



Ask The Rabbi...



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This edition contains:

1. *Kippa* – why??
2. Mom, Missionaries, Money and Making Calls.

Dr. David Mitchell at Hebrew University wrote:

"Yasher ko'ach" on your continuing electronic divrei Torah and especially your Wonderful Wry Wrabbinical Written Wit! I looked in the Ask-The-Rabbi index, and didn't see anything on kippot. Would you please write a commentary on kippot, whether it is a law or a custom, the different sizes and why women don't wear them.

Dear Dr. Mitchell,

The wearing of a *kippa* (skullcap) first appears in the Talmud as an act of piety. Another word for *kippa* is *Yarmulke*, which means "awe of the King [G-d]" in Aramaic. This practice is codified in the *Shulchan Aruch* as an obligation at the time of prayer, and as something that one "should do" at other times. Therefore according to the *Shulchan Aruch*, a head cover is a Halacha (Law) during prayer, and an important custom at other times.

However, the Taz (mid 17th century, Eastern Europe) suggests that although a headcovering was originally an act of piety, it gained the status of Torah Law, due to the custom of non-Jews to remove their caps as a sign of honor. Since the Torah prohibits Jews from "going in the ways of non-Jews," one who does not cover his head would therefore be in transgression of a Negative Commandment of the Torah.

Rabbi Moshe Feinstein, in his Responsa, rules that, based on the Taz, one should be stringent. He adds, however, that there are indications that even the Taz might agree that in America [and elsewhere] where it is no longer the way of Gentiles to remove their head coverings as a sign of honor — for the most part they don't even wear head coverings at all — the prohibition against going about with an uncovered head is no longer considered to be a Torah prohibition.

Since one is nonetheless obligated to wear a *kippa*, what does it matter whether it is a custom or a law? It becomes important when we consider the case of someone who is denied work because he wears a *kippa*. The Talmud states that one doesn't need to forfeit more than a fifth of his wealth in order to fulfill a Positive Commandment. Therefore, Rabbi Feinstein writes that since a custom is certainly not more stringent than a Positive Commandment, if a person cannot find work unless he removes his *kippa*, then when he is at work he is permitted to remove his *kippa*. If, on the other hand, not wearing a *kippa* would be a transgression of a Negative Commandment, (like the ruling of the Taz), then removal of the *kippa* for the sake of employment would **not** be sanctioned since one is obligated to forfeit **all** of his wealth rather than to transgress a Negative Commandment.

Keep posted for further discussions on silver-dollar Yarmulkes, black versus knitted, and women & *kippot*.

Sources:

- Kiddushin 31a, & Shabbat 118b.
- *Shulchan Aruch, Orach Chaim* 8 & 92, and Taz.
- Rabbi Moshe Feinstein, *Iggrot Moshe, Orach Chaim*, vols. 1 & 4; & *Choshen Mishpat*, vol. 1.

B. from a college in New Jersey wrote:

My mother belongs to a missionary organization. Recently she contracted with a long distance telephone company to have a percentage of the savings on her long-distance phone bill donated to an elementary school run by the missionary organization. My question is, can I speak to my mother on the phone when she calls me, knowing that as I speak money is clinking into the coffers of a missionizing organization?

Dear B.,

The Torah has very, very, strong words against all forms of missionary activity, and urges that action be taken to stop them if at all possible. I asked Rabbi Chaim Pinchas Scheinberg, *shlita*, about your particular case, which involves the sensitive issue of a child's relationship with his mother, and a basically passive role on behalf of the listener. Nevertheless, he said that it is absolutely forbidden to converse with her on the phone when she calls. Practically, you should call (or write) to your mom and tell her that you cannot receive calls from her while she has this service. If she still calls, then you will unfortunately have to hang up on her. As this is the Halacha, there is no conflict with *kibud av v'em*, (*respect for mother and father*).

However, no need to worry that non-Jews have a monopoly on "interesting" ways of collecting funds. I once heard about a Jew who was walking in an anti-Semitic part of town, where he noticed a poor Jew sitting on a bench holding out a cup asking for charity. On the next bench sat a priest who was asking for charity in the same manner. As locals passed by, they would make a point of putting a penny in the Jew's cup and then a dollar or even five dollars in the cup of the priest, laughing as they walked away. The Jewish man who was watching all of this approached the poor Jew and reproached him, "Don't you have any dignity! Look how they ridicule you! You're not even making any money!"

The poor Jew smiled, called over to the priest sitting on the next bench, and said, "You hear that Berel, this guy thinks we've got it all wrong."

Sources:

- *Devarim* 13:7-12.

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