

# ENCOUNTERS

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HALACHA

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## Seasonal Shailos

Rabbi Moshe Kaufman

### Singing Songs of Avodah Zarah

Rambam writes that any form of respect or honor expressed to a pagan idol is a violation of the prohibition of serving a foreign deity.<sup>1</sup> Rav Moshe Feinstein<sup>2</sup> zt"l writes that this includes singing the praises of an idol. Many classic compositions were written in honor of the church and its beliefs. It would be forbidden to sing these songs, even if one's intentions are not for idolatry.<sup>3</sup> Even if one's motivations are purely financial, one may not play these songs in any venue. Moreover, merely listening to religious Catholics singing such songs would be rabbinically forbidden.<sup>4</sup> (See Chofetz Chaim,<sup>5</sup> who discusses whether a person must cover his ears if in a position that forces him to listen to such music).

Rav Moshe zt"l writes that listening to those who do not intend to praise any deity when playing this music, such as a modern symphony orchestra playing classical church compositions, is not technically forbidden, but would not be appropriate.

Many holiday songs are not related to the religion itself, but rather to the time of year. These songs are not prohibited as far as the *halachos* related to *avodah zarah* are concerned. However, they must be free of other common concerns, such as profanity and/or immodest lyrics. If they include inappropriate material, one may not listen to them.

### Is there an issue with receiving and/or giving gifts this time of year?

The first Mishnah in Avodah Zarah<sup>6</sup> records a prohibition to do business or settle loans with non-Jews on and around the holidays for their idolatry. This would seemingly apply to giving or receiving gifts as well.<sup>7</sup> The Rishonim question why we find that many are lenient in this regard. One of the primary reasons provided is the concept of *eivah*, fear of reprisal, from the idolaters. Other reasons are given as well.

In addition, gift-giving is a practice adopted from the pagan holidays celebrated at the end of December. This holiday was really started by Adam HaRishon, as recorded by the Gemara in Avodah Zarah.<sup>8</sup> As winter approached and the days were getting shorter, Adam believed the world was slowly regressing to nothingness. When in the month of

Teves (end of December on the solar calendar) the days began to lengthen, he realized that the world was not going to be destroyed. He celebrated by bringing *korbanos* to Hashem. Gemara states that eventually this morphed into a pagan holiday. In Rome, this pagan holiday included gift giving.

If refraining from accepting a gift will cause ill will between the non-Jewish benefactor and the Jew, he should accept the gift.<sup>9</sup> However, as with any activity permitted because of *eivah*, one should try to avoid it if possible. In addition, it is best to refrain from giving a gift on December 25<sup>th</sup> itself, as well as referring to it as a gift for the holiday. Rather, a gift should be given as an end of the year appreciation or bonus, thereby removing the pagan aspect of the gift.<sup>10</sup>

### Trees and Lights

It is unclear what religious significance a tree has in Catholic belief. That being said, the association of trees with their holiday is nearly universal. Therefore, having a tree at one's workplace would be an outward display of respect towards their religion, which is not allowed. If one is concerned about *eivah*, a *shaila* should be asked.

In reality, the idea of putting up a tree stems from pagan practice. To quote from the Encyclopedia Britannica, "The use of evergreen trees, wreaths, and garlands to symbolize eternal life was a custom of the ancient Egyptians and Chinese. Tree worship was common among the pagan Europeans and survived their conversion to Christianity in the Scandinavian customs of decorating the house and barn with evergreens at the New Year to scare away the devil and of setting up a tree for the birds during this time."

Being that it is rooted in pagan practices, actually having a tree would be mimicking a non-Jewish practice rooted in idol worship, which would be prohibited under the *issur* of following the *chukim* of the non-Jews.<sup>11</sup>

Regarding holiday nights, many secular scholars purport that the lights that are hung seem to be a spinoff of the candle lightings performed in the church, which are considered acts of honor and hence a form of idol worship. There are those who date this practice back to the days of Greek mythology, and it is considered *chukas hagoyim*.

To enjoy candles lit for such a purpose should be avoided, as it is deriving benefit from idolatry.<sup>12</sup> Lights that are put up in honor of an idol would also be connected to idolatry and should be avoided.

A secular person who puts up lights without attaching any religious significance to them would not be considered to be engaging in idolatry. Technically, one is permitted to enjoy these lights, however, since it is similar to listening to church music played by secularists, which Rav Moshe zt"l had considered inappropriate.

### Is it permitted to perform a job for the church?

If the existence of a church is dependent on the assistance of this Jew, it would be a violation of *lifnei iver* to enable them to carry out their work. However, such a scenario is rare, for the church can always hire someone else to do the job. Even when they can secure this service from others, Rishonim<sup>13</sup> debate if it is permitted to assist others in engaging in idolatry, and both opinions are recorded in Rema.<sup>14</sup> Rema concludes that the custom is to be lenient. Therefore, jobs such as computer programming or fixing the plumbing for them are technically permissible to perform. However, Rema adds that a *baal nefesh* should avoid this entirely.

In addition, Rav Moshe zt"l<sup>15</sup> noted that the Shulchan Aruch<sup>16</sup> omitted certain leniencies regarding financial involvement with a church. Taz<sup>17</sup> explains that although it might be permitted, it is still a repugnant thing to be involved in, so we should not try to publicize certain halachic loopholes regarding idolatry, in order to keep people away from such activity. We may add the words of Be'er Hagolah<sup>18</sup> that one who stays away from such business is certain to be successful in his other business dealings. One faced with this question should turn to his personal rav for guidance.

To build the actual building for idolatry is forbidden.<sup>19</sup> This is so even if it will not house any actual idol, but is merely a place to engage in prayer or worship their deity.<sup>20</sup>

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1. פ"ג הלכות עבודה זרה ה"ו. 2. אג"מ יו"ד ח"ב סי' נו, שם סי' קיא. 3. עיי"ש ע"פ מהרש"א חגיגה דף טו ע"ב בענין מה שנכשל בזה אלשע בן אבוי. 4. ע' פסחים דף בו ע"ב. 5. (כלל ו' ס"ק יד). 6. דף ב ע"א. 7. שם דף ג, דף סד. 8. גמ' דף ח. 9. תרומת הדשן סי' קצה, דובא ברמ"א סי' קמח סע' יב. 10. ע' רמ"א שם. 11. שמעתי מכמה רבנים שליט"א. 12. שו"ע סי' קמב סע' טו שאסור להסתכל בניו אלילים כיון שנהנה בראייתן. ע' ביאור הלכה ה"ל שבת סי' שו ד"ה עובר שמביא מחולקות אם האיסור דרוקא בניו של ע"ז עצמו, או בל נור למען ע"ז בכלל האיסור, וכתוב שיש להחמיר. 13. תוספות ע"ז דף יד ע"ב, חגיגה דף יג ע"א, שבת דף ג ועוד. 14. יו"ד סי' קנא סע' א. ה"ש"ך כותב שהמנהג מיוסד על מה שבני נח אינם מצווה בשיתוף, אבל י"א שתלוי על הסוגיות של לפני"ע ומסייע בעכ"ר, ע' ביאור הגר"א סי' קנא ס"ק ח משי"ב בזה. 15. מסורת משה ח"א יו"ד אות קצב. 16. שו"ע סי' קמג סע' ב. 17. שם ס"ק ג. 18. סי' קנא סוף סע' א. 19. ע' טור סי' קמג ושו"ך ס"ק א וט"ו ס"ק ד שם שדנו אם בית ע"ז חשוב תשמיש דתשמיש ואם בכלל יש היתר של תר"ת. ע' אג"מ יו"ד ח"ג סי' לד שכותב שוריא צריך להחמיר. 20. אג"מ שם.



# Stories for your Shabbos table

Rabbi Chaim Tzvi Weg

## The Power of Being Mevater

The greatest *mevater* (someone who waives his or her own rights for someone else's benefit) was probably Rachel Imeinu. The Medrash relates how Lavan plotted to switch Leah for Rachel on the night of the *chasunah* of Rachel and Yaakov, and in order to save her sister Leah from embarrassment, Rachel shared all the signs that she had made up with Yaakov beforehand. This of course meant a great deal for Rachel, because it could have meant giving up becoming one of the *Imahos* and the mother of the *shevatim*. On our level, giving up money or *kavod* is hard enough; it is difficult to even relate to a willingness to lose everything. Yet we find that in the Medrash in *Eichah* it says that at the time of the *churban* Beis Hamikdash, Hakadosh Baruch Hu wanted to destroy *Klal Yisrael* as well. Avrohom pleaded with the *Ribbono shel Olam* to no avail, as did Yitzchok and Yaakov. Finally, Rachel Imeinu came, and said to Hashem, "You're right, really *Klal Yisrael* deserves destruction, but just like You know I gave up so much for my sister and I was *mevater*, You, too, can be *mevater* on the *aveiros* of *Klal Yisrael*!" In response to her claim, Hashem declared, "Hold back your cries, because there is great reward for your doings." At the time, she may have thought that she was losing the opportunity to have *Klal Yisrael* descend from her, but in the end she was the only one who was able to save *Klal Yisrael* in her *zechus* of being *mevater*.

Rav Avrohom Pam repeated a story that he heard from R' Chaim Ozer Grodzensky, one that clearly depicts the Chofetz Chaim's greatness in *middos*. Later in life, the Chofetz Chaim remarried. Before Succos, the Chofetz Chaim began erecting his *succah* in the place next to his home where he had set it up in previous years. Understandably, every minute of the Chofetz Chaim's time was very precious, and it took hours for him to build his *succah*. When he had finally finished, the Chofetz Chaim's newlywed wife stepped out of the house to see the *succah*. With a look of disappointment on her face, she said, "Reb Yisrael Meir, Reb Yisrael Meir, that's not a good place for a *succah*, I think the *succah* should be put over there!" She pointed to a different place near the house. Although every moment of the Chofetz Chaim's was so valuable, he still listened to his wife, even though he knew that the original location was the best place for the *succah* based on his experience in the past years. He rebuilt the *succah* in the place that his Rebbetzin preferred, again spending several hours on the job. As soon as he was done and preparing to go back to his learning, his Rebbetzin came out, saw the

*succah*, made a baleful face and said, "Reb Yisrael Meir, Reb Yisrael Meir, I think you were right the first time, the *succah* belongs where you first built it; I think you should put it where you had it originally." Without saying a word (or making any faces), in spite of all the wasted time, the Chofetz Chaim took down the *succah* and put it back where he always knew it really belonged.

We read this story and think that this person was surely a *malach* (angel) — we can't possibly attain this lofty level in *middos*! But the truth is, he was not a *malach*, and we too can reach very high *madreigos* in these *inyanim*, each on our own level. May we all be *zocheh* to grow in our *middos* and have beautiful, happy and healthy *shalom bayis*!

## Making a Kiddush Hashem With Our Money

In this week's *parshah* we learn how meticulous Yaakov Avinu was in caring for Lavan's sheep. Regardless of the challenges he faced, whether with Lavan's trickery, or protecting the sheep properly, Yaakov overcame each difficulty with flying colors.

The following story relayed by R' Dovid Ashear *shlit"o* depicts a seemingly simple Jew from our day and age who also was confronted with a great monetary challenge and stepped up to the plate to make a tremendous *kiddush Hashem*.

A *Yid* we'll call Chaim used to sell suitcases in bulk to companies around the world. His policy was that when a customer placed an order, he would wait for the money to clear in his bank account before shipping out his merchandise.

One day, Chaim received a call from someone somewhere in Africa requesting an order of ninety thousand dollars' worth of suitcases. Chaim happily agreed, but courteously informed the customer of his policy that the money must clear first, and only then will he send out the suitcases. The man agreed, and shortly afterwards Chaim received the money in his account. When he attempted to contact the customer to confirm the address where he should be sending the suitcases, there was no answer. He tried emailing the customer too, but received no response. After doing a little more research he discovered that the customer had passed away, and he had no way of contacting the family of the deceased. Chaim felt very uncertain about the permissibility of keeping the money, so he posed the *shailah* to his *rov*. The *rov* concluded that since no one had contacted him about the money, it would seem that it was mistakenly overlooked, and the halachah is that *ta'us akum*, the mistake

made by a gentile, is technically permitted. The *rov* qualified this *psak* by adding that the *Be'er Heitev* says that he has seen many families who had taken money as *ta'us akum* and had not seen any blessings from that money. On the other hand, he has seen that many people who have returned *ta'us akum* in order to make a *kiddush Hashem* have enjoyed great prosperity, as did their descendants. The *rov* therefore suggested that he do further research to try and find the widow of this man and return the money.

Chaim listened to the *rov*, and eventually located and then contacted the man's widow. The lady was so impressed by the fact that Chaim volunteered to return money which she didn't even know about, that she asked if he could Skype her so she could see his face. The man agreed, and the moment she saw him she noticed the *yarmulke* on his head and commented on the fact that he was a Jew, and the Jewish people are so honest. Shortly after, the man sent her the money.

A few weeks later, a stretch limousine pulled up to Chaim's office and a foreign man emerged, asking if he could meet with Chaim. Chaim agreed, and the man began bowing down in front of Chaim, then introduced himself as a relative of the lady to whom he had returned the money. The man said how impressed he was with Chaim's honesty and expressed his desire to do business with him. He also added that he was very well connected in the business world in India, and that he would let all his friends there know about Chaim and his honesty.

Soon after, Chaim began receiving many orders from India, even more than he had ever received before, and was doing tremendously well. One day, someone called him up from India to place an order of \$11,000,000 of merchandise. Chaim told the man about his policy; when the man agreed to this condition, Chaim was both surprised and very curious as to how someone whom he had never met before would agree to send so much money and trust him to send back the merchandise. He voiced his perplexity to the customer, and the man on the other line replied, "You didn't take a dead man's money, and you're going to take **my** money?!"

This story clearly demonstrates that — as mentioned in *Be'er Heitev* — by returning *ta'us akum* and making a *kiddush Hashem*, one can earn great rewards even in this world. This *berachah* is not always so obvious, however, so we have to have *emunas chachamim* and trust the words of the *Be'er Heitev*. *Bezras Hashem* we will merit great rewards in this world and the next.

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