



Bet Horaah

בית הוראה

Shaare Ezra

שערי עזרא

Parshat Korach

Zmanim for New York:

Candle Lighting: 8:12pm

Shabbat ends: 9:22pm

R"T 9:43pm

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END OF THE YEAR GIFTS FOR THE RABBIS AND TEACHERS

WRITTEN BY RABBI SHAY TAHAN

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Towards the end of the year, it is customary to express gratitude to the Rabbis and teachers who have devoted themselves tirelessly throughout the year to ensure the success of our children's learning. This tradition involves giving them a token of appreciation for their hard work. However, a common question arises regarding whether these tokens can be taken from Ma'aser.

Generally, Ma'aser is designated for supporting the poor or for the purpose of Torah learning, such as Yeshivot, Kollelim, or Torah scholars. If a teacher or Rabbi is genuinely in a state of poverty, then it is certainly permissible to give them a gift from one's Ma'aser funds. However, what about teachers who are not in a state of poverty?

In such cases, it is essential to consider the intention and purpose behind the Ma'aser. The primary objective of Ma'aser is to assist those in need and to support Torah study. While teachers who are not classified as poor may not be eligible for direct Ma'aser funds, the question arises whether we can give them Ma'aser as token of appreciation. There is a debate amongst the leading Poskim of the previous generation regarding the permissibility of using Ma'aser funds to pay for children's tuition. Rabbi Moshe Feinstein (י"ד סימן קמג), expresses the opinion that Ma'aser funds should not be used for this purpose. Rabbi Feinstein's reasoning is based on the principle that Ma'aser should not be used for obligations that one is already obligated to fulfill. Since in today's times, it is an established requirement to provide children with an education, and thus, parents are obligated to send their children to school. Consequently, Rabbi Feinstein argues that tuition expenses should be covered from personal funds rather than relying on Ma'aser.

One may contend that sending children to public schools, which are free of charge, could be an alter-

native solution. However, Rabbi Feinstein asserts that sending children to a Yeshiva or Torah learning institution is not a matter of choice or preference. It is an absolute obligation to provide a Torah education for children. Since public schools do not fulfill this obligation, one cannot view the decision to send children to a Torah learning school as merely a voluntary Mitzvah. Rather, it is an essential obligation that should not be funded by Ma'aser.

In summary, according to Rabbi Moshe Feinstein, using Ma'aser funds to pay for children's tuition is not permissible. The obligation to provide children with a Torah education is absolute, and it should be financed from personal funds rather than relying on Ma'aser. While public schools may seem like a free alternative, they do not fulfill the specific obligation of Torah education, making it inappropriate to consider tuition payments as Ma'aser expenses.

On the other hand, the esteemed scholar Chacham Ovadia Yosef (יחזקאל דעת ח"ג עמוד רג) held a different perspective regarding the use of Ma'aser funds for children's tuition. He maintained that since a father is not Halachically obligated to financially support his children once they reach the age of six, he may consider it as a voluntary act. Accordingly, Chacham Ovadia opined that it would be permissible to utilize Ma'aser funds to cover tuition expenses.

Chacham Ovadia's reasoning is based on the understanding that once children reach the age of six,



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their primary educational responsibility shifts to the community or the school. Therefore, providing financial support for their education can be viewed as a voluntary act of personal choice rather than an obligatory parental duty.

In this line of thinking, Chacham Ovadia suggests that using Ma'aser funds to pay for children's tuition can be seen as a commendable act, akin to supporting Torah learning or charitable causes. By contributing to the education of children, one contributes to the advancement of Torah and ensures the transmission of Jewish knowledge and values to the next generation. In summary, Chacham Ovadia Yosef maintained that using Ma'aser funds for children's tuition is permissible since a father is not Halachically obligated to support his children once they reach the age of six. According to this perspective, providing financial assistance for their education can be considered a voluntary act, aligning with the purpose of Ma'aser to support Torah learning and charitable causes. Rabbi Harfenes, in his sefer "Mekadesh Yisrael" (Hanukkah, סימן ו'), asserts that tipping a Rabbi is considered a Mitzvah. Based on this perspective, since one is permitted to use Ma'aser funds for voluntary Mitzvot that he is not obligated to fulfill, it would be permissible to

use Ma'aser for tipping Rabbis.

According to Rabbi Harfenes, expressing gratitude and appreciation to Rabbis through monetary gestures, especially by tipping them, is an act of fulfilling the Mitzvah of honoring Torah scholars and can contribute to the enhanced education of one's children.

While there may not be a strict Halachic obligation to tip Rabbis, it is still considered a praiseworthy action, falling under the broader category of Mitzvot that are not obligatory. Therefore, Rabbi Harfenes suggests that Ma'aser funds, which are designated for supporting Mitzvot and charitable acts, can be allocated for tipping Rabbis. By doing so, individuals are combining the fulfillment of the Mitzvah of honoring Torah scholars with the utilization of Ma'aser funds. It is worth noting that this opinion specifically addresses the use of Ma'aser funds for tipping Rabbis and does not address other forms of support or financial contributions to Rabbis or educational institutions. Each case should be evaluated based on its specific circumstances and in consultation with a qualified halachic authority.

THE ART OF REBELLION

In the story of the rebellion led by Korah against Moshe Rabenu, Korah employed various techniques to challenge Moshe's leadership and authority. One of these techniques involved mocking Moshe Rabenu and his teachings.

According to the Midrash (brought by Rashi in the beginning of the Parasha), Korah gathered 250 leaders and dressed them in blue garments. They approached Moshe Rabenu asking whether these blue garments required Tzitzit on the corners, seeking to challenge Moshe Rabenu's commandment.



Moshe Rabenu responded affirmatively, stating that the blue garments did indeed require Tzitzit. The rebels then proceeded to ridicule him, arguing that if a person wears entirely white clothing with just one blue string, that single string would suffice to fulfill the mitzvah of Tzitzit. They questioned why, then, if their entire garments were already blue, an additional blue string was necessary for Tzitzit.

After challenging Moshe Rabenu's leadership, the rebels proceeded to ask whether a house filled with holy books required a Mezuzah. When Moshe answered affirmatively, stating that it did, they again mocked him by questioning why a house filled with holy books would need a Mezuzah when an empty house would suffice with just a single Mezuzah.

This mocking response from the rebels implies a sarcastic criticism of Moshe's interpretation of the commandments. They suggested that if one Mezuzah could adequately fulfill the commandment for an empty house, then a house filled with books should not require any additional Mezuzot. Their intention was to undermine Moshe's authority and teachings by using this argument to challenge the necessity of Mezuzot in specific scenarios.

According to the interpretation of Rabbenu Bechaye, the

rebels' question about whether a house full of books requires a Mezuzah was intended as a subtle hint to Moshe Rabenu. They aimed to convey that just as a tallit that is entirely blue and a house full of books are both considered holy, so too, the entire nation should be regarded as equally holy. They wanted to emphasize that Moshe should not elevate himself above the people and claim a higher level of holiness or authority.

In this perspective, the rebels were not simply mocking Moshe, but rather using a symbolic comparison to convey a deeper message about the nature of holiness and leadership. They sought to challenge any perceived hierarchy or superiority within the

community and remind Moshe that the entire nation, like the tallit and the house filled with books, possessed inherent holiness and deserved equal recognition. But why were they repeating their point twice, once with the Tzitzit and another time with the Mezuzah? Perhaps they were trying to prove that the nation is protected spiritually and physically.

The Tzitzit hold a remarkable purpose beyond their visual appeal. They serve as a spiritual shield, guarding our inner selves from moral vulnerabilities. A fascinating tale recounted in the Gemara captures the essence of this protective function. It tells of a man tempted by desire, intent on engaging in sinful acts with a woman. Yet, in a turn of events, the Tzitzit unexpectedly struck him across the face, deterring him from his misguided path.

This powerful story portrays the profound influence of the Tzitzit as a safeguard for our spirituality. Like Divine Intervention, the strings act as a physical reminder of our moral obligations, preventing us from succumbing to temptation and transgression.

Through this story, we witness the Tzitzits' ability to redirect our focus, guiding us toward righteous actions and protect-

UNDERSTANDING HUMAN NATURE

ing our spiritual well-being.

When asked about the requirements for a Mezuzah, the intention was to demonstrate to Moshe Rabenu that the primary purpose of a Mezuzah is to serve as a guardian for the home and its inhabitants, providing protection not only when they are present but also when they are away. This emphasizes the idea that they are safeguarded physically at all times.

Did Korah make a mistake in his claim regarding the garments and the Mezuzah? If so, where did he go wrong? We've already clarified that it's not the books or the garments themselves that

provide spiritual or physical protection, but rather the fulfillment of the actual Mitzvah. A Mitzvah is only considered valid if performed correctly; this includes attaching the strings to the corners of the garment and placing the Mezuzah on the door.

When we perform a Mitzvah in the precise manner that Moshe Rabenu taught, we elevate ourselves to higher spiritual realms and, in return, receive the necessary protection from Hashem. It is through the meticulous observance of the Mitzvot, following the detailed instructions, that we connect with Divine forces and attain the safeguarding we seek from the Almighty.

NAVIGATING UNFAMILIAR TERRITORY: STAYING SAFE DURING SUMMER TRAVEL – A HALACHIC PERSPECTIVE

As the summer season approaches, many individuals are eagerly planning their vacations to unfamiliar destinations. While the excitement of exploring new places is enticing, it is essential to consider the halachic aspects of travel and ensure that all necessary precautions are taken to maintain personal safety. This article aims to provide insights on planning summer travel from a Halachic standpoint, while addressing potential threats such as unsafe neighborhoods and individuals seeking to take advantage of tourists.

Every year there are unfortunately fatalities that happen in the summer vacation. Although many could not have been avoided, but some happened due to unsafe behavior or not being aware of one's surroundings.

Research and Planning:

Halacha encourages responsible planning and consideration of safety measures when embarking on a journey. The Torah clearly states: "you should very much safeguard your soul" (דברים, טו), which the Gemara (ברכות לבג) relates to being safe at the roads.

Before finalizing travel plans, one should consult reliable sources to assess the safety level of the intended destination. When choosing accommodations, one must prioritize safety, researching reputable hotels or vacation rentals located in areas known for their security. Besides Kashrut and modesty requirements, which should definitely be consulted with Halachic authorities, one should also discuss staying in safe neighborhoods and countries.

Dealing with dangers:

In the event one unfortunately comes across a dangerous situation, it is imperative to know what may and may not be done.

When speaking of **בא במחתרת** the Torah says of a burglar being killed by the owner of the house with impunity, as is found in the Talmud (סנהדרין עבא). Chazal say "If one comes to kill you, kill him first." The Torah explains that when a burglar enters a house, he knows that if the owner will find him he will protect his house and therefore, the burglar is ready to take the necessary means and kill the owner; thus the owner may kill him first to protect himself and his family.

This principle is known as the "rodef" principle, which refers to a pursuer or an assailant.

The Talmudic concept of self-defense is based on the principle that one is permitted to use necessary force, including lethal force, to protect oneself or others from immediate danger.

The Mishnah in Sanhedrin explains that if someone enters

another person's property with the intent to harm or kill, the owner has the right to defend themselves, even to the point of using lethal force if necessary.

Doubtful Dangers

This concept extends beyond situations where there is a clear and immediate danger. Even when there is a doubt (regarding whether one is in danger, they may employ all necessary means to protect themselves. The Talmud teaches that one may use lethal force against a burglar unless it is certain that the burglar does not pose a threat to life. For example, in the case of a father breaking into his child's home, where it is known that the father would not harm his children, lethal force would not be justified. (סנהדרין עבא).

It is crucial to recognize that not every situation can be viewed as a doubt or uncertainty. The concept of doubt should not be misunderstood or misapplied to cases where there is no genuine danger or assailant present. Merely observing a person walking near one's property does not justify the use of force, as the individual might be innocent, lost, or simply in the wrong place.

In the context of self-defense, Halacha addresses situations where there is a reasonable belief or evidence (called **רגליים לדבר**) that criminal activities are taking place. It is in such circumstances that one may take measures to neutralize the perceived threat. The emphasis is on the presence of a legitimate concern or a reasonable assumption that harm or danger is imminent. (ספר משנת פקוח נפש).

It is essential to exercise caution and make a responsible assessment of the situation before taking any actions.

Fight or Flight Response

It is important to emphasize that if a person has the opportunity to escape and remove themselves from danger, they should do so and prioritize personal safety over engaging in physical force. Self-preservation is paramount, and avoiding confrontations whenever possible is encouraged.

Additionally, if there is sufficient time and opportunity, it is advisable to contact the appropriate authorities, such as the police or relevant security personnel, rather than taking matters into one's own hands. Reporting the situation to the authorities allows them to handle the situation within the framework of the law and ensures a more comprehensive and appropriate response to the potential threat.

Furthermore, Jewish law also places an emphasis on the value of human life and the obligation to preserve life when-



NAVIGATING UNFAMILIAR TERRITORY: STAYING SAFE DURING SUMMER TRAVEL – A HALACHIC PERSPECTIVE

ever possible. Therefore, if there is a non-lethal means available to protect oneself or others from harm, that option should be pursued instead of resorting to lethal force.

It is important to stress that when confronted with a threat, the goal should be to protect oneself or others from harm while minimizing the use of lethal force, if possible. Whenever feasible, one should aim to neutralize the threat by using non-lethal means or by employing the minimum amount of force required to ensure personal safety.

The specific circumstances of each situation should be carefully assessed to determine the appropriate level of force needed to neutralize the threat. Factors such as the severity of the danger, the potential for escalation, and the availability of alternative options should all be considered. (ש"ע ח"מ ס' תנה).

Warning obligation:

There is an obligation according to the Gemara (Sanhedrin 72b) and the Shulchan Aruch (סימן תנה), if circumstances permit, to first issue a warning to the assailant before resorting to force in self-defense. This provides an opportunity for the assailant to cease their threatening behavior and allows for a peaceful resolution if possible.

However, it is crucial to note that if the assailant poses an immediate danger, or if there is a reasonable belief or doubt regarding the severity of the threat, one may take necessary measures to neutralize the assailant in order to protect oneself or others. The primary concern in such situations is ensuring

personal safety, and therefore, the use of force may be justified when there is a genuine perception of danger.

It is important for individuals to assess the situation carefully, considering the nature of the threat, the potential for harm, and any available alternatives before taking any action.

Verbal Threats:

In situations where the assailant threatens to harm the victim but has not yet initiated physical violence, it is essential for the victim to carefully assess the situation to determine the level of danger involved. If the threat appears to be genuine or if there is even a doubt about the potential danger, the victim may take appropriate measures to neutralize the assailant and protect themselves (ראה ב"ק קיז ותשובות הרא"ש והרשב"א).

The principle of self-defense in Jewish law acknowledges the need to respond to potential threats, particularly when there is a reasonable belief or doubt that harm may occur. The emphasis is on ensuring personal safety and preventing harm to oneself or others.

It is crucial, however, to exercise judgment and caution in assessing the level of danger. Each situation may vary, and it is important to consider factors such as the aggressor's demeanor, credibility, and any other relevant circumstances before taking action. Consulting with a competent Halachic authority or a qualified rabbi is highly recommended in order to receive proper guidance and ensure that the principles of self-defense within the framework of Jewish law are appropriately applied.

נטילת ידיים בחדר השירותים במטוס

ולמעשה סיכס שכיון שהדבר מסופק יש להחמיר.

גם הרב מרדכי יעקב ברייש בשו"ת חלקת יעקב (או"ח סי' ב) הסתפק כנ"ל אם מועיל ליטול ידיים בבית שבת האמבטיה והעלה להקל כיון שבימינו אין החדר הנ"ל לשימוש בית הכסא בלבד אלא משתמשים בו גם לשאר תשימושים ומניחים שם הרבה דברים, ולכן דומה זה למה שכתב ה"ח" (סי' פג סק"א) שאם מוטלי בית הכסא עשויים גם לשאר תשימושים אין איסור לאמר דברי קדושה כנגדן, וכענין זה כתב גם המג"א (סי' פז סק"א).

וכתב הגר"ע יוסף (יבי"א ח"ט סימן קח אות יג) שלכתחילה במקום שיש כיור מחוץ לחדר השירותים יטול שם ידיו אולם בשעת הדחק כנאין יש להתיר בצירוף דעת כמה מרביתיו שסברו שאין מצויה בזמן הזה רוח רעה.

ובמטוס כתב האור לציון (ח"ב עמוד כג) שהדין קל יותר כיון ששם הצואה יורדת מיד ואינה שוהה כלל ודומה הנדון לגמרי לבית הכסא דפרסאי ששם הצואה נופלת למרחוק מיד, ולכן אם לא נגע בידי בשיירותים אינו מחויב ליטול כלל, ובדאי שאם רוצה יכול ליטול שם ידיו ולברך בחוץ, והסכים עמו בזה הגר"ע יוסף זצ"ל.



שלום לרב ולמשתתפי האתר החשוב. איך על הטסים במטוס ליטול ידיהם כשהברז נמצא בתוך חדר השירותים.

שלום רב לכם.

בפשטות היה נראה לאסור ליטול בחדר השירותים כיון שהנכנס לבית הכסא הרי צריך ליטול ידיו מכיון שיש שם רוח רעה (שולחן ערוך סימן ד סעיף יח), וזאת אף שלא עשה צרכיו (משנ"ב שם ס"ק מ), ולכן מה יועיל ליטול ידיו במקום הטומאה דהוי כטובל ושרץ בידו.

אלא שידוע מה שדנו רבותינו האחרונים בבית הכסא של ימינו שיתכן שכיון דלא נפיש בו הזוהמה אין בו שום רוח רעה ולכן מותר ליטול בו ידיים. ושני פנים ישנם לדיון זה, ראשית מהא דמציו מדברי הגמרא (ברכות כו, א) שבית כסא דפרסאי כיון שאין בו צואה רשאי להתפלל בו, והסביר רש"י מהו בית הכסא דפרסאי: "בחפירה היו, ופיהם ברחוק מן הגומא, והוא בשיפוע, והרעי מתגלגל ונפול לגומא".

וכן פסק הש"ע (סי' פג ס"ד): "בית הכסא שהוא בחפירה, ופיו ברחוק ד' אמות מן הגומא, והוא עשוי במדרון בענין שהרעי מתגלגל ונפול מיד למרחוק, וכן המי רגלים יורדים מיד לגומא כסתום דמי ומותר לקרות בו אם אין בו ריח רע וגם אין משתיני בו חוץ לגומא".

ועל פי דברים אלו הסתפק החזון איש (או"ח סי' יז סעיף ד) אם חדר השירותים בימינו דומה לזה דבית הכסא דפרסאי, כיון שהצואה נשטפת במים והמקום נשאר נקי, וז"ל: "הני בית הכסא דידן לכאורה כבית הכסא דפרסאי יבנהו שהצואה נופלת לבור רחוק ד' אמות מן הנקב, אלא ש"ל דלא דמי דהתם בבית כסא דפרסאי לא היתה הצואה מתעכבת כלל אלא מתגלגלת תיכף למרחוק אבל בהני דידן הצואה מתעכבת עד שמזרם עליה מים לשוטפה".

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