



# Ask The Rabbi

Researched at Ohr Somayach, Jerusalem

## This Issue Contains:

1. Adopt and Multiply
2. Chicken Scoop
3. Yiddle Riddle



TANENBAUM COLLEGE  
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[name withheld] wrote:

Thank you for "Ask the Rabbi #79" about *p'ru u'rvu* (the mitzvah of having children). I'd like to ask a follow-up question. We have not been able to have biological children after 28 years of marriage, numerous state-of-the-art fertility treatments, and observance of Taharat Mishpaha (family purity). We received blessings from several rebbes, and have checked our mezuzot and tefillin more often than necessary. We have two adopted sons who bring us much joy. My question is this: Have we, or have we not fulfilled this mitzvah? If not, how can we? Another question: Since my husband is a Levi, how is our bar mitzvah-age son to be called up to the Torah? And my husband refuses to wash the hands of the Kohanim because he says it would hurt our son's feelings, since he cannot go up with him while all the other sons go up with their fathers. Is this OK, or is there some other way of dealing with it?

Dear [name withheld],

I spoke to Rabbi Chaim Pinchas Scheinberg, *shlita*, about your situation. He cited Rabbi Shlomo Kluger's commentary to the Shulchan Aruch, which presents a viewpoint that you can in fact fulfill the mitzvah of *p'ru u'rvu* by raising a boy and a girl who are not your biological children. This is based on the Talmudic statement "One who raises his neighbor's child is as if he gave birth to him."

In another vein, Rabbi Moshe Feinstein *zt"l* writes that the mitzvah of *p'ru u'rvu* is to **try** to have children. He reasons that the Torah would not obligate you to **actually** have children, since that is something out of your control.

As far as washing the hands of the Kohanim, Rabbi Scheinberg said that your son is actually **allowed** to do so.

When your son is called to the Torah, the name of his biological father should be used — if the father was Jewish. If you don't know the biological father's name, he should be called to the Torah as '*so-and-so ben* (son of) *Avraham Avinu*.' However, if this causes any **embarrassment** whatsoever, the name should be said quietly. If this still causes embarrassment, or in a case where the child does not yet know he's adopted, he can be called by the name of the adoptive father. Still, he shouldn't be called to the Torah as a Levi. A clever way to de-emphasize his 'non-Levi' status is to call him for '*Maftir*' — something that applies to Levi and non-Levi alike!

### Sources:

- Shulchan Aruch Even Haezer 1 and Chochmat Shlomo.
- Igrot Moshe Even Haezer 2:18.
- Shulchan Aruch O.C. 128 Baer Hativ 8.
- Sanhedrin 19b, Yalkut Yosef vol. 2 135-8.

George Kelly from

<gkelley@mail.gac.peachnet.edu> wrote:

In Ki Teitzei (Deut. 22:6-7) it says that before taking the eggs from a nest, there's a mitzvah to send away the mother bird. How do we get eggs today from a hen house? Are the chickens removed? If not are the eggs still kosher?

Dear George,

This mitzvah doesn't apply to farm eggs. The Torah says "When you chance upon a bird's nest along the road...and the mother is nesting on the eggs or on the young...don't take the mother with the young; send away the mother..." From the phrase 'when you chance upon,' the Talmud derives that this mitzvah applies only to birds and eggs that you '**chance upon**,' but does not apply to those that you own.

If, however, there would be an ownerless chicken nesting in the wild, the mitzvah applies. And, in such a case, if someone took the eggs without first sending away the mother, the eggs are nevertheless *Kosher*.

One day last spring while I was lowering the canvas awning over our balcony, a bird's nest fell out and eggs broke all over the place! The next day, birds were at it again, building their nest in the exact same place. This time I removed the nest carefully without breaking the eggs. But, alas, the mitzvah of sending away the mother didn't apply: Since the nest was on my property, this was not a nest of eggs that I 'chanced upon.'

Which reminds me: Why didn't the egg lend any money to the man? 'Cause it was broke.

### Source:

- Shulchan Aruch Yoreh Deah 292:2.

## Yiddle Riddle

"*B'yomo titen scharo*" — "pay him on that day" — is the Torah command to pay your worker on time (Deut. 24:15). For example, a day-worker (whose work period ends with the onset of night) must be paid sometime during that night, whereas a night-worker must be paid during the following daylight hours. **Is this one of the "time bound" mitzvot — like Sukka and Tefillin — from which women are exempt? If not, why not?**

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