



Parashat Naso 5770

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On Shavuot...

Laws of Staying Awake All Night on Shavuot

[Shut She'eilat Shlomo 1:26-27, 222 and Q&A from radio call-in show]

The custom of learning Torah the entire night of Shavuot is mentioned by the Magen Avraham (Orach Chaim #494), based on the Zohar, that we dedicate the night to learning Torah is an attempt to rectify a mistake made by the Nation of Israel at the time of the Giving of the Torah. When Hashem "arrived" to give the Torah to the Nation of Israel, we were still sleeping and had to be woken up. The custom therefore developed to stay awake all night to spirituality rectify for the oversleeping and to show our zeal for the Torah. But one should be aware that if he cannot daven Shachrit with proper concentration, on account of the exhaustion of learning Torah all night, it is better not to stay up since davening properly is a clear obligation (the Magen Avraham makes this exact point regarding staying up all night on Yom Kippur – see Orach Chaim 511:11).

In fact, Ha-Rav Yitzchak Zev Soloveitchik, the Brisker Rav, was surprised that people are so particular to stay awake the entire night of Shavuot, which is a custom, while on Pesach night, where there is a law to discuss the Exodus from Egypt until one is overcome by sleep, people are not so careful. And in the city of Brisk, people were not careful to follow the custom of staying awake the entire night of Shavuot, since why is this night different from all other nights... And also learning on Shavuot night is not more important than learning during the day... (Uvdot Ve-Hanhagot Le-Beit Brisk vol. 2, p. 79).

Each person should therefore carefully consider if it is worthwhile for him to stay up all night since there is a concern that "his gain is offset by his loss."

For one who will remain awake all night, this is how he should act in the morning:

1. Talit

One who wears Tzitzit all night should not recite a new blessing on it in the morning. One should try to hear the blessing said by someone who is obligated to recite it or he should have the Tzitzit in mind when he recites the blessing over his Talit (Shulchan Aruch, Orach Chaim 8:16 with Mishnah Berurah #42).

2. Netilat Yadayim

One should wash "Netilat Yadayim" without a blessing or hear it from someone who is obligated to recite it (Shulchan Aruch Ha-Rav 4:13). It is preferable to use the restroom and one is then obligated according to all opinions to wash "Netilat Yadayim." After washing "Netilat Yadayim," he should recite the blessing of "Al Netilat Yadayim" and "Asher Yatzar" (Shulchan Aruch, Orach Chaim 4:13 with Mishnah Berurah #27, 29, 30).

3. "Elohai Neshamah" and "Ha-Ma'avir Sheinah"

They should be recited without the ending of using Hashem's Name or be heard from someone who is obligated to recite them, since these blessings were established over the return of the soul and removal of sleep and neither of these occurred (Shulchan Aruch, Orach Chaim 47 with Mishnah Berurah #30 and Biur Halachah). If one sleeps a half an hour, one is obligated to recite these blessings (Shulchan Aruch, Orach Chaim 4:16 with Mishnah Berurah #34-35 and Biur Halachah).

4. "Ha-Noten Le-Yaef Koach"

One should recite this blessing even if he is very tired, since this blessing was not established for the person's individual state, but as a general praise of Hashem who created His world which includes the removal of tiredness (Shulchan Aruch, Orach Chaim 46 with Mishnah Berurah #22 and Shulchan Aruch, Orach Chaim 47 with Mishnah Berurah #28). Chasidim recite all of the morning blessings even if they remain awake all night (Shulchan Aruch Ha-Rav 47:7 and Siddur Chabad in the laws before the morning blessings and blessings over learning Torah).

5. Blessings over Learning Torah

There is a dispute whether these blessings should be recited if one remains awake all night. One option is that the morning before Shavuot, one make a condition that the blessings will be for the following day as well. One can also hear the blessings from someone who slept and both of them have in mind that the blessings will apply to both of them (Shulchan Aruch, Orach Chaim 47 with Mishnah Berurah #25-28). If neither of these is an option, one can recite the blessings based on the opinion of the Shut Sha'agat Aryeh (#24-25) that these blessings are a Torah Mitzvah and in the case of a doubt, one is strict to recite them. This ruling is found in Maran Ha-Rav Kook's commentary on the siddur "Olat Re'eiyah" (vol. 1, p. 59 #5) and in Ha-Rav Ovadiah Yosef's responsa (Shut Yabia Omer vol. 5, Orach Chaim #6 and Shut Yechaveh Daat 3:33).

In this regard, women are also required to recite the blessings over learning Torah and these blessings are printed in all of the Siddurim for women. Since women are not obligated to learn Torah, how can they recite the blessing "Blessed is Hashem...who has made us holy and commanded us to engage in words of Torah"? There are various answers, but the answer of Ha-Rav Yitzchak Zev Soloveitchik, known as the Griz, on the Rambam (at the end of Hilchot Berachot, p. 10) and Maran Ha-Rav Kook (Orach Mishpat 11, 2) is that these are not blessings over performing a mitzvah but blessings of praise. If the Torah was not given, the world would be in darkness for both men or women. Women therefore also thank Hashem for the Torah being in the world.

Rav Aviner on...

“A Man or Woman Can Force a Spouse to Move to Jerusalem”

[“Be-Ahavah U-Be-Emunah” – Bemidbar 5770 – translated by R. Blumberg]

“A man or woman can force a spouse to move to Jerusalem” – such is the ruling when one spouse wants to live in Jerusalem. He or she has the upper hand (Ketubot 110b). Jerusalem is superior to all else, not in the sense of aloofness and arrogance, but in the sense of being the spiritual pinnacle of Eretz Yisrael.

After all, we have to ask: We’ve heard over and over again about the mitzvah of settling the Land, but where in the Torah is there a mitzvah of settling Jerusalem? We have to answer: True, there is no mitzvah of settling Jerusalem per se, but since it is the spiritual pinnacle of the entire land, the mitzvah of settling the Land is fulfilled there all the more. Scripture states, “Hashem loves the gates of Zion more than all the dwellings of Yaakov” (Tehillim 87:2). Obviously, this is referring to all of Jerusalem, including the new neighborhoods of West Jerusalem. Yet it is clear that the main thing is the Old City, Jerusalem between the walls.

And if we are relating to Jerusalem in terms of the mitzvah applying to the entire land, then we have to apply to Jerusalem all three aspects of that mitzvah. It is well known that the mitzvah of settling Eretz Yisrael can be divided into three parts: 1) moving to the Land, 2) settling the Land “so as not to abandon it to desolation” and 3) sovereignty over the Land – conquering and liberating the Land (“we mustn’t abandon it to any other nation” – Ramban’s remarks on Rambam’s Sefer HaMitzvot, Addendum 4).

Here is the place to talk about settlement and conquest. Through G-d’s kindness, we have merited conquest. Yet as we all know, it is not enough to conquer. You have to hold on to what you conquered. And how does one do that? Through settlement. Our sages say regarding the verse, “Clear out the land and live in it” (Bemidbar 33:53) that it is by virtue of our clearing it out, that we will merit to live in it (see Rashi). Yet by the same token, it is by virtue of our living in it that we can succeed in clearing it out. The two are interdependent.

My words apply not only to Jerusalem between the walls but to the entire length and breadth of the Land, in which we are commanded to settle and to take hold everywhere, even if that is hard in our day. Yet in our ancient holy city, it is all that much harder. It used to be said that to settle one Jewish home in the Old City is as hard as establishing an entire settlement. Indeed, the Old City is like a human heart, both in its size and in its complexity.

Obviously, even to establish Jewish factories there is a precious deed, but the main thing is to establish, facing the site of our Temple, factories of Torah and the fear of G-d, of good character and the love of Israel. And in response to the misdeeds of the past, we must strengthen our hold on Jerusalem to make it “a city of unity” (Tehillim 122:3) – a city that unites Celestial Jerusalem with Terrestrial Jerusalem. Let us be strong and of good courage in rebuilding our holy city, and the entire length and breadth of our Land.

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

On Jerusalem, the Temple Mount and the Temple – Part 3

[From Sefer Le-Mikdashech Tuv, pp. 11-14 unless noted otherwise]

After the Six-Day War, when a Torah scholar and professor came to our Rabbi and asked him why he did not then begin to build the Temple, he responded, "The mitzvah of building the Kingdom of Israel takes precedence, according to the ruling of the Rambam at the beginning of the Laws of Kings" (Sichot Ha-Rav Tzvi Yehudah, chapters of Messiah 4, Talmud Torah 1 addendum 2). Later, this was extensively explained by our Rabbi in the article "From Behind the Wall" (Mei-Achar Kotleinu) in which he said that only after great improvement in the building of the Nation, both physically and spiritually, can we enter into the holiness of rebuilding the Temple (see Le-Netivot Yisrael vol. 1, #23).

When a delegation of public figures came to our Rabbi with the request to work as forcefully as possible against the threatened agreement which the Government of Israel was prepared to sign with the Country of Jordan, which included surrendering the Temple Mount to their control, our Rabbi reacted: "What about the entire Land of Israel?" They repeated their words many times, as did he.

After the Six-Day War, students approached our Rabbi and quoted the words of Rav Tzvi Hirsch Kalisher in the introduction to his book "Derishat Tzion" which repeats a tradition recorded in the name of the Vilna Gaon that if we will only leap and sacrifice one lamb, then everything will be ready for Redemption. They asked: perhaps it is proper to sacrifice one Pesach sacrifice? When our Rabbi heard this he became enraged: "We need to strengthen the Kingdom of Israel and return the Torah to those who learn it in Israel; to bring great repentance, and we will then ascend to the Temple Mount from the midst of this prophecy." He said these words emphatically and forcefully. (Le-Mikdashech Tuv, p. 180)

Blowing up the Dome of the Rock

After the Six-Day War, the Minister of Defense, Moshe Dayan, evacuated the non-Jews from the Jewish Quarter of the Old City. A few young men, who fought in the Jerusalem Brigade, felt that it was not enough, and they prepared explosives to blow up the mosques on the Temple Mount. They nonetheless went to take counsel with our Rabbi, who rejected the idea: This must come from the entire Nation, and not a part of it. They went to Reb Aryeh Levin, thinking that since he supported Etzel and Lechi before the establishment of the State, he would respond positively; but he also rejected it for the same reason that there is a need for National agreement. He related a story, which our Rabbi would also relate, that a certain preacher would travel to different cities and encourage belief in false messianism, and he had a major influence. When Rav Chaim of Volozhin was informed that he was scheduled to speak on Shabbat in a particular community, he sent two messengers, who were to violate Shabbat to stop him, since it was a matter of life and death. They were successful. A rich non-Jew asked Rav Chaim if he had heard about the preacher and if, in his opinion, he was the Messiah. Rav Chaim responded: And what do you say?

He answered: This has nothing to do with me. Rav Chaim said: You are wrong. When the Messiah comes even you will feel it.

The young men asked Reb Aryeh Levin, half in jest: If so, the building of the Temple also depends of the decision of the Knesset? He answered: It may be. (Iturei Cohanin #57 from Ha-Rav Avraham Remer)

Shut She'eilat Shlomo - Questions of Jewish Law

The Churva Synagogue

Question: I heard in the name of the Vilna Gaon that when the Churva Synagogue is built it is a sign that the Third Temple will soon be built. Is this true?

A: I have not heard this idea in the name of the Vilna Gaon. What is correct is that the second building of the Churva Synagogue was performed by the students of the Vilna Gaon, who made Aliyah with Rabbi Menachem Mendel of Shaklov. But this was 200 years ago. And then it was destroyed. This shul has been built three times. The first time by Rabbi Yehudah Ha-Chasid from Poland, the second time by the students of the Vilna Gaon from Russia and the third time by all of the Nation of Israel, the State of Israel, and it will therefore not be destroyed. The Vilna Gaon also said in the book "Kol Ha-Tur" not to involve ourselves with signs and hints but to build the Land and renew the life of the Nation of Israel in our Land and then the Redemption will come.

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:

A Lap of Luxury

Q: Is it permissible to buy a car for hundreds of thousands of shekels?

A: It is a waste. Give the money to Tzedakah. Your life takes precedence over your fellow's life, but your luxuries do not take precedent over your fellow's life (Igrot at the end of Sefer Ha-Tanya. Aruch Ha-Shulchan Yoreh Deah 251. Sefer Ahavat Chesed of the Chafetz Chaim. Shut Orach Mishpat of Maran Ha-Rav Kook).

Modesty

Q: My Rebbetzin, who I greatly respect, wears provocative clothing. How should I relate to that?

A: This is truly difficult to understand. But a person is judged by the majority of his actions (Rambam, Hilchot Teshuvah 3:1).

Taxes

Q: If I receive a present from work, do I have to include it when figuring my taxes?

A: No, an insignificant amount is not required. Although Ha-Rav Yaakov Kaminitzky would pay taxes in America on the Mishloach Manot he received (Shut Revivot Efraim 6:389), it appears to be a strict interpretation.

The Grave of the Rashbi

Q: Is it preferable to visit Kever Rashbi on Lag Ba-Omer or learn Torah?

A: Learn Torah since it is a clear obligation.

Q: But the Arizal would visit Ke'ver Rashi on this day?

A: We are not the Arizal (in the name of Ha-Rav Chaim Kanievski).

Herzl

Q: Where can I read the truth about Herzl without false defamations?

A: Herzl – A New Reading. Dr. Yitzchak Weiss.

Civil Marriage

Q: Is it permissible for me to marry a woman who does not want to marry through the Rabbinat?

A: It is forbidden (see Shut She'eilat Shlomo 2:305).

Dating and a Picture

Q: Is it permissible to show a picture of a young woman to a young man without her permission to see it they are interested in dating?

A: No. You need to ask her permission. The picture belongs to her. Furthermore, one should not close off opportunities since many times a picture is not flattering and reality is much better (Shut Mishneh Halachot 4:114. And unlike Shut Betzel Ha-Chochmah 4:85).

Medical Clowns

Q: Is medical clowning forbidden like other forms of frivolity or it is permissible?

A: Frivolity is forbidden. Avodah Zarah 18b. But jesting for a good reason is permissible, like mocking idol worship. Megillah 25b. And our Sages praise two men who would make the sad happy by joking around. Ta'anit 22b. Medical clowning is therefore permissible and a mitzvah. But only a man for a man and a woman for a woman.

Redemption

Q: Is it true that the Redemption has already begun?

A: It began 130 years ago with the First Aliyah in 5641 (Ha-Tekufah Ha-Gedilah pp. 374-378).

Piercing

Q: Why it is forbidden to get an earring in one's eyebrow?

A: It is forbidden because of "Chukot Ha-Goyim" – imitating non-Jewish practices (see She'eilat Shlomo 1:339 #2).

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