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# PARSHA ENCOUNTERS

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Parshas Yisro ✍️ Rabbi Moshe Katz

## Becoming Better Drivers

**A**n absent minded professor is driving, accompanied by a student.

*The professor goes through a stop sign, and through another, and then another.*

*Finally, the student turns to the professor and says: "Excuse me, but with all due respect, you just went straight through three stop signs!"*

*The professor looks up and says...*

*"Oh... I'm driving?"*

... In *Parshas Yisro*, we read about *Maa'mad Har Sinai*, the giving of the Torah at Mount Sinai.

Rav Chaim Volozhiner in *Nefesh Hachaim* explains as follows.

At *Har Sinai*, Hashem gave *Klal Yisroel*, the Jewish People, the "*maftaychos*" to the world. The "keys".

He said to us: "*You're driving!*"

*It's up to you to make this the kind of world I want it to be!*

*Infuse the world with kedusha, with holiness, through Tefilla, prayer, the doing of Mitzvos and acts of kindness."*

Unfortunately, how do we often "drive"?

*Just like that absent minded professor!*

... Our lives are very busy and we're always on the move.

But every once in a while, there's a *stop sign*, something that's supposed to get our attention.

For instance before we eat something, there's a *stop sign*.

*A bracha. A blessing.*

We should stop and reflect on the gift that Hashem has given us.

The *bracha* should also remind us to *elevate* the act of eating.

We may mumble the bracha.

*But we don't always stop!*

Before we begin *davening*, we should stop and reflect.

Reflect on the awesome privilege of having a relationship with Hashem. Of having a "*private audience*" with the Creator of the universe; on how our *tefillos*, our prayers, can impact the world.

We should remember that we're "*driving*,"

*and we don't.*

... There's another kind of "*stop sign*".

*It's a person who needs some help a little of our time, or even our smile.*

But unfortunately, all too often, we don't stop.

What is *one of the most important things we can do in life?*

Never forget that we are "*driving*".

*and become better drivers!*

Driving can remind us of something else.

*A policeman pulls over a motorist.*

*"Didn't you see that stop sign"?*

*"Yes sir. I did see it.*

*The problem is that I didn't see you!"*

Picture G-d challenging us.

*"Didn't you see that person who needed your help?"*

*You didn't stop, you walked right by!*

*Didn't you see that person who was hurt by what you said?*

*You didn't stop, you went right on talking!"*

Here's what we should answer to Hashem.

(and to ourselves!)

***"Yes, Hashem. I did see that person. But I didn't see "You"...***

***In that person!***

*I lost sight of the fact that he was created in B'tzelem Elokim., in Your Image.*

*You put something G-dly into every human being,*

*and we should treat them like the royalty that they are!"*

So the next person we see ...

*Let's make sure we really see them!*

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# HALACHA ENCOUNTERS

## Plumbing Issues on Shabbos

Rabbi Zev Cohen

If the pipes in a person's home become stuffed on *shabbos*, may he proceed to unclog them and if so, how?

With the advent of indoor plumbing by the middle of the twentieth century and with the invention of the plunger, the question arose in the 1960's if using the plunger to unclog kitchen and bathroom pipes is permissible on *shabbos* and *yom tov*.

In order to answer this we must begin with the *gemara* in *kesuvos* (60a). The *gemara* discusses a pipe attached to the roof of a house (rain gutter) which becomes clogged on *shabbos* causing the water to back up and leak into the house. The *gemara* states that it is permissible to unclog it if two conditions are met: 1) We must use a *shinui* (abnormal way, e.g. by use of one's foot) which reduces the severity of the prohibition. 2) The rain will cause a *peseida* (monetary damage). This is quoted *lihalcha* by the *Mechaber* in *Shulchan Aruch* (O.C. Siman 336:9).

It would seem from the above discussion that using a plunger to unplug a pipe in our modern day homes would be prohibited. As although there may be an inconvenience, a monetary loss will not be sustained, and it seems impossible to plunge with a *shinui*

*HaRav HaGaon R' Yitzchok Weiss ztza"l* in his *sefer Minchos Yitzchok* (volume 5 siman 75, and volume 6 siman 29) states that a pipe that has the status of *stimah mialyisah* (completely clogged) loses its identity as a pipe. Unclogging it on *shabbos* would constitute creating a new pipe and be assur *midioraisah*, or at least, *midirabbanan* because of *tikun maneh* (creating a vessel). Therefore, the *gemara* required both a *shinui* and *peseida*. However any pipe in our homes that could be unclogged with an ordinary plunger has not reached the status of *stimah mialyisah* and has not lost its identity as a pipe. Therefore plunging it would not constitute creating a new pipe and is permissible without any conditions.

He concludes that it is difficult to create this new interpretation on his own, and is only willing to permit plunging on *shabbos* because of the additional concept of *kavod habrios* (human dignity).

*HaRav HaGaon R' Shlomo Zalman Auerbach ztza"l*, in his *sefer Minchas Shlomo* (volume 2 siman 13:3) [quoted in *Shemiras Shabbos KiHilchoso* (ch.12)], states a similar thought. He compares unclogging a pipe in our homes to removing a cork from a bottle and cleaning a window that has become so dirty that light does not pass through it. Just like the bottle and the window do

not lose their identities, so too, the pipes retain their identities despite being clogged. Only, the outdoor pipe in the *gemara*, which had become clogged with plants and roots, is in the category of "*paka mimeno shem tzinor*" (lost its identity as a pipe). In *Shemiras Shabbos KiHilchoso* (ad loc.), he concludes that since the subject matter is not completely clear and in addition the activity of plunging may be considered an *uvdah dichol* (weekday activity), one should only be lenient "*bisha'as hadchak u'bimakom tzorech gadol*" (under extenuating circumstances).

*HaRav HaGaon R' Ovadiah Yosef shlit"a*, in his *sefer Yabiah Omer chelek hey siman lamed gimmel*, takes great issue with *Rav Shlomo Zalman*. He feels that the pipes in the house cannot be compared to a bottle or a window. Rather, they must be compared to the pipe (rain gutter) in the case of the *gemara* and as a result plunging is *assur midioraisah*. Therefore, plunging is only permissible in a *makom peseida* with a *shinui*, which seems impossible. He adds that he spoke with *HaRav HaGaon R' Yosef Shalom Eliyashiv shlit"a*, who was in complete agreement.

It should be noted that *Rav Ovadiah Yosef* mentions that if the pipe is clogged in a way that water can penetrate the pipe *le'at le'at* (very slowly), plunging it is permissible without any conditions. However, the precise measurement of *le'at le'at* is not clarified.

*HaRav Hagaon R' Moshe ztza"l* in his *sefer Igros Moshe* (O.C. volume 4 siman 40:9) discusses the *sheilah* with a different variable. In the event that it is *matzui* (common) for one's pipe to get clogged it is permissible to use a plunger. However the *teshuvah* doesn't clearly define what is considered *matzui*. *Rav Moshe* is also of the opinion that even when plunging is prohibited, when there is a *tzorech gadol* (great need) one may ask a non-Jew to do so.

In summation, being that the possibility of an *issur dioraisah* exists and there is a *machlokes* among the contemporary *poskim*, only in case of great necessity (e.g. there is no other working toilet in the house) is it permissible to ask a non-Jew. When a non-Jew is not available, a *Rav* should be asked how to proceed.

For further discussion on this topic, one should be *me'ayen* in *Be'er Moshe chelek alef siman chaf tes* (29); *Chelkas Yaakov Orach Chaim kuf nun ches* (158); *Mishneh Halachos chelek vav siman pey alef – pey gimmel* (81-83); *Az Nidbiru chelek hey siman chaf*.

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