

# Fascinating INSIGHTS

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## No Smoking!

Many gedolim—including R' Chaim Kanievsky,<sup>1</sup> R' Elyashiv, R' Moshe Sternbuch,<sup>2</sup> R' Aharon Kotler, R' Yaakov Kamenetzky, the Be'er Moshe,<sup>3</sup> the Tzitz

<sup>1</sup> *Sheailas Rav*, p. 92.

<sup>2</sup> *Teshuvos V'hanhagos*, 4:115. R' Sternbuch (born in 1928) is the *ra'avad* of Yerushalayim. He resides in Har Nof where he is the *rav* of the local Gra shul, named after the Vilna Goan of whom he is a direct descendant. He was born in London (He later became known as the *Londoner ilui* [prodigy]), one of nine children to R' Asher Sternbuch who was a merchant. His parents hosted numerous rabbanim who came to London to raise money for their yeshivos, among them R' Elchonon Wasserman. R' Sternbuch was tested in learning every Shabbos by R' Yechezkel Abramsky, who predicted he would one day become a *posek*. His father died at the age of 39, when he was 10. The eldest child in the family then was 18 and the youngest was 2. In 1940, he entered the Toras Emes yeshiva in Stamford Hill where he studied there with R' Betzalel Rakov (who was later to become the Gateshead Rav), R' Yitzchak Tuvia Weiss (his future colleague in the Eidah Hachareidis) and future businessman Paul Reichmann. R' Sternbuch's family fled London during World War Two due to The Blitz. They moved to a small nearby village where he shared a room with R' Dessler, author of the *Michtav Me'Eliyahu*, who predicted that R' Sternbuch would one day be one of the gedolim. After the war, he traveled to Eretz Yisrael to learn. Interestingly, his shadchan was the Chazon Ish. R' Sternbuch subsequently took a position in Johannesburg, South Africa. He was very involved in outreach, including his noted lectures to those in the medical field.

<sup>3</sup> *Shu"t Be'er Moshe*, 6:160:9. R' Moshe Stern, known as the *Be'er Moshe* (1914-1997), was a survivor of Bergen Belsen, one of the concentration camps during the Holocaust. His brother was R' Betzalel Stern (1910-1988), author of *Shu"t B'tzeil Hachachma*. His father, R' Avraham, was the Rav of Neuhaizal, a historian and author of the sefarim, *Gapei Eish* on shas, *Shulchan Eish*, and *Melitzei Eish*. After learning with his father and grandfather, R' Moshe left Neuhaizal to study in yeshivas Pressburg, headed by the *Chassam Sofer's* great-grandson, R' Akiva Sofer, known as the *Daas Sofer*. R' Moshe married a daughter of R' Mordechai Nissan

Eliezer<sup>4</sup>—have already expressed their opinion<sup>5</sup> that it is forbidden to smoke cigarettes.<sup>6</sup> Some gedolim even referred to smoking as suicidal.<sup>7</sup>

Some claim that smoking cigarettes is *ochel nefesh*<sup>8</sup> making it permissible to smoke on Yom Tov. R' Ovadia Yosef commented it's not *ochel nefesh* rather it is *ochel es nefesh* since it can kill a person. When R' Chaim Kanievsky was asked if smoking is prohibited on Yom Tov, he responded, "It is biblically prohibited on Yom Tov as well as on any other day of the year for a Jew to smoke."

The *Chafetz Chaim*<sup>9</sup> (1839-1933) writes, isn't it said that one is not permitted to harm himself because of *v'nishmartem l'nafshoseichem*. Additionally, the world belongs to Hashem... and He gave everyone strength according to his needs. So how can one do to himself as he pleases...? And if because of his smoking his strength is weakened, he will assuredly pay the ultimate price at the time of judgment since he did this of his own free will

HaKohen Strasser, a grandson of the *Chassam Sofer*. After his marriage, he moved to Debrecen, Hungary's second-largest city, where Jews had been barred from living until 1840. In Debrecen, he was appointed a *posek* and *dayan*. In around 1950, R' Moshe was invited to be the *rav* of Buenos Aires, Argentina, where he stayed for a year. Soon afterwards, he moved to New York and established his 'Kahal Yesodei HaTorah' whose congregants were mostly immigrants from Hungary. In 1969, he began publishing his *sefer* of responsa, *Be'er Moshe*. Another of *rav Moshe's* sefarim is his "Kunterus Ha'electric" where he discusses the dozens of shailos involved with electricity, such as accepting testimony over the phone and setting up alarms to work on *Shabbos*.

<sup>4</sup> *Shu"t Tzitz Eliezer* 17:21, 22. This was from 1984.

<sup>5</sup> R' Moshe Feinstein (*Igros Moshe, Yoreh Deah*, 2:49. Also see *Choshen Mishpat* 2:18, 76), in a letter dated several months after the Surgeon General's initial report (in 1964), wrote that although it is certainly appropriate to abstain from smoking, nevertheless, one cannot say that smoking is outright forbidden, as there are many people that smoke. Therefore, smokers fit into the category of *shomer pesayim Hashem, Hashem protects the simple* (*Tehillim* 116:6. See *Shabbos* 129b, *Yevamos* 12b, 72a among other places. This statement is raised by the Gemara to explain how certain dangerous activities that have become common practice were not outright forbidden.). He adds that especially since many gedolim smoked, it is impossible to say that such an act is truly forbidden. Recently, his son, R' Dovid Feinstein was quoted as saying that with the current knowledge of the harm smoking causes, it is obvious that if his father was still alive, he would have absolutely prohibited smoking. R' Moshe's dispensation was only based on the 'fact' that smoking endangered only a small percentage of smokers. In fact, in a newly discovered and recently published *teshuva* of R' Moshe, dated Elul 5732 (1972), he himself wrote that his famous lenient ruling was based on the facts as they were known at the time (*Kovetz Hamaor*, volume 480, *Kislev-Teves* 5778, p. 7). He added that if the reality would change and the percentages of those proven harmed by smoking would increase, then certainly it would be prohibited to smoke, at least the amount the doctors considered harmful to one's health.

<sup>6</sup> See also R' Ovadia Yosef in *Halichos Olam* 1, pp. 265-266, 4, *Shu"t Minchas Shlomo* 2:58,6, *Shevet Halevi* 10:295, *Shu"t Rivivos Efraim* 3:487 and 8:586, *Teshuvos V'hanhagos* 1:159, and 316, the *Minchas Asher Haggada, Shaarei Teshuva* 23.

<sup>7</sup> The *Tzitz Eliezer* (15:39, 1, s.v. *l'ohr*) says since smoking is deemed enough of a health risk that in every civilized country cigarettes are exclusively sold with a warning printed on the package that it damages health, smoking can no longer be classified under *shomer pesayim Hashem*.

<sup>8</sup> See *Orach Chaim* 495:1.

<sup>9</sup> *Likutai Amarim*, 13. See also the *Chafetz Chaim* in *Zachor l'Miriam*, chapter 23, s.v. *v'hinei nimtza'im*.

and not because he was compelled. The *Chafetz Chaim* also writes there that smoking costs money. How much does one spend on cigarettes yearly? So in the end, smoking causes a loss in health, money, and *mitzvos* (This is besides the waste of time it causes. If one smokes a half-hour daily, this comes out to be close to 200 hours annually. Imagine how many *mitzvos* one can do with this time!). When one contemplates the damage it causes, it can strengthen him not to accustom himself in this. If he is already accustomed in this, then he should minimize smoking a little each day until he eventually stops completely.

When R' Avigdor Miller (1908-2001) was asked whether smoking was forbidden by the Torah, he cited the Alter of Slobodka who, responding to a query to name the primary *mitzva* of the Torah, replied that the principle *mitzva* is, "Don't be a fool." R' Miller explained: "The first command is to use your head. God gave us brains—we should use them... Anyone who picks up a pack of cigarettes and reads (the notice on the package) of the danger of smoking and disregards it, is a *shoteh gamur*, an absolute fool.

R' Asher Wiess said that in his eyes smoking cigarettes is like eating *nevailos u'teraifos*. R' Menashe Klein<sup>10</sup> (1924-2011) concludes a *teshuva* that there is no reason to make a decree to forbid smoking since *kvar mushba v'omaid mai'har sina*,<sup>11</sup> we stand under oath from the time of the revelation at Har Sinai to fulfill all the *mitzvos*,<sup>12</sup> as the Torah already tells us *v'nishmartem meod l'nafshoseichem*, adding that he would never give a cigarette or even "a light" to anyone, not to transgress *lifnei ivair lo sitein michshol*.<sup>13</sup>

In *Shu"t Asei Lecha Rav*,<sup>14</sup> R' Chaim Dovid HaLevi (1924-1998) prohibits purchasing cigarettes for others, even parents! R' Gershon Edelstein, current Rosh Yeshiva of Ponovitch, remarked that a *Rebbi* or *Maggid Shiur* who smokes cannot set a proper example for his students and shouldn't be teaching.

It is related that Dayan Yisrael Yaakov Fischer<sup>15</sup> (1928-2003), who permitted smoking year-round (including Yom Tov), at the end of his life, when he was dying of lung cancer and the doctor said he has about a month to live, gathered ten men together to publicize in his name that smoking is truly unequivocally forbidden.<sup>16</sup>

R' Shach (1899-2001) who was a heavy smoker stopped smoking immediately when informed by a physician that the practice was dangerous. Similarly, it is also said R' Yaakov Kamenetsky (1891-1986) as well as R' Leib Bakst (1915-2003) quit "cold turkey" after doctors personally explained to them the health risks of smoking.

The Steipler was a heavy smoker until the news came out that it was unhealthy and dangerous whereby he quit smoking. To help him quit, he accepted upon himself, similar to a vow, to first learn two *blatt* of *Mesachta Nedarim* whenever he had an urge to smoke.<sup>17</sup> He would say, "people think I'm a *masmid* but they don't realize I want to smoke."

R' Shlomo Zalman Auerbach (1910-1995) also stopped smoking when he learned that tobacco causes the infamous sickness. R' Shlomo Zalman called on smokers to stop and for those who continued not to do so in public where others could inhale the smoke. R' Shlomo Zalman's proclamation was signed by R' Elyashiv, R' Aharon Leib Shteinman, R' Nissim Karelitz and others.

According to a recent study, smoking kills two-thirds of smokers. Cigarette smoking is responsible for more than 480,000 deaths per year in the United States alone—including more than 41,000 deaths resulting from secondhand smoke exposure. This is about 1,300 deaths every day. Research has shown that each cigarette makes the smoker die 11 minutes earlier. Smokers lose an average of 13-14.5 years of life. People who consistently smoked an average of less than one cigarette per day over their lifetime had a 64% higher risk of earlier death than never-smokers. Those who smoked between one and ten cigarettes a day had an 87% higher risk of earlier death than never-smokers. The World Health Organization (WHO) estimates that tobacco caused 100 million deaths in the 20th century.

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#### Hail

The Gra<sup>18</sup> asks on the phraseology of *את כל מגפתי ברד*, all my plagues only in regard to the plague of ברד, hail?

Hashem punishes in three ways—through *אש*, fire, *מים*, water and *רוח*, wind. This is in accordance with *מהרב ולמחסה* and *וממטר*, from heat (fire) in the daytime as a protection and refuge from the storm (wind) and rain (water).<sup>19</sup> We see this in the beginning of creation as the *דור הפלגה* was punished with wind as this is how they were scattered. *סדום* was punished with fire and the *דור המבול* with water. The plagues were not all carried out in the same way—*דם* and *צפרדע* were with water, *שחין* was with fire<sup>20</sup> and so on. However, ברד had all three as fire and water were mixed together<sup>21</sup> whereas *קולות*<sup>22</sup> refers to the wind. Hence, it says *בב מגפתי ברד*. This is alluded to in *אש מים רוח אמר*<sup>23</sup> which it says by the hail as it stands for *אש מים רוח*.

Rabbi Alt merited to learn under the tutelage of R' Mordechai Friedlander zt"l for close to five years. He received *Semicha* from R' Zalman Nechemia Goldberg zt"l. Rabbi Alt has written on numerous topics for various websites and publications and is the author of the *Sefer, Fascinating Insights: Torah Perspectives on Unique Topics*. His writings inspire people across the spectrum of Jewish observance to live with the vibrancy and beauty of Torah. He lives with his wife and family in a suburb of Yerushalayim where he studies, writes, and teaches. The author is passionate about teaching Jews of all levels of observance.

<sup>17</sup> R' Azriel Hildesheimer (1820-1899) once had to appear before Otto von Bismarck (1815-1898) on *Shabbos* (which didn't involve any *Chillul Shabbos*). Otto von Bismarck showed R' Hildesheimer great respect and offered him a cigar. Although up until that point R' Hildesheimer was a heavy smoker (which wasn't uncommon in those days), he said—after expressing his gratitude for the cigar offer—that he doesn't smoke. From that time onward he quit smoking.

<sup>18</sup> *Peninim Mishulchan HaGra* 9:14.

<sup>19</sup> *Yeshaya* 4:6.

<sup>20</sup> *Shemos* 9:8.

<sup>21</sup> *Shemos* 9:24, Rashi. Indeed, ברד is a contraction of *ב' רד*—two opposites descended.

<sup>22</sup> *Shemos* 9:23.

<sup>23</sup> *Shemos* 9:13.

<sup>10</sup> *Shu"t Mishna Halachos* 18:302.

<sup>11</sup> See *Nedarim* 8a.

<sup>12</sup> The entire Jewish nation, including those unborn, entered a covenant and took an oath at Har Sinai to observe all the Torah's precepts.

<sup>13</sup> *Vayikra* 19:14. The simple meaning of this is, "Don't place a stumbling block in front of a blind person."

<sup>14</sup> 6:58. He was a Sefardi Chief Rabbi of Tel Aviv-Yaffo.

<sup>15</sup> Dayan Fischer who was a close student of R' Isser Zalman Meltzer, was a leading Posek, Av Beis Din of the Eidah Hachareidis and Rav of the Zichron Moshe neighborhood in Yerushalayim.

<sup>16</sup> *Teshuvos V'hanhagos* 3:354.