

# HALACHICALLY SPEAKING

BACK ISSUE



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## SUMMER HALACHOS

Although, the summer is a time to relax, it is not a time to be lenient in *halacha*. Below we will discuss some of the issues which arise during the summer and their *halachic* ramifications (the *halachos* presented here are in the order as they appear in the *Shulchan Aruch*).

### Revealing a *Tefach*

*Halacha* requires that all areas of a woman's body which are considered an *ervah* must be kept covered, since even if one *tefach* is revealed and looked at<sup>1</sup> by a man,<sup>2</sup> it

1. There is a discussion in the *poskim* if the *halacha* applies to a picture or "other forms" of seeing (Refer to *Minchas Yitzchok* 2:84:9, 3:11:1, *Yabea Omer* O.C. 1:7, 6:12, *Be'er Moshe* 3:154, *Shearim Metzuyanim B'halacha* 5:footnote 7:pages 40-42, *Orchos Rabbeinu* 3:page 205:7).

2. *Mesechtas Berochos* 24a, *Tur* O.C. 75, *Shulchan Aruch* 75:1. A woman should not say *krias shema* etc opposite an



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can cause improper thoughts.<sup>3</sup> This *din* also applies to one's wife when she is impure.<sup>4</sup> A woman is permitted to reveal her hands and face since they are not considered an *ervah*.<sup>5</sup> (Our discussion will pertain to the leg although other areas of the body must be covered as well, see below).<sup>6</sup>

### **Tefach or Less**

In regards to one's wife one is not allowed to say *krias shema* if a *tefach* is revealed in a part of the body which has to be covered.<sup>7</sup> Many say this *shiur* applies to other women as well.<sup>8</sup> However, some say even less than a *tefach* is *ossur* by a woman who is not his wife.<sup>9</sup>

### **Reciting *Krias Shema* etc.**

If an area which is supposed to be covered is not, one may not recite *krias shema* or other *devarim sh'bekedusha*<sup>10</sup> in front of the woman.<sup>11</sup>

### **Non-Jew**

This issue also applies when facing a non-Jewish woman who is not properly clad.<sup>12</sup>

### **The Thigh**

If one's wife reveals her thigh then even less than a *tefach* (a little revealed) would forbid the husband from saying *krias shema* etc in front of her.<sup>13</sup> The reason is that a thigh is a place which is subject to more illicit thoughts.<sup>14</sup>

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improperly clad male (Aruch Ha'shulchan 5).

3. Pri Megadim Eishel Avraham 75:2, Mishnah Berurah 75:1.

4. Shulchan Aruch 75:1,

5. Rosh Mesechtas Kesubos 2:3, Divrei Chamudos Mesechtas Berochos 3:116, Rambam Hilchos Issurei Biah 21:3, Bais Yosef 75, Ben Ish Chai Bo 1:8, Shulchan Aruch Harav 75:1, Chai Adom 1:4:2, Mishnah Berurah 75:2.

6. Refer to Shulchan Aruch E.H. 83:1, Mishnah Berurah O.C. 75:2, Yechaveh Da'as 3:67.

7. Rama 75:1, see Magen Avraham 1. If less than a *tefach* is revealed it is permitted. The same would apply to one's mother, sister and daughter (Piskei Teshuvos 75:2).

8. Bach, Rama 75:1, Shulchan Aruch Harav 75:1, Pri Megadim Eishel Avraham 1, Chai Adom 1:4:7, Kitzur Shulchan Aruch 5:16, Aruch Ha'shulchan 2, Bnei Bonim 4:page 103, Piskei Teshuvos 75:2. Refer to Levusha Shel Torah page 179. There is no difference if she is married or not (Chai Adom 1:4, Mishnah Berurah 6).

9. Rama 75:1, Ben Ish Chai Bo 1:8. See Yufei L'leiv 75:2.

10. Chai Adom 1:4.

11. Tur ibid.

12. Chesed L'alafim 75:5.

13. Bach, Taz 1, Chai Adom 1:4:2, 7, Mishnah Berurah 75:2, 7, Aruch Ha'shulchan 3.

14. Taz O.C. 75:1.

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The *poskim* discuss which part of the leg is considered by *halacha* as the thigh.<sup>15</sup> Many say that one does not have to cover below the knee until the foot,<sup>16</sup> while other *poskim* say that from below the knee until the foot is an *ervah* and has to be covered.<sup>17</sup>

However, even according to those who are lenient, the bottom portion (from the knee down) must be covered because of *tznius* since the *derech* is to cover that part.<sup>18</sup> According to the stringent view it has to be covered with stockings which can not be seen through or a long skirt.<sup>19</sup> However, the custom of many is to be lenient, and therefore, one does not have to wear thick (non see) through stockings since that area is covered.<sup>20</sup> If a woman is wearing a long skirt the opinion of some *poskim* is that no stockings are required.<sup>21</sup> In the summer months this is something which some women are very lax in and must be corrected.

According to all opinions a skirt above the knees is *ossur* for a woman to wear.<sup>22</sup>

## How Young

Some say the above *issur* applies to a girl who is three and up.<sup>23</sup> One can be lenient with his daughter until she is eleven.<sup>24</sup> Others say when a girl reaches a more mature age (see footnote).<sup>25</sup> In any case one should train their children to dress in the proper

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15. Refer to Eis Tzenuyim Chuchma pages 19-22 in depth.

16. Mishnah Berurah 75:2, Igros Moshe E.H. 4:100, Halichos Shlomo Tefilla 20:footnote 22, Ve'aleihu Yo Yeibol 1:page 315, Chazzon Ish O.C. 16:8, Salmas Chaim 88:page 28, see 89, Opinion of Horav Aron Kotler zt"l quoted in Levusha Shel Torah pages 512-516, Halichos Shlomo Tefilla 20:footnote 22. Refer to Rav Akiva Eiger pesakim 98, see Pri Megadim M.Z. 75:1.

17. Oz Nedberu 7:83, Divrei Yatziv E.H. 37 in depth, Maharei Shteiff 43, Shevet Ha'Levi 1:1, 3:91:1, Be'er Moshe 8:101, Halichos Bas Yisroel 4:9, Levusha Shel Torah pages 499-500 in depth, Laws of Daily Living pages 80-81:footnote 36, see Salmas Chaim 91:page 29, Lehoros Nosson 5:92-93.

18. Halichos Shlomo ibid, Halichos Bas Yisroel 4:9, see Avnei Yushfei 2:71:2.

19. Refer to Be'er Moshe 4:147:16, 8:101, Halichos Shlomo Tefilla 20:footnote 12, Kovetz Teshuvos (Horav Elyashiv Shlita) 1:13, Uz Vehador Levusha page 329, page 330 quoting the opinion of Horav Shlomo Zalman Aurbach zt"l and Horav Elyashiv Shlita.

20. Igros Moshe E.H. 4:100:6, see Oz Nedberu 14:49, Levusha Shel Torah 48:pages 506-511, see ibid:page 527.

21. Otzer Dinim L'isha U'Ibas page 354:4, Shevet Ha'Levi 5:78:2, Oz Nedberu 12:49. Even according to the lenient opinion one should not go outside with her lower leg uncovered. (Ve'aliehu Lo Yeibol 1:page 313:2).

22. Levusha Shel Torah 45:1-2.

23. Chai Adom 1:4, Biur Halacha 75 "tefach," Halichos Shlomo Tefilla 20:9, Oz Nedberu 7:83:page 70. Refer to Chesed L'alafim 75:5 who is unsure if this issue applies to young children. Some say the age is from three and a half (Opinion of Horav Elyashiv Shlita quoted in Vezos Ha'beracha page 148:3). Some say until five (Opinion of Horav Yaakov Kamenetsky zt"l quoted in Divrei Chachumim page 38:63). This is very common when girls come to *shul* and they are not dressed in accordance with *halacha* (Yabea Omer 6:14).

24. Biur Halacha ibid. Refer to Ohr L'tzyion 2:6:12 who argues.

25. Refer to Chazzon Ish O.C. 16:9, Oz Nedberu 13:61:2. The Chazzon Ish is quoted as saying between 6-7 (Halichos Bas Yisroel 3:footnote 8, Ohr L'tzyion ibid).



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manner.<sup>26</sup>

### A Woman facing a Woman

A woman who sees parts of another woman's body which should be covered may still recite *krias shema* etc in front of her.<sup>27</sup>

### Walking Barefoot

During the summer many women feel that they want to walk around in public with slippers without wearing socks underneath. If the custom in the land is to walk without socks, then doing so is not considered an *ervah*.<sup>28</sup> Today, the custom in most places is to wear socks, and therefore, a woman is forbidden to walk around without socks.<sup>29</sup>

### When Riding on a Bus

When riding on a bus it is very common for one to be in the presence of a improperly clad woman. In this situation one is permitted to learn since he is only thinking in *Torah* (i.e. reading a *sefer*), and is also in a pressing situation.<sup>30</sup> Nonetheless, one should turn his face in a different direction.<sup>31</sup>

### At a Wedding

One who is *mesader kiddushin* at a wedding in the presence of improperly clad women, should turn his body away from them.<sup>32</sup> If turning away is not practical, he should close his eyes.<sup>33</sup>

### Walking Around with Revealing Garments

Besides for the *issur* of walking around with certain types of skirts, a woman may not walk around with revealing garments.<sup>34</sup> In addition she is causing men to look at

26. Salmas Chaim 95, see 96, Otzer Dinim L'isha U'lbas pages 358-359.

27. Shulchan Aruch Harav 75:2, Chai Adom 1:4:8 (as long as she is not facing the *ervah* itself)

28. Ben Ish Chai Bo 1:11, Chai Adom 1:4:2, Mishnah Berurah 75:2, Aruch Ha'shulchan 75:3, Kaf Ha'chaim 75:2, Eis Tzenuyim Chuchma pages 36-37.

29. Refer to Oz Nedberu 10:34, Minchas Yitzchok 6:10, Uz Vehadar Levusha page 345, Opinion of Horav Ovadia Yosef Shlita quoted in Otzer Dinim L'isha U'lbas page 354.

30. Oz Nedberu 5:27, Yabea Omer 3:7, Halichos Shlomo Tefilla 20:8.

31. K'rayna D'igirsa 1:133:page 148.

32. Refer to Maharsham 4:126.

33. Yechaveh Da'as 4:6. See Ohr L'tzyion 2:6:11:footnote 11.

34. Igros Moshge Y.D. 1:81.

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her.<sup>35</sup>

## Red Clothing

Many women wear different color garments during the summer months. The color red is not permitted to be worn by a woman since it is a sign of *pritzos*.<sup>36</sup> Included in this is a red headband, or red stockings.<sup>37</sup> If a garment has a minute amount of red in it, then it is permitted to be worn.<sup>38</sup> Some quote the opinion of *Horav Yaakov Kamenetsky zt"l* who maintains wearing red is permitted today since it is not viewed as a garment of *pritzos*.<sup>39</sup>

## How to Recite a *Beracha*

As mentioned above in the summer one is faced with situations where women are not dressed properly and one needs to learn or say *berachos*. What is the permitted ways to go about doing this according to *halacha*?<sup>40</sup>

If one is in front of a woman who has her body revealed in areas which are not allowed, then one must turn his face,<sup>41</sup> while some say that one must turn his face and his body in a different direction.<sup>42</sup> One should act in accordance with the second latter opinion.<sup>43</sup>

Some *poskim* hold that closing one's eyes does not help if he is facing the improperly clad woman.<sup>44</sup> However, others maintain if there is no other option he may close his eyes and recite *krias shema*, etc.<sup>45</sup>

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35. See Igros Moshe Y.D. 1:81. As far as selling non-clad clothing see Yechaveh Da'as 3:67, Shevet Ha'Levi 2:62, Shraga Hamier 8:70, Halichos Bas Yisroel 4:page 75, V'ein Lumo Michshal 1:pages 118-119.

36. Rama Y.D. 178:1, Shach 3, Chochmas Adom 89:1, Kitzur Shulchan Aruch 3:2, Be'er Moshe 4:147:13, Halichos Bas Yisroel 7:3. See Be'er Moshe 4:140.

37. Be'er Moshe 4:147:13.

38. Halichos Shlomo Tefilla 20:footnote 12. Children who did not reach the age a *chinuch* may put on red garments (Shevet Ha'Levi 6:24:2).

39. Quoted in Divrei Chachumim page 256:46.

40. Refer to Levusha Shel Torah 14:pages 147-161 in great depth.

41. Shulchan Aruch 75:6, Birchei Yosef 6, Mishnah Berurah 75:1. Some say that closing his eyes helps even if there is another option (Panim M'eros 1:74).

42. Taz 2, Shulchan Aruch Harav 9, Chesed L'alafim 75:7, Aruch Ha'shulchan 75:11.

43. Mishnah Berurah 75:28-30.

44. Bach, Magen Avraham 9.

45. Shulchan Aruch Harav 75:1, Mishnah Berurah 75:1, see Biur Halacha 75 b'mokom, Salmas Chaim 77:page 26, Oz Nedberu 7:83:page 170.



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## Thinking or Writing Torah

Only actual talking of *Torah* is forbidden in front of improperly clad women, but thinking or writing *Torah* is permitted.<sup>46</sup> Some *poskim* maintain that writing *Torah* is also permitted in front of a woman who is not properly dressed.<sup>47</sup>

## Recited Krias Shema

*B'dieved*, one who looked at an improperly clad woman and did not have intention to have enjoyment does not have to repeat *krias shema*.<sup>48</sup>

## Davening in the open

Many times when one goes on a trip one does not have a *shul* to *daven* in, rather there is an open field where people congregate to *daven mincha* (Sloatsburg stop area). Is doing this permitted? If it is not permitted, then what is the correct manner to *daven* when faced with such a situation?

The *Shulchan Aruch*<sup>49</sup> states that one should not *daven* in an open field because in a modest place one has fear of *Hashem* and a broken heart (in order to *daven* with better concentration).<sup>50</sup> One is permitted to *daven* in an area which has walls but no ceiling.<sup>51</sup> If one is a traveler (on a constant basis) then *davening* in a field is permitted.<sup>52</sup> However, some say even those who always travel, should *daven* next to a tree etc.<sup>53</sup> According to the writings of the *Zohar* one should always *daven* in a building.<sup>54</sup>

There is a discussion in the *poskim* if one is allowed to *daven* in the open area at the *kosel*. Next to the wall is permitted since one is surrounded by walls. *L'maseh*, the *poskim* say *davening* in the plaza is also permitted.<sup>55</sup>

## Davening in Front of a Mirror

Many times in a bungalow colony there are separate *minyanim* in houses. The

46. Shulchan Aruch Harav 75:10, Chai Adom 1:4:12, Mishnah Berurah 29, Aruch Ha'shulchan 11.

47. Opinion of Horav Chaim Kanievesky Shlita quoted in Nekius V'kovod B'tefilla page 29:footnote 21, Levusha Shel Torah page 211:5. See Bais Boruch meluyim to 4:57 who is stringent.

48. Mishnah Berurah 75:4.

49. O.C. 90:5.

50. Aruch Ha'shulchan 8. Refer to Mishnah Berurah 10 who says *davening* in a field (or open area) is *chutzpah*.

51. Sharei Teshuva 3, Mishnah Berurah 11, Aruch Ha'shulchan 8, Kaf Ha'chaim 30.

52. Tosfas Mesechtas Berochos 34b "chutif," Be'er Heitiv 3, Mishnah Berurah 11. Refer to Avnei Yushfei 3:7 and Minchas Yitzchok 2:44 about seeing those who are *davening*.

53. Mishnah Berurah 11, Kaf Ha'chaim 29.

54. Mishnah Berurah 11, Shulchan Hatohar 90:3, Kaf Ha'chaim 30.

55. Refer to Kaf Ha'chaim 90:26, Ishei Yisroel 9:footnote 24 quoting the opinion of Horav Chaim Kanievesky Shlita, Tzitz Eliezer 18:18:2. The Kaf Ha'chaim 90:27 says if one *davens* in the open he should make sure there is no foul odor etc.

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question arises if one is allowed to *daven* in a room where there are mirrors. (This is also common in a wedding hall where there are mirrors on the walls).<sup>56</sup>

It is very clear that one is not allowed to *daven* opposite a mirror.<sup>57</sup> One will not be able to concentrate when *davening* opposite a mirror and it looks like one is bowing down to himself.<sup>58</sup> One is not allowed to *daven* opposite a glass object if he can see his reflection,<sup>59</sup> but if he has to, closing his eyes will help.<sup>60</sup> Some suggest that one is permitted to close his eyes when in a situation where he has to *daven* opposite a mirror or glass.<sup>61</sup> Some say that one should not *daven* opposite pictures since he will not be able to concentrate.<sup>62</sup> If one is able to see his image when standing in front of marble then one should not *daven* in front of it.<sup>63</sup>

The entire concern about *davening* in front of a mirror is only for *shemonei esrei*, and not the rest of *davening*.<sup>64</sup>

### Which Way to *Daven*?

Many times when one does not *daven* in a shul, one is faced with the question as to the right direction to *daven* in. This is common when one is on vacation and they have a room where they *daven* or if one is on a trip and one *davens* in a certain place.

The custom is that in *Chutz L'aretz* we *daven* towards the east.<sup>65</sup> If one does not know which way is east etc, then one should *daven* in any direction as long as he has *Hashem* in mind.<sup>66</sup> In any case all those who are part of the *minyan* should *daven* facing the same direction.<sup>67</sup> If one does not know which way to *daven* he should not lose out on

56. V'ein Lumo Michshal 5:page 45:3.

57. Radvaz 106, Be'er Heitiv 90:30, Mishnah Berurah 70. The Yabea Omer Y.D. 4:35:3 says since *davening* takes place in a *bais avel* the mirrors are covered. If no *davening* takes place then one would not have to cover the mirrors (ibid). See Miyum Ha'halacha 2:31.

58. Mishnah Berurah 71, Aruch Ha'shulchan 28.

59. Horav Yisroel Belsky Shlita, see Orchos Rabbeinu 1:page 57:184.

60. Ohr L'tzyion ibid. *Davening* opposite a glass frame of *shivisi* etc. (common by the *amud*) is permitted since one is used to seeing it he will still be able to concentrate (Shevet Ha'Levi 9:21:1).

61. Shulchan Aruch Harav 90:22. See Kaf Ha'chaim Palagi 15:9, Ben Ish Chai Yisro 1:14, and Ohr L'tzyion 2:7:11 who argue. Refer to Da'as Torah 1:90. If it is a shade of a person or it is dark and he can't see himself it is permitted (Da'as Torah 90:23).

62. Orchos Rabbeinu 1:page 57:188.

63. Olos Yitzchok 2:41, Rivevos Ephraim 8:103, see Orchos Rabbeinu 1:page 57:185.

64. Shevet Ha'kehusi 6:82.

65. Rama O.C. 94:1, Mishnah Berurah 9-10. See Aruch Ha'shulchan 4-6, and 6-9. Refer to Minhag Yisroel Torah 94.

66. Shulchan Aruch 94:3, Chai Adom 22:10.

67. Piskei Teshuvos 94:7. Refer to Aruch Ha'shulchan 13.



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*tefilla b'tzibbur* by trying to figure out which way do *daven*.<sup>68</sup>

### Traveling before *Davening*

One is not allowed travel before *davening*.<sup>69</sup> The *poskim* say this is true even if the place where he is going will have a *minyán*.<sup>70</sup> The *Rama*<sup>71</sup> says if one says *berochos* until *boruch sh'omar* then one can be lenient. Others disagree with this ruling.<sup>72</sup> If one has a *tzorech*,<sup>73</sup> or he has to go perform a *mitzvah*<sup>74</sup> then one can be lenient and rely on the *Rama*. Some *poskim* say one may pick a parent up from the airport before he *davens*.<sup>75</sup> If one is planning a trip he should make sure to *daven* before he leaves.

When in the mountains for the summer it is very common for men to want to leave early in the morning. Therefore, they should leave before *alos hashachar*, or they should *daven* before they leave to the city.<sup>76</sup>

Some say if it is not possible to *daven* before leaving the mountains, then one should *daven* on the way to the city stopping off in Monsey or Monroe etc.<sup>77</sup>

The *Mishnah Berurah*<sup>78</sup> maintains that the above *halachos* apply to traveling before *mincha* or *maariv* once the time has arrived to *daven*, but many argue with this.<sup>79</sup>

One who wishes to leave the city early in the morning in order to avoid traffic and *davens* in the mountains etc may do so,<sup>80</sup> but should recite *birchos hashachar* beforehand.

68. Refer to *Ishei Yisroel* 23:6.

69. *Mesechtas Berochos* 14a, *Rosh Berochos* 1:6, *Tur*, *Shulchan Aruch* 3, see *Taz* 3, *Magen Avraham* 10. The *Ohr L'tzyion* 2:7:6 footnote 6 says going on the *derech* for less than an hour and half is not called going on the *derech*. *Ashkenazim* do not rely on this *heter*.

70. *Mishnah Berurah* 20.

71. 89:3

72. *Aruch Ha'shulchan* 21, *Shulchan Aruch Harav* 3.

73. *Chai Adom* 15:1, *Ohalecha Bamiseicha* 4:23, *Sheiros Yosef* pages 280-281, *Chai Adom* 15:1.

74. Some say this is even for *parnasa* since one has to support his family (*Aruch Ha'shulchan* 90:20, see *Tefilla K'hilchoso* 6:footnote 58). Refer to *Ohlecha Bamiseicha* 4:24, 26, *Shevet Ha'Levi* 8:19:2, *Aruch Ha'shulchan* 22, *The Divrei Yatziv* 131 is very stringent with going on the *derech* and he does not to permit one to go to a *bris* before he *davens*. See *Siach Ha'tefilla* pages 597-598 about going to the ocean before *davening*.

75. *Poskim*, see *Sheiros Yosef* pages 268-269

76. Refer to *Ohelecha Bamiseicha* 3:24, see *Kaf Ha'chaim* 24

77. *Horav Yisroel Belsky* shlita.

78. 89:3.

79. *Shulchan Aruch Harav* 89:4, *Ohr L'tzyion* 2:7:6, *Shevet Ha'Levi* 8:18, *Nekius V'kovod B'tefilla* page 87:footnote 73 quoting the opinion of *Horav Elyashiv Shlita*, *Ohr Yisroel* 30:pages 138-139.

80. *Hamechonit V'hilchosecha* 1:page 4, *Ohr Yisroel* 30:page 138, see *ibid*:pages 136-139. Refer to *Ohr Yisroel* 28:pages 52-55.

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The *poskim* maintain that traveling from one's home to the *Kosel* to *daven* is permitted even without davening first at home.<sup>81</sup>

## Escorting a Guest

In the summer people have time to travel to relatives etc. The question arises if one is obligated to escort guests when they leave one's home.

The *Gemorah*<sup>82</sup> says one who is escorted for four *amos* will not get damaged on the way.<sup>83</sup> The *Rambam*<sup>84</sup> maintains that the *mitzvah* of escorting is greater than *hachnosos orchim*.

The custom of those who escort others is to do so until four *amos*.<sup>85</sup>

Some say since today when traveling there are people on the road, the *inyun* of escorting does not apply.<sup>86</sup> Others say escorting only applies to a *talmid chachum* who is traveling,<sup>87</sup> however, others say it applies to all people not just someone's guest.<sup>88</sup>

The *mitzvah* to escort is if one will be leaving the city now, but if he will be staying in the city for a while then there is no need to escort.<sup>89</sup> According to this there is no need to escort someone who is not flying or driving to a different city immediately after leaving one's home.

When leaving someone's home etc there should not be any weeping.<sup>90</sup> Before the party actually leaves, then weeping is permitted.<sup>91</sup>

## Ink Stamp in Amusement Park – *Netiylas Yudayim*

When one goes to an amusement park many time one is stamped with ink on his hand to permit one to ride all the rides. Is this a *chatzitzah* if one wants to wash for

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81. Ohr L'tzyion 2:7:6, Nekius V'kovod B'tefilla page 76:footnote 16 quoting the opinion of Horav Chaim Kanievesky Shlita.

82. Mesechtas Sotah 46b. See Maharal Nesivos Olom Nesiv Gemilas Chasadim 5, Segulas Yisroel mareches daled 56:page 66 (new).

83. Birchei Yosef O.C. 110:4, Sharei Teshuva 110:6, Kaf Ha'chaim Palagi 7:2, Kaf Ha'chaim 15, Lekutei Maharich 1:page 217 (new).

84. Hilchos Avel 14:2.

85. Darchei Moshe C.M. 426:2, Elya Rabbah O.C. 231:2, see Kitzur Shulchan Aruch 68:6.

86. Refer to Aruch Ha'shulchan C.M. 426:2, Massei Ish 1:page 322. Some are unsure if the *inyun* of escorting applies at night (Refer to Ohelecha Bamiseicha 7:17).

87. Teshuvos V'hanhugos 1:579.

88. Betzel Hachuchma 4:34, 4:35.

89. Ohelecha Bamiseicha 7:14.

90. Kaf Ha'chaim O.C. 110:19, Y.D. 116:161, Shemiras Haguf V'hanefesh 96:1.

91. Lekutei Maharich 1:page 218 (new).



איך לו  
להקב"ה  
בעולמו  
אלא ד'  
אמות  
של הלכה  
בלבד  
(סימת)

bread?

If the ink has no substance and can not be felt then it is not a *chatzitzah* for washing for bread.<sup>92</sup> An example of this type of ink is a pen mark or an ink stamp.

Another factor to be lenient in the above case is the following: There is a dispute as to the correct place on the hand where one has to wash for bread. Some say until the second knuckle on the fingers and the first knuckle on the thumb.<sup>93</sup> Many say until the place where the fingers meet the palm,<sup>94</sup> while others say the entire hand.<sup>95</sup> The consensus of most *poskim* is that one should wash the entire hand.<sup>96</sup> Therefore, in the above situation one can rely on the lenient opinion,<sup>97</sup> since the ink mark at parks is usually on the back of the hand below the place where the fingers meet the hand. One who washes the entire hand should make a condition that he does not want to always do it this way so therefore it will not become an obligation for him.<sup>98</sup>

Some *poskim* say if one has a bandage on the wrist he should wash his hand until the end of the knuckles and wrap it in a towel etc.<sup>99</sup>

### No Water to wash one's Hand (for bread)

When planning a picnic lunch in the summer, it can happen that one goes to a remote location where there is no water, and he did not bring any water along with him. The question arises on how is it possible to eat bread.

Some *poskim* are of the opinion that one is not allowed to eat bread even if there is no water and one wrapped his hand with a towel.<sup>100</sup> Others maintain if there is no water then one is permitted to wrap his hands in a towel in order not to touch the bread.<sup>101</sup> This is only if there is no water behind you within<sup>102</sup> a *mil* (18 minutes) and in front of

92. Refer to Magen Avraham 161:8, Machtzis Ha'shekel 8, Pri Megadim Eishel Avraham 8, Mishnah Berurah 14, Kaf Ha'chaim 26, see Igros Moshe O.C. 2:110, Sharei Ha'beracha 1:13. Refer to Shevet Ha'kehusi 1:85.

93. Ateres Zekanim 161:3.

94. Refer to Rambam Hilchos Berochos 6:4, Ha'goes Mamones 3, Tur quoting the opinion of the Rosh, Magen Avraham 12, Taz 6, Aruch Ha'shulchan 7, see Elya Rabbah 12, M'eor Veketziah 161.

95. Tur, Shulchan Aruch 163:4, Pri Megadim Eishel Avraham 17, M.Z. 6, Shulchan Hatoahr 161:3, Divrei Yatziv 1:79, Halichos Olom Shimenei 1:11. See Lehoros Nossan 2:42, Shemiras Shabbos K'hilchoso 39:31:footnote 101.

96. Mishnah Berurah 20, Biur Halacha "v'rohy."

97. Mishnah Berurah 22, Biur Halacha ibid, Aruch Ha'shulchan 8.

98. Magen Avraham 13, Machtzis Ha'shekel 13, Be'er Heitiv 10, Levush 4. See Be'er Moshe 3:36:1-2.

99. Shevet Ha'Levi 1:44:1, Shevet Ha'kehusi 3:73. See Teshuvos V'hanugos 2:117.

100. Tur 163. Refer to Pri Megadim Eishel Avraham 163:1. Anything may be used not only a towel (Mishnah Berurah 5). Gloves may also be used (Kitzur Shulchan Aruch 40:14).

101. Refer to Rambam Hilchos Berochos 6:18.

102. Elya Rabbah 1, Mishnah Berurah 3.

כל השונה  
הלכות  
בכל יום  
מובטח  
לו שהוא  
בן עולם  
הבא...  
(נדה עג)

you for four *mil*<sup>103</sup> (72 minutes).<sup>104</sup> This *shiur* even applies today when traveling by car.<sup>105</sup> Some say the wrapping of the hand should only be done if one is very hungry.<sup>106</sup> One who is sitting at home and has no water is only obligated to go within 18 minutes to find water.<sup>107</sup> One who is in doubt whether he will find water does not have to go find the water, and can wrap his hands in a towel (if he is very hungry).<sup>108</sup>

Some say one may avoid touching the bread by eating with a spoon,<sup>109</sup> while many question this leniency.<sup>110</sup>

Most *poskim* are of the opinion that even though one will only eat with one hand, both hand should be covered.<sup>111</sup>

Even if one will drink during the meal his hands should be kept wrapped.<sup>112</sup>

It is very important to point out that the hands have to be wrapped, and one should not take a bag and hold the bread with it.<sup>113</sup>

The above case is very common when one is riding on a long bus ride and he wishes to eat bread. If one will lose money by having to get off the bus and pay for another bus in order to wash then he does not have to do so, if there are seventy-two minutes left to his trip.<sup>114</sup> One who began eating when there was longer than seventy two minutes left to his trip and now finds water may continue eating.<sup>115</sup>

## Using a Tree on *Shabbos*

Being that in the summer we are more outdoors and exposed to grass and trees we

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103. Refer to Rivevos Ephraim 1:124, 2:90, 3:472, 5:134:2.

104. Bais Yosef 163, Darchei Moshe 163:1, Shulchan Aruch 163:1, Shulchan Aruch Harav 1, Kitzur Shulchan Aruch 40:14, Chai Adom 40:11, Mishnah Berurah 4, Aruch Ha'shulchan 2. Refer to Mesechtas Chullin 107b.

105. Biur Halacha "b'rochok," Ohelecha Bamiseicha 11:2. See Oz Nedberu 6:66 who answers a contradiction from Mishnah Berurah 92:17.

106. Biur Halacha "b'rochok."

107. Chai Adom 40:11, Mishnah Berurah 3, Kaf Ha'chaim 3. See Shulchan Aruch Harav 1, Tehilla L'Dovid who are stringent.

108. Biur Halacha "ein." Refer to Magen Avraham 1, Be'er Heitiv 1, Shulchan Aruch Harav 1, Chai Adom 40:11, Mishnah Berurah 3, Aruch Ha'shulchan 2, see Pri Megadim Eishel Avraham 1.

109. Rama 163:1, Levush 1.

110. Refer to Elya Rabbah 163:4, Pri Megadim Eishel Avraham 1, Shar Ha'tzyion 4, Aruch Ha'shulchan 2, Rivevos Ephraim 8:88:3, 8:393:2.

111. Mishnah Berurah 5, Biur Halacha "yudov."

112. Avnei Yushfei 1:32:4.

113. Tzitz Eliezer 8:7:6, 8:7:8, Avnei Yushfei 2:11:6, Sharei Ha'beracha page 4:footnote 21.

114. Avnei Yushfei 2:11:3 quoting the opinion of Horav Elyashiv Shlita.

115. Avnei Yushfei 2:11:2 quoting the opinion of Horav Elyashiv Shlita



אין לו  
להקב"ה  
בעולמו  
אלא ד'  
אמות  
של הלכה  
בלבד  
(פסות)

will discuss some of the *halachos* that apply to them in regard to *hilchos Shabbos*.

It is permitted for one to walk on the grass on *Shabbos* and there is no difference if the grass is wet or dry because one has no intent to detach it from the ground.<sup>116</sup> Some say this even applies to long grass,<sup>117</sup> while others maintain it is better to be stringent. If grass gets stuck in one's shoes one should not remove it because it is *muktzah*.<sup>118</sup>

One is permitted to sit on grass on *Shabbos*.<sup>119</sup>

### Using a Tree – Hanging Hammocks and Swings

Out of concern that one may come to detach something from a tree, one is not allowed to use a tree on *Shabbos*.<sup>120</sup> This applies to the sides of a tree as well, but the “side of the side” of the tree is permitted.<sup>121</sup> For example, one is not allowed to lean a ladder on a tree and use the ladder. However, if there is a hook on the tree then one may lean the ladder on the hook from before *Shabbos*.

Wrapping a rope around the tree and using a hammock which is attached to the rope is forbidden because that is using the tree itself. However, one is permitted to attach a hook to the tree (before *Shabbos*) and then hang a hammock onto the hook (before *Shabbos*) and lay on the hammock since the hook is the side, the hammock is the “side of the side” of the tree which is permitted.<sup>122</sup>

If a jacket is hanging on a tree one is not allowed to place things in the pockets.<sup>123</sup>

A healthy person is permitted to lean on the tree a little bit, but a weak person may not lean on the tree because he needs it for support.<sup>124</sup>

*Wishing all of our readers and Klal Yisroel  
a Happy and Healthy Summer.*

116. Shulchan Aruch O.C. 336:3, Shulchan Aruch Harav 18.

117. Mishnah Berurah 24, Aruch Ha'shulchan 21.

118. Biur Halacha “muttar.” Refer to Shemiras Shabbos K'hilchoso 26:64.

119. Mishnah Berurah 336:19.

120. This applies even if there are no fruits on the tree (Aruch Ha'shulchan 14). Refer to Nishmas Shabbos 6:149 in regard to the winter months.

121. Shulchan Aruch 336:13, Mishnah Berurah 59, Aruch Ha'shulchan 37.

122. Horav Yisroel Belsky Shlita. Refer to Be'er Moshe 6:29, Thirty Nine Melochos page 294. Refer to Nishmas Shabbos 6:163.

123. V'ihiy B'nsoa page 144:15.

124. Refer to Magen Avraham 13, Pri Megadim M.Z. 10, Chai Adom Shabbos 12:6, Mishnah Berurah 63, Biur Halacha “u'muttar,” Aruch Ha'shulchan 37. See Nishmas Shabbos 6:150.

כל השונה  
הלכות  
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- Pas Paltar
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- Hard Cheese
- Peeled Eggs etc. left overnight
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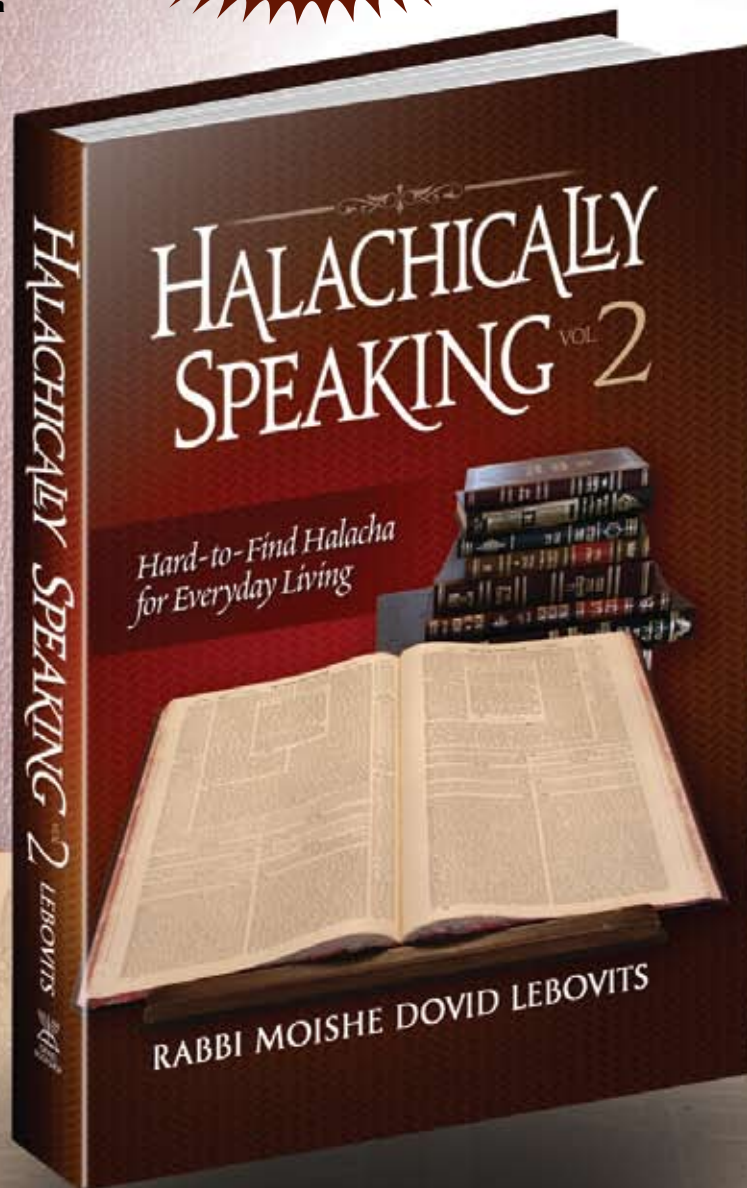


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