



Parashat Terumah 5769

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The Eternal Halachah...

[From "Be-Ahavah U-Be-Emunah" – translated by R. Blumberg]

Question: It seems like there are Rabbinic decrees that are no longer relevant, and their rationale has already ceased to hold true. For example, "Mayim Acharonim - washing one's hands at the end of the meal" was enacted due to the prevalence of salt from Sedom, which could cause blindness, but now that salt is no longer prevalent. So why continue washing "Mayim Acharonim"?

Answer: Indeed, sometimes there is a Rabbinic decree whose status as binding depends on its rationale continuing to hold true. Regarding "Mayim Acharonim," Tosafot (Berachot 52) wrote, "We, however, amongst whom Sodom salt is uncommon, are unaccustomed to washing after the meal," and the Shulchan Aruch wrote the same thing (Orach Chaim 181:10).

We have a rule that if our Sages enacted a decree based on a vote in which the majority quorum prevailed, then even if the rationale behind it has ceased to apply, it still requires a majority quorum of Sages to nullify it, and it does not become null by itself (Beitzah 5a). Yet if, a priori, the decree was only enacted in specific locales where the reason for the decree is relevant, then even in a place where that decree was enacted, if the rationale disappears, the decree becomes null by itself. Pri Chadash therefore wrote that we are unaccustomed to washing "Mayim Acharonim" after the meal, for salt from Sedom is not common among us. Even though it was originally enacted by a majority quorum, another majority quorum is not required to nullify it, because salt from Sedom is not common everywhere, and the original decree was only meant to apply in a place where the danger was present (Yoreh Deah 116:1).

All the same, many of the Acharonim (later authorities) hold that even in our own times we should wash "Mayim Acharonim" because another reason applies, that "dirty hands disqualify one from reciting a blessing... 'Be holy' (Vayikra 19:2) – this teaches us about 'Mayim Acharonim' (Berachot 53a). This law applies, obviously, not just regarding the blessing after meals, but regarding someone who eats a piece of fruit at the end of the meal and recites a blessing before it, and his hands are not clean (Orach Chaim 181, Mishnah Berurah #23). Yet there are people who eat with a fork and knife and do not touch their food. According to what precedes, they should not have to wash "Mayim Acharonim" (Responsa Mor U'Ktzia). Yet the Acharonim still reinforced this ordinance, mentioning that there is also a rationale based on the mystical tradition mentioned in the Zohar (quoted in Orach Chaim 181, Mishnah

Berurah #22, in the name of many authorities). In other words, when our Sages enact an ordinance or a decree, they do not always reveal all their reasons. Yet if someone refuses to conduct himself according to the mystical tradition, arguing that laws based on the secrets of the Torah do not bind him, we can argue against him by saying “Lo Pelug” – we do not distinguish between different types of rationales. Or, in modern terms, we “generalize.” When our Sages enacted a decree, they did not wish to go into infinite detail about when it is binding and when not. Rather, they fixed simple rules in order not to confuse people with complex deliberations about every case. It is true that according to this, an enactment will probably apply even in cases where it is irrelevant, yet that is a negligible burden compared to the need to judge each instance per se. We should not have to make certain in each instance whether or not the ingredients of the salt have changed, or especially, to examine to see if our hands are clean or not, including the question of just how clean our hands have to be. This way, we do not have to sit at the end of every meal pondering our fingers. Moreover, Rambam explains that the same rule applies regarding Torah law as well. The Torah itself has a general situation in mind, and not exceptions, and we cannot make the Torah fit every individual in accordance with the data applying to him. Otherwise, “the Torah would be given over to measurements” (Shabbat 35b), it would be only relatively and not absolutely binding. We cannot make mitzvot suit the changes undergone by individuals and the times the way medicine does. Rather, the Torah’s laws must be absolute and far-reaching. As it says, “There shall be one law for the entire congregation” (Bemidbar 15:15; Guide to the Perplexed 3:34). Rabbi Shem Tov ben Shem Tov in his commentary there states that the same applies regarding the laws of nature. For example, Rain represents an enormous kindness for the human race, but sometimes too much rain can cause damage. G-d’s calculation relates to people in the aggregate and not to the individual, and out of this calculation the individual benefits as well – even if sometimes it hurts him.



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:

Q: Is it really forbidden to smoke?

A: It is an extremely severe prohibition. Every year in Israel, 10,000 people die from smoking and 200,000 are sick from it.

Q: Is it permissible to listen to non-Hebrew and secular songs?

A: There are three conditions: 1. Kosher words (Rambam on Pirkei Avot 1:17). 2. A kosher tune that does not stir up base urges (Rambam, Igrot p. 428). 3. A kosher musician (see Shut Igrot Moshe, Even Ha-Ezer 1:96). If he is Jewish – he follows the Shulchan Aruch. If he is not Jewish – he observes the seven mitzvot of Bnei Noach.

Q: Is it permissible to write B"H (Baruch Hashem – in Hebrew) on the top of a paper or should I write BS"D (in Aramaic)?

A: B"H is permissible. It is an abbreviation and may therefore be thrown in the garbage.

Q: Someone pointed out to me in the middle of the Shemoneh Esrei that I was facing the wrong direction. Can I move?

A: Yes, moving for a good reason is permissible.

Q: What is the Torah source for the prohibition of touching the opposite gender?

A: "Do not approach" (Vayikra 18:6) and explained in Sefer Ha-Chinuch #188.

Q: Is it worthwhile to go into the field of media communications?

A: Yes, it can be a source for a positive influence. It must obviously be a kosher position and performed with integrity.

Q: If I enter the bathroom to get something, do I need to wash "netilat yadayim"?

A: In the bathrooms of our time, which are clean, it is permissible to be lenient. Sha'arim Metzuyanim Ba-Halachah.

Q: I have homosexual tendencies. What should I do?

A: [In Israel] turn to "Atzat Nefesh" which is a free, anonymous helpline established for this purpose. Phone #: 02-654-1899 on Mon/Wed/Thurs. www.Atzat-nefesh.org

Q: Is it permissible for a girl to wear a nose ring?

A: It is forbidden because of following the ways of the non-Jews (Chukot Ha-Goyim).

Q: But Rivka had a nose ring?

A: This type of "Chukot Ha-Goyim" is based on the reality of the time in which one lives.

Q: Is it permissible to daven barefoot as they use to do?

A: It is forbidden. One must be dressed as standing before a king. They used to stand this way before a king.

Q: Can I take vitamins which do not have kosher supervision?

A: Any medicine which lacks taste is kosher, including for Pesach.

Q: I woke up late, how should I daven?

A: You can daven – after the fact – until noon, reciting all of the prayers as you normally would.

Q: And if I wake up after noon?

A: The morning blessings, Tefillin and then daven Minchah twice.

Q: Is it okay to leave Israel to visit Poland?

A: It is not okay. 1. It is forbidden to leave Israel (except under specific circumstances). 2. It is giving money to murderers.

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

Our Rabbi & Eating – Part 3

Seudat Mitzvah

A student related: Our Rabbi was invited to a Seudat Mitzvah with my family. He responded affirmatively and came to participate in it. After they finished serving the main course, the hostess stood up and asked: "Would anyone like more?" No one responded, but our Rabbi spoke up and said: "Please, I would like more." After the hostess joyously served Ha-Rav, and they gave Divrei Torah, the hostess again asked if anyone would like more. Again, no one responded to her proposal, and again our Rabbi spoke up and said: "If it is possible, please, I am interested..." We were somewhat confused, we could not understand how Ha-Rav could eat this amount. Ha-Gaon Rabbi Shalom Natan Ra'anah (Ha-Rav's brother-in-law) stood up, came over to me and whispered to me: "Please tell the hostess not to propose an additional portion, since if she asks ten times, Ha-Rav Tzvi Yehudah will not refuse. For a Seudat Mitzvah, he will never refuse..." (From the book "Berito Le-hodi'am" of Rav Yitzchak Dadon, p. 115)

At a Seudat Mitzvah, such as a Brit Milah, our Rabbi would eat with as quickly as he could, because then there is a mitzvah to eat.

It once happened that students found his sister, Ha-Rabbanit Bayta Miriam, crying: "Yesterday Reb Tzvi Yehudah participated in three Seudot Mitzvah in which he ate meat, now he will fast for a week!"

A student asked after a Seudat Mitzvah: "From where do you get the strength to eat so much?" Our Rabbi replied: "We receive the strength from the mitzvah."

Meal-time etiquette

The meal time was a great class for his students. Our Rabbi did not bend over the soup as most people do. He would bring the spoon up to himself while sitting in an upright position, since a person does not need to bend to the food, but conversely, to raise the food up to him.

Our Rabbi was very particular not to begin eating as long as all of those present had not received their food.

When our Rabbi sat down to eat, and another person sat with him, he was also concerned that he would eat.

When a married couple ate at his table, he would give the man "a double portion" and point out with a smile: "You are obligated to provide her food!" And sometimes we even acted this way with an engaged couple, and he would say to the young man: "You will soon be obligated to provide her food..."

Our Rabbi was once drinking tea and a student asked him a question and he only answered him after finishing the tea. When the student asked our Rabbi about it, he explained that the whole thing about drinking tea is drinking it when it is hot. If it cools off, it is "Ba'al Tashchit" (wanton waste), and it was therefore preferable to finish drinking first. (Ha-Rav Reuven Hiller)

Our Rabbi and his stringencies regarding eating

The "Divrei Avraham" - Ha-Rav Ha-Gaon Rabbi Avraham Dov Ber Shapira of Kovno - participated in a gathering of "Agudat Yisrael," and since our Rabbi had a great desire to meet him, he came to the hotel where he was staying. They had a lengthy conversation, but when it came time for lunch, our Rabbi moved to the side to eat bread and honey. This is how he acted during his travels in order to avoid kashrut problems [since any additional ingredients in honey ruin its taste and are noticeable]. The "Divrei Avraham" invited him a few times to join the others, but he declined, and then the "Divrei Avraham" understood: "His honor simply has special stringencies regarding eating." Our Rabbi then resolved: "My thought was not to act this way in the presence of a great man" (See Ketubot 63a where Ben Kalba Shavua vowed that his daughter would not benefit from his property after she became engaged to the unlearned Rabbi Akiva. He later wanted to annul his vow and heard that a rabbi had come to town. The Rabbi asked him, "Did you intend to make your vow even in the case that he would be a great man?" Ben Kalba Shavua said, "No, even if he had learned a little I would not have vowed." Rabbi Akiva then revealed to him that he was his son-in-law). Our Rabbi

then established three general rules for himself: 1. All of his special practices regarding eating would be nullified in the presence of a great man who asked him to eat. 2. And similarly, when he was a guest of other people. 3. And even when people were his guests.



Shut She'eilat Shlomo - Questions of Jewish Law

Beit Shammai in the Future

Question: I have heard that in the times of the Messiah, the Halachah will not follow Beit Hillel as we do now (Berachot 36b, Beitza 11b and Yevamot 9a), but it will follow Beit Shammai. Why?

Answer: This idea is written in the works of the later Kabbalists, but it does not appear in the Gemara or in the Zohar. Nonetheless, we must understand that Beit Shammai discusses the world in the future in which our world will have a reality more appropriate to the stringent positions of Beit Shammai. Beit Hillel intended positions more compatible to our current world.



*Family Matters - Ha-Rav writes weekly for
the parashah sheet "Rosh Yehudi" on family relationships*

The Beginning is Not the Deciding Factor

It does not matter how your marriage began: on the right foot, on the left foot or on both feet – what matters is how it progresses and how much you invest in it. Look at the different ways in which our foremothers were married: Sarah was Avraham's niece and ten years younger than him. They grew up together and completely knew each other before marrying. Rivka and Yitzchak were completely matched up. Eliezer received the authority to find a wife for Yitzchak based on his intellectual analysis. When Rivka saw Yitzchak for the first time, she was already his wife. Leah entered Yaakov's life without asking his opinion, similar to a forced marriage. And Rachel was love at first sight. But in marriage, the first sight is not the deciding factor, but the second, third and every daily sight. The advantage of the starting point can be wasted over nothing. And even someone who begins a race well-behind the starting line can catch up quickly if he exerts great effort. The deciding factor is not where you came from, but how you progress. This is true in many things in the world, and especially in marriage.

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