



Maran Ha-Rav Kook Returned Sefarim!

[Talk in the Yeshiva during Lunch]

Maran Ha-Rav Kook would quote a saying from earlier generations: "If you act according to my custom, you will attain what I attained" (Sichot Ha-Rav Tzvi Yehudah 64 #14). This means that in order to internalize someone's Torah, one must first follow his ways and act according to his positive traits.

Rabbenu Ha-Rav Tzvi Yehudah pointed out one of Maran Ha-Rav Kook's positive traits: he would never burden another person to return Sefarim that he had taken from another place (ibid. #16).

Rabbenu Ha-Rav Tzvi Yehudah hung a note in the Yeshiva that reflects this same idea: "Anyone who takes a Sefer belonging to the Yeshiva and does not return to its proper place is no longer allowed to use the yeshiva's Sefarim." This is a condition for using the Sefarim.

This "ruling" is based on various considerations:

1. If the person does not return it, he places a burden upon another person who looks for the Sefer and cannot find it. He wastes that person's time with a fruitless search: in the end, the book will not be found. The librarian of the Yeshiva is also burdened with the returning of Sefarim instead of learning Torah.
2. Some explain that there is also an issue of subjecting a person to "Avodat Parech". "Avodat Parech" is when a slave is forced to perform unessential labor. When a person labors at creative and important work, he feels self-satisfaction, but when he works hard for no reason, he feels frustrated. The Torah obviously only states this prohibition in connection to a slave, and not to a free person who has the choice to refuse to perform the labor. Nonetheless, not returning Sefarim has an aspect of "Avodat Parech" to it.
3. There is also an issue of shaming Sefarim. When they are left around instead of shelved, they can easily be ripped or ruined (this is true all the more so in our Yeshiva, where the Beit Midrash is also where our meals are eaten).

A person must therefore return a Sefer immediately after using it, or at the very least, at the end of the Seder of learning. If it is the only copy of that Sefer in the Yeshiva, it should be returned immediately, since someone may need it.

If a person is sitting and learning and sees Sefarim which others left around, he is not obligated to return them, but it is a kindness if he does so. If they are left around in a disrespectful way, however, he is obligated to return them.

It is written in the Sefer Chasidim that one of the signs that indicates a person's level of fear of Heaven is his relationship to Sefarim.

This is the general rule: before a person learns Torah, he must have proper character traits, and only then will he merit Divine assistance in his learning.

Rav Aviner on...

What would Rav Soloveitchik say about "Creative Halachah"?

[Be-Ahavah U-Be-Emunah – Vayakel-Pekudei 5773 – translated by R. Blumberg]

Ha-Gaon Ha-Rav Yosef Dov Soloveitchik zt"l related to "creative Halachah", "flexible Halachah", "new Halachah" and "meaningful Halachah", in his two lectures, "Zeh Sinai", and "Sichah Le-Parashat Korach", and it is as though they were just written today.

Here are a few of his comments:

"Our underlying foundation must be humility before the Master-of-the-Universe. A haughty person will never be able to become a great Torah scholar. We must accept G-d's will, without restraint, and not replace it with our own mundane, very utilitarian logic."

"Our Sages use the expression 'accepting the yoke of the Kingdom of Heaven'. What does the word 'yoke' add? "One who accepts the Kingdom of Heaven without its yoke can be doing so for convenience, or because it suits his own wishes. Undertaking the yoke of the Kingdom of Heaven can sometimes be very inconvenient and burdensome."

"In order to join the ranks of the Sages of our tradition, one must avoid trying to explain Torah law via external rationales. One must not judge or assess Torah laws according to a secular yardstick. Such an attempt, whether based on an historical or psychological interpretation, or deriving from a utilitarian approach, undermines the very foundation of Torah and tradition, and ultimately begets the most tragic results."

"We must not surrender emotionally. We must not feel inferior. We must not develop an inferiority complex. Anyone suffering from such a complex is surrendering to the transient charm of modern, political or ideological slogans. I say that not only must we not compromise – certainly not that – but we mustn't even surrender emotionally or feel inferior. It is forbidden for anyone who undertakes the yoke of Heaven to ever think it is important to collaborate to the slightest degree with the modern, secular, philosophical trend. I believe that Judaism has no need to apologize either before the modern woman or before the modern representatives of religious subjectivism (which argues for a 'personal truth')." We mustn't try to adapt the eternal halachic norm to the transient values of a neurotic society."

"Undertaking the yoke of Heaven requires us to attain the traits of respect and love, and to admire the words of the Sages of our tradition, be they from the Mishnah, the Talmud or medieval times. In every case, they are the ultimate authorities. Irresponsible expressions against our Sages verge on heresy."

"I bear witness to the fact that modern life is very complex. I know your problems... We are facing terrifying social, cultural, political and economic problems; problems within the family, the community; and problems of society in general. We sometimes feel as though we are swimming against the current, and that it is moving swiftly via an external force, in the opposite direction from our own... The vast majority have abandoned us. We face an enormous challenge, but if you think the solution lies in a reformist philosophy, or in an external interpretation of Halachah, you are making a heinous error."

“Obviously, many problems cannot be solved... If we say to dissident Jews, ‘This is our position,’ they won’t like it. They will say that we are inflexible, that we are cruel. Yet they will admire us.”

“The Torah calls upon the Jew to lead a life of great valor, a life of self-sacrifice.”

“Yet to say that the Torah is inflexible regarding problems, that it does not respond to people’s needs, is absolutely false. Halachah is indeed responsive both to the needs of the community and to those of the individual, but proceeds along its own route...with its own criteria and principles.”

“Believe me, [my grandfather] Rav Chaim Soloveitchik used to do his utmost to be lenient. Yet there are limits even to the leniencies of Rav Chaim. When you reach the limit, all you can say is, ‘I surrender to the supreme will of Eternal G-d.’”

“To talk about Halachah as if it were fossilized, G-d forbid, is ridiculous... We are against changes, but novel thinking is certain the very backbone of Jewish law. Novel thinking is endemic to the system, not external to it.”

“Korach rebelled against the authority of Halachah. He said, ‘All Jews are equal! Therefore, every Jew has the right to interpret Jewish law.’

“What Korach wanted, and what many Jews want now... is that the Torah’s exegetical tool should be common sense, the empirical knowledge of daily living, man’s normal intellect.”

“The Oral Law cannot be identified with common sense.... It has its own methodology... Anyone who knows what the Oral Law is knows this. Are you familiar with the Women’s Liberation Movement? With complaints against the Oral Torah, against our Halachah, claiming that it deprives the woman, that the woman is unequal to the man in Jewish law? There are rabbis who are willing to surrender in order to appease several female knights of Women’s Liberation. Basically, anyone who has studied Torah as a child, and knows the Pentateuch well, anyone who has studied the Talmud, knows that this accusation constitutes slander, since the Torah states in Bereshit that G-d created man in G-d’s image, that He created man male and female. Thus, equality is a given.”

"Let me explain the approach of those who advocate ‘common sense Halachah’. It doesn’t matter what they call it. Whether they call it ‘meaningful Halachah’, or ‘creative Halachah’, or ‘the new Halachah’... they are errantly being led by a simplistic philosophical doctrine that includes half-truths and false clichés. They are enlisting...a theory about subjective religiosity. When I hear people talking about ‘meaningful Halachah’, about “ending halachic stagnation’, about ‘empirical Halachah’, I know what they mean... precisely what Korach and his followers had in mind.”

“Obviously, Moshe won...Korach’s congregation admitted in the end, “Moshe is the truth and his Torah is the truth’.”

Halachot of Visiting Museums

Shomronim

Q: It is permission to visit the museum of the Shomronim?

A: No, on account of strengthening transgressors (as our Sages defined the Kutim. Shulchan Aruch, Yoreh Deah 267:47).

Entering Reform Institution in order to Enter Museum

Q: Is it permissible to enter the Reform institution on King David St. in Yerushalayim in order to enter the archeological museum located there?

A: Ha-Rav Shlomo Zalman Auerbach ruled that it is permissible if it is for an educational purpose which cannot be attained in another way (Ve-Alehu Lo Yibol vol. 1, p. 67).

Short & Sweet – Text Message Responsa

Redemption without Teshuvah

Q: The Rambam rules in Hilchot Teshuvah that we will not be redeemed without Teshuvah. If so, since there are still transgressions among us, isn't it clear that we're not in the Redemption?

A: 1. See Kesef Mishneh, who explains that Teshuvah brings us to Redemption. 2. It is not currently the Redemption, but Atchalta De-Geulah – the Beginning of the Redemption. 3. The Rambam writes that the Messiah himself will force all Jews to fulfill the Torah and Mitzvot. If this is so, then we will not all be righteous when he arrives. Hilchot Melachim 11:4 (see Alo Naale #24 at length).

Shidduch and Dentures

Q: Does a young woman have to tell on a Shidduch that she has dentures?

A: No. This is something which lacks importance and is not considered fraud (This is also the ruling on Ha-Rav Yosef Shalom Elyashiv, since a Cohain whose teeth fall out is not considered blemished. Bechorot 37a. Tosafot ibid. And any blemish which invalidates a Cohain is considered a blemish in women. Ketubot 72b. Kav Ve-Naki #527).

Marriage Proposal

Q: What is the source for proposing marriage while down on one knee? Is it permissible?

A: There is no source. It is forbidden on account of "Chukot Ha-Goyim" (following non-Jewish practices).

One Shabbat Candle

Q: If a woman only has one candle to light for Shabbat, does she fulfill her obligation?

A: Yes (A woman once called Ha-Rav Pinchas Hirschprung – Chief Rabbi of Montreal – and asked: Since she only has one candle to light for Shabbat, is it possible to light it facing a mirror so it appears as two candles? He answered that if this were the case, there would be two women in the mirror, and both would have to light... The booklet "Gedulat Pinchas", p. 83).

Book of Tehillim

Q: Should one sleep with a Book of Tehillim under his pillow?

A: No, rather he should recite Tehillim. And see Rambam, Hilchot Zarah 11:12.

Evil Inclination

Q: How does one break the evil inclination?

A: Learning Torah. "If this disgusting one (the evil inclination) encounters you, drag it to the Beit Midrash. If it is stone - it will melt. If it is iron - it will shatter". Kiddushin 30b.

The Incident with Beruriah

Q: Rashi on Avodah Zarah 18b brings an incident with Beruriah and Rabbi Meir which is shocking and hard to understand. How could Rabbi Meir do such a thing? Was it permissible?

A: It is a complicated subject for a text message. See my long article on the issue in Iturei Cohanim (#223 Iyar 5763, which explains it according to the opinion that the incident actually occurred). Nonetheless, early editions of Rashi do not contain this incident. Perhaps a mistaken student put it in (Ha-Rav Yosef Shalom Elyashiv also explains that this incident never happened. Divrei Yaakov of Ha-Rav Yaakov Adas on the Teshuvot of Ha-Rav Elyashiv, p. 263).

Separate Seating at Wedding

Q: Must a wedding have separate seating? I heard that Ha-Rav Moshe Feinstein does not require separation and he is a great Gaon.

A: It is true that Ha-Rav Moshe Feinstein rules that a Mechitzah is only required for a public event which is out to the public, but not at a private event like a wedding. Shut Igrot Moshe 1:41. Yoreh Deah 4:24 #3. And this is how many act in America. But with all the greatness of Ha-Rav Feinstein, the Halachah does not always have to follow his rulings, and in our times, G-d-fearing Jews in Eretz Yisrael have a proper Mechitzah. See Shut Az Nedberu of Ha-Rav Zilber 12:47.

Helping My Wife

Q: My wife is pregnant, and she wants to sleep while I watch the kids. If I do this, I will not be able to Daven with a Minyan.

A: You are also obligated to take care of your children, and one who is involved in a Mitzvah is exempt from another Mitzvah – in this case, Davening with a Minyan (Sukkah 26a).