

Parsha Encounters

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Parshas Terumah - Rabbi Yossi Lowinger

Loving Rebuke

In this week's parsha, the Possuk describes how the *keruvim* on top of the *aron kodesh* faced each other. The gemorah in Meseches Bova Basra questions a seemingly contradictory passuk in Melachim I which states that the *keruvim* faced the *heichal* (inner sanctuary), thus implying they did not face each other. The gemorah explains that when Klal Yisroel was doing Hashem's will and everyone was shomer torah u'mitzvos, the *keruvim* faced each other, as this was a symbol of Hashem's love for Klal Yisroel, but when Hashem was displeased with Klal Yisrael because they weren't doing His will, the *keruvim* did not face each other.

The Gemorah in Meseches Yoma which discusses the destruction of the Beis Hamikdash, tells of how when the Romans entered the *heichal*, they saw the *keruvim* embracing each other. The Maharshah asks why the *keruvim* were embracing each other if the Beis Hamikdash was destroyed as a result of Klal Yisrael's sins! Shouldn't they have been turned away from each other like the gemorah explains in Bova Basra how when Klal Yisroel would sin the *keruvim* did not face each other? Rav Chaim Shmulevitz answers, that when Hashem punishes Klal Yisroel, He does so with the greatest of love. Even at the height of Midas Hadin, Hashem shows his compassion for Klal Yisrael. This was symbolized by the *keruvim* embracing each other during the time of such severe pun-

ishment. Hashem was sending the message that tragedies are sent our way because He loves us and wants us to mend our ways.

Rav Shmulevitz points out that we are supposed to emulate Hashem's ways. If we have to punish our children, we must remember to do so with love and compassion. Just like Hashem shows His true love for us even in the worst of times, so too, we must display our love to our children when punishing them. The same applies if we are chastising someone for a wrongdoing; we must show our true love for them while doing so.

R' Yisrael Salanter once had to rebuke someone for a wrongdoing. Before leaving to speak to the person, he took along some money that he had planned to give him anyways. When his students asked him why he couldn't send the money some other way, R' Yisrael Salanter answered that he wanted to strengthen his relationship with this person at the very time that he would be giving him mussar. He therefore made sure to give this person the money himself at this specific time.

May we be *zocheh* to emulate Hashem's ways and do His will, thus meriting to see *Mashiach Bimheirah Biyamaynu. Amen.*

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Halacha Encounters

Purim Costumes of the Opposite Gender

Rabbi Yisroel Langer

The Prohibition

In parshas Ki Seitze (22:5), the Torah tells us, "A male garb shall not be worn on a woman, and a male shall not wear a feminine garment." The Shulchan Aruch (Yora Deah 182:5) follows the ruling of the Rambam that one has transgressed this prohibition even if he or she wears clothing of the opposite gender without intending to be involved with promiscuous activity (see the Gemorah in Nazir 59A). The Yeraim (385) says that even if one wears it temporarily or for a joke, such as at a wedding, it is forbidden.

The Bach (Yora Deah 182) gives two exceptions to this prohibition. First, it is permitted to wear clothing of the opposite gender if it's only being worn to protect oneself - for example, a raincoat. The Poskim (Maharasham, Volume 2, Responsa 243; Igros Moshe; Ohr Chaim, Volume 4, Responsa 75) say that this is only permitted if there is no other way for one to protect oneself.

The second exception to this prohibition is one may wear clothing of the opposite gender that isn't worn for its appearance - for example, undergarments or a poncho. The Shach (Yora Deah 182:7) says that this is only permitted as long as one doesn't take on the appearance of the other gender. (See the Mishna Brura 691:8:30 and Minchas Yitzchak, Volume 2, Responsa 108, that seem to limit this heter to one garment.)

These two "heterim" of the Bach are quoted by the Taz and the Shach (Ibid). However, the Chachmos Adam (Chapter 90, see Binat Adam) takes issues with the Bach. He holds that one can never actually wear clothing of the opposite gender, even if it's worn to protect oneself. But the case is different with an article that one doesn't actually wear, but is only used as part of their attire - for example, a walking stick to be used by a woman. If she is using it in order to avoid falling, then it is permitted. But, if she uses it as part of her attire, then it is prohibited. In practice, the Poskim (Minchas Yitzchok, Volume 2, Responsa 108; oral ruling of Rabbi Chaim Pinchas Sheinberg) are machmir like the Chachmos Adam. However, in cases of great necessity, or if there are other reasons to rely upon (see Avnei Tzedek, Chapter 72), then one can be lenient like the Bach.

Purim Costumes

The Mahari Mintz (Responsa 16) gives two reasons to permit opposite gender clothing on Purim. First, just like one may wear opposite gender clothing if his purpose is for protection (see the Bach above), so too, may one wear this clothing if his purpose is to do so for simchas Purim or for some other occasion. Second, in cities where the minhag is to do so, Chazal allows one

to "steal" food for Purim. So too, Chazal allows one to get dressed up in opposite gender clothing for Purim. The Bach rejects both reasons. With regards to the first reason, it is only permitted to wear opposite gender clothing for protection because there are no other options. But with Purim, one can have simcha in other ways. Regarding his second reason, only with food do Chazal permit one to grab another's possessions according to the principle of hefker Bais Din hefker. (Chazal have the power to take someone's possessions away). But Chazal do not have the power to permit all issurim.

Although the Rema (Ohr Chaim 696:8) brings this minhag of the Mahari Mintz to wear opposite gender clothing on Purim, the Poskim (see the Mishna Brura, ibid) hold that one should be machmir, especially since we are dealing with a d'orysa. Even with regards to a minor, the Poskim (Nitei Gavriel, Chapter 40; Rabbi Shmuel Fuerst) discourage such behavior.

Questionable Cases

Question: Can a man wear a woman's wig?

Answer: No (Rav Dovid Zucker; Rav Fuerst)

Question: Can a woman wear her husband's coat to protect her from the cold?

Answer: According to the Bach, this is permissible. However, the Poskim do not rely on this, except in cases of great necessity. Many Poskim forbid her to even drape it over her shoulders (Rav Sheinberg permits this latter case.)

Question: Can a woman wear a man's undershirt beneath her blouse?

Answer: The Minchas Yitzchok (ibid) and Rav Sheinberg hold that she cannot. While Rav Eliyashuv, (as quoted in Pardes Simcha) and Rav Moshe Feinstein, Z'TL, (as quoted by Rav Fuerst), permit this because the shirt can't be seen.

Question: Can a man use a woman's electric shaver?

Answer: Yes, because a shaver isn't part of a person's attire. (Rav Fuerst, based on Igros Moshe; Yora Deah, Volume 1, Responsa 87.)

Question: Can a woman wear pants in cases where it is not in front of men?

Answer: The Minchas Yitzchak (ibid) holds it's forbidden. Some hold that this applies to all pants, even if it's made for women. Others (Rav Fuerst) hold that if they are made for women, they are permitted as long as they are not seen by men.

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