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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/shuf.html). On the Air presents a sample each week.

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Tattoos and burial

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

A: It is forbidden to get a tattoo (Vayikra 19:28), but after someone has already violated this mitzvah, he is not disqualified from being buried in a Jewish cemetery. There is also no obligation to remove the tattoo after death and there may even be a problem of "nivul ha-met – desecrating the dead" if one cuts a corpse. There are Jews who have tattoos and then they repent. The tattoo does not prevent one from repenting. There is a teshuvah in Shut Minchat Yitzchak (3:11) in which Ha-Rav Yitzchak Yaakov Weiss deals with this issue. A man had served in the army and during his time in the military, he got a tattoo on his left arm. The tattoo -- of all things -- was of a naked woman. Now the man had become religious and wanted to start putting on Tefillin. He asked: is it permissible to put Tefillin over the tattoo of the naked woman? The Minchat Yitzchak writes that the man has no choice but to put his Tefillin on his left arm, even though it bears the tattoo (see Menachot 73a), and the tattoo is not be a "chatzitzah – obstacle" between the Tefillin and the skin. The

problem, however, is that a man cannot daven or recite a blessing before a naked woman, even if it is a picture, since it could lead to impure thoughts. To counter this problem, the Minchat Yitzchak recommends three things: 1. Expose only as much of his arm as is necessary to wrap the Tefillin, the entire image will therefore not be visible. 2. Wear the smallest size Tefillin that is halachically permitted to minimize the contact between the Tefillin and the tattoo. 3. When saying the blessing, keep the entire arm covered, so as not to recite the blessing in front of the image. If he does these three things, he may put on his Tefillin. It is permissible to remove the tattoo and he may want to try to do so with laser surgery (also see Shut Lehorot Natan 8:72 and Shut Revivot Ephraim 8:306 regarding removing tattoos).

Conversion after death

Q: Can a non-Jew convert to Judaism after death if he expressed his desire to be a Jew while he was alive?

A: It is impossible. The Gemara says that the dead are free from observing the mitzvot (Shabbat 30a explaining Tehillim 115:17). After a person dies, the mitzvot do not apply to him and he cannot convert.

Reciting a blessing while driving

Q: Is it permissible to recite a blessing while driving?

A: In general, when reciting a blessing we are not engaged in any other act since we are required to concentration on the blessing. There thus seems to be a problem with reciting a blessing while driving. There are authorities who are lenient, however, since one is not "engaged" in driving, and it is possible to drive and concentrate on reciting a blessing at the same time. It is obviously preferable to pull over and recite the blessing

Which education?

Q: If there is no choice, which education is preferable – a Charedi (Ultra-Orthodox) education or an education which is not so religious but supports the State of Israel?

A: One needs to choose the best school for his child. Whenever one has various options, he must always choose the option which contains the most positives and the least negatives. Thus if there are two schools and each has a deficiency, one chooses the school with the most positive aspects. Regarding our question, it is possible that sometimes the answer will be one way and sometimes it will be the other way. It is not definitive answer, but individual to each case.