

HALACHICALLY SPEAKING

Volume 16 Issue 7



{ TOPIC }

Leaving Eretz Yisrael



SPONSORED BY:

K

KOF-K KOSHER SUPERVISION

Compiled by
Rabbi Moishe Dovid Lebovits

Website Management and Emails:
Heshy Blaustein



לז"נ
ר' שלמה בן פנחס ע"ה

לז"נ
יחזקאל שרגא ע"ה
בן בל"ח אברהם יהודה נ"י

SPONSORED:
לז"נ מרת רחל בת אליעזר ע"ה

SPONSORED:
לעילוי נשמת
מרת בריינדל חנה ע"ה
בת ר' חיים אריה יבלח"ט גערשטנער

Design by: 
vividesign

SRULY PERL 845.694.7186

**SUBSCRIBE
FOR FREE**

and view archives @

www.thehalacha.com



HALACHICALLY SPEAKING

HALACHICALLY SPEAKING

► Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former *chaver kollel* of Yeshiva Torah Vodaath and a *musmach* of Harav Yisroel Belsky Shlita. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of Harav Yisroel Belsky, Shlita on current issues.

WHERE TO SEE HALACHICALLY SPEAKING

► Halachically Speaking is distributed to many shuls. It can be seen in Flatbush, Lakewood, Five Towns, Far Rockaway, and Queens, The Flatbush Jewish Journal, baltimorejewishlife.com, The Jewish Home, chazaq.org, and frumtoronto.com. It is sent via email to subscribers across the world.

To sponsor an issue please call

718-744-4360

© Copyright 2020
by Halachically Speaking

Leaving Eretz Yisrael

Most people know that according to many *poskim*, there is a mitzvah to **live** in Eretz Yisrael.¹ What is less known is that one is forbidden to **leave** Eretz Yisrael. If this is true, why do so many people travel from Eretz Yisrael to America and other countries to collect money, get married, go touring, and so on? What is the reason for the *issur*, and what are the exceptions? We will discuss these questions in this article.

Sources

The Gemara² says that one is not allowed to leave Eretz Yisrael for *chutz la'aretz* unless wheat is expensive.³ The Tosefta⁴ says that one who leaves Eretz Yisrael to travel to *chutz la'aretz* is like an idol worshiper. This halachah is brought in the *poskim* as well.⁵

When certain Rabbis escorted their colleagues out of Eretz Yisrael, they would not go past Akko since they were

1 See *Yechaveh Daas* 4:49, 5:57. Refer to *Igros Moshe*, E.H. 1:102.

2 *Maseches Bava Basra* 91a. Refer to *Igros Moshe* ibid.

3 See *Maseches Kesuvos* 111a.

4 *Maseches Avodah Zarah* 5. Refer to *Maseches Kesuvos* 110b. See *Yechaveh Daas* 5:57.

5 *Rambam*, *Hilchos Melachim* 5:9, *Kol Bo* 127, *Shulchan Aruch* 531:4, *Y.D.* 267:84, 369:1. See *Halichos Shlomo Tefillah* 10:footnote 12. For a discussion on this topic see *Mitzvos Ha'aretz K'hilchasan* pages 304-319. This applies to women as well (*Rambam*, *Hilchos Melachim* 5:9). In regards to Yaakov Avinu leaving Eretz Yisrael see *Shu"t Eretz Yisrael* pages 410-411.

not allowed to leave Eretz Yisrael.⁶ The Rambam⁷ says it is permitted to leave any other place in the world.

Living in Eretz Yisrael vs. Visiting

This entire discussion is related only to one who lives in Eretz Yisrael and wishes to leave to *chutz la'aretz*. However, it does not apply to one who comes to visit Eretz Yisrael to learn Torah, vacation, and so on.⁸

Reason for Prohibition

The Rashbam⁹ says the reason for this *issur* is that one who leaves Eretz Yisrael does not have the ability to do the mitzvos that are performed in Eretz Yisrael.

The Ramban¹⁰ says the reason one may not leave Eretz Yisrael is because there is a mitzvah to live there.

Eretz Yisrael should not be empty of people davening for Klal Yisrael, since there is a better chance of *tefillos* being answered in Eretz Yisrael.¹¹

Learning Torah

One who wishes to leave Eretz Yisrael to learn Torah is permitted, but only on condition that he return to Eretz Yisrael.¹²

If one wishes to be a rebbi in *chutz la'aretz* he may do so as long as he returns.¹³

6 *Maseches Gittin* 76b. See Rashi, "ki."

7 *Hilchos Melachim* 5:7.

8 *Ritvah*, *Maseches* 76b. See Maharitz 85.

9 *Maseches Bava Basra* 91, "ein."

10 *Bamidbar* 33:53.

11 Refer to Chochmas Adam in *Shaar Mishpat* 11:14.

12 *Maseches Avodah Zarah* 13a, *Rambam*, *Hilchos Melachim* 5:9, *Kesef Mishneh*, *Avel* 3:14. See *Shulchan Aruch*, *Y.D.* 372:1. Refer to *Torah Shebe'al Peh* 11:pages 69-76.

13 *Yechaveh Daas* 5:57. See *Teshuvos V'hanhagos* 1:843, *Ohalecha B'amitecha* 49:9.

Marriage

One who wishes to leave Eretz Yisrael in order to get married may do so as long as he returns.¹⁴

This is even if one can find a suitable wife in Eretz Yisrael but he wishes to marry a different woman in *chutz la'aretz*.¹⁵

A woman is also allowed to leave Eretz Yisrael to find a man to marry in *chutz la'aretz*, but she must return to Eretz Yisrael.¹⁶

Parents are permitted to leave Eretz Yisrael in order to search for a *shidduch* for their child in *chutz la'aretz*.¹⁷

Leaving for Business

One who does not have a way to support his family in Eretz Yisrael may leave in order to support his family, as long as he returns.¹⁸ The *poskim* mention that one is not allowed to leave permanently to *chutz la'aretz* even for business purposes. However, if one is not able to find a job to support himself and his family in Eretz Yisrael, then he may move to *chutz la'aretz*.¹⁹

Leaving to Tour

One should not leave Eretz Yisrael in order to tour other countries.²⁰ However, visiting a friend is permitted since it is

14 *Maseches Avodah Zarah* 13a, *Rambam, Hilchos Melachim* 5:9, *Avel* 3:14, *Radvaz, Hilchos Melachim* 5:7, *Yechaveh Daas* 5:57. See *Shulchan Aruch, Y.D.* 372:1. There is a discussion in *Mitzvos Ha'aretz K'hilchasan* pages 308-310 if in this situation one may remain in *Chutz La'etz*.

15 See *Shulchan Haezer* 2:page 134, *Yismach Lev* 1:page 24:34. Refer to *Sdei Chemed Mareches Eretz Yisrael* 2, page 1358.

16 *Tzitz Eliezer* 10:42, 11:31.

17 *Yufei Leleiv* 4: E.H. 1, *kuntres acharon*.

18 *Rambam, Hilchos Melachim* 5:9, *Yom Tov* 7:18, *Radvaz, Hilchos Melachim* 5:7.

19 *Chochmas Adam* in *Shaar Mishpatei Ha'aretz* 11:4. See *Yechaveh Daas* 5:57.

20 *Shulchan Aruch* 531:4, *Mishnah Berurah* 14, *Aruch Hashulchan* 5. See *Maseches Moed Katan* 14a, *Rosh* 3:1.

a mitzvah.²¹ If one wishes to leave Eretz Yisroel to go see the wonders of the world, it may be permitted. Perhaps seeing Hashem's world can be considered a mitzvah.²² Others are not convinced that one is permitted to leave Eretz Yisrael for vacation or tours.²³

There is a discussion if leaving Eretz Yisrael to visit the locations of the concentration camps during the Holocaust should be allowed.²⁴

Honoring Parents

The Gemara²⁵ asks if one is allowed to leave Eretz Yisrael in order to perform the mitzvah of *kibbud av v'eim*. The answer is that one may do so,²⁶ as long as he returns.²⁷

A very common question arises when one chooses to live in Eretz Yisrael and his parents are in *chutz la'aretz*. If they request that he move back to *chutz la'aretz*, does he have to listen to them?

Honoring one's parents is a great mitzvah. However, one does not have to listen to them in a situation where they are telling him not to live in Eretz Yisrael, which, according to many, is a mitzvah.²⁸ However, if they ask him to come to

21 Magen Avraham 531:7, Mishnah Berurah 14. See Pri Megadim Eishel Avraham 531:7.

22 Shevet Halevi 5:173. See Shila D'kaita 19. Refer to Techumin 20:pages 399-405, 407-411. See also Techumin 9, pages 257-265, Shu"t Eretz Yisrael page 379.

23 Be'er Moshe 7:page 235, Yechaveh Daas 5:57, Sheilas Shlomo 4:245, Shu"t Eretz Yisrael pages 377-378, 382, Asei Lecha Rav 8:49, Mishpat Kohen 147. Refer to Halichos Shlomo Tefillah 23:footnote 16.

24 Shu"t Eretz Yisrael page 392-395; Sheilas Shlomo 3:309, 4, 245,247.

25 Maseches Kiddushin 31b.

26 See Meiri, Maseches Kiddushin 31b, Minchas Chinuch 212.

27 Refer to Maharsha, Maseches Kiddushin 31b, Minchas Chinuch 212:1.

28 Yechaveh Daas 4:49.

chutz la'aretz for a visit, then one is allowed to do so since he will return to Eretz Yisrael.²⁹

Other Mitzvos

We mentioned a few examples where one may leave Eretz Yisrael as long as he returns. Are these the only examples or are there are instances where one may leave as well? Some maintain that one may leave only to get married, for business and to learn Torah,³⁰ while others say it means that one may leave for other mitzvos as well.³¹

One is allowed to leave Eretz Yisrael to daven at graves of people in *chutz la'aretz*.³²

A person who is ill and needs the help of doctors in *chutz la'aretz* may leave as long as he returns.

Pious Act

Although we mentioned above that one may leave in certain instances as long as he returns, it is a pious act not

29 *Ohalecha Bamitecha* 49:3:footnote 4. However, some caution if one is doing so to tour but spends a few minutes with their parents then this should not be done (*Shu"t Eretz Yisrael* page 376).

30 *Tosafos, Maseches Avodah Zarah* 13a, "lilmod."

31 *Tosafos Maseches Avodah Zarah* 13a, "lilmod." Refer to *Mishpat Kohen* 147:2. See *Minchas Yitzchak* 3:26:7. There is a discussion in regards to a grandparent leaving to attend the bar-mitzvah of a grandchild (see *Shu"t Eretz Yisrael* page 376).

32 *Shaarei Teshuvah* 568:20, *Teshuvos V'hanhagos* 3:61; *Yechaveh Daas* 5:57, *Ohalech Bamitecha* 49:11, *Asei Lecha Rav* 2:54, *Mishnas Yosef* 1:57:2, *Sharei Halachah U'minhag* 4, page 224. See *Mishpat Kohen* 147:1. *Even Pinah* 1:139, *Oraisa* 19:page 307. Harav Chaim Kanievsky *shlit'a* mentions that the reasons for leaving Eretz Yisrael to visit graves of *tzadikim* are very weak (*Nezer Hachaim* page 223:182). See *Sdei Chemed Mareches Eretz Yisrael* 1, page 1358. Refer to *Oz Nidberu* 12:28. The *Osher Chanan Y.D.* 8:22 permits leaving to Uman from Eretz Yisrael to *Rosh Hashanah*. For more on this see *Shu"t Eretz Yisrael* pages 395-400. Some question what mitzvah there is by going to visit the grave of *Tzadikim* outside of Eretz Yisrael (Refer to *Pischei Teshuvah Y.D.* 372:2, *Mishpitei Tzedek* 74).

to leave even for these reasons.³³ Machlon and Kilyon were killed because they left Eretz Yisrael.³⁴

Day Trip

Leaving Eretz Yisrael for the day but not sleeping out of the country is not considered leaving Eretz Yisrael and is permitted.³⁵

Old City

The opinion of some *poskim* is that one may leave the Old City to move to a different area of Eretz Yisrael.³⁶

Eilat

Some were stringent and did not go to Eilat, since there is a doubt whether this is considered Eretz Yisrael and they didn't want to transgress the *issur* of leaving Eretz Yisrael.³⁷

³³ Rambam, *Hilchos Melachim* 5:9.

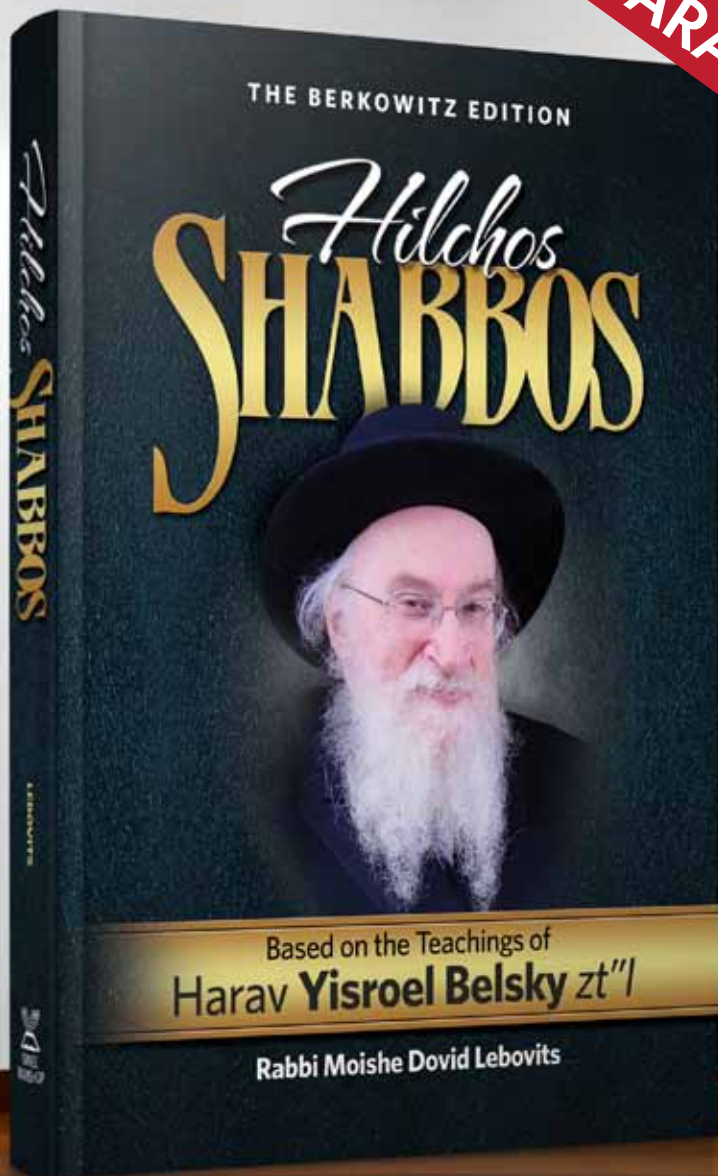
³⁴ Rambam, *Hilchos Melachim* 5:9.

³⁵ Tzitz Eliezer 13:22:7.

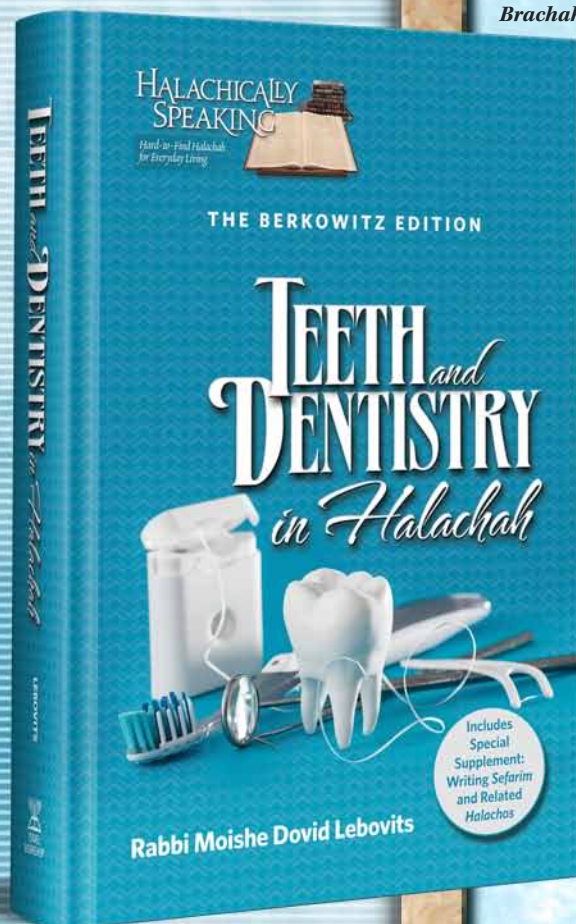
³⁶ Tzitz Eliezer 13:27:8-9.

³⁷ Tzitz Eliezer 13:27:9. See *Moadim U'zmanim* 3:221. Refer to *Al Pi HaTorah* 2:page 70:134. The custom is to consider the Dead Sea as part of the boundaries of Eretz Yisrael (*Al Pi HaTorah* 2:page 70:footnote 226).

IN PREPARATION



NOW AVAILABLE!



Hashems Wonderful Creation – Our Teeth

**Teeth in *Tanach*, *Gemara* and *Chazal*
Bathroom and Morning**

***Tzitzis* and Teeth**

Davening* and *Shul

***Brachah* Related**

Erev Shabbos

***Shabbos* Miscellaneous**

***Shabbos* Carrying**

Shabbos* – *Muktzeh

Brushing Teeth on *Shabbos*

**Dental Emergencies on
*Shabbos***

***Moadim* – General**

***Pesach* – General**

***Pesach* - *Kashering* Teeth**

Pesach* – *Matzah

**Waiting Between Meat and
Dairy**

***Kashrus* of Mouthwash
/ Toothpaste / *Listerine*
Pocket Packs and Dental
Floss**

Niddah

Day of *Mikvah* and Teeth

***Chatzitzah* and Teeth**

Dentist Treating a Parent

Teeth and *Tumah*

***Avel* and Teeth**

***Yoreh Deah* Miscellaneous**

Forensic Dentistry

Modesty Related

***Yichud* Related**

Correcting a Tooth – Injuring Oneself

Cancelling Dentist Appointments

Malpractice

Chewing Gum

Miscellaneous *Halachos*

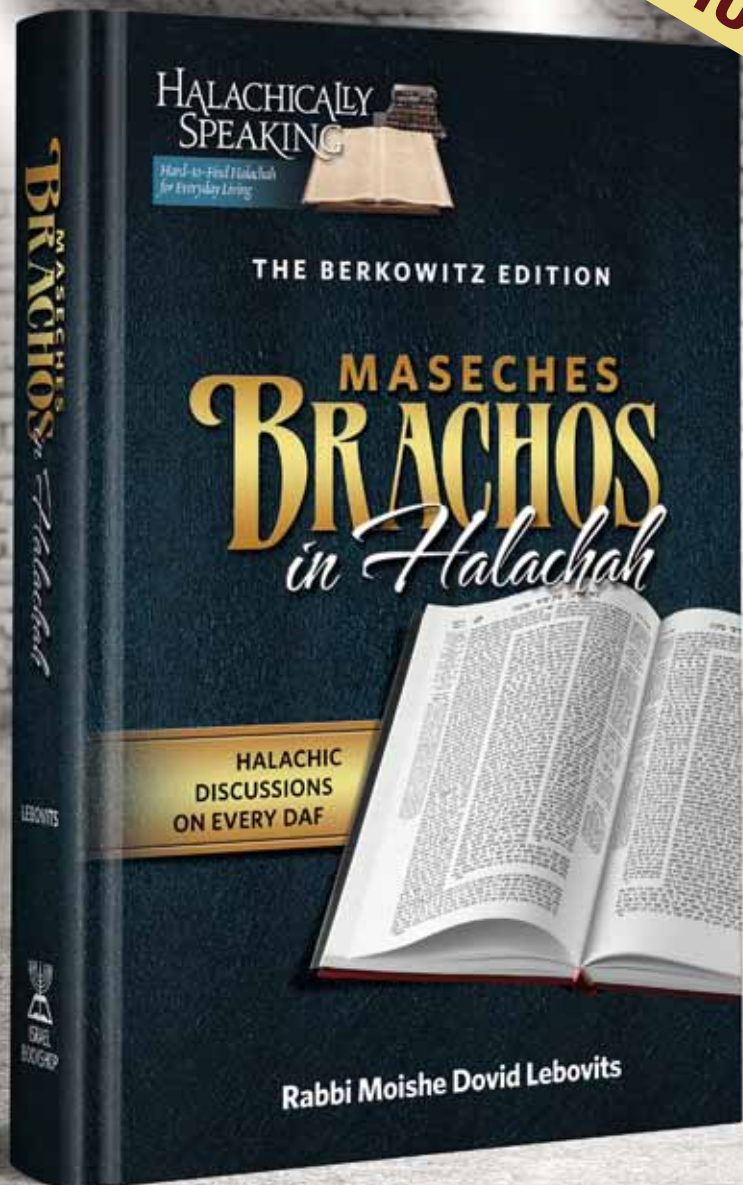
Keeping our Teeth Healthy



ISRAEL BOOKSHOP
Publications

www.israelbookshoppublications.com

IN PREPARATION





EXCITING NEWS!
Cakes, Cookies, Muffins,
Pastries and Croissants at
BJ's Bakery are now
KOF-K Kosher Certified



A large variety of
pre-packaged kosher pareve
products are available in our
bakery

Kosher pre-packaged Chicken,
Meat, Cheese and Appetizers
available in Kosher Clubs!!

Look for over 100
Kosher Certified
Wellsley Farms
items throughout
the store



Brooklyn, NY – Shore Parkway
Gateway Mall, (Erskine) NY

Buffalo, NY

Rochester, NY

Albany, NY

Ithaca, NY

Valley Stream, NY

Freeport, NY

Levittown, NY

Garden City, NY

Middle Village, NY

College Point, NY

Farmingdale, NY

East Setauket, NY

Westbury, NY

Monroe, NY

Bellport, NY

Bronx, NY

Pelham, NY

Canarsie, Brooklyn, NY

Yorktown Heights, NY

Howell (Lakewood), NJ

Paramus, NJ

Columbia, MD

Owings Mills, MD

Clermont, FL

Jacksonville, FL

Port Orange, FL

University Heights, FL

Royal Palm Beach, FL

Pembroke Pines, FL

Hollywood, FL

Fort Lauderdale, FL

Parkland, FL

Boynton Beach, FL

Coral Springs, FL

Framingham, MA

Waltham, MA

Stroughton, MA

Warrensville Heights, Ohio

Philadelphia, PA

Norfolk, VA

Virginia Beach, VA

Richmond, VA

Any questions please call

Rabbi Moishe Lebovits

Rabbinical Administrator KOF-K Kosher Supervision
at 718-744-4360 • email: mlebovits@kof-k.org

2020 BJ's Wholesale Club, Inc.