

SHE'AILOS U'TESHUVOS

by Rabbi Doniel Neustadt

QUESTION: If, mistakenly, the "wrong" Sefer Torah was removed from the aron, may it be returned and exchanged for the "correct" Torah?

DISCUSSION: Most poskim maintain that it is improper to return a Torah to the aron once it has been removed.⁽¹⁾ Although using the "wrong" Torah will cause a delay (tircha detzibura) since it will have to be rolled to the correct place, it is still considered degrading to a Torah to be put back once it was taken out of the aron. There are two notable exceptions to this basic rule:

1. If the Torah was lifted up by the person removing it, but not actually taken out of the aron, it is permitted to set it back down and remove the correct Torah from the aron.⁽²⁾
2. On a day when two [or three] Sifrei Torah are taken out of the aron, and mistakenly the "wrong" one was laid on the bimah, it is permitted to pick up the "wrong" Torah from the bimah and replace it with the correct one.⁽³⁾

QUESTION: If one missed one or several words from the Torah reading of Parashas Zachor, must he hear the Torah reading again?

DISCUSSION: L'chatchilah, one should pay full attention so that he does not miss even a single word of the reading.⁽⁴⁾ But as long as one heard the basic message of the Torah portion - to remember Amalek's dastardly deed and to eradicate their memory - one has fulfilled his obligation even though he did not hear every single word of the reading.⁽⁵⁾

Similarly, some poskim⁽⁶⁾ consider the birchos ha-Torah recited over Parashas Zachor an integral part of the mitzvah. This means that the oleh who recites these blessings must recite them slowly, loudly and with kavanah to be motzi the congregation with the berachos. The congregation, too, must hear every word with kavanah to be yotzei with the berachos. But since most poskim do not mention this stringency, if one did not hear part of the berachah, or even if he missed the berachos altogether, he has fulfilled his obligation.⁽⁷⁾

QUESTION: Who should recite the berachos when a man, who has already read or heard the Megillah in shul, reads the Megillah for a group of ladies?

DISCUSSION: The preferred method depends on several factors:

* If there are fewer than ten ladies present, then each lady should recite the berachos herself.⁽⁸⁾

* If there are ten or more ladies, there are two options: Either one lady recites the berachos and is motzi the rest of the group,(9) or each lady recites her own berachos.(10) Either way is l'chatchilah.(11)

* If the ladies do not how to recite the berachos, then the man reading the Megillah recites the berachos for them.(12)

QUESTION: If there is no man available to read the Megillah for a lady who was unable to go to shul, may another lady read the Megillah for her?

DISCUSSION: A lady may read the Megillah for another lady but only if she herself has not yet fulfilled her obligation of hearing the Megillah. If she has already fulfilled her own obligation, she may not read it again in order to be motzi another lady.(13)

QUESTION: On Shabbos and Yom Tov, is it permitted to use a measuring cup or spoon to measure ingredients that will be used in a dish to be served on Shabbos or Yom Tov?

DISCUSSION: Chazal considered all forms of weighing or measuring a weekday activity which should be restricted on Shabbos and Yom Tov.(14) It is forbidden, therefore, to weigh or measure one's weight or height,(15) to hang a thermometer outdoors in order to determine the temperature, or to measure the size of a room with a tape measure.(16)

When it comes to measuring food items, however, Chazal were concerned about our oneg Shabbos and Yom Tov and were a bit more lenient, allowing measuring for the sake of assuring the quality of the food. If, for instance, a particular food would not taste good unless it is prepared exactly as the recipe specifies, e.g., a dressing that must be spiced or flavored just so, then it is permitted to use a measuring spoon or cup(17) to measure those ingredients precisely.(18) But it is forbidden to use a measuring cup to measure foods where a little more or a little less of an ingredient will not affect the overall taste and quality of the dish, e.g. a pasta salad or a rice pilaf, where more or less pasta or rice will hardly make a difference in the taste of the finished product.(19) It is permitted, however, to use a measuring cup or spoon if it is used for approximation and not to measure an exact amount.(20)

QUESTION: Is it permitted to measure or weigh on Shabbos or Yom Tov for the purpose of a mitzvah?

DISCUSSION: Yes, it is. Since measuring and weighing was restricted by Chazal because it is a weekday activity, the restriction is lifted when the measuring(21) or weighing(22) are being done for the sake of a mitzvah. It is, therefore, permitted to measure or weigh:

- * a cup, to see whether or not it is large enough to be used for Kiddush or the Four Cups on Pesach.
- * the amount of matzah that is required to fulfill the mitzvot of the Seder.
- * the amount of food an ill person may eat on Yom Kippur.
- * medicine [or food] for an ill person or a baby, since taking care of one's health is considered a

mitzvah.(23)

* a person's body temperature to check for fever.

* the distance of 2000 amos from the end of the city to determine where techum Shabbos ends.

QUESTION: Is one required to wash his hands after touching his upper arm while putting on his tefillin shel yad?

DISCUSSION: Touching a body area which is supposed to remain covered at all times, requires one to wash his hands before davening or learning Torah.(24) Although, generally, the upper arm is a body area which is supposed to remain covered,(25) the poskim rule that one need not wash his hands after touching the area while putting on tefillin. Since one must uncover his upper arm in order to put on tefillin, that area is not considered a body area that must remain covered at all times; touching it, therefore, does not require one to wash his hands.(26)

FOOTNOTES:

1 See Yabia Omer 8:15-4 who quotes the various views who rule stringently. See, however Igros Moshe 2:37 who rules that one may not object if a member of the congregation instructs the chazan to return the "wrong" Torah to the aron.

2 Eishel Avraham O.C. 144.

3 Peri Megadim (Mishbetzos) 140:4; Beiur Halachah 684:3, s.v. ve'im ta'ah, quoting acharonim. Even if the "wrong" Torah was already unrolled to the Torah reading of the day [and even if the one called up for the aliyah already recited baruch ata but did not yet say Hashem], it is permitted to roll it up and exchange it for the correct one.

4 Mikroei Kodesh, Purim, 7. See Mekadesh Yisrael 13.

5 Harav M. Feinstein (oral ruling, quoted in Moadei Yeshurun, pg. 47 and in l'Torah v'Horoah vol. 8, pg. 16); Harav S.Z. Auerbach (Halichos Shelomo, 2:18-2).

6 See Taz O.C. 685:2 and Chasam Sofer (notes on Pri Chadash 685:7).

7 Harav M. Feinstein (oral ruling, quoted in Moadei Yeshurun, pg. 47). See similar ruling in Orchos Rabbeinu, vol. 3, pg. 32, quoting Harav Y.Y. Kanievsky.

8 Based on Mishnah Berurah 689:15 and Sha'ar ha-Tziyun 692:13. See Minchas Yitzchak 3:53-14.

9 Recommended by Harav S.Z. Auerbach (Halichos Shelomo 2:19-3).

10 Recommended by Minchas Yitzchak 3:54-38; 8:63.

11 Harav Y.S. Elyashiv (Balaylah Hahuh, pg. 8)

12 Mishnah Berurah 692:10.

13 Beiur Halachah 68g:1 s.v. venoshim.

14 Mishnah Berurah 306:34; 500:8.

15 See Shulchan Shelomo 306:16-2 for an elaboration.

16 It is even questionable whether or not it is permitted to measure the size of a room by counting tiles; Harav S.Z. Auerbach in Tikunim U'miluim 29, note 88.

17 A scale, however, may not be used for this purpose.

18 Mishnah Berurah 504:21-22.

19 Mishnah Berurah 506:1.

20 Rama O.C. 323:1 and Mishnah Berurah 5.

21 Mishnah Berurah 306:34.

22 Harav S.Z. Auerbach (Shemiras Shabbos K'hilchasah 29:38).

23 Mishnah Berurah 306:36. A healthy person, though, who is on a weight- control diet, may not measure precise portions.

24 O.C. 4:21 and Mishnah Berurah 49.

25 Mishnah Berurah 4:54.

26 Eishel Avraham (Butchach) O.C. 16:1; Kaf ha-Chayim 4:99 quoting Ben Ish Chai; Halichos Shelomo 4:3.

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