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Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

From the Teachings of Ha-Rav Shlomo Aviner

Parashat Balak 5768 - #44

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Would you like to ask Rav Aviner a question? E-mail mororly@bezeqint.net and the answers will come from Rav Aviner in 1 of 3 ways: 1. Drawn from his published material. 2. From my own notes of Ha-Rav's answers to questions. 3. If the question has not, to my knowledge, been answered in either of these sources, I will ask the question directly from the Rav.

Honoring the Chief Rabbi of Israel

[A talk given by Ha-Rav during lunch this week]

Q: Is there an obligation to honor the current Chief Rabbi of Israel?

A: Absolutely. What kind of question is that?!

Explanation: One is obligated to honor every Torah scholar and one is obligated all the more so to honor the Chief Rabbi. This is the story in the Gemara in Rosh Hashanah (25). Rabban Gamliel, the head of the Sanhedrin – i.e. the Chief Rabbi, ruled one way and Rabbi Yehoshua ruled another way. Rabban Gamliel said to Rabbi Yehoshua: "You have to come to me with your staff and your money belt on the day that you calculated to be Yom Kippur." Rabbi Yehoshua asked Rabbi Dosa ben Hurkenos if he was obligated to go. He answered: "He is the Chief Rabbi and he decided. If you question this Chief Rabbi, you have to question every Chief Rabbi going back to Moshe Rabbenu." If you say, "How was it that former times were better than these?" (Kohelet 7:10), you are incorrect. You forgot. "Go to the judge that will be in your days" (Devarim 17:9) – that is the judge you have. And the later generations should not say that the earlier generations were superior (Rosh Hashanah *ibid.*). Rabbi Yehoshua went and Rabban Gamliel stood up, kissed him on the head and said: "Peace be upon you, my Rabbi and my student. My Rabbi in wisdom and my student in that you obeyed me." Fortunate is the generation where the elders – i.e. the greater Torah scholars - listen to the juniors, and all the more so when the juniors listen to the elders (Rosh Hashanah *ibid.*). This is an explicit Gemara. This is the way events occurred according to divine direction: each time there was a head of the Sanhedrin, there were greater Torah scholars than him. Certainly the Chief Rabbi of today is not like the head of the Sanhedrin back then, but the Torah scholars of today are also not like the Torah scholars back then. Each one according to his level.

In the book "Chayei Ha-Re'eiyah" (p. 212 and see the talk of Rav Tzvi Tau on Elkanah in Emunat Itenu vol. 1, p. 85), Rav Moshe Tzvi Neriyah relates that a Torah scholar who made aliyah from America came to Maran (our revered teacher) Ha-Rav Kook and complained about the state of Judaism in the Land of Israel. He was so distressed that he was considering leaving Israel. Maran Ha-Rav Kook said to him: Doesn't your honor remember the learning of his youth? The Book of Shmuel relates about Elkana: "This man would ascend from his city every year to prostrate himself and to bring sacrifices to Hashem, Master of Legions, in Shiloh, and the two sons of Eli, Chofni and Phinchas, were cohanim to Hashem there" (Shmuel 1 1:3). Rav Kook asked two questions about this verse: 1. Why are we told in this verse that Chofni and Phinchas were there? 2. Our Sages say that Elkana would not only go up to Shiloh, he would go around and encourage others to do so as well. Why did he have to do this? After all, isn't ascending to the Mishkan on the holidays a Torah mitzvah? Why weren't people following this mitzvah? Rav Kook explains that the first question is in fact the answer to the second question. The fact that Chofni and Phinchas were the cohanim in Shiloh caused people not to make the pilgrimage there, since they were corrupt. People said that if there were cohanim like this in this holy place, it was better not to go and see this ugliness and meet such sinners. Elkana then came and convinced them that despite the sons of Eli and despite the sins at this holy place, they should not give up on this mitzvah of Hashem. They should strengthen this holy place. Right now there are not great people there, but later there will be. Do not give up because of the difficulties. As a reward for this act, Elkana was blessed with a son, the prophet Shmuel, who served in the Mishkan. Rav Kook said to the Torah scholar that the same applies in relation to the holiness of the Land of Israel. Why are you mad at the Land of Israel? There are problems, therefore exert yourself and everything will work out. Although there are sinners, this is not a reason not to make aliyah and all the more so not to leave the Land of Israel. The more people committed to the Torah and mitzvot in the Land of Israel, the more holiness will be added to it.

There may be problems with the Chief Rabbinate, but you have to honor it. I have always said that the Chief Rabbinate is the nucleus from which the seedling will sprout from which the Sanhedrin will blossom. Everyone understands that it is not the Sanhedrin and it is not even a seedling of the Sanhedrin, but it is the nucleus and the nucleus is precious. Do you think the Sanhedrin will sprout from nothing? No, it will appear slowly. The same thing applies to the State of Israel. Okay there are difficulties, but what do you suggest? Would you prefer the British, the Turks or the Arabs? The State was built slowly. The Rabbinate was built slowly. The yeshivot were built slowly. Everything is built slowly. If you want everything to be whole from the first moment, you will not have anything. There are ups and downs. You had Rav Kook who was a Torah giant and afterwards you had others who were less than Rav Kook, and so it seems that they will continue to be less than Rav Kook.



Text Message Responsa



Ha-Rav answers hundreds of text message questions a week. Some appear in the parashah sheets "Ma'ayanei Ha-Yeshu'ah" and "Olam Ha-Katan." Here's a sample:

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Q: Is the Messiah a person or a period? Please give sources

A: Both. Rambam, Hilchot Melachim, chapter 11: man. Chapter 12: a period.

Q: Is the piece of cloth which one wraps around their body to carry a baby obligated in tzitzit?

A: No, it is not a piece of clothing.

Q: Is someone who tells a joke violating the prohibition of mockery?

A: If he tells them periodically and they have proper content, there is no prohibition.

Q: Should one pay a matchmaker? How much? What if it is unsuccessful?

A: 300 shekels to sign up and 5000 shekels for a successful match (right now it is 3.35 shekels to the dollar).

Q: If we do not have spices for Havdalah, can we use perfume?

A: No, because it is synthetic.

Q: What should a person do who forgot to put on Tefillin and only remembers at four in the afternoon?

A: After the fact, it is permissible to put on Tefillin all day until sundown with reciting a blessing.

Q: It is permissible to "forget" a parashah sheet on the bus with the hope that others will find it and read it, even though there is a concern that it will not be disposed in a "geniza"?

A: It is permissible.

Q: Is it permissible to recite the bedtime Shema after midnight?

A: Yes. Sefardim recite "Ha-mapil" after midnight without Hashem's Name and Kingship.

Stories of Rabbenu – Our Rabbi

Ha-Rav Tzvi Yehudah Ha-Cohain Kook

Pidyon Ha-Ben (Redeeming a First-born Son)

Our Rabbi always accepted an invitation to participate in a pidyon ha-ben since it is a mitzvah for the cohain to redeem at a pidyon ha-ben [and our Rabbi was a cohain]. (Gadol Shimusha p. 95 #26)

Our Rabbi said many times that the money he received as a cohain during the pidyon ha-ben was the most kosher money, since the Torah granted him this money. In two of his letters, from the year 5697, our Rabbi wrote that he used this money to fix the binding of books. And in the book "Shivchei Ha-Re'iyah" (p.288), it says that Rav Kook would buy books with the money he received at a pidyon ha-ben.

When he was asked to take the money at the pidyon ha-ben, our Rabbi said: "Finally this is an opportunity to make a little money." After these surprising words, he would explain that this money is the most kosher, since the Torah granted the cohain this money and one should therefore be happy with it.

At the redemption he would read the Hebrew formula of the cohain's questions as is found in the siddur "Olat Re'iyah."

A student redeemed his son by our Rabbi with the famous coins of Rav Aryeh Levin ztz"l. After a few weeks he approached our Rabbi in order to buy them back. Our Rabbi waited

until everyone left. When they discussed their value, our Rabbi removed the coins from his coat, because during all of those weeks he kept them there on account of their importance.

Before a pidyon ha-ben, a student turned to our Rabbi and told him that Ha-Rav would use the coins of Rav Aryeh Levin ztz"l.

Our Rabbi was particular not to return the coins immediately, in order to strengthen the recognition that we are discussing an actual payment to the cohan and not a temporary gift which is automatically returned.

A student once came to pay the true value of the redemption to our Rabbi, and our Rabbi did not agree, but specified a much smaller amount. Even though the student argued that he checked the exact value of the coins now, our Rabbi remained firm, and mentioned that in the past they paid him a smaller amount.



Shut She'eilat Shlomo - Questions of Jewish Law

Hunting for Sport

Question: Is it permissible for me to hunt sheep in my farm in America with the purpose of eating them?

Answer: This subject is discussed at length in the responsa "Noda Bi-Yehudah" (Tanina, Yoreh Deah #10). It is permissible to hunt in order to make a living. There is no prohibition of "tza'ar ba'alei chaim" (causing pain to animals), since there is a human need, whether for food or another use. There is an issue of endangering a human life when hunting dangerous animals, such as a bear for its fur. It is ruled, however, that it is permissible to take a small risk in order to make a living, such as climbing a tree to pick fruit or building a structure while standing on scaffolding. In the case of hunting for pleasure, however, it is certainly prohibited to take even a small risk.

There is no prohibition of "tza'ar ba'alei chaim" in our case, since it is also considered a human need, similar to riding on a horse, using a cow to plow, or putting animals in cages at the zoo. "Tza'ar ba'alei chaim" is only forbidden when one causes them pain for no reason, while it is permissible if there is a human need. Furthermore, "tza'ar ba'alei chaim" is in a case that one causes the animal pain and keeps it alive, but there is no prohibition if one kills the animal in the midst of the pain.

But the Noda Bi-Yehudah wrote that hunting for sport is cruel and lowly, and reminds us of Nimrod and Esav. On the contrary, Hashem is merciful to all of his creatures. It is not strictly prohibited but it displays a negative character trait. For example, it is permissible to pluck a feather from a goose in order to use it for a quill, but the Rama writes that the Jewish People refrain from doing so because it is cruel. If you intend to hunt sheep in order to eat them, there is no cruel entertainment involved, since it is obviously permissible to eat animals. The question thus becomes how you can hunt a sheep without injuring it in such a manner that will not make it "trief" (unkosher), unless you catch it with a trap or lasso.

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