



Text Message Q&A #222 Ask Rav Aviner: toratravaviner@yahoo.com

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

'Makom Kavua' (Fixed Place) at the Kotel

Q: If I Daven regularly in the same place at the Kotel, is it my 'Makom Kavua'?

A: Certainly not. No one has ownership of the Kotel. It belongs to Klal-Yisrael (Ha-Rav Yosef Shalom Elyashiv rules in the same way. In the book "Mi-Pi Ish" p. 213).

Growing into a Torah Scholar

Q: How does one become a Torah scholar? Is there a Bracha or Segula you can give me to ensure that this will happen?

A: Years of toiling in Torah learning (Ha-Rav Shmuel Ha-Levi Wozner, author of Shut Shevet Ha-Levi, was born into a modernish Orthodox family in Vienna and blossomed into one of the major Poskim of our time. There is a famous story about his mother. She had a beautiful voice and was invited by the famous national Opera of Vienna to perform. This would have brought her fame and fortune, but one of the leading Rabbis told her it was forbidden to sing in front of men and/or a mixed

audience. He gave her a blessing that for overcoming this temptation she would merit a son who would illuminate the world. Rav Wozner often spoke about growing in Torah learning but never mentioned this story. He himself was not a gifted student at all, but by sheer desire, unending effort, and prayer he succeeded in becoming a great Posek. Rav Wozner's son, Ha-Rav Avraham Eliyahu, Av Beit Din of the "Shevet Ha-Levi" community in the Brachfeld neighborhood of Modi'in Ilit, once said that his father never related this wondrous story. When Rav Wozner was asked if it was true, he answered: "That's what they say". Rav Wozner wanted to avoid the impression that simply by the merit of a Bracha one can blossom into a Torah giant. This can only be accomplished through years of hard work and toil in Torah learning. In the book "Ve-Lo Shevet Ha-Levi Bilvad" pp. 24-25).

Tefilat Ha-Derech in Airplane

Q: When should one recite Tefilat Ha-Derech when flying in an airplane?

A: After the ascent, since there is danger if – G-d-forbid – the airplane falls (Ha-Rav Shlomo Zalman Auerbach. Halichot Shlomo 21:4).

Ruling of Ha-Rav Against What is Written in His Book

Q: I asked a question and Ha-Rav answered differently than what is written in his book!

A: Rabbis sometimes do not want to include in their books rulings which could be relied on throughout the generations. They therefore present the basic Halachah in their books, but might rule leniently when the Halachah allows, or strictly when need be when asked orally (For example, A. Regarding a Sefardi eating in a Kosher restaurant or catering hall where non-Jews cook the food. While Ashkenazim rely on

the Rama [Yoreh Deah 113:7] that as long as a Jew lights the fire, gas or electricity, the non-Jew may place the pot or pan on it and it will not be considered "Bishul Akum" – food cooked by a non-Jew (which is forbidden), Sefardim follow the ruling of the Shulchan Aruch [ibid.] that it does not matter whether the fire is lit by a Jew or a non-Jew, the essence is that the Jew places the food on it. In many Kosher restaurants or catering halls, the Mashgiach lights the fire and then the non-Jews cook. Ha-Rav Ovadiah Yosef, however, finds a leniency and writes that a regular employee has the same leniency as a servant. Today we do not have servants as laid out by the Torah, but when there were non-Jewish servants, it was permissible for them to cook. Non-Jewish workers are not servants in the legal sense, but the Rama [ibid. 4] says that our permanent workers have the same ruling as servants. Ha-Rav Ovadiah Yosef says that we have a case of a double-doubt. Regarding each individual Halachah, Sefardim do not rule this way, but there are two doubts here: perhaps the Halachah follows the opinion that a Jew lighting the fire is enough, and perhaps the permanent, non-Jewish workers do have the status of servants. It is thus possible for a Sefardi to be lenient. Shut Yechaveh Da'at 5:54. But when someone asked Rav Ovadiah this question orally, he would rule that preferably one should be strict and refrain from eating there. Yalkut Yosef – Isur Ve-Heter Vol. 2 p. 158.

B. The Chazon Ish rules in his book that it is forbidden to eat the bread of someone who violates Shabbat, but he would answer those who asked him orally that it is permissible to rely on the lenient opinion of the Tiferet Moshe. Shut Teshuvot Ve-Hanhagot 1:470.

C. In Shut Az Nidberu 2:69, Ha-Rav Binyamin Zilber writes that the Chazon Ish would answer orally that one should not eat sardines imported from outside of Israel because of Bishul Akum, but since the Chazon Ish did not forbid it in his book, it may

be concluded that he did not hold that it was completely forbidden. Brought in Shulchan Melachim Volume 2 p. 1083).

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