



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

26 Elul – #52

Prepared by Rabbi Mordechai Friedfertig

RavAviner-subscribe@yahoogroups.com

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

Questions in this issue:

1. A decision made in one's heart
2. "My son does not wake up for davening"
3. Keeping a sonogram picture of a miscarried fetus
4. Advice for finding a match for a forty year old woman

A decision made in one's heart

Q: I saw in the Kitzur Shulchan Aruch in the laws of business transactions (62:16) that if a person thought to do something for another person, he is obligated to do so. If I thought about doing something and then realized that it was not such a wise idea or I was overly enthusiastic in my offer, am I still obligated to fulfill it?

A: If I decided in my heart to sell you a chair for 20 shekels, but you were willing to pay 30 shekels, the basic Halachah is that I can sell it to you for 30 shekels. The ruling of the Kitzur Shulchan Aruch is a "chumra – stringency" called "dover emet bilvavo – speaking truth in one's heart." Rav Safra spoke truth in his heart (Makkot 24a with Rashi). He decided to sell a particular object for – let's say – 10 shekels and the person came to pay him. The man said: "I brought you the 10 shekels." Rav Safra did not answer because he was in the middle of saying the Shema. The man said: "Okay, I will give you 20 shekels," but again Rav Safra did not answer since he was davening. The man said: "30 shekels." He finished davening and the man handed him 30 shekels. Rav Safra said: "No, I decided that I was selling it to

you for 10 shekels and I am selling it to you for 10 shekels." This is speaking truth in one's heart. This is a proper and praiseworthy "chumra," but the basic Halachah is that if I intended to sell it for 10 shekels and you are willing to sell it for 30 shekels, it is permissible to take the 30 shekels. A person can change his mind if there is good reason. The Kitzur Shulchan Aruch does not say that it is obligation, but uses the phrase: "A G-d-fearing person should fulfill..." One must accustom himself to pay close attention to the words used by halachic authorities: it is an obligation, it is proper, it is customary, etc... The author of the Kitzur Shulchan Aruch was a great genius. Although this is a simple book, he also wrote deep works with innovative and brilliant explanations on the Gemara. He did not use the phrase "it is obligatory," but purposefully used the word "stringency."

"My son does not wake up for davening"

Q: My son, who is 32 years old and who lives with his family next to us, does not wake up for davening on Shabbat morning. I am angry with him about it and we argue about it, etc... What should I do?

A: I suggest that you leave him alone. Is he above the age of bar mitzvah?

Q: Yes, I mentioned that he is 32 years old and a father of two.

A: Then he is above bar mitzvah?

Q: Yes.

Q: It is not okay that he does not get up for davening, but you do not need him to force yourself upon him. I hope that this is the only thing which you are forcing yourself upon him. If it is not, I would advise him to move, since sometimes love, concern and a good-heart can suffocate a person. You need to leave him alone. You can ask him: Do you want me to come to wake you up for davening? If he says yes, it is set. If he says no, leave him. A person should not intrude into another person's life without requesting permission. It is customary in the US that when someone wants to suggest something to someone else, he asks: "Do you want to talk about it?" After all, you can see for yourself that what you are doing now is not working. It is only causing arguments and it is forbidden to argue on Shabbat as the Zohar learns from the verse: "You shall not light a fire in any of your dwellings on the day of Shabbat (Shemot 35:3). By the way, it is also forbidden to argue on weekdays as well.

Keeping a sonogram picture of a miscarried fetus

Q: What should we do with a picture of a miscarried fetus from three years ago?

A: There is no prohibition about keeping it and none about throwing it out. If a person experiences a tragedy, he needs time to come to grips with his feelings, but one year is

enough. As is known, we mourn for a year. Mourning for someone who lived in this world is only for a year and all the more so for someone who was not born. This follows what Hashem said to Shmuel: "How long will you mourn over Shaul" (Shmuel 1 16:1). Hashem did not tell him not to mourn. If we do not mourn, we are not normal. If you are not mourning and sad over what occurred, you have no heart, but a year is enough. There is no problem about keeping the picture, but if you continue to mourn, you will never be freed from these feelings and it is unhealthy. You may need professional help to free you, since a person must be happy and full of life. You also have a husband and perhaps children, and you should not live among the deceased, but among the living.

Advice for finding a match for a forty year old woman

Q: I am a forty year old woman and I have not yet married. What can I do to find a husband?

A: By the age of forty, it is certainly time to get married and we hope that you will quickly find your match. In order to do so, you need to perform both physical acts and spiritual acts. There are three spiritual activities: Prayer, repentance and tzedakah. Prayer: say a chapter or two of Tehillim each day. Plead to Hashem. Repentance: repent for what you are not doing well. Only you can decide what this is. "For there is not a righteous person on the earth who does good and does not sin" (Kohelet 7:20). Tzedakah: give tzedakah to the poor. How much? This is a personal decision. Then there are physical activities to help you look for someone to marry. This should take two forms: 1. The aid of friends and family. You need to nudge them over and over and over. In general, it is not proper to nudge people, but it depends why you are doing it. Nudging for favors is disturbing, but here we are discussing an essential need. Every time you meet a friend ask: Perhaps you know should one? I myself know that many people ask me and I write it in my diary and I later meet someone else who would be a good match, but I already forgot about the first person's request and I do not always look in my diary. Therefore, you have to keep nudging. 2. You need to turn to organizations that help people find matches, including those on the internet. There are many people who have been married through the internet. You have to be careful, however, since there are many men who sign up on these sites and do not have intention to get married, but to be involved in shameful and lowly acts. Therefore, if you meet someone on the internet, do not disclose your name or telephone number. If there is potential after corresponding, ask for references. After you speak to the references, you can give him your phone number, and only after talking on the phone should you meet him in a public place. Furthermore, if you are not interested in any of people's suggestions, perhaps you are being too choosy. And if everyone whom you meet is not interested, perhaps you

have a certain behavior which is causing this feeling and you need to figure out what it is and fix it. But if you meet men and sometimes you are interested and they are not or, just the opposite, sometimes you are not interested and they are, then you are completely normal and you need to continue on. In the end, you will find someone in which you are interested and he is interested in you.

Special thank you to Fred Casden for editing "On the Air"