

# S·E·P·H·A·R·D·I·C HALACHA JOURNAL

Family, Business, & Jewish Life Through the Prism of Halacha



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## LABOR PARTY:

*The Year-End Challenges of a Jew in Office*

Adapted from a Shiur by Rav Yosef Greenwald

Professional party politics, properly played. Thanksgiving opens the American “holiday season,” which culminates in New Year’s Day. For a Jew working in a non-Jewish office, this period often features events and practices that occasion *Halachic* quandaries. Chief among those are office holiday parties and gift exchanges.

We are commanded in the Torah, “Like the deed of the land of Egypt, in which you lived, you shall not do, and like the deed of the land of Canaan, to which I am bringing you, you shall not do, and in their statutes you shall not go.” (VaYikra 18:3)

The prohibition at the end of this *Passuk*—*Uv’Hukotehem Lo Telechu*—prohibits practices in which the nations engage because they are *Ovdei Avoda Zara* – idol worshippers (Tosafot and Ran, Avoda Zara 11). Something that idolaters do for no reason as an expression of their culture, even without a clear *Avoda Zara* connection, is included in the prohibition. Something they do for a non-idolatry reason is not prohibited according to *Maharik* (Rama Y.D. 178), because only when we follow our host culture blindly is there a risk of being drawn after their behavior and morals. Where there is a reason for the activity, we may safely engage in it.

The Gaon of Vilna (ibid.), however, based on *Sanhedrin* 52, forbids understandable practices as well.

To understand the Gaon’s position, it helps to see the *Rambam* (Hil. Avoda Zara 11), who explains the above *Pasuk* together with the *Pasuk*, “and I have distinguished you from

the nations to be Mine” (VaYikra 20:26).

The message, says the *Rambam*, is that a Jew is to be distinct from a gentile in his dress, hairstyle, and deeds just as in his views. This, the *Rambam* implies, is a desired end in itself for Hashem’s ambassadors to the world, quite apart from the fear of adverse influence. This buttresses the Gaon’s position.

*Hachamim* forbade a host of foods and activities *Mishum Hatnut* – to prevent intermarriage. Where our *Galut* hosts welcome us and we mingle with them freely in social settings, intermarriage is the logical result. In this country, the most kind and welcoming in our long history of exile, the vast majority of those Jews that don’t subscribe to these *Halachic* constraints have intermarried.

If one works in a non-Jewish office, may he participate in an office gift exchange program?

The Christmas holiday is associated with Christianity, which most *Poskim* hold to be idolatry. If the gift exchange takes place at a holiday-themed party with a red and green motif, a tree, and the singing of carols, there is a clear *Avoda Zara* association. Participation in that ceremony is *Assur Min HaTorah*, so one must find a way to absent himself, but he may leave a gift on the assigned co-worker’s desk with an appreciative note.

To give or receive a gift *B’Yom Edam*, on the actual *Avoda Zara* holiday, is forbidden. The *Terumat HaDeshen* and other *Rishonim* state that the *Issur* to do so within three days of the holiday applied only in an earlier time when the gentiles clung more fervidly to their deities. In America today, the culture is generally more secular and less devout. But on December 25 itself, gift giving is to be avoided (*Poskim* citing Or Zarua), though it might be permitted where required *Mishum Eiva*, to

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Notes from a Parasha & Halacha Shiur on Parashat Shemot by Rabbi Yehoshua Sova

### TAINTED MILK

*Drinking milk from improper sources*

In our Parasha, Batya, daughter of Pharaoh, finds Moshe and asks his sister whether she should fetch an Egyptian nursemaid for him, to which the sister refuses. The Midrash writes that the reason she refused was because Moshe Rabbeinu would grow up and speak to the Shechina, and it is inappropriate that he nurses from a non-Jewish source.

Nevertheless, Maran writes that since we must always be concerned with a child’s physical well-being, we shouldn’t prevent him from drinking or eating what he needs. Still, the *Gemara* in *Sanhedrin* writes that eating non-kosher can cause someone to have an impure nature.

[The *Maharsha* even writes that it may implant murderous tendencies in the person, perhaps because eating something as a predator is murderous behavior unless it is done in the proper way, in which case it brings purity and holiness.]

The *Rishonim* discuss why nursing from non-Jewish milk should be

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### spotlight

Bet HaVaad  
beginning Business  
Halacha Series for Lawyers

Who is considered the *Muhzak* on funds in escrow?

These and other real estate questions are the focus of the upcoming Bet HaVaad series for lawyers entitled *Common Pitfalls in the Lifecycle of Real Estate Transactions*. Lawyers earn their CLE’s while expanding their knowledge of business Halacha.

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avert enmity (see *Avoda Zara* 6b).

Lawyers and accountants often receive gifts of non-kosher wine from clients. We treat gentile wine, *S'tam Yenam*, as an *Issur Hana'a* (forbidden to benefit from) so one cannot pass these along to his secretary, because he would benefit from the goodwill that he created. He may, however, tell her to keep any such gifts that may arrive without showing them to him.

As *Hachamim* teach us (*Sanhedrin* 103b), drinking alcohol together has the power to bring people closer. It is forbidden, for this reason, to share a drink with a non-Jew. However, this is permitted (*Shulhan Aruch* Y.D. 114) if it is

*Derech Akrai* (by happenstance) and *Arai* (not in a fixed manner). Drinking at a party would be a violation. One may drink a nonalcoholic beverage.

There is also a prohibition (ibid. 152) to eat at a celebratory gentile feast, like a wedding. Even eating your own food, sitting alone, at such an event is forbidden by *Maran* in *Bet Yosef*, though permitted by the *Rambam*. A holiday party in a gentile office would seem to qualify as celebratory, so one should not eat with them. One may, however, attend, circulate, and engage in conversation.

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avoided. The Ritva says that since the food that the nurse consumes is

non-kosher it transfers over to the child. However, the Rashba and the Meiri write that it is the person who is the source of the milk that is a problem. This would explain the story in the Talmud in which Rabbenu HaKadosh, author of the Mishna, and Antoninus, the Roman emperor, were switched when they were babies for a bit. Baby Antoninus nursed from the mother of Rabbenu HaKadosh, and he grew up to become close to Torah, study with Rabbenu HaKadosh and eventually convert. This, according to the Rashba and Meiri, can be attributed to his nursing from a holy person.

The Halachic difference between these two opinions is if a non-Jewish nurse would only eat kosher. According to the Ritva that would

not be a problem, however, according to the Ritva and the Meiri it would still be a problem. Similarly, if a Jewish woman does not keep kosher *rich*l, according to the Ritva that would be a problem and not according to the Rashba and the Meiri.

The Helkat Yaakov writes, based on the Rashba and the Meiri, writes that one shouldn't receive a blood transfusion from an improper source (if possible).

The Ohel Moshe writes in the name of Rav Shach, that although the story about Moshe Rabbenu should be an exception because he was destined to become the greatest prophet, nevertheless, we should treat every child as though he is destined for the greatest heights.

Hacham Ovadia writes, that one who forgot that they just ate meat, and mistakenly made a Beracha on a dairy item, may take a small bite or sip of it so that the Beracha



מסכת חולין

## This Week's Topics

RAV AVRAHAM YESHAYA COHEN

ROSH KOLLEL OF KOLLEL OHEL YITZCHOK OF LAKEWOOD

RAV ELIEZER COHEN

ROV OF BAIS MEDRASH TIFERES ELIEZER

RAV YOSEF GREENWALD

DAYAN, BAIS HAVAAD YERUSHALAYIM

דף ל"א IMMERSION WITH INTENTION

דף ל"ב MOSTLY SHECHTED

דף ל"ג KOSHER, FOR A NON-JEW

דף ל"ד FOOD IMPURITY

דף ל"ה FOOD MEASURES: ACHILA VS. TUM'A

דף ל"ו UNDERSTANDING KABBALAS TUMA

דף ל"ז THE POWER OF THOUGHT & SPEECH

shouldn't be in vain, since the item is not intrinsically not kosher.

## EVENTS AT THE BET HAVAAD

week for the annual Business Halacha Summit in Chicago. This prestigious event leading into the Midwest Agudah Convention, addresses the most pressing challenges facing today's halachic business world with practical solutions and halachic perspectives.

The Bet HaVaad's Rabbi Dovid Grossman, shlit"a, was one of the featured speakers at the event, presenting a shiur entitled: *Hilchos Shabbat: The Ins and Outs of Making Your Business 'Shabbat Compliant'*

*Bet HaVaad to present at upcoming Business Halacha Summit*

Business leaders and Poskim gathered this

week for the annual Business Halacha Summit in Chicago. This prestigious event leading into the Midwest Agudah Convention, addresses the most pressing challenges facing today's halachic business world with practical solutions and halachic perspectives.

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