



Parashat Mishpatim 5769

Prepared by Rabbi Mordechai Friedfertig

Visit our blog: [www.ravaviner.com](http://www.ravaviner.com)

Would you like to ask Rav Aviner a question? E-mail [mororly@bezeqint.net](mailto:mororly@bezeqint.net)

### Book Dedication Opportunities

Within the next year, Rav Aviner is set to publish many works in Hebrew on various topics. You can be a partner in these projects by dedicating a book or part of a book in memory or in honor of someone (and payment can be made over time). Please be in touch with Rav Aviner or me if you are interested. Here is a list of the books:

1. Shut She'eilat Shlomo vol. 4 –
  - Q&A on subjects spanning the all areas of Halachah
2. Commentary on the Siddur
  - This is the first of three volumes
3. Shemirat Ha-Lashon (Guarding One's Tongue)
  - Articles on permissible and forbidden speech
4. Musar Avicha
  - Commentary on Rav Kook's work
5. Tanchumim (Words of Comfort)
  - Short work on mourning and difficult times
6. Limrot Ha-Kol (Despite Everything)
  - Collection of Children's Stories with teaching points

### Relating to Homosexuals

[Iturei Yerushalayim #28]

Question: I serve as a Rabbi outside of Israel and a distressed man came to me. His brother, who lives in our community, is "marrying" a man and he asked me how we should relate to the new couple. On the one hand, it seems that the personal and communal response should be unequivocal: this act is absolutely outside of all boundaries. On the other hand, if we leave the door open, perhaps he will return at a later period. What is Ha-Rav's advice?

Answer: We must differentiate between the communal relationship and the familial one. The Rabbi and the community must oppose this severe act against the Torah with all forcefulness in order to prevent its spread. After all, this is an abomination. Maran Ha-Rav Kook writes (Ain Ayah, Shabbat vol. 1, p. 148) on the story of the man who went to Hillel and Shammai:

if we are discussing a spiritual malady which is already rooted among the Nation, it is impossible to fix it by force, rather it must be accomplished gradually and with patience. But if we are discussing a new malady which is bursting forth into our camp, we must stop it immediately and with all forcefulness, and admonish in a clear fashion. But family and friends must certainly remain close even with someone who strays from the proper path. After all, even for someone who commits a severe crime and goes to prison, family remains family and friends remain friends. We tell him: we are not giving you legitimacy, we are completely opposed to what you are doing and you know it, but we will always love you and our door is always open for you.

Question: Can the questioner allow his brother's partner to visit his house or should he ask his brother to come alone even though the brother may be insulted and not come at all?

Answer: They should discuss it together with him, so that it is done with love. They should explain that they simply ask of him to consider their feelings and not to bring his partner. They should clarify that just as they love him and consider his feelings; he should love them and should certainly be willing to consider their feelings. But if he says: "I am connected to him like a Siamese twin," we love him despite what we consider offensive, but we cannot provide him with any legitimacy.



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:

Q: I received a tax return because of a gift. Am I obligated to give "ma'aser kesafim" from it?

A: Yes, this is also considered income.

Q: Under what conditions is it permissible to wear pants under a skirt?

A: The skirt must always be long enough (covering the knees even when sitting), the pants should be for women and modest so that they do not attract attention.

Q: Is a passion fruit considered to be a tree, and we must refrain from eating its fruit during the first three years when the tree begins giving fruit (orlah)?

A: There are those who are lenient and treat it like a vegetable (and therefore do not wait).

Q: Anyone who walks four amot (6 feet) in the Land of Israel has a portion in the World to Come – even a sinner?

A: A small portion.

Q: Is there a concept in the Torah of "the public's right to know"?

A: This is "lashon ha-ra" except in rare cases.

Q: Does a large scarf with four corner that one wraps on their head require tzitzit?

A: No, only when you wrap the clothing around your body.

Q: Is it permissible to wear shoes that have a Jewish star on the soul?

A: There is no problem, the Jewish star does not possess holiness.

Q: An Israeli reporter was wounded in a battle front outside of Israel. Is it permissible for him to be there for work?

A: It is permissible for a small risk, similar to hunting. Shut Noda Bi-Yehudah.

Q: I had a bad dream and I am bothered. What should I do?

A: There is no reason to worry. But if you are bothered recite the "Hatavat Chalom" (improvement of a dream) which is printed in the siddur before three friends. There is no need to relate the dream. If it is a woman, it should be before three women.

Q: I am on the bus and I do not have water to wash "netilat yadayim" to eat bread. Can I wrap the sandwich up in a bag and eat it?

A: No, but it is permissible in an extenuating circumstance to wrap something around your hands.

Q: And then should I recite the blessing for "netilat yadayim"?

A: No, you did not wash.

Q: Is it permissible to give directions to a Jew who is driving on Shabbat?

A: No, it is aiding one who is transgressing. You should politely avoid answering by saying that you do not know.

Q: Is it permissible for boys to grow long hair?

A: There are three Torah prohibitions: 1. An impediment between one's head and Tefillin, and it causes a blessing recited in vain when putting on Tefillin. 2. Following the ways of the non-Jews. 3. "Lo Tilbash" (the prohibition of men dressing or appearing as women).

Q: How does one immerse in a mikveh electric kitchen appliances which were made outside of Israel?

A: There are two possibilities: 1. Immerse them and dry them with a dryer. 2. Disassemble them into a state that they cannot be used and then reassemble.

## Stories of Rabbenu — Our Rabbi, Ha-Rav Tzvi Yehudah Ha-Cohain Kook

### Our Rabbi & Eating – Part 2

#### Our Rabbi's strength

During the weekdays our Rabbi would eat minimal amounts: An olive-size piece of bread or a baked good and a cup of tea. It was difficult to understand from where the strength flowed for all of the classes which he gave and for all of the lengthy discussions with students and other people who would arrive early at his door.

Despite the minimal amounts he ate, our Rabbi possessed exceptional physical strength.

On Simchat Torah, he would carry a heavy Sefer Torah for hours.

Even our Rabbi's pat on the back was sometimes very strong. He once related that Rabbi Chaim of Tzanz – the Divrei Chaim - would deliver his blessings to his chasidim with a pat on the back, and the stronger the pat, the greater the blessing would come into existence. A few days later, he blessed a student along with a light pat on the back. The student gently reminded him about his words about Rabbi Chaim of Tzanz. Our Rabbi listened, and gave him a powerful pat that made him fly two meters.

When our Rabbi returned to his house from Hadassah Hospital in the year 5733, he emphasized that he was returning to all of his stringencies and pious customs.

#### Eating on Shabbat

A student related: On Shabbat, it was impossible to see the table. Rabbi Yosef Bedichi ensured that the Shabbat meal would be like "Shlomo's feast." I was stunned every time how Ha-Rav, without any effort, would finish every dish which Rabbi Yosef Bedichi prepared, while I needed great exertion to do so. Many times he would mention during the meal the words of the Midrash Tanchuma (Bereshit, 3) that one who delights on Shabbat is equivalent to one who fasts one hundred times (see Ha-Torah Ha-Go'elet of Rav Chaim AviHu Schwartz vol. 4, p. 211 #30). It appeared as if he was a different person on Shabbat, as if the nature of the body changed within him on account of the extra soul of Shabbat. And this man, who virtually fasted all week, would delight on Shabbat.

Once at a Shabbat evening meal, a guest ate at our Rabbi's table, and after eating the fish he was no longer hungry. When Rabbi Yosef Bedichi brought the soup, he did not eat it and pushed it a little to the side. Our Rabbi noticed this and asked the guest what happened, and he responded that he was not hungry. He said to him in surprise: "Do we eat on Shabbat because we are hungry? We eat on Shabbat in order to delight on Shabbat." He mentioned various times the words of the Gemara in Sanhedrin (101a), "All the days of a poor person are bad," including Shabbat and holidays. The Gemara explains that even though on Shabbat a poor person eats good meals he is nevertheless mired in bad, as Shmuel said, "Changing habit is the beginning of intestinal illness" (which Rashi explains: "'Changing habit' - changing habit and eating more than one usually eats is the beginning of intestinal illness, therefore even on Shabbat and holidays is bad for him").

At Seudat Shelishit (the third meal of Shabbat), our Rabbi saw that one student was not eating and inquired as to the reason. The student answered: "I do not like this food." Our Rabbi said to him: "One needs to like all food."

On weekdays he would limit talking at meal time, and would finish quickly in order to be free from it. On Shabbat, however, he would lengthen it with Divrei Torah, stories of great Rabbis of Israel and delight in hearing zemirot (Shabbat songs).



### **Shut She'eilat Shlomo - Questions of Jewish Law**

#### Downloads

Question: Can a person take a soundtrack from a published CD and make their own video with their own pictures and upload the resulting video on a site such as YouTube, Myspace or Facebook and call it an original production? Shouldn't the person give credit and get permission from the original person who made the soundtrack? Also, can a person take videos or pictures from other people and put them to an original soundtrack?

Answer: In both cases, permission is required from the artist.

### Maran (our revered teacher) Rav Kook & Techelet

Question: What was Maran Ha-Rav Kook's attitude regarding Techelet?

Answer: When a Torah scholar, who wore techelet on his tzitzit, asked Maran Ha-Rav if he should also put techelet on his talit, he responded: "It is sufficient for you to have the tzitzit with techelet. Techelet on your talit will be seen as casting dispersion on the earlier ones who did not put techelet on their tzitzit" (brought in "Sefer Ha-Techelet of Rav M. Bornstein, p. 192). "When Maran Ha-Rav saw that Ha-Rav David Cohain, Ha-Nazir, put techelet on his tzitzit, he said to him: You feel the lack on the techelet on your tzitzit and that you have a need for it? Ha-Nazir took this as a criticism and ceased putting on the techelet. After a short time, Maran Ha-Rav came in a second time and said to him: Nu, nu, continue putting the techelet on your talit. Ha-Nazir however held fast to the first comment and refrained from doing so, and only put on the techelet in private after the death of Maran Ha-Rav" (ibid., p. 188). I – the lowly one – heard the story in the following version: "When Maran Ha-Rav saw Ha-Nazir wearing techelet on his tzitzit, he rebuked him that he should not follow a path about which almost all the great Rabbis of Israel had reservations. Ha-Rav then entered his room and after a few minutes came out again and said to Ha-Nazir that there is nonetheless a place for this. Despite that this is not the path to be followed by the community, unique individuals may follow it, and since Ha-Nazir is unique and special, he could follow this special path."



*Family Matters - Ha-Rav writes weekly for*

*the parashah sheet "Rosh Yehudi" on family relationships*

### Honor Her More than Yourself

*It is not enough that you honor your wife – you must honor her more than you honor yourself. This is what our great rabbi, the Rambam, writes. But why? Aren't I equal to her?! No, while she is equal to you, she is different than you. She therefore has different needs from you and different areas of specialization. For example, it is possible that you are satisfied with two pairs of pants and four of the same shirts. But you have to understand that her needs are different. When she stands in front of a closet which is packed full of clothes and declares: "I have nothing to wear! I have to buy something" – you have to respect her feelings and understand that they come from a different emotion structure and different needs which you simply do not have. And this is true in many areas - you and her have different needs. You are equal, but different.*

Special thank you to Fred Casden for editing the Ateret Yerushalayim Parshah Sheet



**Yeshivat Ateret Yerushalayim** P.O.B. 1076 Jerusalem 91009 Tel.02-6284101 Fax.02-6261528

**www.ateret.org.il** To subscribe, send e-mail to: [mororly@bezeqint.net](mailto:mororly@bezeqint.net)

