**פניני הלכה: כשרות א', פרק ז', סעיף י"א**

לכאורה קשה, מדוע קבעה התורה להפריש בשנים א' ב' ד' ה' מעשר שני ובשנים ג' ו' מעשר עני? אם רצתה לעודד את העלייה לרגל וגם לעזור לעניים, מדוע לא צוותה להקדיש בכל שנה ושנה - שני שליש לעלייה לרגל ושליש לעניים? אם העניים זקוקים לתוספת עזרה, מדוע לתת להם אותה רק במשך שנתיים מתוך מחזור של שבע שנים?

כפי הנראה כוונת התורה שאת העזרה לקיום הבסיסי יקבלו העניים על ידי לקט שכחה ופאה ותוספת צדקה לפי הצורך. ואילו המעשר לעני נועד להעניק להם שנים טובות שבהן יוכלו ליהנות מרווחה. בנוסף לכך, ניתן לקוות שבמידה והדבר בידם, הרווחה שבשנים הללו תמריץ את העניים או ילדיהם להיות חרוצים ויעילים יותר בעבודתם בשאר השנים, כדי שיצאו ממעגל העוני ויזכו לרווחה ועצמאות. אבל אם היו מקבלים בכל השנים קצבה בינונית, היו מתרגלים להסתפק בה, בלא שתהיה להם ממנה שמחה יתירה, ובלא שיצמח בנפשם בשנות המחסור רצון לשנות את מצב

***Simḥat Ha-bayit*, Chapter 3**

**15. In Exile and In Redemption**

The general state of the Jewish people affects the joy of the mitzva [of *ona*] because the sacred bond between every Jewish husband and wife parallels the bond between God and the Jewish people. The Sages explain in the Mishna that the momentous occasions on which the Jewish people became connected to God are referred to as “His wedding day” and “His day of bliss” (Shir Ha-shirim 3:11)” “‘His wedding day’ refers to the giving of the Torah, and ‘His day of bliss’ refers to the building of the Temple” (*Ta’anit* 26b). We also find that immediately after the Jews received the Torah at Sinai, they were commanded to return to their tents, “to the joy of *ona*” (*Avoda Zara* 5a). And directly following the dedication of the Temple, the husbands returned home, joyful and in excellent spirits, and found their wives in a state of purity. They then fulfilled the mitzva of *ona* with tremendous joy (*Mo’ed Katan* 9a; above, 1:6).

In contrast, when the Jewish people distance themselves from God, the pleasure of this mitzva is diminished as well. As the Sages said, “Since the destruction of the Temple, sexual pleasure has been taken away and given to sinners” (*Sanhedrin* 75a). As a result of the distance between God and the Jewish people, rifts permeate all the worlds. The earth is not responsive to heaven and does not express holy values; heaven is not responsive to the earth and does not bestow life and blessing upon it. Global anguish permeates individual homes. As a result, men cannot be fully responsive to their wives’ desire, and women cannot be fully responsive to their husbands’ desire. Those people who have understood the profundity of the crisis and the anguish, and who have truly identified with the pain and tears of both God and the Jewish nation, have at times found it difficult to joyfully fulfill the mitzva of *ona*….

Therefore, even in exile, the *halakhot* of the mitzva of *ona* did not budge, for the essence of the mitzva is that it must be fulfilled joyfully, and the greater the couple’s love and joy grows, the more virtuous they are. Furthermore, the fulfillment of this mitzva ameliorates the exile somewhat…. But those righteous ascetics, whose hearts were so filled with anguish over the Temple’s destruction, could not make do with the mini-Temple which remained to the Jewish people. In their sorrow, they could not fulfill the mitzva of *ona* with the appropriate joy. Therefore, even as they scrupulously fulfilled the mitzva – aware of its value and importance, and aware that through it they were bringing the redemption closer – they reduced its frequency to the necessary minimum, just enough to uphold the sanctity of marriage and fulfill the mitzva of procreation. Occasionally, their customs are cited by the *poskim*.

Nevertheless, as explained in the Talmud and halakhic literature, the general directive stands. The way to fulfill the mitzva of *ona* halakhically is with joy. The more pleasure a husband and wife give each other in this mitzva, the more praiseworthy they are. At the same time, it is natural that despite the wish to fulfill the mitzva in the most complete way, the global pain caused by the exile of the Jews and the *Shekhina* clouds the joy of the mitzva. Yet the more we merit seeing the Jewish people return to their land, the more the joy of this mitzva is restored….

**Chapter 5**

**9. The Age of Marriage for Men (In Practice)**

Based on the Talmud, some prominent *poskim* write that it is permissible for a man to delay marriage until the age of 24, if this is to allow for Torah study, or if his financial situation does not allow for earlier marriage (*Yam Shel Shlomo*; *Birkei Yosef*).

In modern times, life has become more complex, and preparation for married life requires more time. In the past, simple study of Tanakh, ethics, and *halakha* with its rationales was sufficient for a person to create a Jewish home…. In order for most people to successfully cope with today’s challenges, they must study much more Torah than was necessary in the past. To that end, the majority of them need to study in a yeshiva framework for at least a year, after the age of 18, and usually for longer. There is another sacred obligation to which young men must give time, and this is serving in the IDF in order to protect our people and our Land. Fulfilling this mitzva causes marriage to be delayed. Similarly, learning a profession appropriate to one’s talents generally involves academic study, which can take a few years, and which of course can be begun only after army service. Another complicating factor is that today’s homes are more expensive. They are larger, and equipped with utilities such as water and electricity. Purchasing such homes requires working for years.

If a man were to delay marriage until after he learned all the Torah fundamentals, finished studying a suitable profession, and bought a house, most young people today would need to marry in their thirties. Such a postponement is impossible according to *halakha*. After all, while the environment in which we live has become more complex, complicated, and challenging, people’s emotional and physical nature has not changed….

**11. The Age of Marriage for Women Nowadays**

Several hundred years ago, the economic situation improved and stabilized. Consequently, marrying off minors in order to guarantee their wellbeing was no longer necessary. In most countries, this practice ceased to exist (AHS 37:33). Rather, marriages were generally arranged after girls reached the age of bat mitzva and physical maturity, generally between the ages of 13 and 16, and the final decision about whom to marry was left to them. The parents still had the very important job of helping their daughters choose a husband and of providing a dowry (approximately a tenth of their assets). However, the decision to get married was made by the girls themselves, and the *kiddushin* money was given to them directly.

Nowadays, thanks to a much higher standard of living and greater opportunities for women to utilize their talents, women are waiting longer to get married. There are two reasons for this. First, because women can now use their skills in many areas, they have an obligation to learn more Torah and to train in a field that suits them, so that they can add goodness and blessing to the world. Second, in the past, when young couples lived with their extended family, even young girls could have children, because they would get help from the older women in raising them. In contrast, now that young couples set up house on their own, it is not realistic for women to get married until they are able to take full responsibility for caring for their children.

Nonetheless, women should not delay marriage too long. The right age for women to get married is slightly younger than the right age for men. First, girls mature earlier, as is reflected in their becoming obligated in *mitzvot* at the age of 12, a year earlier than boys. Second, the mitzva to learn Torah requires less of women than of men. Third, women are not obligated to serve in the army as men are. It is true that nowadays, when it comes to supporting a family, women share the burden with men….

**12. The Responsibilities of Young People, Their Parents, and Society**

The mitzva to get married poses a great challenge today for young people, their parents, and society as a whole…. The primary responsibility for meeting this challenge rests with the young people themselves…. They must try to marry at a young age while simultaneously acquiring suitable professions, in order to support their family and contribute to the world.

The second responsibility is that of the parents. The Sages teach that it is the parents’ responsibility to marry off their children…. In other words, the mitzva of procreation does not end with the birth of the children, but rather continues. When children mature and reach marriageable age, the parents must encourage them to get married, and provide them with both advice and financial help. This makes the parents partners in ensuring continuity. The Sages instruct parents to set aside a tenth of their assets for the wedding of each child. It would seem that nowadays, a significant part of the parents’ support should be directed towards helping their children successfully navigate the challenge of combining marriage, professional training, and in some cases childcare as well.

Society as a whole also has a responsibility to create conditions conducive to young people fulfilling the mitzva of getting married in a timely fashion. To allow for this, it is necessary to make professional training as efficient as possible, to help young people find affordable housing and childcare, and to enable women to begin their studies as early as possible so that they can help support their family in the initial years of the marriage.

**13. Birth Control for a Year**

…In the past, most women nursed their children for about two years. This would almost always prevent a woman from ovulating and menstruating, which meant that she could not become pregnant for the whole nursing period. Thus, there was a natural gap of about two years between pregnancies. Today, the reality has changed… This means that if a couple fulfill the mitzva of *ona* at its set times, many nursing women will conceive a few months after giving birth. Women who are not nursing at all, or are nursing some of the time and supplementing with formula, have an even higher chance of getting pregnant. The question arises: Is it permissible for a couple to use contraception in the year following birth, to enable them to fulfill the mitzva of *ona* while avoiding another pregnancy?

Some rabbis are inclined to rule stringently, and do not permit birth control except if there is a great need, when the mother is extremely weak or a nervous wreck. In their opinion, the mitzva of procreation requires having as many children as possible. However, *halakha* follows the opinion of most *poskim*, who maintain that when necessary it is permissible to prevent pregnancy using halakhically acceptable means. Experience shows that from the perspective of physical health and emotional wellbeing, it is best for most women to take a break of approximately nine months to a year between birth and the next pregnancy. Accordingly, it is permissible *le-khatḥila* for all women to use contraceptive methods during this time….

**14. Birth Control for Two Years or More**

Some women, because of their physical or emotional state, need a break of more than a year after giving birth. In such cases, birth control may be used for up to two years.

In most cases, a couple who have not yet fulfilled the Torah mitzva of *pru u-revu* may not use contraception for more than a year if using it is for financial reasons or to make studying or working easier. Some *poskim* are lenient in these cases too, and allow birth control for up to two years. However, it is preferable to follow the majority of *poskim* and not be lenient. For *pru u-revu* is the mitzva for which the world was created…. Nevertheless, those who wish to be lenient in this regard have someone to rely upon. Even this leniency is limited to two years….

In extenuating circumstances, such as when a woman suffers from a physical or mental illness whose treatment requires using contraception, it is permissible to use birth control for more than two years following a birth….

**15. Birth Control for Newlyweds**

Under normal circumstances, a couple may not use contraception if they have not yet had children…. Only when there are extenuating circumstances, such as when the wife suffers from physical or mental illness, is it permissible for newlyweds to use contraception so that she can recuperate. This permission should be granted only after serious deliberation, following consultation with a God-fearing doctor.

Similarly, if a couple’s relationship is shaky and they are unsure that the marriage will last, they should avoid pregnancy until their relationship is solid. The time period for which this permission is usually granted is between a half-year and a year.

There is another situation in which using birth control could be permitted on account of extenuating circumstances. Let us say that both husband and wife are in especially rigorous academic frameworks, such as medical school, and no one is available to help them. They realize that having a baby would mean that at least one of them would need to drop out of school. One or both of them would lose the opportunity to fulfill their aspirations and develop their talents in a profession that suits them so as to contribute to society. This can be deemed extenuating circumstances. Since pregnancy and birth would cause them considerable and lasting harm, they may be permitted to use contraception….

Let us say a young couple is in a serious relationship and are planning to get married. They come to ask a rabbi what is preferable – getting married and using contraception until they finish school, or postponing marriage. Even though what they should do is get married and not use birth control, nevertheless if these are the only two options they are willing to consider, it is better that they get married and use contraception….