



Text Message Q&A #251 Ask Rav Aviner: toratravaviner@yahoo.com

Prepared by Rabbi Mordechai Tzion Visit our blog: www.ravaviner.com

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

24 Spies

Q: Is there an opinion that there were 24 spies that went to Eretz Yisrael and not 12?

A: Yes. Rabbi Akiva in the Talmud Yerushalmi, quoted in the Tosafot on Sotah 34b: each spy and his assistant.

Anger

Q: Is anger a transgression or a bad character trait?

A: A transgression, but one can do Teshuvah. See Mesilat Yesharim, Chapter 11.

Learning Torah and Working

Q: Which is preferable – learning Torah all day or working and learning a little Torah every day?

A: We need both types of people in Am Yisrael. Each person according to his soul. The way of the majority is to work and set times to learn Torah each day. The way of the minority is to learn all day. Berachot 35b.

The Height of a Shul

Q: Why aren't we particular today to follow the Halachah that a Shul is supposed to be the tallest building in a city (Shulchan Aruch 150:2)?

A: The Magen Avraham (ibid.) already asks this question. A few different answers are given. For example, the tallest buildings today are not for beauty but for housing people, whereas Shuls are built in a beautiful fashion. See Piskei Teshuvot 150:7 (It is told in the name of the Chazon Ish that the city of Bnei Brak is saved from attacks by the fact that the Ponevitch and Slabodka Yeshivot are the tallest buildings in the city. In the book "Ratzon Tzadik" it is related in the name of the Satmar Rebbe that when they built the main Shul/Beit Midrash in Kiryas Yoel in New York, they asked him if the main Shul needs to be the tallest building in the city. The elderly Chasidim told him that it was difficult for them to walk up the hill and would refrain from coming to the Shul/Beit Midrash. The Satmar Rebbe sent the question to Ha-Rav Getzel Berkowitz, the Dayan of Kiryas Yoel and author of Shut Elgei Devash. He answered that the Yavetz writes in his book "Mor U-Ketziah" that one should be lenient since it is impossible for everyone to ascend to the top of the mountain. This is also the opinion of the Chida in Machazik Beracha. Furthermore, the Meiri holds that if the city's tall houses and towers were not built to display authority there is no need to be particular that the Shul be on the top of the mountain. Rather, the Shul should be the largest building in the city. Based on these sources, the Satmar Rebbe ruled that the Shul/Beit Midrash be built elsewhere and that it be the largest building in the city. Also brought in the book "Be-Didi Hevei Uvda" p. 546).

Tza'ar Ba'alei Chaim for Fish

Q: Does the prohibition of "Tza'ar Ba'alei Chaim" (causing pain to animals) apply to fish?

A: Yes. Shut Mishneh Halachot 6:216).

Rabin's Murder

Q: My friends were arguing whether it was permissible to murder Yitzchak Rabin. What is Ha-Rav's opinion?

A: It says in the 10 Commandments: Do not murder! Our Sages discuss whether it is proper to recite the 10 Commandments every day and they concluded that one should refrain from doing so (Berachot 12a). But in your case, it is a good idea.

Tachanun on One's Birthday

Q: Should one refrain from reciting Tachanun on his birthday since it is a happy day?

A: It should be recited. One's birthday should be a day of Teshuvah.

Volunteering in Tzahal

Q: I am exempt from having to serve in Tzahal and am learning in Yeshiva. Should I volunteer to serve?

A: Certainly. It is a Mitzvah which cannot be performed by other (Moed Katan 9a-b).

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