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INTERNET PARSHA SHEET ON SHMINI - 5773

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Subject Rabbi Frand on Parsha
5772

Rabbi Yissocher Frand - Parshas Sh'mini

The Goat Atones For Yosef's Sale – But Why Now?

On the eighth day of the consecration of the Mishkan, following the 7 day period of inauguration, the Jewish people were told to bring a number of sacrifices. Included among them was a goat for a sin offering. The Toras Kohanim suggests that this was an atonement for the sin of selling Yosef. To cover up the crime of selling their sibling into slavery, Yosef's brothers slaughtered a goat and dipped Yosef's coat into the blood of the goat to make it look like Yosef was killed by a wild animal. The Oznam L'Torah from Rav Zalman Sorotzkin asks an obvious question: Why is this symbolism appropriate now at the dedication of the Mishkan? Maybe it would have been appropriate when they left Egypt to have the Paschal Offering be a goat rather than a lamb. After all, they wound up in Egypt because of the sale of Yosef. Now that they were leaving, it would be an appropriate time to lay the matter of their guilt permanently to rest and bring an atonement offering. This was not done at that time. Rather, the symbolic recollection of that earlier event only occurs now, many months later, when the Mishkan is being dedicated. Why?

The Oznam L'Torah gives a very logical answer. The underlying cause of the sin of Yosef's sale was unfounded hatred (sinas Chinam). Part of the function of the Mishkan was to act as a unifying force within the Jewish people. That is why emphasis is placed on the fact that it was "in the midst of the camp." The Mishkan was the focal institution of the nation, geographically as well as spiritually. It served to unify Klal Yisrael.

This year, unfortunately, because of our sins we all spent Pessach separately. But G-d willing, the Temple will speedily be rebuilt and we

will all spend Pessach together in Jerusalem -- unified as a single and cohesive nation. The Oznam L'Torah quotes the pasuk from Parshas Terumah "The middle bar inside the beams shall extend from end to end (min hakatzeh el hakatzeh)" [Shmos 26:28] This phrase is symbolic of the ability to unify diverse components of the people -- from the far left to the far right -- who can all come together and rally around a single national focus of attention, i.e. -- the Mishkan.

Now, at the dedication of the Mishkan, whose purpose in part was to unify the people, was indeed the appropriate venue to achieve atonement once and for all for that unseemly incident in the nation's history which typified disunity within the family -- the sale of their own brother into slavery.

Know the Past, Present, and Future, Before Pronouncing "Tameh"

This week's parsha contains the first occurrence of the laws related to identifying Kosher animals, fish, and fowl in the Torah. The pasuk says: "But this is what you shall not eat from among those that bring up their cud or that have split hooves: the camel (gamal), for it brings up its cud but its hoof is not split (parsah einenu mafri) – it is impure to you; and the hyrax (shafan), for it brings up its cud but its hoof is not split (parsah lo yafri)– it is impure to you; and the hare (arneves), for it brings up its cud, but its hoof is not split (parsah lo hifrisa) – it is impure to you." [Vayikra 11:4-6].

There is a striking inconsistency here. With the camel, the verb used to discuss the fact that the hoof is not split is conjugated in the present tense: "Parsah einenu MAFRI" [the hoof IS NOT split]. Yet with the shafan, the verb is in the present "Parsah lo YAFRI" [the hoof WILL NOT BE split]. Finally, with the arneves, the verb used is in the past tense: "Parsah lo HIFRISA" [the hoof WAS NOT split].

This is glaring. The terms should all be present, all future, or all past tense. There has to be a message here in the fact that the Torah uses a different form of the verb for each of these three animals.

I saw a beautiful homiletic thought on this matter. When someone is about to pronounce "Tameh" [Impure] on a species or on any entity, one needs to be aware of its past, its present, and its future. Unless one is aware of the situation in the past, present, and future, one does not know the whole story and should not be so quick to pronounce the words "Tameh hu" [this one is impure].

One of the teachers at Bais Yaakov told my wife the following story: There was a couple who went through the Holocaust. Before the Holocaust, they were fully observant of Torah and Mitzvos. After the Holocaust, unfortunately, the husband lost faith and said "That's it! I've had it with G-d!" The husband gave up every thing in terms of religious practice and belief.

His wife did not have that reaction. She begged her husband -- "At least go to shul." The husband refused. This went on for a while. Finally the wife said to the husband, "Listen, do me a favor. Every morning you go out and buy a newspaper and you read it from cover to cover. Humor me, when you pick up the paper at the newsstand, rather than coming home to read it, go to shul and read the paper in shul -- just to make me happy!"

The husband wanted to please his wife. He spent the time reading the newspaper anyway, so he agreed to her proposal. He would go to shul every morning, sit in the back row and read the paper. This went on for years.

Now ask yourselves: If you saw a fellow come into the back row of your shul every morning, not put on Tallis or Tefillin, not take a Siddur off the shelf, but simply make himself comfortable and read the newspaper for 45 minutes, what would your reaction be?

Most likely our reaction would be very negative. "If you want to read the newspaper, go home and read the newspaper! How dare you be so disrespectful of this holy synagogue?" To their credit the people in this particular shul did not say anything critical to this individual. They did

not chastise him. They began to schmooze with him, they invited him to join them for a l'chaim after davening when someone had a Yahrzeit, they invited him to join them in social gatherings. To make a long story short, this Holocaust survivor went from reading the newspaper in the back row of the shul every day to davening in shul three times a day! Eventually, he even became president of the shul.

What does that tell us? Our inclination would have been to immediately pronounce "Tameh who lachem" -- this species is definitely not a kosher animal! But we did not know the fellow's past. We were not clear about his present situation, and we certainly could not have guessed what his future turned out to be. This is what the Torah is teaching. In order to proclaim "This one is Tameh" we must know that the hoof was not split in the past, the hoof is not currently split, and the hoof will never be split in the future. Short of that do not be so quick to say "Tameh hu lachem."

Ethics of the Fathers: Chapter 1 Mishna 4

Yosi Ben Yoezer Says: A person should cling to Talmidei Chachomim, he should make his house open to them, and he should drink with thirst the words they utter.

Rav Yaakov Kaminetsky, zt"l, notes the teaching of Chazal (coincidentally in the Toras Kohanim on Parshas Shmini) that a person should not say "I do not eat pig because I hate the taste of pork. Rather, he should say I would love to eat pig, but I must abstain because this is what Hashem commanded me to do in his Torah". Indeed, many Baalei Teshuvah say that the hardest thing for them to give up by adopting a religious life style was to not be able to eat shellfish any longer. "It was delicious", they say. That is the proper attitude to have: I wish I could have that forbidden delicacy, but by decree of the Torah I can't so I won't.

Rav Yaakov said that this attitude is appropriate when it comes to certain forbidden delicacies, but it should not apply to Torah learning. One should never say "I really wish I did not need to learn Torah. It is boring, it is this it is that, but I have no choice -- G-d tells me to learn Torah, so learn Torah I must. Heaven forbid one should have that attitude. As Yossi ben Yoezer says, one must drink the words of the Sages with thirst.

Part of the mitzvah of learning Torah is learning because we enjoy it. This is why the blessing before learning Torah has the unique language (ha'arev nah...) "Make pleasant in our mouths the words of your Torah..." There is no other bracha like that. We do not say ha'arev nah regarding matzah, we do not say ha'arev nah regarding Tefillin. Only when it comes to learning Torah do we beseech G-d that he make the words of Torah sweet in our mouths. This is because the mitzvah of learning Torah is to enjoy learning Torah.

Rav Weinberg, zt"l used to say that Torah is compared to water. One drinks coffee for the charge one gets from it, one drinks soda because it is sweet. One drinks water only because one is thirsty. That is why Torah is compared to water. We should have a thirst for it, like we have a thirst for water. When one is not thirsty he does not drink water, when he is thirsty there is nothing better than a cold glass of water. A person has to find his niche in Torah so that when he learns it, he does so to quench a great thirst and to receive the great enjoyment akin to what one feels when he quenches his thirst with that nice tall cold glass of H2O. That is how a person should approach Torah learning.

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Kashrus at a Shabbos Affair Part 1

Most people are aware that there are halachos that apply to the Shabbos kiddush, such as what is permitted to be used for kiddush, how much food may one eat when sitting down to a kiddush and not come into the problem of kevias seuda? These are important halachos to discuss. However, something which is much neglected on every Shabbos is the kashrus of the food being eaten at a catered affair.¹ In most cases many issurim are being done and the ba'al simcha is paying good money to this caterer. Everyone is very busy before a simcha to check every detail. However, someone has to make sure that everything is according to halacha.

Erev Shabbos

Outside Food Since the status of baked goods which come from a private home may have kashrus concerns for some people, one should not accept any cake without reliable certification.

Food Arriving on Time Many times the food will arrive very late on Friday. One has to make sure that the driver delivering the food leaves early enough so that the food arrives well before Shabbos so not to have a Shabbos without food.²

Sealed Food If a non-Jew is delivering meat one has to be careful that it is properly sealed to avoid the issur of baser sh'nesalim min ha'ayin.³ In a situation where there are non-Jewish employees, one must make sure that there is no access to the refrigerator etc (it must be locked).⁴

Waiters Many times one hires a caterer for a job, and the ba'al simcha does not realize that this worker is a Jew who is not frum who drove on Shabbos to get to the kiddush. One is not allowed to invite someone to come to his house for Shabbos if he knows that he will drive i.e. he lives far away.⁵ One must be careful with this when hiring workers.

Sechar Shabbos A waiter may receive money for work done on Shabbos, as long as he is not being paid exclusively for Shabbos. For example, the waiter could set the tables before Shabbos.⁶ Furthermore, a waiter often has a tremendous amount of cleaning work to be done on Motzei Shabbos, so the payment for his job is havlah.⁷ One who has a job to cater an affair on Shabbos is permitted to take money for the job. The reason is since in all cases the caterer has to prepare the food, etc before Shabbos his payment is havlah. A mashgiach in a hotel for Shabbos should make arrangements to do some work on Friday in order for his payment to be considered havlah.⁸

Opening Packages Ripping for a purpose on Shabbos is ossur.⁹ However, there is a big discussion in the poskim if ripping is permitted if the package is destroyed by the ripping.¹⁰ Many times one will not destroy the box etc, and the halachos of what is permitted to open and what is forbidden is difficult and well beyond this issue to discuss.¹¹ In addition, there are many issurim that one can transgress when opening a package or bottle such as koreah, mochek, and makea b'patish. Therefore, to go in accordance with all opinions one should open all packages before Shabbos has begun.¹² The same applies to paper and plastic goods, silver foil, saran wrap and tablecloths.¹³ Some say one may open the thin layer surrounding the food which is usually thrown out such as the plastic covering on top of yogurt.¹⁴ One who does not open the packages before Shabbos, and opens those packages which are permitted to be opened, should be careful not to rip any letters or shapes.¹⁵ It is best to have a non-Jew open the packages.¹⁶

Taping down Lights Opening a light on Shabbos involves an issur d'oraisa of mavier.¹⁷ Therefore one should tape down the light switches before Shabbos. Another instance where it is common that one may accidentally turn on a light is in a refrigerator. Today refrigerators have lights in them and when one opens the door, a light goes on. To avoid this on Shabbos, one should tape down the switch before Shabbos, or remove the bulb if there is no switch to tape down.¹⁸ If one forgot to do so, he may ask a goy to open the refrigerator for him.¹⁹ It is advisable to hint to the goy to remove the bulb if it is possible that there will be no other goy to open the refrigerator at a different time on Shabbos.²⁰

Maintaining Food on a Flame on Shabbos –

Blech In the days of the Gemorah the ovens contained coals, and chazal were concerned that one may come to mix the coals and hasten the cooking process. Therefore, chazal required that either the coals be removed or covered in order to permit uncooked food to remain over a fire on Shabbos.²¹ Even though there are no coals in our stoves one must cover the fire (and knobs, see below) to make sure that he will not come to adjust the flame on Shabbos.²² One should try to have all of the food off the fire before Shabbos,²³ but in most cases this is not possible, especially if it is a big affair. In order to make sure that the fire is

covered we put on a blech before Shabbos.²⁴ The custom is that a blech is put on a fire even if the food is completely cooked.²⁵ There are two reasons for placing a blech over the flame. It reduces the heat output serving as a reminder that the flame must not be raised.²⁶ In addition, the blech serves as a reminder that Shabbos is different and the flame must be left alone.²⁷

Hotplate A hotplate is usually capable of cooking. Therefore, some say it is not considered as if the fire is covered, and one must cover the hot plate with thick silver foil in order to allow the food to remain on it during Shabbos.²⁸ Controls on the hot plate which can be used to raise the fire must be covered or taped.²⁹ According to some poskim, a hot plate which is not able to cook and may not be adjustable to make it warmer (no knobs etc) may have food placed on it before Shabbos without any silver foil.³⁰ Some say the whole discussion of the hotplate is only when it comes to returning food on Shabbos, and not when leaving food on it from before Shabbos.³¹

Warmers For a Friday night meal some caterers will use Sterno gel cans which when lit keeps the food hot. One should be careful to cover them before Shabbos. In addition one should be careful that there is enough water in the pans before Shabbos.

Ovens – Leaving food there from Erev Shabbos We have established that in order for one to keep food (even if it is fully cooked) one should place a blech before Shabbos on the fire. However, by an oven although the fire is covered by the oven walls, this is the normal way of cooking. Horav Moshe Feinstein zt"l³² holds that one may place food which is not fully cooked in an oven before Shabbos as long as he covers the fire beforehand.³³ Some say this should be done with a metal insert placed in the oven.³⁴ However, if one does not plan on returning food in there on Shabbos one does not need an insert.³⁵ One who wishes to put food which is not fully cooked into an oven before Shabbos should cover the fire with aluminum foil or a blech.³⁶

In most catered affairs the food is fully cooked so there is not need to cover the fire with aluminum foil or a blech.

Covering Knobs on an Oven There is a halacha that one is not allowed to raise or lower a fire on Shabbos.³⁷ In order to make sure that one does not come to do this on Shabbos, one should cover the knobs on an oven from before Shabbos.³⁸ If this is not possible then one can be lenient if it is a pressing situation.³⁹

Wine There is an issur d'oraisa to drink or have benefit from wine that a goy made for avoda zara.⁴⁰ The chachumim made a gezeirah not to drink nor have enjoyment from any wine of a goy even if it is not used for avoda zara. Such wine is called stam yayin.⁴¹ When wine is cooked, the gezeirah does not apply.⁴² Some say the reason is since it was not common to have yayin nesach it was not included in the gezeirah.⁴³ The Rambam⁴⁴ says the reason is because a non-Jew does not use cooked wine for avoda zara. Therefore, one should make sure all the wine to be served at the affair are cooked wines.

Meat and Fish One who eats fish and meat that were cooked together is putting himself in danger.⁴⁵ Accordingly, one has to make a separation between meat and fish in order that one does not come to eat them together.

Urn One should see to it that the water in an urn is cooked before Shabbos.⁴⁶

When one caters an affair where a lot of people will want tea and coffee, the caterer needs to put up a lot of hot water before Shabbos. An urn with an inlet valve which adds cold water to the urn automatically should not be used⁴⁷ unless the inlet valve is turned off. ⁴⁸ Similarly, a non-Jewish waiter may not put cold water into the urn on Shabbos either.⁴⁹ According to many poskim an urn which has a tube on the side to let one know how much water is left in the urn is permitted to be used on Shabbos.⁵⁰ A knob with which one can raise or lower the temperature of the water should be taped down before Shabbos.⁵¹

Utensils Borer is one of the forty nine melachos,⁵² and it is the only melacha which if it is assur it is an issur d'oraisa, since there are no d'rabbanans. Borer is generally permitted if three conditions are met. 1. One is separating good from bad, 2. by hand 3. within close proximity of a meal.⁵³ Therefore, one is not allowed to use any perforated spoons or strainers on Shabbos for the purpose of straining and one should make sure before Shabbos that these spoons are not around.⁵⁴

Removing Muktzah Items from Counters Many times one has items on counters which he forgot to remove before Shabbos, and he wishes to place food on the counter. In order to avoid any questions of tiltul muktzah on Shabbos⁵⁵ one should remove all muktzah items from the counters before Shabbos has begun.

Kashrus of Coffee and Tea One must make sure that the tea or coffee is kosher. Regular coffee does not need a hechsher, but flavored coffee does need a hechsher.⁵⁶

Friday Night

Meat and Fish One should be careful when cutting the gefilte fish that

separate knives are used.

Disposable cup for Kiddush Many times at a catered affair many people want to make kiddush. However, in most cases there are not enough bechers and only plastic cups are available, is using these cups permitted? Preferably one should not use a disposable cup for kiddush, since one is required to make kiddush on a nice respectable cup.⁵⁷ In addition, some say such a cup is not classified as a utensil at all. Nonetheless, since others argue with this,⁵⁸ in a situation where one does not have anything to use he may use a disposable cup.

Serving Soup When one serves soup (or any other food) he has to take the soup pot off the fire.⁵⁹ According to the Mishnah Berurah⁶⁰ one should be stringent and not mix food which is in a kli rishon even if it is off the fire.⁶¹ Others say there is no reason for this if the food is fully cooked.⁶² Many times the soup served at a catered affair is too hot to serve and the waiters may be interested in pouring some cold water into the soup to cool it down. However, it is forbidden to pour cold water into a kli rishon, even after it is removed from the fire, since doing so will cook the cold water. Nonetheless, it is permitted to do so if the soup is in a kli sheini.⁶³

The Ladle Before using a ladle one should make sure it is completely dry so that the soup does not cook the water on the ladle. If the ladle still has some warm moisture on it then one can put the ladle back into the soup pot. The best way to serve soup is to leave the ladle in the pot between servings.⁶⁴ There is a discussion in the poskim regarding the halachic status of a ladle. Some say a ladle is a kli sheni and the bowl in which the soup is served is a kli shlishi. According to this view one would be able to add noodles, croutons and spices to the bowl. Others say the ladle is considered a kli rishon since it is submerged in the pot. Therefore, the bowl into which the soup is placed is a kli sheni,⁶⁵ and one would not be allowed to add uncooked spices or baked items.

Adding Noodles Noodles should only be added to the soup once it is in individual bowls and not while it is still in the pot.⁶⁶ Croutons which are deep fried may be added to a kli sheni on Shabbos.⁶⁷

FOOTNOTES

1 Although it is important to discuss the halachos that would arise in a hotel when it is being used for kosher etc, it is beyond the scope of this issue to do so.

2 Refer to Mesechtas Succah 44b, Shulchan Aruch 249:1, Magen Avraham 2, Mishnah Berurah 3, Ohr L'tzyion 2:16:6, Likras Shabbos 10:footnote 16.

3 Shulchan Aruch Y.D. 63:1-2. See Shulchan Aruch Y.D. 118:1 where it says that meat and other foods need two simonim.

4 OU document H-34.

5 Igros Moshe O.C. 1:99. Refer to Tzitz Eliezer 6:3.

6 Shemiras Shabbos K'hilchoso 28:59.

7 Refer to ibid: 28:62.

8 Binyan Sholom page 68, Yabea Omer ibid, Yalkut Yosef 306:5.

9 Mesechtas Shabbos 73a, Shulchan Aruch 340:14.

10 Refer to Igros Moshe O.C. 1:122, 4:78, Minchas Yitzchok 1:77, 6:27, Shemiras Shabbos K'hilchoso 9:footnote 20, Be'er Moshe 3:39, Ohr L'tzyion 2:27:5, Rivevos Ephraim 3:267:page 180, Oz Nedberu 4:33, 11:12, Lehoros Nossan 3:16, 7:19, Orchos Rabbeinu 1:page 148:183, Piskei Teshuvos 314:footnote 7 in depth, Chut Shuni Shabbos 1:page 146, 2:page 273.

11 Refer to Am Mekadshei Sh'v'ey 2:pages 13-25 in great depth.

12 Kaf Ha'chaim 314:38, Igros Moshe O.C. 1:122:10, Shemiras Shabbos K'hilchoso 9:1, Teshuvos V'hanhugos 1:231, Orchos Shabbos 12:page 366, Opinion and custom of Horav Chaim Kanievesky Shlita quoted in Am Mekadshei Sh'v'ey 2:page 176.

13 Refer to Nishmas Shabbos 7:243.

14 Refer to Shemiras Shabbos K'hilchoso 9:11, see ibid:footnote 11, Am Mekadshei Sh'v'ey page 177:10. Avnei Yushfei 3:33, Tzitz Eliezer 14:45, Doleh U'mashka page 164:footnote 441, Nishmas Shabbos 7:248, 254, Teshuvos V'hanhugos 3:108, Opinion of Horav Korelitz shlita quoted in Am Mekadshei Sh'v'ey 2:page 18:footnote 17.

15 Shemiras Shabbos K'hilchoso 9:12:2, Piskei Teshuvos 314:3. Refer to Shulchan Aruch 340:3, Mishnah Berurah 15-17.

16 Igros Moshe O.C. 1:122:10.

17 Refer to Achiezer 3:60, Minchas Shlomo 1:12, Tzitz Eliezer 1:20, 3:17, 18:25, Be'er Moshe Electric 6:23.

18 Har Tzvi O.C. 151.

19 Igros Moshe O.C. 2:68, Be'er Moshe Electric 6:9. This is permitted because it is an eino mischavein even though it is a pesik reisha (Igros Moshe ibid, Be'er Moshe ibid). Some say a child under four should be asked to open the door and keep the door opened the rest of Shabbos (Orchos Rabbeinu 1:page 143:171).

20 Igros Moshe O.C. 2:68. See Be'er Moshe ibid. Refer to Nishmas Shabbos Electric 43.

21 Refer to Shulchan Aruch 253:1.

22 Igros Moshe O.C. 1:93, Ohr L'tzyion 2:17:14, see Igros Moshe O.C. 4:74:25. One should cover the entire fire (Opinion of Horav Elyashiv Shlita in Shevus Yitzchok page 32).

23 Biur Halacha 253 "v'nohagu."

24 Igros Moshe O.C. 1:93, Rivevos Ephraim 1:186, Shevet Ha'Levi 1:91, Pnei Shabbos page 203. Refer to Chazon Ish 37:9:11 who is stringent. See Da'as Chazon Ish 253:page 21, see ibid: page 91. In regard to placing a blech on Shabbos see Rivevos Ephraim 1:185, 2:115:26, 2:122, 5:466:1.

25 Biur Halacha 253 "tavshil," Thirty Nine Melochos page 609, Ohr L'tzyion 2:17:2,

Teshuvos V'hanugos 1:206:2, Klalim Ofeh pages 66-69. Refer to Igros Moshe O.C. 4:74:25. This is the custom in Yerushalayim as well (Shemiras Shabbos K'hilchoso 1:footnote 54).

- 26 Mesechtas Shabbos Rashi 36b "oy."
- 27 Refer to Igros Moshe O.C. 1:93, see Thirty Nine Melochos page 611.
- 28 Horav Yisroel Belsky Shlita, see Shemiras Shabbos K'hilchoso 1:25, Be'er Moshe Electric 7:3-4, Shevus Yitzchok page 96 quoting this as the opinion of Horav Elyashiv Shlita, Chut Shuni Shabbos 2:page 116, see ibid:pages 214-215, Rivevos Ephraim 1:186, 3:246, 5:253, 7:265, 8:118:3, 145, 164:1, 412:2. Refer to Am Mekadshei Sh'v'ey 2:page 39:footnote 22. This is true even according to the stringent opinion of the Chazzon Ish zt"l if the silver foil is thick (Am Mekadshei Sh'v'ey 2:page 39:footnote 23 quoting the opinion of Horav Elyashiv Shlita and Horav Korelitz Shlita, Da'as Chazzon Ish page 22:9). See Orchos Rabbeinu 1:page 102:11.
- 29 Thirty Nine Melochos page 614 quoting the opinion of poskim.
- 30 Refer to Igros Moshe O.C. 4:74:35, Shemiras Shabbos K'hilchoso 1:25:footnote 71 quoting the opinion of Horav Shlomo Zalman Aurbach zt"l, Yaskil Avdi 7:28:8, Teshuvos V'hanugos 1:207:6, Tzitz Eliezer 8:26:5, Am Mekadshei Sh'v'ey 2:page 38:footnote 21, Klalim Ofeh pages 79-80, Ohr L'tzyion 2:17:1.
- 31 Shemiras Shabbos K'hilchoso 1:25:footnote 72.
- 32 Igros Moshe O.C. 4:74:27. See Shevus Yitzchok pages 32 and 36 quoting the opinion of Horav Elyashiv Shlita.
- 33 Oz Nedberu 8:16. Refer to Klalim Ofeh pages 709-716 who says according to Horav Moshe Feinstein zt"l you would need a metal box insert in order to place foods in there on Shabbos.
- 34 Refer to Igros Moshe O.C. 4:74:26-27, Klalim Ofeh pages 73-74.
- 35 Thirty Nine Melochos page 612.
- 36 Opinion of Horav Korelitz Shlita quoted in Am Mekadshei Sh'v'ey 2:page 40:footnote 30. Chut Shuni Shabbos 2:page 113.
- 37 Shulchan Aruch 252:1, Mishnah Berurah 253:2.
- 38 Igros Moshe O.C. 1:93, Rivevos Ephraim 8:390:23, Be'er Moshe electric 7:3, Divrei Chachumim page 127:363, Hechsheiros 5:18, Klalim Ofeh page 71. Some say one could remove the knobs as well (Orchos Shabbos page 516, see Chut Shuni Shabbos 2:pages 111 and 113). If the knobs are higher than usual they still have to be covered (Divrei Chachumim ibid). Refer to Ohr L'tzyion 2:17:3.
- 39 Igros Moshe O.C. 1:93, Klalim ibid. Refer to Orchos Shabbos page 65 who quotes the opinion of Horav Elyashiv as being lenient, see Meor Ha'Shabbos 2:page 628 quoting the opinion of Horav Shlomo Zalman Aurbach zt"l who is lenient. The opinion of Horav Ben Zion Abba Shaul zt"l is also to be lenient (2:17:2, see Orchos Rabbeinu 1:page 102:13 who says the Chazzon Ish zt"l did not cover the knobs of the stove).
- 40 Shulchan Aruch 123:1.
- 41 Ibid.
- 42 Mesechtas Avoda Zara 30a, Shulchan Aruch Y.D. 123:3. There is a discussion in the poskim if this applies only to a Jews wine or even to stam yayin (Refer to Har Tzvi Y.D. 111, Igros Moshe Y.D. 2:52). One is permitted to cook wine to make it exempt from yayin nesach (Yabea Omer Y.D. 8:15).
- 43 Bais Yosef Y.D. 123, Avnei Nezer Y.D. 116:4, Darchei Teshuva 10. Refer to Noam Halacha page 146:footnote 3. See Minchas Yitzchok 7:61 if this would change if cooked wine is common. See Kinyan Torah 6:65, Shevet Ha'kehusi 1:228.
- 44 Hilchos Machalos Asuros 11:9.
- 45 Mesechtas Pesachim 76b, Shulchan Aruch Y.D. 116:2, Chochmas Adom 68:1, Tov Yehoshua page 109:82, Kaf Ha'chaim O.C. 173:9, Y.D. 116:15, The Magen Avraham O.C. 173:1 says today maybe it is different (see Darchei Teshuva Y.D. 116:16, Mishnah Berurah O.C. 173:3, Aruch Ha'shulchan Y.D. 116:10, V'ein Lumo Michshal 4:page 96:6).
- 46 Igros Moshe O.C. 4:73:23. No blech is needed for an urn not placed on a fire (Igros Moshe O.C. 4:74:22, see Shevet Ha'Levi 5:30, Oz Nedberu 9:14, Chut Shuni Shabbos 2:page 114:footnote 45).
- 47 This is forbidden even for a non-Jew to do on Shabbos (Horav Yisroel Belsky Shlita, see OU document S-32).
- 48 Hechsheiros 5:25.
- 49 Horav Yisroel Belsky Shlita (OU document S-32).
- 50 Shalmei Yehuda page 53, see ibid quoting the opinion of Horav Elyashiv Shlita who is stringent. Ibid:page 219, Yechaveh Da'as 6:21, Opinion of Horav Shlomo Zalman Aurbach zt"l quoted in Otzros Ha'shabbos page 529. See Minchas Yitzchok 3:137. 6:21, 10:28. Horav Elyashiv Shlita is stringent (Shevus Yitzchok page 142).
- 51 Minchas Yitzchok 5:91.
- 52 Mesechtas Shabbos 73a, Shulchan Aruch 319:1-17.
- 53 Shulchan Aruch 319:1-2.
- 54 Refer to Shevet Ha'Levi 8:58, Chut Shuni Shabbos 2:page 69, Eyal Meshulash (Borer) 7:34, see Ohr L'tzyion 2:31:10. The same applies to a grater etc (Refer to Shulchan Aruch 321:7, Mishnah Berurah 45, Rivevos Ephraim 1:248, 2:196, 5:265).
- 55 Shulchan Aruch 308:1. Refer to Hechsheiros 5:2. Horav Yisroel Belsky Shlita.
- 57 Refer to Igros Moshe O.C. 3:39, Minchas Yitzchok 10:33, Rivevos V'yovlos 2:359, Shraga Hameir 1:55:2, 2:80, Kinyan Torah 1:49:2. Some say you should make sure to use it many times and then it is permitted (Rivevos Ephraim 7:372).
- 58 Shemiras Shabbos K'hilchoso 47:footnote 51, Be'er Moshe 1:49, V'Yan Yosef O.C. 65, Tzitz Eliezer 12:23, Oz Nedberu 6:48, M'ein Omer 1:page 234:15, Orchos Rabbeinu 1:page 110:44.
- 59 Refer to Mishnah Berurah 318:117, Igros Moshe O.C. 4:61. See Mishnah Berurah 318:118, Shar Ha'tzyion 148.
- 60 318:117.
- 61 Refer to Biur Halacha "sh'nimtzah" who says b'dieved if one mixed the food which

was cooked a third it does not make the food forbidden to eat, even if it was done while the food was on the fire.

- 62 Igros Moshe O.C. 4:74:9 (bishul). Refer to Shar Ha'tzyion 148, Thirty Nine Melochos page 469 (Hebrew section).
- 63 Thirty Nine Melochos page 653.
- 64 Thirty Nine Melochos page 582.
- 65 Refer to Taz Y.D. 92:30. Refer to Mishnah Berurah 318:87 who he seems to say a ladle is like a kli rishon, and see Mishnah Berurah 45 where he says the opposite. Refer to Minchas Yitzchok 5:127:3 who offers an answer.
- 66 The Shabbos Kitchen page 38.
- 67 Teshuvos V'hanugos 1:207:6.

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

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

In My Opinion :: Rabbi Berel Wein *The New Pope, The Catholic Church And The Jews*

The new Pope of Rome, a 76-year-old Argentinian cardinal, ascends his throne with a murky past. Rumors have always swerved about him and his behavior during the terrible period of "The Dirty War" that engulfed Argentina, when the country was controlled by the military juntas. The cardinal was accused of complicity and of notable silence during that sad period of time that consumed tens of thousands of Argentinian lives. The rabbis of the Talmud wryly remarked that leaders of the community always have a whiff of scandal in their past. With political and temporal leaders this is often viewed as being natural if not even necessary for successful governance. However, when one seeks to be viewed as being the moral force of humankind, which is the role that the latter popes have ascribed to themselves, a troubled past weakens any moral message in the future. The last pope, Joseph Ratzinger, was always haunted by his membership, as a young man, in Hitler's Nazi Youth organization. Eugenio Pacelli, the World War II pope, had previously in the 1930's negotiated a Concordat with Hitler, accepting his rule, cruelty and murder in turn for the promised protection of Catholic institutions and assets in Germany. Such a person could hardly be expected to later take any strong stand against the extermination of millions of Jews. In fact, he remained silent about it during the entire war. That can hardly be construed as moral leadership or as justifying one's posing as the conscience of human values. But let us be fair to this new pope and give him all benefits of doubt. The world certainly needs a moral voice as Western civilization continues to wallow in a quagmire of hedonism, lust and moral equivalency. This new pope is reputed to have been a champion of the rights of the poor in Argentina. I have always felt that the greatest of the rights of the poor is the right to no longer be poor. Education and social equality are steps that raise people from poverty. In the past, the Church has not been an exemplary leader in these areas. Perhaps it will be more forthcoming on these issues under the leadership of its new pope. Questions of continuing priestly celibacy, the treatment of women, the confronting of Islamic terrorism, clergy pedophilia and significant

financial impropriety plague the Church. Can or will the new pope truly and realistically address these problems is the question that will define his papacy. The previous pope was unable or unwilling to do so and quit. It is a daunting task that faces the new pope, if he is prepared to undertake it. Of course the Church cannot be reformed overnight. I once read that it takes an aircraft carrier forty-five miles of sea travel to turn itself around. An institution as ponderous as the Church will require time and distance to turn itself around. Yet a beginning must be made if the papacy is to have true moral influence in human society.

The Jews are and always have been a special problem for the Church. The renewal of Jewish life after World War II and the establishment and success of the State of Israel have posed both opportunities and difficulties for the Church. The fact that the Vatican and Israel have normal diplomatic relations with each other represents an enormous sea change in Catholic theology and Vatican diplomacy.

The Jews should, as much as possible, cultivate good relations with the Vatican. After all, it represents over one billion people in the world that we also live in. Yet its past relations with us are so sordid and bloody that more must be done by the Church to combat the current anti-Semitism prevalent in so many Catholic countries.

Strong and continuing pressure and public statements from the pope are necessary to change religious stereotypes as well as previous Church doctrines and teachings. The Church is anything but naïve and it certainly realizes that anti-Israel pronouncements only fuel the anti-Semitism that is, unfortunately, still so prevalent in the Catholic world. The Church can help bring about a settlement of issues in our part of the world but it can only do so if it is truly neutral and discards its past prejudicial attitude against Judaism, Jews and Jewish rights regarding the Land of Israel. We will have to wait and see if the new pope deals with this matter at all during his tenure.

Shabat shalom

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

After the seven days of excitement and joy upon the consecration of the Mishkan and the installation of Aharon and his sons as the priests of Israel devoted to the service of God and humans, tragedy strikes the family of Aharon and all of Israel. The commentators to Torah as well as the Talmud itself searched for the causes that created this sad situation. They attempted to answer the omnipresent question of life – why do bad things seemingly happen to good people? And there is a corollary question involved here as well – why did tragedy strike then and there? Far be it for me to venture into explanations where greater people than I have been troubled and found it difficult to properly answer these questions. The will of God remains inscrutable to all of us in all times and in all circumstances. Yet Judaism, in its essence, remains a religion of logic and rationality, all rumors to the contrary notwithstanding. Maimonides bids us to attempt to understand and explain all of God's commandments and human events to the best of our rational abilities. So, these most basic questions of human existence and personal and national purpose, of reward and punishment and Divine justice must command our attention, even if at the end of our search we still will come up somewhat short on satisfying answers. The questions underlying the events described in the parsha of Shmini go to the heart of Jewish faith and worldview. They require investigation and serious analysis.

A review of the opinions expressed in Talmud and by the commentators, do not at first glance reveal any major transgressions on the part of

Nadav and Avihu. True, Aharon's role in helping create the Golden Calf may explain his being brought to grieving for his two eldest sons, but it was Nadav and Avihu who died, not Aharon.

Their sins seem to be only minor human foibles that are common to almost all of us – unwillingness to bear the responsibilities of marriage and parenthood, personal ambition to lead the people and overzealousness in their worship of God and in the service of the Mishkan by introducing a ritual of different fire on the altar not commanded by God. We see here, once again, that the Torah places great emphasis on the small things in life, on the details and not only on the grand sweep of things.

Small mistakes often lead to great tragedies. And the Torah teaches us that personal failures that can be tolerated in most humans are magnified and are not overlooked when they occur to people in positions of power and leadership. The scale of Heavenly tolerance, so to speak, is a sliding one, dependent on the status, accomplishments, abilities and public position of the human person being judged.

There is a special sin offering reserved for the leader of Israel. The accepted usual sin offering is insufficient if we are dealing with the sins of leadership. This is one of the key lessons of this parsha. God's justice is personal and exacting. Nadav and Avihu are the prime examples of this truism.

Shabat shalom

From Ohr Somayach <ohr@ohr.edu>
To weekly@ohr.edu
Subject Torah Weekly

Ohr Somayach :: Torah Weekly :: Parshat Shemini
For the week ending 6 April 2013 / 25 Nisan 5773
by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com
Insights

The Right Man For The Job

“Moshe said to Aharon, ‘Come near to the Altar’...” (9:7)

Bungee-jumping, hang-gliding, free-fall parachuting, and riding over Niagara Falls in a beer barrel all share one thing in common. You have to be absolutely meshuga to do them.

There's a big difference between being fearless and being foolhardy. However, there are times when even being afraid is an advantage. The Chafetz Chaim once decided that a particular talmid should take a vacant post as the Rabbi in distant community. The talmid was reluctant to go. He told the Chafetz Chaim he was afraid of the responsibility of being the only halachic authority for an entire community. The Chafetz Chaim replied to him, “Should I send someone who's not afraid?”

Sometimes being afraid doesn't disqualify someone from being the right man or woman for the job. Sometimes it's the essential quality.

Moshe had to tell Aharon to “Come near to the altar”. Rashi says that Aaron was embarrassed and afraid to approach the altar. Moshe told him not to be afraid, for it was precisely Aaron's quality of awe which qualified him to be the Kohen Gadol.

When we want to become closer to G-d and serve Him with more conviction and faithfulness, we could be embarrassed by our inadequacies. We might feel afraid, incapable of such a task. “Who am I to serve G-d?” we can think to ourselves. It is precisely that quality of self-effacement, of fear, which is the pre-requisite to be “the right man for the job”.

Seventh Heaven

“And it was on the eighth day...” (9:1)

When Moshe set up the Mishkan, he didn't set it up just one time; he set it up eight times. Every day, for seven days, Moshe set up the Mishkan and then took it down again. On the eighth day he set it up and left it up.

Why was it necessary for Moshe to set up the Mishkan for the first seven days?

Let's answer one question with a bigger question. Why did G-d create this world?

G-d created this world so that the Shechina (Divine Presence) could dwell in the lower worlds. After G-d created this world the Divine Presence rested on His Creation. However, Man, through destructive spiritual actions, caused the Shechina to retreat bit by bit, until it ascended back to the Seventh Heaven. After the world had sunk to this spiritual nadir there came seven spiritual giants in seven generations who managed to bring the Divine Presence down again to this world. They were Avraham, Yitzchak, Yaakov, Levi, Kehat, Amram and Moshe. With the giving of the Torah at Sinai, G-d finally 'descended' once again to this world, as it says: "And G-d came down to Mount Sinai."

However, in all too short a time, the Shechina retreated back up to the Seventh Heaven after the infidelity of the Jewish People with the Golden Calf.

The healing process of seven generations of tzaddikim and the concomitant return of the Shechina to this world was concretized in Moshe's building the Mishkan for seven days. However, even after these seven days which represented the seven generations, the cure was not total. A golden calf was still possible. It was only on the eighth day, when Moshe set up the Mishkan for the eighth time, that the final cure to these spiritual maladies took effect. And thus, the Mishkan could remain standing.

This is one of the reasons that the Talmud says (Megilla 10) "On the day that the Mishkan was finally set up, G-d had the same happiness as the day on which the Heavens and the Earth were created." For it was on that day that the purpose of this world — that G-d should have a 'dwelling' in these lower worlds — was finally achieved.

Sources:

The Right Man For The Job - Degel Machane Ephraim, Rabbi Mordechai Perlman
Seventh Heaven - Chesed L'Avraham in Iturei Torah

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From Shema Yisrael Torah Network <shemalist@shemayisrael.com>

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Subject Peninim on the Torah by Rabbi A. Leib Scheinbaum

Peninim on the Torah by Rabbi A. Leib Scheinbaum *Parshas Shemini*

Moshe and Aharon came to the Ohel Moed, and they went out and blessed the people - and the glory of Hashem appeared to the entire people. (9:23)

Rashi describes what occurred behind the scenes which necessitated the entry of Moshe Rabbeinu into the Ohel Moed together with Aharon HaKohen. When Aharon saw that all of the offerings had been brought and all of the service in the Mishkan had been performed, he was greatly concerned. The Shechina had not descended to Klal Yisrael. In his great humility, Aharon blamed himself: "I know that Hashem has become angry with me, and it is because of me that the Shechina has not descended to the nation." Aharon approached his brother and said, "Moshe, thus you have done to me; that I entered and performed the service, because you asked me to - and I was humiliated. The Shechina did not descend. It is because of me." Immediately upon hearing this, Moshe entered with Aharon, and together they pleaded for mercy. As a result, the Shechina descended.

Afterwards, Moshe and Aharon went out and blessed the people. Once again, Rashi explains that this was to allay any fears the people might have had concerning their lack of acceptance. For all Seven Days of the Inauguration, during which Moshe put up the Mishkan, officiated in it, and then dismantled it, the Shechina did not rest in it. The people were

ashamed. They said to Moshe, "Our master! We went to so much trouble that the Shechina should repose among us. This would be a clear indication from Above that we have been forgiven for the sin of the Golden Calf. Now, we see that we have labored for nothing." Therefore, Moshe said to them, "This is the thing that Hashem has commanded you to do; then the glory of Hashem will appear to you Aharon, my brother, is worthier and more important than I. For through his offerings and his service, the Shechina will rest among you. Thus, you will know that the Almighty has chosen him."

What seems to be a simple interpretation by Rashi is explained by Horav Boruch Moshe Ezrachi, Shlita, as a powerful lesson in interpersonal relationships. Imagine the situation as Aharon entered the Mishkan. Let us take the time frame into context. It was not long after the creation of the Golden Calf, the sin that continues to haunt us until this very day. We can still hear the reverberations of a nation gone wild with lust and depravation, bowing to a molten facsimile of divinity. It was idol-worship at its nadir. Perhaps they had not all been involved, but, other than Shevet Levi, the Tribe of Levi, no one else seemed to have stood up to the revelers. Regrettably, Aharon had a role in this act. It was an awkward role, as he attempted to delay the people. Yet, this giant felt responsible; he was contrite and filled with humiliation. His worst fears of rejection seemed to have been realized when, after seven days of service, the Shechina had not yet descended. He turned to his brother as if to say, "How could you do this to me? You knew that I was unworthy of this honor!"

Moshe had reason to be mute, to turn a deaf ear to his entreaty. After all, the Golden Calf was the reason that Moshe had broken the Luchos. He must have had "feelings" about that, the precursor which had led up to that tragic moment. Moshe could have - and many other would have - found it difficult to overlook the past. When Moshe saw his brother's humiliation, he immediately decided that one thing takes precedence over the devastating sin of the Golden Calf: *bein adam l'chaveiro*, interpersonal relationships, between man and his fellowman. Moshe could not allow his brother to stand there in shame. He immediately entered with Aharon to entreat the Almighty for mercy. Hashem listened, because nothing stands in the way of a person's pain. The laws concerning *bein adam l'chaveiro*, interpersonal relationships, are on a completely different plane.

Likewise, when the Mishkan "refused" to remain erect, because the Jewish nation was not worthy of an edifice of such unprecedented sanctity in its midst, Moshe once again intervened. Whatever "issues" there might have been, it could not be at the expense of the nation's humiliation. Their feelings were hurt. Nothing stands in the way of *bein adam l'chaveiro*. Nothing!

In his biography of the Telshe Rosh Yeshivah, Horav Mordechai Gifter, zl, Rabbi Yechiel Spero quotes from an article that the Rosh Yeshivah wrote in the Jewish Parent magazine: "Every human being is part of the great family of Mankind; and if one is really to enjoy life, he must share with others that which has been granted to him," *Naeh doreish v'naeh mekayeim*. Rav Gifter practiced what he preached. He was a *mussar sefer*, his very essence comprised volumes of ethical character refinement, dedicated to the enhancement of interpersonal relationships. Many episodes are related in the book concerning the caring of the Rosh Yeshivah for others. I think the one which encapsulates his life is not a story that involved him, but rather, a story that he would often relate. His choice of story gives us some insight into his value quotient for interpersonal relationships. Horav Itzele Ponovezer, zl, was Rav and Rosh Yeshivah of Ponovez. As Rav and Rosh Yeshivah, it was difficult for him to also assume the responsibility of handling the yeshivah's finances. He, therefore, appointed someone to function as the yeshivah's financial director. When World War I broke out, the man lost his son in the war. This caused him to descend into a deep melancholy and eventually to neglect his responsibilities to the yeshivah. Everyone,

including Rav Itzele, tried to help this man, but his depression had taken a terrible toll on his mind. He could not snap out of it; he could not function in his position. They could not simply hire someone else, since it was he alone who had been working on a daily basis with the banks, and, without him, the yeshivah accounts were frozen. The yeshivah's finances had plummeted and were now in a desperate state. It was suggested to the Rosh Yeshivah that perhaps the secular courts could "convince" this man to do his job. Rav Itzele presented the question to Horav Chaim Soloveitchick, zl. His response demonstrates to what lengths one must go to ensure that he does not hurt another Jew. Rav Chaim said that it would be better to shutter up the yeshivah than to risk the fellow falling into a deeper depression, which might result in his life being at risk from self-inflicted harm. He said, "The power of Torah study does not override saving a life; and, if necessary, it is worthwhile to close the yeshivah, so as not to cause another's demise." In order to carry out one's responsibility towards his fellow Jew properly, he must, as Rav Gifter writes, feel that he is part of the great family of mankind. One must feel the pain of his fellow. I had the opportunity to witness such a sentiment this past year during a trip to Eretz Yisrael. I had the z'chus, merit, to visit Horav Shachne Zohn, zl, to petition his blessing on behalf of a young woman who was suffering at the hands of her recalcitrant husband. Since the sage had great difficulty hearing, he motioned for me to write my request on paper - which I did. He began to read my words, and, as he continued to read, tears flowed down his face onto his beard. My grandson was watching this in astonishment. He looked at me as if to ask, "What gives?" I replied, "He feels her pain." That is greatness.

And the sons of Aharon, Nadav and Avihu, each took his fire pan, they put fire in them and placed incense upon it; and they brought before Hashem an alien fire that Hashem had not commanded them. (10:1)

It all boils down to the last four words: Asher lo tzivah Hashem, "That Hashem had not commanded them." The best laid intentions are of little value if they go against someone's wishes. In his Sefer Nitzotzos, Horav Yitzchak HersHKovitz, Shlita, gives a practical analogy. Reuven had a good friend, Shimon, whom he had invited to stay at his house whenever he was in the area. Shimon was a welcome guest who would not over-extend his welcome. He would come for a few days, enjoy, and leave. Reuven felt very comfortable inviting Shimon to stay as long as necessary - even if he was not home. In fact, Reuven gave Shimon the key to his house to make himself at home. Once Shimon's visit coincided with one of Reuven's business trips. Reuven was only too glad to allow Shimon the run of his house - while he was gone.

Reuven was gone for a week. When he returned, he discovered that his house had been treated to a complete makeover! Shimon had changed the selection of paint colors adorning the walls. He even changed the furniture and carpeting. When Reuven discovered this, he went ballistic. "What right did you have to change the paint on the walls?" he asked. "I felt the colors were not in tune with the times. They were drab and flaking. I wanted to add more life to this dull house," Shimon countered. "That is why I also changed the carpeting and furniture," he added. "What right did you have to do what you want in my house? I am the one who determines what color scheme should be prominent in my home. If I wanted to redecorate, I would have hired an interior decorator. You had no right to alter anything in my home. I allowed you to stay here - not take over!"

A few weeks later, Reuven once again left for a business trip. This time, however, Shimon did not house-sit for him. One day, an electrical surge caused the wiring to misfire and the house to catch fire. Very soon, the entire house was engulfed with flames. Shimon happened to be in the neighborhood and saw the conflagration. He did not think twice, as he ran into the house. After calling 911, he was able to save most of Reuven's valuables. The firemen, who arrived shortly, did the rest.

Shimon was a hero, but he was anxious concerning Reuven's reaction. After all, he had once again mixed in where he did not belong. He had acted without Reuven's express permission.

When Reuven returned, he did not have words sufficient to thank Shimon. Indeed, Reuven was effusive with praise and gratitude. "I thought you would be angry with me," Shimon said.

"Why?" asked Reuven. "You did me an incredible favor. You saved most of my house and my valuables."

"But I acted without your permission," Shimon said.

"What is the comparison?" Reuven answered. The first time you took it upon yourself to do something which you were not asked to do. There was nothing compelling you to act. You did it completely of your own volition. This time, it was quite the opposite. My house was burning. If you were to wait until you got in touch with me, my house and everything in it would have been lost. There is a time and place for everything. This was a time to act. I owe you an enormous debt of gratitude. In fact, with this latest act of heroism on your part, you corrected the detriment to our relationship that resulted from your acting on impulse without asking my permission."

A similar idea applies to the incident of Nadav and Avihu's offering, asher lo tzivah osam, which Hashem did not command. The Jewish nation is founded and maintained on obedience to the Almighty. We do not act freely on our own, simply because we think it is the correct thing to do. We wait for His command, then we immediately act with reverence and love. Even if in our minds we feel that the time to act is now, we wait for Hashem's command. When the situation is out of control, when the honor of Heaven is impugned by those whose agenda runs counter to the Torah, we do not wait for a command. We immediately take up arms and act. This was the scenario when Pinchas slew Zimri in the midst of the latter's moral outrage. There comes a time, such as when the house is on fire, that asking for permission is foolhardy and self-defeating. Indeed, Pinchas' act of zealotry, by elevating the glory of Heaven, repaired the initial breach that he had made earlier.

Moshe said to Aharon: Of this did Hashem speak, saying, "I will be sanctified through those who are close to Me, and I will be honored before the entire people;" and Aharon fell silent. (10:3)

The last two words of the above pasuk, Va'yidom Aharon, "And Aharon fell silent," are, to me, among the most frightening - yet awe-inspiring - words in the Torah. The ability to transcend emotion, to experience tragedy on what should have been the happiest and most spiritually-elevating day of Aharon's life, is truly inspirational. Aharon HaKohen had worked his entire life to achieve this moment, to be crowned as the Kohen Gadol, High Priest. His response to the mind-numbing tragedy was the true indication of his worthiness of this exalted position. How are we to come to terms with Aharon's reaction, and in what way can we, to some degree, aspire to such a level of total acquiescence to Hashem's decree?

Horav Yitzchak HersHKowitz, Shlita, relates the story of a Kollel yungerman, fellow, in Eretz Yisrael, who was struck by tragedy. His three-year-old daughter, a beautiful, sweet and charming young child, suddenly fell gravely ill. He and his wife went from doctor to doctor, hospital to hospital, taking every treatment from the conventional to the clinical trials. He was torn between hope and doubt, frustration and fear. Every improvement brought aspiration for a bright future; every setback drove home the frightening reality that his daughter was seriously ill, and they were just playing the time game, pushing off the inevitable. Sadly, his worst fears were realized when, shortly before her fourth birthday, her pure soul left this world.

During the shivah, seven-day mourning period, he was visited by many friends and sympathizers who attempted to console him. The father was strong, a ben Torah, who believed that we are not privy to the Almighty's ways; our function is to accept, despite our lack of comprehension. We

realize that there is a greater picture, and we are all part of a Divine Plan. There is an answer to that difficult question: "Why?" but it is beyond our ability to grasp. The father related to one of his close friends the highs and lows of his daughter's illness, describing the faith that carried them through the tragic ordeal, but it had not been easy. Indeed, there was one time following a very negative diagnosis that he was about to throw in the proverbial towel. He no longer could handle it. He was beyond faith. He was standing at the threshold of anger.

"I left the hospital in a state of desperation. I was miserable. My little girl, the light of my life, was on the verge of death. The doctors could do no more. As I walked down the street, a man stopped me and inquired concerning my condition. Apparently, the grave situation was written all over my face. Amid various degrees of weeping, I related my story and the travail that my family and I had been experiencing these past few months. The man listened, then said, 'Let me share with you a story that recently took place. Perhaps, it will be a source of inspiration and heartening to reinforce you with fortitude to go on.'

"One of the contemporary outreach persons, an individual of incredible virtue and piety, truly righteous in all aspects of his personality, had a serious personal problem. The man who had successfully altered the spiritual lives of thousands was undergoing a situation at home that was literally destroying his family. One of his sons had begun to weave to the left and was continuing to do so at a very rapid rate. His religious observance was already a thing of the past. Whatever his father promised him was to no avail. He could care less. Once the frumkeit, religious observance, was gone, drugs entered the picture. Soon, there was very little left to discern this boy from the non-observant, depressed thugs on the street. The father never gave up. After all, he was his son, and one never gives up on a child.

"This tzaddik was aware of a certain yichud quoted by the Arizal which the famed Kabbalist claimed was effective in helping a person to find his way back to religious observance. (A yichud is a Kabbalistic term describing the unification of supernal elements in - and by - one's mystical devotions in prayer and/or mitzvah observance. It is not for everyone, since not everyone is on the madreigah, spiritual level, to achieve such devotion.) This specific yichud was derived from the Alshich HaKadosh, whose son had apostatized himself, and eventually returned to the faith as a result of this yichud.

"The tzaddik began to pray fervently, with purity of heart and deep devotion. He prayed that his son embrace the Torah which had once been so much a part of his life. He prayed so hard and long that the page of his Siddur where the brachah of Hashiveinu Avinu l'Sorasecha, "Return us, Our Father, to Your Torah," which is recited in Shemoneh Esrai thrice daily, was saturated, became darkened from his tears. Hashem listened and the yetzer hora, evil-inclination, which had devastated him, was banished, and the boy returned to Torah. He did not just simply return, but rather, returned with a vehemence, with an excitement and enthusiasm which was unprecedented and unparalleled. He himself became a tzaddik, righteous and pious in his every demeanor. He met a lovely, young, like-minded woman, and his father gave his blessing to their union. The young couple moved to Tzefas and set up their home there.

"Hashem blessed the young couple with two healthy children. Life was idyllic. The young man spent his day devoted to Torah study. He would study until the wee hours of the morning until he was literally exhausted, then go to sleep. Then tragedy struck their home. His wife was pregnant with their third child, and there were issues throughout the pregnancy. At first, they thought nothing of it. After all, not all pregnancies are a walk in the park. When she was rushed into premature birth at the very beginning of her ninth month, their anxiety began in earnest.

"Their worst fears were realized when his wife delivered a child that was clinging to life. It was touch-and-go for the first few days, until the seventh day when the child returned its pure soul to Heaven. The parents

were heartbroken. They had prayed so hard. They did everything right, but apparently, it had not been enough. Their little boy had succumbed. "The halachah is clear that, regardless of a male infant's age and how long he was alive, once the child is born he must have a Bris Milah, circumcision, prior to burial, in order for his neshamah, soul, to rise up during Techiyas Ha'Meisiem, the Resurrection of the Dead. A mohel, ritual circumciser, was summoned to the cemetery, where he was asked to do the honors. The mohel circumcised the dead infant, then turned to the father, and said, 'Your son must be given a name. What name do you want to give him?'

"Filled with emotion, the young father bent down and, with tears welling up in his eyes, looked down at his infant's body, thought for a moment, and said, Ratzon Hashem. The will of G-d. 'This is the name that I want my son to have. This name implies accepting yissurim, troubles, and pain with love. I do not begin to understand Hashem's ways - but, if this is the will of Hashem - I accept it wholeheartedly. This is why my son is named Ratzon Hashem.'

"The gentleman concluded his story and looked at me. 'Now you understand how a Jew confronts challenge and adversity. We believe it is all the ratzon Hashem. The will of G-d.'"

Va'ani Tefillah

Shema Yisrael Hashem Elokeinu Hashem Echad.

Hear O' Yisrael, Hashem, our G-d, Hashem is One.

This is Klal Yisrael's most seminal verse, its most powerful prayer. It is a declaration of who we are and in Whom we believe. Before I begin to explain its meaning and message, I take the liberty of quoting a passage from the Kaliver Rebbe, Shlita, in his introduction to his book Shema Yisrael. This volume, which is a collection of testimonies concerning the Kiddush Shem Shomayim, Sanctification of Hashem's Name, evinced by the victims and survivors of the European Holocaust, is fittingly named Shema Yisrael. These words are the clarion call of the Jewish People whose belief in Hashem is unequivocal.

The Rebbe says: "Shema Yisrael, Hashem Elokeinu, Hashem Echad, Our hearts will never accept any G-d other than the Creator of the Universe. I do not think that even the angels in Heaven believed that, after all the calumnies against Am Yisrael during the Holocaust and after all the bloodshed and the agonizing deaths of millions - that after all this, the Jewish People would still stand forth as the torchbearers of faith in G-d, declaring, 'Despite it all, we have not forgotten Your Name!' With perfect faith we still shout forth from the depths of our hearts, 'Shema Yisrael.'"

This should give all of us something to consider when we say Shema Yisrael.

In honor of the engagement of our grandson, Asher Anshel Lindenbaum to Miriam Aliza Seidman. May they bring much nachas to their families. Ruth and Charles Lindenbaum

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Orthodox Union / www.ou.org

Britain's Chief Rabbi Lord Jonathan Sacks

Fire - Holy and Unholy

The shock is immense. For several weeks and many chapters – the longest prelude in the Torah – we have read of the preparations for the moment at which G-d would bring His presence to rest in the midst of the people. Five sedrot (Terumah, Tetzaveh, Ki Tissa, Vayakhel and Pekudei) describe the instructions for building the sanctuary. Two

(Vayikra, Tzav) detail the sacrificial offerings to be brought there. All is now ready. For seven days the priests (Aaron and his sons) are consecrated into office. Now comes the eighth day when the service of the mishkan will begin. The entire people have played their part in constructing what will become the visible home of the Divine presence on earth. With a simple, moving verse the drama reaches its climax: "Moses and Aaron went into the Tent of Meeting and when they came out, they blessed the people. G-d's glory was then revealed to all the people."

Just as we think the narrative has reached closure, a terrifying scene takes place:

Aaron's sons, Nadav and Avihu, took their censers, put fire into them and added incense; and they offered unauthorized fire before G-d, which He had not instructed them to offer. Fire came forth from before G-d, and it consumed them so that they died before G-d. Moses then said to Aaron: "This is what G-d spoke of when he said: Among those who approach Me I will show myself holy; in the sight of all the people I will be honoured." (10:1-3)

Celebration turned to tragedy. The two eldest sons of Aaron die. The sages and commentators offer many explanations. Nadav and Avihu died because: they entered the holy of holies; they were not wearing the requisite clothes; they took fire from the kitchen, not the altar; they did not consult Moses and Aaron; nor did they consult one another.

According to some they were guilty of hubris. They were impatient to assume leadership roles themselves; and they did not marry, considering themselves above such things. Yet others see their deaths as delayed punishment for an earlier sin, when, at Mount Sinai they "ate and drank" in the presence of G-d (Ex. 24: 9-11).

These interpretations represent close readings of the four places in the Torah which Nadav and Avihu's death is mentioned (Lev. 10:2, 16: 1, Num. 3: 4, 26: 61), as well as the reference to their presence on Mount Sinai. Each is a profound meditation on the dangers of over-enthusiasm in the religious life. However, the simplest explanation is the one explicit in the Torah itself. Nadav and Avihu died because they offered unauthorized (literally "strange") fire – meaning "that which was not commanded." To understand the significance of this we must go back to first principles and remind ourselves of the meaning of *kadosh*, "holy", and thus of *mikdash* as the home of the holy.

The holy is that segment of time and space G-d has reserved for His presence. Creation involves concealment. The word *olam*, universe, is semantically linked to the word *neelam*, "hidden". To give mankind some of His own creative powers – the use of language to think, communicate, understand, imagine alternative futures and choose between them – G-d must do more than create *homo sapiens*. He must efface Himself (what the kabbalists called *tzimtzum*) to create space for human action. No single act more profoundly indicates the love and generosity implicit in creation. G-d as we encounter Him in the Torah is like a parent who knows He must hold back, let go, refrain from intervening, if his children are to become responsible and mature.

But there is a limit. To efface himself entirely would be equivalent to abandoning the world, deserting his own children. That, G-d may not and will not do. How then does G-d leave a trace of his presence on earth?

The biblical answer is not philosophical. A philosophical answer (I am thinking here of the mainstream of Western philosophy, beginning in antiquity with Plato, in modernity with Descartes) would be one that applies universally – i.e. at all times, in all places. But there is no answer that applies to all times and places. That is why philosophy cannot and never will understand the apparent contradiction between divine creation and human freewill, or between divine presence and the empirical world in which we reflect, choose and act.

Jewish thought is counter-philosophical. It insists that truths are embodied precisely in particular times and places. There are holy times (the seventh day, seventh month, seventh year, and the end of seven septennial cycles, the jubilee). There are holy people (the children of Israel as a whole; within them, the Levi'im, and within them the Cohanim). And there is holy space (eventually, Israel; within that, Jerusalem; within that the Temple; in the desert, they were the mishkan, the holy, and the holy of holies).

The holy is that point of time and space in which the presence of G-d is encountered by *tzimtzum* – self-renunciation – on the part of mankind. Just as G-d makes space for man by an act of self-limitation, so man makes space for G-d by an act of self-limitation. The holy is where G-d is experienced as absolute presence. Not accidentally but essentially, this can only take place through the total renunciation of human will and initiative. That is not because G-d does not value human will and initiative. To the contrary: G-d has empowered mankind to use them to become His "partners in the work of creation".

However, to be true to G-d's purposes, there must be times and places at which humanity experiences the reality of the divine. Those times and places require absolute obedience. The most fundamental mistake – the mistake of Nadav and Avihu – is to take the powers that belong to man's encounter with the world, and apply them to man's encounter with the Divine. Had Nadav and Avihu used their own initiative to fight evil and injustice they would have been heroes. Because they used their own initiative in the arena of the holy, they erred. They asserted their own presence in the absolute presence of G-d. That is a contradiction in terms. That is why they died.

We err if we think of G-d as capricious, jealous, angry – a myth spread by early Christianity in an attempt to define itself as the religion of love, superseding the cruel/harsh/retributive G-d of the "Old Testament". When the Torah itself uses such language it "speaks in the language of humanity" – that is to say, in terms people will understand.

In truth, Tenakh is a love story through and through – the passionate love of the Creator for His creatures, that survives all the disappointments and betrayals of human history. G-d needs us to encounter Him, not because He needs mankind but because we need Him. If civilization is to be guided by love, justice, and respect for the integrity of creation as such, there must be moments in which we leave the "I" behind and encounter the fullness of being in all its glory. That is the function of the holy – the point at which "I am" is silent in the overwhelming presence of "There is". That is what Nadav and Avihu forgot – that to enter holy space or time requires ontological humility, the total renunciation of human initiative and desire.

The significance of this fact cannot be over-estimated. When we confuse G-d's will with our will, we turn the holy (the source of life) into something unholy and a source of death. The classic example of this is "holy war" – investing imperialism (the desire to rule over other people) with the cloak of sanctity as if conquest and forced conversion were G-d's will. The story of Nadav and Avihu reminds us yet again of the warning first spelled out in the days of Cain and Abel. The first act of worship led to the first murder. Like nuclear fission, worship generates power, which can be benign but can also be profoundly dangerous. The episode of Nadav and Avihu is written in three kinds of fire. First there is the fire from heaven:

Fire came forth from before G-d and consumed the burnt offering . . . (9: 24)

This was the fire of favour, consummating the service of the sanctuary. Then came the "unauthorized fire" offered by the two sons.

Aaron's sons, Nadav and Avihu took their censers, put fire in them and added incense; and they offered unauthorized fire before G-d, which He had not instructed them to offer. (10:1)

Then there was the counter-fire from heaven:

Fire came forth from before G-d, and it consumed them so that they died before G-d. (10:2)

The message is simple and deadly serious: Religion is not what the European Enlightenment thought it would become: mute, marginal and mild. It is fire – and like fire, it warms but it also burns. And we are the guardians of the flame.

To read more writings and teachings from the Chief Rabbi Lord Jonathan Sacks, please visit www.chiefrabbi.org.

<http://www.israelnationalnews.com/Articles/Article.aspx/13085#.UV5BoJNQGSo>

http://www.ou.org/torah/article/words_matter#.UV5CEZnQGS0

Words Matter: Chasid, Chesed and Chasidah

Deeper meanings and understandings of a word in the parsha that is related yet different from similar words we use everyday.

Rabbi Dr. Eliyahu Safran

Words matter to Jews. Language matters. Hebrew, filled with beauty and poetic power, is a language in which words carry not just superficial meaning, not just historical context, but also deep, sacred import.

One way in which we see the near-mystical relationship of words and phrases is in the study of Gematriyah, the system of assigning numerical values to letters, recognizing that words or phrases that share identical numerical values share a deep connection to one another.

On a more structural level, as a language, Hebrew is built upon the shresh, the traditionally three-letter root. Words derived from a common shresh share a conceptual, almost-familial relation with one another.

With this understanding and appreciation of the Hebrew language, what are we to make of the Chasid? “Chasid” comes from the shresh “ch, s, d” which means, piety, sensitivity, humility. Certainly, based on this root, it makes perfect sense that the usual picture that comes to mind when we think of the Chasid is one of an individual defined by genuine piety and religious humility. If you are like me, you likely immediately have an image of a gentle religious soul who, by his acts of charity and piety, bring the best lessons of Judaism to life.

The Chasid is the embodiment of the great, most meritorious teachings of Judaism: of piety, of rachmanas, of gentle kindness. Based on our understanding of the Hebrew language, we should be able to look at other words that are derived from the same shresh in order to discern a fuller, deeper, more insightful sense of what it means to be a Chasid.

But then we come upon the listing of non-kosher species in Parshat Shemini and we find included there with the other non-kosher birds the chasidah, the stork. How strange! How could it be that a bird whose name incorporates the word chesed, that is derived from the shresh “ch, s, d” is not kosher? Piety. Goodness. Humility. Charity of spirit. These are the very essence of kashrut, are they not? Clearly, “chasidah” has to teach us something about what it means to be a Chasid. But what could it be?

To be intimately related to chesed and yet be non-kosher seems such a stark contradiction!

If the chasidah, the stork, is non-kosher, why bestow her with a name of such noble heritage?

Why is a non-kosher animal not kosher to begin with? The fundamental reason is because God determined it to be so. Good-hearted Jews have for generations assigned “rational” reasons for why certain animals are treif and others allowed. As well-intentioned as this effort is, it misses the truth that the distinction between kosher and non-kosher animals exists simply because God determines it to be so. That said, in this determination, the Torah delineates some guidelines that define criteria which make a kosher animal kosher.

To be kosher, an animal must chew the cud and must have cloven hooves. Animals that do not meet these two criteria are not kosher. Likewise, animals that only meet one of the criteria but not the other are considered non-kosher. The camel is non-kosher because it chews the cud but does not have cloven hooves. The pig has cloven hooves but does not chew the cud.

When it comes to birds, it is a bit harder to categorize what makes one non-kosher and another kosher other than its inclusion on the lists in the Torah. However, Rambam adds to our understanding of why the Torah forbids the eating of non-kosher birds when he teaches that when one eats non-kosher birds, the negative and cruel character traits they possess can become part of our own personalities. In

other words, more than the physical characteristic there are also behavioral or personality characteristics that go into the categorization.

Which brings us back to the chasidah, the stork. If this bird truly earned its connection to charity and piety, then certainly we would want to eat it so that, as Ramban suggests, we too may gain those very same qualities.

Clearly, that cannot be the entire picture. And it is not.

Rashi considered the case of the chasidah and, based upon a Talmudic passage in the tractate of Chulin, explains the limitation in the quality of the chasidah that, despite its connection to charity and kindness, keeps it from being kosher. Like a distant cousin in a good and decent family, the chasidah does share the characteristic of kindness that is endemic to the Chasid.

However, the chasidah only displays kindness to her own kind. She is charitable, but only to her own kind. She is caring, but only to her own kind. Her goodness is real, but limited. She does not give any other bird a single thought. She ignores every other species.

And in this way, she falls short of the true quality of chesed, of the Chasid.

When we look to the true Chasid, we see a magnanimity of goodness. Genuine chesed does not limit itself; it does not say, I will be kind and caring to this one but not to that one. Goodness does not discriminate in genuine chesed.

The Chasid knows that in every one of God’s creatures there is good and evil, nobility and crassness. He knows that judging one from the other is not his to do. With true humility, he greets each of God’s creatures with the same gentle kindness. Kosher chesed is chesed for all. To limit it to “my kind” is, by definition, to make it something other than chesed. Kosher chesed cannot be limited to only those who look, think and act like me.

Is there anything more damaging to the Jewish community than the various schisms and rifts that tug it apart? Anything more hurtful than the way one judges a fellow Jew by the most cruel or superficial of distinctions? Chesed, by its very nature, seeks to heal such hurts, not to perpetuate them. Chesed must be chesed for all.

As we see with the chasidah, one who thinks of himself as a Chasid but who contributes to the judgments and opinions that harms K’lal Yisrael is, in fact, non-kosher, despite good deeds or determined piety.

R’ Elyah Chaim Meisel adds another dimension to our discussion. Chasidah does indeed represent kindness, compassion but chasidah is more closely related to chasidus than to chesed. Our sages suggest that chasidus implies doing more than expected, going beyond the letter of the law – lifnim mishuras hadin. It is true that the stork is good to its own kind, but even in its kindness she feels that she is doing more than expected. Each time she extends herself, she thinks she deserves acknowledgement.

For the genuine Chasid, being kind and expressing goodness comes from a place of such humility that it would never occur to him that his behavior is anything but as it should be. If anything, he would seek to do more, never believe he is doing too much.

The Chasid gives of himself as a natural expression of who he is, whenever and to whomever he can. The charity of the chasidah derives from her ego, not her humility. For this reason, hers is a negative posture that should be avoided.

Yes, the chasidah shares positive characteristics, and even behaviors, with the Chasid. From the outside, there are times when her works could even be confused to be on a par with the Chasid. But her good works come from such a different place that she can never be the ideal to which we aspire.

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<http://www.jpost.com/Opinion/Op-Ed-Contributors/Intentions-and-deeds-Parshat-Shmini-308718>

Intentions and deeds: Parshat Shmini

By Rabbi Shmuel Rabinowitz

Good intentions are always wonderful, but the deeds which emanate from these intentions are not always wonderful.

The Kuzari is a profound book of philosophy written in a unique literary style by Rabbi Yehuda Halevi, one of the Jewish nation’s great poets of the 11th century. He begins with a story about the king of the Kuzari nation, a good and honest king, who strives with all his might to find truth and justice. He repeatedly has a surprising dream. In this dream he is told a disappointing statement, “Your intentions are desirable, but your deeds are not desirable.”

Following this dream, the king turns to the wise men of various religions and asks to clarify the meaning of the dream. At some point, he meets a wise Jewish man with whom he has a profound debate.

During this debate, described throughout the book, the Jew explains to the king the principles of Jewish faith.

This sentence that the Kuzari king heard in his dream – “Your intentions are desirable, but your deeds are not desirable” – sheds light on the tragedy that we read about in this week’s parsha, Parshat Shmini.

Am Yisrael, after their exodus from Egypt and after they experienced the incredible event of the Revelation at Sinai at which they received the Torah, began preparing for the building of the Mishkan, the Tabernacle.

This was the temporary Temple that was to accompany the nation during its 40 years in the desert and during the centuries following in the Land of Israel until the building of the Temple in Jerusalem was completed.

The entire nation participated in the process of building the Mishkan.

Some expressed their participation by donating expensive materials needed for the Mishkan and the ritual objects within it. There were those who actively participated in the construction itself or in weaving the priests’ clothing.

And here, almost a year later, the Mishkan stood in all its glory. For eight days, Moshe practiced the work in the Mishkan in order to teach it to his brother Aharon and his sons. The festive preparations were completed. The great day arrived – Rosh Hodesh Nisan – when the Mishkan would begin to function. The whole nation stood around the Mishkan, joyful and excited.

And then the tragedy occurred. Nadav and Avihu, the sons of Aharon, were swept up in the huge excitement and initiated an independent action that was not included in the instructions G-d had given Moshe.

They entered the Mishkan and sacrificed incense without instructions from above. The result was horrifying, especially because it happened immediately, during the mass celebrations: “And there came forth fire from before the Lord, and devoured them, and they died before the Lord.” (Leviticus 10, 2) Such an awful punishment, of such special people, at such a festive hour! Our sages teach us that this tragedy comes to teach us a lesson for generations; a lesson that we must internalize and remember, and which is relevant at all times and for everyone.

Everyone knows that in the field of curing the body, there are clear and specific instructions on what to do or not do. A person who tries to be clever, outsmart his doctor and do as he pleases will pay a heavy price in his health. But in the field of spirituality, it sometimes seems that any path a person chooses is a good one. Since he means well, what difference could it possibly make if he does well in one way or the other? Here we return to the sentence with which we began and which the Kuzari king heard in his dream, “Your intentions are desirable, but your deeds are not desirable.”

Good intentions are always wonderful, but the deeds which emanate from these intentions are not always wonderful.

In the Book of the Zohar, we find a unique definition for the 613 commandments that appear in the Torah. The Zohar calls them “613 pieces of advice.” Wonderful pieces of advice that G-d bestowed upon us in His goodness, so we would know how to make our good intentions efficient and know how to direct them so they would be expressed in correct deeds that would also be desirable.

Aharon’s sons meant well, but they did not act according to the advice of the Creator.

He knows best what our correct path should be and therefore, how to “translate” our good intentions into good deeds.

With their deaths, they taught us a basic principle. Even when we are flooded with good intentions, we must think carefully and check how to express those intentions with good deeds that will be good for us and for society around us.

The writer is rabbi of the Western Wall and holy sites.

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date: Wed, Apr 3, 2013 at 3:28 AM
subject: Gazing through the glaze

Gazing Through the Glaze By Rabbi Yirmiyohu Kaganoff

In honor of Parshas Shemini, I am presenting an article whose topic is based in this week’s parsha.

Question #1:

Miriam recently sent me the following question:

“I have heard that one should not eat apple peels, because they are coated with a treif, waxy substance. Does it make a difference if the apples are organic? Can any kind of apple be eaten

with the peel? This subject concerns me, because there is much nutritional value in the peel. Do other fruits or vegetables have the same problem?”

Question #2:

“My Israeli cousin is a big talmid chacham. He is also very aware of kashrus matters, and he practices his English by reading product labels. When we visited Israel, we brought some candy as a treat for his children. He was curious to know how there could be a hechsher on a product containing confectioner’s glaze. I had no idea what he meant. Could you perhaps enlighten me?”

Answer:

Let us direct ourselves to Miriam’s question first:

The distributors of most fresh produce sold in North America coat the produce well before it arrives at your local supermarket. Coatings extend the shelf life of fresh fruit and vegetables and often make the produce more attractive. By the way, use of coatings is not limited to fresh produce. Chocolate candies that have a hard surface are coated. Coatings may be used on pizza beneath the cheese, or in fruit pies below the filling, to keep the crust crispy. Pecans and other nuts added to ice cream are sometimes coated to keep them from absorbing the moisture of the ice cream, and sometimes the caramel in candy bars is coated to keep it separate from the chocolate.

Much investment in industrial research is devoted to the best coating to be used in a particular product and application, and therefore, exactly which ingredients are used is a very closely guarded trade secret. This creates an obvious concern, not only for Miriam, but for every kosher consumer, and the problem is not limited to apples, but to most produce. The kashrus aspects of this topic are too vast to be covered thoroughly at one time, and therefore this article will focus on one specific halachic issue, the second question raised above: Whether a product that goes by the name confectioner’s glaze, resinous glaze, or sometimes simply shellac is kosher. Shellac is often used to provide the hard coating on certain candies. It is also sprayed onto fresh produce to increase its shelf life and make it more appealing.

What is Shellac?

Most consumers associate the word shellac with a clear varnish used to protect wood furniture. Indeed, shellac was introduced several hundred years ago as a wood polish for musical instruments and furniture. Shellac is a glandular secretion of the lac insect, *Kerria lacca*, a native of India and Thailand, that lives and reproduces on the branches and twigs of its host tree. Millions of tiny parasitic insects (*Kerria lacca*) ingest tree sap and produce from it a hard resinous secretion that they use to protect their larvae. The secretion, which is called shellac, forms hard layers on these branches, which are harvested, cut or broken into small pieces, crushed and then mechanically separated. The separated, crushed resin is subsequently ground, washed and dried and then ready to be processed into its various food and industrial applications. Often shellac is dissolved in several times its volume of alcohol, applied or mixed, and then the alcohol is evaporated and recovered. (We will soon see the significance of the evaporation of the alcohol.) The word shellac is derived from the Indian word *laksha* and refers to the refined or processed lac resin.

Until the mid-twentieth century, shellac was not commonly used for food products, but to protect phonograph records, or as an ingredient in paints, primers, inks, floor polishes and resins for electrical applications. More recently, shellac has found applications on the coating of fruits and vegetables, food and confectionary products, and pills and vitamins. When used for food, shellac is often called confectioner’s glaze.

Shellac resin is not a single compound, but a mixture of several polar and non-polar components in a molecule. Understanding how these molecules link together to build up a shellac complex involved extensive industrial and academic research and is still not fully understood.

Is Shellac Kosher?

On an obvious level, shellac should present a kashrus concern, since it is produced by an insect. The Gemara (Bechoros 5b, 7a) teaches a principle *kol hayotzei min hatamei tamei*, whatever derives from a non-kosher source is not kosher, and for this reason ostrich eggs, camel’s milk, and the eggs and milk of a tereifah chicken or cow are non-kosher. So, how can shellac be kosher, if it is secreted by an insect?

Several responsa discuss the kosher status of shellac or confectioner’s glaze. In 5725/1965, Rav Moshe Feinstein was asked whether this glaze may be coated onto kosher candies (*Shu’t Igros Moshe*, Yoreh Deah II:24). Rav Moshe discusses four possible reasons why shellac may be kosher. But before presenting Rav Moshe’s responsum on the subject, we must cite the section of Gemara that affects two of Rav Moshe’s answers.

We are all aware that honey is kosher, notwithstanding the fact that it is manufactured by bees. In other words, the principle of *kol hayotzei min hatamei tamei* does not apply to honey. The Gemara (Bechoros 7b) records a dispute between an anonymous scholar called the Tanna Kamma, and Rabbi Yaakov, dealing with the reason honey is an exception to the rule and is kosher. The Tanna Kamma contends that honey is kosher because it is not produced by bees, but is modified plant nectar, unlike milk and eggs that are created by the non-kosher species. To manufacture honey, bees suck nectar from flowers and deposit it into special honey-sacs. Inside the sacs, enzymes contained within the bee’s saliva convert the nectar into honey, which the bees store for food. The nectar is never “digested” by the bee, but rather, it is transformed into honey.

At this point, we should mention that, as noted by the Pri To’ar (81:1), there is a clear physical difference between the nectar that enters the bee and the honey that exits. The Pri To’ar points out that if one were to gather and concentrate nectar, it would not taste like honey, a fact that of course did not escape the Tanna Kamma. Yet, this scholar still contends that since nectar is the main ingredient, the contribution of the bee is not sufficiently significant to render honey non-kosher. Thus, we see that the Tanna Kamma holds a principle in the rule of *kol hayotzei min hatamei tamei* – that the product of a non-kosher animal is non-kosher only when the product is

manufactured by the animal, but not when the animal makes only moderate modifications to a kosher product.

A Dissenting Position

Rabbi Yaakov disagrees with this rationale, apparently contending that the contribution of the bee would be significant enough to present a kashrus concern, yet he permits honey for a different reason: although the universal rule prohibits extracts of non-kosher species, a special Scriptural allusion excludes honey from this proscription. When the Torah states *es zeh tochal mikol sherez ha'of* -- Only this (zeh) may you eat from among the small flying creatures (Vayikra 11:21), the emphasis of the word *zeh* teaches that honey is kosher, despite the fact that it is a product of the bee which is itself non-kosher.

According to Rabbi Yaakov, the method by which honey is produced does not exclude it from the prohibition; it is kosher only because the Torah created a unique status. His approach is referred to as *gezeiras hakasuv*, a special Biblical ruling.

What's the Difference?

Do any practical differences arise from this dispute between the Tanna Kamma and Rabbi Yaakov? The Gemara states the following: Two non-bee insects, *gizin* and *tzirin*, produce a sweet product called respectively *gizin honey* and *tzirin honey* through a process similar to what bees do. (The exact identity of these species is unclear, although there are several insects that produce varieties of honey or honeydew, all of which bear much similarity in their production to bee honey.) According to the Tanna Kamma, these honeys should be kosher just like bee honey, since they are merely processed flower nectar. Rabbi Yaakov, however, permits only bee honey, but contends that the Torah never permitted *gizin honey* and *tzirin honey*.

The Gemara explains that Rabbi Yaakov prohibits *gizin honey* and *tzirin honey* because they are never called just honey, but always by their descriptive adjective, as opposed to bee honey, which is usually called by one name: "honey." What this answer means may directly impact on the halachic status of shellac.

(1) Sweet as Shellac!?

As I mentioned above, Rav Moshe presents four different reasons why shellac may be kosher. His first approach is that, according to the Tanna Kamma, which is the way the Rambam (Hilchos Maachalos Asuros 3:3) and the Shulchan Aruch (Yoreh Deah 81:9) rule, any substance that an insect processes that is similar to the processing of honey is kosher. Rav Moshe understands that the lac's contribution to shellac can be compared to the bee's contribution to honey. The lac ingests sap from its host tree and modifies this sap into shellac, just as insects modify nectar and make it into honey or honeydew. Therefore, the resultant glaze is kosher according to the Tanna Kamma, and therefore also according to the Rambam and the Shulchan Aruch.

Rav Moshe notes that this reasoning will not be accepted by all authorities, since many poskim rule according to Rabbi Yaakov (Rosh; Pri Chodosh, Yoreh Deah 81:28). According to their conclusion, honey is kosher because of a *gezeiras hakasuv*, a special derivation of the Torah permitting it, but any other insect-based product, including *gizin honey* and *tzirin honey* and shellac, should be non-kosher.

(2) Shellac is like Honey!

However, Rav Moshe suggests that even according to Rabbi Yaakov it is possible that shellac is permitted. The Gemara explains that Rabbi Yaakov prohibits *gizin honey* and *tzirin honey* because the word "honey," without any other description, refers only to bee honey, not that of *gizin* and *tzirin*. What does this distinction mean?

Among the early authorities, we find two different ways of explaining why Rabbi Yaakov holds that *gizin honey* and *tzirin honey* are non-kosher. The Levush explains that since these products are always called *gizin honey* and *tzirin honey*, they are still associated with their non-kosher source, and therefore they remain non-kosher. Since bee honey is usually referred to simply as "honey," the Torah included only this product in its heter.

The Maharshal explains the Gemara differently. In his opinion, the word *zeh* can permit only one product, and that is bee honey. Thus, the honey produced by *gizin* and *tzirin* is prohibited, because there is no verse that permits it.

Is there any practical halachic dispute between these two approaches? According to Rav Moshe indeed there is. He contends that, according to the Maharshal, Rabbi Yaakov understands that the Torah permitted only one substance whose origin is non-kosher, honey, and none other; and that therefore, shellac (according to Rabbi Yaakov) is not kosher. However, Rav Moshe suggests that, according to the Levush, any product that is not usually referred to by an adjective identifying its source will be kosher. Therefore, although *gizin honey* and *tzirin honey* are non-kosher, since the name shellac does not mention the non-kosher source, it should be kosher. However, the Maharshal would consider shellac non-kosher (according to Rabbi Yaakov), and therefore, we would not rely on this reason alone to permit shellac. Rav Moshe advances two other approaches to permit shellac.

(3) Kosher Derivatives from Non-Kosher Sources

Another application of the rule of *kol hayotzei min hatamei tamei* is that an egg produced by a chicken with a physical defect (a *tereifah*) is not kosher. Despite this fact, the Gemara cites a dispute whether the chick that develops from this egg is kosher. The halachic conclusion is that this chick is kosher, notwithstanding the non-kosher status both of its mother hen and its own origins, because the fertilized egg deteriorates to a point of becoming inedible prior to becoming a chick (Temurah 21a). Rav Moshe explains this Gemara to mean that *kol hayotzei min hatamei tamei* applies only when the non-kosher animal creates food. However, when the item created is not food, the product created by a non-kosher source is considered kosher. Thus, he concludes that since shellac is tasteless, it is not considered a food, and is permitted, even though it is *yotzei min hatamei*.

(4) Too Small to be Significant

Rav Moshe adds another reason to permit the shellac glaze: Since shellac is not food and it is dissolved in a few times its volume of alcohol, it is therefore *bateil*.

Because of these reasons, Rav Moshe concluded that shellac may be used as a glaze on candies. This position has been accepted by most major hechsherim in North America.

American vs. Israeli Hechsherim

At this point, we can address the second question I raised above: My Israeli cousin, who is a big talmid chacham, asked us how there could be a hechsher on a candy containing confectioner's glaze. The answer is that the American hechsherim follow Rav Moshe's ruling on the kashrus status of confectioner's glaze.

Does this mean that the Israeli cousin is grossly unaware of the halacha?

No. To the best of my knowledge, none of the mehadrin Israeli hechsherim accepts shellac as a kosher product. They are not comfortable with any of the four reasons that form the basis of Rav Moshe's psak.

(1) Regarding the first reason, that the secretion of shellac should not be considered a product of the lac, just as honey is not considered a product of the bee:

Aside from the factor that many opinions do not rule like the Tanna Kamma, but follow Rabbi Yaakov, they feel that the comparison between honey and shellac may not be accurate.

Although the Gemara states that bees do not produce honey, it is unclear what factors define why honey remains kosher. Shellac is a complex product, and the lac definitely contributes to its production in a way that is different from the way a bee makes honey. It may be that even the Tanna Kamma would consider shellac to be non-kosher. How can we be certain that the reason that honey is permitted applies to shellac?

(2) Rav Moshe's second reason was that, just as only bee honey (and not *gizin* or *tzirin honey*) is kosher according to (the Levush's understanding of) Rabbi Yaakov, because the common word honey makes no reference to its non-kosher source, so, too, the word shellac makes no mention of its non-kosher source. However, there are two strong reasons why shellac should be non-kosher, like the honey produced by *gizin* and *tzirin*.

(A) The word shellac means the product of the lac insect. Thus, it does refer to the non-kosher origin.

(B) A second problem, which Rav Moshe discusses, is that Rabbi Yaakov derives that honey is kosher from a drashah that permits products of flying creatures. However, the lac does not qualify as a *sherez ha'of*, a flying creature, and therefore, it is not obvious that shellac could be permitted, based on the word *zeh*, which refers to flying creatures.

(3) Based on the halachic conclusion that a chick developing from a *tereifah* chicken is kosher, Rav Moshe explains *kol hayotzei min hatamei tamei* applies only when the non-kosher animal creates food, and that shellac is not food. However, others understand the Gemara's point in a different way. When an item deteriorates, such as an egg that eventually becomes a chick, it is no longer considered the result of the original non-kosher source. However, when no deterioration transpires, why should the item not be considered the product of the original source? Shellac does not deteriorate during the process of being made from tree sap.

(4) Rav Moshe's fourth reason to permit shellac is that it is dissolved in several times its volume of alcohol before being applied, and therefore, the finished shellac is *bateil*. However, this approach is problematic. As I mentioned above, after the shellac is applied, the alcohol is evaporated, and the finished shellac that remains on a candy is almost pure shellac; that remaining on fruit is estimated to be about 80% shellac. This should not allow for *bitul*. One could still argue that one is not trying to eat the shellac, and that it does become *bateil* in one's mouth while chewing the fruit. On the other hand, the Eretz Yisrael hechsherim who follow a stricter approach contend that, since the shellac is on the surface, one can peel the fruit and remove all the shellac.

As a result of Rav Moshe's responsum, the supervisory organizations in the United States treat shellac as kosher, and devote their research on coatings to the other possible ingredients that may be a problem. However, in Eretz Yisroel Rav Moshe's approach was less accepted and, as a result, none of the mehadrin hechsherim treat glaze as kosher. These hechsherim monitor which coatings, if any, are used on produce sold under their supervision. Indeed, there have been instances of fruit exported from the United States to Israel that the mehadrin hechsherim in Israel barred from the produce departments under their certification. (In general, fresh produce grown outside Israel has relatively few kashrus issues, other than examining them for insects. One is not required to be concerned that *chutz la'aretz* fruits may be *orlah*, a topic we will leave for a different time. Thus, produce departments in *chutz la'aretz* need not be supervised. The situation is very different in Israel, where one must be concerned about many agricultural mitzvos *hateluyos ba'aretz*; because of these concerns, produce stores and departments carry kosher supervision.)

Thus, we see that, whereas American hechsherim accept shellac as kosher, Israeli mehadrin hechsherim do not. To quote the Gemara, *nahara nahara upashtei*, literally, each river follows its own course, or, there are different halachic customs each with valid halachic source (Chullin 18b; 57a). In English we say, there is more than one way to skin a vegetable.

<http://5tjt.com/schlissel-challah-an-analysis-by-rabbi-yair-hoffman/>

Schlissel Challah – An Analysis
Five Towns Jewish Times
By Rabbi Yair Hoffman

The custom of Schlissel Challah has become very widespread, not only in the Chassidish world but in many other communities as well. Two years ago, an article

written by Shelomo Alfassa appeared that attempted to connect the custom known as Schlissel Challah to Christian or pagan sources. The Alfassa article, entitled "The Loaf of Idolatry?" stated that fulfilling this custom was, in fact, a Torah violation of following in the ways of the gentiles. In this article, an attempt will be made to trace the origins of the custom and to examine the alleged connection to non-Jewish sources that appeared in the Alfassa article. With due respect to Mr. Alfassa, it is this author's contention that the allegations are quite spurious, error-filled and misleading, and have no connection whatsoever to this Chassidic custom. As far as the sources for Schlissel Challah, Alfassa writes as follows: "While the custom is said to be mentioned in the writings of Avraham Yehoshua Heshel (the "Apter Rav" 1748-1825) and in the Ta'amei ha-Minhagim (1891), there is no one clear source for shlissel challah. And while people will say there is a passuq attributed to it, there is not. And, even if there were, a passuq that can be linked to the practice is not the same as a source... The idea of baking shlissel challah is not from the Torah; it's not in the Tannaitic, Amoraitic, Savoraitic, Gaonic or Rishonic literature. Rabbi Shlomo Aviner of Israel's Yeshivat Ateret Yerushalayim said that while baking challah with a key in it is not forbidden, "there is no meaning in doing so."

While Alfassa is correct in his assertion that the custom is not found in the writings of the Rishonim or earlier, for some reason he fails to point out the Chassidic origin of Schlissel Challah. As a general rule, we do not find Chassidish customs in the Rishonim because the movement itself only began in 1740. We, however, do find mention of the custom to bake Challah in the shape of a key in many, many Chassidish Seforim. These Seforim were written by genuine Torah scholars, and it is difficult to propose that a Christian practice somehow entered into their literary oeuvre. The Klausenberger Rebbe, the Satmar Rebbe, the Belzer Rebbe, Rav Moshe Aryeh Freund, and numerous Chassidish Rebbes and Poskim all punctiliously observed this custom.

Most of the reasons have to do with the Kabbalistic notion of "Tirayon Petichin" that the gates to Heaven are opened. This concept of opened gates is found throughout the Zohar and is discussed by such authorities as the Shla (whose father was a student of the Remah).

The earliest reference is in the works of Rabbi Pinchas Shapiro of Koritz (born 1726), a descendant of the Megaleh Amukos and a student of the Baal Shem Tov. In his work called Imrei Pinchas (#298) he explains that the reason to bake Schlissel Challah on the Shabbos following Pesach is that during Pesach, the gates to Heaven were opened and remain open until Pesach Sheni. The key alludes to the fact that these gates are now open and that we should focus our prayers ever more on that account.

The Apter Rebbe, author of the Ohaiv Yisroel (Likkutim al HaTorah Pesach), mentions the custom as well but provides a slightly different reason. He writes that the gates to Heaven were opened to our prayers the entire Pesach and we must now re-open them with the Mitzvah of our Shabbos observance. Although Alfassa writes that there is no Pasuk that is referenced for this custom, the verse does indeed exist and is mentioned in the Ohev Yisroel itself. In Shir HaShirim 5:2, which is read on Shabbos Chol HaMoed the verse states, "Open for me, my sister..." Chazal darshen (Yalkut Shimoni Shir HaShirim 988), "You have become My sister with the observance of the two Mitzvos in Egypt the blood of the Korban Pesach and the blood of Bris Milah..Open for Me an opening like the eye of the needle and I (Hashem) shall open for you like the opening of a wide hall." The Ohev Yisroel mentions two other reasons for the custom, primarily that Hashem should open His "store house of plenty" for us as he did in Iyar after the exodus. The Belzer Rebbe (Choshvei Machshavos p. 152) provided the explanation that although the Geulaha may not have happened yet as it was scheduled to occur on Nissan, at least the key to Hashem's storehouse of parnassah and plenty have been opened.

The Taamei HaMinhagim (596 and 597) provides a number of reasons as well. Alfassa writes that "at least one old Irish source tells how at times when a town was under attack, the men said, "let our women-folk be instructed in the art of baking cakes containing keys." This is Alfassa's lead reference, but looking up his reference (O'Brien, Flann. The Best of Myles. Normal, IL; Dalkey Archive Press, 1968. Page 393) reveals that it is not really an old Irish source. Rather it is a quote from the fiction works found a collection of Irish newspaper columns that date back four decades before the publication of the book. In other words, there is no correlation between this 20th century literary statement and a custom that dates back to Eatsern Europe centuries earlier.

Let's now look at the second reference that Alfassa brings. He writes citing a book written by James George Frazer, entitled The Golden Bough. London: Macmillan and Co., "Another account mentions a key in a loaf: "In other parts of Esthonia [sic], again, the Christmas Boar [cake], as it is called, is baked of the first rye cut at harvest; it has a conical shape and a cross is impressed on it with a pig's bone or a

key, or three dints are made in it with a buckle or a piece of charcoal. It stands with a light beside it on the table all through the festival season."

The fact is, however, this source does not mention a key in a loaf at all. It mentions a cake with a cross on top of it. How was the shape of the cross made? Either with a bone of a pig or with a cross shaped key. There is no parallel to the Schlissel Challah here whatsoever.

Alfassa further tells us in a footnote, "Small breads with the sign of the cross have been found as far back as 79 CE in the ancient Roman city of Herculaneum (see The New York Times March 31, 1912). This was when Christianity emerged in Roman Judea as a Jewish religious sect which gradually spread out of Jerusalem. This footnote as well is extremely misleading. The city of Herculaneum located in the shadow of Mount Vesuvius was destroyed on August 4th, in the year 79 CE. At the time it was an entirely pagan city where they worshipped Hercules, and were assuredly not Christian. There was no influence on Judaism here, nor a connection to Christianity as Alfassa implies because the entire city was buried in volcanic ash, and they were not influenced by Christianity. The connection to Schlissel Challah here is completely non-existent. More likely is the fact that the "plus sign" was actually an icon before the identification of the cross with Christianity. Also connecting the shaping of a plus sign with the Schlissel Challah in this instance is quite spurious.

Alfassa further attempts to connect the practice with the idea of placing figurines in cupcakes. He writes, "Similar, there are modern non-Jewish customs, such as in Mexico, where a 'baby Jesus' figurine is baked into cupcakes; often, the child who finds it wins a prize. This is also practiced in the U.S. state of Louisiana beginning at Mardi Gras and practiced for 30 days after. There, a 'baby Jesus' toys baked into a whole cake, and whoever finds the baby in their piece has to buy the next day's cake. In Spain, there is a tradition of placing a small Jesus doll inside a cake and whoever finds it must take it to the nearest church.."

The connection that the author makes between this and Schlissel Challah is perplexing. There is no geographic connection. There is no timeline connection. The only similarity is the placing of an item in something else. Both the items are different and the product that they are put in are different. At best, one can say that this is scholarship that lacks rigor.

In conclusion, there is no evidence whatsoever that this Chasidic custom was derived from or influenced by Christian practice. The scholarship behind this allegation is faulty and error-filled. This is a custom that has been practiced by the greatest of our Chasidic brethren and it is wrong to cast such aspersions on their practice.

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