



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

Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

On the Air with Ha-Rav Shlomo Aviner

Rav Aviner answers questions of Jewish Law and faith on the radio in Israel on Tuesday & Thursday nights (To listen: www.kimizion.org/shiur/shut.html). On the Air presents a sample each week.

19 Tevet – #14

Prepared by Rabbi Mordechai Friedfertig

RavAviner-subscribe@yahoogroups.com

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

Invitro Fertilization

Q: Is it permissible to have Invitro Fertilization from your husband if you want to have more children?

A: Yes, it is certainly permissible. I recommend working with "Machon Pu'ah" (a halachic fertility clinic) to ensure that it is performed correctly. There was once a mix up in the United States where a black baby was born to a white couple. The nurses mixed up the sperm. It happens, they are human. It is not forbidden to have a black baby, but it was not theirs. "Machon Pu'ah" ensures that this will not occur.

Dissecting a cadaver

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

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

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

Minimum amount of meat to wait six hours

Q: Is there a minimum amount of meat one must eat in order to wait six hours before dairy?

A: There is an idea of tasting the food and then spitting in out and not having to wait, but any amount of meat requires one to wait six hours.

Milchig toaster oven for fleishigs

Q: I usually use my toaster oven for milchigs, can I use it for fleishigs?

A: No, you would need to heat it until it is red hot which is almost impossible. You can also perform "hagalah" – pouring boiling hot water all over it, but this is difficult from a technical perspective. It is better to continue with milchigs.

Witchcraft and sorcery

Q: Do witchcraft and sorcery exist?

A: There are three opinions: 1. The Ramban says that they exist even today. 2. The Rambam says that they never existed and it is pure deception. 3. The Tiferet Yisael in the name of Maharam Chagiz says that once they did exist, but they no longer do. Today, however, we have not heard reliable testimony that anyone has seen witchcraft or sorcery. There are all sorts of people who claim they are witches or that they have seen such things, but when they are checked they are found to be nothing. The Association of Magicians in the United States, which is run by James Ramsey, says that you can show them any sorcery in the world and they can perform the same thing with tricks. They also say that anyone who claims that he has unnatural powers and can prove it will receive a prize of one million dollars. Hardly anyone tried and those who tried were videotaped and it was shown to be a deception. People have quick hands, but when you watch it slowly on the video you can see what they are doing. Today, we do not see that such things exist, but even when they did exist, nothing happened to someone who was full of faith in Hashem. We learn this from the Gemara in Sanhedrin (66b) which says that a "witch" tried to cast a "spell" on Rabbi Chanina ben Dosa, one that had worked on others before. He stopped her by saying: "There is none beside Him." Rabbi Chaim of Volozhin in his book "Nefesh Ha-Chaim" (end of sha'ar 2) says that nothing will happen to anyone who believes that "Hashem is one and His Name is one."

Sleeping in room with holy books

Q: My children are visiting for Shabbat. Is it permissible for them to sleep in a room with holy books?

A: There is no problem to sleep there. If they are a married couple who may be intimate, you need to cover the books with two covers.

Blessings on drinking

Q: If I am cooking at home and drinking all day long, do I say one blessing at the beginning and the end, or do I have to say a blessing each time I drink?

A: If you are continually drinking and do not have "Hesech Ha-Da'at" – taking your mind off of the blessing, you only say one blessing. For example, the bottle is there all of the time. But if you drink and then stop for twenty minutes, and then take a different drink, etc..., you have to recite a blessing each time.

Preparing at lunch on Shabbat for Seudat Shelishit

Q: It is permissible to prepare enough salad at lunch on Shabbat to be eaten at Seudat Shelishit as well?

A: There is discussion in Halachah about preparing types of foods immediately before the meal and there is a prohibition of "tochen," which includes cutting up things into very small pieces. There is no problem, however, in cutting up salad at lunch for later if the pieces are not too small.

Drinking before Kiddush on Shabbat

Q: Can I drink before my husband returns from shul on Shabbat?

A: If you drink before davening – although it is forbidden, but allowed under certain circumstances, there is no Kiddush. The reason is that time for saying Kiddush – which is after davening – has not arrived. If it is after you davened, either at shul or on your own, you have to say Kiddush. If you are not davening, you have to say kiddush before drinking.

Shabbat Shoes

Q: I try to wear special shoes for Shabbat. If it is raining, I change to my weekday shoes. Is this permissible?

A: Yes, there is no law of wearing special shoes for Shabbat. This is your own personal wish. The main words are "you try."

Rabbenu Tam Tefillin by accident

Q: If someone accidentally says the blessing and puts on Rabbenu Tam Tefillin instead of Rashi Tefillin, do you have to say another blessing?

A: Yes, you must say the blessing again because there was "Hesech Ha-Da'at" – you took your mind off of the blessing and also because much time has passed. Even if you put on another pair of Rashi Tefillin you would have to say another bless. Furthermore, you do not usually say a blessing on Rabbenu Tam Tefillin because it is stricture and you therefore did not plan to have the blessing on the second set of Tefillin. Despite all of this, putting on Tefillin without a blessing is still a mitzvah as it says, "A lack of blessings does not impede fulfilling the mitzvot."

Bowing during davening

Q: When we bow during the Kedushah and other times, which way do we bow first?

A: We bow to the right first during the Kedushah, although there is no source for bowing during the Kedushah. The same applies at the end of the Shemoneh Esrei. Rabbi Yehudah Halevi asks, why do people "shukel" (swaying back and forth) during davening? He answer that there were not so many books in the past and people would "shukel" in order to be able to look in the book, but it is not a law. The Rama in the Shulchan Aruch (Orach Chaim 48:1) does mention swaying and says it is based on the verse: "All my bones shall praise you HaShem" (Tehillim 35:10). This is also not a law.

Prayers for the ascension of one's soul

Q: One can add personal requests in the Shemoneh Esrei in the prayer "Shema Kolenu." Is it permissible to add a prayer for a loved one's soul to ascend in Heaven during the first year after his death?

A: It is permissible. The soul is continually ascending, each year for a thousand generations. I understand that people light candles for the ascension of Rabbi Shimon bar Yohai's soul, and he left this world almost two thousand years ago.

Convincing daughter to wait for Hashem to send the right match

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

A: Nowhere is it written that Hashem will look for the perfect match for someone. Hashem did not promise this. It is therefore not proper to wait for it. If Hashem promises manna, and I do not believe that it will come, this is a problem. Rabbi Avraham ben Ha-Rambam says that conversely if Hashem does not promise us manna and I say, "Where is the manna?" – this is chutzpah. No prophet promised this. They had to travel far to find Yitzchak a wife. One must exert effort, and he will merit a blessing. Our Sages explain the verse, "For

Hashem, your G-d, has blessed you in all of your handiwork" (Devarim 2:7). You might think that this is true even if you sit idle. The Torah therefore says "in all of your handiwork." If you perform it, you will be blessed. If you do not perform it, you will not be blessed (Midrash Socher Tov, mizmor 23). Along with exerting effort, you must also pray to Hashem for help. One requires both of these elements. The Gemara in Niddah (70b-71a) says: What should a person do in order to grow wise? Answer: He should spend much time learning and minimize business. They said: Many did so, and they did not become wise. Rabbi Yehoshua says that he should just pray. The Gemara says: One must both learn and pray because neither will work without the other. Question two: What should a person do in order to become wealthy? Answer: He should engage in business with integrity. They said: Many did so, and it did not work. Rabbi Yehoshua: He should pray. The Gemara says: One must both work and pray because neither will work without the other. Question three: What should a person do in order to have male children? Answer: He should sanctify himself at the time of relations. They said: Many did so, and it did not work. Rabbi Yehoshua: He should pray. The Gemara says: One must both sanctify himself and pray because neither will work without the other. A person acts and Hashem helps. This is the way.

Yahrzeit on Rosh Hashanah

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

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