

BS"D

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INTERNET PARSHA SHEET ON TAZRIA METZORA Rosh Chodesh Iyar - 5762

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Washington Rally A major Israel rally will take place in Washington D.C. next Monday, April 15 at 1:00PM. You should arrange to be there by 12:00pm. It is being coordinated through the Conference of Presidents of Major American Jewish Organizations working with the Jewish Council for Public Affairs. The rally will be held on the west front of the U.S. Capitol (1st St. between Constitution and Independence Aves).

See <http://www.israelrally.org> (Official site; Has fliers and talking points)
<http://www.ou.org/events/5762/rally041502.htm> (Has messages for banners; Bus locations in NY metro area, etc.)
<http://www.jccalendar.org> (transportation; travel directions)
<http://www.azm.org/rally.html> (some bus information)
<http://www.tzemachdavid.org/rally.html> (train information; Teaneck bus info.)
<http://www.jewishbergen.org/about/israel/rally.shtml>

From: Don't Forget[SMTP:sefira@torah.org]
Subject: Day 16 / 2 weeks and 2 days

Tonight, the evening of Friday, April 12, will be day 16, which is 2 weeks and 2 days of the omer. Sefira - the Counting The Omer
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This list has been dedicated in memory of HaRav Yerachmiel Baruch ben Elazar Friedman, and Chaya Gittel bas haRav Ben-Tzion HaCohen Rosenfeld Visit <http://www.torah.org/learning/yomtov/omer/> to learn more about the Omer.

http://www.torahweb.org/torah/2001/parsha/meu_tazria.html
[From last year]

RABBI YAAKOV NEUBERGER - THE POWER OF LASHON HARA VS. THE POWER OF AYIN TOV

There is hardly a more penetrating reminder of the sanctity of a Torah lifestyle and the values of our mesorah than the annual reading of tazria-metzorah. Is there another people who at least once a year focus on the evils of arrogance and slander; who come to appreciate the ugliness of loshon hara and the destructive web that it can weave through a survey of grotesque physical growths and the tumor like spread of negaim\leprosy. Yet unlike any physical ailment with which we are familiar, and distinct from almost the entirety of Halocha, determining the status of a growth, whether it renders its bearer as a tzorua or not is entirely in the hands of a kohen. "(13:2 - 8) [The one who finds on a growth on his skin] will be brought to to Aharon Hakohen or to one of his children who are kohanim...and the kohen will study the growth... and the kohen will study it on the seventh day... and the kohen will isolate him for seven days...and the kohen will study again ...and the kohen will decide and make him tome'h" Clearly the expertise of a yisroel is put aside and a yisroel who may have mastered Maseches Negaim with all its commentaries must still

submit to the judgment of a kohen. That is why one who reports his newly discovered growth found on the walls of his home, says to the kohen, (14:35)"Kanega- There seems to be a growth on the walls of our home". Why so circumspect - "kanega" ? Explains Rashi even a talmid chacham that is certain that the growth is a nega cannot render a definitive decision and must say, "kanega" Is it not strange that the one topic that has been described in Torah Shebichsav with such painstaking detail is relegated to the fewest to render a decision?? How can we account for this; something which we would not find in issur vaheter or in shaatnez or ishush??

Perhaps this is a process that would make the Metzora aware of the vicious power of loshon hara. Now the way he will be seen by others and thus his ability to maintain friends and relationships for a period of time will all hang on one word that can be uttered by one kohen. Surely he will begin to feel the ugly results of his loose lip.

Furthermore the metzora will gain a new appreciation of the destructive course of labels. For a few weeks his entire life will be devoid of any complexity as it is simply and narrowly focused on one growth, its hairs and its changes, How often do we do the same, taking the liberty of summarizing the entirety and richness of another's personality, beliefs and challenges in one word. Our generation is almost trained to characterize and often dismiss lives full of genuineness and depth, passion and purpose via the texture, size and position of their head cover. As the metzora's well-being hinges on the summary judgment of the kohen or is indeed determined by a pronouncement, he must begin to recognize that labels usually close any chance of a colorful and meaningful relationship with another.

A similar instruction arises from the manner in which the kohen views the possible metzora, (12:3) "and the kohen shall see the nega... and [the kohen] shall see him and declare him tome'h" Based on the sifrei Rav Meir Simcha points out in the Meshech Chochma, that first the kohen evaluates the nature of the nega to see if it must be declared tome'h, then the kohen judges whether the person can be declared tome'h; is he a chasan or is he exempt for a similar reason. I believe that in this counter intuitive order there lies a magnificent instruction. Should one notice the faults of another - the nega that we all harbor in varied fashion - then quickly put it into the appropriate perspective. Train oneself to view him, the person, and apply the "ayin tov" to the larger picture, his struggles and accomplishments into which that very human failing may fall. In that way we will not only refrain from any form of tale bearing and labeling but we will open ourselves up to the goodness which abounds around us.

From: RABBI MORDECHAI KAMENETZKY
[SMTP:rmk@torah.org] Subject: Drasha - Parshas Tazria-Metzora - Self Destruction

Parshas Tazria-Metzora Self Destruction

There is an underlying theme to the message of the Metzora. This spiritual disease that causes discoloration of the skin or of hairs upon the skin, in unpredictable patches is caused by sins of speech (gossip, slander and the like. When a person notices the discoloration, he is to immediately approach a kohen and show him the abnormality. It is up to the kohen to not only to determine the status of the affliction, but to actually invoke the status of impurity on the man through his rendition of his adjudication on the matter.

The physical affliction of tzoraEas is definitely not a contagious one. In fact, the Torah teaches us that there are times that the kohen can hold off on his declaration; e.g. a groom during the week of wedding festivities is spared the humiliation of isolation. If tzoraEas were a communicable disease it would surely warrant immediate isolation despite the circumstances. Yet when a man is declared as tamei (impure) he is kept in isolation. The Torah explicitly explains: All the days that the affliction is upon him he shall remain contaminated; he is contaminated. He shall dwell in isolation; his dwelling shall be outside the camp` (Leviticus 13:46).

The question is simple. If the sins of anti-social behavior cause the malady, why is the man isolated? Would it not be better if he is embarrassed within the community and learns to better himself through

communal interaction? How will solitude help him cure his societal ills?

There is a classic tale of the gentleman who purchased a plane ticket from New York to Los Angeles. The man was quite finicky about traveling, and asked the agent for a window seat. Somehow, he was not placed by the window, rather in the aisle.

During the entire trip, he fidgeted and squirmed. Immediately after the long journey the man went straight to complain.

I specifically asked for a window seat,' he exclaimed. Your agent in New York assured me that I would be getting a window seat. Look at this stub. It placed me right in the aisle!'

The customer relations agent in Los Angeles was not fazed. Unfazed she asked the man, 'Did you ask the person in the window seat to trade places?'

This time the man was irate. I was not able to!'

And why not?'

There was no one in the seat.'

My grandfather, Rabbi Yaakov Kamenetzky, of blessed memory, in his classic work Emes LEYaakov explains. People often blame the ramifications of their doings on everyone else but themselves. Truth be told, a person who is afflicted can circumvent confinement by not reporting the negah to the Kohen, or even by pulling out the hairs that are discolored. It is akin to a man who is sentenced to house imprisonment. His hands are tied together with the rope attached to his teeth. He is told to watch himself and not escape.

In essence, a negah is merely a Divine wake-up-call. It is heaven's way of letting an individual know that there is something wrong. It is a personal message and must be taken personally. And so in solitude the man sits and ponders what exactly needs correction.

If a person wants to correct himself, he need not cavort with others to do so. If one can remove the barriers of false flattery and social mendacity, he can do a lot better for himself: because self-improvement is dependent upon self-motivation. Without the truth meeting the self, any attempt toward self-improvement may lead to nothing more than self-destruction. Good Shabbos 12002 Rabbi Mordechai Kamenetzky

Dedicated in memory of Judah Leib (Jerry) Lipschitz by Mr. and Mrs. Ben Lipschitz

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From: listmaster[SMTP:listmaster@shemayisrael.com] Subject: Beloved Children by Rabbi Yisroel Pesach Feinhandler
Parshas Tazre'a
Purifying Our Children

And on the eighth day shall the flesh of his foreskin be circumcised. (VAYIKRA 12:3)

The following story was related by Rabbi Moshe Aharon Stern, the mashgi'ach of Yeshivas Kaminetz in Jerusalem, who heard it in his youth from Rabbi Yaakov Kaminetzky, zt"l, during a Torah lecture.

Once the Chofetz Chaim and another great rabbi went for a long trip of several days to take care of an important matter involving a mitzvah. Upon their arrival at a certain place, they immediately looked for an inn where they could rest from their long journey and have a meal.

After they had found an inn where the proprietress was a G-d-fearing woman, and her level of kashrus satisfied their strict standards, the Chofetz Chaim and the other great rabbi sat down and ate the meal that was served them.

During the course of the meal, the proprietress came in and asked them if the food was satisfactory. The Chofetz Chaim answered

immediately that the food was excellent. But the great rabbi answered, "Yes, the food in general is quite good, although it lacks a bit of salt."

After hearing what they had to say, she left the room. As soon as she left, the Chofetz Chaim grabbed his beard with one hand and his head with the other and began to moan, saying, "Oy vey! My entire life I have been careful not to speak lashon hara and not to hear it, and now I have transgressed by listening to and accepting lashon hara. I am sorry that I came on this trip with you; there certainly was no mitzvah in my traveling with you."

When the rabbi saw how upset the Chofetz Chaim was, he was afraid and astonished. But he also wondered, "Why is he so excited and troubled?"

He asked the Chofetz Chaim, "What did I say wrong? Where was the lashon hara in what I said?"

The Chofetz Chaim answered him, "Was there not lashon hara in your saying that the food lacked salt? She certainly did not cook the meal herself, but rather the cook was a woman she had hired. This woman is a widow, and immediately after the proprietress heard your complaints about the lack of salt, she went into the kitchen and complained to the poor cook, saying, 'Why did you not put enough salt in the food?' The cook answered of course that she had indeed put in enough salt.

"Then," continued the Chofetz Chaim, "the proprietress began to shout at the cook, saying, 'The rabbis who are my guests and are eating the food you cooked told me that there was not enough salt. How can you say otherwise?'

"So continued the argument, with the cook insisting that there was enough salt in the food, and the proprietress accusing her of lying, since the rabbi had told her that the food lacked salt.

"Then the cook said, 'But I am certain that I put salt in the food.'

"When the proprietress heard that, she said, 'If you have such chutzpah to accuse the rabbi of being a liar, then you are fired. I don't want you to work here as a cook any more.'"

The great rabbi listened to the Chofetz Chaim attentively, and his astonishment grew from moment to moment, witnessing the great imagination of the Chofetz Chaim. Where did he come up with such a story? How could the Chofetz Chaim build towers in the air from one small comment he had made? He finally spoke up, saying, "Rabbi Yisrael Meir, you are exaggerating!"

The Chofetz Chaim answered him, "If you wish to verify whether I am right or not, let's go into the kitchen and we shall see what is going on in there."

Together they went into the kitchen, and found the two women excited and angry, with tears in their eyes, following a long argument in which the proprietress had fired the cook. It had all been exactly as the Chofetz Chaim had described!

When the great rabbi saw what had happened he tried, of course, with all his power to change the situation, and in the end he paid a large sum of money so that the widow would be allowed to remain in her job and so that peace would be restored between them. (SHE'AL AVICHA VEYAGEDCHA II, p. 45)

The great rabbi learned an important lesson from the Chofetz Chaim, and tried to correct his mistake. We, too, must be careful to consider all possible repercussions that our words might have upon our children, and to think carefully always before we speak.

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From: listmaster[SMTP:listmaster@shemayisrael.com] Subject: PENINIM ON THE TORAH
BY RABBI A. LEIB SCHEINBAUM
PARSHAS METZORA

This shall be the law of the metzora on the day of his purification. (14:2)

The laws of tzaraas are replete with important lessons for the one who has the ability to see and is willing to look. Indeed, as is clearly stated by the Rishonim, the affliction that is known as tzaraas has absolutely nothing to do with the physical illness known as leprosy. Sforno is very adamant in emphasizing this point. He notes that the

Torah only mentions three modalities of tzaraas: s'eis, sapachas, and baheres, which are white in color and are not nearly as severe as the system-wide cancers which spread over the entire body and are red or black. These are not declared tamei, impure, by the Torah. Only the four whitish discolorations cited by the Torah are viewed as representing Hashem's rebuke for sinning. These four discolorations are considered by Chazal to be a form of atonement. The other cancers not mentioned in the Torah are physical illnesses and in no way represent rebuke or atonement.

Interestingly, Sforno posits that, strangely, the more potentially devastating the disease and the closer it comes to full-scale degeneration, the farther it is removed from the Torah! There is a profound message to be derived herein. Out and out evil, complete degeneration, full-scale spiritual collapse is not as dangerous as subtle spiritual descent, covert prurience, elusive evil veiled by a veneer of righteousness. We have less to fear from wanton malevolence than from a slow surreptitious infiltration of the pernicious. Society has more to fear from the evil which operates under a cloak of civility than from the overt terrorist. The quiet psychopath who shocks us with his violent revelation is far more dangerous than the blatant criminal. We have only to go back sixty years to the exponents of the Third Reich, those "paragons" of refinement and polished civility who created the concentration camps and crematoriums, to see the danger of "tumah" as opposed to outward "disease." Indeed, it is in those that portray themselves as human that we have come to see true inhumanity, true evil. This is the message of tzaraas.

A message is only effective, however, if one opens his eyes and listens intelligently to it. One who looks at the external, who views life superficially, gains nothing from these messages, as illustrated by a famous parable of the Dubno Maggid. It happened that a certain poor man, who we will refer to as Chaim, was once invited to dinner at the home of the wealthiest man in town. When he entered the massive mansion, Chaim could not believe his eyes. The place practically oozed wealth. From the magnificent paintings to the gorgeous furniture and stunning lights, the home looked like something out of a fairy tale. He was soon ushered into the dining room where everyone munched on the hors d'oeuvres. Finally, they were seated at an enormous, ornate table as the first course was about to be served. The rich man was seated at the head of the table in a large wooden chair, upholstered with the finest velvet and leather. As soon as the diners had finished their first course, the rich man took out a small copper bell from his pocket and shook it. Almost at once, waiters converged from various doors, removed the used plates and brought in the next course. Chaim was amazed at the power of this unique bell. One tinkle, and servants appear. This was incredible.

When they completed the second course, the ritual was repeated. The bell was tinkled, waiters appeared and more food was served. Chaim was simply astounded with this bell. He must get one. Soon, his material problems would be solved. The next day, Chaim scraped together his meager savings and bought a small bell. It was not a copper bell, because he was going to go all-out in his quest for material sustenance. He purchased a silver-plated bell with the hope that it would engender even greater wealth than he had just witnessed. "Our days of hunger are finally over," he declared to his family. "Come and you will see how we will now have whatever we want to eat." The family sat down at their small, broken-down table in great anticipation. Chaim sat at the head with his "trusted" little bell. He looked at his family. Raising the bell, he said, "Here we go." He then tinkled the bell with great determination and waited for the waiters to appear. Lo and behold - nothing happened. How could this be? He immediately shook the bell again - this time with a bit more force. Again - nothing. "I cannot understand," Chaim muttered angrily. "It worked for the rich man. Why does it not work for me?"

Broken-hearted and dejected, Chaim returned the bell to the store from which he had purchased it, complaining, "This bell is useless. I received no response when I rang it."

Now, we all know why the bell did not elicit any response. Chaim had no food and no waiters in his house to summon by means of the bell. Hence, the bell had no one to summon. The bell works after much

preparation has been made. Without the preparation, the bell accomplishes nothing more than to make noise.

The Dubno Maggid explains that we act similarly to poor Chaim. He cites the mitzvah of Tzitzis as an example. The Torah tells us that when we look at our Tzitzis, we will be reminded of our obligation to perform all of Hashem's mitzvos. We recite this injunction in Shema Yisrael at least twice a day. Yet, does it leave an impression? Does it remind us to observe all of the mitzvos?

Regrettably, there are many who look at a pair of Tzitzis and are reminded of nothing. They see what most people see - strands of wool! It is only the learned, the prepared, who understand the essence of mitzvos and their relationship to Tzitzis, who can appreciate the "view" of Tzitzis. To gaze at Tzitzis without any preparation is not much different than ringing a bell without prior arrangement for someone to respond. Similarly, the message being conveyed to the metzora has meaning only if the metzora is prepared to see and to listen.

Sponsored in memory of my Rebbe by Charles & Debby Zuchowski and Family

From: Kerem B'Yavneh Online[SMTP:feedback@kby.org] Subject: Shabbat Rosh Chodesh

Shabbat Rosh Chodesh

Haftarah: "Their Fire will not be Extinguished"

Hamashgiach RAV AVRAHAM RIVLIN shlita

The Haftarah of this Shabbat, which is Rosh Chodesh, is the final chapter of Yeshaya, which deals with the "Day of G-d" in the end of days. Yeshaya alternately describes the great reward of the righteous and the severe punishment of the wicked. So, too, in the concluding verses, "For just as the new heavens and the new earth that I will make will endure before me -- the word of Hashem -- so will your offspring and your name endure." (Yeshaya 66:22) Those righteous people, who will live at that time, will come every Rosh Chodesh and Shabbat to prostrate themselves before Hashem. "And they will go out and see the corpses of the men who rebelled against Me, for their decay will not cease and their fire will not be extinguished, and they will lie in disgrace before all mankind." (66:24)

We should note that both the reward and the punishment are described on two planes -- physical and spiritual. The reward of the righteous is, "so will your offspring (physical) and your name (spiritual) endure." The punishment for "the men who rebelled against Me," is described in three short phrases:

For their wormy decay will not cease and their fire will not be extinguished, and they will lie in disgrace before all mankind.

The first phrase relates to the body, that it will suffer even after death. "The worms will endure as a sign, in remembrance of their evil." (Malbim) The last phrase, "they will lie in disgrace before all mankind," denotes the awesome disgrace that the wicked will undergo. This double punishment, of the body and spirit, parallels the double reward of the righteous, "so will your offspring and your name endure."

The middle phrase, "their fire will not be extinguished," can be explained in both directions. On the one hand, it can be interpreted as referring to a physical fire that eats the corpses which are full of decay. "They will see corpses full of worms, and the fire which burns in them." (Radak) "The wormy decay which eats the flesh of those dead people will not die, and the fire which burns in them will not go out." (Metzudat David) Many prophets describe the "Day of G-d" and the judgment of the wicked with fire. So, too, in earlier verses in this prophecy, "For behold, Hashem will arrive in fire and his chariots like the whirlwind, to vent His anger with wrath, and His rebuke with flaming fire. For Hashem will enter into judgment with fire." (66:15-16)

However, many commentators explain that the expression, "their fire will not be extinguished," relates to the fire of Gehenom. The Targum Yonatan explains, "Their fire will not go out and the wicked will be judged in Gehenom." Rashi, in his footsteps, explains, "and their fire -- in Gehenom." The Radak writes: "Others say that, Ftheir fire will not be extinguished, E alludes to the soul when it separates from its body. If it does not merit to rise to the Heavenly angels, it will remain with the fiery FgalgalimE."

How does a physical fire destroy the soul of the wicked, which is spiritual? The Ramban answers this in Sha'ar Hagemul of "Torat Ha'Adam":

He, may His name be blessed, created the place that is called Gehenom and created in it a very fine fire, which is not something tangible, that seizes fine things and destroys them. He gave this fire power in that place, just as He gave the power of "sechalim nivdalim," which are angels, in their heavenly groups. Chazal drew a great distinction between the fire that in this world and that fire, through what they said in Pesachim (54b), "Our fire was created on Motzei Shabbat, and the fire of Gehenom was created on the second day."

In other words, the fire of Gehenom is not a physical fire, but rather a spiritual fire, and therefore it was created on the same day that the angels were created -- the second day -- and not on Motzei Shabbat, when our physical fire was created.

It is worth noting, that our physical fire also has various levels. There is apparent, visible, fire, but there is also the "fire" of radiation. The microwave is not actual fire, but it can still be considered fire because it heats. It is true that all of these phenomena are explained by the natural laws of physics, but based on them it is possible to understand that there is also a spiritual fire that destroys and punishes even souls. According to the Ramban, this is what Yeshaya meant when he said, "their fire will not be extinguished."

Another explanation of the spiritual fire in Gehenom is rooted in the connection between the phrase, "their fire will not be extinguished," and the end of the sentence, "and they will lie in disgrace before all mankind." The fire of Gehenom is the fire of shame that will envelop the soul of the wicked when he stands on trial for his sins and rebellion. The soul will stand before court in the world of truth, where all actions and all truths are clear to all. There, there is no forgetting, and there are no answers and no false excuses. The sinner himself will understand the severity of his actions, and shame will envelop him. Daniel, also, prophesied, "Many of those who sleep in the dusty earth will awaken; these for everlasting life and these for shame, for everlasting abhorrence." (12:2) About them Yirmiya said, "Is it Me they are provoking? f the word of Hashem. Is it not themselves, bringing shame upon themselves?" (Yirmiya 7:19) David prayed regarding them, "Let all my foes be shamed and utterly confounded, they will regret and be shamed in an instant." (Tehillim 6:11)

Every Jew prays about this three times daily, "Give a good reward to those who truly trust in Your Name, and place our portion among them, and may we never be shamed, because in You we trust."

<http://www.koltorah.org/ravj/tevilatKeilimPart1.html>

[From last year]

From Parshat Tazria- Metzora Vol.10 No.29 Date of issue: 5 Iyar 5761 -- April 28, 2001

TEVILAT KEILIM - by RABBI HOWARD JACHTER

This week's Parsha contains much of the central rules concerning Tahara (purity). We will therefore discuss some of the laws concerning Tevilat Keilim.

The Source Of The Law - Biblical or Rabbinic.

Halacha requires metal and glass utensils that were purchased from a non-Jew that are going to be used with food to be immersed in a Mikva. Rishonim debate whether Tevilat Keilim is a Biblical or Rabbinic obligation (for a full list of these opinions, see Encyclopedia Talmudit 18:508-509, notes 21-24). Rashi Bemidbar 31:23) asserts that Tevilat Keilim is a Biblical obligation; he explains that the metal utensils that were captured from Midyan had to be immersed. On the other hand, Ramban on the Torah (ibid) suggests that Tevilat Keilim is only a Rabbinic obligation. The Torah, according to the Rambam, is speaking of ritual purification from Tumat Met and not mere immersion in a Mikva.

The Encyclopedia Talmudit notes that most Rishonim agree that Tevilat Keilim of metal utensils is of Biblical origin. Indeed, Halachic authorities accept that it is a Biblical obligation (Aroch Hashulchan Yoreh Deah 120:4, Igrot Moshe Orach Chayim 3:4, Pitchei Teshuvah 120:14). The significance of this ruling is that in a case of doubt one must be strict regarding immersing metal utensils. For example, Rishonim disagree if the immersion of a utensil is effective in a situation where the immersion was performed

prior to kashering that utensil (see Tosafot s.v. Lehagilo Avodah Zarah, 75b. The Shulchan Aruch (Yoreh Deah 120:2) cites both opinions and the Shach (121:5) rules that one should immerse the utensil a second time after kashering in order to accommodate the strict opinion.

Probably the most important ramification of this issue is whether immersion is required when one is not sure if the utensil was owned by a non-Jew. Rav Moshe Feinstein rules that if a non-Jew owned the utensil somewhere along the distribution line Tevilah is required (but perhaps without reciting a Beracha, see Igrot Moshe Orach Chayim 3:21). This question is very common today and the problem is compounded by the tragic problem of improper conversions and high rate of intermarriage. Hence, it is much more difficult today to identify who is a Jew than it was thirty or forty years ago (e.g. someone may have a Jewish sounding name and identify as a Jew, but is not a Jew by Halachic standards as his father is Jewish while his mother is not).

Rav Moshe (Igrot Moshe Orach Chaim 3:4) provides guidance. Since Torah law requires that metal utensils must be immersed, then the rule Safek Deorayta Lechumra (in a situation of doubt in a case of a Torah law one must be strict) applies and one must immerse the utensil. However, since when in doubt a Beracha is omitted Safek Berachot Lehakel) for fear of reciting an unnecessary Beracha, no Beracha should be recited. Rav Moshe, though, notes that if one is "in doubt" because of laziness to discover the fact of the situation, (i.e. if the utensil was owned by a non-Jew) this is not considered "a doubt" (see the Shach Yoreh Deah 98:9 and Taz Yoreh Deah 98:6). Rav Moshe rules that one must make the effort to discover if there was non-Jewish ownership. He also writes (Igrot Moshe Yoreh Deah 40:2) that one should not merely immerse the utensil in case of doubt without a blessing without first inquiring about non-Jewish ownership. Rav Moshe believes that one is required to investigate the facts, even regarding the question of reciting a Beracha. Rav Moshe outlines the following guidelines: Utensils that come from Japan, China, and even Europe should be immersed with a Beracha because the majority of factories are owned by non-Jews. In such a situation the rule of Kol Deparish Meruba Parish (what has come into one's hands has emerged from the majority) applies. For discussion of why the rule of Kol Karua Kemechtzeh Al Mechtzeh Dami does not apply, see Chazon Ish 37:15 and Yabia Omer 37:15; see Darchei Teshuva 120:81 who cites a ruling that even in this case it should be immersed without a blessing because Rov should not be followed in a case of Davar Sheyesh Lo Matirin.)

Rav Moshe continues and rules that utensils that are imported from Israel need not be immersed, since the factories are owned by Jews. Rav Moshe rules that even if the utensils were owned by Jews who do not observe Shabbat, Tevilah is not required. Even though a Jew who publicly desecrates Shabbat has the Halachic status of a non-Jew in certain Halachic categories, in the area of Tevilat Keilim he is regarded as a Jew. First, many Jews who are not Shabbat observers today do not have the status of non-Jews regarding certain laws, as they are considered Tinnok Shenishba (one who was raised by non-Jews or non-observant Jews, regarding whom it is easily understood why they do not observe Shabbat, see Teshuvot Binyan Tzion Hachadashot 23, the Orthodox Forum's "Jewish Tradition and the Non Traditional Jew," and this author's "Gray Matter" (pp. 78-82). Second, the Taz (Y.D. 120:1) cites the Yerushalmi (Avoda Zara 5:15) that states that the reason for immersing utensils is Lefi Shebau Mitumato Shel Hagoy Venichnesu Lokedushat Yisrael, that the utensils have emerged from the ritual impurity of a non-Jew to the holiness of a Jew. Accordingly, it seems clear that the obligation to immerse utensils applies only to the utensils owned by a non-Jew and not a Jew who has the status of a non-Jew regarding certain issues. Most Halachic authorities agree with Rav Moshe that utensils owned by a non-observant Jew do not require immersion (see Teshuvot Tzitz Eliezer 8:19-20 and Teshuvot Doveiv Meisharim 1:65; see however Darchei Teshuva 120:4 for a dissenting opinion).

Rav Moshe rules that if the metal utensils came from North America where many factories and distributors are Jewish, and one is unable to determine if they were owned by a non-Jew then one should perform the Tevila, albeit without reciting a Beracha. Rav Moshe discusses a case where one is in doubt if glass utensils require Tevila. One might think that one could be lenient, based on the rule Derabbanan, that one may rule lenient in case of a doubt regarding Rabbinic laws. Indeed, Rav Moshe rules in accordance with the majority opinion (see Encyclopedia Talmudit 18:519) that it is only a Rabbinic requirement to immerse glass utensils (see Avoda Zara 75b). However, the rule that one may be lenient in case of doubt does not apply if the situation is a Davar Sheyesh Lo Matirin, a case

where one can resolve the doubt without relying on the default of Safek Derabbanan Lekula (see Beitzah 3b). Therefore, one should immerse even glass utensils in a case of doubt, unless there is great difficulty involved in arranging for the immersion (e.g. if one lives a great distance from a Mikva). Rav Moshe implies that Tevila with a Beracha is performed even when the utensils were owned by a corporation of which Jews own shares but whose management and major shareholders are non-Jewish. Hence, utensils that came from Asia are considered to have been owned by non-Jews, despite the fact that many Asian companies have Jewish shareholders (especially today when international investing is exceedingly common). This is consistent with Rav Moshe's ruling (Igrot Moshe Even Haezer 1:7) that one is not considered an owner of the corporation, from a Halachic perspective, unless he is a major shareholder.

It should be noted that not all Halachic authorities agree with Rav Feinstein's ruling. Dayan Weiss (Teshuvot Minchat Yitzchak 3:1, 3:31, 4:19, and 9:152) rules that if one owns shares in a corporation and has voting rights, he is considered an owner from a Halachic perspective, even if he only owns one share! Conversely, some authorities rule that utensils from a corporation that has even one non-Jewish shareholder with voting rights should be immersed without reciting a Beracha (see the Sefer Tevilat Keilim 2:3 and Rav Felder's Yesodei Yeshurun 6:200). Rav Moshe, on the other hand, (see Oholei Yeshurun p. 41) rules that utensils manufactured by a company that is owned by Jews but has non-Jewish investors do not require Tevila if Jewish people control the company. We will conclude by citing a responsum of the great Rav Zvi Pesach Frank (Teshuvot Har Tzvi Y.D. 93). Rav Frank was asked about a common problem: If a minority of utensils that have not been immersed become mixed with a majority of utensils that have been immersed, must one immerse all of the utensils in the mixture? Even though the non-immersed utensils are nullified by the majority of immersed utensils (Batel Barov), Rav Frank ruled that one should immerse the utensils without a blessing (if excessive effort is not required, see Oholei Yeshurun p. 45) because it is a Davar Sheyesh Lo Matirin. A practical ramification of Rav Frank's responsum is that when immersing utensils, one should pay careful attention to which utensils he has immersed and which he has not.

Next week, G-d willing, we will discuss five major issues concerning Tevilat Keilim.

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Tevilat Keilim - Part II by Rabbi Howard Jachter

This week we will discuss five common questions that arise concerning Tevila. Must converts immerse their utensils after their conversion? What is the status of Corelle dishes? Must plastic utensils be immersed? How should one immerse electric utensils? And may one use another's utensils that have not been immersed?

Convert's Utensils

The classic Halachic sources, the Talmud, Rishonim, and the Shulchan Aruch and its commentaries, do not state that a convert is obligated to immerse his metal and glass utensils subsequent to his conversion. However, the Darkei Teshuva (120:4) cites the Teshuvot Chadrei Deah who suggests that a convert may be required to immerse those utensils. This suggestion might be implied from the passage from the Talmud Yerushalmi that we cited last week. This passage presents that a reason for Tevilat Keilim is that the utensils have entered the holiness of Jewish life. It would follow that the convert's utensils have also entered, so to speak, the holiness of the Torah lifestyle and should therefore be immersed in the Mikva.

There are two problems with this line of reasoning. First, as a rule, we do not derive normative Halachic principles from Taamei Hamitzvot, the reasons offered for a mitzvah (see Rav Moshe Feinstein's addendum to his commentary, Dibrot Moshe, to Masechet Ketubot). Second, perhaps the obligation to immerse utensils applies only to utensils that one acquired. According to this approach, a convert is not required to immerse his utensils since he has not acquired the utensils from a non-Jew. Indeed, the Talmud (Avoda Zara 75b) Rambam (Hilchot Maachalot Assurot 17:3), and Shulchan Aruch (Yoreh Deah 120:1), writes that the obligation to immerse utensils applies to one who acquires utensils, used in the context of eating, from a non-Jew. This may indicate that the obligation applies only to one who acquires the utensils from a non-Jew.

On the other hand, some authorities (such as Rav Zvi Pesach Frank, Teshuvot Har Tzvi Y.D. 109) rule that one who acquires utensils that a non-Jew renounced ownership to, must immerse the utensils. According to

this approach, the nature of the obligation of Tevilat Keilim is that utensils that once belonged to a non-Jew and which now belong to a Jew must be immersed. Therefore, even if one did not acquire the utensil from a non-Jew they must be immersed. Nevertheless, not all authorities agree with Rav Frank's ruling, (see Encyclopedia Talmudit 18:535).

Another consideration for not requiring a convert to immerse his utensils is based on the Talmud's (Avoda Zara 75b) ruling that one who borrows a utensil from a non-Jew is not required to immerse that utensil. The reason, the Talmud states, is that the situation of borrowing does not parallel, the paradigmatic case of Tevilat Keilim presented by the Chumash. The paradigmatic case of Tevilat Keilim is when the Jews, as described in Parshat Matot, acquired the utensils of the Midianites that they conquered, as we discussed last week. These utensils were acquired permanently and not merely borrowed. Similarly some wish to argue (see Teshuvot Tzitz Eliezer 8:19-20) that since the convert's situation is entirely dissimilar to the situation of acquiring the Midianites utensils, he is not required to immerse his utensils.

Halachic authorities disagree about how to rule in this situation. Rav Gedalia Felder (Nachalat Tzvi 1:198) rules that a convert is not required to immerse his utensils. Rav Eliezer Waldenberg (the author of the Tzitz Eliezer), however, rules that he should immerse the utensils without reciting a blessing. One who is faced with this question should consult his Rabbi for a Halachic ruling.

The Halachic Status of Corning ware and Corelle

Rav Aharon Felder (Oholei Yeshurun p 47) rules that Corelle dishes do not require immersion. He notes, though, that it is preferable to immerse Corelle dishes. This is explained by Rav Felder's (Oholei Yeshurun p.87 note 80) citation of Rav Feinstein's doubt (Safek) whether Corning ware and Corelle are considered glass (and would require Tevila) or earthenware (and would not require Tevila).

It should be noted, however, that it seems that many Rabbis are inclined to regard Corelle and Corning ware as glass and rule that Corelle and Corning ware dishes should be immersed without reciting a Beracha. Rav Pinchas Teitz (as reported by his son Rav Elazar Meir Teitz) and Rav Mordechai Willig of Yeshiva University are among the prominent Rabbanim who rule this way.

Implicit in Rav Moshe's ruling is that contemporary earthenware dishes are not immersed. Even though in pre-war Europe the custom was to immerse earthenware dishes that had a glass coating (see Aruch Hashulchan Y.D. 120:29), the contemporary situation is different. This is because the glass coating on earthenware (china) is so thin that it is not halachically significant (see Igrot Moshe Y.D. 2:46, at the conclusion of the responsum). Rav Hershel Schachter of Yeshiva University told this author that he agrees that contemporary earthenware dishes do not require Tevila.

Plastic Utensils

Halachic authorities have discussed whether one must immerse plastic utensils. The consensus does not require Tevila, but a minority opinion urges that plastic utensils should be immersed without reciting a Beracha.

Those who believe that one should immerse plastic utensils without a blessing (see Darkei Teshuva 120:14 and Dayan Weiss, Teshuvot Minchat Yitzchak 3:76-78 and 4:114) present the following argument: The Rabbis require glass utensils to be immersed due to their similarity to metal utensils, in that both metal and glass utensils can be repaired if they are broken or shattered. The minority view argues that since plastic utensils can be repaired, they are also required to be immersed due to their similarity to metal utensils. These authorities suggest that the rabbinic enactment recorded in the Talmud should be viewed as a requirement to immerse any utensil that can be repaired if broken.

On the other hand, the majority opinion (Teshuvot Tzitz Eliezer 7:37 and 8:26, Teshuvot Chelkat Yaakov 2:163, and Teshuvot Yabia Omer 4: Y.D. 8) follows the approach of Rav David Zvi Hoffman (Teshuvot Melamed Lehoil 2:48) that the rabbinic enactment applies exclusively to glass utensils. Hence, utensils that can be repaired, such as plastic, need not be immersed, because the Rabbis obligation applies to glass. It is common practice to follow the lenient view, although some follow the strict opinion.

Electric appliances

People often question Rabbis how to immerse electric appliances due to concern that the Mikva water will damage the electric wiring. At least three approaches appear in the Halachic literature. The most lenient (and creative) approach is that of Rav Yaakov Briesch (Chelkot Yaakov 1:126) and Rav Yitzchak Isaac Liebes (Teshuvot Bait Avi 114). They argue that if

the electric appliances are used only when they are plugged into an electric socket, that they need not be immersed. They argue that since the appliances are plugged into a socket, they are attached to the ground and have the status of the ground, which one is not required to be immersed (Mechubar LEkarka KEkarka Dami). Rav Moshe and Dayan Weiss do not subscribe to this leniency and argue that electric appliances must be immersed (see Pitchei Teshuva Y.D. 120:1 which seems to support these rulings). However, they disagree regarding how much of the utensil must be immersed. Dayan Weiss rules that the entire utensil should be immersed. This is hardly surprising since in order for Tevila to be effective, the entire utensil must be immersed at once.

Rav Moshe (Igrot Moshe Y.D. 1-57-58) develops a very interesting approach to this issue. He notes that Halacha mandates that only utensils used for food preparation be immersed. Accordingly, Rav Moshe argues that only that part of the utensil in which food is placed should be viewed as a Kli Seuda, a utensil used with food. However, the part of the utensil that contains the electric wiring need not be immersed, since it is not a Kli Seuda. Hence, Rav Moshe rules that only the part of the utensil comes in contact with food is required to be immersed.

A Guest

A common problem is whether a guest at a home where the utensils have not been immersed is permitted to use the utensils. Undoubtedly, the food is not rendered non-Kosher by virtue of its being cooked or placed in a utensil that has not been immersed (Rama Y.D. 120:16). However, one who uses a utensil that has not been immersed is Mevatel (fails to abide by) the obligation to immerse the utensils. The question is whether a guest is obligated to immerse the utensil that his host provides him.

Many authorities including the Chatam Sofer (comments to Y.D. 120) and Rav Moshe Feinstein (Igrot Moshe Y.D. 3:22) rule that just as one who borrows a utensil from a Jew who does not immerse his utensils is obligated to immerse them, so too a guest is obligated to immerse the utensils he is provided. Hence, the guest is forbidden to use those utensils. However, Rav Aharon Lichtenstein (in a Shiur delivered at Yeshivat Har Etzion in 1982) cited the opinion of Rav Yosef Dov Soloveitchik, zt"l, who ruled that a guest is not the Halachic equivalent of a Shoel, one who borrows the utensil; rather he is merely using the utensil and therefore is not obligated to immerse the utensil. According to this approach, a guest may use the utensils he is provided despite their not having been immersed.

We have discussed a number of the common questions that arise concerning Tevilat Keilim. A study of Shulchan Aruch Y.D. chapter 120 along with Rav Aharon Felder's Oholei Yeshurun pp. 41-53 and Rabbi Alfred Cohen's essay in the Spring 1990 issue of the Journal of Halacha and Contemporary Society, will enhance one's understanding of these important Halachot.

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Subject: Weekly DAFootnotes #37

Weekly DAFootnotes Bava Batra 16-22 Issue #37 24-30 Nissan / 6-12
April 2002 By Rabbi Mendel Weinbach, Dean, Ohr Somayach Institutions
NEW! Don't miss the new book by Rav Mendel Weinbach "The
Weekly Daf" on Daf Yomi by Targum/Feldheim

TORAH FROM OUT OF ZION "From out of Zion shall come
Torah and the Word of Hashem from Yerushalayim." (Yeshayahu 2:3)
Does this fragment of a passage, so familiar to us from the prayers said at
the time when the Sefer Torah is taken from the Holy Ark, refer to the days
of Mashiach only or to a Yerushalayim of an earlier period as well? If
we analyze this phrase in its context it appears to be part of the prophecy
about what will take place in the end of days when all the nations will
stream towards a rebuilt Yerushalayim and Beit Hamikdash. As Metzudat
David explains it, these nations will suggest to each other to go up to the
mountain of Hashem f Temple Mount f where they will be able to learn
from the Jews who know Torah what it is that Hashem wants from them,
because they will finally realize that the only true Torah is the one coming
out of Yerushalayim. In our gemara, however, we find this phrase
applied to the Yerushalayim of the Second Beit Hamikdash period. Before
the Kohen Gadol Yehoshua ben Gamla instituted local Talmud Torah
schools for the general public it was customary for children to be taught
only by their fathers. This left those without fathers with no opportunity to
learn. The first solution which was attempted was the establishment of
such schools in Yerushalayim to serve these unfortunate ones. It was only
after this and a subsequent solution failed to solve the problem that the

institution of public education was initiated by the aforementioned Kohen
Godol who is praised as the one who ensured that Torah would not be
forgotten by Jews. But why was Yerushalayim chosen for the first
solution? Rabbi Yehuda in the name of Rav says it was because of the
prophetic phrase about Torah coming out of this city. Tosefot explains that
the youngster who studied in Yerushalayim saw great holiness and
kohanim performing the service in the Beit Hamikdash was inspired with
respect for Hashem and a desire to learn Torah. What Jews sensed
about Yerushalayim of the present will only be appreciated in the future by
an entire world. Bava Batra 21a

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