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From: [ravfrand-owner@torah.org](mailto:ravfrand-owner@torah.org) **Rabbi Yissocher Frand**  
[[ryfrand@torah.org](mailto:ryfrand@torah.org)] Sent: Thursday, March 31, 2005 11:24 PM To:  
[ravfrand@torah.org](mailto:ravfrand@torah.org) Subject: **Rabbi Frand on Parshas Sh'mini**

It Is Certainly Not MY Fault!

This week's parsha begins with the "Eighth Day." During the previous week the Jewish people had occupied themselves with what is known as the "Seven Days of Consecration" leading up to the inauguration of the Mishkan. All that was left to happen on the eighth day was for the Divine Presence of G-d to descend and become noticeable in the Mishkan.

Rashi, at the beginning of the Parsha, cites the following Medrash: "When Aharon saw that all the sacrifices were offered and all the rituals were performed, yet the Shechinah [Divine Presence] did not descend upon Israel, he was distressed. He said, 'I know that G-d is angry with me and because of me, the Shechinah did not descend upon Israel.'" Moshe tried to tell Aharon this was not the case, but Aharon remained distressed.

Let us imagine how Aharon must have felt. Here he was, serving as the Kohen Gadol [High Priest]. He was representing the entire Jewish nation. Only recently, the entire nation had sullied themselves through the sin of the Golden Calf. The active participants were killed shortly after the incident. However, it was not only the active participants who perpetrated that sin. Virtually the entire nation was sullied by the Golden Calf. When Moshe, having descended from the mountain, discovered what had transpired, he raised the banner and called "Who is for G-d, let him join with me." Only the tribe of Levi gathered around Moshe to defend G-d's honor. The rest of the people were tolerant enough of what had transpired that they did not rally around that banner.

If we were Aharon, we could have very easily shifted the blame, for the failure of the Shechinah to descend, to the nation. "We acted for the Sake of Heaven. We, the tribe of Levi and the Kohanim are not to blame.

It is the people's fault that the Divine Presence failed to descend! It is certainly not our fault!"

Rav Yeruchem Levovitz says that this Medrash demonstrates the tremendous strength of character of Aharon. When something goes wrong, most of humanity says, "it is HIS fault!" When there are gatherings for repentance and introspection as a result of tragedies in a community, Heaven forbid, our reaction is invariably "I wonder what OTHER people are doing wrong!"

Aharon demonstrated the exact opposite reaction. His a priori assumption was "it must be MY fault!" If more of us had this attitude, rather than looking around and saying "who could it be?" or "what are THEY doing wrong?" then we would be a better people and the community would be a better community.

I once heard a very powerful insight from the Brisker Rov, zt"l. When Yonah was on the boat and the boat was about to break up, all the sailors prayed to their gods. Again, if we were in a similar situation, what would our reaction be? What if we were on an airplane and things became very turbulent, or Heaven forbid there was engine trouble? Everyone would become panicky and would start praying to the 'gods' of their religion. Wouldn't our reaction be "You guys keep quiet -- I'll daven!?" Would we not think "How will we ever survive if these guys are worshiping foreign gods - they are making matters worse, not better"?

Yonah was in a similar situation. He was on the boat and everyone was carrying on. This sailor invoked this Avodah Zarah and that sailor invoked that Avodah Zarah. The boat was on the verge of shattering. Yet, Yonah - in the presence of all the idolaters - was convinced that it was his own fault. The boat was not on the verge of destruction because of the idolaters. Yonah was convinced that the boat was on the verge of destruction because of him, the righteous prophet.

Yonah was in fact correct. It was the very fact of his righteousness and lineage and stature that convinced him - correctly - that it was HIS fault! He should know better. More is expected of him. The greater the person is, the greater the responsibility for success or failure.

This too was the reaction of Aharon. The blame was not placed on the people who just worshipped the Golden Calf. He accepted the blame on his own shoulders, because responsibility comes with greatness.

This must be our attitude as well. Our "holy community" ought not look elsewhere to find blame when "bad things happen." Yes, there is intermarriage and yes, there is abandonment of Torah and the basics of Judaism elsewhere. Yet despite many failings of so much of the Jewish People who are not observant, it is not necessarily THEIR fault. "For I know that it is because of me that this great tempest is upon you" [Yonah 1:12].

When a community 'knows better' - when they know what is right and what is wrong, the responsibility lies with them. This must be our attitude, the attitude of Aharon the Kohen Gadol and of Yonah the prophet. If we would have that attitude and use it to improve our lives then we would merit the descent of the Shechinah, speedily may it come in our days.

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### What's the Truth About... Glatt Kosher

A column devoted to researching commonly-held beliefs

By: **Rabbi Ari Z. Zivotofsky**,\*\* Ph.D.

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Misconception: "Glatt Kosher" means something like "extra kosher" and applies to chicken and fish as well as meat. Fact: Glatt is Yiddish for smooth, and in the context of kashruth it means that the lungs of the animal were smooth, without any adhesions that could potentially prohibit the animal as *atr eifa*, an issue only applicable to animals, not fowl or non-meat products. Background: In colloquial discourse *eif* refers to anything that is not kosher. The technical definition of *eif* is based on Exodus 22:30 ("Do not eat meat from an animal torn [treifa] in the field") and refers to an animal with any of a specific group of physical defects that are detailed in the Talmud (most of the third chapter of Chullin; 42a-59a) and codes (Rambam, Maachalot Asurot 4:6-9 and Shechitah ch. 5-11; Shulchan Aruch, YD 29-60). Examples of these "defects," which often go far beyond the health inspection of the USDA, include certain lesions, lacerations, broken limbs, missing or punctured organs, or the result of an attack by a larger animal. Such defects can occur in and thereby render both animals and fowl *trif*. Because most of these defects are uncommon, it may be assumed that most animals are healthy (Shach, YD 39:1) and hence there is no requirement to inspect every animal for them. 1 An exception is the lung of an animal, on which adhesions [*sirchot*] and other problems may develop. While these problems are not common, they do occur more frequently than other *trifot*. Their relative prevalence led the rabbis to mandate that the lungs of every animal be examined, both manually while still in its natural position in the animal, and visually following its removal from the thoracic cavity (YD 39:1). 2 Because a hole in the lung renders the animal *atr eifa*, adhesions, i.e. pathologically arising bands of collagen fibers, are problematic either because they indicate the presence of a perforation that has been insufficiently sealed (Rashi) or because they can become loosened, thereby causing a hole to develop (*Tosfot*). In the U.S., lung adhesions usually do not occur on fowl; hence the rest of this discussion concerns only meat, not chicken. 3

The Shulchan Aruch describes many types of adhesions in intricate detail (YD 39:4-13), the overwhelming majority of which render the animal *atr eifa*. The Ramah (YD 39:13) concludes the discussion about lung adhesions with a description of a method of peeling and testing many types of adhesions, thereby resulting in many more animals determined to be kosher. The Ramah himself expressed certain hesitations about aspects of this leniency, but because it had gained wide acceptance and did have a firm basis, he ruled that it could be followed. However, he cautions that the peeling and testing must be performed by an exceedingly God-fearing individual.

Because this peeling is mentioned and approved by the Ramah but not by the Mechaber

(Rabbi Yosef Karo, the author of the Shulchan Aruch), Sephardim, who follow the Mechaber, are

required to eat only *glatt* (*cholak*, in Hebrew) meat as defined by the Mechaber. The Mechaber is also the author of the Beit Yosef; therefore, such meat is termed "*glatt/cholak Beit Yosef*." For Ashkenazim, there is a tradition that a small, easily removable adhesion is defined as a lower class of adhesion, known as *ir*, and that the presence of up to two such small, easily removable adhesions still qualifies the animal as *glatt*

according to Ashkenazic tradition. Eating *glatt* is a worthy stringency that avoids potential problems raised by the Ramah's controversial leniency. 4 It should be emphasized that the Ramah's ruling is certainly legitimate and, in theory, non-*glatt* meat, if inspected properly, is 100% kosher for Ashkenazim. Today, the OU (and most other kashruth organizations in the U.S.) will only certify meat that is *glatt*, albeit not necessarily *glatt Beit Yosef*. An important postscript is that the Ramah's ruling is defined as non-applicable to young, tender animals such as lamb, kid and calf (Ramah, YD 39:13). Therefore, all lamb chops, veal or other meat from young animals must be *glatt Beit Yosef*, even for Ashkenazim. From the above explanation, it is clear that referring to chicken, fish or dairy products as *glatt* is a misuse of the term. In addition, even when referring to meat, it only attests to the status of the lung, but makes no comment about the standards of, for example, the *hechitah*. Misconceptions about the meaning of *glatt* are so widespread that, for many, the term *glatt* has colloquially taken on the implication of a higher standard, similar to the term *ehadr in*. In addition, some caterers or stores may have only one kashruth sticker that they use on all products, and hence the sticker on the corned beef sandwich and on the omelette will both say "*glatt kosher*." Although it is technically inaccurate to label chicken, fish, lamb, or dairy products as *glatt*, it is not uncommon to find such labeling. In the majority of cases, it is probably not being done to mislead; but in some instances it may be intended to imply that the product was processed under a superior *hashgachah*, as per the term's informal usage.

#### Notes

1. This does not imply that a blind eye may be turned to their presence. For example, Rav Moshe Feinstein (Igrot Moshe YD 1:19) in a response to Rabbi Moshe Melamed dated 5715 requires that fowl be opened by a Jew who is cognizant of *trifot*, although not necessarily an expert, and the presumption [*chazakah*] that the animal is healthy cannot be relied upon to permit a non-Jew to open the fowl and remove the innards.

2. Nowadays, another problem that occurs with relative frequency and is therefore also inspected for, is holes of the second stomach, the *beit ha-kosot* [reticulum], caused by animals eating nails and other sharp metal objects.

3. The lungs of fowl can have defects that render it *atr eifa*, but not the same kind of adhesions that occur in animals. There are those who feel that nowadays fowl lung problems are also becoming more prevalent and thus require a visual and tactile inspection of fowl lungs (Rav Moshe Sternbuch, *Tshuvot v' Hanhagot* 2:369).

4. The Chatam Sofer (YD 39) rules that if the peeling is done by an expert and God-fearing *shochet*, then "*yochlu anavim v'yisbau - let the humble eat and be satisfied*" (quoting Psalms 22:27). Nonetheless he advises that a *shomer nafsho* [a scrupulous person] should distance himself from this practice. \*\*Rabbi Dr. Zivotofsky does research in neurophysiology at the National Institutes of Health in Bethesda, Maryland. He is also a certified *shochet u'bodek*. This article was prepared with the cooperation of Rabbi Yehuda Kravitz of the Orthodox Union Kashruth Department.

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This article is in honor of Parshas Shmini. Those in Eretz Yisrael will be reading this parshah the day after Pesach, whereas those readers outside Eretz Yisrael will be reading this parshah a week later.

#### How do we make kosher cheese?

By Rabbi Yirmiyohu Kaganoff

Question #1: Is there a need for kosher cheese to cost such a premium over non-kosher cheese? Question #2: Do the Conservatives have any basis for their "heter" of permitting all cheeses?

Before discussing the halachic issues involved in manufacturing cheese, we need to explain the basics of cheese-making. Hashem made cow's milk contain all the nutrients necessary for a newborn calf to grow big and strong until it is ready to be self-supportive by mowing the lawn – I mean, by eating grass for its nutrition. The major components of milk are lactose, or milk sugar, which provides the carbohydrates a young calf needs; casein and other proteins; cream, which is the fat component;

calcium for healthy bones; various other nutrients and about 90% water, which keeps the other ingredients in suspension or solution. To make cheese, one causes the casein to precipitate (separate) out of the fluid milk, which makes the casein coagulate. The coagulated part of the milk, called the curd, separates from the rest, which is the whey.

What is the prohibition called *gevinas akum*, and why did Chazal prohibit it? The origins of the rabbinic prohibition banning non-Jewish cheese are mentioned by the Mishnah (Avodah Zarah 29b), which records that Rabbi Yehoshua evaded explaining why the Sages prohibited cheese. In actuality, the Mishnah and the Gemara (Avodah Zarah 35) mention seven possible reasons why Chazal prohibited consumption of *gevinas akum*: (1) First reason mentioned by the Tanna, Rabbi Yehoshua: Because the gentiles use the stomach of a non-kosher, slaughtered calf to curdle the milk. This approach is later reiterated in the Gemara by Rabbi Yochanan. (2) Second reason mentioned by the Tanna, Rabbi Yehoshua: Because the gentiles use the stomach of a calf that had been offered for idol worship. (3) Rabbi Yehoshua ben Levi: The milk may have been left unguarded in a place where snakes could poison it with their venom. (4) Rabbi Chanina: The milk may have been adulterated with milk of a non-kosher species. Although most non-kosher species do not allow themselves to be milked, camels, donkeys, and mares (female horses) can all be milked and produce palatable product. Although milk from non-kosher species contains very little casein, and thus cannot be made into cheese, some fluid remains in the cheese that could contain non-kosher milk. (5) Rav Ada bar Ahavah: The surface of the cheese may be coated with lard. (6) Rav Chisda: Non-kosher wine vinegar could have been used to set the cheese. (7) Rav Nachman bar Yitzchak: That juice of an *orlah* fruit may have been used to set the cheese. The Torah (VaYikra 19:23) prohibits eating or benefiting from fruit grown on a tree during its first three years. Those fruits are called *orlah* and the prohibition of the Torah applies whether the tree was planted by a Jew or a gentile, and whether it grew in Eretz Yisrael or in *chutz la'aretz*. In his discussion of these laws, the Rambam mentions setting cheese with the juice of figs. Today, we extract an enzyme known as *ficain* (also known as *ficin*), usually from the sap of the fig, which can be, and is, used to make certain varieties of cheese.

As we will soon see, the Rishonim disagree whether these seven opinions are in dispute – meaning that each holds its reasons to the exclusion of the others -- or that each is citing a different reason for the prohibition, and that the cheese was prohibited because of any of the reasons. I want to share with you a curiosity: While researching information for this article, I discovered a forty-year-old article describing how one manufactures cheddar cheese (also a name of geographic origin -- this cheese was originally developed in Cheddar, a village in England), which reports that the cheese was made by adding calf stomach rennet to the milk so that it curdles, heating the curd, going through several processes to carefully remove all the whey, pressing the curd and then plunging it briefly into hot water to form a thin rind, and then greasing the rind with pure lard to keep the shape and thicken the rind. Thus, three of the reasons mentioned by the Gemara to prohibit cheese were very much applicable to this cheese – the use of non-kosher rennet, the use of lard and the remaining un-curdled milk in the cheese, which could contain adulterated milk were it not processed so carefully as to remove it all. Obviously, contemporary kosher cheddar cheese must use a different source for the rennet and a substitute for the lard; but are those the only differences between kosher cheddar and non-kosher?

Why did Rabbi Yehoshua hide the reason? Although we now have some background as to why Chazal prohibited gentile cheese, we still have no idea why Rabbi Yehoshua was reticent to explain the origin of the prohibition. However, the Gemara (Avodah Zarah 35a) does explain his concern, in the following passage: "Why did he not reveal the true reason? As Ula explained: When the scholars of Eretz Yisrael decreed a

new prohibition, they did not reveal the reason for twelve months -- lest someone dispute their reason and be lax in its observance." Thus, we see that even when the prohibition began, no reason was given, out of concern that this would affect the proper observance of the *takanah*.

We find this issue echoed in a later dispute. In the times of the Rishonim, there were areas of Europe, particularly in Italy and parts of France, where there was a long-established practice to be lenient regarding the consumption of the local cheese of non-Jews. The lenience was based on the fact that the Jews knew the recipe used by the gentile cheese-makers, and that none of the concerns mentioned by the Gemara was germane. The cheese was set with "flowers," some variety of plant-based enzyme. I am told that, to this day, there are cheeses in some parts of Europe which use an enzyme found naturally in a variety of thistle. Perhaps, this was the type of cheese that these communities used. The practice of being lenient with *gevinas akum* found halachic backing (several Rishonim in the name of the Geonei Narvona.) Tosafos quotes Rabbeinu Tam as saying "...that we do not find an obvious reason to prohibit *gevinas akum*." Rabbeinu Tam felt that the different opinions quoted in the Gemara are in dispute, and that the authoritative position for the *gezeirah* of *gevinas akum* is that of Rabbi Yehoshua ben Levi -- that the cheese may be contaminated with snake venom. Rabbeinu Tam then opines that, according to Rabbi Yehoshua ben Levi, the prohibition of *gevinas akum* was never instituted in a place where snakes do not flourish. However, most Rishonim rejected this reasoning, contending that the prohibition against gentile cheese exists even when none of the original reasons apply. They contend that the prohibition has a halachic status of *davar she'beminyan*, a rabbinic injunction that remains binding until a larger and more authoritative body declared the original injunction invalid, even when the reason the *takkanah* was introduced no longer applies. Since a more authoritative *beis din* never rescinded the prohibition on gentile cheese, it remains in effect even when none of the reasons apply (Rambam, *Maachalos Asuros* 3:4; Rashba, *Toras HaBayis* page 90b; Semag, *Mitzvah* 223; Tur, *Yoreh Deah* 115). Others even contended that Rabbeinu Tam himself never permitted *gevinas akum*, but that his comments were meant to be theoretical in nature and not a definitive ruling (Semag; Semak). The Shulchan Aruch rules in accordance with the majority opinion that there is no halachic basis to permit use of gentile cheese. The Rama follows a moderately more lenient view, permitting use of gentile cheese in a place where one can ascertain that there was a long-established custom to permit it. Thus, today, no one would be able to use gentile cheese, with the possible exception of an Italian community that can prove that it has such a tradition going back at least eight hundred years.

How is kosher cheese made differently from non-kosher cheese? Having established that almost universal opinion contends that the prohibition against gentile cheese is alive and well even when none of the concerns apply, we need to clarify how one makes cheese in a way that it is considered Jewish cheese, not gentile. Does the cow or the milk require immersion in a *mikveh* and acceptance of *mitzvos* to become Jewish? To resolve this issue, we find a dispute between two major halachic authorities, the Rama (*Yoreh Deah* 215:2) and the Shach. The Rama contends that having a Jew observe the production of the cheese makes the cheese *gevinas Yisrael*, even though the milk and curdling agents are all owned by a gentile, and gentiles perform all the steps in the cheese production. The Shach takes tremendous issue with this, contending that if a gentile owns the milk, the acid, the enzyme, and places the acid or enzyme into the milk, the resultant cheese is prohibited as *gevinas akum*, even if an observant Jew supervised the entire production! The Shach rallies support for his position from the wording of the Mishnah, which, when describing the prohibition against *chalav akum*, prohibits milk "milked by a gentile without a Jew watching," whereas in discussing *gevinas akum*, the Mishnah simply prohibits "the cheese of gentiles," omitting the proviso that a supervising Jew is

sufficient to remove the prohibition. According to the Shach, the only whey (or did I mean "way") to avoid gevinas akum is to have a Jew place the curdling agent into the milk, or to have the Jew own the milk or the cheese. In these instances, the cheese is now considered "Jewish" cheese, because it was either owned or manufactured by a Jew. The Shabbos Problem Those who followed the Shach's approach requiring the Jew either to make the cheese or to own it, occasionally ran into the following practical problem. In order to acquire kosher cheese, they would have a gentile make it for them and arrange that a Jew add the enzyme or acid to the milk. The gentiles were willing to accommodate Jewish needs if the price was right. If the gentile ordinarily used non-kosher rennet, the Jew would supply his own kosher rennet. However, what was one to do when the gentile decided that the best day to set the cheese was on Shabbos? The laws of Shabbos prohibit a Jew from adding a curdling agent to milk on Shabbos – and, according to the Shach, a Jew must put in the rennet to avoid a problem of gevinas akum. This entire problem does not exist according to the Rama -- the Jew can simply oversee what the non-Jew is doing. The Jew himself is performing no melacha, and the non-Jew does not have to keep Shabbos.

The Pri Chadash, who agrees with the Shach's analysis as to what makes a cheese "Jewish," discusses this issue, and concludes the following: If the Jew orders a certain quantity of cheese, that is sufficient to permit the cheese as gevinas Yisrael. Since this cheese is being specifically made for the Jew, the Jew is considered the owner for this cheese as soon as it is manufactured, thus eliminating the prohibition of gevinas akum, even if the Jew did not participate in the manufacture. The Pri Chadash also discusses another case: what is the law if the cheese is manufactured as a partnership between the Jew and the gentile? In this situation, must the Jew add the rennet to the milk to avoid a concern of gevinas akum? The Pri Chadash rules that lechatchilah the Jew should add the rennet to consider this cheese kosher, but be'dei'evid, if he did not do so, the cheese is permitted, since the Jew is a partial owner. However, the question is: why does the Pri Chadash permit this only be'dei'evid? Logically, this cheese should not be included under the prohibition of gevinas akum, since there is partial Jewish ownership. It seems that the Pri Chadash is concerned by the fact that part of the cheese is being made for the gentile – and that quantity of the cheese might be considered gevinas akum – whereas, when the Jew is purchasing outright a certain quantity of cheese, whatever is made for the Jew is automatically considered gevinas Yisrael and is permitted.

Another Approach The Noda BeYehudah (II Orach Chayim #37) discusses a similar case where a Jew is "renting the schvag" of a non-Jew for the purpose of producing cheese. I do not know the meaning of the word "schvag," but from the context it seems that the gentile is being paid to use his own facility to produce cheese for the Jew. What should one do on Shabbos? – the same problem faced by the Pri Chadash. The Noda BeYehudah himself sides with the Rama, opining that as long as the Jew supervises the process, the cheese is kosher, mentioning that this is the accepted practice, and that several earlier luminaries ruled this way. In addition, the Noda BeYehudah demonstrates that the dispute between the Rama and the Shach originates much earlier as a machlokes Rishonim, where most Rishonim rule leniently, like the Rama, whereas the Maharam of Rottenberg held the same as the Shach, i.e., that gevinas akum applies unless the Jew is the owner or the manufacturer. However, the Noda BeYehudah contends that, when the Jew intends to purchase the cheese and supplies the rennet, there is no problem of gevinas akum, even according to the Maharam, since the Jew is already considered a partial owner of the cheese. The upshot is that the cheese is considered gevinas Yisrael even according to the Maharam's opinion that a Jew must be an owner or manufacturer, and yet there is no problem of the gentile making the cheese on Shabbos, since the gentile is doing it for himself. The Noda BeYehudah refers to the Pri Chadash (115:15) who permitted be'dei'evid cheese made where the Jew is a partner. The Noda

BeYehudah says that this case is permitted lechatchilah. Owning just the rennet Is the Noda BeYehudah suggesting another approach that can be used to simplify the entire gevinas akum problem? Is he advising us that even the Shach, who holds that cheese is gevinas Yisrael only if the Jew owns the milk or makes the cheese, agrees that it would suffice if the Jew merely owned the rennet? Based on the Noda BeYehudah, the Orthodox Union (OU) once entertained the possibility of permitting gevinas Yisrael on the basis that the mashgiach would own the rennet.

However, they reached the following conclusion: "Not everyone agrees to the idea of the Jew owning the rennet. Rav Belsky feels that the type of scenario in which this is or would be done (having the mashgiach do a kinyan on the rennet) is not proper, as in order for this to work, the cheese must be made for the Jew, rather than the Jew technically having a kinyan in the rennet, with sale of the cheese to others. He says that this is what the Noda BeYehudah meant. Noda BeYehudah is discussing a case where the Jews rented the cheese plant and planned on buying the finished cheeses. In that case, the Noda Be'Yehudah says that כבד יש חלקו and the cheese is permitted. So he's saying only that owning the rennet suffices where that gives the Jew a partial ownership in the cheese, as a first step towards taking full possession. As such, Noda BeYehudah's extension of Shach applies only in cases where the Jew now has a partial ownership and will later have a full ownership, and there's no basis for extending it to cases such as ours, where the Jew really has no ownership and will eventually have even less.

"Both Rav Belsky and Rav Schachter accepted this argument that Noda Be'Yehudah doesn't apply in this case."

However, I know of responsible, knowledgeable rabbonim who permitted cheese based on this heter, usually adding other requirements. For example, in one instance the rav made a kinyan on the factory and all its vessels so that he would own the cheese as it was made. Another suggestion was that the rav remain a partial owner of the cheese as it was made, and that he then sell his share in the finished cheese, after its manufacture was complete, back to the company in exchange for his "hechsher fee." Although we mentioned before that the Pri Chadash contended that being a partial owner in the cheese without putting in the rennet is only a heter be'dei'evid, the Noda BeYehudah disputes this, contending that this is a legitimate heter lechatchilah.

Conclusion Specifically in the context of gevinas akum, the Gemara teaches that the rabbinic laws are dearer to Hashem than the Torah laws. We see how a vast halachic literature developed devoted to understanding the prohibitions of gevinas akum and chalay akum, created by Chazal to protect the Jewish people from major sins.

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From Destiny Foundation/Rabbi Berel Wein  
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Subject Weekly Parsha from Rabbi Berel Wein

**Jerusalem Post :: Friday, April 20, 2012**

**WHY? :: Rabbi Berel Wein**

These are just random thoughts that I am pondering while I am recovering from the Pesach food binge and attempting to return to the post holiday normalcy of our every day existence. The apocryphal story is told of the professor at a very prestigious university who was administering an exam in philosophy to his doctoral level students. He announced that there would be only one question on the exam and that he would write that question immediately on the blackboard at the front of the classroom. He then proceeded to write "Why?" on the board.

Later he informed the students that there were only two possible correct answers to that question and that they were "Because" and "Why not?" Well, I have been nagged for some time by questions of "why?" on varying subjects of importance. And like the worthy professor in the anecdote related just above the only answers I can come up with are "because" and "why not?"

For example, I cannot fathom why Israel continues to play this charade game of two states with the Palestinians. It is obvious to all that the Palestinian leadership is not the least bit interested in having a state of its own. Then it would have responsibilities and legalities that it is now not burdened with. And also it would not have its default excuse for all of the ills of its society – that everything is the fault of the "Israeli occupation." This is so patently obvious to all so why does Israel continue to waltz this non-solution around with the UN and Abbas, Obama, Clinton, etc.? Why, indeed?

This past Pesach season our modest congregation and yours truly privately helped out financially approximately two hundred fifty families to meet their holiday expenses. It is a privilege to give charity to the needy. But I do not think that there is any imperative present to be one of the needy. Most of my customers were men who have been in their kollelim for decades and are blessed with large families and with spouses who for various health and social reasons no longer work.

The kollelim pay only a pittance, the welfare system in Israel pays a bit more but it is obvious that the families live in abject poverty. And then they will have to borrow enormous sums of money – which in normal circumstances they will never be able to repay – when it comes time for their children to marry. Since the idiocy here in Israel in yeshiva circles is that the young couple has to be provided with an apartment bought on their behalf by their parents, someone who has eight or ten children will need many millions of dollars in order to marry off their children! And to this my mind asks "why?"

How did we allow such a system of cruelty to develop in our supposedly holy society? Why weren't most of these men told that they will never have any financial future and that their Torah learning skills are insufficient to obtain for them any meaningful position in the Torah educational field? Why did their teachers and mentors not warn them of the personal disasters that they face? Why, indeed?

And why do we bother to hear and give publicity and media attention to the advice, analysis and pronouncements of a failed and corrupt former prime minister? There is no sense of shame when it comes to politics here in Israel. A former government minister who served actual time in prison is being touted as a potential leader and vote getter in the next Israeli election. Why doesn't he just stay quiet and give up on public life? Why isn't he ashamed and reticent? Why is our public so jaded that it accepts such behavior without any noticeable reaction of outrage?

I imagine that the answer to all of the "whys" posed above is "because" or "why not?" But that cannot be a long term answer to any of the issues that so bedevil us. Sooner or later a more meaningful and cogent answer will need to be found in order to erase at least some of the "whys" from our minds. To ignore this situation of unanswered "whys" is to bury our collective head in the sand.

The "why" that really troubles me is why are these issues not raised and properly discussed. It is foolish in the extreme to assume that these problems will solve themselves without our society undergoing a change of mindset on many matters. So why don't we consider a change of mindset on all of the important issues that confront us? Why indeed? Shabat shalom.

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From Destiny Foundation/Rabbi Berel Wein  
<info@jewishdestiny.com>  
Subject Weekly Parsha from Rabbi Berel Wein

## Weekly Parsha :: SHMINI :: Rabbi Berel Wein

The parsha deals with the eighth day of the dedication of the Mishkan. In general it can be stated that the eighth day after any event can be a time of challenge. The eighth day of life is the day of circumcision of male Jewish children. The eighth day – the day after the week of rejoicing of a young newly married couple - was and is the day when real married life with all of its joys and challenges begins.

The eighth day after the beginning of the holiday of Pesach in Israel is the day when we return to our ordinary lives and tasks and many times that is a moment of at least temporary depression. And here in the parsha the eighth day is transformed from the day of joy and supreme attainment to one of tragedy and silence.

The eighth day is a difficult day. But the main lesson here is that life is in reality a series of 'eighth days.' The eighth day is unpredictable, it can bring pain and sadness but it can also be inspiring and joyful, productive and worthy. So the eighth day syndrome has become a metaphor for life in general and certainly for Jewish life particularly.

Because of the potential problems and difficulties that the eighth day may bring, the Torah begins the parsha with the word "vayehi" which is not necessarily an expression of happiness. Here it will refer to the untimely deaths of the two sons of Aharon. But in general it serves as a warning to humans to view life cautiously and realistically. The Torah always teaches us to drive defensively in all areas of living.

Aharon's reaction to the tragedy that has befallen him is noteworthy. The Torah emphasizes that he keep silent. Many times events occur in human lives that are so shocking, sudden and overwhelming that humans are left speechless. Silence then is really a reflex reaction. But here the Torah records Aharon's silence as an act of bravery, restraint and holiness and not as a reflex reaction to the destruction of half of his family.

It indicates that Aharon had plenty he could have said and could have taken Heaven to task, so to speak, but instead he himself chose to remain silent. The Talmud in many instances advocates the supremacy of silence over complaint, in fact over unnecessary speech generally. There is much to complain about from our human viewpoint of life and its events. Heaven however states that the fact that we are alive and functioning should be sufficient to stifle any complaints.

This hard judgment is also one of the primary lessons of the eighth day. Aharon's unspoken heartbroken complaint and his unanswered, in fact unasked, question hang in the air of Jewish history – mysterious and unfathomable. This also is true of all eighth day challenges that face us - the righteous and faithful shoulder on.

The great Rebbe of Kotzk said famously: "For the believer there are no questions; for the non-believer there are no answers." We are all eighth day Jews. Let us also shoulder on to build the Jewish people in strength, compassion and belief.

Shabat shalom.

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From Ohr Somayach <ohr@ohr.edu>

To weekly@ohr.edu  
Subject Torah Weekly

**Ohr Somayach :: Torah Weekly :: Parshat Shemini**  
**by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com**  
**Insights**

**Chant Of Love**

*"Aharon raised his hands toward the people and blessed them." (9:22)*

One of the most awe-inspiring experiences is the Birkat HaKohanim, when a thousand-or-so kohanim bless the many thousands at the Western Wall in Jerusalem on the second day of Chol HaMo'ed Pesach and Succot.

Most of the time, prayer at the Wall is a segmented affair. This group starts as this one finishes, while yet another group is somewhere in the middle.

Apart from the daily moments of silence at the dawn's break when everyone begins together the Silent Prayer of Eighteen Blessings, I can think of no other time when the whole of the Kotel is as unified as it is by Birkat HaKohanim.

The haunting chant of the Kohanic blessing evokes deep and powerful feelings in the heart of every Jew however religious he may be. It is a chant that echoes down the years. It is a living witness to the unbroken chain of Jewish tradition that links us to Sinai.

The first appearance of that chant is in this week's Torah portion. Aharon completed his first day of service in the Sanctuary and he then blessed the people with great joy. Such was his desire to bless the people that G-d rewarded him and his descendants that they should bless the Jewish People thus throughout the generations.

The word for blessing in Hebrew, beracha, is connected to bereicha, which means a "pool." Blessing is an overflowing pool that enriches and fills our lives.

In the time of the Holy Temple, when the kohanim would bless the people, they would raise their hands over their heads and make a space between the third and fourth fingers of hands. When they recited the blessing using the ineffable Name of G-d, the Shechina, the Divine Presence, would rest on their hands.

The kohanim to this day still cover their heads and hands with their prayer shawls when they recite the blessing.

But maybe we could also understand a different symbolism behind the covering of the hands of the kohen.

Our Sages teach us that blessing only descends on things that are hidden from the eye, that which the eye doesn't see. For example, a farmer who starts to weigh his grain may pray that his crop will be large, but if he has already weighed it, he may no longer make such a request, for the size of the crop is already revealed to the eye. When the kohanim cover their hands they symbolize this idea that blessing descends only on that which is hidden from the eye.

Mind you, I wouldn't recommend that because of this you give up checking your bank balance once in a while!

•Sources: Talmud Bavli Bava Metzia 42a, Mishna Berura, 128:98  
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Covenant & Conversation

**Thoughts on the Weekly Parsha from**

**Lord Jonathan Sacks**

**Chief Rabbi of the United Hebrew Congregations of the British Commonwealth**

Orthodox Union / [www.ou.org](http://www.ou.org)

Britain's Chief Rabbi Lord Jonathan Sacks

### **Food for Thought**

The second half of Exodus and the first part of Leviticus form a carefully structured narrative. The Israelites are commanded to construct a sanctuary. They carry out the command. This is followed by an account of sacrifices to be offered there. Then, in the first part of today's sedra, the kohanim, the priests, are inducted into office.

What happens next, though, is unexpected: the dietary laws, a list of permitted and forbidden species, animals, fish and birds. What is the logic of these laws? And why are they placed here? What is their connection with the sanctuary?

The late R. Elie Munk (The Call of the Torah, vol. 2, p. 99) offered a fascinating suggestion. As we have mentioned before in these studies, the sanctuary was a human counterpart of the cosmos. Several key words in the biblical account of its construction are also key words in the narrative of creation at the beginning of Genesis. The Talmud (Megillah 10b) says about the completion of the sanctuary, that "On that day there was joy before the Holy One blessed be He as on the day when heaven and earth were created." The universe is the home God made for man. The sanctuary was the home human beings made for God.

R. Munk reminds us that the first command God gave the first human was a dietary law. "You are free to eat from any tree in the garden; but you must not eat from the tree of the knowledge of good and evil, for when you eat of it you will surely die." The dietary laws in Shmini parallel the prohibition given to Adam. As then, so now, a new era in the spiritual history of humankind, preceded by an act of creation, is marked by laws about what one may and may not eat.

Why? As with sex, so with eating: these are the most primal activities, shared with many other forms of life. Without sex there is no continuation of the species. Without food, even the individual cannot survive. These, therefore, have been the focus of radically different cultures. On the one hand there are hedonistic cultures in which food and sex are seen as pleasures and pursued as such. On the other are ascetic cultures - marked by monastic seclusion - in which sex is avoided and eating kept to a minimum. The former emphasize the body, the latter the soul. Judaism, by contrast, sees the human situation in terms of integration and balance. We are body and soul. Hence the Judaic imperative, neither hedonistic nor ascetic, but transformative. We are commanded to sanctify the activities of eating and sex. From this flow the dietary laws and the laws of family purity (niddah and mikveh), two key elements of kedushah, the life of holiness.

However, we can go further. Genesis 1 is not the only account of creation in Tanakh, the Hebrew Bible. There are several others. One is contained in the last chapters of the Book of Job. It is this that deserves close attention.

Job is the paradigm of the righteous individual who suffers. He loses all he has, for no apparent reason. His companions tell him that he must have sinned. Only this can reconcile his fate with justice. Job maintains his innocence and demands a hearing in the heavenly tribunal. For some 37 chapters the argument rages, then in chapter 38 God addresses Job "out of the whirlwind". God offers no answers. Instead, for four chapters, He asks questions of His own, rhetorical questions that have no answer: "Where were you when I laid the earth's foundation? . . . Have you journeyed to the springs of the sea or walked in the recesses of the deep? . . . Does the rain have a father? . . . From whose womb comes the ice?" God shows Job the whole panoply of creation, but it is a very different view of the universe than that set out in Genesis 1-2. There the centre of the narrative is the human person. He/she is created last; made in God's image; given dominion over all that lives. In Job 38-41 we see not an anthropocentric, but a theocentric, universe. Job is the only person in Tanakh who sees the world, as it were, from God's point of view. Particularly striking is the way these chapters deal with the animal kingdom. What Job sees are not domestic animals, but wild, untameable creatures, magnificent in their strength and beauty, living far from and utterly indifferent to humankind:

Do you give the horse his strength or clothe his neck with a flowing mane?

Do you make him leap like a locust, striking terror with his proud snorting? . . .

Does the hawk take flight by your wisdom and spread his wings toward the south?

Does the eagle soar at your command and build his nest on high? . . .

Can you pull in the leviathan with a fishhook or tie down his tongue with a rope?

Can you put a cord through his nose or pierce his jaw with a hook? . . .  
Nothing on earth is his equal- a creature without fear.  
He looks down on all that are haughty;  
he is king over all that are proud.

This is the most radically non-anthropocentric passage in the Hebrew Bible. It tells us that man is not the centre of the universe, nor are we the measure of all things. Some of the most glorious aspects of nature have nothing to do with human needs, and everything to do with the Divine creation of diversity. One of the few Jewish thinkers to state this clearly was Moses Maimonides:

I consider the following opinion as most correct according to the teaching of the Bible and the results of philosophy, namely that the universe does not exist for man's sake, but that each being insists for its own sake, and not because of some other thing. Thus we believe in Creation, and yet need not inquire what purpose is served by each species of existing things, because we assume that God created all parts of the universe by His will; some for their own sake, and some for the sake of other beings . . . (Guide for the Perplexed, III: 13).

And again:

Consider how vast are the dimensions and how great the number of these corporeal beings. If the whole of the earth would not constitute even the smallest part of the sphere of the fixed stars, what is the relation of the human species to all these created things, and how can any of us imagine that they exist for his sake and that they are instruments for his benefit? (Guide for the Perplexed, III: 14)

We now understand what is at stake in the prohibition of certain species of animals, birds and fish, many of them predators like the creatures described in Job 38-41. They exist for their own sake, not for the sake of humankind. The vast universe, and earth itself with the myriad species it contains, has an integrity of its own. Yes, after the Flood, God gave humans permission to eat meat, but this was a concession, as if to say: Kill if you must, but let it be animals, not other humans, that you kill. With His covenant with the Israelites, God invites humanity to begin a new chapter in history. This is not yet the Garden of Eden, paradise regained. But, with the construction of the sanctuary - a symbolic home for the Divine presence on earth - something new has begun. One sign of this is the fact that the Israelites are not permitted to kill any and every life-form for food. Some species must be protected, given their freedom, granted their integrity, left unsubjected to human devices and desires. The new creation - the sanctuary - marks a new dignity for the old creation - especially its wild, untamed creatures. Not everything in the universe was made for human consumption.

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<http://www.torah.org/learning/haftorah/mochorchodesh.html>

### **Haftorah - Erev Rosh Chodesh - Shmuel 1, 20:18 by Rabbi Dovid Siegel**

This week we read a special Haftorah portion in light of the fact that this Shabbos is Erev Rosh Chodesh. This particular segment deals with the heartbreaking separation of Yonasan from his dearest and most beloved friend Dovid and Dovid's secret escape from the threatening wrath of Shaul Hamelech. Shaul, then acting as king over Israel, had the mistaken impression that Dovid was a threat to his reign and viewed him as a rebel who deserved, according to Torah law, to be executed. Yonasan the king's son, maintained an entirely different outlook on the matter and idolized Dovid's accomplishments to the point of yearning for Dovid to assume the mantle of leadership over Israel. These diametrically opposing views finally came to a head when the king publicly denounced his son for his disgraceful attitude. Yonasan read his father's message efficiently and secretly informed Dovid to flee for his life. After an emotional scene of departure, Yonasan sent Dovid away in peace and

reinstated their vow that nothing would ever separate the two families from each other.

The timely reading of this particular segment and the occurrence of its events around Rosh Chodesh suggest a corollary between the reign of Dovid Hamelech and Rosh Chodesh. Indeed we find many customs related to the new moon that reinforce this association. Our Chazal in Sanhedrin 42a instituted that we recite a blessing over the new moon each month. The nature of this Mitzvah is to recognize the orbit of the moon and its exact and affixed progression and digression beginning from a small crescent, extending to a full moon and then decreasing and disappearing. Yet, in the midst of the recital we say with excitement, "Dovid, King over Israel is alive and enduring". This peculiar practice suggests that the moon and King Dovid's reign have much in common. Chazal (Pesikta Rabasi 15) tell us that in actuality, King Dovid's reign was patterned exactly according to the moon. The moon comes to its fullest appearance on the fifteenth day, and then begins its gradual decline until it totally disappears. Once the moon is completely out of sight, it then begins its gradual reappearance. Chazal explain that the reign of the House of Dovid resembled the appearance and disappearance of the moon. Likened to the moon, the glory of Israel's reign slowly began to appear in the time of Avrohom Avinu and developed to its fullest maturity fifteen generations later in the era of Shlomo Hamelech, Dovid's son. From that point onwards the monarchy, like the moon, began its gradual descent until its total disappearance fifteen kings later during the era of Tzidkiyahu Hamelech. The Maharsha (Sanhedrin38a) develops this thought and cites that even within the actual dynasty of King Dovid there were thirty figureheads. In fact, the household of Dovid enjoyed fifteen kings until its downfall during the reign of Tzidkiyahu Hamelech. But even after that point there existed a structure of rulership from the House of Dovid for many generations later. The Midrash concludes that when the reign of Dovid will totally disappear, the time will be ripe for the gradual appearance of Moshiach. We conclude the prayers over the new moon with a special request that Hashem restore the moon to its perfect brilliance and then we recite the following passage "And the Jewish People will seek Hashem and their King Dovid". Once again we discover King Dovid as an integral part of our Rosh Chodesh service. Our Chazal (see Rashi Breishis 1:15) teach us that the moon was originally created with the same brilliance as that of the sun. However, the light of the moon was decreased and will remain that way until the era of Moshiach. In this prayer the brilliance of the moon is likened to the glorious reign of Dovid Hamelech. We entreat Hashem to restore the moon to its original brilliance and likewise to restore the reign of Dovid Hamelech to its original splendor. The insightful words of the Maharsha are quoted in completion of this thought that the numerical value of the above cited phrase "Dovid, King over Israel..." equals the exact value of the words "Rosh Chodesh". We can now appreciate the lesson of this week's haftorah and its encouraging theme. From the view of an outsider the events of the haftorah are terribly disheartening. Dovid had continuously demonstrated remarkable strengths and leadership qualities throughout his faithful years serving as Shaul Hamelech's general. Although Yonasan had been destined to be Shaul's successor, Dovid's superb qualities convinced even Yonasan to step aside and allow Dovid to rise to power. Now, because of King Shaul's grave misunderstanding, all must be forfeited and Dovid's glorious career must come to an abrupt end. Yet, Yonasan remains steadfast and is totally convinced that justice will prevail and Dovid will eventually rise to his well deserved position of authority. The moon seems to be disappearing, but Yonasan knows that it will reappear in its proper time. He, therefore reinstates his pact with Dovid (see Malbim 20:13,14) that when he rises to his position of leadership never to forge the household of Yonasan and his father. We draw our faith from these words and, as we look towards the moon, we express our total faith in Hashem. We recognize that the disappearance

of the Kingdom of Israel, like the moon, is a guaranteed indication of its reappearance and we entreat Hashem to restore the Kingdom of Dovid to its original glory and splendor, speedily in our days.  
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The author is Rosh Kollel of Kollel Toras Chaim of Kiryat Sefer, Israel.

## Weekly Halacha by Rabbi Doniel Neustadt

### *Sefiras HaOmer*

**Question:** Are there any restrictions against reciting the blessing of shehecheyanu during the mourning period of Sefiras ha-omer?

**Discussion:** The poskim agree that from a halachic point of view there is no reason not to recite shehecheyanu during the days of sefirah.<sup>1</sup> It is, therefore, permitted to eat new fruit in season and to buy new clothing or dishes during this time period.<sup>2</sup>

Still, there are communities where shehecheyanu is not recited during sefirah. Some communities are even stricter and refrain from buying new clothes during sefirah altogether, even basics which do not require the blessing of shehecheyanu. Since these restrictions have valid sources — some can be traced as far back as to the Rishonim<sup>3</sup> — they should be upheld by the communities or families whose traditions they are. But those who do not have these customs are not required to observe them, as the halachah makes no such stipulations.<sup>4</sup>

[One who was under the impression that it is halachically prohibited to recite shehecheyanu during sefirah, but learned subsequently that this is not the case, does not need hataras nedarim in order to change his custom and recite shehecheyanu during sefirah.<sup>5</sup>]

Moving into a new house or apartment during sefirah is another case in point. The halachah permits one to move during sefirah.<sup>6</sup> It is also permitted to paint or decorate one's home during sefirah.<sup>7</sup> But if one's family practice is to refrain from moving or making home improvements during sefirah,<sup>8</sup> one should follow the principle of not deviating from family custom, as is true in all matters of halachah.

Note: The above halachos apply only to the days of sefirah. During the Three Weeks, which take place before Tishah b'Av, the halachos are more stringent; see The Weekly Halachah Discussion on Parashas Pinchas.

**Question:** May a husband and a wife observe different periods of mourning during sefirah, each following his/her family's custom?

**Discussion:** Generally speaking, once a woman gets married, she follows her husband's customs — both leniencies and stringencies. Marriage signifies a wife's entrance into her husband's domain, and that entry obligates her to follow his customs.<sup>9</sup>

But it is permitted for a husband to allow his wife to continue practicing her parents' customs even though they differ from his own. For instance, it is permitted for a wife to continue praying in nusach Sefarad even though she married a husband who prays in nusach Ashkenaz, as long as her husband does not insist that she change her custom to his.<sup>10</sup> In our case, too, it is permitted for a wife to observe her family's mourning period, as long as her husband does not object.<sup>11</sup>

**Question:** Is nail-cutting permitted during sefirah?

**Discussion:** Yes, it is;<sup>12</sup> only hair cutting and removal is forbidden during sefirah. It is also permitted to trim a mustache that interferes with eating,<sup>13</sup> to tweeze eyebrows or eyelashes,<sup>14</sup> and to comb one's hair even though some hair will get pulled out in the process.<sup>15</sup>

Married women may cut hair that is protruding from their head covering.<sup>16</sup>

**Question:** If one forgot to count one day of the Sefiras ha-Omer, may he continue to count?

**Discussion:** There is a major dispute among the poskim of the Geonic era over whether or not forgetting to count one day invalidates the entire count. Some are of the opinion that the Torah's command to count "seven complete weeks" renders the entire count as one entity, one long mitzvah. Consequently, forgetting to count one day destroys the entire sequence and no further counting is possible. Most other poskim hold, however, that each day is considered a separate mitzvah. One (or several) day's omission, therefore, has no bearing on counting the other days.

The Shulchan Aruch<sup>17</sup> rules like the majority opinion, that one day's counting has no connection to the other days'. One must, therefore, continue to count the sefirah even when a day [or several days] was omitted. The blessing over the count, however, should not be said, in deference to those who hold that omitting a day invalidates the entire mitzvah. The Mishnah Berurah recommends that one hear the blessing from someone else, so that he can fulfill the mitzvah in the proper way, with a blessing.

If a person is uncertain as to whether he missed the previous day's count, he is permitted to count the remaining days with a blessing.<sup>18</sup>

One who forgot to count during the night should count during the following day without a blessing. He may then continue to count on the following evenings with a blessing.

One who forgot to count on a Thursday night but remembered to do so on Friday afternoon after kabbalas Shabbos and Maariv but before sunset, may count on the following days with a blessing.<sup>19</sup>

There is a dispute among the poskim<sup>20</sup> concerning one who forgot to count one evening, but remembered to count the next day after sunset but before nightfall (the time period known as *bein ha-shemashos*). Most poskim allow him to count on the following days with a blessing while a minority opinion does not.<sup>21</sup>

- 1 Mishnah Berurah 493:2 and most other poskim, quoted in Bein Pesach l'Shavuot 16:1.
- 2 Harav Y.S. Elyashiv (Mevakshei Torah 19).
- 3 Rabbeinu Yerucham, quoted by Eliyahu Zuta 493:1; Leket Yosher, pg. 97, quoting Terumas ha-Deshen; Tzror ha-Mor, Parashas Emor.
- 4 Ta'amei ha-Minghagim, pg. 251; Tosafos Chayim on Chayei Adam 131:12; Harav S.Z. Auerbach (Shalmei Moed, pg. 441).
- 5 Yechaveh Da'as 1:24.
- 6 Satmar Rav (quoted in Piskei Teshuvos 493, note 6); Harav Y.S. Elyashiv (Mevakshei Torah 19); Tzitz Eliezer 11:41.
- 7 Yechaveh Da'as 3:30; Tzitz Eliezer 11:41.
- 8 This custom is recorded in several sources; see Piskei Teshuvos 493, note 1.
- 9 Igros Moshe, O.C. 1:158; Minchas Yitzchak 4:83.
- 10 Harav S.Z. Auerbach (Minchas Shelomo 1:1-7). It is advisable, though, that for the sake of the children's chinuch, both husband and wife pray in the same nusach (Harav Y.S. Elyashiv, quoted in Tefillah k'Hilchasah 4, note 4).
- 11 In addition, see Igros Moshe, O.C. 1:159 and 2:95, who maintains that observing different sefirah mourning periods is not — halachically speaking — considered as practicing different "customs" at all.
- 12 Kaf ha-Chayim 493:16.
- 13 O.C. 551:13.
- 14 Bein Pesach l'Shavuot, pg. 241, quoting oral rulings from Harav S.Z. Auerbach and Harav S. Wosner.
- 15 Mishnah Berurah 551:20.
- 16 Mishnah Berurah 551:79. When necessary, women may shave their legs; Harav M. Feinstein (Oholei Yeshurun, pg. 9). See also Igros Moshe, Y.D. 2:137 where he allows women to take haircuts when necessary during the Three Weeks. When necessary, a girl of marriageable age may have her hair cut; Harav S.Z. Auerbach (Halichos Beisah, pg. 371).
- 17 O.C. 498:8.
- 18 O.C. 489:8.
- 19 Sha'arei Teshuvah 489:4; Igros Moshe, O.C. 4:99-3.

20 See Beis Shelomo 1:102; Birkei Yosef 489:17; Sha'arei Teshuvah, 489:4; Sho'el u'Meishiv 4:3-127.

21 See Kaf ha-Chayim 489:83 who rules not to say a blessing, while Minchas Yitzchak 9:57 and Yabia Omer 4:43 rule that a blessing may be said. Surely, one who remembered to count within 9 minutes after sunset, may count on the following days with a blessing; see Igros Moshe, O.C. 4:62.

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whatever is required for them; their very being is one of connection to holiness.

Fortunate indeed are those who are able to attain, or even to strive for, this exalted plane of existence.

Rabbi Asher Meir is the author of the book Meaning in Mitzvot, distributed by Feldheim. The book provides insights into the inner meaning of our daily practices, following the order of the 221 chapters of the Kitzur Shulchan Arukh.

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**Orthodox Union / www.ou.org**  
**Shemini - Making Meat Permissible**  
**Rabbi Asher Meir**

Our parsha defines the forbidden and permissible species of animals. However, the permissibility of meat is dependent not only on the variety of animal but also on the method of its slaughter. Animals during their lifetime are “ever min hachai” which are forbidden even to non-Jews. If they die by themselves or are killed in a haphazard way (neveila and treifa), then they are permitted to non-Jews, but not to Jews. Proper shechita which makes meat permissible according to the Torah is careful slaughter with a perfectly sharp knife which instantly cuts both the windpipe and the blood vessels which supply “dam hanefesh” - the blood on which life depends.

Finally, permitted fish require no slaughter at all; rather, “the very collection of fish is like slaughter for livestock” (Rambam Shechita 1:3; as e learn from Moshe’s statement in Bamidbar 11:22).

The Zohar at the end of our parsha makes a cryptic analogy based on this law: “Roshei Yeshiva require no shechita; their very collection makes them permissible”. Let us examine the meaning of this surprising metaphor.

One way of understanding this statement is to view the laws of ritual slaughter, which relate to how an animal is separated from life, to the way in which a person separates himself from bestiality and the life of this world during his lifetime. This determines a person’s “permissibility” or heter - his ability to contribute to holiness.

Some people are completely absorbed in material, animal existence - they are not separated from it at all. This is the analog of “ever min hachai”, a live animal which has no permissibility whatsoever. A person who is completely bestial can not make any contribution or connection to kedusha.

Some people distinguish themselves from gross materialism unintentionally or in a haphazard way. This corresponds to a neveila or treifa which are permitted to a non-Jew, that is, they can contribute to the world’s material and ethical perfection.

Some holy people go beyond this; they are scrupulous to separate themselves from bestiality by their very breath and life’s blood - their vitality is not drawn from materiality but rather from kedusha. This is the kosher shechita which makes the kosher animal completely able to be assimilated to holiness - to be eaten or even offered on the altar.

Beyond this are the roshei yeshiva, the leading Torah scholars. These individuals live and breathe in a completely different element - in the sea of Torah. They are distinguished from the life of this world by their very being; indeed, they would die merely by virtue of being drawn out of the sea and collected into this world. Even in their everyday mundane activities, they are distinguished from our everyday experience; they don’t have to distinguish their breath of life from that which comes naturally to them, because they breathe Torah. Therefore, no shechita