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THE ROYAL TREATMENT: HOW MUST WE ACT TOWARD KINGS?

Adapted from the writings of Dayan Yitzhak Grossman

In our previous article, we noted Chazal's exhortation to act with respect toward kings—even, according to some, wicked ones. Elsewhere the Gemara indicates that there is a Torah imperative to run to greet kings:

R' Yochanan said: A person should always strive to run to greet Jewish kings. And not only toward Jewish kings, but even to greet kings of the nations of the world, so that if he will merit (Rashi: to witness the glory of Mashiach), he will distinguish between Jewish kings and the kings of the nations of the world.¹

This imperative is so strong that it justifies the violation of an *issur deRabanan*:

R' Elazar bar Tzadok said: We jumped over the coffins of the dead to greet Jewish kings. (R' Elazar did this even though he was a kohein and forbidden to become impure through dead bodies.) And they did not say this only about greeting Jewish kings, but even about

greeting kings of the nations of the world, so that if he will merit, he will distinguish between Jewish kings and the kings of the nations of the world.

After some discussion, the Gemara concludes that we are dealing with a form of *tum'ah* (impurity) that is only prohibited *mideRabanan*, and therefore

Due to respect for kings, the Chachamim did not decree in such a case.²

The language of this passage is somewhat puzzling: The initial rationale given for the imperative to run to greet kings is in order to be able to distinguish in the future between Jewish and non-Jewish kings, but later the Gemara indicates that the purpose is to show respect for kings.

Some authorities understand that the Gemara's position has undergone an evolution: The Gemara initially understood that one may violate a prohibition even just to eventually distinguish between Jewish and other kings, but it concludes

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PARSHAS VAYEILECH

DEAD TZENTER

Excerpted and adapted from a shiur by
Rav Yehoshua Sova

For I know that after my death you will surely become corrupted and deviate from the way that I commanded you, and the evil will befall you at the end of days, if you do what is evil in the eyes of Hashem, to anger Him with the work of your hands.

Devarim 31:29

The Tzror Hamor explains that Moshe meant that he knew of his own accord, not through *nevuah*, that the people would sin. He said this so that the people would hope he was wrong and try to follow the proper path. Perhaps this is connected to the fact that the location of Moshe's *kever* was not disclosed. Revealing its location could have turned it into an object of worship, and those who worshipped it would not be motivated to follow Moshe's ideals and values elsewhere.

The Gemara (Megillah 23b) and the Yerushalmi (Brachos 7:3) both rule that kaddish may only be recited in the presence of a minyan (though they derive it from different *psukim*), and the Rambam and Shulchan Aruch rule accordingly. R' Ovadia Yosef (Yechaveh Da'as 6:5) therefore writes that there is no basis to allow kaddish to be said at a grave without a minyan. He notes that the Sefer Chassidim writes that R' Yehudah Hanasi returned to his home after he died to recite kiddush for household (Kesubos

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¹ Brachos 58a.

² Ibid. 19b.

On the Origin of Species

Q I cultivate *aravos* and other shrubs indoors in planters. Are the *aravos* kosher for *arba'ah minim*, and are the branches of those shrubs usable as *schach* in a sukkah?

A The Chayei Adam (152:3) is unsure about using *arba'ah minim* grown in pots. He considers the possibility that such plants, since they don't grow in the natural way, may not be considered *esrogim*, *hadassim*, etc. He infers this from the fact that trees grown in pots are not subject to *orlah* in certain circumstances. But he is uncertain about this inference, because other reasons can be given for the inapplicability of *orlah* that wouldn't impugn the plants' *arba'ah minim* eligibility (see Nishmas Adam). The Aruch Hashulchan (O.C. 645:21) disagrees and proves that such plants are perfectly valid, but the Kitzur Shulchan Aruch (136:2) sides with Chayei Adam and says to refrain from using them.

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Q&A from the
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that only showing respect for kings justifies a violation, and the imperative of showing respect applies only to Jewish kings.³

Others maintain that it is permitted to violate an *issur deRabanan* even for a non-Jewish king, because both imperatives, that of showing respect for kings as well as that of attaining the ability to distinguish between kings, justify violating a *deRabanan*.⁴

This debate has important implications for a question discussed by several nineteenth-century halachic authorities. There was a long-standing minhag to welcome and show respect to monarchs (as well as other political leaders) by receiving them while carrying a sefer Torah.⁵ Is it permitted to do so on Shabbos or Yom Kippur in a place without an eruv? One of the Chasam Sofer's sons, R' Shimon Sofer (author of *Hisorerus Teshuvah*) considered this obviously permitted, while another, R' Avraham Shmuel Binyamin Sofer (author of *Ksav Sofer*), maintained that in principle, this should not be permitted, because the mitzvah to show respect for kings is limited to Jewish kings, and being able to distinguish between kings does not require carrying a sefer Torah. In practice, however, the *Ksav Sofer* agrees that it is permitted: Since the custom to carry a sefer Torah is well established and well known, failing to do it would be disrespectful and insulting to the king, which is prohibited. Additionally, it would engender enmity (*eivah*), a concern that justifies disregarding numerous halachic strictures. He accordingly agrees in practice with his brother's permissive stance, but only as a temporary dispensation due to exigent circumstances (*hora'as sha'ah*).⁶

Their father, the Chasam Sofer, adopts a stricter stance on a somewhat different question involving a conflict between the need to show respect for kings and another halachic imperative. He was asked by the Jewish community of Vienna whether it was permissible to honor the emperor, upon his visit to the community, with a performance involving men and women singing together in shul. He responded that although honoring kings is indeed a great and important mitzvah, "and one who violates this is considered by us like one who has not put on tefillin," this does not justify violating our tenets. He makes

the ingenious argument that it is precisely the emperor's graciousness and religious tolerance toward us, allowing us to observe our Torah, which we so admire and for which we are so grateful, and so it is actually the faithful observance of the Torah without any deviation that constitutes a display of honor toward the emperor:

But if we were to *chas veshalom* do on this day something in opposition to our Torah, this would not constitute honor toward him but a desecration of his honor, *chas veshalom*, as if he desires the overthrowing of our religion and a weakening of our efforts in the service of Heaven, and this is the opposite of our intention in our praising and thanking him for all the good (he does for us).⁷

(It should be noted that the Chasam Sofer's language in this *teshuvah* suggests that he was writing with a potential hostile reader in mind, so it is difficult to be sure of the extent to which his stated reasoning accurately and fully represents his thoughts on the halachic issues at stake.)

We close our discussion of the imperatives to show honor to kings and to avoid *eivah* with the guidance of several contemporary halachic authorities on appropriate behavior during the mourning for Queen Elizabeth II:

As Britain prepares for the funeral of Queen Elizabeth, R' Chaim Dovid Weiss, *Rav* of the Satmar kehillah of Antwerp, was asked whether a *hachnasas* sefer Torah celebration can be held in the streets during the days of mourning for the Queen.

Rav Weiss replied that it should not be held, stating that Yidden should refrain from public celebrations like a chupah outside or a *hachnasas* sefer Torah in the streets, which could cause hatred for Jews from non-Jews.

In a different ruling, the *Rosh* Yeshiva of the Gateshead Yeshiva, R' Avrohom Gurwicz, said that since "the whole country is observing a full day of mourning and all schools and shops will be closed as a mark of respect," therefore, "all Jewish institutions should act accordingly."⁸

In another *psak* halacha from the *Rosh* Yeshivas Gateshead, HaGaon HaRav Avrohom Gurwicz, he instructed that a girls' school should be closed during the funeral and afterward only teach *limudei kodesh*.

In a letter sent to the parents of the students at the school, the administration writes: "We asked HaRav Avrohom Gurwicz regarding opening the school next Monday because of the Queen's funeral. The decision was not to

³ Magein Avraham *siman* 224 s.k. 7, as explained by Machatzis Hashekel *ibid*.

⁴ Rambam *Hilchos Aveilus* 3:14; Chasam Sofer to Magein Avraham *ibid*; Shu"t *Ksav Sofer* O.C. *siman* 37. Cf. *Mor Uktziah* *ibid*. R' Yehudah Zoldan, Malchus Yehudah VeYisrael, *Merkaz Shapira* 5762, *siman* 7 "Re'ias Pnei Melech Umanhig Uvirchasah", os 2 (also here).

⁵ See *Sefer Hachinuch* mitzvah 379; *Rav Zoldan* *ibid*. *Hotza'as Sefer Torah Likras Melech*, *siman* 8, pp. 131-146 (also here)

⁶ *Ksav Sofer* *ibid*, end of the *teshuvah* s.v. *Venavo*, s.v. *Amnam*. Cf. *Bais Lechem* Yehudah to Y.D. *siman* 282 s.k. 6 (citing *Radvaz*, although I have been unable to locate this discussion of *Radvaz*); Shu"t *Maharsham cheilek* 3 *siman* 198; *Rav Zoldan*, *Hotza'as Sefer Torah* os 4. Cf. Shu"t *Yabia Omer cheilek* 2 Y.D. *siman* 11 and *cheilek* 7 Y.D. *siman* 12 about whether the concerns of *eivah* and *darchei shalom* can justify entering a church or mosque for the funeral of a prominent non-Jew.

⁷ Shu"t Chasam Sofer C.M. *siman* 190.

⁸ *Rav Gurwicz*: Country is Observing a Full Day of Mourning for the Queen; Jewish Institutions Should Act Accordingly. *Matzav.com*. <https://matzav.com/rav-gruwicz-country-is-observing-a-full-day-of-mourning-for-the-queen-jewish-institutions-should-act-accordingly/>.

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In practice, if *aravos* from the ground are available, they are preferable.

One of the Mishnah's requirements for *schach* is that it be something that grows from the earth (*Sukkah* 1:4). Although this may imply that plants grown in pots don't qualify, the *Eglei Tal* (*Dash*, 4:8) writes that they do. It is only required that the species normally grows from the ground, not that the actual item in question grew from the ground.

Planters usually have holes for seepage. A vessel with a hole, whether on its bottom or on its side, is considered an extension of the ground beneath it, and anything that grows in it is reckoned to have grown from the ground, because it draws nourishment from it. This doesn't apply if a sheet of metal or plastic is placed beneath the planter, as it interrupts the flow of nourishment. (A stone or concrete patio, though, is not considered an interruption. See a fascinating account in *Sheivet Halevi* 6:167.)

If the planter is placed on a wood-plank porch a few feet above the ground, it is considered *mechubar lakarka* (connected to the ground), provided that the hole is above a space between the planks. Chazal teach that a plant's nourishment is drawn from the ground even through air.

When branches extend beyond the vessel and hang over the ground, they are considered *mechubar lakarka* regardless of the situation of the planter; the branches themselves draw nourishment from the ground beneath them. But only those branches benefit; the main plant is still dependent on the planter's situation (details gleaned from *Derech Emutah Hilchos Trumos* 1:25).

hold studies during the funeral, and afterward only teach *limudei kodesh*. Therefore we're holding lessons in school only between 2:00 PM and 4:00 PM in the afternoon, and only *limudei kodesh*.⁹

⁹ Queen Elizabeth's Funeral: Shailos And Teshuvos. <https://www.theyeshivaworld.com/news/headlines-breaking-stories/2124492/queen-elizabeths-funeral-shailos-and-teshuvos.html>.



RAV ARYEH FINKEL

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103b), because *tzadikim* are still considered alive even after death. If so, R' Ovadia writes,

perhaps a *tzadik* can be the tenth man for the kaddish said his at his grave. But he rejects this premise, arguing that one cannot derive novel halachic principles from *divrei*

agadah. He also suggests that Rebbi was only able to perform a mitzvah because he returned in an earthly body.



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