers." And he pointed out that all of the responsa books of the Rishonim and Acharonim were written from questions sent from around the world, aside from *Shut Terumat Ha-Deshen*, as brought in the *Shach*, *Yoreh Deah* 196:20. The reason is that if one detail is different, the ruling can totally change. *Heichal Hora'ah*, pp. 17-18).

### ❖ Question from Another Community

**Q:** What is the Halachah in our community...

**A:** You are obligated to ask the Rabbi there (Ha-Rav Moshe Feinstein related that he once received a letter from the Chinuch Atzma'ei in Eretz Yisrael regarding a dispute between Ha-Rav Yechezkel Abramsky and Ha-Rav Zalman Sorotzkin, and asked for his opinion on the matter. He said that he does not interfere with matters relating to Eretz Yisrael, and the authorities there must answer the question. He said that the Rabbi from Minsk should not interfere in questions of the Rabbi from Pinsk. It is known that Reb Moshe was an expert in Seder Zeraim and even had a manuscript of his commentary on Seder Zeraim in the *Yerushalmi*, but

he did not publish it since he did not want to interfere with rulings of Mitzvot relating to Eretz Yisrael. Meged Givot Olam Volume 1, p. 55. Volume 2, pp. 31-32).

### ❖ Refusal to Discuss Ruling

**Q:** Why is Ha-Rav sometimes willing to give reasons for his rulings and other times unwilling to discuss them?

**A:** There are times when discussion gives a level of legitimacy to an opinion which has no place in Halachah (During one of Ha-Rav Aharon Kotler's visits to Vilna, Ha-Rav Chaim Ozer Grodzinski showed him a letter sent to him by a certain Rabbi with a lengthy Pilpul regarding turning on and off electric lights on Yom Tov. Rav Chaim Ozer told him that he did not respond to the letter. Rav Kotler asked: Why not? Rav Chaim Ozer explained that if he responds, and the Rabbi writes back, and he responds a second time, the Rabbi could say: I discussed this issue from all sides with the Rav of Vilna in an exchange of letters, and I decided to permit it... But if I don't respond at all, he cannot argue that the issue has any standing and relate it to me. Aish Ha-Torah on Ha-Rav Aharon Kotler Vol. 2, pp. 240-241. And the same principle was applied in response to a question that caused a storm amongst the Poskim during the Holocaust. The European countries claimed that Shechitah was "Tza'ar Ba'alei Chaim" (causing undue pain to animals) and made laws that an animal must be anesthetized before being slaughtered. All the great Poskim discussed whether this was permitted according to the Halachah. During that time, Ha-Rav Aryeh Tzvi Frumer, known as the Kozhiglover Gaon, wrote an ingenious Teshuvah (Shut Eretz Tzvi 2:39) regarding this issue and sent it to the Tchebiner Rav but did

not receive a response. At short while later, they met one another and the Kozhiglover Gaon asked the Tchebiner Rav why he did not answer his letter. The Tchebiner answered that although the Teshuvah was a wonder and contained strong proofs, he did not understand how one can permit anesthetizing an animal before Shechitah. He said that when anesthesia is given to a person for the purpose of surgery, we search for an expert anesthesiologist to examine the person's condition, so that the person is not injured or killed by the anesthesia, G-d forbid. And occasionally, there are errors. In our case of giving an animal anesthesia before being slaughtered, who will examine the animal's condition and how will we know if the animal did not become Treif before being slaughtered? The reason I did not answer the letter is on account of the fear that if the Polish authorities saw that Rabbis were discussing this issue, some permitting it and others forbidding it, it would strengthen them to make such a decree, claiming that it is a dispute and some Rabbis permit it. I therefore thought it best to remain quiet and not discuss the matter. Sar Ha-Torah pp. 283-284).

### ❖ Relying on a Halachic Ruling

**Q:** If I saw a Rav rule in a certain circumstance, can I rely on it for myself?

**A:** No, since perhaps it was only an extenuating circumstance or there were additional reasons which we do not know about for ruling leniently (Ha-Rav Yochanan Segal Wozner, Av Beit Din of Skverer Chasidim in Montreal, writes in the name of the Da'at Sofer in the name of the Chatam Sofer that halachic authorities are often required to make rulings in extenuating circumstances or after-the-fact

[Be-Diavad] based on a combination of halachic principles, and this is considered a sort of temporary ruling [Hora'at Sha'ah]. Such a ruling is in the realm of Oral Torah, and we must therefore be extremely careful not to turn it into Written Torah, i.e. it should not become a permanent ruling. Shut Chayei Ha-Levi, Introduction to Volume 6).

### ❖ Wrong Time for Asking a Question

**Q:** I was at a funeral yesterday and wanted to ask Ha-Rav a question, but Ha-Rav signaled to me that it was not the right time. But the question related to the funeral!

**A:** Nonetheless it was not the appropriate time. One should be completely involved in the funeral (Similarly, Ha-Rav Yosef Soloveitchik once participated in the funeral of an important Rabbi. After the eulogies were finished and the coffin was being escorted to the cemetery, one of the students approached Rav Soloveitchik and asked permission to speak to him in learning. Rav Soloveitchik was surprised and took offense: Is now an appropriate time to enjoy oneself by speaking in learning? The student replied that he wanted to discuss Halachot of mourning. That afternoon, Rav Soloveitchik mentioned this incident in class, and said that it reminded him of a story he had heard from Ha-Gaon Rav Chaim Ozer Grodzinski, Av Beit Din of Vilna, that a fire once broke out in his home in Vilna and he was running to save his books. A Yeshiva student suddenly approached him and asked if he could speak to him in learning. Rav Chaim Ozer was taken aback: Is this a time – in the middle of trying to save books from a fire – to discuss Torah? The student said: Yes, Rebbe, I wanted to discuss this exact issue with you, the Talmudic discussion regarding one being liable for

starting a fire like he is for shooting an arrow... [Baba Kamma 23a]. Peninei Ha-Rav pp. 203-204).

### ❖ Dispute Between the Chazon Ish Ha-Gaon and Ha-Rav Tzvi Pesach Frank

**Q:** I heard that when there is a dispute between the Chazon Ish and Ha-Gaon Ha-Rav Tzvi Pesach Frank, the Halachah follows Ha-Rav Frank, since he was the Rav of Yerushalayim. But the Chazon Ish was a greater Torah scholar?

**A:** This is on account of the fact that when the responsibility of the Rabbinat and being a halachic judge rests on someone, he is better able to reach the truth of Halachah. This is as Maran Ha-Rav Kook writes, that Ha-Gaon Reb Leib of Kovno was unhappy with the possibility of Ha-Gaon Reb Yisrael Salanter coming to live in his city as a private individual. Rather he should accept upon himself a position in the Rabbinat. Igrot Ha-Re'eiyah 2, 292 (Ha-Rav Ovadiah Yosef explains the same in his eulogy for Ha-Rav Frank, regarding those who criticized his rulings. Chazon Ovadiah – Four Fast/Eulogies, pp. 465-466).

### ❖ "I don't know"

**Q:** Sometimes when a Rabbi is asked a question, he responds: "I don't know" or "I am not familiar with that". Is this an answer, or a way of avoiding taking a position?

**A:** It is a type of answer and of taking a position (The Chazon Ish said: "I don't know" is also part of the Torah, meaning that when a person reviews his learning, he needs to point out I know this and I don't know that. [Sha'arei

Aharon vol. 1, p. 44 in Kuntres Sha'arei Ish.] And the Steipler complained to a great Rabbi: When I say that I don't know, the world explains it as if it is a doubt. [Orchot Rabbenu vol. 1, p. 38 in the additions at the end.] And Ha-Rav Chaim Kanievski was asked: When Ha-Rav answers a question with "I haven't heard", does this mean that he does not agree with that position? He answered: It is the simple meaning of the words. She'eilat Rav Vol. 1, p. 22 #8. Segulot Raboteinu, p. 257 note #319).

### ❖ Rabbis who Err

**Q:** Is there an obligation to believe that Rabbis do not err?

**A:** No. It is possible that they err. Moshe Rabbenu erred three times (Sifre Matot 31:21).

### ❖ Is there a problem...

**Q:** Is there a problem to...

**A:** The question is not phrased correctly. One should ask whether something is permissible or forbidden, since a person was created in order to serve Hashem. The Mitzvot are not problems (Similarly, someone once came to Ha-Rav Meir Brandsdorfer, Posek of Toldot Avraham Yitzchak and a member of the Badatz of the Eidah Ha-Charedit in Yerushalayim, to asked questions about Shabbat. He asked: Is it a "problem" on Shabbat to do so-and-so? Ha-Rav Brandsdorfer said: There are no problems. And he repeated: There are no problems, Shabbat issues are not problems, things which are forbidden and permissible are equivalent, since they are both following Hashem's Will. They are not



problems which need to be solved. Shut Keneh Bosem Volume 4, p. 16).

### ❖ Rabbi So-And-So Permits it

**Q:** Sometimes Ha-Rav answers a question: "Rabbi So-And-So permits it". Does this mean that Ha-Rav does not permit it, or is there some other reason for Ha-Rav turning the questioner over to another Rabbi's answer?

**A:** It is either because I do not personally permit it or I do permit it but it is a Chiddush and one needs broad shoulders to allow it (Someone once asked the Chazon Ish if it is permissible for someone who suffers from sweating to shower during the 9 Days? He answered: "Reb Elya Dushintzer holds that it is permissible". Ha-Rav Chaim Kanievski wrote that he asked the Chazon Ish about this and he said that he does not permit it. [Orchot Rabbenu Vol. 1, p. 375. And see Shut Igrot Moshe, Even Ha-Ezer 4:84.] And Ha-Rav Yehoshua Katz – Rav of Maale Adumim – once asked Ha-Rav Yosef Shalom Elyashiv a question, and he responded: "Reb Moshe permits it." Rav Katz said: "But I want to know Ha-Rav's opinion." Rav Elyashiv said: "My opinion is that Reb Moshe permits it", i.e. but he does not. And it is related in the book "Oro Shel Olam" p. 343 about Ha-Rav Shlomo Zalman Auerbach that a woman once came to him after the doctors revealed in prenatal testing that there was a chance that her fetus had a birth defect, and she wanted to have an abortion. It was known that Ha-Rav Shlomo Zalman was not among those who permitted an abortion in such a case, since he thought that the chance of the baby having a birth defect was low. When he began to talk to the woman about it, he said that his words fell on deaf ears. He

said to her: "The truth is that I do not understand this matter so much. I will send you to someone who understands it much more than me. His name is Ha-Rav Eliezer Waldenberg..." Rav Waldenberg – the Tzitz Eliezer – permitted abortion in such a case. See Shut Tzitz Eliezer 9:51, 13:102).

### ❖ Asking a Rabbi

**Q:** Must one ask a Rabbi regarding everything in his personal life?

**A:** No. There are things which one can solve by himself and there are things for which one needs help. See Orot Ha-Torah, Chapter 5.

### ❖ Yahrtzeit

**Q:** Is there any significance when a person dies on the Yahrtzeit of a great Tzadik?

**A:** No. This always occurs, since there were hundreds of thousands of Tzadikim, and many have died on each day of the year.

### ❖ Ruling in the Name of a Rabbi

**Q:** I heard in the name of Rabbi... that one should...

**A:** If you did not hear it with your own ears, do not rely on it. Check and please let me know.

**Q:** I asked the Rabbi and he said that he said nothing like this, rather someone asked him for a blessing and he blessed him.

**A:** The answer therefore hinged on the question (I saw a

similar incident in the booklet "Divrei Siach" of teaching between Ha-Rav Yosef Shalom Elyashiv and Ha-Rav Chaim Kanievski, p. 26).

### ❖ Halachic Ruling based on Majority

**Q:** If we rule based on majority, how can we be sure that we have located every opinion? There are so many authorities!

**A:** We rule not only based on a numerical majority, but on a majority of wisdom, as the Ramban writes: one great Torah scholar equals a huge group of the unknowledgeable, the size of those who left Egypt. Everything is relative (See Alo Naale #46. Ha-Rav Herschel Schachter once discussed the book *Darkei Teshuvah* on *Yoreh Deah* of the Munkatcher Rebbe, which is a collection of all the Acharonim on each sentence in the *Shulchan Aruch*. The first approbation is from Ha-Gaon Ha-Rav Yitzchak Elchanan Spector. A student of Ha-Rav Yaakov Yitzchak Ruderman, Rosh Yeshiva of Ner Israel, told Rav Schachter that Rav Ruderman once privately related to his students that Rav Spector regretted giving his approbation after the book was published. The reason was that the book presents lists of authorities who permit or forbid certain things, but there is no distinction between the authorities - it is as if they are all on the same level. This however is incorrect. For example, the *Divrei Chaim* is worth 100 votes).

### ❖ Two Rabbis

**Q:** Is it permissible for me to have two Rabbis, one whom

I turn to for certain issues and another whom I ask about other issues?

**A:** Yes. In the Gemara, Abaye always followed the opinion of Rav except for three issues in which he followed the opinion of Shmuel.

### ❖ Disputes

**Q:** I asked a text message question and received an answer that it was permissible. For your information, I later saw that a certain Rabbi forbids it.

**A:** It is known. But you did not state in your question that you wanted an answer according to his opinion. Please note this the next time you ask (see introduction to Piskei Shlomo).

### ❖ Halachic Ruling

**Q:** Is it possible for a Rabbi to give a halachic ruling for others which he would not follow for himself?

**A:** Yes. Beit Rabban Gamliel were lenient for others and strict on themselves (Mishnah Shabbat 1:9).

## **Tzedakah and Maaser Kesafim**

### ❖ Tzedakah before Traveling

**Q:** Is there a source for giving Tzedakah before traveling?

**A:** Yes. "Righteousness should go before you" (Tehillim 82:14.) "Tzedek" meaning righteousness is from the same root as "Tzedakah". (Kaf Ha-Chaim 110:24).

### ❖ Tzedakah Organizations

**Q:** I heard that there are many Tzedakah organizations in which much of the money goes into the pockets of the administrators. How can I know which organization is trustworthy?

**A:** You should request oral certification from a Rabbi, Rebbetzin or social worker.

### ❖ Maaser Kesafim

**Q:** I am a youth group leader and one of the boys in my group is poor and unable to pay the youth group fee and cannot participate in the field trips. Can I pay for him with my Maaser Kesafim?

**A:** Yes. He is considered poor in this matter.

### ❖ Maaser Kesafim as a Wedding Gift

**Q:** Ha-Rav said that it is not permissible to give Maaser Kesafim as a wedding gift since this money is designated for the poor. What is the definition of a poor person?

**A:** Someone who lacks the essentials.

**Q:** Everyone lacks something!

**A:** Nice Pilpul, but Pilpul is not food for the poor.

### ❖ Donation to a Yeshiva

**Q:** Which is preferable – a few wealthy donors supporting a Yeshiva, or many poor donors?

**A:** Many poor donors, so that all Klal-Yisrael will have a part in the Yeshiva (It once happened that a wealthy indi-

vidual wanted to donate the entire sum needed to build the Chafetz Chaim's Yeshiva in Radin. The Chafetz Chaim refused. He explained that he wanted all of Klal-Yisrael to have a part in the Yeshiva and asked that a Tzedakah box be placed in each house. The wealthy person had a Din Torah against the Chafetz Chaim in the Beit Din of Ha-Gaon Ha-Rav Chaim Ozer Grodzinski so that he would have to accept the entire donation. Rav Chaim Ozer ruled that they should compromise).

### ❖ Tzedakah or Kaddish

**Q:** Is it preferable to pay people to come to my relative's grave on the Yahrtzeit so that I can recite Kaddish or to donate the money to Tzedakah?

**A:** Tzedakah, since giving Tzedakah is a clear Mitzvah, and there is no Mitzvah to recite Kaddish by a relative's grave.

### ❖ Donation to Shul or Yeshiva

**Q:** Is it preferable to donate towards building a Shul or towards Torah learning in a Yeshiva?

**A:** Certainly a Yeshiva - it is preferable to build souls than to build buildings. Yerushalmi, Shekalim End of Chapter 5. And Pele Yoetz Erech "Sefer".

### ❖ Tzedakah Box

**Q:** I have a Tzedakah box from a certain organization. I called them to pick up the money but they no longer exist. What should I do?

**A:** Give it to another Tzedakah.

**Q:** I have made a few calls to another Tzedakah organization, which still exists, asking them to come and pick up the Tzedakah but they aren't coming. What should I do?

**A:** After a year, it is considered as if they forfeit the money, and you should give the money to another Tzedakah (This is also the ruling of Ha-Rav Yitzchak Zilberstein in *Aleinu Le-Shabe'ach* – *Shemot*, pp. 660-661).

### ❖ Tzedakah to a Criminal

**Q:** A person evaded taxes and is now having a trial which could end up in jail-time. Is it possible to give him Tzedakah for an expensive attorney who could save him?

**A:** This has nothing to do with Tzedakah. But it is a kindness. Kindness is according to the need and ability. But it seems that there are other persons who are more in need of a kindness (Ha-Rav Shlomo Zalman Auerbach was once asked regarding a Jew who stole a significant amount of money and was serving a jail sentence in America. Is it proper to collect large sums of money to help free him because of the Mitzvah of Pidyon Shevuyim – Redeeming Captives? Ha-Rav Shlomo Zalman said: "Pidyon Shevuyim?! What does this have to do with Pidyon Shevuyim? Pidyon Shevuyim is when non-Jews kidnap a Jew for no reason, and put him in jail. According to my understanding, they don't kidnap Jews in America in order to extort money. After all, the Torah says 'Do not steal', and he stole. On the contrary, it is good for him to sit in jail a little and learn that it is forbidden to steal." Ha-Rav Shlomo Zalman added that if they wanted to collect money for his

wife and children, however, it would obviously be a Mitzvah. *Ve-Alehu Lo Yibol* Volume 2, pp. 113-114).

### ❖ Tzedakah or Debts

**Q:** Which is preferable – to give Tzedakah or sending money to pay off my debt?

**A:** Certainly pay off the debt. If you give Tzedakah in such a case, it is not a Mitzvah, but a transgression. *Pele Yoetz*, *Erech "Nedivut"*.

### ❖ Tzedakah Box

**Q:** Is it permissible to take money which was put in one Tzedakah box and move it to another?

**A:** No. The first Tzedakah organization already acquired it since the box belongs to them. *Shut Da'at* #135.

### ❖ Tzedakah for a Non-Jewish Parent

**Q:** I am a convert. Can I give Tzedakah to my non-Jewish father who is poor?

**A:** Yes. We also help the non-Jewish poor. And you should give him even more than your Tzedakah (*Gittin* 61a). And this is true all the more so for your biological father to whom you have an obligation to give gratitude (*Sdei Chemed* – *Avelut* #156).



## Brit Milah

### ❖ Brit Milah in Shul

**Q:** Is it preferable to have a Brit Milah in Shul, which is a holy place, or in a hall?

**A:** It is preferable in a hall, since a Shul is a place of prayer and learning, and not a place for the Mitzvah of Brit Milah. Furthermore, people engage in idle chatter, which is completely forbidden there (Ha-Rav Yosef Soloveitchik also rules that having a Brit Milah in a Shul is not a plus but rather a leniency in order not to burden the people to go elsewhere when the Brit Milah is after the Davening. *Divrei Ha-Rav*, p. 241).

### ❖ Brit Milah in the Afternoon

**Q:** Is it permissible to postpone a Brit Milah until the afternoon so that there will be more people in attendance (Be-Rov Am)?

**A:** It is preferable that it be done in the earliest part of the day because of the principle "The diligent fulfill Mitzvot as early as possible" (*Zerizim Makdimim Le-Mitzvot*). It may be delayed somewhat, however, in order to allow close family to arrive. *Aruch Ha-Shulchan*, *Yoreh Deah* 262:8 (The fact that Avraham Avinu performed his Brit Milah in the middle of the day was a special case. See *Torah Temimah* on *Bereshit* 17:26 #53).

## Names

### ❖ Taking Counsel with a Rabbi to Choose a Name

**Q:** Should we take counsel with a Rabbi in choosing our baby's name?

**A:** No. This was never done in the past. In fact, the Arizal says that when parents name their child, a spark of Ruach Ha-Kodesh shines within them...

### ❖ Name Not in the Tanach

**Q:** Is it permissible to give a child a name which does not appear in the Tanach?

**A:** Certainly. For example, Rabbi Tarfon, Rabbi Akiva, etc.

### ❖ Adding a Name

**Q:** Our son is extremely short. We asked a Chasidic Rebbe what to do and he recommended adding a name. Is it enough to add it during an Aliyah to the Torah or do we need to do something else?

**A:** Ask the Rebbe directly, or ask his student.

[And once Rav Aviner was asked:

**Q:** I am extremely short. What can I do to grow taller?

**A:** If you are a child, ask a doctor. If you are an adult, I do not know of a solution. You should know that many great Rabbis were short.]

### ❖ Nickname

**Q:** People call me by my last name instead of my first name and it really bothers me. How do I explain it to them?

**A:** That it is not your first name and it is forbidden to call someone by a nickname if it bothers him (Megillah 27b. Tosafot ibid. d.h. Velo Keniti. Rambam, Hilchot De'ot 6:8).

### ❖ Name from Before the Time of Avraham

**Q:** Is it permissible to call a baby by the name of someone who lived before Avraham Avinu, such as Adam, Chava, Noach, Shem, Ever? I saw that the Mabit (1:276) wrote that it is not proper to do so.

**A:** The halachic authorities discussed this issue and ruled that it is permissible. There were a few great Rabbis who had such names. For example, Rabbi Binyamin bar Yefet (Berachot 33a), Akavya ben Mehalalel (Mishnah Eduyot 5:6. Pirkei Avot 3:1) and the teacher of the Baal Shem Tov: Adam (Shut Teshuvot Ve-Hanhagot 1:605).

### ❖ Avram

**Q:** Is it permissible to call a child "Avram"? After all, the Gemara in Berachot (13a) says: "Bar Kapara teaches: Anyone who calls Avraham 'Avram' transgresses a positive Mitzvah. Rabbi Eliezer says: He transgresses a negative Mitzvah", and this is brought in Magen Avraham (156:2).

**A:** There is no explicit prohibition, but it is improper to do so (And Ha-Rav Chaim Kanievski answered that the Gemara in Gittin 50a quotes "Avram Choza'ah": when the Gemara says that "Anyone who calls Avraham 'Avram'

transgresses a positive Mitzvah" it only applies to Avraham Avinu. Derech Sichah Vol. 1 p. 32. And see Shut Minchat Yitzchak 4:30).

### ❖ Avraham, Yitzchak and Yaakov

**Q:** Should one refrain from naming his children: Avraham, Yitzchak, Yaakov and Moshe as is mentioned in the last testament of Rabbi Yehudah Ha-Chasid (Azharot Nosafot #2)?

**A:** Some authorities hold that this testament is only for his children. Nonetheless, the custom in this case is to permit it (and this is also the ruling in Shut Minchat Yitzchak 9:137).

### ❖ Yishmael

**Q:** Is it permissible today to name one's son Yishmael? After all, Yishmael, the son of Avraham Avinu, repented (Baba Batra 16a. Rashi on Bereshit 25:9).

**A:** It is permissible. There was Rabbi Yishmael Cohain Gadol and others with that name.

### ❖ Father and Son - Yaakov and Yisrael

**Q:** For Ashkenazim, who are particular not to name a son after a living father, is it permissible for a father with the name Yaakov to name his son Yisrael, or vice versa?

**A:** It is permissible. It is not the same name.

### ❖ Naming a Child after the Parashah

**Q:** Is it proper to name a child after the Parashah of the week in which he is born?

**A:** It is a personal decision (There is a well-known story that

someone once came to ask advice from Ha-Rav Chaim Kanievski about naming his daughter. He wanted to name his daughter Shirah, since it was Shabbat Shirah [Parashat Beshalach]. Ha-Rav Kanievski said: And what if she was born on Parashat Parah [about the Parah Adumah - the red cow]?).

### ❖ Rachel

**Q:** I have many difficulties and people tell me that it is because of my name, Rachel, since Rachel Imenu had many difficulties. Should I change it?

**A:** This is a wonderful name. Don't change it (and when Ha-Rav Chaim Kanievski was asked this question, he answered: Nonsense. Derech Sichah Vol. 1 p. 34. And so too Ha-Rav Ovadiah Yosef. Shut Ma'ayan Omer 12:9).

### ❖ Animal Names

**Q:** Is it permissible to name a child Aryeh (meaning lion) after a grandfather, or is it problematic since it is the name of a non-Kosher animal?

**A:** There is absolutely no problem. Non-Kosher animals also have positive traits. The Tribes were blessed to be like lions, wolves and donkeys. The prophet Ezekiel saw the chariot with the image of a lion and an eagle. And throughout the generations, people were named with the names of animals, such as Devorah (bee) and Dov (bear).

### ❖ Naming a Daughter after a Male Relative

**Q:** I saw that Ha-Rav Shlomo Zalman Auerbach said that there is absolutely no reason to name a daughter after a

male relative (*Ve-Alehu Lo Yibol* Volume 2, p. 142). And it is written in *Shut Tzitz Eliezer* (7:49 #13) that a strict person will refrain from doing so. What is Ha-Rav's opinion? Is it permissible to name a daughter after a male relative if he had a name used for both males and females, such as Simchah or Yonah, or a name that can be feminized, such as Nachum-Nechama, Yosef-Yosefa or Tzion-Tziona?

**A:** It is a stringency not to do so, but according to the basic Halachah, it is permissible.

## Conversion

### ❖ Righteous Convert

**Q:** Is it permissible for people to ask me if I am a convert? And if they ask me, what should I say?

**A:** It is forbidden for someone to ask, since it has the potential to embarrass (*Baba Metzia* 58b). If you are asked and are embarrassed to say that you are a convert, it is permissible to say that you were born a Jew (*Yevamot* 65b), even though being a convert is a great honor (see *Tosafot Kiddushin* 70b).

### ❖ Conversion and Intermarriage

**Q:** Isn't intermarriage more severe than conversion not according to the Halachah?

**A:** If the conversion is not according to Halachah, then it is intermarriage.

## ❖ Converting without a Brit Milah

**Q:** If a non-Jew is a hemophiliac, may he convert since it is impossible for him to have a Brit Milah?

**A:** The great Rabbis of Israel already ruled that it is not possible for him to convert. Such a case was brought before Maran Ha-Rav Kook and he forbade it. Shut Da'at Cohain (#150. And also Shut Har Tzvi Yoreh Deah #220. Shut Melamed Le-Ho'il #86. Shut Seridei Aish 2:102-103. Shut Be'er Moshe 8:126. Shut Tzitz Eliezer 14:92, 15:1. And also the Bnei Yisaschar in his book Derech Pekudecha of the 613 Mitzvot 2:30, although he adds that it is permissible for a non-Jew to put his life at risk in order to convert).

## Sofer Stam

### ❖ Wig and Sofer Stam

**Q:** Which is preferable – a Sofer Stam with more beautiful script but whose wife wears a wig or a Sofer Stam with less beautiful script whose wife covers her hair with a scarf?

**A:** The former. 1. The Sofer Stam is the deciding factor and not his wife. 2. Wearing a wig is permissible for both Ashkenazi and Sefardi women (see Shut She'eilat Shlomo 1:442, 3:416. And 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 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: So 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. See also Shut Igrot Moshe Yoreh Deah 1:81 on wearing modern clothing).

## **Honoring Books, Geniza and Holy Symbols**

### ❖ Kissing a Book which Falls

**Q:** What is the source for giving a kiss to a Sefer which falls on the ground?

**A:** There is no obligation but this is the custom out of love. Aruch Ha-Shulchan, Yoreh Deah 282:11.

### ❖ Book with Upside-Down Binding

**Q:** If the binding of a book is upside-down, should one put the book away with the binding or the content upside-down?

**A:** According to the direction of the content, with a sticker on the binding to show the correct position.

### ❖ Object on Sefarim

**Q:** Is it permissible to place objects on top of Sefarim?

**A:** Certainly not, not even a pen (Shut Igrot Moshe, Orach Chaim 4:72).



## Mezuzah

### ❖ Woman Affixing a Mezuzah

**Q:** Is it permissible for a woman to affix a Mezuzah?

**A:** Yes, since she is also obligated to have a Mezuzah. Shut Da'at Cohain #169. Shut Yabia Omer Volume 3 Yoreh Deah #18.

### ❖ Fake Mezuzot

**Q:** There are many fake Mezuzot on the market. How does one know?

**A:** There are indeed many. In the past one could identify the fakes because their letters were unnaturally uniform. Today, however, there are more advanced processes for forgeries which alter the form of the letters throughout the Mezuzah. One therefore needs certification from a Rabbi that the Mezuzot are Kosher.

## Terumah and Maaser

### ❖ Separating Terumah from Public Tree

**Q:** Is one obligated to separate Terumot and Maasrot from a tree grown on public property?

**A:** If everyone has permission to pick the fruit, it is considered ownerless and one need not separate them. Rambam, Hilchot Terumot 2:11. If permission is only given to the residents of that area, one is obligated to separate them.

## **Pidyon Ha-Ben**

### ❖ Calculating Pidyon Ha-Ben

**Q:** How does one calculate the time of a Pidyon Ha-Ben?

**A:** It is 30 days after the birth, which always falls 2 days later in the week than the birth itself. If the child was born on Tuesday, the Pidyon Ha-Ben is on Thursday or Thursday night. And if it falls on Shabbat, then the Pidyon Ha-Ben is on Motzaei Shabbat.

## **Shemittah**

### ❖ Torah Obligation to Observe Shemittah

**Q:** The majority of the Nation of Israel will soon be in Eretz Yisrael. At that point will we be obligated to observe Shemittah according to the Torah, and will not be able to use the Heter Mechirah?

**A:** It is not enough to have the majority of the Nation of Israel in Eretz Yisrael. Every Tribe must be located in his portion of Eretz Yisrael. (Rambam, Hilchot Shemittah U-Yovel 10:8.) And this also applies to other Mitzvot dependent on the Land of Israel. See Hilchot Terumot 1:26. Hilchot Beit Ha-Bechirah, end of Chapter 6. And introduction to Shabbat Ha-Aretz of Maran Ha-Rav Kook, Siman #2.

## Visiting the Sick

### ❖ Davening for the Sick

**Q:** I heard that one who visits a sick person but does not Daven for him does not fulfill the Mitzvah of Bikur Cholim. Is this correct?

**A:** This is the ruling of Rama (Yoreh Deah 335:4). But his intention is not that the person does not fulfill the Mitzvah at all, only not in its entirety. Chafetz Chaim in Ahavat Chesed (3:3).

## Kedushat Cohanim

### ❖ Cohain as Combat Soldier in Tzahal

**Q:** Is it permissible for a Cohain to serve as a combat soldier in Tzahal?

**A:** Certainly. In circumstances when there are corpses, he will receive special directives as to how to act (And regarding the question as to whether a Cohain serving in Tzahal who kills someone in war can still recite the Birkat Cohanim, see Shut Yechaveh Da'at 2:14, where Ha-Rav Ovadiah Yosef rules that such a Cohain is exactly the right person to bestow a blessing upon us since he killed defending the Nation and Land of Israel. See also Shut She'eilat Shlomo 3:61. This is unlike Ha-Rav Yosef Soloveitchik who held that just as King David was unable to build the Temple on account of his participation in war, so too a Cohain who kills in war is no longer able to recite the Birkat Cohanim. Nefesh Ha-Rav, p. 132).

### ❖ Cohain's Wife who is Pregnant in Cemetery

**Q:** Is it permissible for the wife of a Cohain who is pregnant to enter a cemetery?

**A:** Yes. Even if they know it is a boy, since he is not yet born. Mishnah Berurah 343:3. And see Kaf Ha-Chaim ibid. #74).

### ❖ Laser Surgery for Cohain

**Q:** I am a Cohain. Am I allowed to have laser surgery on my eyes or is it considered creating a blemish?

**A:** A blemish in one's eyes which cannot be seen does not invalidate a Cohain from serving in the Beit Ha-Mikdash. On the contrary, the laser surgery will correct the "blemish".

### ❖ Cohain Leaving Eretz Yisrael

**Q:** Is there more of a prohibition for a Cohain to leave Eretz Yisrael for the impurity of the lands outside of Israel than the general prohibition of leaving Eretz Yisrael?

**A:** Yes (And this is the opinion of Ha-Rav Shlomo Zalman Auerbach. Halichot Shlomo – Tefillah, Chap. 10 note #12. Unlike the opinion of Va-Yoel Moshe, Ma'amar Yishuv Eretz Yisrael, Chap. 132 #11 and Shut Teshuvot Ve-Hanhagot 2:565).

### ❖ Cohanim in Ma'arat Ha-Machpelah

**Q:** We are Cohanim and follow Maran Ha-Rav Kook and do not enter Ma'arat Ha-Machpelah. But our son is distressed when all the kids in his class enter and he remains outside with me. What should I do?

**A:** Compensate in another fashion (See Shut She'eilat Shlomo 3:329. Piskei Shlomo Volume #2 in section on Kedushat Cohanim).

## **Burial, Cemeteries and Kivrei Tzadikim (Graves of the Righteous)**

### ❖ Visiting Two Graves

**Q:** When I visit my father's grave, is it permissible for me to visit other graves as well?

**A:** Some are strict to refrain from doing so. Pnei Baruch 37:3. But it is permissible according to the basic Halachah.

### ❖ Visiting a Grave during the First Year

**Q:** Is it forbidden to visit a grave during the first year after a person dies?

**A:** It is permissible. But only pray for the soul of the deceased to ascend and not for anything else. Pnei Baruch 37:2 (And the Vilna Gaon refrained completely from visiting graves. And Beit Brisk followed this tradition, including Ha-Rav Yosef Soloveitchik. Nefesh Ha-Rav, p. 257. When Rav Soloveitchik's parents died, he did not visit the cemetery. When his wife passed away, however, he violated the family tradition and began to visit her grave each week, but – in the end – it paid off. He related that he once went to visit her grave before Rosh Hashanah. When he was leaving to get the taxi to bring him home, some people came along and thought he was a Shamash, waiting at the cemetery to make a little money. They asked if he could say a prayer at their father's grave. Rav Soloveitchik agreed, went with them

and said "El Maale Rachamim". Then they asked him to come to another relative's grave, and he went with them, and so too to a few other graves. In the end, they gave him \$20. He said: No thank you, and did not take it. They thought he wanted more money and offered him \$100, but again he did not take it. He wished them Shana Tova, and left. They saw him get into a taxi, having refused the \$100, and therefore asked in the office who he was. They said: "The Chief Rabbi of the United States, Ha-Rav Solovietchik." After Yom Kippur, Rav Soloveitchik received a check for \$1000 for the Maimonides School, which he established. And these very people sent a \$1000 check each year after that. Rav Soloveitchik said: "I violated my family tradition, but it paid off..." Rav Soloveitchik told this story to Ha-Rav Nachum Lamm, President of Yeshiva University, and Rav Lamm replied: "No one ever gave me \$1000 to say 'El Maale Rachamim'". Heard from Ha-Rav Herschel Schachter).

### ❖ Kivrei Tzadikim (The Graves of the Righteous) outside of Eretz Yisrael

**Q:** What is the source in Chazal that Kivrei Tzadikim outside of Eretz Yisrael contain the holiness of Eretz Yisrael?

**A:** There is no source (Some testify that the Mekubal author of "Leshem Shevo Ve-Achlama" said that true Kivrei Tzadikim outside of Eretz Yisrael have the Shechinah residing on them and such places are considered like Eretz Yisrael, but this is a Chiddush. See Shut Teshuvot Ve-Hanhagot 3:61).

## ❖ Traveling to Rebbe Nachman's Grave in Uman

**Q:** Is traveling to Uman good or bad?

**A:** In general, it is forbidden to leave Eretz Yisrael, except in the case of a Mitzvah. Visiting Kivrei Tzadikim (the graves of the righteous) is not defined as a Mitzvah, but as a positive act. Are there no graves to visit in Eretz Yisrael? Avraham, Yitzchak and Yaakov, Sarah, Rivka, Rachel and Leah are greater than Rebbe Nachman (Shut Orach Mishpat #147).

**Q:** Why don't we ask the Rabbis of Breslov their opinion?

**A:** The senior Rabbis of Breslov are opposed (see the booklet "Rosh Bnei Yisrael" of Breslover Chasidim).

**Q:** But Rebbe Nachman promised that he will lift out of Gehinom anyone who visits his grave?

**A:** Rebbe Nachman is not greater than Avraham Avinu, and it was already promised that Avraham Avinu sits at the entrance to Gehinom and will not even allow anyone who has a Brit Milah to enter (Bereshit Rabbah 48:8. And the Chidah wrote that Asher ben Yaakov stands at the entrance to Gehinom and saves anyone who knows Mishnah. Midbar Kidmot, Marechet 1 #51). When the great Rabbis were asked about leaving Eretz Yisrael to visit Uman, Ha-Rav Mordechai Eliyahu said: "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. Do not leave Israel for the impurity of the

lands of the other nations." Ha-Rav Yosef Shalom Elyashiv answered: "Go daven at the Kotel." Ha-Rav Ovadiah Yosef said: "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 of 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" (See Kum Hithalech Ba-Aretz #49).

### ❖ Bring the Grave of Rebbe Nachman to Israel

**Q:** Is it a Mitzvah to transfer the grave of Rebbe Nachman to Israel?

**A:** It is certainly a Mitzvah. See Shulchan Aruch, Yoreh Deah #363, Pitchei Teshuvah #2. And it is a great Mitzvah (And there are those who opposed bringing the graves of Gedolei Yisrael to Eretz Yisrael. The Chazon Ish opposed bringing the grave of the Vilna Gaon. [Orchot Rabbenu Vol. 1, p. 316.] And it is related in Kuntres Reshumei Aharon p. 24 #37, that the grandchildren of the Chafetz Chaim once came to Ha-Rav Moshe Feinstein and asked if they were permitted to move the Chafetz Chaim's grave to Israel, since there are non-Jews in Radin who desecrate the cemetery. Ha-Rav Feinstein replied that the basic halachah is that it is permissible to transfer a grave on account of honoring the deceased, but he didn't recommend it in this case. All of the souls of the Jews of Poland who are deceased anticipate greeting the Messiah together with the Chafetz Chaim, Ha-Rav Feinstein reasoned, and if you take his bones to Eretz Yisrael, perhaps those souls will be upset over it).



## ❖ Burial in Socks

**Q:** I heard about someone who asked to be buried in socks. Is there such a custom?

**A:** No. There is a story about a wealthy man who left two wills, one to be read upon his death and one to be read 30 days later. In the first will, he asked to be buried in socks. The Chevra Kadisha refused to do so. The second will said that he knows that they will not bury him with his socks, but he made this request to prove that a person does not take any of his wealth to the World to Come. He only has his Mitzvot. But I don't know if this story is true.

## **Mourning**

### ❖ Rabbenu Ha-Rav Tzvi Yehudah Ascending on High

**Q:** When Rabbenu Ha-Rav Tzvi Yehudah ascended on high was there an obligation for the students to tear their garments?

**A:** If one considered himself a student (And Ha-Rav Yechezkel Greenwald related that when Rabbenu passed away, this question was asked of Ha-Rav Tzvi Tau, and he directed the students to ask Ha-Rav, who said that anyone who considers himself a student should tear. Similarly, Ha-Rav Chaim Kanievski told the yeshiva students to tear their garments when Ha-Rav Yosef Shalom Elyashiv passed away, since they were his students. The booklet "Divrei Siach, p. 45).

## ❖ Burying Dentures

**Q:** Is there an obligation to bury dentures with a person who passed away?

**A:** No (See Berachot 5b that Rabbi Yochanan would carry a bone [smaller than the size of a piece of barley which would spread impurity – Rashi ibid.] or a tooth [Rashbam on Baba Batra 116a] of his tenth son who died, in order to comfort others who had a loss. We learn from here that it is not even required to bury an actual tooth. See Shut Yabia Omer Volume 3, Yoreh Deah #21. Shut Tzitz Eliezer 10:5 #8. And see Shut Mishneh Halachot 16:113 who brings a few opinions that one is in fact required to bury a tooth. And he also relates there that although the Noda Bi-Yehudah held that there is no obligation to bury a tooth, he appeared to his son, Ha-Rav Shmuel Landau, in a dream and told him to bury his tooth which he left on a bookshelf. Ha-Rav Shmuel miraculously found the tooth).

## ❖ Children at a Funeral

**Q:** At what age is it appropriate to bring children to a funeral?

**A:** There are no set guidelines. It depends on the child. If one does bring a child, he should talk to the child about it both beforehand and afterwards. Bringing a child is sometimes necessary as a part of final separation from a beloved person who has passed away (see a discussion of this issue at the end of Ha-Rav's book for children "Abba Lo Yashuv – Abba Will Not Return" [Hebrew]).

❖ Mourner Answering Amen to "Ha-Makom Yenachem Etchem..."

Q: Should a mourner answer Amen to "Ha-Makom Yenachem Etchem...", or remain silent?

A: He should answer Amen, as we do for all blessings and greetings. And I have seen this done by great Torah scholars (and this is recorded in Pnei Baruch 11:5 in the name of Ha-Rav Shlomo Zalman Auerbach, Shut Teshuvot Ve-Hanhagot 1:691, 3:377 and 4:274 and in the name of Ha-Rav Yosef Shalom Elyashiv. Ha-Rav Chaim Kanievski, however, says that the custom is to remain quiet. Halichot Chaim vol. 2, p. 150).

❖ Informing about a Death

Q: Should an older, frail man be informed that his brother has passed away when it might negatively impact his health? And what about Shiva?

A: He should not be informed. It is considered Lashon Ha-Ra. One is not obligated in the laws of mourning if he does not know (Shulchan Aruch, Yoreh Deah 337:1. See Aruch Ha-Shulchan ibid. 1-2. And when the brother of Ha-Rav Ovadiah Yosef, Ha-Rav Nisim, passed away, Ha-Rav Ovadiah was not informed since there was concern for a deterioration of his health).

❖ Tearing Garment for Ha-Rav Ovadiah Yosef ztz"l

Q: Should one tear his garment when one of the Gedolei Ha-Dor ascends to heaven, e.g. Ha-Rav Ovadiah Yosef ztz"l?

**A:** One should tear his garment for one's primary Rabbi, from which the majority of his wisdom came. According to the Shulchan Aruch, one also tears for a Torah scholar who can answer a question in any area of Halachah. According to the Rama, one tears only if he is known for his teachings. The custom, however, is only to tear for the Gadol Ha-Dor. (Yalkut Yosef.) Ha-Rav Ovadiah Yosef ztz"l was one of the Gedolei Ha-Dor but not the only one. It is also possible to tear over the loss of a Torah scholar if one is distressed. Mishnah Berurah (Shulchan Aruch, Yoreh Deah 340:7. Yalkut Yosef Avelut 4:9. Shut Yabia Omer Vol. 4 Yoreh Deah #35 ot 9. Mishnah Berurah 223:8. And see Techumin Vol. 31, pp. 215-221. And Ha-Rav Yechiel Michal Tucazinsky ruled that one tears for "A Gadol from the Gedolei Ha-Dor". Gesher Ha-Chaim 4:5).

### ❖ Torah Learning by a Mourner

**Q:** The Ben Ish Chai relates in his commentary on the Gemara "Ben Yehoyada" (Berachot 24b) that a great Rabbi who could not restrain himself learned Torah when he was sitting Shiva (subjects that are not permitted during this time). And there are other similar stories. Is it permissible to act in this way?

**A:** No. Although it is written in the Talmud Yerushalmi in Moed Katan (3:5) that it is permissible for one who is impassioned about learning Torah to do so during Shiva, the Halachah does not follow this opinion (Ha-Rav Chaim Kanievski said that this story of the Ben Ish Chai is not true. [Derech Sichah Vol. 1 pp. 100-101.] Ha-Rav Ovadiah Yosef, however, quotes it in Shut Yabia Omer 2 YD 26. It is also told that the Rogachover Gaon would learn Torah on

Tisha Be-Av (aside from the permitted subjects) since he could not restrain himself. [Rosh Devarcha p. 225. Derech Sichah Vol. 1 p. 487.] The Lubavitcher Rebbe said the same of his boyhood teacher. [Siach Sarfei Kodesh p. 178.] And see Shut Ha-Maharsham 1:84 who notes that he wrote this Teshuvah on Tisha Be-Av. He explains that this Teshuvah involves freeing an Agunah, and it is written that one who frees an Agunah builds one of the destroyed areas of Yerushalayim. It is certainly proper to do so on Tisha Be-Av when we mourn the destruction of Yerushalayim. Aleinu Le-Shabe'ach – Devarim p. 530).

### ❖ Mourner and Mikveh

**Q:** Is a mourner obligated to immerse in the Mikveh at the end of sitting Shiva?

**A:** No.

### ❖ Memorial for First Wife

**Q:** My family is organizing a memorial for my first wife. Should I bring my current wife?

**A:** Don't go at all. You are now married anew and your former wife is not part of your world. If you go, even alone, it will cause pain to your current wife, even if she denies it (The Chatam Sofer's third wife was the widow of Rav Tzvi Charif, the author of Tiv Gittin. The Chatam Sofer once saw her lighting a candle for her first husband on his Yahtzeit, 25th of Tishrei. He was upset, since she should not have done so, but he rightfully did not say anything so as not to cause her pain. The Chatam Sofer eventually died on the same day of the year. Zichron Le-Moshe 68:1).

### ❖ Yahrtzeit Candle

**Q:** Is there an obligation to light a Yahrtzeit candle on the anniversary of a person's death?

**A:** It is a custom, but it is not an obligation. See Shut Teshuvot Ve-Hanhagot 1:702 (It is brought there that the Vilna Gaon did not hold by the custom to light a Yahrtzeit candle on the Yahrtzeit).

### ❖ Mourner at a Wedding

**Q:** My Rabbi in Yeshiva is supposed to be the Mesader Kidushin at my wedding in a month, but he is a mourner. Is it permissible for him?

**A:** Yes. But I don't understand why you don't ask him directly.

### ❖ Comforting Mourners

**Q:** I heard that it is forbidden to say to a mourner: "What can we do". Why?

**A:** It implies that if it were possible to do something, we would, and it is impossible to do something against a decree of Hashem. (Baba Kamma 38a.) The Maharsha says, however, that this is only if one makes such a statement complaining against Hashem as if – G-d Forbid – He did an injustice. But if it is said to ease the mourner's pain, the halachah is that it is permissible (Yam Shel Shlomo #10).

### ❖ Reproach of Mourner

**Q:** I asked a Rabbi when a mourner over a parent may get a haircut. He answered: after a friend reproaches him for

having long hair on the 30th day or after. But the Mishnah Berurah (548:34) says: "Within 30 days"?

**A:** It is a printer's error (In Shut Yabia Omer Vol. 1 Yoreh Deah #25 of 10, Ha-Rav Ovadiah Yosef writes that the Mishnah Berurah notes that his source is Eliyah Rabbah. He checked there, and it says on the 30th day (or after). Rav Ovadiah writes that the printers need to fix the error. And Rav Ovadiah said that he once saw a great Rabbi who was in mourning for a parent take a haircut within 30 days. Rav Ovadiah told him it was a mistake. When the Rabbi said that he was following the Mishnah Berurah, Rav Ovadiah showed him 3 printings of Eliyah Rabbah. The Rabbi said: I have erred, I have sinned! Ma'adanei Ha-Melech Vol. 3, p. 198. I checked a few current printings of the Mishnah Berurah and - B"H - found them to be corrected).

## EVEN HA-EZER (Family Law)

### **Finding a Match**

#### ❖ Shidduch and Scars

**Q:** If a young woman has a scar on her body from surgery, does she need to tell a potential Shidduch?

**A:** No. It is an unimportant issue (This is also the ruling of Ha-Rav Yosef Shalom Elyashiv that it is only necessary if it came from a dog bite which dug deeply into the skin. Ketu-bot 75a. Shulchan Aruch, Even Ha-Ezer 39:4. Kav Ve-Naki #524).

#### ❖ Choosing a Spouse

**Q:** After we got engaged, my mother went to a Kabbalist who said that we should break it off since the Gematria of the man's name must be higher than that of the woman's in order for a Shidduch to work out (which is not the case with us). Is this true?

**A:** No. It is a new invention. What one requires for a successful Shidduch is respect and love. And by the way, it is good that our Avot and Imahot didn't listen to such advice since Avraham=248 and Sarah=505, Yitzchak=208 and Rivka=307 and Yaakov=182 and Rachel=238. If they had listened, none of them would have gotten married and there would not have been Am Yisrael! Only Leah (=36) is less than Yaakov, but she was not originally supposed to marry him. You should get married. Mazal Tov!



### ❖ Shidduch Controlled by His Mother

Q: I decided to get married, but I see that in every matter, the boy's mother decides for him, and he therefore wants to live near his parents. What should I do?

A: Since he is controlled by his mother, break it off. "A man shall leave his father and mother and cleave to his wife" (Bereshit: 2:24).

### ❖ Difficulty in Shidduchim

Q: Why is it so difficult for me to find a Shidduch?

A: It is impossible to solve this issue in a text message. You can call and we can think about this together.

### ❖ Names and Shidduchim

Q: Regarding Shidduchim, does one need to check with a Rabbi to make sure the names are compatible?

A: There is no such thing (And when Ha-Rav Ovadiah Yosef was asked this same question, he responded: I don't believe in this. People who encourage others to do so cause couples who can marry to separate).

### ❖ Payment for Shidduch

Q: How much should one give to someone who makes a Shidduch for them?

A: I recommend 5000 Shekels from each side.

Q: That's a lot!

A: It's a little! A Shidduch is worth much more than a Mil-

lion Shekels. We should remember that the wedding itself costs more than 10,000 Shekels...

### ❖ Shidduch and Dentures

**Q:** Does a young woman have to tell on a Shidduch that she has dentures?

**A:** No. This is something which lacks importance and is not considered fraud (This is also the ruling on Ha-Rav Yosef Shalom Elyashiv, since a Cohain whose teeth fall out is not considered blemished. [Bechorot 37a. Tosafot ibid.] And any blemish which invalidates a Cohain is considered a blemish in women. Ketubot 72b. Kav Ve-Naki #527).

### ❖ Shidduch with a Student from Yeshivat Har Etzion

**Q:** Someone suggested as a Shidduch a student from Yeshivat Har Etzion. Should I refuse it?

**A:** G-d forbid. 1. You are not going to marry the whole Yeshiva (which is also forbidden) but only one young man. 2. All Yeshivot are good.

### ❖ Shidduch for a Blind Man

**Q:** Is it permissible for a blind man to touch the face of a woman on a Shidduch for purposes of becoming acquainted with her?

**A:** G-d forbid! And if you are sending a text message, it seems you are not blind. If so, why are you involving yourself with immodest questions?

### ❖ Tehillim for a Shidduch

Q: Which Tehillim is appropriate to recite to find a Shidduch?

A: All of them are appropriate.

### ❖ Marriage Proposal

Q: What is the source for proposing marriage while down on one knee? Is it permissible?

A: There is no source. It is forbidden on account of "Chukot Ha-Goyim" (following non-Jewish practices).

### ❖ Returning Engagement Gifts

Q: In the event of breaking off an engagement, should one return the gifts?

A: Yes. They were given based on the idea that the couple was getting married. Shulchan Aruch, Even Ha-Ezer 50:4 (And so too Ha-Rav Dov Prof. Frimer. Lev Nediv, p. 94).

### ❖ Breaking Plate at Tena'im

Q: Should the plate which one breaks during the Tena'im (engagement) be whole or can it be broken?

A: Whole, since it is a remembrance of the destruction of the Temple. Piskei Teshuvot 560:9.

## Wedding

### ❖ Pre-Nuptial Agreement

Q: Is it permissible to sign a pre-nuptial agreement, in order

to prevent a case where the wife wants to get divorced and the husband impedes it?

**A:** It is permissible. But one must be certain that it is phrased in such manner that it is not a forced divorce, which is invalid. In America, the RCA – the Orthodox Rabbinic Association – recommends a particular formula and it is agreed upon by many great Rabbis in Israel (such as Ha-Rav Zalman Nechemiah Goldberg and Ha-Rav Chaim Gedalia Zimbelist, Av Beit Din in Tel Aviv. See Shut Be-Mareh Ha-Bazak 1:94).

### ❖ Cemetery before Wedding

**Q:** What is the source behind the custom of going to the cemetery before a wedding and inviting one's relatives who have passed away?

**A:** The Zohar (Parashat Balak and Pinchas), where it is said that ancestors in the World-to-Come participate in their descendants' joyous occasions. And this is the custom of many people (Nita'ei Gavriel – Nisuin 4:7. And the Gerrer Rebbe, the "Imrei Emet", told his son to visit the Kotel and Kever Rachel before his wedding).

### ❖ Printed Ketubah

**Q:** Is it permissible to use a printed Ketubah or should it be handwritten?

**A:** There are some who are opposed to a printed Ketubah, but we see that great Rabbis use a printed Ketubah, and they know what they are doing, just as in the case with other documents. [Shulchan Aruch, Choshen Mishpat (48:1).] There are those who are strict to handwrite the names, the

dates and the amounts of money. [Shach *ibid.* (#1).] But the basic Halachah is that it is also permissible to print these parts as well. [Shulchan Ha-Ezer (Vol. 2, p. 23).] And on the contrary, some authorities say that a printed Ketubah is preferable. And there are those who say so in the name of the Vilna Gaon (Halichot Ha-Gra of Ha-Rav Moshe Sternbuch #184 who writes that if it is printed, the witnesses need not read the entire document since it is clear that they are familiar with the contents, which is not necessarily the case if it is hand-written. And Ha-Rav Moshe Feinstein writes that there is absolutely no advantage in a handwritten Ketubah over a printed one. [Shut Igrot Moshe, Even Ha-Ezer 1:178.] Ha-Rav Nisan Alpert – one of the leading students of Reb Moshe – related why his Rav wrote this Teshuvah. It happened a few times that at a wedding Ha-Rav Feinstein had taken a printed Ketubah and filled it out and Ha-Rav Eliezer Silver then arrived, publically tore up the Ketubah and rewrote it by hand. This was based on the opinion of Rabbi Yehudah in Mishnah Gittin [3:2] that we should handwrite all documents to ensure that we handwrite a Get. [Gittin 26a.] Although the Shulchan Aruch [*ibid.*] does not rule this way, Rav Silver was strict like the opinion of Rabbi Yehudah. Rav Feinstein never said a word but wrote a Teshuvah that there is no advantage to be strict like Rabbi Yehudah's position. Ha-Rav Herschel Schachter related this story and added: And we would not have known the background to this Teshuvah if Ha-Rav Alpert had not revealed it).

### ❖ Modest Clothing for a Wedding

**Q:** Is it proper to request on a wedding invitation that the guests wear modest clothing, or is it insulting?

**A:** It is not insulting, but it should be carefully worded.

### ❖ Civil Marriage

**Q:** Is there room to permit civil marriage in the State of Israel?

**A:** If both members of the couple are non-Jews.

### ❖ Chuppah before Sunset

**Q:** Is there an ideal of having a Chuppah before sunset?

**A:** No. But there is an obligation to have the Chuppah at the time promised on the invitation.

### ❖ Woman Reading the Ketubah

**Q:** Can a woman read the Ketubah under the Chuppah?

**A:** The entire purpose of reading the Ketubah is to separate between the Eirusin (Betrothal) and the Nisu'im (Matrimony) (Rama, Even Ha-Ezer 61:9. Therefore, a great Rav in America, Ha-Rav Eliezer Silver, would read the Ketubah very slowly. See "Be-Ikvei Ha-Tzon" of Ha-Rav Herschel Schachter p. 268). In theory, it is possible to even invite a philosopher to read Plato in Greek between them. But we do not make changes (And in America, Ha-Rav Schachter once said that in theory even a monkey could read the Ketubah in order to create a separation. Some people were angered, mistakenly asserting that he was using an insulting expression towards women. But Ha-Rav was using a halachic

expression: "The act of a monkey". For example, the Chatam Sofer writes that it is permissible for a monkey to serve as a messenger to deliver Mishloach Manot. [Chatam Sofer on Gittin 22b.] Or that food prepared by a monkey is still considered Bishul Akum. Shut Shevet Ha-Levi 9:164).

### ❖ Singing Between the Blessings Under the Chuppah

**Q:** Is it permissible to sing between the blessings under the Chuppah?

**A:** No. It is considered an interruption between the blessings. When people would start to sing under the Chuppah, Ha-Rav Avraham Shapira would instruct them to cease doing so by raising his hand since this was not done throughout the generations (See Shulchan Aruch, Orach Chaim 62:2. Sefer Ha-Nisu'im Ke-Hilchatam p. 266).

### ❖ Divorced Parents at a Wedding

**Q:** My parents are divorced. My father informed me that if I invite my mother to the wedding, he will not give any money towards it. If I don't invite her, he will pay for all of it. What should I do?

**A:** Don't sell your mother for money (for an opposing opinion of Ha-Rav Yosef Shalom Elyashiv, see Kav Ve-Naki 1:290).

### ❖ Druze Wedding

**Q:** Is it permissible for me to attend the wedding of a Druze friend with a Druze woman? The wedding will not be Kosher but they will provide Kosher food for the Jewish guests?

**A:** Yes, since the wedding and meal is permissible for them. And "Maarit Ayin" only applies to what our Sages decreed.

### ❖ Breaking a Glass under the Chuppah

**Q:** Why do we break a glass under the Chuppah?

**A:** A Remembrance of the destruction of the Temple in order to show that our joy is still incomplete. Berachot 31a. Shulchan Aruch, Orach Chaim 560:2.

**Q:** Should the glass be expensive or perhaps inexpensive to avoid "Bal Tashchit" (wantonly destroying items)?

**A:** An argument can be made both ways: Expensive to bring a bit of sadness, or inexpensive to avoid "Bal Tashchit". (Sdei Chemed, Asifat Dinim Marechet Zayim #12.) One should therefore take a regular glass. Shut Yabia Omer 4:19.

### ❖ Witness who Smokes

**Q:** Can a person who smokes serve as a witness at a wedding? Doesn't he violate the prohibition against safeguarding one's life?

**A:** It is permissible if he is unaware of the severity of the prohibition. Baba Metzia 5b (see Shulchan Aruch, Choshen Mishpat 32:4, 34:2. Shut Maharam Mi-Lublin #15 regarding a widespread prohibition. Shut Rabbi Akiva Eiger #96).

### ❖ Wedding in a Shul

**Q:** Is it permissible to have the Chuppah in a Shul?

**A:** Sefardim – yes. (Shulchan Aruch, Orach Chaim 391:3. Shut Yabia Omer Vol. 3 Even Ha-Ezer #10.) Ashkenazim –



no, unless there is no choice. Shut Igrot Moshe Even Ha-Ezer 1:93 (Ha-Rav Moshe Stern, author of Shut Be'er Moshe, was once invited to perform a wedding. He arrived at the wedding and when he saw that it was in a Shul, he refused to perform it. Many complained against him. He went to ask the Satmar Rebbe if he acted correctly, and the Satmarer fully concurred. [Shut Be'er Moshe 5:167.] However, Ha-Rav Yosef Soloveitchik once came to a wedding and when he saw that it was in a Shul, he sighed and said that if he had known he would have avoided attending. He explained that it is not proper to have a Chuppah in a Shul, since the holiness of the Shul only permits for learning Torah and Davening, and not other activities, even Mitzvot. Nefesh Ha-Rav, p. 257).

### ❖ Tax Evader as Witness

**Q:** If someone evades taxes is he invalid as a witness at a wedding?

**A:** No, since he deceives himself that it is permissible. See Tosafot to Sanhedrin 25b d.h. Me-Ikra. But it is in fact theft. Shut Chatam Sofer, Choshen Mishpat #175. Shut Yechaveh Da'at (4:60, 5:45. Shut Aseh Lecha Rav 1:70. And see Nefesh Ha-Rav, p. 269).

### ❖ Ashes on a Groom's Head

**Q:** Should one put ashes on the groom's head as a remembrance of the destruction of the Temple?

**A:** Yes. (Shulchan Aruch, Orach Chaim 560.) And some are lenient and say that we remember by breaking the glass. (Aruch Ha-Shulchan and Kaf Ha-Chaim ibid.) But it is

proper to put them. (Piskei Teshuvot ibid.) And say the verse: "If I forget you Yerushalayim...". Taz ibid. (During the expulsion from Gush Katif, before Ha-Rav left, he filled a bag with sand from there. At weddings, he places both burnt ashes from Yerushalayim and sand from Gush Katif on the groom's head).

### ❖ Mazal Tov after Breaking the Glass at a Wedding

**Q:** Why do people yell out "Mazal Tov" after breaking the glass under the Chuppah?

**A:** This is a mistake, since breaking the glass is a remembrance of the destruction of the Temple. And the Sdei Chemed complained about this "practice" (Asifat Dinim Marechet 7 Ot #12). After breaking the plate at the Tena'im, however, some explain that we do say "Mazal Tov", since the engagement is completed. (Aruch Ha-Shulchan, Even Ha-Ezer 50:26.) And perhaps the same is true under the Chuppah (Many now have the practice to break the glass in the middle of the wedding on account of this issue so that people will not yell out "Mazal Tov").

### ❖ Mixed Dancing

**Q:** What should I do if at my sister's wedding there is mixed dancing?

**A:** Leaving during that time (And Ha-Rav Ovadiah Yosef said: Flee at that time. Halichot Mussar – Tzniyut p. 851).

### ❖ Bentchers at a Wedding

**Q:** I saw that the non-Jewish worker who was cleaning up

after a wedding, threw away the Bentchers which were left as a memento (not in order to denigrate them but as part of the clean up). Perhaps it is preferable to cease this Minhag?

**A:** This is indeed a new innovation. And everyone has tens of Bentchers at home and doesn't need a memento. We should therefore cease this practice unless someone is designated to collect all of the Bentchers which remain at the end of the wedding (See Rosh Ha-Shanah 18 that the Sages established a holiday on the day in which they succeeded in annulling the mentioning of Hashem's Name in official documents, which would be disgraced by being thrown out).

### ❖ Standing before a Groom

**Q:** I saw a custom that people sit before the Chuppah, stand up when the groom and bride enter, and then they sit down again. What is the source?

**A:** This is a non-Jewish custom. We do not stand for a groom. But we stand when Torah scholars enter. And during the blessings (And this is the ruling of Ha-Rav Chaim Kanievski. *Mevakshei Torah*, Kovetz 51. And Ha-Rav Moshe Feinstein also held that one does not stand for a groom, but explains that those who do stand perhaps do so since the groom is going to do a Mitzvah – just as people stand for a baby being brought in for a Brit Milah. Ha-Rav Yaakov Kamenetsky and Ha-Rav Yitzchak Hutner also did not stand for a groom. [Shut Divrei Chachamim, p. 241.] Ha-Rav Avigdor Neventzal, however, wrote to me that one should stand for a groom).

### ❖ Separate Seating at Wedding

**Q:** Must a wedding have separate seating? I heard that Ha-Rav Moshe Feinstein does not require separation and he is a great Gaon.

**A:** It is true that Ha-Rav Moshe Feinstein rules that a Mechitzah is only required for a public event, but not at a private event like a wedding. [Shut Igrot Moshe 1:41. Yoreh Deah 4:24 #3.] And this is how many act in America. But with all the greatness of Ha-Rav Feinstein, the Halachah does not always have to follow his rulings, and in our times, G-d-fearing Jews in Eretz Yisrael have a proper Mechitzah. See Shut Az Nidberu of Ha-Rav Zilber 12:47.

### ❖ Sheva Berachot

**Q:** Is there an obligation to have Sheva Berachot all 7 days?

**A:** No. Whatever is most comfortable for the groom and bride. After all, it is to bring them joy and not to burden them (Re'im Ahuvim pp. 165-169. And Ha-Rav Moshe Feinstein related that when he got married they only had Sheva Berachot on Shabbat, and not on all 7 days as is customary today. [Reshumei Aharon Volume 1, p. 18.] And Ha-Rav Shlomo Zalman Auerbach once lamented this practice and quoted what the Chatam Sofer wrote in his responsa Even Ha-Ezer #122: "That someone once had Sheva Berachot on Shabbat and the entire community mocked him", and that the Aruch Ha-Shulchan wrote in Hilchot Sukkah #640 that we do not have the custom to have Sheva Berachot every day. Meged Givot Olam Volume 2, p. 72).

### ❖ Sheva Berachot on Skype

Q: If we are having Sheva Berachot and we have 9 men, is it permissible to add someone via Skype?

A: No (And this is the ruling in the book "Derech Atarim" of Rav Avraham Maimon Ha-Levi #4).

### ❖ Sheva Berachot for Secular Jews

Q: If a secular couple gets married but had been living together, do we recite Sheva Berachot for 7 days or only 1 day?

A: 7 Days. (Shut Chatam Sofer #123. Shut Yabia Omer 5:11.)

### ❖ Dancing with a Broom

Q: What is the source for the custom of dancing with a broom at the wedding of one's last child to be married?

A: There is no source. It is assumed to be a joke of a Badchan (Wedding entertainer): Sweeping away one's last child. Approximately 10 years ago, when the Gerrer Rebbe married off his youngest son, he searched for a source for this custom and could not find one. He thus clarified that no great Rabbi did this.

## Marriage

### ❖ Yielding to One's Wife

Q: Do we learn that a husband should always yield to his wife, since Hashem said to Avraham Avinu: "Anything

which Sarah says to you, listen to her voice" (Bereshit 21:12)?

**A:** If she is correct. See Rashi there. But in general, a couple should yield to each other.

### ❖ Who Keeps the Ketubah

**Q:** Who should have possession of the Ketubah?

**A:** Obviously the bride – it belongs to her. But if she trusts that her husband will not take advantage of her in the case of a divorce, she can have him keep it. Shut Igrot Moshe 3:26.

### ❖ Correcting Your Wife

**Q:** If my wife is saying a Dvar Torah at the Shabbat Table and she makes a mistake, should I correct her?

**A:** This is a good question, but don't ask me, ask your wife.

### ❖ Living with One's Parents after Marriage

**Q:** After getting married, is it preferable to rent a small apartment or live with my parents in a bigger apartment and save money?

**A:** Rent an apartment in order to build an independent life (After all, the Torah says: "Therefore a man leaves his father and mother and cleaves to his wife, and they become one flesh". Bereshit 2:24).

### ❖ Shalom Bayit

**Q:** If my wife does not cover her hair and wears pants, but we have a wonderful relationship, should I divorce her?

**A:** Certainly not (After all, a person is judged based on the majority of his actions. Rambam, Hilchot Teshuvah 3:1).

### ❖ Second Marriage

**Q:** I am married to a widow. When he mentions his previous wife, it arouses jealousy within me and it is difficult. There are also photo albums in our home that have pictures of her. It is ok for me to ask him to stop mentioning her?

**A:** Certainly. Your jealousy is a natural feeling. Perhaps it is better if a third party explains to him that it is improper to act in this manner (The Chatam Sofer's third wife was the widow of Rav Tzvi Charif, the author of Tiv Gittin. The Chatam Sofer once saw her lighting a candle for her first husband on his Yahrzeit, 25th of Tishrei. He was upset, but he rightfully did not say anything so as not to cause her pain. The Chatam Sofer eventually died on the same day of the year. Zichron Le-Moshe 68:1).

### ❖ Taking Counsel with One's Wife

**Q:** Why did Yaakov Avinu take counsel with Rachel and Leah about whether or not they should return to Israel, when Hashem explicitly commanded him to do so?

**A:** One should not give his wife orders but include her respectfully in the decision. Commentary of the Shelah *ibid*.

### ❖ Forced Marriage

**Q:** My parents put intense pressure on me to marry my wife. She is truly a wonderful woman, but it bothers me to this day that she came to me through my parents' force, and it affects how I relate to her.

**A:** Nonsense! If she is a good woman, why do you care how she came to you?! But ask a different Rabbi, since I am biased, since my great-great-great-great grandfather was also married without his agreement, and later found out that my great-great-great-great grandmother was a supremely holy woman. I am a Cohain, a descendant of Levi, and this is how Yaakov Avinu was married to Leah Imenu. You should therefore ask a Rabbi who is a descendant of Rachel, Bilhah or Zilpah.

### ❖ Marriage and Stuttering

**Q:** I was married a few years ago, and I am very embarrassed because my wife stutters. It weakens my connection to our marriage.

**A:** Nonsense! Read a lot of Mesilat Yesharim and learn to value a person based on his/her proper character traits, and not things which lack importance. Learn not to base your feelings of the surrounding society but rather on Divine truth. But I have to admit that I am biased regarding this matter, since when I studied in university, there were two amazing professors, who I greatly respected, who stuttered. One taught mechanics and strength of materials in the area of engineering, and the other taught Einstein's theory of Relativity. I therefore know that this is nonsense.

### ❖ Inheritance and Marriage

**Q:** I received an inheritance and I feel that it is mine, and I alone should decide what to do with it. My wife thinks that it is both of ours and we should decide together. Who is correct?



**A:** It depends on the nature of your marriage, which you decided from the outset: together or separate.

### ❖ Correcting Spouse

**Q:** My wife hugs and kisses her relatives. I spoke to her and it did not help. What should I do? Ignore it?

**A:** Yes. You are not her teacher but rather her friend.

### ❖ Modesty

**Q:** I dress extremely modestly but every time a hair pops out of my head-scarf, my husband points it out. I am insulted and I tell him. He then gives me Mussar. What should I do?

**A:** Tell him you are no longer a teenager in high school. And in any case, not all religious high schools point out to the girls when something needs improvement. If need be, speak to my wife.

### ❖ Bad Breath

**Q:** I am newly married and I do not know how to tell my husband that he has extremely bad breath.

**A:** Blame the problem on yourself and tell him that you are very sensitive.

### ❖ Wife's Clothing

**Q:** My wife wears strange clothing and it really bothers me. When I point it out, she gets insulted. What should I do?

**A:** Patience. It is impossible to change such things by force.

For a woman, her clothing is her identity, and she feels as if you are stifling her identity.

## Child-Bearing

### ❖ Matrilineal Descent

**Q:** Where is it written in the Torah that Judaism follows matrilineal descent?

**A:** Devarim 7:3-4. Kiddushin 68b.

**Q:** I heard that some say that it was a later decree?

**A:** Nonsense. It is explicitly mentioned in Ezra 10:3-4, and he did not invent it.

### ❖ Pregnant Woman in Zoo

**Q:** Why is it forbidden for a pregnant woman to visit a zoo?

**A:** It is permissible.

**Q:** But she will see non-Kosher animals.

**A:** It is permissible. Even Rachel Imenu, when she was pregnant, rode on a camel which is a non-Kosher animal (The Lubavitcher Rebbe, however, taught that visual images have great impact on a person's mind, especially on young children: What one sees leaves a lasting impression, whether for good or for bad. Viewing sacred objects or images such as holy books has positive benefits, and pictures of impure animals harm the mind and soul. [Likutei Sichot, Volume 25, pp. 309-311.] A Chabad Chasid therefore is obligated to follow the Rebbe's rulings. However, Rabbi Chaim David Ha-Levi - former Chief Rabbi of Tel Aviv-Yafo - wrote that

there is no halachic problem of hanging up pictures of non-kosher animals since there were non-kosher images in Yechezkel's vision of the chariot. [Yechezkel 1:10.] And there were also pictures of non-kosher animals on the Tribes' flags. [Ibn Ezra on Bamidbar 2:2. Shut Aseh Lecha Rav 8:60.] Many Ashkenazi Shuls also have lions on the Parochet. Igrot Ha-Re'eiyah 1:10).

### ❖ Kiddush for the Birth of a Daughter

**Q:** If parents did not have a Kiddush to express gratitude for the birth of a daughter will it impede her ability to get married? Is there a Segulah for her to have a Kiddush later in life?

**A:** Nonsense (Ha-Rav Chaim Kanievski was once asked: I was in Los Angeles, and there was a Kiddush for a 25-year-old woman whose parents had not made a Kiddush for her when she was born. They said in the name of Ha-Rav's father – the Steipler – it was for this reason that she was having difficulty finding a match. Ha-Rav Kanievski said: "Who made this up? Wouldn't I have heard about this in my home? He never said to make a Kiddush in our family!" [Derech Sichah Vol. 1, p. 33.] And Ha-Rav Ben Tzion Mutzafi similarly writes in Shut Doresh Tzion: This is a complete lie, and our mothers did not have a Kiddush made for them and they are happily married).

### ❖ Postpartum Depression

**Q:** I wanted a baby so much before and during my pregnancy, and now I feel that I do not love him. Taking care

of him is just a burden. In general, I do not enjoy anything. In what way did I sin?

**A:** You did not sin. This is postpartum depression, a known phenomenon, which affects 10%-15% of women. Turn to a psychologist. It will work out.

### ❖ Another Child

**Q:** I want another child but my husband does not. This causes me great distress.

**A:** You are right. But this is too complicated for a text message. Talk to my wife.

### ❖ Buying before Birth

**Q:** Is there a problem with buying clothing and furniture for a baby before the birth, or is there a problem of the evil eye?

**A:** There are some who refrain from doing so, but there is absolutely no halachic prohibition. On the contrary, it is a sign of trust in Hashem (Ner Be-Ishon Laila p. 123. Unlike what Ha-Rav Chaim Kanievski said: The world is particular [not to do so] because of the evil eye. She'eilat Rav vol. 2 p. 58).

## **Child-Rearing**

### ❖ "I wanted a daughter"

**Q:** I am the mother of 2 boys and found out that I am pregnant with another boy and am disappointed. Is this ingratitude towards the kindness of Hashem?

**A:** No. It is a natural, honest feeling. But you will certainly accept the baby boy with love and gratitude.

### ❖ Child in his Parents' Bed

**Q:** Our child wakes up in the middle of the night with bad dreams and comes into our bed. Should we insist he goes back or let him stay?

**A:** In general, you should bring him back to his bed and sit next to him with your hand on him until he falls asleep. However, in special cases, it is permissible to let him stay if it is difficult for him.

### ❖ Lying Child

**Q:** What can I, as a mother, do if my 4-year-old is lying?

**A:** I apologize: this is too complicated an issue for a text message. You can call my wife (or look in Ha-Rav's book on educating children: *Chinuch Be-Ahavah*).

### ❖ Candy at Nursery School

**Q:** We only give our children healthy food at home. At nursery school they give out candies. Should we forbid our children to eat them?

**A:** It is impossible to do so. "You shall not muzzle an ox when it is threshing [the grain]" (Devarim 25:4). It will break them. Since it is only a small amount, it will not damage them. Rambam, *Hilchot De'ot* 4:10.

### ❖ Child who Talks to Doll

**Q:** Our-seven-year old pours his heart out to his doll when he is laying in bed. Is this a problem of idol worship?

**A:** Certainly not. It is not only permissible but good.

### ❖ Chess

**Q:** Is there any educational worth for children in playing chess?

**A:** It is a smart and good game. The essence is not to overdo it.

### ❖ Teaching a Daughter a Profession

**Q:** Is a father obligated to ensure his daughter learn a profession?

**A:** Even regarding a son there is no obligation, since it is not brought in the Rambam and Shulchan Aruch, rather it is a proper and important directive. And the same applies to a daughter.

### ❖ Educational Mistake

**Q:** I made a horrible mistake and slapped my 3-year-old son. How do I repair it?

**A:** Take him on your lap, appease him and tell him that you love him, but you were frustrated. Apologize and tell him that if he feels rejected, it is not true and you love him eternally.

## ❖ Driving Lessons

**Q:** Is a father obligated to teach his child how to drive, just as he is obligated to teach him a trade, since it is also essential?

**A:**1. A father is not obligated to teach his child a trade. While it is mentioned in the Gemara, it does not appear in the Halachah. It is therefore not an obligation, but a recommendation. 2. There is also a recommendation to teach one's child how to drive, but it is much less, since driving is not as important as a trade (This is also the opinion of Ha-Rav Yosef Soloveitchik. *Divrei Ha-Rav*, p. 201).

## Youth Group

### ❖ Magen David Adom or Counselor

**Q:** Which is preferable – volunteering as a medic in Magen David Adom or as a counselor in a youth group?

**A:** Both are good on the obvious condition that everything is Kosher and modest. But performing a kindness for the soul is much higher than a kindness for the body.

## Shemirat Negiah

### ❖ Father and Daughter

**Q:** Is it permissible for a father to hug and kiss his grown daughter?

**A:** Yes, even if she is married (see Rambam, *Hilchot Isurei Bi'ah* 21. *Kitzur Shulchan Aruch* 152:10).

## ❖ Shaking a Woman's Hand

**Q:** In the text message response on the question: If a secular woman puts out her hand, can I shake it? Ha-Rav answered: No. Politely apologize: Forgive me, this is saved for my wife. I once heard that Ha-Rav Moshe Feinstein when facing the same situation would shake her hand - the reasoning being that not shaking a woman's hand is a Rabbinic prohibition but embarrassing a person is a Torah prohibition. Was this in fact the case, and if not, what about applying the above reasoning and allowing the handshake?

**A:** Ha-Rav Feinstein did mention this idea in his Teshuvot (Shut Igrot Moshe, Even Ha-Ezer 1:56, 4:32. See also Orach Chaim 1:113) but concluded that it is difficult to rely on it. This is especially true since the Beit Yosef (Yoreh Deah 195) mentioned that according to the Rambam it is a Torah prohibition and one should be killed rather than transgress it! We should not embarrass anyone, but here the woman is causing herself embarrassment. Ha-Rav Ovadiah Yosef declined to shake hands with Prime Minister Golda Meir when he received the Israel Prize. And Rav Mordechai Eliyahu did not shake hands with the Queen of England. In both cases apologies were issued to the Rabbis on the same night for putting them in that situation.

## ❖ Shomer Negiah

**Q:** Is it permissible to touch a girl indirectly, such as with a pencil?

**A:** The Yetzer Ha-Ra is so creative! As is written in the Gemara: A person's inclination renews itself each day (Sukkah 52b. Kiddushin 30b).



## ❖ Shomer Negiah

**Q:** We got engaged and are getting married. Why do we have to be Shomer Negiah?

**A:** It once happened that a fiancé wanted to touch his fiancée. She asked him: When you want to eat cake, what do you do first? He said: I say a blessing. She then asked: I am worth more or less than a piece of cake? He responded: Much more! She said: If so, you need seven blessings for me (i.e. the Sheva Berachot recited under the Chuppah).

## **Clothing and Jewelry**

### ❖ Clothing in which One Sleeps

**Q:** Is it permissible to wear clothing in which one sleeps?

**A:** It is permissible. The Kitzur Shulchan Aruch 71:5 writes that one should not do so, but the Halachah does not follow his opinion (see Ha-Rav's commentary on Kitzur Shulchan Aruch ibid.).

## **Beauty**

### ❖ Woman's Beauty

**Q:** I am a totally unattractive young woman, I am even ugly, and I am not okay with it. What can I do?

**A:** The essential beauty of a person is his inner, ethical and spiritual beauty. External beauty is relative. In the eyes of your husband, you will be the most beautiful in the world. The philosopher Voltaire said: What is beauty? If you ask a

black man, he will respond: 'A black woman'. If you ask a Japanese man, he will reply: 'A Japanese woman'. If you ask a bull, it will reply: 'A cow'. If you ask a toad, it will reply: 'A female toad'. And if you ask a philosopher, he will answer with incomprehensible gobbledygook..." We learn in the Talmud (Ketubot 16b-17a): "What should one sing as he dances before a bride at her wedding? Beit Hillel said: 'What a lovely, righteous bride!' Beit Shammai asked them: And if she is lame or blind, should you say, 'What a lovely, righteous bride?' The Torah says, 'Distance yourself from a lie' (Shemot 23:7). Beit Hillel replied, 'According to what you say, if someone made a bad purchase in the marketplace, should his acquaintances praise or disparage it when speaking to him? I would say that they should praise it.' Based on this our Sages said, 'One should always attune himself to his fellow's concerns.'" The Maharal in Netivot Olam, Netiv Ha-Emet comments that beauty and truth are subjective. The groom doesn't love his wife because she is beautiful. She is beautiful because he loves her.

**Q:** Is it permissible for me to have plastic surgery to remove an unattractive feature?

**A:** Certainly. May Hashem bless you (Tosafot 50b. Shut Igrot Moshe, Choshen Mishpat 2:66. Shut Tzitz Eliezer 11:41. Shut Yabia Omer 8:12).

## Divorce

### ❖ Finds a More Beautiful Woman

**Q:** Rabbi Akiva says that if one finds a woman more beau-

tiful than his wife, he is permitted to get a divorce. [Gittin 90a.] This is difficult to understand.

**A:** If one finds a woman more beautiful than his wife, it is a sign that the marriage is in poor condition.

# CHOSHEN MISHPAT (Civil Law)

## **Beit Din and Courts**

### ❖ Error of the Court

**Q:** Isn't by saying that in the case of.... the courts of Israel erred, we damage its authority and the authority of the State?

**A:** On the contrary, criticism is the guarantor of justice. Everyone can err, even the Sanhedrin, and there is a special sacrifice for them to offer if it does make a mistake. Only Christianity has as a central tenet that the Pope cannot err (the principle of "Infallibility"). Please do not transform the courts of the State of Israel into the Pope.

### ❖ Beit Din Requiring Blood Check

**Q:** Can a Beit Din require a blood check in order to establish paternity for payment of child support?

**A:** Yes. We need to clarify paternity. If the man refuses, he is obligated to pay. And Rabbi Saadia Gaon required such checks. Sefer Chasidim #332 (And so too Ha-Rav Dov Prof. Frimer. Lev Nediv, p. 75).

## **Buying and Selling**

### ❖ Selling Transgressions

**Q:** I heard of a case where one person was willing to take

on another person's transgressions for \$500. Is there such a thing?

**A:** Nonsense. See *Sefer Chasidim*, edition of Ha-Rav Reuven Margoliyot, p. 591.

### ❖ Military Discount

**Q:** I receive a 30% discount from various stores for being a soldier. Is it permissible to use this discount to buy something for a friend?

**A:** You should ask the army.

### ❖ Discount from the Department of Education

**Q:** My brother is a teacher and he receives a discount at stores from the Department of Education. Is it permissible for me to use it?

**A:** Ask the Department of Education directly.

**Q:** I asked and they said it is forbidden since they subsidize it.

**A:** Yashar Koach.

### ❖ Insurance Money

**Q:** I received money for my car from my insurance company based on an estimate from the garage. The owner then gave me a discount. Does the money left over from the discount belong to me or to the insurance company?

**A:** It seems that it belongs to the insurance company since they compensate based on the actual payment. You should therefore inform the insurance company and they will de-

cide (see Shulchan Aruch and Rama, Choshen Mishpat 183:6 and commentaries there).

### ❖ Bus Driver without Change

**Q:** I heard that according to the law if a bus driver doesn't have change then one is exempt from paying?

**A:** Yes. It is logical. Based on the Mitzvah of returning a lost object, however, one should pay the bus company when he has an opportunity.

## **Inheritance**

### ❖ Daughter Inheriting

**Q:** Does the Halachah still apply that a daughter does not inherit?

**A:** Yes. Obviously, the sons may waive their portion, which is certainly praiseworthy. But, nonetheless, the daughter must be provided with sustenance which is occasionally more money than the inheritance would be (See Rama, Even Ha-Ezer 113:2. Choshen Mishpat 281:7. And the sons of Ha-Rav Ovadiah Yosef ztz"l signed a document which would provide their sisters with equal inheritance from their father).

## **Jobs/Professions**

### ❖ Office Supplies at Work

**Q:** Is it permissible to use office supplies at work, such as paper, tape, pen, etc. for personal use?

**A:** It is forgiven if it is a little.

### ❖ Travel Expenses

**Q:** I receive reimbursement for travel for my job, but sometimes I get a ride. Can I still receive the payment?

**A:** Ask your work directly, since it depends on the conditions of the job.

### ❖ Sick Days

**Q:** My wife doesn't feel well. Can I take sick days from work in order to take care of our kids?

**A:** Ask directly at your work.

### ❖ Leftovers in Store

**Q:** I work in a store and the owner sometimes asks me to throw items into the garbage. Is it permissible for me to take them for myself?

**A:** Yes. They are abandoned.

### ❖ Connections (Called "Protexia" in Israel)

**Q:** Is it ethical to use connections in order to receive a job or benefits?

**A:** On condition that you truly deserve them, but you are unable to attain them in the usual way.

## Tza'ar Ba'alei Chaim

### ❖ Elderly Dog

**Q:** We have an elderly dog who suffers a great deal. Is it permissible to put her to sleep?

**A:** Yes. It is proper. "His mercies are on all His works" (Te-hillim 145:9. And Ha-Rav Moshe Feinstein would stand during Pesukei De-Zimra, recite it out loud, and passionately say: "Hashem is good to all, His mercies are on all His works". Meged Givot Olam p. 72).

### ❖ Worms for Fish Bait

**Q:** Is it permissible to use worms for fish bait, or is it forbidden because of "Tza'ar Ba'alei Chaim" (causing pain to animals)?

**A:** It is permissible. 1. It is a human need (Rama, Even Ha-Ezer 5:14). 2. Some Poskim hold that "Tza'ar Ba'alei Chaim" does not apply to worms (Piskei Teshuvot 156:23 #6).

## Theft/Deception

### ❖ Downloading Songs

**Q:** Is it permissible to download songs from YouTube? After all, the singer knows that people do so.

**A:** It is only permissible if it is legal. The knowledge that people break the law does not nullify the law (Shut Igrot Moshe, Orach Chaim 4:40 #19. Ha-Rav Yosef Shalom



Elyashiv in Sim Shalom p. 23, printed at the end of Mishpat Ke-Halachah. Shut She'eilat Shlomo 2:374, 3:463).

### ❖ Curses on the Sidewalk

**Q:** There are curses sprayed on our sidewalk. Is it permissible to spray paint over them?

**A:** Turn to the local municipality or the local Rabbi. If this is not possible, then it is a Mitzvah to scribble them out.

### ❖ Snacks in the Dorm

**Q:** Is it permissible to take snacks and cookies from friends in a dormitory without asking, or is this stealing?

**A:** It is permissible if one is 100% sure that the friend would agree with all of his heart, and not only because he doesn't feel right refusing.

### ❖ Stolen Bikes

**Q:** There are illegal immigrants in Tel Aviv who sell bikes which seem to be stolen. Is it permissible to buy them?

**A:** Certainly not, as our Sages say: The mouse is not what steals, but rather its hole - i.e. without the hole, the mouse would not have reason to steal. Likewise, without a buyer, the thief would not have reason to steal (Gittin 45a).

### ❖ Using Another's Sefer Without Permission

**Q:** Is it permissible to use someone's Sefer?

**A:** It is forbidden without his permission, since there is a fear that the pages might tear. Rama, Orach Chaim 14:4.

**Q:** What about a Siddur or Machzor?

**A:** Same. Mishnah Berurah #16. But some permit it since people are not particular about them. Aruch Ha-Shulchan #13.

### ❖ Nature Reserve

**Q:** I entered a nature reserve through a broken fence during a time when it was not open. What should I do?

**A:** Pay immediately.

### ❖ Reading Books in a Store

**Q:** Is it permissible for me to read books in a store if I do not intend to buy them but am careful not to ruin them?

**A:** This is theft. The books belong to the store and it is forbidden for you to use them without their permission.

### ❖ Ticket Checker

**Q:** I work as a ticket checker on the bus to insure that all the passengers paid. Is it permissible for me to wake someone up or is it forbidden on account of "Gezel Sheina" – stealing someone's sleep?

**A:** You are obligated to wake him up. "Gezel Sheina" is forbidden on account of "Love your fellow as yourself", but here it is necessary (See Piskei Shlomo Vol. 3 p. 142).

### ❖ Leftovers at Wedding

**Q:** Is it permissible to take food home from a wedding?

**A:** No. It belongs either to the person who is paying for the wedding or the caterer. When we eat there we do not eat

our own food but the food of the person paying for the wedding.

### ❖ Train Ticket

**Q:** Is it permissible for me to use a train ticket which was used and then thrown into the garbage (train tickets on the light-rail in Yerushalayim may be used for a period of an hour and a half)?

**A:** It is certainly forbidden. Theft.

### ❖ My Sister's Clothing

**Q:** Is it permissible for me to take my sister's clothing without her permission, since they were bought with my parents' money?

**A:** Certainly not. They belong to her.

### ❖ Hotel Room

**Q:** Is it permissible to have an extra person sleep and shower in a hotel room if others paid?

**A:** Yes, for an extra charge.

### ❖ Number on Line

**Q:** If I took a number and am waiting on line but decide not to wait after all, is it permissible for me to give the number to another person?

**A:** No. It is forbidden to help one person on the backs of others.

### ❖ BCC

**Q:** Is it permissible to put a BCC (blind carbon copy) on an email?

**A:** Only if it is the desire of the one to whom the email is sent. "One who goes along slandering reveals secrets." Mishlei 11:13.

### ❖ Train Ticket

**Q:** Is it permissible to use a train ticket which I found on the floor and still has time on it?

**A:** It is theft.

## Lying

### ❖ Lying for the Sake of Peace

**Q:** Is it permissible for me to lie and say that a Rabbi appeared to me in a dream and commanded me to end a conflict if it will help?

**A:** Yes. It is permissible to lie for the sake of peace (see Yevamot 65b. Chafetz Chaim, Hilchot Rechilus 1:8).

## Damages

### ❖ Ripped Shirt

**Q:** During a disagreement in school a friend grabbed my shirt and it ripped. Is he obligated to pay for the damage?

**A:** If he acted in a regular way during the disagreement, he is exempt. [Shulchan Aruch, Choshen Mishpat 421:13.] And

this is all the more so if he is under the age of Bar Mitzvah. [Shulchan Aruch, Choshen Mishpat 424:8.] But you should check the school's rules in such matters.

### ❖ Writing Name in Cement

**Q:** I wrote my name in wet cement on the sidewalk and now people are stepping on it. Will it bring me bad luck?

**A:** No. But you are obligated to donate money to the city since you vandalized public property.

**A:** Yes. He is obligated to pay for the damage, but the money is yours.

### ❖ Environmental Quality

**Q:** Is Halachah "Green", obligating us to be concerned about environmental issues?

**A:** Yes. It is forbidden to cause damage to the environment. But we must always weigh the expense of protecting it against other essential expenses such as food for the poor, education and the military.

### ❖ Damage Parents' TV

**Q:** Is it permissible to damage my parents' TV like Avraham Avinu and Rachel Imenu did with their parents' idols?

**A:** No. It is not the same (And this is also the ruling of Ha-Rav Moshe Sternbuch. 1. Only a Beit Din or with permission of a Beit Din can one destroy someone else's property. 2. It will cause one's parents to be more distant from the Torah. 3. Yaakov Avinu did not agree with stealing the idols, as he said: "Whomever you find with your gods, he

will not live". Bereshit 31:32. 4. And regarding what Rav Ada Bar Ahavah did when he ripped immodest clothing off a woman, he himself said that he should have patiently waited. Berachot 20a. Shut Teshuvot Ve-Hanhagot 1:368).

### ❖ Drinking Contact Lenses

**Q:** A student came into a room, took a glass from the table, filled it with water and drank. It turned out that he drank his friend's contact lenses, which were in the glass soaking in their solution. Is he obligated to pay?

**A:** No. He had no reason to think that contacts might be in the glass (This is also the ruling of Ha-Rav Yosef Shalom Elyashiv. Kav Ve-Naki #671).

## **Bal Tashchit**

### ❖ Chalav Stam

**Q:** If I have a product that is not Chalav Yisrael and I do not eat it, is it Bal Tashchit to throw it out?

**A:** If it has Rabbinic certification, give it to someone who is not strict about it (see Shut Igrot Moshe Yoreh Deah 1:47. Shut She'eilat Shlomo 1:314).

## LASHON HA-RA (speaking ill against others)

### ❖ There is no Smoke without Fire

**Q:** Is it true that there is no smoke without fire, and if people talk about someone, it is a sign that there is some truth to it?

**A:** Incorrect. There are evil people who defame others (see Chafetz Chaim, Hilchot Lashon Ha-Ra 3:7). People also spread lies about Moshe Rabbenu (see Rashi on Bamidbar 16:15 and on Devarim 1:12).

### ❖ Note to Refrain from Speaking Lashon Ha-Ra

**Q:** Is it a good idea for me to prepare little notes which remind me not to speak Lashon Ha-Ra?

**A:** Yes. It is a good idea which helps some people. See Zachor Le-Miriam 21:1.

### ❖ Baal Teshuvah

**Q:** Is it Lashon Ha-Ra to say that a person is a Baal Teshuvah?

**A:** Yes. Just as it is forbidden to remind a Baal Teshuvah of his past actions. (Baba Metzia 58.)

### ❖ Guarding One's Tongue

**Q:** How can I refrain from speaking Lashon Ha-Ra? It is impossible!

**A:** Incorrect. The more one accustoms himself to refrain,

the easier it gets. Furthermore, even speaking less Lashon Ha-Ra has great value. Introduction to Sefer Shemirat Ha-Lashon of the Chafetz Chaim.

### ❖ Merits and Demerits

**Q:** It is written that if a man speaks Lashon Ha-Ra his merits are transferred to the person he spoke Lashon Ha-Ra about and that person's demerits are transferred to him. Is this correct?

**A:** Yes. It is in the book "Chovot Ha-Levavot", brought in the Chafetz Chaim's "Shemirat Ha-Lashon," and is also found in the Zohar.

### ❖ Lashon Ha-Ra at Work

**Q:** My fellow workers speak Lashon Ha-Ra against other workers in a foreign language because they think I don't understand it. Should I tell them that I do understand to save them from speaking it or refrain since it will embarrass them?

**A:** Certainly inform them. It is preferable to embarrass them a little here than a lot in the World to Come.

### ❖ Baseless Hatred

**Q:** It has been said that the Chafetz Chaim appeared to one of the great Kabbalists and said that the Redemption is being delayed because of Lashon Ha-Ra. Should I believe this?

**A:** It is true, but we do not need a revelation in a dream in order to know this (see Netziv, Ha-Emek Davar in the introduction to Sefer Bereshit).



## ❖ Speaking Lashon Ha-Rav about Oneself

**Q:** Is it forbidden to speak Lashon Ha-Ra about oneself?

**A:** No. There is a story that the Chafetz Chaim was once traveling anonymously and said something which lacked respect for the Chafetz Chaim, and the listener slapped him. But this is a unique story. It is, however, forbidden to publicize transgressions between oneself and Hashem, since it is brazen. Rambam, Hilchot Teshuvah (2:5).

## ❖ WhatsApp

**Q:** Is it forbidden to use WhatsApp?

**A:** If it contains Lashon Ha-Ra, insults and idle talk.

# INTERNET

## ❖ Talkbacks

Q: Is it permissible to read talkbacks on the internet?

A: It is best not to have the internet at all. If one nonetheless does have the internet, he should greatly distance himself from talkbacks since they are full of Lashon Ha-Ra, insults, lies, etc.

## ❖ Atonement

Q: When I completely stop using the internet, after stumbling so many times, how can I attain atonement when, according to the Rambam, true atonement is attained through being in the same situation and overcoming one's evil inclination?

A: The ultimate atonement is that you completely stopped using it. Fortunate are you!

## ❖ Wireless Internet

Q: Is it permissible to use another person's wireless internet?

A: Only with his permission, since it slows down the speed of his connection.

## ❖ Facebook

Q: Is it worthwhile to use Facebook?

A: One's gain is offset by his loss.

### ❖ Torah Classes

**Q:** Is it worthwhile to get the internet to listen to Torah classes? We don't have any children at home.

**A:** One's gain is offset by his loss. It is full of filth and nonsense.

### ❖ Shiduch

**Q:** Is it okay to meet someone for the purpose of marriage through the internet?

**A:** Yes, but do not reveal any personal details until you have reliable references about the person.

### ❖ Girls and Boys

**Q:** Is it permissible for me (a girl) to talk with boys on the internet?

**A:** It is certainly forbidden. You should stay very far from this. Kitzur Shulchan Aruch 152:8-9.

## LEISURE – READING, MUSIC, EVENTS, ETC.

### ❖ Shai Agnon

**Q:** Is it permissible to read Shai Agnon's books?

**A:** Some are appropriate and some are not.

### ❖ Book of Hasmonians

**Q:** Is it permissible to read the Book of the Hasmonians?

**A:** Yes. Even though it is not one of the books of the Tanach and was not written with divine spirit, it is still full of awe of Hashem.

### ❖ Bialik

**Q:** Can I read poems and stories by Bialik?

**A:** In general, it is permissible, aside from a few poems written after the pogroms which are defiant [to Hashem]. We obviously have better writings.

### ❖ Reading Hebrew in Bathroom

**Q:** Is it permissible to read a book or newspaper in the bathroom?

**A:** Yes, with the condition that it is not Torah learning. Some authorities forbid Hebrew letters in the bathroom, but this is a stringency. See Shut Ha-Rambam.

❖ Spinoza

Q: Is it permissible to read books by Spinoza?

A: Certainly not, they are full of heresy.

❖ Harry Potter

Q: Is it permissible to read Harry Potter?

A: It is definitely not worthwhile since it contains a mixture of ridiculous ideas.

❖ Non-Hebrew Songs and Secular Songs

Q: Is it permissible to listen to non-Hebrew and secular songs?

A: There are three conditions: 1. Kosher words (Rambam on Pirkei Avot 1:17). 2. A Kosher tune that does not stir up base urges (Rambam, Igrot p. 428). 3. A Kosher musician. If he is Jewish – he observes the 613 Mitzvot. If he is not Jewish – he observes the seven Mitzvot of Bnei Noach. Shut Mishneh Halachot (6:108. See Shut Igrot Moshe, Even Ha-Ezer 1:96). It goes without saying that a man may only listen to a male singer; a woman may listen to either a male or a female.

❖ Classical Music

Q: My parents love to play classical music for our baby. Is this a problem?

A: No. This is gentle music which awakens gentle feelings.

### ❖ Love Songs

**Q:** My friends in yeshiva ask me, why can't we listen to love songs?

**A:** Because they are enticing. See Shulchan Aruch, Orach Chaim 307:16.

### ❖ Galei Tzahal (Israel Defense Forces Radio)

**Q:** Is it permissible to listen to Galei Tzahal – they are left-wingers?

**A:** There is no prohibition against being a left-winger. Furthermore, they are not left-wingers but are representative of the entire community. In practice, it is permissible to listen to any station on condition that it broadcasts only Kosher material.

### ❖ Break Dancing

**Q:** There is a problem with break dancing?

**A:** It is not gentle.

### ❖ TV

**Q:** I want to stop watching sports games on TV based on "Moshav Leitzim" (frivolity), but am unsuccessful. What should I do?

**A:** Gradually wean yourself off and read Mesilat Yesharim.

### ❖ A Star is Born (Israel's American Idol)

**Q:** Is it permissible to watch the TV show "A Star is Born" which presents a singing competition between new talents?

**A:** It is against all of our education which emphasizes proper character traits, Torah and Mitzvot, and justice and integrity, and not external behavior, a lack of humility and modesty, and finding favor in other people's eyes.

❖ Cards

**Q:** Is it permissible to play cards?

**A:** It is certainly not recommended. Sidur Yavetz, sha'ar #6 chalon #7.

❖ Sports

**Q:** Is there any value in playing sports?

**A:** What is beneficial for the body's health (see Orot Ha-Techiya chap. 34).

❖ Circus

**Q:** Is it permissible to go to the circus?

**A:** No. It is "Moshav Leitzim" and immodest (Avodah Zarah 18b).

❖ Standup

**Q:** Is it permissible to go to see standup comedy?

**A:** No, it is "Moshav Leitzim: frivolity. Avodah Zarah 18b.

❖ Bar

**Q:** Why is it forbidden to go to a bar?

**A:** It is a corrupt place. Rambam, Hilchot De'ot 1:1-2.

# PROPER CHARACTER TRAITS

## ❖ 12-Step Program

Q: Is it worthwhile to use the 12-Step Program to fix my behavior?

A: Certainly not. This program is only for someone with an addiction. It is like a drug which cures but has side effects. One can therefore not use it except in the case of an addiction which cannot be cured otherwise.

## ❖ Dog who Barks at Night

Q: I have a dog who barks at night and bothers the neighbors. Do I have a halachic obligation to bring him into the house so he won't bother them?

A: Certainly. By the way, if one takes care of his dog properly he will not bark all the time.

## ❖ Sadness

Q: How does one free himself from sadness?

A: Through the intellect. By seeing things in their proper proportion, and recognizing that the most important and joyous thing in the world is serving Hashem. Pele Yoetz, Erech "Atzvut".

## ❖ Nazi Insult

Q: When people are arguing and someone calls the other a Nazi, how should he respond?



**A:** He should not respond. By stooping to this level, the name-caller disqualified himself and lost the argument. This is called "Reductio ad Hitlerum" or "argumentum ad Hitlerum", i.e. where someone compares his opponent's views with those of Adolf Hitler or the Nazi Party (see Wikipedia for this expression).

### ❖ Anger

**Q:** What is the source for the Rambam's words that anyone who becomes angry is as if he worships idols (also in Hilchot De'ot Chapter 2)?

**A:** Zohar 1:27b. 3:179a and other places there. But this does not mean that the Rambam took it from there (since it is clear that the Rambam did not see the Zohar), but he certainly took it from Shabbat 105b and Nedarim 22a (Although the Rambam's language is not exactly like the wording of the Gemara, but rather like that of the Zohar).

# MEDICINE

## ❖ Acupuncture

Q: Is acupuncture true?

A: There have been many scientific trials over the years, and they have not succeeded in proving most of the claims of this method (See Ner Be-Ishon Laila pp. 63-64).

## ❖ Sleeve Gastrectomy

Q: Is it permissible to have a Sleeve Gastrectomy in which one's stomach is reduced in order to lose weight?

A: It is permissible and a Mitzvah of protecting one's health.

## ❖ Treatment by a Female Nurse

Q: Is it permissible for a man to receive a shot by a female nurse?

A: Yes, just as it is permissible to go to a female doctor. But it is preferable to go to a male nurse and a male doctor (And once when a male nurse was not found, a female nurse gave a shot to the Chazon Ish. [Orchot Rabbenu Vol. 1, p. 255.] And similarly, Ha-Rav Avigdor Neventzal said that it is permissible to donate blood when a female nurse is taking the blood, but it is obviously preferable to have a male nurse. Mishnah Berurah with Rav Neventzal's comments "Be-Yitzchak Yikarei" end of Volume 6, p. 5).

## ❖ Ritalin

Q: Does Ritalin negatively affect one's intellectual ability?

**A:** On the contrary, it helps. Obviously it must only be taken in consultation with a doctor.

### ❖ Choosing a Doctor

**Q:** I need a medical procedure. Should I turn to a private doctor or use a doctor from my Kupat Cholim? [In Israel, there is socialized health care and each person belongs to one of the health-care providers.]

**A:** If it is a routine medical procedure, a doctor from your Kupat Cholim. If it is a more complex procedure, then a better doctor, if you have the money (Ha-Rav Moshe Feinstein once needed to have a pacemaker implanted, and his family said that he should wait for the world expert to do it rather than a regular doctor. Reb Moshe listened to their advice. After the procedure, he needed to return to the hospital because the procedure was not so successful and had to be fixed. Reb Moshe once said: "I made a mistake in waiting for that special doctor, since I was shown from the Heavens that a doctor does not have to be the greatest expert, a regular doctor will suffice and the rest is dependent on Hashem". Reshumei Aharon of Ha-Rav Aharon Felder Volume 1, p. 27).

# HOLOCAUST

## ❖ Faith and the Holocaust

**Q:** How can one still believe in Hashem after the Holocaust?

**A:** Faith is something which is stronger than horrible suffering. Research has shown that at the time of the Holocaust, the percentage of people who lost their faith was less than the same phenomenon before and after the Holocaust. And see Chovot Ha-Levavot, Shaar Ha-Ahavah, end of Chapter 1.

## ❖ Hashem during Holocaust

**Q:** Where was Hashem during the Holocaust?

**A:** One who asks such a question in a text message needs to seriously repent.

## ❖ Mourning for the Holocaust

**Q:** Why do we mourn for the Six Million murdered in the Holocaust– wasn't this Hashem's Will?

**A:** It is also Hashem's will that we mourn. This, however, is a conversation which needs to take place face-to-face with a Rabbi.

## ❖ Visiting Poland

**Q:** Is it permissible to travel to Poland in order to remember the Holocaust?

**A:** It is preferable to donate the amount of money for the

trip to Holocaust survivors who suffer from poverty. This is a more suitable way to remember the Holocaust.

### ❖ Traveling to Poland

**Q:** I never left Israel to travel to Poland to visit the concentration camps. I know it is forbidden. But I am a soldier now and the army chose me to be a representative for Yom Ha-Shoah there. What should I do?

**A:** If it is your decision, don't go.

## AM YISRAEL

### ❖ Avraham Avinu – Sefardi or Ashkenazi

Q: Was Avraham Avinu Sefardi or Ashkenazi?

A: He was above Sefardi, Ashkenazi, Yemenite and Ethiopian: He was a Jew or a Hebrew! (Once in a talk in Bnei Brak, Ha-Admor of Sanz-Klausenburg, Ha-Rav Yekutiel Yehudah Halberstam, said: "I can't stand the division between Sefardim and Ashkenazim. I say that Avraham Avinu was Sefardi. He came from Aram Naharaim!" And he also said: "I love Sefardim so much that in another reincarnation, I was Sefardi". This was related by his son, Ha-Admor of Sanz-Klausenburg, Ha-Rav Shmuel David of Boro Park, in a visit with Ha-Rav Ovadiah Yosef).

### ❖ Religion or Nation

Q: Some claim that it would be good for us to have separation of religion and state in the State of Israel.

A: Judaism is not a religion, it is a Nation - a Nation with a religion (as indicated by the blessing over Torah learning: "Who Chose us from all of the nations and [afterwards] Gave us His Torah").

### ❖ Ahavat Yisrael

Q: Is there a Mitzvah to love each and every Jew?

A: Certainly. See Mesilat Yesharim, end of chapter 19 (and Tanya, Chapter 32).

### ❖ Left-Winger

Q: According to Halachah, is it permissible to be a left-winger?

A: Left-wing socially – yes. Left-wing nationally – a mistake.

### ❖ Charedi or Religious-Zionist

Q: I am in doubt what to be. Who is correct - Charedim or Religious-Zionists?

A: Depends on what issue.

Q: So which path should I take?

A: Torah. "We will do everything which Hashem said". Shemot 24:3.

### ❖ Leftists

Q: Is it permissible to hate leftists?

A: "Love your fellow as yourself". Take a map of Israel and look how many enemies surround us and you are busy spreading hate within Am Yisrael?! (see Sefer Ha-Tanya Chap. 32).

### ❖ Attacks against Charedim

Q: How is it that there have been attacks from all sides recently against the Charedim? It's terrible!

A: There is a whole well-thought out and well-funded campaign to delegitimize the Charedim and the Rabbinat. But don't worry, the Torah is eternal.

### ❖ Suffering of Am Yisrael

**Q:** What kind of Chosen People are we when we suffer and are killed all the time? This is how Hashem loves us?

**A:** This is too complex for a text message. Ask a Rabbi face-to-face. Asking a question like this in a text message is a horrible belittling of the suffering of Am Yisrael and a belittling of Hashem.

**Q:** Thank you, it is truly a belittling.

**A:** May Hashem bless you.

### ❖ Hilltop Youth

**Q:** What is Ha-Rav's view of the Hilltop Youth?

**A:** Idealistic and courageous youth. They need to learn patience. The most important thing is that there not be a war between Jews.

### ❖ Heretics

**Q:** Why don't we kill all the heretics among the Jewish People?

**A:** I see that you want to outdo Hitler. He murdered one-third of the Nation of Israel and you want to murder two-thirds.

### ❖ Jews as Amalek

**Q:** How should we relate to a Rabbi who calls Religious Zionist Jews Amalek?

**A:** Anyone who does not speak to the heart of a matter, indicates that he has nothing to say about the matter. In



practice, all segments of Am Yisrael are lacking and together we form a whole. But certainly no one is Amalek (see *Igrot Ha-Re'eyah*, Vol. 1 Igeret 311. And see *Sichot Ha-Rav Tzvi Yehudah – Bereshit*, pp. 382-383).

### ❖ Jews – Amalek

**Q:** How should I respond to the words of a Rabbi who refers to other Jews as Amalek?

**A:** I – the humble one – am not involved with this issue, and I recommend for you not to be involved with it either.

## EXTREME LEFT

### ❖ Relating to Extreme Left

Q: How should we relate to extreme left-wing Jews who speak with the enemies of Israel?

A: As people who are confused.

Q: Why do they want to destroy the Land their ancestors built?

A: They don't want to destroy it. They want to build it. But they mistakenly think that giving up parts of our Land will bring salvation to the Nation and the Land. By the way, left-wingers were an important constituency among the builders of the Land.

### ❖ Peace Now

Q: Are the people in the group "Peace Now" considered traitors?

A: They are considered confused.

### ❖ Cursing Extreme Left

Q: Is it permissible to curse the extreme Left in Israel?

A: G-d forbid!

# CHAREDIM

## ❖ Charedim

**Q:** How should we relate to the Charedim who do not serve in the army, avoid paying taxes, and do not believe in the State of Israel?

**A:** Focus on their positives: Torah, Mitzvot, fear of Heaven, and proper character traits. Do not sign up for the "Committee to Find Blemishes Among Others," but, rather, look for blemishes within yourself.

## ❖ Charedim or Religious Zionists #1

**Q:** What makes us different from the Charedim?

**A:** We are Charedim, and with an extra Klal Yisrael level.

**Q:** Why do most Ba'alei Teshuvah become Charedim?

**A:** This is incorrect, a mistaken impression.

**Q:** Why are so many Religious Zionists willing to compromise?

**A:** In truth, we should not compromise, but be Charedi and more.

## ❖ Charedi or Religious-Zionist #2

**Q:** Should I associate with Charedi or Religious-Zionists?

**A:** Charedim have distinction in the realm of fear of Hashem. Religious-Zionists have distinction in relating to the revival of our Nation in its Land. We are neither of these two types but students of Moshe Rabbenu. The Torah states

that we must excel in both fear of Hashem and in supporting the revival of our Nation. You should therefore connect to people who have both distinctions.

### ❖ Ultra-Orthodox and Army Service

**Q:** Why don't the Ultra-Orthodox serve in Tzahal?

**A:** They are good and righteous people, but they err in this area. This is truly difficult to understand. Have patience, they will slowly go to serve.

### ❖ Charedim

**Q:** Who is more important – a Druze who lives in Israel and serves in Tzahal, or a Charedi who does not see any importance in Eretz Yisrael?

**A:** Certainly, the Charedi. Have you forgotten what Am Yisrael is?! And there is no Charedi who does not see the importance of Eretz Yisrael.

### ❖ Charedi Philosophy

**Q:** Is the Charedi Philosophy against the Torah?

**A:** Certainly not. But it is lacking.

## RELIGIOUS ANTI-ZIONISTS

### ❖ Chasidei Satmar and Neturei Karta

**Q:** How should we relate to the Chasidei Satmar and Neturei Karta who participated in the Holocaust Denial Conference in Iran?

**A:** They are confused and do not represent Satmar Chasidim (One of the current Satmar Rebbes, Ha-Rav Yekutiel Yehudah Teitelbaum, said about these members of Neturei Karta who visited Iran: "These people take the pure name of Satmar in vain! Our Holy Rabbi, the 'Va-Yoel Moshe' [the first Satmar Rebbe, and his uncle], exaggeratedly said that they cause more damage than the Zionists themselves. We are working to cast off all these extreme sects. When these went to Iran, the Satmar Beit Din issued a harsh letter against them." *Mishpachah Magazine*. 29 Kislev 5773, p. 24).

# ZIONISM

## ❖ Chafetz Chaim and Zionism

**Q:** Did the Chafetz Chaim support Zionism?

**A:** No. He was not in favor and he was not opposed (Ha-Rav Avraham Shapira said that the Chafetz Chaim did not express his opinion in writing on the subject of encouraging Aliyah to Eretz Yisrael. He was a Torah giant but did not make a declaration, although he knew that secular Jews lived in Eretz Yisrael. He did not want to become entangled in speaking Lashon Ha-Ra against Eretz Yisrael! [Rosh Devarcha, p. 409.] And regarding the Chafetz Chaim making Aliyah, the Chazon Ish related in the name of the Saba Kadisha - Ha-Rav Shlomo Eliezer Alfandari – that if the Chafetz Chaim had made Aliyah, when he arrived in our Holy Land he would have seen the fire of dispute between those close to Ha-Rav Yosef Chaim Sonnenfeld and those close to Ha-Rav Avraham Yitzchak Ha-Cohain Kook. The Chafetz Chaim would have said: Did I toil and write the books “Chafetz Chaim” and “Shemirat Ha-Lashon” for naught? And he would have immediately yearned to make peace between them, and would have gone from one to the other, trying with all his will to mediate between them. But the moment he entered Rav Kook's house, the zealots would have taken the Mishnah Berurah and thrown it under the table, and Hashem did not desire this. He therefore did not make Aliyah. Likutei Ha-Re'eyah, p. 166).

## HEBREW

### ❖ Yiddish

**Q:** Was Rabbenu Ha-Rav Tzvi Yehudah particular not to speak Yiddish?

**A:** He spoke Hebrew, unless there was someone who did not understand and only spoke Yiddish. But this was rare.

## ERETZ YISRAEL

### ❖ Eretz Yisrael is Acquired Through Suffering

**Q:** I know that Eretz Yisrael is acquired through suffering, but why does Hashem allow so many difficult things to occur in Eretz Yisrael in our time?

**A:** The answer is within the question, and our time isn't considered "difficult". A difficult period, for example, is when I was born and my parents had to hide me so I wouldn't be sent to a concentration camp.

### ❖ Atheist and the Mitzvah of Yishuv Eretz Yisrael

**Q:** Does an atheist who builds Eretz Yisrael fulfill a Mitzvah?

**A:** Yes. The Mitzvah of settling Eretz Yisrael is also fulfilled without Kavanah. King Omri merited three offspring as Kings because he built a city in the Land of Israel, even though the city was for the purpose of idol worship (Sanhedrin 102b. Tana De-Bei Eliyahu 9. Eim Ha-Banim Semeichah, p. 57 in the Pri Ha-Aretz edition).

### ❖ Travel Agency

**Q:** Is it permissible to work in a travel agency since I may need to help someone plan a trip outside Eretz Yisrael?

**A:** It is permissible since it may be a trip permissible according to the Halachah. And regarding "Do not place a stumbling block", if one is uncertain that the person will transgress the Halachah, we are "Tolim" (literally "hanging" on the assumption) that he will not violate it (Mishnah Gittin 5:9).

### ❖ Foreign Embassy in Eretz Yisrael

**Q:** Is a foreign embassy in Eretz Yisrael considered outside of Eretz Yisrael?

**A:** Not according to Halachah. It is simply an agreement between nations that it is as if the embassy is their own country.

### ❖ Making Aliyah

**Q:** When I make Aliyah, should I kiss the tarmac at the airport or wait until I get to actual rocks or dirt of Eretz Yisrael? Do I recite Shehechyanu and when?

**A:** Yes, kiss the tarmac. And recite Shehechyanu before kissing the ground (see the booklet "Oleh Chadash").

### ❖ Trip outside of Israel

**Q:** Is it permissible to take a trip outside of Israel to refresh oneself?

**A:** There is no allowance for this. Perhaps you can travel



within our Land (Rambam, Hilchot Melachim 5:9. Shulchan Aruch, Orach Chaim 531).

### ❖ Dwelling in Jerusalem

**Q:** Why did you establish a Yeshiva in the so-called Muslim Quarter?

**A:** It is a Mitzvah to dwell in the entire breadth of our Land, and all the more so in Jerusalem, and all the more so in the heart of Jerusalem.

### ❖ Mitzvah of Making Aliyah

**Q:** Is making Aliyah a Mitzvah? Why do Charedi Rabbis say it is not?

**A:** It is certainly a great Mitzvah. Many Charedi Rabbis say it is. For example, the Chazon Ish (Igrot Chazon Ish #175. Ha-Rav Yosef Shalom Elyashiv. Halichot Ve-Hanhagot – Bein Ha-Metzrim, p. 6. Ha-Rav Chaim Kanievski. In a letter he personally sent to me).

### ❖ Traveling in Eretz Yisrael

**Q:** Is taking a trip in Eretz Yisrael or hiking around Eretz Yisrael considered a Mitzvah?

**A:** It is a partial Mitzvah. See the book "Kum Hithalech Ba-Aretz" of Rabbi Mordechai Tzion.

### ❖ Charedi or Eretz Yisrael

**Q:** Which is preferable - a Jew living in Eretz Yisrael who does not observe the Torah and Mitzvot or a Jew who lives outside of Israel who observes the Torah and Mitzvot?

**A:** Faulty logical: You are negating the intermediary position by presenting the only two extreme possibilities: One should be a normal Jew, i.e. observing Torah and Mitzvot here in Eretz Yisrael (Regarding the actual question, see Tal Chermon – Moadim pp. 134-135, that it depends on one's inner motivation. There are positives on both sides. And this appears to be a dispute between the Eim Ha-Banim Semeichah and the Satmar Rebbe. The Eim Ha-Banim Semeichah [pp. 28, 58] writes that one who builds the Land, even without any holy intention, but only for his own benefit, performs a greater spiritual repair in the upper realms than the greatest Tzadik who recites his Tikun Chatzot with crying and lamentations over the Divine Presence and the Exile. And the Satmar Rebbe completely rejects this notion, since one who performs transgressions in Eretz Yisrael makes the Land impure, and his reward is offset by his loss. Va-Yoel Moshe, Ma'amar Yishuv Eretz Yisrael #50-54 and elsewhere).

### ❖ Cherishing Eretz Yisrael

**Q:** Is it permissible to refer to a place in Eretz Yisrael as a "hole in the wall"?

**A:** No. This is not cherishing Eretz Yisrael. See the end of Ketubot (112a-b. And see the end of the first introduction of the book "Em Ha-Banim Semeichah", that there is even great benefit in just mentioning Eretz Yisrael).

### ❖ Eretz Yisrael

**Q:** Is living in Eretz Yisrael a goal in and of itself or a means

to learning Torah and performing Mitzvot in completeness and contentment?

**A:** It is a goal in and of itself, which also brings completeness and contentment, as does performance of every Mitzvah in the Torah. See *Orot Eretz Yisrael #1* (see Ha-Rav's book "Am Ha-Artzo" which discusses this question in the first chapter).

### ❖ Cities Given Over by King Shlomo

**Q:** King Shlomo gave 20 cities to the King of Tzur in exchange for his help in building the Temple. Can't we learn from here that it is permissible to give away parts of Eretz Yisrael in negotiations?

**A:** He only gave away the produce. Rabbi Yitzchak Abrabanel.

### ❖ Evacuating Outposts

**Q:** If the army comes to evacuate me from an outpost, should I fight against it for the sake of Eretz Yisrael?

**A:** I will give you the benefit of the doubt that you are detached from reality, and that you do not know that we have hundreds of millions of non-Jewish enemies around the world and millions within Israel itself, and that the smallest amount of civil war is crazy (*Le-Netivot Yisrael Vol. 1, p. 106*).

### ❖ Eretz Yisrael is Ours

**Q:** The Arabs also claim that this Land is "theirs"!

**A:** It is a lie. Even the Koran says it belongs to us. The Imam of Rome also recently mentioned this fact.

### ❖ Referendum on Yehudah and Shomron

**Q:** Should there be a referendum on the fate of Yehudah and Shomron?

**A:** This Land is not our personal property - it belongs to the eternal Nation of Israel for all generations, those who already lived and those who have yet to be born. The Nation has the authority to make decisions within the framework of Halachah, but does not have the authority to decide regarding that which the Master of the Universe has already decided for eternity, such as Shabbat and the loyalty between a husband and wife (Le-Hilchot Tzibur, p. 53, 99, 111, 139).

### ❖ Tearing One's Garment over Yerushalayim and the Cities of Yehudah

**Q:** Why don't we tear our garments over seeing Yerushalayim and the Cities of Yehudah in their destroyed state?

**A:** Because they are under Jewish sovereignty. See Shulchan Aruch, Orach Chaim 560, Mishnah Berurah in the name of the Beit Yosef (and see Kum Hithalech Ba-Aretz #1-2).

### ❖ Rabbinate outside of Israel

**Q:** Is it permissible for me to become a Rabbi outside of Israel for two years in order to educate the Jews there and

prevent assimilation, or is it forbidden since it helps the Jewish community remain there?

**A:** It is a Mitzvah to travel there and save them.

### ❖ Emphasizing Eretz Yisrael

**Q:** Why does our community emphasize Eretz Yisrael so much?

**A:** Our community is Am Yisrael. There is a great emphasis since it is a great Mitzvah, and – Baruch Hashem – self-sacrifice for this Mitzvah brought and brings the Redemption (Shemoneh Kevatzim 7:201).

### ❖ Harry Potter

**Q:** I heard that Harry Potter actually lived in Eretz Yisrael?

**A:** Nonsense. There was a British soldier with this name who died in Hevron in 5689 and is buried near Ramle, but he has no connection with the series of books, which are filled with nonsense and fantasy.

# STATE OF ISRAEL

## ❖ Standing during Ha-Tikvah

**Q:** Is one required to stand during the Israeli National Anthem, Ha-Tikvah? What is the source?

**A:** Yes, just as everyone else, as Hillel says: Do not separate from the community (Pirkei Avot 2:5).

## ❖ Israeli Flag

**Q:** Is it permissible to throw away a worn Israeli flag or must it be placed in the Geniza?

**A:** It may be thrown away, but not in a disrespectful manner (In the book *Nefesh Ha-Rav* pp. 99-100, it is related that one year the Agudat Yisrael Conference was held in a hotel in Yerushalayim and there was an Israeli flag flying on the roof. Some of the participants, who were opposed to the State of Israel, were unhappy about this, but instead of requesting that the flag be removed they asked if all of the flags of the participants' countries be flown as well. After this was publicized, Ha-Rav Yosef Soloveitchik stated at the Miz-rachi Conference that while the Jewish People had flags in the desert, they were temporary and not for all generations. But the flag of Israel has a different significance. There is a Minhag in the name of the Rishonim brought in the Shulchan Aruch, Yoreh Deah 366:4: "If a Jew is found murdered, he is to be buried as he was found [i.e. in his bloody clothes] without any shrouds." The Shach #11 explains the reason for this Minhag: to kindle Hashem's wrath when He sees how this person was buried without shrouds. Hashem's

compassion will thus be aroused to avenge him. And the same applies to the Israeli flag. Towards the end of the War of Independence, the UN set a specific time by which the Jews and Arabs could seize land. They established that all the territory in the hands of the Jews, as signified by raising the Israeli flag on that spot, would become part of the State of Israel, and all territory in Arab hands would remain outside the State of Israel. And this is indeed what occurred. During this period, much Jewish blood was spilled in order to raise the Israeli flag over as much territory as possible. Many Jewish fighters were killed, displaying self-sacrifice for the sole purpose of raising the Jewish flag, the flag of Israel. Therefore, Rav Soloveitchik said, the flag of the State of Israel has the status of a murdered Jew's clothing, a symbol of the spilled blood of the Jews. As a result, when the flag of Israel flies, it arouses Hashem's compassion for Am Yisrael).

### ❖ Ben Gurion

**Q:** How do we relate to Ben Gurion when he accomplished great things but was also a heretic?

**A:** With complexity.

### ❖ Honoring the Prime Minister of Israel

**Q:** Is there a special prohibition against saying insulting things about the Prime Minister of Israel?

**A:** Yes. There is a prohibition against saying such things about any person, and it is all the more severe regarding the Prime Minister, since some of the laws regarding a king also apply to him. See Shut Mishpat Cohain #143 and onward.

### ❖ Non-Jewish Prime Minister

**Q:** If a non-Jew is elected the Prime Minister of the State of Israel will the State still be holy and still represent the beginning of the Redemption?

**A:** Don't waste time dealing with nonsense. By the way, the Rambam (beginning of Hilchot Chanukah) writes that the holiday of Chanukah is on account of the return of Kingship to Israel for 200 years, which included Hordus who may have been a non-Jew.

### ❖ Boycotting Israel

**Q:** What should we do if European countries boycott Israeli products?

**A:** Let's see how they get along without the technological advances we invented in the areas of cell phones, computers and medical equipment.

### ❖ Shehechyanu on Voting in Israeli Elections

**Q:** I have heard Ha-Rav tell the story that the Chazon Ish was asked: Should one vote in the Israeli elections? He answered: It is a Mitzvah. They asked him: A Mitzvah like Matzah? He said: No, a Mitzvah like Maror. Ha-Rav says that it is indeed a Mitzvah like Matzah since we have independence and our own State. Is it a Mitzvah to the extent that someone who votes for the first time in Israel should recite a Shehechyanu?

**A:** It is permissible. It is the first time he performs the Mitzvah (Shut Orach Mishpat, pp. 268-269). And it is a good tiding. The Bach opened a gate for one who is joyous to



recite Shehechyanu, since he said that one does not violate taking Hashem's name in vain by reciting it, even in a case where it is not certain that it should be recited (Orach Chaim #29. However, it is brought in the name of Ha-Rav in Kuntres Oleh Chadash that one should not recite Shehechyanu for two reasons: 1. The State of Israel is not the fulfillment of establishing the Kingdom of Israel, but rather a quasi-Kingdom of Israel, as stated by Maran Ha-Rav Kook in Shut Mishpat Cohain, p. 338. We therefore do not recite a blessing on an act which is a quasi-Mitzvah. 2. And even if we say that it is a full-fledged Mitzvah, no one performs the entire Mitzvah by voting, but only a part of the Mitzvah, which is similar to building the Temple in which many people take a part. In our ruling, however, Ha-Rav gives permission for one to recite the blessing if one wishes to do so).

### ❖ Voting during Shiva

**Q:** Is it permissible to vote in the Israeli elections if one is sitting Shiva?

**A:** Despite the fact that one sitting Shiva does not leave his home during the entire week, it is permissible to go and vote (A similar question was asked of Ha-Rav Ovadiah Yosef and he answered: "It is permissible, and they should put dirt on their feet" [when going out]).

### ❖ Deception during the Elections

**Q:** I heard that Satmar is giving money to anyone who deposits his Teudat Zehut with them on election day so he will not vote. Is it permissible for me to take the money and vote

with my passport based on the law of one who steals from a thief is exempt?

**A:** It is forbidden from every single perspective (See Mishnah Baba Kamma 7:1. Rambam, Hilchot Geneivah 1:17. And for a response to the Satmar Rebbe's claim that it is forbidden to vote in Israeli elections, see Alo Naale #37).

### ❖ Falun Gong

**Q:** Should we protest the horrible abuses which Falun Gong is undergoing in China? After all, we are a small country and cannot solve all of the world's problems.

**A:** We cannot solve them, but we are obligated to protest as well as to act. The fact is that their government fears this and denies it.

**Q:** Why do we care? They are idol worshippers!

**A:** It does not appear that Falun Gong or Falun Dafa is idol worship. It is a technique of exercise with a little meditation and perfecting of one's character traits, such as truth and compassion. And we should certainly save them from injustice.

**Q:** But there is a swastika in their symbol, like the Nazis.

**A:** G-d forbid, they are not Nazis. The swastika is an ancient symbol from the Far East which the Nazis adopted. They are good and ethical people.

**Q:** Is it true that in China they take organs for transplant from members of Falun Gong against their will and they die from this? This is horrible! This is like what the Nazis did! Why are we silent?!

**A:** Some researchers make this claim but it has yet to be

proven by international organizations. What is certain is that they abuse them in an extremely cruel manner, make false arrests and torture them to death.

❖ Bill with Tchernichovski

**Q:** Is it appropriate for the State of Israel to put out a bill with the face of the poet Shaul Tchernichovski, who was married to a non-Jew?

**A:** It is not appropriate.

## NATIONAL SERVICE

### ❖ National Service – Permissible?

**Q:** Is it permissible for a young woman to perform National Service in Israel? I have heard Rabbis would oppose it.

**A:** It is permissible and a Mitzvah to perform National Service where a Rabbi or Rebbetzin certifies that it is an appropriate place.

### ❖ Amount of Time

**Q:** Is it recommended for a young woman to perform National Service for one or two years?

**A:** It is preferable to perform it for one year in order not to push off marriage.

# TZAHAL

## ❖ Non-Combat Soldier

**Q:** I was not accepted into an elite combat unit in Tzahal and I received a lowly position. Why should I even go to the Army?

**A:** Every position in the army is incredibly important. "For as the share of him who goes down into battle is the same share of one who stays with the equipment, they shall share alike" (Shmuel 1 30:24).

## ❖ Serving in Tzahal and Torah Scholars

**Q:** Is it true that it is impossible to serve in Tzahal and also blossom into a Torah scholar?

**A:** You should repent for shaming Torah scholars by asking this question. After all, many great Torah scholars served in Tzahal, including: The Chief Rabbi Ha-Rav David Lau, Ha-Rav Tzvi Tau (Nasi of Yeshivat Har Ha-Mor), Ha-Rav Shear Yashuv Cohain (Rav of Haifa), Ha-Rav Shmuel Eliyahu (Rav of Tzefat), Ha-Rav Avraham Yosef (Rav of Holon) and many others (Note: Ha-Rav Aviner also served in Tzahal – M.T.).

## ❖ Preparation for Tzahal

**Q:** What spiritual preparation should I do in anticipation of my army service?

**A:** Learn Mesilat Yesharim many times. And do so as well when you are in the army.

### ❖ First Shot

**Q:** I am in Tzahal. I just shot my gun for the first time and am extremely happy. Can I recite the blessing of Shehechyanu?

**A:** Yes. A good tiding. Performing a Mitzvah for the first time (Shut Orach Mishpat #268-269).

### ❖ Drafting Yeshiva Students

**Q:** Serving in the army is a Mitzvah, but because it is a Mitzvah that can be performed by others doesn't learning Torah supersede it (Moed Katan 9)?

**A:** Tzahal is currently in need of an additional 8000 soldiers to fill all of its positions. For example, it is lacking 1000 Kashrut supervisors. This is a very important and holy job, and is perfect for students from Charedi Yeshivot.

### ❖ Do We Need an Army?

**Q:** I heard a Rabbi say that we do not need an army and it is sufficient to rely on the spiritual strength of Rabbis. Is this true?

**A:** Moshe Rabbenu waged war, as did Yehoshua Bin Nun and King David. We need both: Human effort and Divine intervention. See Niddah 70b.

### ❖ Being Drafted into Tzahal

**Q:** I am a Yeshiva student. Is it worthwhile to be drafted into Tzahal? After all, this army does not fulfill its obligation to protect us.

**A:** I don't know what your sources are that it does not fulfill

its obligation to protect us. You are obligated to ask forgiveness for this slight against those who risk their lives for you. Regarding the question itself, ask your Rosh Yeshiva, and also ask him if such questions should be asked in a text message.

### ❖ War

**Q:** Why do we need a large army? Perhaps it is preferable to have a small army! Hashem will protect the few in the military, and the many in the merit of their learning Torah?

**A:** We do not rely on miracles. "When a camp goes out against your enemies". [Devarim 23:10.] We do not go out haphazard but in a well-organized manner. Sifre *ibid.* Malbim *ibid.*

### ❖ Taking Items from the Garbage in the Army

**Q:** Is it permissible for me to take army equipment which was thrown in the garbage by those commissioned to do so?

**A:** Yes, it is abandoned. But ask a military Rabbi, or the 24-hour phone line for soldiers of the Military Rabbinate 052-941-4414. This does not include items which have been set aside to be thrown away but have not yet been thrown out.

### ❖ Cell Phone on Guard Duty

**Q:** I am an officer in Tzahal and I take the cell phones of the soldiers before they have guard duty so they don't play with them. Is it permissible to take them on Shabbat?

**A:** Certainly. But ask a military Rabbi or call the hotline for soldiers of the Military Rabbinate: 052-941-4414.

### ❖ Officer of Soldiers who are Torah Scholars

**Q:** I am an officer in Tzahal and I have soldiers who are Torah scholars. How should I relate to them? Is it permissible for me to put them on the duty roster?

**A:** Everything is permissible. 1. It is the same "Pikuach Nefesh" which permits doing so for every soldier. 2. A Rav may forgo the honor due to him. (Kiddushin 32a.) And when a person is drafted into the army, he forgoes his honor. 3. Although a Rav may not forgo a disgrace to him, here it is for the best of the soldier himself. This is similar to the halachah where a son can make his father grind on a mill. (Kiddushin 31a-b.) And it is for the best of the soldier that he be part of the duty roster so that the other soldiers do not complain, unless they themselves initiate exempting Torah scholars from the list. See too the Shulchan Aruch (Yoreh Deah 243:a) that a Torah scholar is exempt from all types of guarding, but he is obligated if it is Pikuach Nefesh. Shut Ha-Radvaz brought in the Pitchei Teshuvot there.

### ❖ Informing a Family about the Death of a Tzahal Soldier on Shabbat

**Q:** Is it permissible to drive on Shabbat in order to inform a family of the death of a soldier in Tzahal?

**A:** Yes, out of a fear that the family will find out on their own, and this could be life-threatening to an elderly or ill person. It is obviously preferable that the driver be a non-Jew.

### ❖ Precedence in Granting a Furlough

**Q:** I am an officer in Tzahal. If I am able to grant some of



the soldiers a furlough, should I give precedence to married soldiers?

**A:** Definitely. A married soldier has a great need (see Shut Keshet Nechushah Vol. 1, p. 136).

**A:** Moshe Rabbenu waged war, as did Yehoshua Bin Nun and King David. We need both of them: Human effort and Divine intervention. See Niddah 70b.

### ❖ Soldier Davening during Guard Duty

**Q:** If I Daven during guard duty and an officer asks me how it's going, is it permissible to interrupt my Davening to answer him? If I do not answer he will discover I am Davening.

**A:** It is forbidden to Daven during guard duty without explicit permission. If it is not possible to Daven before or after guard duty then you are exempt: one who is involved with one Mitzvah is exempt from performing another Mitzvah. (Sukkah 26a.) With all halachic questions, one should call the 24-hour-a-day phone line of the military Rabbinate 052-9414414.

### ❖ Soldier Forced to Write

**Q:** If a soldier is forced to write on Shabbat in order to protect lives, is it preferable to write with a pen or computer?

**A:** With a computer, since writing with a pen or pencil is a Torah prohibition, and writing with a computer in such a situation is a Rabbinic prohibition (see Kishrei Milchama 3:41).

### ❖ Act of Roi Klein tz"l

**Q:** I was drafted into Tzahal and I constantly think of Roi Klein tz"l, who jumped on a hand grenade in order to save his fellow soldiers. If I am in the same situation, am I obligated to do so too?

**A:** He was not obligated to do so, but he displayed self-sacrifice, great self-sacrifice, and he is a supreme Tzadik (see Le-Netivot Yisrael Volume 1 p. 157).

### ❖ Soldier Washing Uniform on Shabbat

**Q:** If a soldier's uniform is filthy and unbearable to wear, is it permissible to wash it on Shabbat?

**A:** A non-Jew may wash it for him. (Shulchan Aruch, Orach Chaim 276:2. Mishnah Berurah #25.) And it is considered for the sake of a Mitzvah.

### ❖ Ultra-Orthodox and Army

**Q:** Why don't Charedim serve in Tzahal?

**A:** They are good and righteous people, but they err in this area. But the situation is slowly improving. Patience (Even the current Satmar Rebbe – Ha-Rav Zalman Leib Teitelbaum – says: "If you recognize the government and are supported by it – what justification do you have to abstain from serving in the army?!" Mishpachah Magazine #1085, 29 Kislev 5773).

### ❖ Charedim and Army Service

**Q:** Is it normal that hardly any Charedim serve in the army? What should we do?

**A:** No, they are only 4% of the army. But it will not change by forcing them, rather by patience. The situation is slowly improving. 5765 - 608 Charedim were in the army. 5766 - 702. 5767 - 751. 5768 - 832. 5769 - 1115. 5770 - 1617. 5771 - 2041. 5772 - 2533. 5773 - 3289. 5774 - 4360. Expected: 5775 - 5565. 5776 - 6895. 5777 - 7940. Baruch Hashem! This is largely in merit of the units Ha-Nachal Ha-Charedi and Shacha"r.

### ❖ Obligatory War - Milchemet Mitzvah

**Q:** I heard from an Ultra-Orthodox man that we do not go out even for an obligatory war without the Urim and Tumim?

**A:** This is when we have the Urim and Tumim. When we do not have them, we go to war even without them. And if our enemies attack us, would that person tell our soldiers not to protect him?!

### ❖ "Being Killed and Not Violating" and Drafting Yeshiva Students

**Q:** If there is a forced draft into Tzahal and I want to learn Torah, is there the law of "Being Killed and Not Violating"?

**A:** There are two problems: 1. If you are killed, G-d forbid, you will not be able to learn Torah. 2. No one wants to kill you. As to how to act, ask your Rosh Yeshiva.

### ❖ Damaging a Vehicle of Tzahal

**Q:** Is it permissible to damage an army vehicle of Tzahal in order to prevent expulsion of Jews from their homes?

**A:** We do not perform a Mitzvah through a transgression

by damaging Tzahal's equipment (Our Rabbi Ha-Rav Tzvi Yehudah said that the army's equipment is a "Machshir Mitzvah" [something which facilitates the fulfillment of a Mitzvah]. [Sichot Ha-Rav Tzvi Yehudah – Eretz Yisrael, pp. 268-270.] "Who sanctifies us with His Mitzvot"! A Sukkah is also a "Machshir Mitzvah", and there is an opinion – which is not accepted in the Halachah – that we recite a blessing when building it. [Yerushalmi, Berachot 9:3.] Is it permissible to damage a Sukkah for some reason?! G-d forbid! And this is true all the more so for Tzahal's equipment which is required to protect Am Yisrael, Eretz Yisrael and to sanctify Hashem's Name. [Li-Netivot Yisrael, in the article "Li-Mitzvot Ha-Aretz".] And doing so also distances Am Yisrael from Eretz Yisrael).

### ❖ Recovering Corpses in the Army on Shabbat

**Q:** Is it permissible on Shabbat to recover corpses of soldiers who have been killed or is violating Shabbat only permissible to save a life?

**A:** It is permissible. 1. For the morale of the soldiers, since they know that they will not be abandoned if - G-d forbid – something happens to them. 2. Out of a concern that the enemy will recover them and try to ransom them. Ha-Rav Shlomo Goren (Meishiv Milchama Vol. 2 p. 217).

### ❖ Army Discount

**Q:** As a soldier, I receive a 30% discount in some stores. Can I buy something for a friend with the discount?

**A:** You have to ask the army.

# POLLARD

## ❖ Pollard for Terrorists

**Q:** Is it permissible to release terrorists in exchange for Jonathan Pollard?

**A:** It is certainly forbidden, and he himself opposes it. He is not a murderer like them but a national hero. And see the Gemara regarding redeeming captives in Gittin 43. But if they are releasing murderers in any event, it is a great Mitzvah to take advantage of this opportunity to free him.

## ❖ Jonathan Pollard

**Q:** Is it permissible to give Maaser to help free Jonathan Pollard?

**A:** Yes. Redeeming captives is the highest form of giving Tzedakah. Baba Batra 8.

## RELATING TO ARABS

### ❖ Jewish Terror in Revenge for the Murder of the Three Teens

**Q:** What is the law regarding the Jews who murdered the Arab teen? Is it permissible to take revenge on the Arabs for the murder of the three Jewish teens?

**A:** 1. A person is considered innocent until proven guilty. 2. It is certainly forbidden to murder one person on account of another person's transgression. In general, it is forbidden to murder a non-Jew. After all, our souls were at Mt. Sinai and heard: Do not murder. In any case, it is the terrorists who should be punished, not civilians. 3. Punishing terrorists must not be via the act of individuals, but rather through the decision of the entire Nation, i.e. via Tzahal, with the Government's permission, since the consequences are paid by the entire Nation.

### ❖ Relation to Arabs

**Q:** I am volunteering at a center for mentally-challenged children, and there are also Arab children there. How should I relate to them? In a pleasant manner like to the other children?

**A:** Certainly. One has to be a human being. It is not a battle field there. See the introduction of the Netziv to Sefer Bereshit.

### ❖ Arab who Hits

**Q:** If an Arab hits me, can I hit him back?

**A:** Through Tzahal...

## WAR/TERRORISM

### ❖ Hallel over the Yom Kippur War

**Q:** We recite Hallel on Yom Yerushalayim for the miracle of our salvation during the Six-Day War. Why then don't we do the same for the miracle of our salvation during the Yom Kippur War?

**A:** It is included in the Hallel of Yom Ha-Atzmaut, just as all the miracles of the original conquest of Eretz Yisrael are included in the Hallel of Pesach. And Yom Yerushalayim is unique (See the book "Milchemet Yom Ha-Kippurim" of Ha-Rav Menachem Mendel Kasher).

### ❖ Adding to the Prayers during the Wave of Terror

**Q:** In light of the current situation, should we add prayers to the Davening?

**A:** There is no need. This is the normal state of war with our enemies, which has been going on since the establishment of the State of Israel.

### ❖ Carrying a Weapon

**Q:** I live in Yesha and want to carry a gun but my wife is scared to have a gun in the house. What should I do?

**A:** Carry a gun. But in your house, keep it in a safe as the law requires.

### ❖ Terrorists

**Q:** Why are we revolted by terrorists? Don't we believe that they are performing Hashem's will?

**A:** This is not Hashem's will but rather evil. A wicked person absorbs Hashem's will in a false and evil manner. See Shemoneh Kevatzim of Maran Ha-Rav Kook 3:42.

## **Operation Protective Edge**

### ❖ Home Front Command

**Q:** Ha-Rav always says that one should listen to the Home Front Command. What is the halachic obligation to do so?

**A:** 1. "Guard your souls". 2. The obligation to listen to the State and Army. 3. Intellect.

### ❖ Routine during a Time of War

**Q:** During a time of war, should we continue on with our normal routine while our soldiers are waging war?

**A:** Yes. We have been in this state in different forms for more than 60 years. The goal of terror is to break life and routine.

### ❖ Husband Called Up for Reserve Duty

**Q:** My husband was called up for reserve duty for Operation Protective Edge. What should we do in our family?

**A:** Keep your routine, repent, Daven and give Tzedakah.



## ❖ Operation Protective Edge and Soldiers who have Fallen

**Q:** Despite my strong faith in Hashem it is very difficult for me to digest the great number of soldiers who have been killed.

**A:** When Rabbenu Ha-Rav Tzvi Yehudah was asked this question during the Yom Kippur War, when perhaps a hundred-fold more soldiers fell, he responded: Where is your contract?! Where is the contract which Hashem signed for you that we would not be killed in war?!

## ❖ Sin Caused the Need for Operation Protective Edge

**Q:** What sin caused the war of Operation Protective Edge?

**A:** You don't know?! It was on account of the horrible sin of destroying Gush Katif, a sin against Hashem, a sin against the Nation and a sin against the people who lived there - and all because of false dreams of peace. After all, when we lived there, there were no missiles or tunnels. We lived in peace and contentment in Gush Katif.

**Q:** So should we not forgive the people who destroyed Gush Katif now that we see the results?

**A:** One is not obligated to forgive them, but it is better to fill oneself with joy than resentment.

## ❖ Wounded Arabs during Operation Protective Edge

**Q:** Do our hospitals need to take in Arabs from Gaza who were wounded on account of Hamas?

**A:** Yes. Based on 1. morality. 2. national benefit, i.e. we care for other people and in return other people care for Jews.

### ❖ Operation Protective Edge and Music during the 3 Weeks

**Q:** Is it permissible to listen to music now since it is a time of war?

**A:** No. There is no connection. But we must be more particular regarding Halachah during this time.

### ❖ Music for a Soldier during the 3 Weeks

**Q:** I am stationed on the border with Gaza. Is it permissible for me to listen to music during the 3 Weeks in order to relax and bring a little joy?

**A:** Yes, if it is a military need.

### ❖ Special Prayer for Operation Protective Edge

**Q:** Is there a special prayer to say during Operation Protective Edge?

**A:** Tehillim #35.

**Q:** I meant something aside from Tehillim?

**A:** The Prayer for the State of Israel.

### ❖ Honoring Parents and Operation Protective Edge

**Q:** I want to go down south and help but my parents object. What should I do?

**A:** When you are independent, do as you wish, but as long as you live in your parents' house, consider their feelings.

❖ Operation Protective Edge and Youth Activities

**Q:** Should we cancel youth activities on account of the war? After all, our soldiers are waging war.

**A:** Do not cancel them. Part of the struggle is not to break the routine of life. But recite Tehillim at the beginning of each activity for the victory and peace of our soldiers.

❖ Prayer for a Non-Jewish Soldier Fighting in Operation Protective Edge

**Q:** Is it permissible to Daven for a Druze soldier who was wounded in our war over our Land?

**A:** Of course, he spilled his blood for this purpose (see Shut Yechaveh Da'at 6:60).

❖ Operation Protective Edge and "Harm will not befall one on the way to perform a Mitzvah"

**Q:** "Harm will not befall one on the way to perform a Mitzvah". How then are our soldiers killed?

**A:** It says in the Gemara Pesachim (8b), which mentions this general principle, that this only applies in the case of an infrequent danger. We do not apply this principle, however, when there is a frequent occurrence such as war. In general, one should be careful with partial quotes.

### ❖ Protective Edge

**Q:** Is this war considered an obligatory war according to Halachah?

**A:** Certainly. According to the Rambam, one type of obligatory war is to protect Israel from its enemies. Defensive War (Hilchot Melachim 5:1). According to the Ramban, it is to conquer the Land. War of Independence (Sefer Ha-Mitzvot Le-Rambam, Additions to Positive Mitzvot #4).

### ❖ Returning to Gush Katif

**Q:** Hasn't the time arrived to return to Gush Katif?

**A:** It has always been that time. All that remains is to convince the Nation. This is true for other Mitzvot as well.

### ❖ Torah Reading on Tisha Be-Av for Soldiers who are Not Fasting

**Q:** Is it permissible for ten soldiers, who are forbidden to fast on Tisha Be-Av, to read the Torah?

**A:** Yes. According to the Chatam Sofer (Orach Chaim #157), the Torah reading is an obligation of the day itself and not dependent on whether or not the readers are fasting (See Piskei Teshuvot 566:4. Halachah-Medical Encyclopedia of Rabbi Prof. Steinberg Vol. 4 p. 383).

### ❖ Protective Edge and Maaser

**Q:** Is it permissible to buy presents for wounded soldiers in the hospital from Maaser?

**A:** Yes. They are in the category of poor.

### ❖ Protective Edge and Amalek

Q: Are the Arabs Amalek? Is Hamas Amalek?

A: Hamas is similar to Amalek, but the definition is genetic but we do not presently know who they are (Ha-Rav Yosef Soloveitchik related in the name of his father, Ha-Rav Moshe - that besides the actual nation of Amalek, any nation that conspires to destroy the Nation of Israel is considered by the Halachah to be Amalek. [Five Derashot. Kol Dodi Dofek note #23. Nefesh Ha-Rav p. 97.] But our Rabbi, Ha-Rav Tzvi Yehudah, was not pleased with what Ha-Rav Soloveitchik wrote in this matter, and he said that it was only a Derashah [a homily, or inspirational discourse], and one should refrain from saying things like this. Melumdei Milchama p. 24).

### ❖ The Funeral of a Lone Soldier

Q: Is attending the funeral of a lone soldier considered a "Met Mitzvah" (burying a corpse which does not have anyone to bury it)?

A: No. Tzahal takes care of him. But it is a Mitzvah to accompany the deceased and honor the soldiers.

### ❖ Protective Edge and Davening in Tzahal Uniform

Q: I just returned from fighting in Gaza. My uniform is dirty and I do not have time to change it. Is it permissible for me to Daven Minchah?

A: From the outset, one should not wear dirty clothing when Davening because one does not stand in this manner

before a king. But in a pressing situation, it is permissible to act from the outset (Lehatchila) in an after-the-fact manner (Be-Diavad) (see Sha'arim Metzuyanim Be-Halachah 116 #2 in the name of Rav Shmuel Engel). And this is true all the more so since a Tzahal uniform is like the clothing of the Kohanim (see Baal Ha-Turim on Vayikra 6:3. Niddah 13b. And Ha-Rav Eli Sedan - Head of Pre-Military Yeshiva Academy in Eli, in his talks before students being drafted into Tzahal. And Rabbi Aharon Ziegler related how Ha-Rav Yosef Soloveitchik was very meticulous, among other things, in "Tikun Ha-Malbushim", proper and dignified attire, for the Davening. He was once visited by a student who served in the Israel Defense Forces who asked him the following question: I work in the tank division, cleaning and maintaining the tanks. My uniform often gets covered in oil and grime. Do I need to change clothing before Davening Minchah? He emphasized that it would be possible but quite inconvenient and difficult to do so. The Rav looked at him in amazement and said out loud, "Why would you need to change? You are wearing 'Bigdei Kodesh', holy clothes"! Published on [www.torahmusings.com](http://www.torahmusings.com)).

### ❖ Protective Edge and Shaving

**Q:** I am a soldier in the tanks and in the field. The stubble, sweat and sand really bother me. Is it permissible to shave during the 3 Weeks?

**A:** Yes (While most Poskim forbid shaving, even for one who shaves daily, there are those who permit it. [Shut Igrot Moshe 4:102, 5:24 #9.] In a pressing situation, it is permissible to rely on this opinion).

### ❖ Protective Edge and Bad Dream

**Q:** I am on the Gaza front and one soldier had a dream that another soldier was killed in action. The second soldier now fears fulfilling his mission.

**A:** This dream has absolutely no meaning. There is no need to worry about it. If they are worried, they can perform a "Hatavat Chalom" as found in the Siddur (Piskei Teshuvot 220:1. Shut She'eilat Shlomo 4:77-78).

### ❖ Protective Edge and Killing Our Enemy

**Q:** I am a soldier and see hundreds of killed and wounded innocent people. Isn't our attack on Gaza unethical? Is it permissible for us to ensure our security with the blood of the Arabs of the Gaza Strip?

**A:** We are willing to make peace in a split second, but in that time they will murder us. We are obligated to protect the innocent citizens of Israel against the guilty. We try - far beyond any other army in the world - not to attack uninvolved civilians. I did not write innocent people but rather uninvolved civilians, since this is a defensive war against an enemy who has risen up to drive us from our Land. The "innocent" ones are our Nation and our soldiers.

### ❖ Trip during Operation Protective Edge

**Q:** Is it permissible to take a trip while our soldiers are fighting a war?

**A:** Yes. Because the goal of terror is to break life and routine. On condition, of course, that it is Kosher and according to the directives of the Home Front Command (Although

during the time of the Second Lebanon War, Ha-Rav Yosef Shalom Elyashiv said: I say to everyone that anyone who wants to go on a trip should first go to visit the wounded in the hospital and then go on the trip, i.e. afterwards we'll see if they are still able to go on a trip. Mi-Pi Ha-Ish p. 247).

### ❖ Protective Edge and Killing a Terrorist

**Q:** I killed a Hamas terrorist. What will happen to me on Yom Kippur? Do I have to repent?

**A:** You performed a very great Mitzvah of saving Jews and defending Eretz Yisrael!

### ❖ Protective Edge and Tefillin

**Q:** I am a soldier in Gaza and do not have time to put on Tefillin. What should I do?

**A:** It is sufficient to put them on for a few seconds. If this is not possible, then one who is performing one Mitzvah is exempt from another Mitzvah (Sukkah 26a).



## REDEMPTION/MESSIAH

### ❖ Redemption without Teshuvah

**Q:** The Rambam rules in Hilchot Teshuvah that we will not be redeemed without Teshuvah. If so, since there are still transgressions among us, isn't it clear that we're not in the Redemption?

**A:** 1. See Kesef Mishneh, who explains that Teshuvah brings us to Redemption. 2. It is not currently the Redemption, but Atchalta De-Geulah – the Beginning of the Redemption. 3. The Rambam writes that the Messiah himself will force all Jews to fulfill the Torah and Mitzvot. If this is so, then we will not all be righteous when he arrives. Hilchot Melachim 11:4 (see Alo Naale #24 at length).

### ❖ Mashiach Now!

**Q:** After the immense pain of the passing of Ha-Rav Ovadiah Yosef ztz"l, I have a feeling that the Mashiach is going to come right now. Is there a basis for this?

**A:** No. We do not know when the Mashiach will come, and we wait each day for his arrival. One of the Rambam's 13 Principles of Faith.

### ❖ Teshuvah and Geulah

**Q:** Aren't the Charedim correct that Am Yisrael will first perform Teshuvah and only then return to Zion in purity?

**A:** This was in fact one of the possibilities, but as it happened, Am Yisrael did not repent in the Exile but will do so here (In the newly released edition of the book "Eim

Ha-Banim Semeichah" of Keren Re'em, the introduction [p. 12] relates something from the Tena'im ceremony held for the engagement between the granddaughter of Ha-Rav Yissachar Shlomo Teichtal, author of Shut Mishneh Sachir and Eim Ha-Banim Semeichah, and the eldest grandson of the present Belzer Rebbe. The Belzer Rebbe related that in the year 5703, Ha-Rav Teichtal came to his uncle and father [the previous Belzer Rebbe Ha-Rav Aharon and Ha-Rav Mordechai of Bilgoray] in Budapest to ask for a Haskamah for his book Eim Ha-Banim Semeichah. Rav Mordechai of Bilgoray said to him: There is a dispute in Mishnah Pesachim [10:6]: How far does one recite Hallel during the Pesach Seder prior to the meal? Beit Shammai says: Until [the verse] "Eim Ha-Banim Semeichah - As a joyous mother of children", while Beit Hillel says: Until "The flint into a fountain of waters". We currently follow the halachic rulings of Beit Hillel. In the future, the Halachah will follow Beit Shammai: "Eim Ha-Banim Semeichah" [- a play on the name of his book].

But apparently they were unaware that when the Belzer Rebbe - Ha-Rav Aharon -made Aliyah, he came to Reb Noson - Ha-Rav Shalom Natan Ra'anan Kook, Maran Ha-Rav Kook's son-in-law - and said: You and I had differences regarding the way to bring Jews on Aliyah. We [much of the Charedi world] said that they should first be strengthened in Judaism outside of the Land and only then could they make Aliyah in order to build in holiness; you said that every one of them should quickly come on Aliyah without calculation. After the Holocaust, it has become clear to us that we erred, and we are greatly distressed over this fact. Sichot Ha-Rav Tzvi Yehudah - Eretz Yisrael pp. 57,

221-222. This story is also brought in Imrei Shefer on Ha-Rav Avraham Shapira, p. 37).

### ❖ There is no Messiah for Israel

**Q:** How did the Tana (Rabbi of the Mishnah) Hillel say that there will not be a Messiah for Israel? It lowers the expectation for the Redemption and lessens hope.

**A:** There is a misunderstanding. 1. This is not Hillel the Elder but rather Rabbi Hillel. 2. The Gemara rules that the Halachah does not follow him (Sanhedrin 99a). 3. Rashi explains that he does not say that there will not be Redemption but rather that Hashem will redeem us without the Messiah. It is always worthwhile to learn from the original source and not to be sustained by partial, surface quotations.

### ❖ Sacrifices

**Q:**1. According to Rav Kook, will there be sacrifices when the Mashiach rebuilds the Beit Ha-Mikdash? 2. Is it permissible to be a vegetarian? 3. What will a vegetarian do regarding the Korban Pesach?

**A:**1. Yes. See Rambam, Hilchot Melachim 11:1. 2. It is permissible. 3. One may be a vegetarian aside from eating a Kezayit of the Korban Pesach.

# EMUNAH

## ❖ Who is Hashem?

Q: Who is Hashem – in one sentence?

A: One who has G-d in one sentence does not have G-d.

## ❖ Emunah of Women

Q: Is there a difference between men and women regarding Emunah?

A: No.

## ❖ Divine Providence

Q: Why isn't Divine Providence mentioned in the Rambam's 13 Principles of Faith?

A: It is included in the first principle: "I believe with perfect faith that the Creator, blessed be His Name, is the Creator and guide of everything that has been created, He alone has made, makes and will make all things".

## ❖ Transcendental Meditation

Q: Is transcendental meditation permissible in order to calm stress?

A: According to science, it does not have greater efficacy than other regular methods of dealing with stress (See Ner Be-Ishon Laila p. 183).

## ❖ Science from the Torah

Q: Is it possible to learn physics from the Torah?

A: No.

Q: But the Vilna Gaon did?

A: You are not the Vilna Gaon.

### ❖ Emunah through Intellect

Q: Does Emunah have to be through one's intellect?

A: No. Emunah is intellect above normal intellect: it is cleaving to Hashem. See Midot Ha-Re'eyah, Emunah 18.

### ❖ Basketball Victory

Q: Does Hashem care which team wins the basketball championship?

A: It is nonsense. Hashem is not involved in nonsense. Moreh Nevuchim 2:13.

### ❖ Love of Hashem

Q: How do I work on loving Hashem?

A: See Mesilat Yesharim Chapter 9.

### ❖ Difficult Prohibitions

Q: Why does the Torah have prohibitions that are difficult for me to stick to? I am not an angel!

A: Your soul is higher than that of an angel. (Midrash Mishlei 4:25. Sanhedrin 93a). Place faith in it and you will ascend higher and higher.

### ❖ Big Bang Theory

**Q:** Does the big bang theory contradict the story of Creation?

**A:** No. The story of Creation is not literal but a supreme secret. Mishnah Chagigah Chapter 2.

### ❖ Free Choice for Animals

**Q:** What is the source that animals have free choice?

**A:** There is none.

### ❖ Earth as the Center of the Solar System

**Q:** Rabbi Nachman of Breslov held firmly that the sun revolves around the earth. How can we understand this?

**A:** It is indeed difficult to understand.

### ❖ Eliyahu Ha-Navi

**Q:** Does Eliyahu Ha-Navi appear in our times in the form of a regular person?

**A:** No. Eliyahu Ha-Navi only reveals himself to the holiest of individuals (see the book Chayei Olam, chap. 30, where Ha-Rav Chaim Kanievski records many places in the Gemara, Yerushalmi, Midrash, holy books and among great Rabbis where Eliyahu revealed himself).

### ❖ Younger Child

**Q:** Why is the younger child given preference in the Tanach? For example, Kayin and Hevel, Yishmael and

Yitzchak, Esav and Yaakov, Leah and Rachel, Menashe and Ephraim, David and his brothers, etc.

**A:** One gains favor through his efforts, not through his relative age.

### ❖ Why was Man Created

**Q:** Why did Hashem create people? As game pieces to aggrandize His Name?

**A:** One who asks such a question is not worthy of an answer, rather he must first repent for such blasphemy. Learn Mesilat Yesharim.

### ❖ If You Can

**Q:** What is the source for the saying: "If you can, you are obligated"?

**A:** Officers' school of Tzahal.

**Q:** What about the saying: "If you are obligated, it is a sign that you are able to do so"?

**A:** The philosopher Emanuel Kant.

### ❖ Ruach Ha-Kodesh

**Q:** How does one merit Ruach Ha-Kodesh?

**A:** Following the path laid out in Mesilat Yesharim, from beginning to end.

### ❖ Faith in Our Sages and Criticism

**Q:** Doesn't criticizing Rabbis contradict "Emunat Chachamim" – having faith in our Sages?

**A:** No. One who learns Gemara sees this clearly. A difficulty on the Sages is not in order to know whether they are correct or not, since they are certainly correct, rather it is because we want to understand (I have heard Ha-Rav say many times that when Rabbi Akiva Eiger discusses a Tosafot and writes: "Tzarich Iyun – it requires further analysis", it does not mean that the Tosafot requires further analysis, but rather Rabbi Akiva Eiger requires further analysis).

### ❖ Nuclear Bomb

**Q:** Is there any truth to what one Rabbi said, that a nuclear bomb will fall on Israel in the next month? What will happen to our children?

**A:** Nonsense. By the way, even if – G-d forbid – a nuclear bomb fell on the most populated area in Israel, i.e. the holy city of Tel Aviv, there would be 10,000 deaths, which is equivalent to the number of people who die each year in Israel from smoking. But in reality, this is all nonsense.

### ❖ Prophet who was a Convert

**Q:** Was there ever a prophet who was a convert?

**A:** Ovadiah Ha-Navi.

### ❖ Revelation of Eliyahu

**Q:** Why did Eliyahu Ha-Navi appear to the Arizal and the Vilna Gaon but not the Rambam?

**A:** The Rambam had a revelation of Eliyahu through his intellect.



### ❖ Chilul Hashem

**Q:** How is it possible that there are people who are Torah observant but act in a repulsive manner?

**A:** This is the definition of Chilul Hashem. Yoma 85. Rambam, Hilchot Yesodei Ha-Torah Chapter 5.

### ❖ Calling Hashem: "Tatte"

**Q:** Isn't it belittling Hashem to call Him: "Tatte" – "Father" in Yiddish?

**A:** No. The Master of the Universe is our Father, on condition that we remember that He is also our King. We are sons and servants of Hashem. But it is belittling to speak in Yiddish, as if Hashem doesn't understand Hebrew. But it is also possible to call Hashem: Mommy, since the Kabbalists refer to Hashem as both Father and Mother. He is above both male and female, but reveals Himself as both a Father and Mother.

### ❖ Free Choice

**Q:** If Hashem sees and plans the future, how do we have free choice?

**A:** This is a complex question for a text message. Ask a Rabbi orally or see Rambam, Hilchot Teshuvah end of Chapter 5. Shemoneh Perakim Chapter 8.

### ❖ Spies or Golden Calf

**Q:** Which was worse – the Sin of the Spies or the Sin of the Golden Calf?

**A:** Each was worse than the other in a particular way.

## ❖ Awe of Hashem

**Q:** How do I reach the level of constantly having awe of Hashem?

**A:** This is an extremely high level, brought at the end of Mesilat Yesharim Chapter 25, which comes through the constant thought that the Shechinah is found in every place and one cannot hide from Hashem. See there at length.

# PROPHECY

## ❖ Nostradamus

**Q:** Are the prophecies of Nostradamus true? Many of them have come to fruition.

**A:** No. Since they are indistinct, many events can appear to fit within them.

## ❖ Prophecy Today

**Q:** Does prophecy exist today?

**A:** Since the destruction of the Temple, prophecy ceased and was given to children and fools. Baba Batra 14. We hope that if people are claiming to prophesy, they are either children or fools, otherwise they are false prophets.

## ❖ Prophecies about the Future

**Q:** How can we explain that there are all kinds of mystical people who prophesy about future events that really do occur?

**A:** They only say approximately what will occur and not exactly. See Rambam, Hilchot Yesodei Ha-Torah 10:3.

# MITZVOT

## ❖ OCD

**Q:** I have OCD, and a Rabbi told me that Ha-Rav Shlomo Zalman Auerbach and Ha-Rav Yosef Shalom Elyashiv ruled that in such a case, one should be lenient whenever there is a doubt. What does "whenever there is a doubt" mean? That I don't need to ask a Rabbi every time?

**A:** No. Whenever there is a doubt means exactly that: whenever there is a doubt (and see the book "Religious Compulsions and Fears" by Dr. Avigdor Bonchek).

## ❖ Conflict between Honoring Parents and Fulfillment of Halachah

**Q:** What should one do when there is a conflict between one's parents and fulfilling the Halachah?

**A:** One should honor his parents to the greatest extent that the Halachah allows in a pressing circumstance (Ha-Rav Elazar Menachem Man Shach told yeshiva students that their parents are not always comfortable with their customs and exactitude in observing Halachah, and this can cause arguments and strife. Therefore, in any issue in which halachic authorities write that one may be lenient when there is a "Hefsed Merubah" (major loss), one may be lenient since arguing with one's parents is a "Hefsed Merubah". The Booklet "Halachah Ke-Rebbe Elazar" by Ha-Rav Shmuel Baruch Genut, p. 36).

### ❖ Minhag of Jews from North Africa

**Q:** Should Jews who made Aliyah from North Africa observe the customs of their forefathers or follow the Beit Yosef, the Mara De-Atra of Eretz Yisrael?

**A:** The customs of their forefathers. Rabbi Yosef Karo was not the Mara De-Atra of Eretz Yisrael in his time. He was the halachic authority only for those who accepted him. Shut Chemdah Genuzah of Ha-Rav Chaim Shelosh (And see the book "Divrei Shalom Ve-Emet" of Ha-Rav Shlomo Toledano, who disagrees with Ha-Rav Ovadiah's opinion that all Sefardim should follow the Beit Yosef. The book includes all of the halachic disputes between Ha-Rav Shalom Messas and Ha-Rav Ovadiah Yosef).

### ❖ Non-Jewish Father

**Q:** My mother is Yemenite and my father is a non-Jew from Switzerland. Am I Yemenite or Ashkenazi?

**A:** Yemenite. From a halachic perspective, the non-Jewish father's seed is not considered.

### ❖ Measurements of Ha-Rav Chaim Na'eh and the Chazon Ish

**Q:** How do we rule in the dispute between Ha-Rav Chaim Na'eh and the Chazon Ish regarding halachic measurements (for example, the size of a "kezayit")? Who is greater?

**A:** It makes no difference. Ha-Rav Yosef Shalom Elyashiv was asked: how could Ha-Rav Na'eh argue with the Chazon Ish? He answered that the measurements of Ha-Rav Na'eh were practiced earlier and it was the Chazon Ish who argued

against them. The book *Yashiv Moshe* p. 130 (see *Noda Ba-Shiurim* p. 271).

### ❖ Le-Shem Yichud

**Q:** Is it permissible and advisable for a person to say "Le-Shem Yichud" before every Mitzvah?

**A:** Certainly not. These are deep and secret concepts. And the *Noda Be-Yehudah* (*Mahadura Kama*, *Yoreh Deah* #93) already complained about those who recite it before Davening, and we do not need more than this in order to refrain from doing so (The *Tzanzer Rebbe*, the *Divrei Chaim*, greatly praised the *Noda Be-Yehudah*. And to those *Chasidim* who spoke negatively against the *Noda Be-Yehudah* on account of his opposition to reciting *Le-Shem Yichud*, the *Divrei Chaim* said that one who disputes the *Noda Be-Yehudah* is a heretic and anyone who doesn't like it should not visit him. [*Hadrat Kodesh*, p. 80.] And he obviously did not recite the *Le-Shem Yichud*. [*Toldot Kol Aryeh*, p. 112.] And it is written in *Shut Chavot Yair* #210 that its recitation is only for great Torah scholars. The *Klausenberger Rebbe* say that *Le-Shem Yichud* was only given to the greatly righteous and not to regular people who have not reached the level to understand the meaning of this statement about the unity of Hashem. [*Sefer Halichot Chaim Sefirat Ha-Omer* #3.] The *Baal Ha-Tanya* wrote that one should recite the *Le-Shem Yichud* once a day before *Baruch She-Amar* in the morning and this would cover its recitation for the entire day. [*Sha'arei Halachah U-Minhag* Vol. 1 #61.] There are many, however, who do recite it before each Mitzvah. The *Chida* wrote that one should not pay attention to what the *Noda Be-Yehudah* wrote, for he belit-

bled the recitation of Le-Shem Yichud, he came to anger the Chasidim of his land, and he argued with clean hands with the Rashbi and the Arizal. [Simchat Regel 5:1.] And many Chasidim do recite the Le-Shem Yichud before each Mitzvah and explain that there is no questioning it after Rabbi Elimelech of Lizhensk and the students of the Baal Shem Tov acted in this way according to the words of the Arizal, who was unique in revealing the secrets of Hashem. And this is indeed the Minhag of Belzer Chasidim. However, on the Yahrtzeit of the Noda Be-Yehudah during Sefirat Ha-Omer, there are Tzadikim who do not recite it out of respect for the Noda Be-Yehudah. And this was in fact the practice of the Belzer Rebbe, Ha-Rav Aharon Rokeach. Shut Divrei Pinchas of Ha-Rav Pinchas Avraham Meyers, Av Beit Din of Antwerp, vol. 1 #2).

### ❖ Beit Shammai in the Future

**Q:** I have heard that in the times of the Messiah, the Halachah will not follow Beit Hillel as it does now (Berachot 36b, Beitza 11b and Yevamot 9a), but will follow Beit Shammai. Why?

**A:** This idea is written in the works of the later Kabbalists, but it does not appear in the Gemara or in the Zohar. Nonetheless, we must understand that Beit Shammai discusses the future, in which the reality of our world will be more appropriate to the stringent positions of Beit Shammai. Beit Hillel held positions more compatible with our current world.

## ❖ Stringencies

**Q:** As a Yeshiva student, should I be strict in any area where the Shulchan Aruch brings a stringency?

**A:** Ask your Rosh Yeshiva.

## ❖ "Harm will Not Befall One on the Way to Perform a Mitzvah"

**Q:** How do we explain the verse: "Harm will not befall one on the way to perform a Mitzvah", when Tzahal soldiers are killed in wars, and they are clearly performing the Mitzvah of protecting the Nation of Israel?

**A:** This is not a verse but a Gemara. [Pesachim 8b.] And it says there that this concept is in regard to an infrequent danger. In general, it is not good to be sustained by quotes taken out of context. It leads one astray.

## ❖ Transgender

**Q:** If a man undergoes an operation to become a woman, or vice versa, what is his/her status?

**A:** There is doubt whether one is a male or female, and that person is required to be strict in Mitzvot in both directions (It is written in Nishmat Avraham, Even Ha-Ezer 44:3, that such an operation is certainly forbidden. And see Shut Tzitz Eliezer 10:25 which discusses all of the issues involved).



# "PLACING A STUMBLING BLOCK BEFORE THE BLIND"

## ❖ Stolen Object

**Q:** Is it permissible to buy a cell phone from someone who buys from thieves?

**A:** No. It is placing a stumbling block before the blind. Our Sages say: The mouse is not what steals, but rather its hole – i.e. without the hole, the mouse would not steal. Likewise, without a buyer, the thief would not steal (Gittin 45a).

## ❖ Distributing Newspapers

**Q:** Is it permissible to distribute newspapers since they have forbidden things in them?

**A:** Yes, since regarding the prohibition of "Do not place a stumbling block before the blind" (Vayikra 19:14), we are "Tolim" (literally "hanging" on the assumption) that one will only read the permissible items (Mishnah Gittin 5:9).

## ❖ Setting up Secular Jews

**Q:** Is it permissible to "set up" secular Jews, even though they probably will not keep the laws of Family Purity if they are married?

**A:** It is a great Mitzvah (and, to our distress, even before the wedding they would transgress various Halachot).

### ❖ Directions to Non-Jew on Shabbat

**Q:** Is it permissible to give directions to a non-Jew who is driving on Shabbat?

**A:** Yes, there is no issue of "placing a stumbling block before the blind," since it is permissible for him to drive on Shabbat.

### ❖ Immodest Clothing Donation to a Gemach

**Q:** Is it permissible to donate immodest clothing, such as pants, to a Gemach? It is possible that a woman would wear them under a skirt, although it is not certain.

**A:** It is permissible. Regarding the prohibition of "Do not place a stumbling block before the blind" (Vayikra 19:14), we are "Tolim" that a person will act in the proper way (Gittin 5:9).

### ❖ Honoring a Father who does not Recite a Blessing

**Q:** My father asked if I could bring him some food, but he does not wash "Netilat Yadayim" or recite a blessing.

**A:** It is forbidden on account of "Do not place a stumbling block before the blind," but it is a Mitzvah to give food to the poor for Tzedakah (even if they do not recite a blessing), and all the more so to your father since you have a Mitzvah to honor him (Mishnah Berurah 169:11).

### ❖ Selling Alcohol

**Q:** Is it permissible for me to sell alcohol to Arabs, since it

is forbidden for them to drink it according to their religion (Islam)?

**A:** It is permissible, since it is permissible according to the Seven Mitzvot of Bnei Noach. There is therefore no problem of placing a stumbling block before the blind.

### ❖ Marketing Product

**Q:** Is it permissible for me to market a product when I know that an equivalent product is less expensive and better quality?

**A:** No, on account of "do not place a stumbling block before the blind," which also means that you should not offer bad advice.

### ❖ Returning an Immodest Book

**Q:** Does one have to return an immodest book to someone who lost it?

**A:** No, it is not a kindness.

### ❖ Food Samples

**Q:** Is it permissible for me to give out food samples at a store when people may not recite a blessing because of "Do not put a stumbling block before the blind"?

**A:** It is permissible, since maybe they will recite a blessing and it is for your livelihood.

### ❖ Buying Father Cigarettes

**Q:** Is it permissible to buy my father a pack of cigarettes if he asks me?

**A:** Yes, there is no issue of "Do not place a stumbling block before the blind" for one pack, but smoking in general is forbidden. Rambam, Hilchot Deot, chap. 4.

### ❖ Selling Inappropriate Books

**Q:** I work in a book store. Is it permissible for me to sell and recommend inappropriate books?

**A:** It is forbidden because it will cause others to stumble and one should make a living in a clean fashion.

# INCLINATION

## ❖ Struggle with Inclination

**Q:** I want to overcome my inclination but have not succeeded. I stumble and get up over and over.

**A:** Then you are like all of us, or almost all of us. This is our mission from Hashem to constantly wage war against our inclination (Mesilat Yesharim Chapter 1).

## ❖ Evil Inclination

**Q:** Why is the evil inclination so strong?

**A:** In order for us to fight it and elevate ourselves towards Hashem.

## ❖ Saving Myself for Marriage

**Q:** Why do I have to save myself for marriage? In the meantime, I spend my life sinning. Why can't I be with my girlfriend, which would save me from the internet, clubs, etc.?

**A:** The greatest tragedy is when one is defeated without a battle and gives legitimacy to evil. Be strong and courageous.

## ❖ Modesty

**Q:** My wife is very modest, too much so in my opinion. I want her to fancy herself up and wear a tighter and shorter skirt, like other religious women I see. Am I normal?

**A:** You are certainly normal. Every person has an evil in-

clination. But you need to overcome it and add purity. Read a lot of Mesilat Yesharim.

### ❖ Destroying the Evil Inclination

**Q:** Why doesn't learning Torah destroy the evil inclination? I have learned Mesilat Yesharim and the works of Rav Kook for years and fought against it, and yet it is still just as strong.

**A:** Our job is to struggle against it all the time. Shemoneh Kevatzim 8:36.

### ❖ Impure Thoughts

**Q:** Since I began learning in yeshiva, impure thoughts overcome me, even in the Bet Midrash!

**A:** The good inclination is increasing, and the evil inclination is getting stronger against it. Tanya, chap. 28. Be strong and have courage!

### ❖ Bad Dreams

**Q:** Since I have strengthened myself in purity, I am having unclean dreams. What should I do?

**A:** A known phenomenon. Our Sages explain that an evil person is shown a good dream and a righteous person is shown a bad dream. Berachot 55b. Since an evil person follows his evil inclination, the good inclination therefore appears in a dream when he does not have a choice. And it is the exact opposite for a righteous person. The evil inclination is feeling beaten by you and it is fighting for its life. Crush it (Ain Aya of Maran Ha-Rav Kook ibid. See Mesilat

Yesharim Chapter 11). Nonetheless, recite the Bedtime Shema with Kavana and do not eat a lot at night.

### ❖ Good and Evil Inclinations

**Q:** Do the good and evil inclinations exist within a person, or is there an external spiritual reality which acts upon a person, such as angels?

**A:** Both of these are explanations of our Rabbis, the Sages of the intellect and the Mystical Sages. Igeret Ha-Musar of Rabbi Yisrael Salanter, printed at the end of Mesilat Yesharim. And see Orot Ha-Kodesh 3, 135. 235.

### ❖ Reward

**Q:** If a person overcomes his inclination and does not transgress, does he receive a reward?

**A:** Certainly. He sits and is not sinning... (see introduction to Sefer Ha-Chinuch. Introduction to Shelah).

### ❖ Homosexual Inclinations

**Q:** If a person is born with homosexual tendencies, how can we blame him?

**A:** Everyone is born with an evil inclination, and each person is obligated to overcome it.

**Q:** Isn't it denigrating to someone who has homosexual inclinations to say that he can be straightened out through treatment?

**A:** On the contrary, it shows the greatest value for his pure and strong soul which can overcome anything.

## ❖ TV

**Q:** 1. We have a TV in our house and it is hard for me not to watch. Do you have advice? 2. Should I pressure my dad to get rid of it even though no one else wants to?

**A:** 1. Reduce the amount gradually, a little less each time with strength and courage. 2. Yes, you should pressure, it is good for everyone.



## Special Collection of Text Message Responsa regarding Rebbe Nachman of Breslov

**Q:** Everyone agrees that Rebbe Nachman was a Tzadik and Torah scholar. Why then are so many opposed to Chasidut Breslov?

**A:** Those who are opposed are greater Tzadikim and Torah scholars than him. Rebbe Nachman does not have a monopoly on either being a Tzadik or a Torah scholar.

**Q:** Ha-Rav wrote that Rebbe Nachman does not have a monopoly. Does Rav Kook?

**A:** No, Maran Ha-Rav Kook also does not have a monopoly. Only Moshe Rabbenu has a monopoly, in contrast to what Korach thought.

**Q:** But isn't there a spark of Moshe Rabbenu in every generation?

**A:** Yes, but in all of the Torah scholars, and they therefore have a monopoly together.

**Q:** Ha-Rav wrote that those opposed to Rebbe Nachman were greater Tzadikim and Torah scholars. Is it possible to compare Tzadikim and Torah scholars?

**A:** Yes. See Baba Metzia 84b and Shut Mahar"i Brona #190.

**Q:** How do we know that they were greater than him?

**A:** Because Rebbe Nachman wanted everyone to follow his way so that "All of the world be Breslov" (Chayei Mohara"n 339), but the reality is that the great Rabbis of Israel, including the great Chasidic Rabbis, did not become Breslov, and all of them together were certainly greater than him.

**Q:** Perhaps those who argued with him did not understand the true depth of his teachings?

**A:** It is also possible to say that perhaps he did not understand the true depth of those who argued with him.

**Q:** From where do we know that there were disputes with Rebbe Nachman?

**A:** It is mentioned numerous times in the books of his students. It reached the point that he was forced to wander about. His students also mention that he was excommunicated in various places.

**Q:** How can we say that people argued with him when today there are many Breslovers?

**A:** There were very few during his time. During the year of his death, there were only sixty visitors to his grave on Rosh Hashanah, and it was the same for many generations. Only recently have the numbers increased, especially among Ba'alei Teshuvah (the newly observant).

**Q:** Ha-Rav wrote about the greatness of those who argued with Rebbe Nachman, but they were not all Torah scholars, such as the "Shpoler Zeide" (Rabbi Aryeh Leib of Shpola)

who Rebbe Nachman called the Zeide of Impurity and the Zeide of Satan.

**A:** This does not make sense to me since Rabbi Aryeh of Shpola was a Torah scholar and a Tzadik. He performed acts of kindness his entire life for the Nation of Israel and gave all of his money to Tzedakah.

**Q:** Rebbe Nachman said that this Tzedakah given by the "Father of Impurity" was to nullify the Tzedakah given by the Nation of Israel.

**A:** I do not understand this.

**Q:** Rebbe Nachman was certainly the greatest of all the Torah scholars, and he said that he wanted to write a book about how to act according to each Halachah. But after he wrote Likutei Mohara"n there was no need since everyone would understand how to rule in every Halachah.

**A:** Likutei Mohara"n is certainly very important but I do not understand how anyone could rule from it and I have never seen anyone do so.

**Q:** Only dry rationalists do not follow the path of Rebbe Nachman.

**A:** Not all of the other great Rabbis of his generation were dry rationalists.

**Q:** I am sure that Ha-Rav is saying these things because he learned "Moreh Nevuchim" and Rebbe Nachman warned against learning this book.

**A:** The Rama, who appears in the Shulchan Aruch, begins with a quote from "Moreh Nevuchim."

**Q:** Isn't saying that there were greater Torah scholars and Tzadikim in his generation shaming him?

**A:** No, just as your statement that he was the greatest Tzadik and Torah scholar in his generation is not meant to shame others.

**Q:** But Rebbe Nachman said that all of the other Rabbis are like garlic skins compared to him (Chayei Mohara"n 190)?

**A:** It is not understandable.

**Q:** Why does Ha-Rav say that he does not have a monopoly on being a Tzadik or a Torah scholar when Rebbe Nachman himself said: "Today, when my book is already known and widespread, everyone is obligated to only learn my book" (Chayei Mohara"n 391)?

**A:** None of the other Torah scholars agreed. For example, Chabad.

**Q:** Which great Rabbis opposed Rebbe Nachman besides the "Shpolder Zeide"?

**A:** Rebbe Nachman wanted everyone to be Breslov but none of the great Rabbis followed his path.

**Q:** Based on the opposition, should we wage war on Breslov?

**A:** Even someone who is not Breslov should respect Rebbe Nachman since he was a great and holy person, and Hashem, in general, does not like wars.

**Q:** I learn in a Hesder Yeshiva and every night I learn Likutei Mohara"n for half an hour. Should I stop? I also say the Tikun Klali, and it gives me a good feeling.

**A:** You should ask your Rosh Yeshiva. Each yeshiva has its own path and we should respect it. If you learn in a Yeshiva, you should trust the Rosh Yeshiva.

**Q:** Why does Ha-Rav say that he does not understand when Rebbe Nachman says something difficult?

**A:** Because Rebbe Nachman was a great and holy person and we must guard his honor and humbly admit that we do not understand. Even someone else who is not Breslov must respect him.

**Q:** I have much difficulty with Rebbe Nachman. What should I think?

**A:** He was a great Torah scholar but others do not agree with him.

**Q:** If he was a great Torah scholar how could he rule not to learn Moreh Nevuchim? And how could he say: "I am the only leader and there is no leader like me"?

**A:** I do not understand. We don't understand everything.

**Q:** I heard that Rav Kook greatly respected Rebbe Nachman. Is this correct?

**A:** It is correct. He learned much of his Torah but was not a Breslover Chasid. Our Rabbi, Ha-Rav Tzvi Yehudah, also greatly respected him (*Le-Netivot Yisrael* vol. 1, pp. 214-215), but was also not a Breslover Chasid.

**Q:** I heard that our Rabbi, Ha-Rav Tzvi Yehudah, wanted to learn Rebbe Nachman's Torah in his youth, but Maran Ha-Rav stopped him. Is this correct?

**A:** Correct. He said that one first needs a healthy heart and soul before learning Rebbe Nachman, i.e. he must learn other works first (*Likutei Ha-Re'eyah* vol. 2, p. 262, *Chayei Ha-Re'eyah* p. 172 and in my book *Tzvi Kodesh* p. 20).

# GUSH KATIF RESPONSA

[A collection of "Text Message Responsa" before, during and after the Expulsion from Gush Katif which highlights the emotions, difficulties, and stresses which were experienced and are still experienced by many]

❖ Q: Is it permissible to damage army vehicles and similar things in order to prevent the expulsion?

A: G-d forbid. It is not a personal vehicle. It is needed for protection. This also distances the Nation from the Land of Israel.

Q: Is there reason to head in the direction of the Gush?

A: It is a great Mitzvah, but without confrontation with security forces.

Q: Is a son obligated to help his parents pack in Gush Katif because of honoring father and mother, or is he allowed to refuse?

A: He is required to help, even if he thinks this is a mistake, on account of the law of helping parents. He is at least obligated to go beyond the letter of the law.

Q: I have seen horrible scenes. How do I strengthen myself?

A: The Land of Israel is acquired through suffering, and this is true acquisition.

**Q:** I completely despair of trying to stop the disengagement. I am in the Gush a week, I am trying, but it seems lost. How do I strengthen and encourage myself?

**A:** Take an example from the residents of the Gush who have been there for twenty years and hold their ground. Even if a sharp sword rests on one's neck he should not despair from mercy. If The Holy One, Blessed Be He, decides to perform a miracle, we are obligated to be here, in order that someone will be able to receive it. And there is hope even within the ways of nature.

**Q:** What about refusing an order?

**A:** Do not refuse an order, but do not take initiative.

**Q:** Is it permissible to begin packing?

**A:** Yes, in order not to lose possessions. Righteous people's money is dear to them.

**Q:** What should we do when the Army comes to the settlement? What is our goal? To stop by force? Protest?

**A:** Protest by force will not work. Only light will win.

**Q:** The spiritual situation is declining and I am beginning to fall apart since the struggle is not progressing.

**A:** We must perform our obligation and Hashem will do what is proper in His eyes.

**Q:** My strength is totally leaving me. This living from night to night; perhaps it is better for me to sit at home and learn Torah.



**A:** Yes, since the essence of the struggle is spiritual, and the struggle is a long one.

**Q:** What is the benefit of heading south at this stage? Especially since the struggle is much deeper and lengthy.

**A:** It is best to learn Torah. Second best is to engage in face-to-face meetings.

**Q:** A person who evacuates, does his wine turn to forbidden wine (yayin nesech – wine touched by an idol-worshipper or a heretical Jew) since the laws relating to the Land of Israel are stricter than those of Shabbat (Orach Chaim 306:11)?

**A:** It does not turn [to forbidden wine] for various reasons.

**Q:** If they arrest me, should I identify myself and cooperate with the investigators, or should I reserve the right to remain silent?

**A:** Cooperate. They are not enemies. This is our police.

**Q:** Is it permissible to sleep in an orchard which belongs to someone else?

**A:** If you can be sure that he would agree.

**Q:** How many prohibitions does a person violate when setting a garbage can on fire?

**A:** He definitely violates various ones.

**Q:** Should we try to block the evacuation with physical force or already leave from the Gush today?

**A:** Remain as long as possible without using physical force.

**Q:** I am twenty years old. Should I listen to my parents, or prevent the evacuation of the Land of Israel which is equal to all of the other Mitzvot.

**A:** Work for the sake of the Land of Israel but without confrontation.

**Q:** Should we march to Kisufim (border crossing into Gush Katif), when there is a good chance of being arrested?

**A:** Do not do things for which you will be arrested.

**Q:** A group is organizing to go to Kisufim to block the access road. I am a young woman. Is it modest for me to go?

**A:** The essential thing is not to provoke confrontation with the security forces.

**Q:** I am not able to go to Kisufim. What should I do?

**A:** Stand in any place in the Land on the side of the road and protest in a legal manner.

**Q:** Should young women lie down on the road in order to block the access road?

**A:** This is definitely self-sacrifice, but for a young woman it is immodest.

**Q:** If my parents do not want me to go to the Gush?

**A:** Promise that you will not do anything illegal and report to them about everything.

**Q:** If I remain in the Gush I will have a broken soul. Should I remain?

**A:** If there is danger to one's soul, leave.

**Q:** How should we act at this moment?

**A:** We should do what we are commanded, and Hashem will do what is proper in His eyes.

**Q:** There are those who want to puncture the tires of the vehicles to block the expulsion. Is this good?

**A:** This is not good. Explain this to your friends, but without arguing.

**Q:** Should we remove the mezuzot?

**A:** Yes, so that they do not fall into the hands of the murderers.

**Q:** Should we remove the children from the Gush?

**A:** From the beginning, they should remain as long as possible, since they are partners, unless we are discussing overly difficult scenes.

**Q:** Is it permissible to damage the army equipment or civilian equipment which they brought?

**A:** It is forbidden to damage the possession of another! This will not help in any case.

**Q:** As young women performing National Service (performed by the religious in place of Army service), can we

aid the expelled families in hotels, on behalf of "Sela" – the Disengagement Authority?

**A:** It is a great Mitzvah, but do not say that you are on behalf of "Sela," so that the expelled families will know to trust you.

**Q:** Where are the results of all of the prayers, Tehillim and self-sacrifice?

**A:** Do not make your prayers demands (From Mishnah Berachot) – saying that The Holy One, Blessed Be He, is obligated to grant your request – rather they should be supplications. And do not engage in self-sacrifice in order for a miracle to occur (Rashi on the verse "I will be sanctified amongst the children of Israel").

**Q:** If I am not there, am I required to tear my garment (as a sign of mourning)?

**A:** Yes. Recite the blessing "Dayan Ha-Emet" (Blessed is the True Judge) as on bad tidings.

**Q:** I am not a resident. Is it preferable to leave willingly and without a criminal record?

**A:** Without a record, because this disturbs the worship of Hashem.

**Q:** Should one tear his garment upon seeing the sights on television?

**A:** Yes, as on bad tidings. And recite the blessing "Dayan Ha-Emet" with Hashem's Name and Kingdom.

**Q:** Is it permissible to throw sand in the eyes of the soldiers who are trying to climb on the roof?

**A:** G-d forbid!! How did you think of this?!

**Q:** Is it permissible to leave with the soldiers without protesting?

**A:** It is permissible. This is not called willingly.

**Q:** I am a young woman. If a policewoman or female soldier comes to evacuate me, should I leave or protest?

**A:** It is possible to leave or allow them to escort you but without struggle.

**Q:** Should one tear his garment and bless "Dayan Ha-Emet" on a Jewish settlement which has been destroyed? On every settlement?

**A:** One time on all of them, since everything is one destruction. Perhaps one is not required to tear one's garment, but this is the ruling of the Rabbis of the Gush. One is obligated to recite the blessing "Dayan Ha-Emet" as on bad tidings.

**Q:** Is a soldier who comes to evacuate also required to tear his garment?

**A:** Yes. It is permissible to tear one's Tzahal uniform since they gave it to him for his own use, and acting according to the Halachah is included in this use, as Ha-Gaon Rav Shlomo Goren ruled.

**Q:** I am 17 years old. Which book should I learn in light of the situation?

**A:** Mesilat Yesharim (Path of the Just) and Chovot Levavot (Duties of the Heart) – Sha'ar Ha-Bitachon (Gate of Trust) and Sha'ar Ha-Keni'ah (Gate of Humility).

**Q:** Should we protest the evacuation by the Army with forceful means, such as throwing stones at soldiers, so that they will thus remember that there was self-sacrifice?

**A:** G-d forbid that one should injure soldiers! And self-sacrifice – those who live there have years upon years of self-sacrifice.

**Q:** Is it permissible to join a Minyan of "Yasamn timers" (Police unit trained to evacuate the Jews)?

**A:** Certainly. What a question!

**Q:** Is it permissible to help disperse a "hot" situation (between protesters and soldiers)?

**A:** It is a great Mitzvah to help save the peace.

**Q:** A great Rabbi said in the last few weeks that the Disengagement will not come to pass. It is somewhat difficult for me to understand how this fits with the reality.

**A:** I did not hear this. I also do not understand. But if he said this, perhaps his intention was to strengthen the struggle.

**Q:** The public needs to hear the words of the Rabbis, since

people feel terrible and feel that they have been betrayed. They only hear the words of the media all day.

**A:** Correct. But since the Rabbis are not given a place in the media, you must turn to them.

**Q:** Is it permissible to pray that Ariel Sharon dies?

**A:** Don't ask questions of this type. The answer will be it is forbidden.

**Q:** This is Torah and this is its reward?! The beginning of the sprouting of our Redemption?!

**A:** There is justice and there is a Judge but not so quickly.

**Q:** Is it permissible to listen to music during these days of expulsion?

**A:** Each according to his feelings.

**Q:** How should we relate to the Prime Minister?

**A:** As an Evil one. But do not hate.

**Q:** Is it permissible to use part of Ma'asar Kesafim (Tzedakah money) for the purchase of candy and activities for the expelled children of the Gush?

**A:** Definitely.

**Q:** Is a soldier or officer an evil person? What about a member of Knesset?

**A:** Not a soldier or officer – he is torn between ethics and an order. A member of Knesset is free, and if he voted to throw people into the street, he is an evil person.

**Q:** Should one join the convoy on foot which is leaving in the direction of Chomesh and Sa-Nur (places in the Shomron which were also slated for expulsion)?

**A:** Yes, but do not endanger yourself by entering Arab villages, because this is actual danger to life.

**Q:** Is it proper for a person during these days of expulsion to refrain from marital relations?

**A:** It is a personal decision of both members of a couple, to be made together.

**Q:** I suggest changing the Prayer for the Welfare of the State of Israel, and in place of "And send Your light and Your truth to its leaders, its ministers and its counselors," to say: "Remove the Government of malice and establish a Government of faith" and similar things.

**A:** Do not change the current version. It is preferable to add this portion at the end. It is, however, better not to change anything because this is our Government now, and we should pray that Hashem sends His light and truth, in order that it not perform nonsense. This automatically includes the transformation from a Government of malice to a Government of truth.

**Q:** I tore my clothes over the destruction of Gush Katif. Am I obligated to leave this shirt on for a few days?



**A:** We are not obligated, as for other relatives. For one's father and mother, one tears on the left side, and is required to leave it on for the whole week, and if he changes clothes, he tears again because the Mitzvah is to see the tear. For other relatives, one tears on the right side, and it is permissible to change the clothes, because the Mitzvah is to tear.

**Q:** When they expel us should we uproot fruit trees because of "Do not show them favor" ("Lo Techanem" – Devarim 7:2), so they do not fall into the hands of the murderers?

**A:** There is a prohibition of wanton destruction (Bal Tashchit). And there is also a spiritual danger (in destroying fruit trees). And who is the one who violates "Do not show them favor" – this is the Government. We leave trees out of the complete faith that we will return.

**Q:** Should we burn the flag of the State?

**A:** G-d forbid. The flag is completely fine, the Prime Minister is not.

**Q:** I do not believe in the Supreme Court, the Government or the Police. How can I send my son to the Army?

**A:** The Prime Minister expelled us from Gush Katif and from Northern Shomron. Don't allow him to expel us from the Army. On the contrary, we will show him that this is the Army of all of us.

**Q:** Is it permissible for a soldier to protect those that engage in destroying houses in Gush Katif?

**A:** Yes, to our distress, he must always protect a Jew in any situation.

**Q:** From where does the encouragement flow during broken times?

**A:** From what remains and not what is broken.

**Q:** I am not succeeding in focusing in learning Torah.

**A:** This is because you are mourning.

**Q:** The expulsion has opened within me a deep wound. Is it permissible for me to engage in something extreme which will injure me?

**A:** Increase extreme Torah learning.

**Q:** For a few months, I joined a community in Gush Katif with my family. We lived in a house of the Office of Housing Development, and we used water and electricity. Are we obligated to pay?

**A:** You are not the one who should be asking these questions, rather the secretaries of the settlement, since they invited you. If you want, however, donate to a fund for the sake of the expelled.

**Q:** Why isn't there an issue of forgiveness in the statement: "We will not forget and we will not forgive"?

**A:** If they repent, repair, atone, and request forgiveness, then we will forgive (see Yoma 22b-23a).

**Q:** Does this mean that we should not love them?

**A:** We should love everyone, including the wicked.

**Q:** I heard in the name of the Kabbalists that there is a need for "breaking" before the appearance of light. Perhaps Divine Providence is preparing a great light for us – the appearance of our righteous Messiah?

**A:** One should be very cautious about all types of prophecy, which brings disillusionment in its wake. Nonetheless, this depends on our efforts.

## 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 Harav 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, and 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 officers 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 *Shu"t 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](http://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: [mororly@bezeqint.net](mailto:mororly@bezeqint.net)) and has an English blog which is updated on a daily basis ([www.ravaviner.com](http://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, e-mail, text messages, his radio show and his video blog Q&A.