נתינת פת למי שלא יברך

ו. לא יתן לאכול אלא למי שיודע בו שיברך [ש"ע סי' קסט ס"ב] משום "לפני עור לא תתן מכשול" [רמ"א סו"ס קסג]. **ואף** במקום מצות צדקה, לדעת מרן הבית יוסף אסור ליתן לו. ויש מקילים כשאינו יודע אם יברך, משום דלא מפקעינן מצות צדקה בשביל חשש שמא לא יברך. ואף לדעה זו, אם יודע בודאי שלא יברך אסור ליתן לו אף בתורת צדקה. [משנ"ב ס"ק יא, כה"ח ס"ק טו]

ז. אם בא לביתו אורח נכבד שאינו שומר תורה ומצוות, אבל מוקיר את התורה ולומדיה, ואם לא יכבדו באיזה כיבוד יגרום הדבר שהאורח ישנא את לומדי התורה, ואם יבקש ממנו לברך או ליטול ידיו יפגע ויבוא לידי שנאת שומרי התורה, יש להקל ליתן לפניו כיבוד מאכל ומשקה. ואם אפשר יאמר לו

Day 23

Serving Bread to Someone Who Will Not Recite the Blessing

If a guest does not recite blessings

6) It is permitted to give food to others only if one can assume that they will recite the proper blessings when they eat it. Otherwise, one is guilty of giving them an opportunity to sin. According to Maran in the *Bet Yosef*, it is forbidden to give food to someone who will not recite blessings even when the recipient is poor and is begging for charity. Other *Poskim* are lenient in this case as long as one is not certain that the beggar will not recite blessings. They reason that it is wrong to abstain from performing a mitzvah of giving charity just because one thinks that the beggar will refuse to recite blessings. If one is certain that the beggar will not recite the blessings, however, all the *Poskim* agreed that it is forbidden to give him food.[264]

A distinguished guest

7) If someone entertains a distinguished guest who is a nonobservant Jew but who respects the Torah and Torah scholars, there is a basis to permit the host to serve him refreshments. If the host will not serve anything, the guest might

264. This is based on the passage in *Hullin* (107b) stating that it is forbidden to give a piece of bread to the steward unless it is known that he performed the mitzvah of *netillat yadayim*. Rabbenu Yona (commentary to *Berakhot* 42a) cited some *Rishonim* who derived from this that it is incorrect to give food to others unless one knows that they will recite the proper blessings. He added that if one's intention is to fulfill the mitzvah of giving charity it is permitted even if one does not know whether or not the recipient will recite the blessings. Maran in the *Bet Yosef* disagreed with this leniency, arguing that giving a portion to the steward is likewise a mitzvah and yet the Talmud states that it is forbidden to give him anything unless it is known that he has performed *netillat yadayim*.

According to Maran, therefore, it is forbidden even when one's intention is to fulfill the mitzvah of giving charity, and this is his ruling in the *Shulhan Arukh* (169b). Rama, however, cited the opinion of those who permit it if one's intention is to fulfill the mitzvah of giving charity. The *Aharonim* commented that even according to Rama it is permitted only when the beggar might be a person who recites blessings. If one is sure that he will not recite the blessings, even Rama agreed that it is forbidden to give him food. See the *Mishna Berura* (169:11) and the *Kaf Hahayim* Sofer (169:15).

The *Mishna Berura* added that this halakha applies only when the beggar refuses to recite blessings because he does not to fulfill the mitzvot. If he was never educated to recite blessings, however, it is permissible to fulfill the mitzvah of giving food to him as charity. The *Kaf Hahayim* likewise cited this opinion, but he concluded that it appears from the majority of *Poskim* that it is forbidden to give food to a beggar who will definitely not recite the blessings, regardless of his reason. If someone must give him something, he should give him a food that does not necessitate *netillat yadayim* or *Birkat Hamazon*.

שיכוין לברכת המוציא שבעל הבית מברך, וכן לברכת המזון, ויצא ידי חובה מדין שומע כעונה. [שו"ת מנחת שלמה ח"א ר"ס לה, ילקו"י עמ' צא ועמ' קלט]

ח. מותר לבעלי חנויות למכור מאכל ומשקה לכל הבא אליהם, אף שבאים כמה אנשים שאוכלים בלא נטילת ידים ובלא ברכת המוציא. [כה"ח סי' קסג ס"ק טו"ב עפ"ד השדי חמד בשם האחרון]. ובכלל זה שמותר

change his attitude and no longer respect Torah scholars. If possible, the host should at least suggest to his guest to listen as he recites the blessing of *hamotzi* before the meal and to *Birkat Hamazon* afterward and fulfill the mitzvah in that way.[265]

Grocers

8) Grocers may sell food and beverages to all customers, even to those whom he is sure will eat it without performing *netillat yadayim* and without reciting the blessing of *hamotzi*. Likewise, it is permissible to install vending machines that

265. To avoid giving a bad impression about observant Jews

Harav Shelomo Zalman Auerbach (responsa *Minhat Shelomo* Vol. I, #35) wrote that if someone is visited by a distinguished nonobservant guest who respects Torah scholars and supports Torah institutions, it is sometimes permissible to serve him refreshments even though the guest will not recite any blessings. If the host will not treat him with the accepted standard of serving refreshments, the guest might become insulted. In fact, he might become insulted even if he is served refreshments and asked to recite the appropriate blessings. He might become angry and distance himself even further from the world of Torah. Furthermore, this might cause him to hate all observant Jews. Therefore, it is permissible to serve him refreshments and ignore the fact that he does not recite the blessings. The host will not be guilty of causing his guest to sin because by serving him the host prevents him from committing even greater sins.

Harav Yosef Shalom Elyashiv (cited in responsa *Avne Yashefe* Vol. I, #111:3) suggested that whenever someone entertains a guest who does not recite blessings, the host should offer to recite the blessings out loud so that the guest can fulfill the mitzvah effortlessly by listening to him. Although it is likely that the guest will not listen attentively to the blessings, the host will have done his part and he may then serve his guest. If the guest refuses to fulfill the mitzvah in this manner, however, he may not be served.

The author of *Avne Yashefe* then pointed out that according to Rav Auerbach it will be permissible to serve him in any case in order to prevent the guest from becoming angry and hateful. He added that it is permissible to invite nonobservant people to a wedding celebration since it is possible that they will come for the ceremony only and not stay for the meal. Even if they do take food, the host may assume that these people did perform *netillat yadayim* and recite the blessings like everyone else since it is embarrassing to demonstrate that one does not observe the mitzvot. It is not the host's responsibility to keep tabs on every guest's behavior.

Harav Yaakov Yisrael Kanyevski (*Karyana De'igarta* Vol. I, #141) suggested likewise that a host should recite the blessings out loud if there are guests who might not recite the blessings for themselves. Although the guest might not think, *I have intentions to fulfill the mitzvah of the blessing by listening to my host*, he probably does realize that the host is reciting the blessing on his behalf. It is possible that this realization is good enough.

The *Yalkut Yosef* (Vol. III, page 91) likewise wrote that the host should inform his guests that he is reciting the blessings on their behalf. For Sefardic Jews, this should not be an option since Maran ruled that it is forbidden to serve food to someone unless one knows for sure that the guest will recite the proper blessings. Even so, Maran would probably agree that it is permitted when the alternative is that the guest will come to hate all observant Jews. See the *Kaf Hahayim* Sofer (169:11) and the *Halakha Berura* (*Birur Halakha* 169:4).

Hosting nonobservant Jews to introduce them to Torah

The responsa *Shevet Hakehati* (Vol. IV, #329) ruled that it is permissible to invite nonobservant Jews for Shabbat meals in order to introduce them to Torah life even though the host knows that they will not perform the mitzvot of *netillat yadayim* or of reciting the blessings. In fact, it is commendable to invite them. After all, the host cannot say for sure that the guest will refuse to perform these mitzvot, and the host can recite all the blessings out loud on their behalf. See more about this in responsa *Shevet Halevi* (Vol.

להעמיד מכונות אוטומאטיות למכירת מאכל ומשקה במקומות שיקנו שם אנשים שאינם מברכים.

[שו"ת אמרי דוד סי' קנז]

dispense food or beverages even though it is certain that many of the customers will not recite blessings when partaking of the products.[266]

IV, #17) and *Teshuvot Vehanhagot* (Vol. I, #483; Vol. II, #138).

Business partners

The responsa *Igrot Moshe* (Vol. V, #13:6) discussed the issue of someone whose business partner was a nonobservant Jew and it was often necessary to serve refreshments to him in order to maintain good relations. He concluded that this is permissible since it would otherwise cause a desecration of the Torah – the partner would complain that observant Jews have no manners and behave ignobly. Certainly, it is necessary to serve refreshments when the partners first meet and establish a relationship. At that time, he should mention to his potential partner that the halakha requires us to recite blessings. If he serves bread, he should explain to him that we are obligated to perform *netillat yadayim*. If he refuses to do these things, the host should ignore it. The next time they meet, however, he can explain to him gently that he is not able to serve any refreshments since they are both Jews and are bound by the same Authority to fulfill the mitzvot.

Apparently, in the cased discussed by the *Igrot Moshe* there was no fear that this policy would espouse hatred for Torah and Torah Jews. If such a possibility exists, one may rely on the ruling of Rav Auerbach.

Risking one's livelihood

Someone once approached Harav Yosef Shalom Elyashiv and explained that he was employed in a company among many nonobservant employees. Often, his superior orders him to serve refreshments to all the employees. He asked whether he must comply, since many of the employees would not recite the blessings. Rav Elyashiv replied that he must refuse to contribute to others' sins. If there is any danger that he would be fired for refusing, however, he may comply. In this case, he is probably not really guilty of causing others to sin, since even if he did not serve the others, another employee would. This is found in *Kovetz Teshuvot* (Vol. I, #20).

266. The *Mishna Berura* (*Bi'ur Halakha Siman* 163) deduced from Rama that although it is forbidden to give food to someone who refuses to perform *netillat yadayim*, that is only if the recipient is about to eat it at this time. If the recipient is going to take the food home it is permitted. Perhaps he will perform the mitzvah when he decides to eat it.

Based on this, it is permissible for a grocer to sell food to nonobservant customers. What about customers in a restaurant who plan to eat upon receiving their food?

The *Torat Hesed* of Lublin (#5, cited in the *Sede Hemed ma'arekhet vav* #19 and in the *Kaf Hahayim* Sofer 163:17) ruled that this is likewise permissible. The mitzvot of *netillat yadayim* and of reciting blessings are rabbinical institutions, not Torah mitzvot. A number of *Rishonim* ruled that the prohibition of causing others to sin applies to Torah mitzvot only. Furthermore, if one restaurateur would refuse to serve these people, another restaurateur would serve them. Therefore, there is no sin of *lifne iver*, causing them to sin, only the sin of *mesayeya*, making it easier. Since this sin is the failure to fulfill a rabbinical institution, we can argue that there is no sin to make it easier.

The responsa *Shevet Halevi* (Vol. I, #37) suggested that these rules apply to a host serving food but it is permissible to sell food to a nonobservant Jew. The *Piske Teshuvot* (page 476) suggested that, based on this, it is permissible for hotel keepers, restaurateurs and caterers to serve nonobservant clients. After all, if they would not use this establishment they would use another one. Since they are paying for the services, there is no sin at all in serving them.

Vending machines

Based on the above discussion, we may deduce that it is permissible to distribute vending machines that dispense food and beverages. The same logic applies – if the people would not get their food here they would get it from somewhere else. The responsa *Imre David* Horowitz (#157) added another dimension for leniency, since the customer serves himself in this case.

The *Hazon Ish* was once asked whether it is permissible to run a stand selling refreshments where many customers would eat the food without reciting the blessings. He replied that the vendor should set up a large placard with the words of the blessing and then he could sell his goods to everyone. This is recorded in *sefer Ma'ase Ish* (page 34). The *Piske Teshuvot* (footnote on page 476) suggested that the sign include the *berakha aharona*. According to this, such signs should be placed on the vending machines as well.

Preface Proper Conduct During Meals

The Sanctity of the Act of Eating and the Dining Table

Our Sages taught us many things about eating properly and what foods to eat. The essence of these instructions is that eating is a sacred act. Our Sages taught (*Avot* 3:3) that when people sit at the table and discuss Torah topics, it is as if they have eaten from God's Table. This is an indicator of the potential sanctity of a meal.

Maran wrote in the *Shulhan Arukh* (167:5) that one's dining table is likened to the Altar and the meal one eats is likened to a sacrifice. Our Sages taught (*Berakhot* 55a; cited above in the footnote to *Siman* 167:15) that when the *Bet Hamikdash* stood it atoned for our sins, but in our times each person's table atones for him. The *Mishna Berura* (167:30) explained that this atonement is achieved through using the table to share one's food with poor people. In the *Sha'ar Hatziyun* he added that atonement can be achieved through discussing Torah topics during the meal. Since the dining table is likened to the Altar, some *Aharonim* ruled that it is forbidden to kill a louse on the table. The *Be'er Hetev* (167:12) added a practice of piety that because of the dining table's sanctity a tablecloth should be spread over it.

The *Shene Luhot Haberit* (Unit *Ha'otiyot*, entry *Kedusha*, page 53c) wrote: "In my youth, I studied Torah under the great and pious Rav Shelomo. When I took leave of him to go to my wedding, I asked him to bless me and give me instructions. He said, 'You should sanctify yourself in two ways, your eating and your marital relations. Be very careful to distance yourself from any food or marital act that has any chance of being forbidden, and you will sanctify yourself through these activities. The other mitzvot of the Torah do not make such a physical impression on a person, but the acts of eating and marital relations maintain man's physical existence. Therefore, the impression they make is long lasting.' "

The *Ben Ish Hai* (Year II *parashat Bereshit*) taught that these concepts are alluded to in the words of the halakha of *en kiddush ela bemakom se'uda*. The plain meaning of these words is that one can fulfill the mitzvah of kiddush only in the place where one eats a meal, but one might also

interpret the words as, ''One finds sanctity only in the area of eating meals.'' In another passage, the *Shene Luhot Haberit* wrote (comments to *parashat Ekev*) that when someone sanctifies the manner of his eating he becomes akin to the angels. See more about this topic in the *sefer Zekhut Yitzhak* Sofer (#5).

Harav HIDA (*sefer Simhat Haregel* Unit 3, page 21) wrote: ''I heard from reliable sources that during the time when the holy Rav Yosef Kobo served as rabbi of Salonika, there was a rumor that a simple and unlearned man began to display his powers of uncovering secret information. Several of the rabbis of the city went to witness this for themselves and they verified that this was the case. They could not understand how this unlearned person had become so powerful spiritually, and they consulted with Rav Yosef. He told them to go and investigate the manner in which this person eats and drinks. They did so and returned with the report that this person eats far more than the average person at each meal. 'If so,' Rav Yosef ruled, 'there is no reason to investigate him any further. By this very act he has shown that he has become possessed by evil powers.'

The holy *Zohar* (Vol. II, page 168b) states this concept that overeating causes one to be possessed by the satanic powers of evil, as shown in *sefer Kerem Yaakov* (page 87). The verse (*Mishlei* 13:25), ''A tzaddik eats to satisfy his soul, but the belly of the wicked is lacking,'' likewise alludes to this. The Hebrew word for belly – *beten* – has the same numerical value (61) as the word *tum'a* – spiritual impurity. The *tum'a* of the wicked is displayed by their habit of always feeling that they are lacking, as if they have not eaten their fill.

In today's modern world of instant pleasures, it is difficult to conceive of abstaining from eating until completely full and demanding that the food be delectable and aromatic, pleasing to the eye and palate. We are surrounded with advertisements for foods and restaurants, while new cookbooks tantalize the mind with blown-up pictures of delicacies of all types. Nevertheless, it is worthwhile to at least be aware of the standards of sanctity dictated by our Sages through the generations.

Behaving Respectfully During Meals

The *Hemdat Yamim* (Unit *Yamim Nora'im* chapter 3) related that the departed soul of a great Torah scholar once appeared to Harav Hayim Vital and told him that in Heaven a decree had been issued to strike the Jewish community of Damascus with a deadly plague. He urged Rav Hayim, who lived at that time in Damascus, to inspire the people to repent for their sins and cancel the evil decree. Rav Hayim then asked the messenger, ''Who should I ask to fast and pray on the community's behalf? Who is great enough to influence the Heavenly Court?''