



PO Box 1076 Jerusalem 91009 * Tel. 972-2-628-4101

Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

The Torah of Ha-Rav Shlomo Aviner

20 Kislev 5768 – #10

Prepared by Rabbi Mordechai Friedfertig

RavAviner-subscribe@yahogroups.com

archived at www.ateret.org.il/new/home.php

Davening on the job

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

A: It is forbidden to fulfill mitzvot during work time. The book "Mesillat Yesharim" (chapter 11) brings this exact example when discussing theft. The Ramchal says that if someone fulfills a mitzvah during work time, it will not be considered a merit, but a transgression. If someone performs a transgression, it cannot be considered a mitzvah. A person who steals wheat and makes bread and then recites a blessing, it is not a blessing, but a disgrace. What is the difference between stealing an object and stealing time? When someone steals an object and performs a mitzvah – "Saneigor na'aseh kateigor" – a defender becomes a prosecutor. Something which is generally used as a vehicle to reach Hashem is transformed into a vehicle for sin. The same applies to stealing time. There are three levels of performing a mitzvah through a sin. 1. You fulfill a mitzvah through a sin, and now you have a mitzvah and a sin. The sin does not cancel out the mitzvah. 2. More severe – the mitzvah is canceled out because you performed it through a transgression. 3. Even more severe – the mitzvah becomes a sin. The "Mesillat Yesharim" says that someone who fulfills a mitzvah during work time, his act is considered a sin. This appears to be the opinion of the Jerusalem Talmud in the chapter "Lulav Ha-Gazul – The Stolen Lulav" in Massechet Sukkah. It is possible that others disagree with the Ramchal on this point. If a person davens during work time, he is sinning, how then is it possible to count a sinning person in a minyan? We are not saying that he is evil. A person is judged according to the majority of his actions. It is possible that besides this sin, he has many merits. At this moment, however, he is not daven, but sinning, and cannot be counted in a minyan and, all the more so, he cannot lead the davening. How do we inform him of this? You need great wisdom. Perhaps you can photocopy chapter 11 of "Mesillat Yesharim" and highlight the appropriate

parts and give it out to everyone. I should add that a short mitzvah – like davening Minchah – which takes five to ten minutes is permissible, since you receive a break once in a while anyway. Shacharit takes much longer.

Student praising the teacher

Q: Can a student write on the side of a test that they enjoy the teacher's class or some other praise, or is bribery because the teacher may feel indebted to the student and give him a better grade on the test?

A: I think that this is improper and there is an aspect of bribery. The teacher can either ignore it or write a note on the test that says, "Please tell me another time, but not here." This is similar to judges. Our Sages gave examples of bribery. One of the judges had a feather on his shoulders and one of the litigants brushed it off, the judge said that he is invalid to judge. Another example is a judge arrived by boat and one of the litigants gave him a hand to help him up, the judge said that he is invalid to judge. There is a fear of bribery even for little things like this.

Teacher informing parents about child

Q: Is it permissible for a teacher to relate negative information to a parent, or is it "lashon ha-ra" (speaking ill about someone)?

A: It is certainly permissible because it is for the student's benefit. The teacher and parents work together to help the child. It is not to besmirch the child, but to help him.

Vaccinations

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

A: They are extremely important. Before there were vaccinations, infant mortality rate was extremely high. Two out of every three children in a family would die. I am not talking about plagues, where countless numbers would die, but regular infant mortality rates. Vaccinations were like a miracle. Before vaccinations, world population was constant, after vaccinations it grew and grew, and now we have billions of people. The other reason for the drop in infant mortality is plumbing, before that sewage was flowing in the street. Some people are against vaccinations claiming that you are putting poison into the child. This is true that you are inserting poison, but it is a small amount which the child can easily overcome. Originally many children died from the measles vaccination, so they stopped vaccinating and there was a terrible outbreak of the measles, and ten times the amount of children died. Even today, some Charedim (Ultra-Orthodox), who made aliyah from England, believe that you should be natural. They did not vaccinate their children, and in

Jerusalem and other places, there was an outbreak of measles. There were some places that children in an entire daycare center got measles because they only vaccinate children at the age of one in Israel. If someone does not vaccinate his children, it is not only that he endangers his own children, he also endangers other people's children. Some countries have laws that people are obligated to vaccinate, and some Rabbis wrote that according to Halachah, you can force people to vaccinate their children because they endanger their children and the population at large. It is true that periodically children do die from the vaccination, but in medicine – as in every field and every medical treatment – we follow the majority and the overwhelming majority of children are helped by the vaccinations. Furthermore, the authorities already discussed taking a minor risk to be saved from a greater danger (Tiferet Yisrael on Massechet Yoma). The idea that people want to be natural does not make sense. Okay, be natural, but do not be extreme. When they write, they do not write with their finger dipped in water, they write with a pen which is not natural. They use a computer which is not natural, and a phone which is not natural. They have clothing which is not natural. They do not wear a fig leaf. It is true that as much as possible it is good to be natural, but not to be an extremist. Vaccinating is not a joke. There is an obligation to vaccinate all children.

Finding meaning in prayer

Q: I am not religious and I am saying kaddish for my father, but I do not find any meaning in the prayers. What can I do?

A: During the time of the Second Temple, the members of the Great Assembly established the Shemoneh Esrei since most people could not express themselves properly in prayer. They included all true human needs in this prayer. For example, "Selach lanu – Forgive us" is a prayer for Hashem to forgive us, "Refa'einu – Heal us" is a prayer for Hashem to heal the sick, "Barech Ha-Shanim" is a prayer for Hashem to help us with a livelihood, etc... Every true need is found within this prayer. In order to find meaning, you must learn and analyze the words of the prayers and you will see how meaningful and relevant they are.

Reciting kaddish without a mourner

Q: Should the kaddish be recited even if there is no mourner?

A: Yes, and if your parents are still alive, you need to ask permission to recite it.

Q: Is this for all prayers or just for Shacharit since the Rama only mentions it in connection with Shacharit (Shulchan Aruch, Orach Chaim 132:2)?

A: We say, "Yitgadel Ve-yitkadash – May His great Name be aggrandized and make holy" at the end of all prayers.

Q: The custom is not to say it at the end after the Psalm of the Day ("Shir shel Ha-yom"), but after "Aleinu." Shouldn't it be at the end?

A: Yes, but there are bigger issues to fix.

Women covering their hair for prayers on their own

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

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

Ritually washing hands in bathroom

Q: Is it permissible to wash "netilat yada'im" in the bathroom?

A: It is generally forbidden to wash "netilat yada'im" in a bathroom, and, on the contrary, if you just enter a bathroom you have to wash "netilat yada'im." This is what is written in the Gemara, but more recent authorities explain that our bathrooms are clean. This is similar to what the Gemara calls the "bathrooms of the Parsa'im" which was a hole and an incline which took the refuse outside of the bathroom. Our bathrooms are slightly different, it is not immediately taken away, but it is completely cleaned. There are those who therefore explain that if someone enters the bathroom, they do not need to wash "netilat yada'im" when they leave. This applies even more so if there is a bathtub, washing machine, etc... It is not simply a bathroom, but a multi-functional room. The blessing must be recited outside and it is certainly preferable to wash "netilat yada'im" if there is someplace else.

Use a hotplate or bleach on Shabbat

Q: What is the appropriate way to put food on a hotplate on Shabbat?

A: There are two conditions for using a hotplate: 1. The food must be a full-cooked solid. It is impossible to have a solid without any moisture. Whenever you remove something from the freezer there is moisture within it, but this is secondary. 2. Place the food on a "kedeirah al gabai kedeirah" – an upside down pan in order to indicate that this is not the usual way of cooking.

Item brought on Shabbat

Q: If someone brought us a bottle of Coke on Shabbat and they drove in a car, can we drink it after Shabbat?

A: You can use it after waiting the amount of time it took for them to bring it to you. If they traveled a half an hour, you wait a half an hour.

Moving grave of Rebbe Nachman to Israel

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

A: This is an explicit Gemara at the end of Ketubot (111a) that it is good to bring the deceased to Israel, and many people do so. The Jerusalem Talmud (Kilayim 9:3) has a criticism. He lives outside of Israel, but he is buried in Israel. Nonetheless, one who is buried outside of Israel is not comparable to someone who is buried in Israel, because anyone who is buried in Israel it is as if he is buried under the altar. And even better than being buried in Israel is to die in Israel, and even better still is to live in Israel. Throughout the generations, they brought people to be buried here. Many of the followers of Rebbe Nachman wrote and received approbations from great Rabbis – including Ha-Rav Ovadiah Yosef – that Rebbe Nachman should be brought here, because Rebbe Nachman saw himself connected to the Land of Israel and wrote about it in various places and it was his desire to be buried here. Even if he did not say anything about it, it is obvious that that all of the righteous, and even the simple, want to be buried here and, all the more so, Rebbe Nachman.

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

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

Talmudic measurements

Q: Should we use the measurements mentioned in the Mishnah and Talmud?

A: No, there is no need to use them. I have never seen anyone use the measurement of a "lug."