

Halachic question

Posted by mayimtehorim - 10 Jan 2012 19:34

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I posted this on Married forum, but I am new here and perhaps this is a better place to get an answer I am looking for. I am having difficulty understanding the issur of SZ"L.

With Shabbos for example, I see a direct line of reasoning: the lav is clearly and distinctively mentioned in the chumash >> mishna >> gemarrah >> halacha.

I fail to see that same line of reasoning with MZ"L. It seems to me that the Onen's principal aveyra in the Chumash was not MZ"L, but rather his avoidance of having children. MZ"L is not mentioned in the Mishna at all. In the Gemarrah it is mentioned as a very negative activity to avoid at all costs, but it is not clear at all whether this is an issur based on halacha Moshe miSinai or some lav based on medical advice of the time (which we don't usually follow).

Then, seemingly out of nowhere, you have the Rishonim, Shulchan Aruch, the poskim and Kabbalah come and make this the worst aveyrach possible. My yetzer keeps on telling me that this is based on Kaboloh only and, as such, is a chumra (or a medrega of sorts). Where is the basis for the jump from no real lav in chumash, mishna, gemarrah to MZ"L being the worst of the worst in Halacha sefarim?

Moreover, only select few follow Kaboloh to the dot. Disregarding tumah and Kaboloh, spiritual and emotional reasons, is there a real halachic issur and what is the firm basis for this issur?

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Re: Halachic question

Posted by jack - 08 Feb 2012 20:21

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attorney to the judge:

your honor, the witness is refusing to answer the question!!

judge to dov: will you please answer the question? if you continue to refuse to answer the questions as they are put to you, i will hold you in contempt!

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Re: Halachic question

Posted by Me3 - 08 Feb 2012 21:49

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But Jack he has answered the question. He doesn't care. Somebody used to have in their footer I forget who but I think it was a quote from Dov

" I don't care what lav suicide is"

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Re: Halachic question

Posted by tehylimzugger - 09 Feb 2012 11:46

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[dov wrote on 08 Feb 2012 18:37:](#)

PS. There were a few things I changed in the 2009 quote, spelling and a few words here or there added, nothing taken out though, I think.

And I would not be surprised if your are exactly the same as me in this respect.

SHOULD HAVE FIXED "YOUR ARE"

nothing wrong with perfectionism, right?

[Me3 wrote on 08 Feb 2012 21:49:](#)

But Jack he has answered the question. He doesn't care. Somebody used to have in their footer I forget who but I think it was a quote from Dov

" I don't care what lav suicide is"

it's still on dov's signature line

"I do not particularly care exactly which "lav" suicide is. I'm not interested in it for other reasons!"

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Re: Halachic question

Posted by jack - 09 Feb 2012 13:36

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yeah, a ben sorer umoreh will never happen but we learn about it anyway - in order to increase torah learning. and we learn hilchos bays habechira, and hilchos trumah even if we live in chutz laaretz, etc, etc, etc. so i want to know what the olam KNOWS about this -

jack

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Re: Halachic question

Posted by jack - 09 Feb 2012 13:48

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ya ever hear this one?

why does a jew always answer a question with another question?

answer - what do you mean?

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Re: Halachic question

Posted by Dov - 09 Feb 2012 17:30

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Are you are having fun, Jack? Hope so. But things are very busy at my end, sure you understand, and really I maintain that this issue is one of the least useful discussions possible anywhere, and certainly for a place like GYE.

People here already know it is wrong for some reason, and they do it anyway. They know they are driven to do it because of forces outside halocha, and that their willpower is faithless in this area. So what?

But if your question is "do you think spilling seed is an issur d'oraiso, derabonon, or what? And what do you think the onesh ought to be for doing it?" Then I will try to give my answer to that just because...because....I don't know. Maybe I just do not want to look like a bigger idiot than I am.

Sperm is the power to make a baby. A baby is a person with a neshomah. Just because it feels great to have an orgasm cannot mean to me that sperm serves two purposes: drawing neshomos here, and having a nice time. I just can't accept that sperm that can be molid loses it's definition and significance just because I might say, "*this* time I am spilling it for fun, not for neshomos".

When a woman cannot conceive, as when she is old or pregnant, I still believe that my zera is a power I possess, that it is special, and that putting it out of me means I am doing what creates people. So I like what the kaballists say that it is *always* molid neshomos. It makes sense to

me.

Having sex with my wife means that I am connecting with her in a way that is unlike anything else - but we can *still* have deeper connections *without* sex, for sure. But giving her my zera means that I am taking my power to be molid - an amazing power, and expressing it with her, using her. It is expressing a part of my self that I do not really understand.

If there is no woman there, then I am having sex with myself. The sperm is going nowhere, just to me - but it is leaving me, so it is wasted human life power - power that has my name written on it.

How can that possibly be normal or healthy? How can it be natural, at all? I just don't get it.

Asking whether it is d'oraisoh or not or what the onesh ought to be, makes me think this:

Saying it is not d'oraisa means that one is assuming that Hashem (the Torah, if you will) does not see spilling seed the way I described. That Hashem looks at our sperm as something basically arbitrary - a thing we can use how we wish, for it is not really powerful or special. Just another bodily fluid, like spit.

That makes no sense to me.

So He did not write an issur in the Torah. I do not know what to call the issur. Suicide is not mentioned directly in the Torah, only allusions and drashos are mentioned to it. Does that mean that G-d does not 'see' it as anti-natural?

And if something is anti-natural, doesn't that mean that it must be wrong in some respect? I think it must.

So what's D'oraiso? Poskim who use Zohar/Ariza"l say it is de'oraiso, usually. I think that's

because they take the bigger view, that what's right and natural must be Hashem's Will. Very much like brachos are learned ***misvorah*** . Is brocha rishona considered de'oraisoh? I do not think it is.

But is it G-d's Will, or not? If it is His Will, what He wants, then I consider it d'oraisoh, to me. Don't you? Calling it d'rabonon simply skirts the issue pf whether He wants it or not. It smacks to me of *serving the **shulchan Aruch***, instead of trying to serve **G-d**.

What's the point? I guess my chassidic influence gives me that attitude. Nu. The ba'alei mussar went with that big-picture attitude, too, so I am in good company, I figure.

How's that for answering with a question?

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Re: Halachic question

Posted by obormottel - 09 Feb 2012 17:51

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I think Dov answered it satisfactory, both times. But, Jack, what's missing in the Blind Beggar's lomdus? He gave you all the marei mkoimos?

I've talked myself out of taking any action to stop being MZ"L for YEARS because I couldn't find a "definite, 100% proof" it is takka forbidden by G-d Himself.

Lots of good that did to me...I think that a lomdus of this sort is counter-productive in the context of this forum. Simply because there will be guys like me, who'll be happy to hang their black hat on a hook of a *lenient approach*, and be off to masturbating, thereby destroying their lives and the lives of people around them.

When we learn about the gluttonous son (even if it can never take place, as the Rambam just elaborated, if you're learning 1 perek a day) we learn about what NOT to do and NOT to be. When we are discussing the Beis Habechira or mitzvois hatluyois bo'oretz, we hope to see it very soon and be prepared, or maybe even hasten the building of the Temple by our learning and yearning. At the very least, it's Toiro L'shmo, learning for the sake of learning, with no practical application.

The academic discussion about spilling seed is only relevant to those who want to continue doing it with less guilt. That's not Toiro L'shmo at all as it has a direct practical application: a heter to masturbate without bad feelings attached (I'm not doing an issur d'oiraiso afterall!).

Sick.

And Dov was quite eloquent in pointing this out.

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Re: Halachic question

Posted by tehillimzugger - 09 Feb 2012 18:07

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here is from encyclopedia talmudit, for any footnotes, contact me:

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[the numbers are footnotes]

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Re: Halachic question

Posted by Dov - 09 Feb 2012 19:15

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Read the end, tehillinguy, and personally, who needs to ask a shayloah to any rov whether it is better for me to masturbate, vs getting together with a prostitute? It's obvious that it has nothing to do with the level of issur, at all. The damage that would happen to me by feeling the skin of another woman, laying on her body and doing the deed, would be so damaging to my ability to be real with my wife, to be real with myself, and to ever think that I'd be able to quit this. Sex with another woman is a hope-killer for many. They feel they'd never be able to quit that - while 'just' masturbating is not the same. There is no interpersonal relationship created, at all.

And I believe that the fakeness of the hooker-customer relationship is really not much different than the fakeness in the username/forum relationship. They are *both* powerful in their own way, both more powerful than being totally alone, and *both* not enough to satisfy the addict. That is why the hooker is rarely the last *one* - gotta get better, more.....and it is also why the true addict who only posts, often finds he or she doesn't get clean.

Gevalt. I am **so** far from perfect, so far from "done", that it's not even funny. But as a work-in-progress who still needs help with real life, I can safely say that whatever recovery I have today is **directly** because I found (and *continue* to find) safe people to fully disclose to - and did the deed of opening up and stuck with them, following their directions. Real people, who knew all of me. Not just the 'goody-goody-regretful-baalTeshuvah-wannabe' me, but even the normal balaboss-benTorah-husband-father-professional and whatever else I am, guy, too.

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Re: Halachic question

Posted by tehillimzugger - 09 Feb 2012 19:30

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[dov wrote on 09 Feb 2012 19:15:](#)

Read the end, tehillinguy,

like that name!

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look i know you wanted to blow a gasket, but how would you apply this gasket [i'm sure you like the new term for your megillos too] to ishto niddah?

just asking.

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Re: Halachic question

Posted by ontheedgeman - 09 Feb 2012 20:06

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Yea I've heard Dov's answer several times now, I think the person who can't hear Dov's answer and just wants to put it back to a simple shylah probably has his ears blocked and his mind preoccupied with something else.

I have been in a very similar situation of "halachic uncertainty" with visiting Registered Massage Therapists (RMT's) who are women. The shylah is: a man who has body pain, who needs to see a registered practitioner for treatment, can he see a female masseuse? I have read the Nishmat Avraham on the subject who seems to allow visiting doctors of the opposite gender in certain situations. So, I have given myself a heter to see female RMT. Psak of the OnTheEdger Rebbe based on Nishmat Avraham.

Now, in some cases, for whatever reason, the RMT's seem to cause a seminal emission, without directly touching the male genitalia. Is this issur d'Rbonan or doreisa? Since she did not directly touch, and it was done b'shgaga, we have another heter from the OnTheEdger Rebbe, b'diavad.

Now, in some situations, an RMT cannot be found, but we see another "legitimate" place that "accept insurance" [sic]. So, since RMT was allowed, we can allow non-RMT in certain extenuating situations. Choleh sh'ayn bo sakkahan also may give leniency.

Now, towards the end of treatment, some non-RMT practitioners ask if [SOMETHING ELSE] is desired. Since there is halachic uncertainty as to what [SOMETHING ELSE] means, the patient is allowed to accept it.

As the treatment progresses to sexual touching, the patient does not have to tell the female practitioner to stop, since up to now we have been dealing with rabbinic prohibitions and doubts. but to tell her to stop would cause embarrassment, which is FOR SURE an ISSUR D'OREITA.

If you think I am joking, I have actually been through this entire dispute several times in my head every time I act out. The leniencies of the OnTheEdger Rebbe always seem to allow me to act out, in accordance with Torah law. Chacham I am!!!

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Re: Halachic question

Posted by Dov - 09 Feb 2012 20:48

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Very funny Onttheedgeman....perhaps a little too on the edge for the censors here. We'll see if they are afraid that some poor sop will take you seriously for the heter to go and get that nice little 'soft massage', or not.

As for me, they called it something else in my day, but I am not going there. Can be pretty trigerring for some decent chaps here.

Tehillim! - So for my wife and I, sex is so out of the question when she is a niddah. I do not even have a tayvoh to touch her. Perhaps that is because I have yir'as Shomayim...perhaps it is because I am aware that if I so much as touched her, she'd look at me as a complete apikoress....perhaps it is a bit of both. My wife and I agree that the harchakos saved our marriage. We keep them well, b"H, and they help tremendously to remaind each of us on an emotional/physical level (in other words, **really**) that sex is not possible with eachother when we are assur.

Niddah is our little *golus hash'chinah*. It really is a model of it. Try bringing a korban today on the Temple mount and see what happens...can you say "allahwachbar! "? You will not make it very

OK, so yes, more damage would probably be done to our marriage by my messing around with a hooker than by me seducing my wife to have sex with me while she is a niddah. But would our marriage survive it intact? No, it would not. It would certainly be a deep blemish that would never disappear. Can there be recovery in a marriage after either? Absolutely yes! But do I see sex with myself as less damaging? Yeah, I do.

May G-d protect me and all of us from ever having to choose between the two. For I know that sex with myself is no longer an asnwer to anything, at all. All it does to me is *destruction* and making everything only worse for me. We need help!!

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Re: Halachic question

Posted by ur-a-jew - 09 Feb 2012 21:42

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Call me dense, but I'm still struggling with what the shailah even is and I have a fundamental problem with the premise of the question.

I agree with Dov (not that he needs my agreement) that whether HZL is ossur is beside the point, if the issur is what you are hanging your hat on to stop, it won't work and this thread is the best proof.

But since this is the Beis Medresh, I have far bigger problems with this statement:

[mayimtehorim wrote on 10 Jan 2012 19:34:](#)

I am having difficulty understanding the issur of SZ"L. . . . I fail to see that same line of reasoning with MZ"L. It seems to me that the Onen's principal aveyra in the Chumash was not MZ"L, but rather his avoidance of having children.

What exactly is the relevance of how you think the possuk should be interpreted, when it is completely contrary to the Gemara (Niddah 13) one of the mkoros for the Shulchan Aruch's clear psak of issur.

If your understanding of the gemara were correct and the possuk was limited to the procreative process it is hard to understand exactly how the gemarah was bringing a rayah to its statement that ?? ????? ????? ????? ????? ????? ????? . The notion that we can disregard clear halacha because in our own minds we don't understand something that is black and white in the shulchan aruch is cause for pause and requires us to ask ourselves maybe there is something more at play here. Maybe the personal interest in being able to masturbate is clouding how I view things. Just a thought. (Of course you are not alone in this phenomena I do it all the time when I want to try to rationalize to myself what I'm in doing is not problematic. I believe this is what Perek ?? in mesilas yeshorim is all about).

In any event. Don't do because whether it is ossor md'oraysa or dirabbonon (as if an issur dirabbonon is somehow less stringent) it just plain stupid to ruin your life like that. Continued hatzlacha

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Re: Halachic question

Posted by tehillimzugger - 10 Feb 2012 11:32

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[censored wrote on 09 Feb 2012 23:32:](#)

mayimtehorim, have you ever considered that no list of the mitzos lo tzasei have this listed as an aveiruh?

encyclopedia talmudit (above footnote 9) qotes a girsas in sma"ch who counts this as the lav of lo sina'ph.

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