



Text Message Q&A #49

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Ha-Rav answers hundreds of text message questions a day! Here's a sample:

Death Penalty for Terrorists

Q: According to the Torah, should terrorists be given the death penalty?

A: Yes. 1. In order that they not murder again, since they are in the category of a "Rodef" (The Halachah states that one should kill another person who is pursuing others with intent to murder). 2. In order that others who may have the same intention will see, fear and thus not be brazen enough to do the same. But in practice, in matters such as these the Government must decide the proper course of action in the name of all of Am Yisrael (After the terrorist attack at the Hotel Savoy in Tel Aviv in 5735, in which 8 hostages and 3 soldiers were killed, one of the terrorists was sentenced to death - although the verdict was never carried out. Our Rabbi Ha-Rav Tzvi Yehudah was asked by one of the executioners: What is the Torah's opinion of this verdict? He responded: The Torah states, "If one comes to kill you, kill him first." Of a person who pursues another to kill him, the Torah states, "Save the blood of this one with the blood of that one." Sanhedrin 72b. "And cursed be he who keeps back his sword from blood." Yirmiyahu 48:10. And if this applies to an individual comes to kill another individual, how much more so does it apply when a community comes to kill another community, and to terrorize the reality of our lives in the Land of our revival. "Because they did not come to help Hashem against the mighty men...but let those who love Him be as the sun when it comes out in its might." Shoftim 5:23, 31. Sefer Le-Hilchot Tzibur #98).

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Releasing Terrorists

Q: Why shouldn't we release terrorists? After all, it is determined in Heaven on Rosh Hashanah in Heaven if there will be a murder or not.

A: If this is so, you have nullified all human effort. We are commanded to act based on the Torah. At times, Hashem brings certain events about through the agency of a person who has

caused you problems. This is called, "bad things are brought about through the agency of a bad person" (see Rashi to Devarim 22:8 – this is in order to punish the evil even more).

Endangering One's Life and Eretz Yisrael

Q: Which is more important – settling Eretz Yisrael or protecting one's life?

A: One must display self-sacrifice for Eretz Yisrael – making Aliyah, settling it and protecting it in the army – but it is forbidden to take excessive risks (Minchat Chinuch #425).

Violent Evacuation

Q: Should one go to try to stop the evacuation of an outpost when there is sure to be violent clashes with the police and army?

A: Certainly not. One does not perform a Mitzvah through a transgression. This adds nothing to the Nation of Israel – on the contrary – it damages.

Films about Gush Katif

Q: Should we show children films about the expulsion from Gush Katif?

A: It is forbidden to watch films which awaken the evil inclination. See Shulchan Aruch, Orach Chaim 307:16. This includes the inclination of hatred.

Rabbis Ascending on High

Q: Why are so many Rabbis dying?

A: Thanks to modern medicine, only a small number have died. Our great love for them, however, makes it feel like more.

Techelet

Q: Why do hardly any Rabbis wear Techelet? There is much research that it is the true Techelet.

A: One should not give instructions to Rabbis what to do based on research, rather, one should ask Rabbis what is the halachic significance of the research.

Donating Hair

Q: Is it permissible for a single or married woman to donate her hair to make wigs for cancer victims?

A: Yes. It is a Mitzvah.

Q: Is it permissible for a boy to grow long hair for this purpose?

A: Certainly not. It is a Mitzvah performed through a transgression.

Notes in the Kotel

Q: It is permissible to read a note someone put in the Kotel?

A: It is forbidden. It was written with the intent that others would not read it. "One who gossips goes around revealing secrets" (Mishlei 11:13. Ha-Rav Yitzchak Zilberstein rules the same way in Tuvcha Yabi'u vol. 2, p. 492).

Hitting One's Chest during "Selach Lanu"

Q: Is hitting one's heart during the blessing of "Selach Lanu" a Halachah or a proper custom?

A: It is the custom. Makor Chaim, Kitzur Halachot, end of chap. 116.

Military Rabbinate

Q: If I have a halachic question in the army, who should I ask: My Rabbi or the military Rabbinate?

A: A personal question – your Rabbi. A military question related to the army – the military Rabbinate.

Q: But my Rabbi is a greater Torah scholar than the Chief Rabbi of Tzahal.

A: He is not greater than Chazal (The Sages of the Talmud) who rules that one should follow the "Mara De-Atra" (local authority).

Women Singing

Q: Regarding being present at a ceremony where women sing, I heard that Rav Kook remained present when a woman sang at a Governmental ceremony of the British?

A: Then you did not hear well. The one who remained was Ha-Rav Yosef Chaim Zonenfeld who put his fingers in his ears, put down his head and closed into himself, on account of the honor of the Kingship, but Maran Ha-Rav Kook immediately stood up and ran outside, like someone fleeing a fire. The book Mi-Bechirei Tzadikaya of Ha-Rav Yosef Zusman, p. 178.

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