

## Weekly Internet Parsha Sheet

### Shmini 5765

[From Efraim Goldstein [efraimg@aol.com](mailto:efraimg@aol.com)]

**Mazal tov to Natan & Elana on their upcoming marriage**  
**Welcome to all our family and friends – Thank You for sharing in our Simcha**

#### Rabbi Herschel Schachter (TorahWeb)

##### Derech Halimud

According to the understanding of Rabbi Nechemia (Zevachim 101a), the chattas (sin-offering) that was burnt (Vayikra 10:16) was the regular korban Mussaf brought every rosh chodesh. The reason Aharon and his two sons were not permitted to eat this korban was because they were all in a state of aninus (the unique form of mourning observed immediately following the death of one of the seven close relatives.) G-d never explicitly forbade eating sacrifices in a state of aninus, but Aharon derived this prohibition on his own through one of the middos of the Torah Shebeal Peh (the oral law): if it is forbidden to eat maaser sheini in a state of animus (Devarim 26:14) because its sanctity requires that it be eaten under conditions of simcha, so much more so (kal vachomer) korbanos, which clearly have a greater degree of kedusha, and therefore a greater degree of simcha, certainly may not be eaten by an onen.

A major premise of the Torah Shebeal Peh is that all the various laws of the Torah must blend in to make one big pattern. The Torah only explicitly states that the kroshim (wooden boards) used for the mishkan had to be placed in an erect position (the same way they grew from the ground), but the oral law assumes that this detail of halacha applies to the lulav and the esrog as well. All religious articles are assumed to have the same halachic status based on this assumption, i.e. that all the laws of the Torah have to fit in to create one big mosaic.

Very often the Torah Shebiksav (the written law) will only provide us with generalities, and the Torah Shebeal Peh will fill in all the missing details (see Medrash Tanchuma to Parshas Noach, no. 3).

According to this view of Rabbi Nechemia, the chumash (here in Parshas Shmini) has recorded the Torah Shebeal Peh drasha of Aharon HaKohen. Moshe Rabbeinu is known for having the highest level of prophecy - direct dictation word for word (unlike all the other prophets), even to the point of "shechinah medaberesh mitoch grono". This is representative of Torah Shebiksav. Regarding the development of the Torah Shebeal Peh, just the opposite is the case. The rabbis teach us that "lo bashomayim hi" (see Talmud Temurah 16a), i.e. G-d wants us to develop all the missing details on our own, using, of course, the middos (the principles) of the Torah Shebeal Peh. One of the most important of those middos is the assumption that all of the mitzvos must fit into one pattern.

This principle is generally referred to today as a "derech halimud" (a style of learning). We first try to amass as many details of the halacha as possible, and only then do we set out to try to discern the pattern. We try to understand which halachos - even if they seem to be so diverse - are really connected, and sometimes even identical; and which other halachos, even though they seem to be identical, or at least related, are not really connected at all.

The Talmud (Menachos 29b) records and aggadah that when Moshe Rabbeinu was shown a glimpse of R' Akiva lecturing to his students and developing the many details of the Torah Shebeal Peh, his first reaction was that all of this seemed to be so foreign. After all, Moshe Rabbeinu epitomized and represented the Torah Shebiksav. But ultimately, just as in Parshas Shmini Moshe Rabbeinu gave in to Aharon's drasha of Torah Shebeal Peh, and approved of it, so too in the end he approved of all of the drashas of R' Akiva.

Moshe Rabbeinu represents the earlier period of Torah study (until the days of the Anshei kneses Hagedolah), when the emphasis was placed on the written Torah. From the time of the death of the later prophets (Chagai, Zecharia and Malachi), the emphasis was to be placed on the study of the

Torah Shebeal Peh (Seder Olam Zutta). The rabbis in the Midrash Yalkut Shimoni (to Hoshea #625) record a tradition based on a passuk that the geula ho'asida (the future redemption) will be in the merit of our emphasizing the study of mishnayos, i.e. the Torah Shebeal Peh.

#### Jerusalem Post Apr 01 2005

##### SUCCESSFUL SUCCESSIONS by Rabbi Berel Wein

In the Orthodox Jewish world today there are a number of unfortunate struggles over dynastic successions. Some are in the Chasidic world – especially when a rebbe passes away leaving no son to succeed him. Others are in the yeshiva world, where competing members of the former rosh yeshiva's family each feel entitled to assume the role of leadership in the yeshiva. That these struggles bring very little honor to the institution or dynasty involved goes without saying. Unfortunately, when the struggle reaches the domain of the masses, violent behavior occurs. Yet, Jewish history teaches us that disputes over succession are almost inevitable in such circumstances. And the usual "resolution" of the matter is that the institution or dynasty splits into two and a new institution and dynasty is formed. As economically inefficient and socially divisive as this "solution" is, it is often the only way out of a morass that can otherwise eventually lead to greater violence and permanent discord. The explosion in the numbers of different sects and dynasties in the Chasidic world in the nineteenth century was a direct result of contested successions, either when a rebbe died without sons or had too many sons. Thus, many of the great Chasidic dynastic groups have many offshoots, branches and sub-branches, all claiming to be legitimate heirs to the dynasty involved.

For the first century of the Chasidic movement, many of the rebbes were chosen in a democratic, meritocracy-driven fashion by the Chasidim of the group itself. Thus, some great but unlikely rebbes appeared and on the whole were quite successful. There even was a woman who served as a rebbe. The most noted unlikely rebbe, in my opinion, was the great Rabbi Simcha Bunim of Pshischa. In the 1840's he was a licensed pharmacist – some say that he was the only Jewish licensed pharmacist in Polish Russia – as well as formerly being a merchant and customs agent in Danzig. He wore Western style "short" clothing, knew a number of European languages, had attended concerts and the theater and was an accomplished bridge player. In today's Chasidic society, none of these attributes would be considered necessary or desired for the position of rebbe. Nevertheless, he was one of the most dynamic and successful leaders of Chasidic Jewry in the nineteenth century. From the 1860's onwards Chasidus has become exclusively dynastic, and when no clear successor is available in the dynasty, then disputes, splits and sometimes violence occurs.

Dynastic succession in the yeshiva world is also a product of nineteenth century Eastern European Jewish life. Originally, this was seen as a way to mitigate any struggles over the leadership of the yeshiva. In practice however, it did not always turn out to be that way, especially when the contesting parties for the leadership of the institution each had legitimate family credentials. Usually the matter ended up in a rabbinical court for decision, though often one of the parties involved, dissatisfied with the compromise that the court offered –which was almost invariably a compromise instead of a clear up or down decision – simply left the yeshiva and began his own institution. The most famous case of dynastic succession occurred regarding the leadership of the yeshiva in Volozhin where the contestants were Rabbi Naftali Zvi Yehuda Berlin (Netziv) and Rabbi Yosef Dov Soloveitchik (Beis HaLevi.) The court then decided basically in favor of Rabbi Berlin and Rabbi Soloveitchik left Volozhin to become the rabbi of Slutsk and later of Brisk. Rabbi Soloveitchik's son, Chaim, eventually married the granddaughter of Rabbi Berlin and became one of the leading heads of Volozhin yeshiva. Not in all instances, did these matters end as smoothly.

The Torah itself provides for dynastic succession in the offices of king and the High Priest. However, the Torah provides that the son succeeding his father be worthy of occupying the office. Sometimes, this also became difficult to define or enforce. The prime example in Jewish history deals with a descendant of Shimon Hatzadik (c.330 BCE) called Chonyo. He was not chosen to be the High Priest in Jerusalem, the Sanhedrin opting for a younger brother of his to fill the post. Chonyo thereupon moved to Alexandria in Egypt, built there a replica of the Temple in Jerusalem and served as the High Priest there. That Temple stood for many generations and his descendants served as bogus High Priests in a bogus Temple. None of this may make for pleasant reading, but it should inform us not to be too surprised when such unfortunate incidents and disputes occur. Let us nevertheless always hope and pray for harmony and peace to reign amongst our ranks. Shabat shalom.

### **Weekly Parsha SHMINI Apr 01 2005 by Rabbi Berel Wein**

Parshat Parah deals with process of purification and making one's self holy. This is also the theme of Parshat Shmini, the parsha that Parshat Parah coincides with this year. The parsha of Shmini concludes with an admonition that Jews must retain the ability to differentiate between the sacred and the profane, between the pure and the defiled, between what is permissible to be eaten and what is forbidden. Rashi comments on this that it is insufficient to have superficial book-knowledge of these things but one must become an expert in this ability to differentiate and recognize the differences inherent in what is proper and what is not. After Rabbi Meir Shapiro, the famed founder of Yeshivat Chachmei Lublin in prewar Poland visited the United States; he was asked his impression of American Jewry. In his usual incisive and pithy style he answered: "They know how to make kiddush. They do not know how to make havdala." The inability to differentiate between the holy and the profane, between right and wrong, between eternal Torah values and passing, currently politically correct fads has destroyed many Jews spiritually and physically in our time. Everything is morally equivalent, everything can be altered to fit one's whims, faith is rendered simplistic and unnecessary and there is no moral base line left. Look about the wreckage of modern society strewn all around us and you will see the cost of being unable to make havdala.

The Torah warned us of the consequences of being unable or unwilling to differentiate in our personal and national lives. The disciplines of Shabat, kashrut, family purity, etc.- aside from their own intrinsic values and worth – helped inculcate within the Jewish people an acute sense of expertise in being able to differentiate between the eternal and the temporary, between right and wrong. The abandonment of those disciplines over the past few centuries by large sections of the Jewish people has led to monumental social and personal disasters. In today's climate of moral equivalency there is no right or wrong, there is no sacred space or time – there is only the drudgery of the pursuit of the pleasures that always seem to elude us. And in order to justify this irrational, self-destructive and many times completely immoral behavior, there are those who see fit to "reinterpret" the Torah to "fit our times." "Reinterpreting the Torah" destroys any chance at becoming an expert in differentiation.

It is obvious from reading and studying this week's parsha that the Torah intended not only that we eat kosher food but that we become kosher people. Kosher speech, kosher behavior, kosher money, kosher dealings with others are all in the purview of being able to differentiate between what is to be eaten and is not to be eaten. Being careful in using products with proper kosher certification – a field of one-upmanship that has reached spectacular heights in our day and society – is commendable. But it is not the goal itself, it is only meant to be a means towards becoming a kosher person – one who is sensitive towards others and can differentiate between the petty and the solid, between the eternal and the transitory. Shmini cries out to us to sharpen our abilities to differentiate and aim towards becoming a holy people. Shabat shalom.

### **TORAH WEEKLY Parshat Shemini**

**For the week ending 2 April 2005 / 22 Adar II 5765**

**from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)**

**Written and compiled by Rabbi Yaakov Asher Sinclair**

### **OVERVIEW**

On the eighth day of the dedication of the Mishkan, Aharon, his sons, and the entire nation bring various korbanot (offerings) as commanded by Moshe. Aharon and Moshe bless the nation. G-d allows the Jewish People to sense His Presence after they complete the Mishkan. Aharon's sons, Nadav and Avihu, innovate an offering not commanded by G-d. A fire comes from before G-d and consumes them, stressing the need to perform the commandments only as Moshe directs. Moshe consoles Aharon, who grieves in silence. Moshe directs the kohanim as to their behavior during the mourning period, and warns them that they must not drink intoxicating beverages before serving in the Mishkan. The Torah lists the two characteristics of a kosher animal: It has split hooves, and it chews, regurgitates, and re-chews its food. The Torah specifies by name those non-kosher animals which have only one of these two signs. A kosher fish has fins and easily removable scales. All birds not included in the list of forbidden families are permitted. The Torah forbids all types of insects except for four species of locusts. Details are given of the purification process after coming in contact with ritually-impure species. Bnei Yisrael are commanded to be separate and holy - like G-d.

### **INSIGHTS**

#### **One Small Step For A Man**

**"Lest you become contaminated..." (11:43)**

The road to holiness does not start with lofty ideals or sublime thoughts. It does not begin with a mind-expanding Revelation or a Close Encounter. It cannot be produced by psychotropic drugs, nor can it be experienced by climbing the Alps or the Andes.

True, gazing down from Mont Blanc or Everest may fill us with awe at the Creator's handiwork. Nature can truly inspire closeness to G-d, but all this inspiration will vanish like a cloud of smoke if we lack the fundamental ingredients to concretize inspiration into actuality.

The road to holiness starts with a few small boring steps. Like being a decent moral person and controlling our emotions and appetites.

As Jews, we may not eat what we like when we like. On Pesach we may eat no bread. On Yom Tov we should eat meat. On Yom Kippur we may eat nothing. At all times, we may not eat the forbidden foods that are the subject of this week's Torah portion.

"Lest you become contaminated...." In Hebrew this sentence is expressed as one word: V'nitmay'hem. The spelling of this word is unusual. It lacks an aleph and thus it can also read as V'nitumtem - which means "Lest you become dulled."

In our search for holiness and meaning in this world, one of our greatest assets and aids are the laws of kashrut. Kosher food is soul food. Food for the soul. Food that feeds our spirituality and sharpens our ability to receive holiness. Food that is not kosher does the reverse. It dulls our senses. It makes us less sensitive, less receptive to holiness. A Jew who tries to seek holiness sitting on top of some mountain in the Far East living on a diet of salted pork will find it impossible to achieve his goal. The view of Ganges or the Himalayas (or his navel) may titillate his spiritual senses, but he will find no growth or nourishment reaching his core.

The spiritual masters teach that if a person contaminates himself a little, he becomes contaminated a great deal. Spirituality is a delicate thing. It doesn't take much to jam the broadcast from Upstairs. On the other hand, a little bit of holiness goes a long way. As the Torah teaches "You shall sanctify yourselves and you shall become holy." (11:44) A little bit of sanctity generates a lot of holiness. If we sanctify ourselves down here in this lowly world with all its barriers to holiness, if we guard our mouths, our eyes and our ears, then the Torah promises us that we will be given help to lift us to lofty peaks of holiness.

It all starts with one small step.

## **Peninim on the Torah by Rabbi A. Leib Scheinbaum**

### **Parshas Shemini**

**He (Moshe) said to Aharon: Take yourself a young bull for a Sin-offering... Take a he-goat for a Sin-offering. (9:2,3)**

The Targum Yonasan comments that Aharon Hakohen's korban was brought as atonement for the sin of the Golden Calf, and the korban brought by the people was to expiate the sin of mechiras Yosef, the sale of Yosef by his brothers. One wonders why it was precisely now after yetzias Mitzrayim (the exodus from Egypt), Krias Yam Suf (the splitting of the Red Sea), and Matan Torah (the Giving of the Torah), that Klal Yisrael needed to atone for the sale of Yosef. If it did not prevent the other miracles from taking place, why should it be brought to the fore now, of all times?

The Meshech Chochmah gives a practical explanation. Up until now, Klal Yisrael could have maintained an excuse to justify their ancestors' sale of Yosef: he would bring evil reports about his brothers to his father. Rather than speak disparagingly of their activities, he should have personally rebuked them. Now, after the sin of the Golden Calf, when Chur was killed for condemning Klal Yisrael's actions, they could no longer justify the sale of Yosef. Apparently, they were unable to accept reproach. Especially now, their actions indicated that their long-standing excuse was not valid. Horav Yitzchak Zilberstein, Shlita, notes that we are all like that. Everyone attempts to gloss over his sins, seeking to justify his indiscretions with flimsy excuses that he might even personally believe. There will come a day when our excuses will not be valid, when we will have to confront the Heavenly Tribunal and the hypocrisy of our actions will become clearly visible. This is the meaning of the words we recite in the Tefillah of U'nesaneh tokef, "You will open the Book of Chronicles - it will read itself, and everyone's signature is in it." We, by our actions, sign our own verdict.

We go through life deceiving ourselves, refusing to concede that we might be wrong. While this is a problem in regard to our relationships with our peers, it is an insurmountable barrier in our relationship with the Almighty. As Horav Shlomo Freifeld, zl, points out, the stellar dialogue between man and Hashem begins with the words, Shema Yisrael, "Hear, O Yisrael." The initial word of Krias Shema is, Shema, hear/listen. The relationship can begin only after we are willing to hear, to listen, to accept. We must listen to each other, but we must first listen to ourselves. We must listen with honesty, with humility, with courage and without fear. We must listen to who we are, what our goals are, and how we expect to achieve them.

Regrettably, many of us do not want to listen as we delude ourselves, living a life of illusion, until the day that the bubble bursts. We would rather live a life of blissful ignorance than confront the implications that accompany facing the truth. The burden of truth can be very cumbersome. Klal Yisrael did not hear that there might have been two sides to the Yosef story. They did not realize that Yosef might have had a good reason for not rebuking his brothers. He felt it would not have accomplished anything. For many years, this was the belief, an opinion that was accepted throughout the generations. Then Chur tried to get a word in edgewise. He attempted to rebuke Klal Yisrael. They killed him. This indicated that Yosef had been justified in his assumption. Now, they listened.

### **And they died before Hashem. (10:2)**

What is the meaning of dying "before Hashem"? Is that not a given? Horav Yitzchok Zilberstein, Shlita, tells a story about an elderly Jew that lends insight into the meaning of this term. He was approached by an old man and asked if he would study Mishnayos with him. The man's face made it obvious that he was quite serious in his request. Rav Zilberstein asked the man what had prompted this request. The man's response should have a compelling effect on all of us. "I am a survivor of the concentration camps. I was beaten, persecuted and the subject of a number of heinous medical experiments," he said. "At war's end, I had survived, but the Nazis made sure that I would be the last member of my family. I could never have children after the war. I became older and began to realize that, before long, I would have to confront my mortality. I began to think about the future, and I became concerned about who would learn Mishnayos for my neshamah, soul, after my death? I then decided that it would be me; I

would learn Mishnayos for myself. Rebbe, I am preparing myself for that time when I will have no one to learn for me. That is why I ask you to study with me."

This is the meaning of "dying before Hashem." One who "lives before Hashem," who understands during his lifetime that he always stands before the Almighty, that he is never alone. About him, it can be said that in death he died "before Hashem."

### **Do not leave your heads unshorn and do not rend your garments. (10:6)**

The period of the Chanukas ha'Mishkan, Inauguration of the Sanctuary, was a time of great joy and festivity. In order not to interfere with this joy, Hashem prohibited the usual expression of grief, even for the brothers of Nadav and Avihu. In the Musrai Ha'Shalah, cited by Horav Yitzchok Shraga Gross, Shlita, it is written that if we are exhorted not to tear the garments that cover the body, certainly we must be careful to protect the neshamah, soul, to insure that it remains whole and complete without any tears. In his Mesillas Yesharim, The Ramchal writes that hesach ha'daas, distraction, from reflecting on the two truths that one must keep in mind constantly in order to acquire the middah, attribute, of yiraas Shomayim, fear of Heaven, results in attenuation of yiraah.

One must always be aware that the Divine Presence is everywhere and that He looks upon all things, great and small, and nothing is hidden from Him. If one is masiach daas from this awareness, he is in danger of losing his yiraas Shomayim. Indeed, the Melech Yisrael, Jewish king, was to have with him his personal Sefer Torah from which he would read everyday of his life, so that he would learn to fear Hashem.

Horav Chaim Shmulevitz, zl, comments that this enjoinder is not only for a king, but for each and every Jew: not to become distracted from the Torah and our avodas Hashem, service to the Almighty. The reason that so many fail to reach the summit of Torah erudition is hesach ha'daas, distraction. For example, a new z'man, semester, begins in the yeshivah, and every student charts his course for exemplary achievement. Regrettably, as we all know, it does not happen. What happens? It is always the same problem. They come across a difficult passage in their learning or encounter a difficult situation. Instead of rising to the challenge, they defer, pushing it off until "another time" or the next zman. This goes on all the time. Every time there is a "bump" in the road to success, we push off the problem, claiming that next time it will be different, we will work harder. The Baalei Mussar, Ethicists, compare this to a person who is heating water for coffee. Every time, just before it boils, he removes the pot from the flame. He can do this one thousand times and, in the end, he will not have a cup of hot coffee, because it never has the chance to boil!

The Chazon Ish, zl, would say, "It is easier to learn eighteen hours a day than to learn six hours." The reason is simple. In a period of six hours, one still has a good part of the day remaining during which he can push off or get around the mandatory six hours. In an eighteen-hour seder, however, there is no time left over. After all, one must sleep. The only alternative to learning is - learning.

A distinguished kollel fellow came to the Chazon Ish and poured out his heart to him: "My whole purpose in getting married when I did was that I could continue pursuing my Torah studies, uninterrupted and unimpeded. Yet, ever since my wedding, my wife, who is truly a special person, constantly interrupts my studies. She is always encouraging me to go places with her or sending me on errands. If it is not that, she finds things for me to do around the house, activities that are innocuous, but, nonetheless, interfere with my studies."

The Chazon Ish looked deep into the man's tear-streaked eyes and began to smile. "My dear young man," the Chazon Ish began, "there are two who know whether a man's intentions are sincere: Hashem Yisborach and his wife. If your spouse senses that you truly want to study without interruption, she would be the first to help you achieve your goal. She would sacrifice everything for you. However, I am certain that she feels that your intentions are not as noble as they may seem. Most likely, she is aware that you leave your studies for a few minutes here and there for no apparent reason, wandering aimlessly about the house. When she sees this,

she thinks to herself, ‘If he is not going to study, he might as well help me!’

“Trust me,” the Chazon Ish concluded, “if you apply yourself to your studies genuinely, with sincerity and diligence, you will quickly see that your wife will rush to support you.”

The young man took heed of the Chazon Ish’s words and accepted upon himself to study Torah, unhindered and uninterrupted. His wife took note of the change in her husband’s study habits and made every effort to be supportive of him. This young man eventually developed into one of Yerushalayim’s outstanding Torah scholars.

This dual lesson concerning Torah study and the husband-wife relationship is both timely and practical.

**Do not make yourselves abominable by means of any teeming thing; do not contaminate yourselves through them lest you become contaminated through them. (11:43)**

The aleph is missing from the word v’nitmeisem and it can, therefore, be read as v’nitamtem, “lest you become dulled.” This causes Chazal to posit in the Talmud Yoma 39b that one who consumes forbidden food causes his spiritual potential to become limited. In his Moreh Nevuchim, the Rambam writes that the reason that the Torah forbade ingesting non-kosher/unclean animals is that the nature of the animal will “stick” to the person who eats it, and these creatures have a nature that is not desirable for Klal Yisrael. Chazal suggest a number of catalysts for Elisha ben Avuya’s apostasy. His transformation from being the rebbe of Rabbi Meir to becoming an apikores, heretic, was attributed to one factor: when his mother was pregnant with him, she walked by an avodah zarah, idol, and whiffed the aroma of the sacrifices that were being offered. Another Tanna contends that she ate a small piece of meat. In any event, whatever she consumed traveled through her body like a poison, compromising the spiritual development of her yet unborn child. He was born with a spiritual defect: an intense desire to sin. Imagine the devastating impact of forbidden food! It goes so far that the Shach posits that in the event a woman legally partook of non-kosher food, such as if she were critically ill, she should nonetheless not nurse a Jewish child? due to the effect of the food she ate on the child. Last, the Zohar Hakadosh writes that there is a ruach ha’tumah, spirit of contamination, that hovers over forbidden foods, which causes the mind of one who consumes them to become unclear and indecisive.

Horav Chaim Soloveitzik, zl, would often relate the following incident that occurred concerning the Rambam. A similar version is written in the Sefer Degel Machne’ Ephraim.

When the Rambam visited Yemen, he met with a great gaon, Talmudic scholar, with whom he later started a correspondence. In one of the first letters from the rav, a question was presented that struck the Rambam as very odd - almost sacrilegious. He wondered how such an erudite and pious Jew could ask such a philosophic question that bordered on heresy. There was only one excuse: the man had an impure soul. The letters kept on coming, and the Rambam’s response was always the same: inspect the shochtim, ritual slaughterers, of your community. The matter was taken under strict advisory after which it was discovered that for the past thirteen years a number of indiscretions had taken place and, from a halachic standpoint, the people of that community, including the rav, had been eating non-kosher meat! The Rambam’s observation had been correct. For a person of this stature to present heretical questions could mean only one thing; his soul was spiritually compromised due to the food he was ingesting.

A similar incident occurred in contemporary times as related by Horav Chaim Kanievski, Shlita. An elderly man, who had been a successful professor and had raised a family of bnei Torah, came to Rav Chaim and related, “I have been troubled by the following thoughts for over seventy-seven years. When I was a young boy, I was reputed to be an illui, genius. I was proficient in Talmud, grasping and retaining the material quicker and longer than anyone else. The yeshivah that I attended would have vacation once or twice a year. One day after we returned from the Shavuos ‘break,’ shortly after my Bar-Mitzvah, I could no longer learn as I had before. My brilliance was suddenly a thing of the past. My secular proficiency

however, increased, regrettably at the expense of my Torah studies. No secular subject was too difficult, but my ability to achieve any kind of proficiency in Torah studies had reached its limit.

“This went on for years,” he continued. “I made some brilliant investments that paid off handsomely, allowing me to support my family in great wealth. I was successful in everything, except Torah study. I could not learn a blatt Gemorah, page of Talmud.

“Recently, I read a story in the Sefer Yerushalayim Shel Maalah which relates how a woman came to seek advice from Horav Akiva Eiger, zl, concerning her son who had suddenly, for no apparent reason, ceased to have a desire to learn Torah. What should she do? He was refusing to go to the bais hamedrash. Rav Akiva Eiger thought for a few moments and replied, “Probably he ate something that was unkoshер, and it affected him.” The woman’s response was to be expected, “It is impossible. We only keep kosher in our home. There is no way that my son could have even come in contact with unkoshер food.”

The woman returned home and began to search for clues regarding the true kashrus of her home. After some investigation, she discovered to her dismay that the rav of her community, upset by the moral rectitude of the community’s shochet, had invalidated his shechitah. The shochet was a mechutzaf, insolent, and disregarded the rav’s decision. Hence, the people of that town who continued to eat his meat were actually eating unkoshер food. It happened that a member of the community had made a wedding and - in order to defray the cost of the food - ordered the meat from the disputed shochet. This women’s son had attended the wedding!

“Keeping this story in mind, I reminded myself of an incident that took place in my youth, shortly before I lost my ability to study Torah,” the man continued. My family was staying at a hotel, and one day I went out for a short stroll. I met a group of non-Jewish teenagers who began to taunt me for being different. The pressure was building up as they began calling me all kinds of names due to my religious leanings. I contended that I was no different than they were. They put me to a test: ‘You must eat some pork,’ they demanded. I sought every excuse to dissuade their demand, but they persisted. I finally agreed to take a piece of pork home to eat. They did not fall for my ruse and insisted that I, at least, suck a bone. Regrettably, I agreed. When I returned home I related the incident to my parents, who became upset with me. I remember until this day the petch, physical reprimand, I received from my father that night. When I think about it, ever since that day I have not been able to understand a blatt Gemorah.”

This is an incredible story that carries with it a compelling message.

Because of the love which You adored him and the joy with which You delighted in him, You name him Yisrael and Yeshurun.

Klal Yisrael is referred to by two names: Yisrael and Yeshurun. Not only do these names have disparate meaning, they are also written differently. Yisrael is written in lashon yachid, the singular, while Yeshurun is written in lashon rabim, plural form. How are we to understand this distinction? The Baruch Taam gives the following explanation. It is the natural tendency of a father to exhibit greater love to his only child than to any one child in a family of many children. The reason is simple: He channels all of his emotion and love to his one son, while one who has a large family has to divide his love among all of his children. On the other hand, one who has only one son is always nervous lest something happen to him, so that the father will be left with only memories. Certainly, one son does not ever replace another; nonetheless, one who has a large family will not be left bereft of children. In other words, one who has an only child will have greater love, but it will be a love filled with a certain amount of tension. On the other hand, one who has a large family might have to spread his love around a bit, but his joy is greater than his counterpart.

Hashem loves Klal Yisrael, and He experiences great joy from them. It is simultaneously, as one who has one child and as one who has many children. When it comes to love, the singular is used to demonstrate the great love Hashem has for Yisrael, His only son. In regard to the joy Hashem has with Klal Yisrael, the plural is used to emphasize the great joy that accompanies a large family.

## Weekly Parsha Insights from Rav Meir Goldwicht

### Parshat Shemini

The deaths of Aharon HaKohein's sons, Nadav and Avihu, who offered a foreign fire which Hashem had not commanded, appear in the Torah four times. Certainly the Torah wishes us to contemplate this episode and to analyze it in depth, as this parsha is essentially relevant to every one of us. We will attempt, in the course of this dvar Torah, to understand this episode from the perspective of the father, Aharon HaKohein, who lost his two sons, Nadav and Avihu.

Aharon's reaction to the deaths of his sons, the Torah tells us, is silence: "vayidom Aharon" (VaYikra 10:3). The midrash (quoted in the Torah Shleimah footnote 24) explains: "The Torah didn't say 'vayishtok Aharon,' which would indicate refraining from speaking and crying, but 'vayidom Aharon,' indicating emotional calm and spiritual tranquility. How are we to understand Aharon's spiritual tranquility despite the deaths of two of his sons?

Immediately after the Torah informs us of Aharon's reaction, the Torah says that Hashem taught Aharon the law that a kohein may not drink wine when he comes to perform the Avodah. Rashi explains that this was Aharon's reward for his silence. In other words, according to Rashi, HaKadosh Baruch Hu gave Aharon special chizuk for his reaction to his sons' deaths by speaking to Aharon alone and not, as He usually did, by speaking to Moshe and Aharon together or to Moshe alone. The question that arises, however, is that the parsha which Hashem teaches Aharon basically comes to warn the kohein doing the Avodah that if he comes to the Beit HaMikdash after drinking wine, he will die! Is this the chizuk that one gives to a person who has just lost two sons? "Be careful or else you and your other two sons will die too?" What is the meaning behind Rashi's comment that this parsha was Aharon's reward for his silence?

These questions lead us to the topic of shtikah (silence). Shtikah generally indicates one of two things: 1) Fear, such as when a person who is yelled at remains silent; or 2) acquiescence, as in shtikah k'hoda'ah, when one person claims money from another and the latter is silent, essentially admitting that he owes the claimant money. Aharon HaKohein teaches us that shtikah can indicate something else as well. We can understand this third type of shtikah from the following gemara: When HaKadosh Baruch Hu showed Moshe Rabbeinu the true greatness of R' Akiva, Moshe Rabbeinu asked HaKadosh Baruch Hu, "If You have such a great person, why don't You give the Torah through him?" HaKadosh Baruch Hu responded, "Shtok, be silent!" Moshe continued, asking to see R' Akiva's reward for his Torah. HaKadosh Baruch Hu showed Moshe the markets of Rome, where R' Akiva's flesh was being weighed and sold. Moshe challenged, "This is the Torah and this is its reward!?" HaKadosh Baruch Hu again responded, "Shtok! This is what I have decided" (Menachot 29b). What kind of response is "Shtok!?" How does that answer the question? Rather, HaKadosh Baruch Hu was teaching Moshe that there are things that one can understand only if one sees the entire picture. This can only be done when one is silent, because when one speaks, one concentrates only on what he's saying, ignoring the surroundings. Shtikah allows one to evaluate his surroundings and to see the entire picture.

R' Akiva teaches us this lesson in Pirkei Avot as well: Masoret seyag laTorah, One who follows the tradition will most likely follow the Torah as well (but there is no guarantee). Ma'asrot seyag l'osher, One who gives tithes will most likely become wealthy (but, again, there is no guarantee). In his conclusion, however, R' Akiva strays from his template, teaching: Seyag lachochmah, shtikah, Silence leads one to wisdom, instead of shtikah seyag lachochmah. Unlike following tradition and giving tithes, which are like segulos, so to speak, shtikah is a guarantee for chochmah, because through shtikah one is able to perceive the entire picture.

This was the greatness of Aharon's silence. His silence doesn't represent emotional coldness, for he certainly cried over the loss of his two sons. Rather, Aharon had the ma'aloh (positive trait) of shtikah, which let him see the entire picture, enabling him to accept the deaths of his sons with tranquility and love for Hashem. This is essentially a halacha in the Shulchan Aruch (Orach Chaim §222), which rules that one must have a

tranquil frame of mind and full desire when blessing Hashem for the bad just as one has when blessing Him for the good, because when bad things happen to those who serve Hashem, they accept it with love.

One who has the ma'aloh of shtikah can discover great sodot (secrets), because the whole point of a sod is that it remains a sod. Aharon's silence demonstrated his mastery of the trait of shtikah, and thus, his unique ability to uncover sodot. As he began his career in the Beit HaMikdash, where he would be privy to the sod of Creation and to all sorts of other sodot, HaKadosh Baruch Hu warns him not to drink wine, because "Nichnas yayin yatza sod, When wine comes in, secrets come out." Yayin in gematria is the same as sod. This commandment is not a warning that Aharon may die too, but rather an emphasis of Aharon's intimacy with sod. We now understand how this parsha served as a source of chizuk to Aharon HaKohein, essentially praising him as the paradigm of "Sod Hashem li'y'reiv, Hashem shares His secrets with those who fear Him" (Tehillim 25:14).

The concept of shtikah relates to all of us. No matter how often we become angry, rightfully or otherwise, if we possess the skill of shtikah, remaining silent until we have calmed down, we will always be happy in hindsight that we did not react immediately. Shtikah has the power to prevent machloket, to prevent anger, and to allow one to see the greater picture. The ma'aloh of shtikah allows us to consider the whole situation, and to weigh our reaction with the proper balance rather than reacting impulsively. Through shtikah we arrive at chochmah. Chochmah, which allows us to see the whole picture, leads to binah, understanding one thing from another, and to da'at, incorporating our experiences into our personalities. Thus we elevate our lives, individual and communal, to new heights.

Shabbat Shalom! Meir Goldwicht

Weekly Insights on the Parsha and Moadim by Rabbi Meir Goldwicht is a service of YUTorah, the online source of the Torah of Yeshiva University. Get more parsha shiurim and thousands of other shiurim, by visiting [www.yutorah.org](http://www.yutorah.org).

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## Ohr Torah Stone - Rabbi Riskin's Shabbat Shalom

### Shabbat Shalom: Parshat Shemini 22 Adar II 5765, 2 April 2005

"Speak to the children of Israel saying, 'these are the creatures which you may eat from all of the animals upon the earth: any animal that has split hoofs with clefts through the hoofs and that chews its cud - such you may eat'" (Leviticus 11:2,3)

The two main subjects dealt with in this week's Torah portion of Shemini seem to be totally far removed one from the other: we first read of the tragic death of the two sons of Aaron, Nadav and Avihu, on the eighth day of the consecration of the Sanctuary and we then read all of the details of the laws of kashrut, with detailed lists of animals, fowl and fish which are forbidden. It seems to me however that there is a powerful connection between these two issues as well as a crucial message especially in this age of post-modernism.

Let us begin with kashrut. The Bible itself concludes its food prohibitions by declaring the following rationale: "Because I am the Lord your G-d and you shall sanctify yourselves and you shall be holy because I am holy..." (Leviticus 11: 44) Most of our commentaries define holiness as the ability to separate oneself from one's physical instincts and drives, an inner discipline which enables the individual to be above the physical and to come closer to the spiritual.

However, the roots of kashrut express an even deeper idea and ideal. The very introduction to the Five Books of Moses is the story of the Garden of Eden and the very first sin of Adam and Eve. The transgression of the first two human beings was a kashrut transgression. The Almighty commanded Adam, "From every tree of the garden you are free to eat, but as for the tree of knowledge of good and evil, you must not eat of it." (Genesis 2: 16,17) Adam and Eve ate of the forbidden fruit and were banished from the Garden of Eden. But what made the fruit forbidden? After all, the Bible itself testifies that the fruit was "good for food" which probably meant low in calories and devoid of cholesterol, "a delight to the eyes" which suggests a beautiful color and an appealing texture, and "desirable as a

source for wisdom" (Genesis 3: 6) which testifies that it activated the brain cells. So if the fruit was so desirable, why was it prohibited? Strangely enough, it is the serpent who explains the reason : "Because G-d knows that on the day that you eat of it, your eyes will be opened and you will be like G-d, knowing what is good and what is evil" (Genesis 3:5) The serpent, symbolizing the force of evil within the world, is expressing the fundamental struggle which takes place within the breast of every individual: who decides what is good and what is evil, what is right and what is wrong? Is it the subjective individual or is it a more objective outside system or Being whom we call G-d? What G-d is setting down at the very dawn of creation is the fundamental axiom of a religious lifestyle: the final arbiter in the realm of good and evil must be the Divine Will rather than the individual desire. The forbidden fruit is evil because G-d calls it evil. The ultimate source of morality must be a system which is higher than any single individual.

Many years ago I was told by a woman congregant - whose husband had been considered a pillar of their congregation and whose children were all studying in day schools - that her husband had established a second residence with another woman several miles away with whom he had even fathered a child. When I confronted the husband, he didn't even blink an eyelash. He confirmed the facts of the case, but insisted that he was acting out of the highest standards of morality. The only way he could continue his marriage to his wife - who he insisted could not live if she was a divorcee - was if he was simultaneously receiving satisfaction from this other woman, and that he had rescued this "second wife" from committing suicide. Not only did he not consider his act of adultery a transgression; he truly believed that he had rescued two women's lives by having this extra marital relationship.

Sigmund Freud, in his Civilization and its Discontents , maintains that when it comes to rationalization and self justification, every human being is a genius. We can always find perfectly cogent reason for justifying in ourselves acts that we would readily condemn in others. It is for this reason that the subjective individual can never be the ultimate arbiter as to what is proper and what is improper. Hence, our Bible gives the Divine imprimatur to what is right and what is wrong. Kashrut - although many of these laws are guided by ethical sensitivity and the basic moral ambiguity involved in eating the flesh of creatures who were once alive - is basically the paradigm for our deference to G-d in the realm of morality. Hence, despite the fact that post-modernism questions any absolute position, our Ten Commandments are not merely options and "Thou shalt not murder" teaches that there is no possible justification for taking the life of an innocent human being!

Religious commitment demands humility of the individual who is required to bend his knee before a higher Divine power, both in terms of our ethical and ritual lives as well as in terms of our acceptance of tragedy which often seems absurd and illogical. Aaron the High Priest stood at the zenith of success with the consecration of the Sanctuary in the desert; his two sons seemingly performed an unsolicited religious act which expressed their profound appreciation of the Divine "And fire came forth from the Lord and consumed them" - inexplicably and even absurdly (Leviticus 10: 3,4 and Rashi ad loc). The Bible records Aaron's response in two words: "And Aaron was silent". Apparently we learn from Moses that when one individual acts unjustly towards another, we must speak out and act. But when a tragedy occurs which is not of human making - and when a Divine law insists upon human discipline - we must submit to the ultimate will of a G-d whom our Bible guarantees is "A G-d of compassion and loving kindness" even though it may be beyond our subjective understanding. Shabbat Shalom

**Yeshivat Hamivtar - Orot Lev - Parshat Hashavua**  
**Parshat Shemini**  
**Rabbi Chaim Brovender**  
**Let us learn a posuk with Rashi**

"Aharon raised his hands toward the people and blessed them..." (9: 22). The verse does not explain the content of the blessing that Aharon gave the people. This is left to Rashi: "He blessed them with the priestly blessing." Rashi adds the three words that begin each of the verses found in Sefer Bamidbar for the blessing that kohanim recite even today. We all know the words of the priestly blessing. Rashi points them out because the Torah narrative has not yet taught the words of the blessing. Still, according to Rashi, Aharon knew the text. Ramban disagrees. The view that verses in Bamidbar, which clearly state the text of the blessing, were known already to Aharon is "easier" for Rashi. Rashi maintains that chronological order does not regularly determine the sequences of the Torah narrative. Ramban, by contrast, rarely chooses to compromise on what he considers the normal assumption: the sequence of the Torah narrative reflects the order of events. Ramban concludes that the blessing offered in our pasuk was constructed by Aharon himself and that we simply do not have a record of the words of the blessing. A similar instance of an unspecified blessing occurs when the King Shlomo blessed the people at the inauguration of the Temple. Further, the Ramban observes that Moshe had not commanded Aharon to bless the people suggesting that the words of the blessing came of Aharon's own design.

If Aharon was not specifically commanded to say the text of the bracha as recorded in Bamidbar (against Rashi), we might also understand that the blessing of the people occurred somewhat intuitively; it was a natural extension of his personality. Aharon saw the people and understood the obligation of the moment. He did not need to be commanded to bless. The mishkan was being dedicated, surely this was a time to bless the people. We also recognize moments appropriate for blessing. Shabbat evening, when we appreciate the end of a week of labor and accomplishment, is a time to bless our children. Klal Yisrael understood the time as a time of blessing (like Aharon according to the Ramban.). The custom took hold, and we bless our children with the verses from Bamidbar (like Aharon, according to Rashi).

Gut shabbos, Chaim Brovender

#### **WEEKLY-HALACHA FOR 5764**

**By Rabbi Doniel Neustadt, Rav of Young Israel in Cleveland Heights**  
**A discussion of Halachic topics. For final rulings, consult your Rav**  
**SHE'AILOS U'TESHUVOS**

**QUESTION:** On Shabbos [or Yom Tov], is it permitted to discuss purchases, e.g., to ask someone where he bought a particular item such as a suit or a painting?

**DISCUSSION:** If the questioner is interested in buying a similar item, then it is forbidden for him to ask the question and it is forbidden to answer him. If, however, the question is being asked as part of a theoretical discussion with no intent to act upon the topic being discussed, it is permitted.

The same halachah applies if the questioner wants to know how much that particular item cost. If the question is being asked because he is contemplating buying a similar item, it is forbidden to talk about that on Shabbos. If, however, he has no interest in buying such an item but is just asking out of curiosity, it is permitted.(1)

Please note that while this type of conversation is not halachically forbidden on Shabbos, it is still considered "idle talk." Shulchan Aruch expressly urges us to minimize idle talk on Shabbos.(2)

**QUESTION:** Before Shabbos [or Yom Tov] a hostess may prepare a menu, a guest list or a seating plan in order to remember which foods to serve, how to seat the guests, etc. Is it permitted to use such lists on Shabbos?

**DISCUSSION:** In general, it is Rabbinically forbidden to read all kinds of documents or lists on Shabbos. Initially, the basic prohibition included only business-related documents such as contracts and invoices; informal household "documents" such as a guest list or a menu were permitted. Eventually, though, Chazal determined that people were blurring the distinction between business and non-business documents and allowing themselves to read business documents on Shabbos. Chazal were forced,

therefore, to expand the original edict and prohibit the reading of non-business-related “documents” as well.(3) In addition, Chazal were aware that last-minute changes are often made in menus or guest lists, and they were concerned that one might inadvertently erase or alter the list as he reviews it on Shabbos. Thus they banned reading all types of lists and menus on Shabbos. It follows, therefore, that hostesses should not rely on these type of lists on Shabbos [and Yom Tov].(4)

Still, if a woman feels that serving family or guests on Shabbos without such lists will cause her anxiety or distress, she may prepare and read a menu or a guest list,(5) but only in the following manner:

Ask another household member, e.g., her husband or daughter, to read the menu or list to her.(6) Alternatively, another household member should read the menu or guest list along with her.(7)

She should not read the list aloud or even mouth the words; she should merely scan it with her eyes.(8)

**QUESTION:** Is it halachically permitted to read newspapers like the Yated on Shabbos [and Yom Tov]?

**DISCUSSION:** It depends which section of the paper one wishes to read: Business and classified advertisements, business news which bears on the reader’s finances or shopping needs or plans, consumer columns, gardening and housekeeping advice, recipes and cooking instructions - are all strictly forbidden to be read on Shabbos.(9)

Stories of personal or public tragedies, death notices or eulogies that could bring a person to tears, holocaust stories that sadden a person and detract from his oneg Shabbos - may not be read on Shabbos.(10)

Divrei Torah - including all articles pertaining to Torah learning, essays on the weekly Parashah, Halachah, Mussar, Hashkafah, stories and pictures of gedolei Yisrael, stories of chizuk ha-Torah, middos tovos and yira’as shamayim - all of these are permitted to be read on Shabbos, provided that one makes a conscious effort not to read the forbidden parts of the newspaper.(11)

General news - including news, politics or stories of general interest, and advertisement or business news that have no bearing on the finances or shopping needs or plans of the reader, are a subject of dispute among the poskim. We find three basic opinions:

1. Many hold that reading this type of material is included in the Rabbinical edict against reading non-business documents and is forbidden to be read.(12)

2. Others hold that if one enjoys reading these type of articles then it is permitted to do so. These poskim maintain that the Rabbinical edict against reading non-business documents does not include enjoyable reading material.(13) Mishnah Berurah, however, does not support this position.(14)

3. Some poskim hold that while it may be permitted to read certain parts of the newspaper, reading a newspaper should be strongly discouraged since it is extremely difficult to avoid the advertisements or other parts of the paper which are forbidden to be read.(15) But other poskim, however, permit the reading of a newspaper as long as one makes a conscious effort to avoid the forbidden sections.(16)

The following is a free translation of guidelines given by Harav N. Karelitz(17) on this subject: “While a ben Torah and his family should avoid reading a newspaper on Shabbos altogether, we do not object to those who are lenient and read the permissible parts of the newspaper. This is especially true with regard to women, children and those who do not engage in the study of Torah [who require a kosher alternative so that they will not come to engage in idle or forbidden talk or worse]; we definitely should not object to their reading the permissible parts of the newspaper.” One should consult his halachic authority for guidance as to how he should conduct himself in this matter.

**QUESTION:** Is it permitted to read secular books on Shabbos [and Yom Tov]?

**DISCUSSION:** It depends on the type of book one wishes to read:(18)

Biographies of gedolei Yisrael or Orthodox community leaders, Jewish story books that serve to strengthen one’s yira’as shamayim, emunas chachamim or middos tovos are permitted, including works of fiction (novels and mysteries) which are authored by G-d fearing Jews and are written for these purposes.

Books [or encyclopedias] on science, math, medicine, geography, astronomy and architecture are permitted,(19) except if one is reading them for the sake of his business or profession,(20) or only because he needs to study for a test.(21)

Cookbooks should be avoided.(22)

Secular books which do not contain halachically objectionable material, but were not written by G-d fearing Jews for the purpose of strengthening one’s yira’as shamayim, emunas chachamim or middos tovos, should not be read on Shabbos.(23) We do not, however, object to women, children or those who are not engaged in the study of Torah reading books of this nature on Shabbos.(24)

Books about personal or public tragedies, or holocaust stories that sadden a person and detract from his oneg Shabbos - may not be read on Shabbos. (25)

Any written work that may have a bearing on the reader’s finances is forbidden to be read on Shabbos.

#### FOOTNOTES:

1 Mishnah Berurah 307:27, quoting Rambam. 2 O.C. 307:1. 3 Mishnah Berurah 307:52. 4 Mishnah Berurah 307:47. 5 There are several grounds for leniency in this case: 1) A Shabbos meal can be considered a seudas mitzvah, in which case the edict against reading household documents is suspended. 2) Avoiding a stressful situation is considered tzarchei ha-guf, in which case the edict against reading household documents is also suspended. 6 Since we are only concerned that the person in charge of the meals - in this case, the hostess - may alter or erase the the menu or list. 7 When two or more people read the list together, the likelihood that both will forget that it is Shabbos is virtually nil; based on O.C. 275:2. See Shulchan Shelomo 307:16. 8 Based on Mishnah Berurah 307:54; see Shulchan Shelomo, addendum to vol. 1, pg. 66. 9 Mishnah Berurah 307:63. 10 Mishnah Berurah 307:3; Ketzos ha-Shulchan 107:43. 11 See Avnei Yashfei 1:76-3, quoting Harav S.Z. Auerbach; Az Nidberu 9:7. 12 Many poskim, based on O.C. 307:16. See Minchas Shabbos 90:22. 13 See Magen Avraham 301:4 and Peri Megadim; Ya'avatz 1:162; Kalkales Shabbos 33; Tehillah l’David 301:1; Da’as Torah 307:15. 14 Sha’ar ha-Tziyun 301:7. 15 Mishnah Berurah 307:63. 16 See Da’as Torah 307:16, Shemiras Shabbos K’hilchah 29:46. See also Igros Moshe O.C. 5:22-3 who writes that business newspapers should not be read. 17 Ayil Meshulash on Shitrei Hedyotot, pg. 79, 83 and 210, and in Menuchah Shleimah, 2. 18 Although this discussion follows the same basic principles quoted earlier concerning newspapers, there are several reasons why there is greater leniency regarding the reading of books than of newspapers: 1) Books do not contain advertisements or financial news; 2) The Rabbinic ban against reading non-business related items, which became necessary due to the confusion between different type of documents, may not apply to books since there is a clear distinction between unbound business documents and bound books; see Pishei She’arim on Sha’arei Efrayim 10:33. 19 Mishnah Berurah 307:65 and 308:164. 20 Shulchan Shelomo 307:25. 21 See Shemiras Shabbos K’hilchah 28, note 206, where Harav S.Z. Auerbach remains undecided on this issue.

22 Harav M. Feinstein and Harav N. Karelitz quoted in Ayil Meshulash, pg. 41. Others are more leninet; see Shemiras Shabbos K’hilchah 29, note 116 and Avnei Yashfei 1:76. 23 O.C. 307:16. 24 Ruling of Harav N. Karelitz (quoted in Ayil Meshulash on Shitrei Hedyotot, pg. 209, and in Menuchah Shleimah, 2).

25 Mishnah Berurah 307:3; Ketzos ha-Shulchan 107:43.

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**YatedUSA Parshas Shemini April 1, 2005**

**Halacha Talk**

**THE TASTE OF FISH**

**By Rabbi Yirmiyahu Kaganoff**

The Torah teaches that every fish that has fins and scales is kosher. The Mishnah (Niddah 51b) notes that all species of fish with scales also have fins. Thus, one may assume that a slice of a fish with scales is kosher even if one sees no fins.

The Gemara (Chullin 66a) states further that a fish species that has scales at any time during its life is kosher. Therefore, a fish is kosher even if "it has no scales now, but they will grow later, or it has scales and they fall off when the fish leaves the water." Thus, sardines are kosher, even though they are caught sometimes before scales develop. Similarly, certain herrings that shed their scales upon harvest are also kosher. To summarize, any fish that ever had scales is kosher, and it suffices to check an unknown fish for scales in order to verify that it is indeed kosher (Shulchan Aruch, Yoreh De'ah 83:3). The word used by the Torah for scales, *kaskeses*, refers to a scale that is removable from the skin (Rama, Yoreh De'ah 83:1). Thus, fish like sturgeon and swordfish whose scales cannot be removed from the skin are not kosher.

#### SHOPPING FOR FISH IN A NON-KOSHER STORE

I live in a town without a kosher fish market. May I purchase fish fillet from a species that I know is kosher? Halachically, one may only use skinned fish that was supervised from the removal of its skin until it was sealed as kosher (Gemara Avodah Zara 39b). This is because of a concern that the fish is not the kosher species one thinks it is, but a similar looking non-kosher fish.

What if a non-Jew or a non-observant Jew guarantees that this is a kosher fish?

The halacha is that one may not rely on the non-Jew and the product must be sealed by an observant Jew (Gemara Avodah Zara 39b). However, there is one instance where we may rely on a non-Jew's testimony - when he knows that he will lose financially if he is caught deceiving us (Taz, Yoreh De'ah 83:9). Therefore, if the non-Jew knows that we can independently verify his information, we may rely on him. However, one is usually unable to verify the information provided by the person behind the counter in a non-kosher fish market. Therefore, since he is unafraid that we will catch him lying, one may not rely on his authority. The poskim of a generation ago disputed whether one may purchase fish without skin from a non-Jewish company that, for business reasons, produces only a certain type of fish that is kosher. May one use fish from a plant without having a mashgiach check every fish? This question affects production of canned tuna or salmon. Does it require a round-the-clock mashgiach checking that every fish is kosher, or can we rely on the fact that the company has its own reasons to pack only the type of fish stated on the label?

Some poskim hold that one may rely on the company's business reasons because of the halachic principle, "uman lo marei umnaso," a professional does not damage his reputation. According to this approach, we can assume that a company would not mix a different, non-kosher species into its canning operation, because it is detrimental to itself (Rav Aharon Kotler; Shu't Chelkas Yaakov 3:10). Other poskim contend that Chazal did not permit this leniency in the production of kosher fish, but require full-time supervision under all circumstances (Shu't Igros Moshe, Yoreh De'ah 3:8; Kisvei Rav Henkin 2:53). Many of the major hechshirim in the United States follow the lenient opinion.

#### WHITEFISH SALAD

According to the lenient opinions cited, could one allow a company to produce whitefish salad without a mashgiach? After all, whitefish is a kosher fish.

This is disputed by contemporary poskim. Some contend that this is prohibited according to all opinions of the earlier generation, since the company can mix small amounts of less expensive non-kosher fish into the whitefish salad without it being discerned. Thus, the company's professional reputation is not at stake. Other poskim maintain that it suffices to spot-check that no non-kosher fish is in the factory since the company's professional reputation is at stake.

#### WHAT IF SOMEONE LIVES IN AN AREA WITHOUT A KOSHER FISH MARKET?

How can someone purchase fresh fish if he lives in an area that does not yet have a kosher fish market? Since he may not rely on the fishmonger's assurances, must he forgo purchasing fresh fish?

There is a perfectly acceptable halachic solution. Once should go to the fish store, identify a fish that still has its skin on and identify the scales. One should then provide the store with one's own knife and supervise the fish's filleting.

#### WHY MUST ONE BRING HIS OWN KNIFE?

The fish store knives always have a thin layer of grease from other, presumably non-kosher, fish (see Shulchan Aruch, Yoreh De'ah 96:5). One cannot assume that the store cleans the knife between fish to the extent halacha requires to guarantee that it is totally clean (*ibid.*).

In the rare instance that the shop is reticent to allow the use of private knives, one should supervise and ascertain that the knives are scraped extremely clean. Standard cleaning does not guarantee that the grease has been removed from the knife.

#### SALMON STORY

Salmon is a very healthy fish, high in omega oils. It is also a kosher species.

Many years ago, I attended a conference of Rabbonim where a highly respected posek stated that one may assume that salmon fillet is always kosher, even without its skin. He explained that salmon meat's red or pink color does not exist in any non-kosher fish species. Therefore, he contended that one may safely assume that red or pink colored fish is kosher (Shu't Igros Moshe, Yoreh De'ah 3:8).

I did some research on this subject. There is a basis to this statement, but it is not as simple as had been presented at the time. Indeed, there are several non-kosher fish, including some varieties of shark and catfish, which have a pink pigment. However, there are distinct shades of red and reddish pink that belong only to salmon and to certain varieties of trout, which are also kosher. One should not rely on determining that a certain fish is kosher based on its hue without training. Although this halacha was presumably true at that time, I am uncertain whether one may still make this presumption because of an unusual snippet of news I discovered. I recently read an article comparing the environmental benefits of commercially sold Pacific salmon to those of Atlantic salmon. Pacific salmon are wild fish that roam the oceans and pick up their red or pink color from their natural diet that includes red crustaceans. (The fact that a fish consumes nonkosher creatures as part of its diet does not affect its kashrus.) However, commercially sold Atlantic salmon, the source for fillets and steaks, are bred in fish farms that populate the coasts of the Atlantic Ocean and its inlets. (Atlantic salmon is no longer harvested directly from the sea because of decreasing wild populations.) These fish eat a diet that does not make their flesh pink. To give the fish their trademark hue, the farmers add colorant to their diet. It seems that any fish wandering into these farms and sharing the salmons' diet would also develop pink flesh, which would destroy the theory that every pink fish must be kosher. Indeed, the fish could be non-kosher but have devoured significant amounts of red color.

After further research, I discovered another reason why salmon and trout have a distinctive color not found among other deep-sea fishes. When most sea creatures eat colorants like colored crustaceans, they store the excess pigment in their skin. Only salmon and trout store the color in their flesh. Thus, many respected Rabbonim still maintain that fish with the distinctive salmon color must be kosher, since only salmon and trout are able to convert their food coloring to their flesh. However, a research scientist I spoke to dismissed this argument for two reasons. First, he pointed out that it is virtually impossible to prove that no other fish has this ability. To do this, one would have to conduct research on every fish variety worldwide, which is an impossible task. Furthermore, he pointed out that the ability to transfer food color to flesh is an inherited characteristic that the salmon possesses in its DNA. It is feasible that someone has isolated this gene, and that some fish farmer is marketing a different species of fish as salmon fillet. Thus, our question of whether one may assume that all red or pink fillet is kosher remains valid. Nonetheless, I personally side with the lenient ruling. Since we have no evidence of a non-kosher, reddish-flesh

fish, I think that we may still assume that any fish with this distinctive color is salmon until evidence appears that someone has isolated the gene that allows the color to be stored in the flesh and transferred it to a non-kosher species. Until we have such evidence, if the fish looks like salmon, smells like salmon, and swims like salmon, we will assume that it is salmon (see Shach, Yoreh De'ah 83:27).

#### OTHER CANNERY ISSUES

Are there any other potential kashrus issues with canned fish?

Fish factories often produce non-kosher products that would render the tuna or salmon non-kosher. Additionally, even if the factory only cans kosher fish, it might use non-kosher ingredients. Most fish is processed in oil, which can be non-kosher or be produced on non-kosher equipment. There is also a discussion among contemporary poskim whether canned tuna or salmon is prohibited because of bishul akum, food cooked by a non-Jew. Explaining this complicated subject will be left for a different article. What other halachos pertain to fish?

#### FISH AND MEAT

Chazal advise that consuming fish and meat together is harmful to one's health (Gemara Pesachim 76a). To avoid swallowing fish and meat together, one should eat and drink something between eating fish and meat in order to clean the mouth from residual particles (Rama to Yoreh De'ah 116:3). Sefardim are more stringent and follow the ruling of the Shulchan Aruch who rules that one must wash one's hands and mouth carefully between eating fish and meat (Shulchan Aruch, Yoreh De'ah 116:3).

Question: I have never noticed anyone getting sick from eating fish and meat together. Furthermore, the American Medical Association does not consider this harmful. Does this affect the halacha in any way?

Some prominent poskim contend that although mixing fish and meat was unhealthy in the days of Chazal, today the nature of the world has changed and it is no longer unhealthy (Magein Avraham 173:1). This concept is referred to as "nishtaneh hateva," that nature has altered since the days of Chazal (see Tosafos, Moed Katan 11a; Gemara Niddah 3a). Others contend that Chazal were referring to a specific type of fish and that their concern does not extend to most varieties (Shu't Chasam Sofer, Yoreh De'ah #101).

Other poskim rule that one should still not eat fish and meat together, since Chazal may have been aware of a medical issue unknown to modern medicine (see Shu't Shvus Yaakov 3:70;

Shu't Chasam Sofer, Yoreh De'ah #101). The accepted practice is to be stringent (Shulchan Aruch, Yoreh De'ah 116:3).

#### SCHNAPPS AFTER THE FISH

Chassidim have a minhag to drink schnapps after fish. Does this practice have a halachic source?

Indeed it does. Some poskim cite that it is dangerous to drink water immediately after fish (Tosafos, Moed Katan 11a, quoted by Rabbi Akiva Eiger, Yoreh De'ah 116:3). In earlier generations, there were not too many beverages available; often water, wine, and schnapps were the only choices. Thus, when wine was expensive, and one did not want to drink water after fish, schnapps was the most practical alternative. I suspect that this is the origin of washing down fish with schnapps (see Shaar Hatziyun 174:46). Today, a wine connoisseur can substitute white wine and a teetotaler can substitute juice for the same purpose. (Someone asked me whether one can use soda or reconstituted juice for this purpose, since both are predominantly water. To this date, I have found no halachic discussion about this shailah.)

#### THE FISH POT

Question: My bubbly had a special pot that she used only to cook fish. Is there halachic significance to this fish pot? Although most poskim contend that there is no halachic or safety problem with cooking fish in a fleishige pot, some poskim are stringent (Taz, Yoreh De'ah 95:3; Shu't Shvus Yaakov 3:70). Based on this concern, many people have a family custom to cook fish only in a pot that they never use for meat. However, the common practice is to allow the cooking of fish in meat pots.

#### FISH AND MILK

Based on certain halachic sources, some people, most commonly Sefardim, have the practice not to mix fish and milk products together (Pischei

Teshuvah, Yoreh De'ah 87:9). This is important for an Ashkenazi to know when he invites Sefardi guests for a milchige meal.

#### WORCESTERSHIRE SAUCE ON MY FISH

People often ask the following question: Some steak sauces or Worcestershire sauces have anchovies or other fish products among their ingredients. I have noticed that some hechshirim place a notation identifying that these items contain fish next to their hechsher symbol, whereas sometimes they do not. Is this an oversight?

The answer to this question requires an introduction. Poskim dispute whether any mixture of fish and meat is dangerous or only if there is enough to taste both (see Taz, Yoreh De'ah 116:2; Pischei Teshuvah 116:3; Darchei Teshuvah 116:21). Thus, according to many poskim, if a small amount of fish is mixed into a meat product, one may eat it. Furthermore, we mentioned before that some poskim contend that today one may eat a mixture of fish and meat and rely that nature has changed since the days of Chazal (or that Chazal were concerned only about a specific species of fish).

Because of these rationales, many poskim rule that one may eat a small amount of fish mixed into a meat dish (Shu't Chasam Sofer, Yoreh De'ah #101; Pischei Teshuvah 116:3). Therefore, some hechshirim indicate when a product has more than a sixtieth part of fish so that the consumer can avoid using it to spice meat. But if the fish constitutes less than a sixtieth, they rule that one may spice meat with the sauce. The Medrash (Bereishis Rabbah 97:3) points out that Klal Yisroel is compared to fish. Just like fish are completely surrounded by water and rise excitedly to the surface at the first drops of rain to drink a fresh drop of water, so too, Jews who are surrounded by Torah run enthusiastically to hear a new chiddush of Torah and drink it thirstily as if it is their first opportunity to learn. May we indeed live up to our reputation.

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#### TALMUDIGEST Berachot 30 - 36

For the week ending 2 April 2005 / 22 Adar II 5765

from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)

#### WOE TO THE SERPENT

One of the many wonders connected with the great tzaddik Rabbi Chanina ben Dossa began when he was informed about a place where a serpent was attacking people. He asked to be shown the hole where the serpent hid and then placed his heel on top of it. As expected, the serpent bit him. But as unexpected, it was the serpent that died. Rabbi Chanina then carried the dead serpent on his shoulders, entered the Beit Midrash and announced to those studying there: "See, my sons, it is not the serpent which kills, but sin."

It was then that people said: "Woe to the man who encounters a serpent and woe to the serpent who encounters Rabbi Chanina ben Dossa."

The question raised by the commentaries is how was it permissible for this Sage to place himself in a situation of danger to life while relying on a miracle?

One solution to this problem refers us to an earlier gemara (17b) which states that each day a voice comes forth from Heaven announcing that the entire world is nourished in the merit of Chanina. Aware of his Divinely-appointed role as protector of the world, he was absolutely confident that he would not be harmed in coming to the rescue of the endangered public. Another approach to which a footnote of Rabbi Akiva Eiger refers us is that since Rabbi Chanina's intention was to sanctify the Name of G-d by demonstrating that a sinless man will not be harmed, it was permissible for him to endanger himself.

Yet another solution is based on a gemara (Mesechta Shabbat 151b) which states that a wild beast can only overcome a man when he appears to it like an animal as the result of his sins. Completely confident that he was free of sin, Rabbi Chanina had no cause to fear the serpent and was not even in need of a miracle. Berachot 33a

#### WHAT THE SAGES SAY

"The Jewish People committed the sin of the Gold Calf as a result of being enriched with too much gold. Their situation at that time was comparable

to that of a man who washed and fed his son, hung a bag of gold coins around his neck, and placed him at the entrance to a house of ill fame. Can you expect that the son will not sin?!" Rabbi Yochanan - Berachot 32a

### THE WEEKLY DAF Berachos 30 - 36

For the week ending 2 April 2005 / 22 Adar II 5765

from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)

By Rabbi Mendel Weinbach, Dean, Ohr Somayach Institutions

#### IN THE MOOD FOR PRAYER

"One should not enter into prayer from amidst sorrow, nor indolence, nor laughter, nor idle talk, nor frivolity, nor nonsense - only from amidst the joy of a mitzvah."

This is the Talmudic formula for preparing to stand before Hashem in the prayer of Shmone Esrei three times daily.

What produces this mood of joy which must serve as the preface to prayer? We subsequently learn that there is an equation between "words of praise and comfort" and "joy of a mitzvah." Rashi spells out how we recite such words of praise and comfort to achieve this joy in each of our three daily services.

In the morning we precede our Shmone Esrei with a recounting of the Exodus from Egypt. At Mincha we say "Ashrei" which contains the passage "Hashem protects all that love Him." In the evening we again have the Exodus theme, and even outside of Eretz Yisrael where a long blessing separates it from the Shmone Esrei, that blessing contains such words of praise and comfort as the passage "For Hashem will not abandon His people."

In order for a person to sincerely come before Hashem and to Him for all his personal and national, material and spiritual needs, he must be filled with confidence that his Creator both cares about his creations and that He is absolutely capable of providing their needs. Only by recalling the Exodus in which Hashem so powerfully demonstrated both His profound concern and His unlimited ability, or in reciting biblical passages which echo this comforting message in their praise of Hashem, can one achieve

that "joy of a mitzvah" which puts him into the proper mood for prayer. Berachos 31a

#### WOE TO THE SERPENT

A dangerous serpent threatened the residents of a certain community. When a number of people had been stricken by this creature it was brought to the attention of Rabbi Chanina ben Dossa.

There are different versions in our Babylonian Talmud and in the Jerusalem Talmud as to how the sage eliminated this menace.

In the version before us Rabbi Chanina asked to be shown the hole in the ground which served as the serpent's lair. He then placed his heel upon the opening of the hole and the serpent bit it. Rabbi Chanina remained unaffected but the serpent died. He then carried the dead serpent on his shoulder to the Beis Midrash where he declared:

"See, my sons, it is not the serpent which kills. It is sin that kills."

The reaction of people who learned of this incident was to exclaim:

"Woe to the man who encounters a serpent and woe to the serpent which encounters Rabbi Chanina ben Dossa."

The Jerusalem Talmud version is that Rabbi Chanina was standing in prayer in his regular spot when he was struck by the serpent. He did not interrupt his prayers, and when he had completed them he discovered the body of the dead serpent next to him.

Maharsha points out that the first version is problematic because a person is not permitted to put himself into a dangerous situation and to rely upon a Heavenly miracle to save him. The resolution proposed by Iyun Yaakov is that the sage felt that the security of the community was dependent on his utilizing his exalted standing which had already been acclaimed in a Heavenly echo which declared "The entire world is nourished in the merit of My son Chanina." (Berachos 17b) He decided that the communal need justified risking his own safety, and it was the merit of the community and his own which made the miracle possible. Berachos 33a

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