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Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

On the Air with Ha-Rav Shlomo Aviner

Every Tuesday and Thursday night Rav Aviner answers questions of Jewish Law and faith on the radio in Israel. On the Air presents a sample of these answers each week.

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Plastic Surgery

Q: Is plastic surgery permissible?

A: There are a variety of responsa which discuss this issue. Shut "Tzitz Eliezer" (11:41) Shut "Igrot Moshe" (Choshen Mishpat 2:66) and Shut "Minchat Yitzchak" (6:105). The Gemara in Baba Kama (85a) says that a doctor has permission to heal the sick based on the verse: "He shall surely heal" (Shemot 21:1). Why does a doctor need permission to heal? Isn't it a mitzvah and it saves lives? The Ramban writes in the book "Torat Ha-Adam" that there is a certain amount of danger involved in healing someone. A doctor may say that since there is potential danger and he will be held liable if things go wrong why should he involved at all. The Ramban therefore explains that the Torah gave permission. Hashem permits you to heal even though there is a chance that you may harm them. You will not be held liable. This explanation is for doctors in general. Plastic surgery, however, is not to heal, it is to improve one's physical appearance. The question then becomes whether one can engage in a dangerous situation even if it is not for a purely medicinal purpose. Answer: Medicine is not only to save a person from physical pain and suffering, but also to save him from mental and emotional pain and suffering. It is also to improve a person's quality of life. The permissibility of plastic surgery is dependent on its purpose. If it is to make someone prettier, it is a problem. If it is to remove an "ugliness," it is acceptable, since that is the removal of anguish. So what if a person is not pretty? There is no obligation to be pretty,

but if he is "unattractive" and this is a source of pain, it is permissible. All of the sources can be found in Encyclopedia of Medical Halachah.

Ruling against Ha-Rav

Q: What does Ha-Rav think of the ruling by other Rabbis that he should not rule in certain matters of Halachah?

A: This is an interesting ruling. I understand that there are two or three Rabbis, who I love and respect, who think that I should have the same opinions as them. There is, however, no such thing as this: That because I love them, or respect them or am under pressure, I should say the opposite of what I understand to be correct. The prophet Zechariah (8:19) says: "Love truth and peace." This means that although person "a" loves person "b," he does not have to give up on the truth, and the opposite, just because a person wages war for his truth, this does not have to destroy peace. This is explained in the Gemara in Yevamot (14b). Anyone who learns Mishnah or Gemara knows that there are differences of opinion. In the time of Moshe Rabbenu there were no differences of opinion in Halachah, but after that there have always been and they would be decided by the Sanhedrin. Without the Sanhedrin, there are differences of opinion in Israel. Sefardim rule this way, Ashkenazic rule that way. Chasidim rule this way, Mitnagdim rule that way. There are differences of opinion, but we say that they are all the words of the Living G-d.

Hiring Arabs to build houses

Q: The settlement where I lived recently voted to allow Arabs to build houses. What is the Rav's opinion?

A: If you are concerned about safety, there is no problem. The Arabs who have jobs working for Jews generally want to ensure that they retain their livelihood and usually keep others Arabs quiet as well. The issue is that instead of hiring Arabs, we should give money to Jews. If we provide a livelihood for the Arabs, they will have a holding in the Land of Israel. If they do not have a livelihood, they will leave. We want to strengthen ourselves. At the same time, some of the settlements will not be able to build without Arabs. They will not be able to expand for growing families or accommodate new residents. The only calculation is whether the mitzvah of settling the Land benefits or not. The general principle is that we should hire Jews, but if settling the Land benefits by hiring Arabs, it is permissible to do so.

Hastening Birth

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

A: If the due date passed – say, two weeks – the doctors highly recommend hastening the birth because the situation can quickly deteriorate. In this case, a woman would be obligated to hasten the birth. If it is before the due date, Rav Moshe Feinstein wrote a responsum (Shut Igrot Moshe Yoreh De'ah 2:74) where he says that a woman should not hasten the birth. His reason is that there is a certain level of danger in giving birth, not a usual level of danger as there is with everything, but a more serious danger. If we hasten the birth, we place the woman in a dangerous situation and we should not place her in danger. This is how Rav Feinstein answers, and how I would answer as well. Later on I discussed this issue with doctors and they told me that what Rav Feinstein said was correct, but now medical technology has advanced to the level that there is no longer any danger in hasten the birth. Thus, it is permissible to hasten birth whether with conventional means or natural means, although I do not know if natural means helps. This should not be done for mere convenience, but because she is having difficulty and suffering. This should only be done under the instruction of a doctor.

A pot which was cooked in on Shabbat

Q: I am not so observant, but my two sons are Ultra-Orthodox. I keep kosher and am extremely careful, but I cooked in a pot on Shabbat. What should I do?

A: The Mishnah Berurah (chap. 318) rules in the name of the Rashba that just as food cooked on Shabbat is prohibited, so is the pot. Rav Ovadiah Yosef in his book "Yalkut Yosef," however, rules that the pot is still kosher. My heart tells me that you should follow the ruling of the Mishnah Berurah for your beloved sons, but you can also ask them. The way to kasher them is "hagalah" – purging them with boiled water – either by placing the pot in a boiling pot or dumping boiling water all over it.

Lying for a match

Q: Is it permissible to lie about one's age to find a spouse?

A: It is completely forbidden. You cannot deceive people. At the same time, you do not have to reveal everything. You can say she is between 25-35 or she is over 30.

Praying for someone who is not seriously ill

Q: Should we only pray for the seriously ill or for those who are a little sick as well?

A: You can pray to Hashem for anything – for big matters and also for small matters. Hashem hears all prayers.

Teacher's davening with students

Q: The principal of a school wants the teachers to join the students' minyan in the morning, but they do not want to. They want to daven in shul. Who is correct?

A: They are not obligated to attend. They are only obligated to what is written in their contract. They are also not obligated by the Ministry of Education. It is, however, a mitzvah to Hashem. These children are in danger and need to be educated in the proper path. In such a case, everything is dependent on one's ability and the need. When the need is minimal, their ability to help can be minimal. When the need is great, their ability must be great. It is a mitzvah for the students' davening to be orderly and not chaos. A compromise: Some of the days the teacher should daven with the kids and some days in shul.

Sheva Berachot every day

Q: Is there a requirement to have sheva berachot everyday for a bride and groom?

A: No. There is a requirement under the chuppah and at the wedding meal. It says in the book "Yosef Ometz" that perhaps they should be recited on Shabbat or another time, and that once someone had them more often and the people mocked him. There is no need for sheva berachot with people that they do not know or if they do not want it. The whole law is based on making the bride and groom happy.

Will Redemption come when there are 36 righteous people?

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

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

Soccer ball on tombstone

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

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