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A KOSHER WAY OF EATING

By Rabbi Yoni Mandelstam

Many of the Jews who transition into Orthodoxy from less-observant backgrounds struggle with the Mitzvah of Kashrut. There is no doubt that giving up lobster and cheeseburgers is a necessary sacrifice to fully observe the Torah. However, this sacrifice is necessary because the Mitzvah of Kashrut, by its very nature, aims to differentiate and separate. Specifically, the Torah itself (VaYikra 11:47) concludes Parashat Shemini by stating that the laws of Kashrut require us "LeHavdil Bein HaTamei UVein HaTahor," "To separate between the pure and impure." Therefore, focusing on the proper "separation" between kosher and non-kosher food, as well as within the way we eat in general, is of the utmost importance. Rashi (11:2 s.v. Zot HaChayah), citing the Midrash Tanchuma, notes that the Mitzvah of Kashrut ultimately stems from Hashem's love for the Jewish people. While the Hebrew word "Chayah" literally means "wild animal," it is also directly related to the word "Chayim" (life). Therefore, when the Torah tells us which "animals" may or may not be consumed, the Torah is also telling us how to better connect to "life itself." To highlight this message, the Midrash Tanchuma details a parable of a doctor who treats two patients very differently. The doctor gives no dietary restrictions to his deathly ill patient, but he gives much stricter dietary instruction to the healthy patient. The doctor expresses genuine concern for the healthy patient due to his potential for life. This Mitzvah of Kashrut, although limiting on one level, is ultimately liberating and beneficial in the long run for the Jewish people (the healthy patient). However, if the Mitzvah of Kashrut is intended to separate the Jewish people as beloved to God, surely we must focus on the way we consume Kosher food. Unfortunately, Kosher food is not always directly linked with "Kosher" eating habits.

It is no coincidence that the Mitzvah of Kashrut is found in the Parashah immediately following Pesach. After the Mitzvah of Kashrut, the prohibition of Chameitz establishes the clearest dietary boundary. Does a week long break from Chameitz have a positive influence on the way that we eat in general, or do we simply return to our normal eating habits? Perhaps, Parashat Shemini can remind us how to properly enjoy Chameitz. Just as there is a difference between Kosher and non-Kosher food, there is also a difference between proper and gluttonous eating of Kosher food. Interestingly, there is an entire chapter in Shulchan Aruch (Orach Chaim 170) devoted to

the Halachot of proper etiquette during a meal. For instance, the head of the household should not be upset at the table (170:6). The Mishnah Berurah (170:18) explains that the guests and family members will be afraid to enjoy the meal, lest they incur the anger of the head of household. Additionally, the Shulchan Aruch prohibits one against eating too much food at one time (170:7), and children taking food before the parents have been served (170:12). As a child, my mother always taught me to clear my silverware and leftover food off the table when I was through with my meal. However, in addition to motherly advice, these are laws found in our Torah. The Shulchan Aruch specifically prohibits one from leaving half eaten food on the table (170:10) and the Mishnah Berurah explains that staring at others' leftovers is repulsive. Similarly, the Shulchan Aruch (170:17), writes that one should not leave empty cups on the table after drinking, and the Mishnah Berurah explains that leaving dishes on the table is simply disrespectful.

These Halachot clearly demonstrates that the Torah not only commands us to eat Kosher food, but also it requires a respectful approach towards eating in general. Matzah represent a simple approach to eating; the basic flour and water represent a simplistic meal. Chameitz, on the other hand, reminds us that food can be complex and creative. Now that we return to our regular menus we must internalize the message of the Matzah, so our Chameitz can be consumed with the values of Matzah. The Torah specifically wants the Jewish people to be distinguished by the way we eat. Let us appreciate the connection between Parashat Shemini and Pesach, as we transition from Matzah to Chameitz as a refined nation.

TUMAH AND TRAUMA

By Ephraim Helfgot ('20)

After nine chapters mostly concerned with sacrificial procedures, Perek Yud of VaYikra is rewardingly dramatic. The Perek begins with the tragic deaths of Aharon's two eldest sons, Nadav and Avihu, for their sin of offering an "Eish Zarah," "Foreign fire" (VaYikra 10:1).

The death of Aharon's sons coincides with the eighth day of his household's inauguration as Kohanim. Thus, there exists within Aharon, his remaining sons Elazar and Itamar, and the entire Jewish people a turbulent blend of grief and bereavement as well as joy and celebration.

In this charged environment, Moshe and Aharon struggle to negotiate the countervailing influences and emotions. Moshe tells Aharon and his children to remain in the Mishkan and to shun any outward displays of mourning, while Bnei Yisrael are permitted to grieve; the show must go on, and the Kohanim must consume their portion of the Minchah, the Shelamim, and the Chatat.

But the final Korban of that list is missing. The Pasuk tells us, "Ve'Eit Se'ir HaChatat Darosh Darash Moshe VeHinei Soraf," "And the sin-offering goat, Moshe sought out, and behold it had been burned" (ibid. 10:16); Moshe's reaction to this bulletin, ostensibly caused by

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frayed nerves, is, “*VaYiktzof Moshe Al Elazar Ve’Al Itamar,*” “And Moshe became angry at Elazar and Itamar” (ibid.)

Aharon (who in the Peshat, it requires emphasis, is not the object of Moshe Rabbeinu’s ire) defends his children with the enigmatic line, “*Hein HaYom Hikrivu Et Chatatam Ve’Et Olatam Lifnei Hashem VaTikrenah Oti Ka’Eileh Ve’Achalti Chatat HaYom HaYitav Be’Einei Hashem,*” “Surely today they brought their sin-offering and elevation-offering before God, and these happened to me; and should I eat a sin-offering today? Would it be good in the eyes of God?” (VaYikra 10:19). Aharon seems to be presenting himself as an Onein, one whose close relative has passed away and has not yet been buried, and who cannot perform Mitzvot Asei.

The Gemara (Zevachim 101a) provides a Scriptural source for the concept of Aninut: one who audits their Ma’aser payments every third year declares, “*Lo Achalti Ve’Oni Mimemu,*” “I did not eat from it in my bereavement (Aninut).” If such a measure is enforced in the relatively lenient area of Ma’aser, reasons the Gemara, surely it should apply to the relatively strict area of Korbanot. Thus, the action performed by Aharon and his sons in burning the Chatat was justified.

Indeed, Rabi Nechemiah states (Sifra Shemini 2:8) that Aharon’s halachic reasoning was that his status as an Onein should preclude him from partaking in the Chatat. But Rabi Yehudah and Rabi Shimon forcefully attack Rabi Nechemiah’s position on three points (ibid. 2:10): If an Onein cannot eat the meat of a Korban, why weren’t the Minchah and the Olah also burned? If Aninut (the status of being an Onein) was what prevented the Kohanim from eating part of the Korban, why did they not wait until nightfall, when Aninut would finish, and then eat from the Chatat? And why not give the meat to Pinchas, the son of Elazar and halachically not an Onein, instead of burning it? Rabi Shimon and Rabi Yehudah thus conclude that the meat of the Korban Chatat had somehow become impure, and therefore it was burned. While Rabi Nechemiah’s position may be halachically difficult (although the Gemara struggles to answer the attacks of Rabi Yehudah and Rabi Shimon), the answer of Rabi Yehudah and Rabi Shimon faces an uphill struggle in the arena of interpretation of the Pasuk, as Tumah is not mentioned once explicitly in regard to the Chatat.

Whatever the grounds, Aharon’s argument persuades Moshe. The visceral experience of losing his two children cannot be pushed aside for the joyous consumption of meat; Aharon must mourn for his children. And, as “*Deracheha Darchei No’am,*” “[The Torah’s] ways are ways of pleasantness” (Mishlei 3:17), Moshe Rabbeinu acquiesces, leaving Aharon to cope with his loss without artificially imposed joy.

YOU ARE WHAT YOU EAT

By Menachem Kravetz (’20)

One of the most common phrases parents tell their children is, “you are what you eat.” This line is often used to motivate kids to eat nutritious foods, like fruits and vegetables, in order to stay healthy. But, when it comes to Judaism, this phrase takes on a whole new meaning.

In Parashat Shemini, the Torah provides an elaborate list of foods considered kosher. Animals that chew their cud and have

cloven hooves, fish with fins and scales, and birds that eat grain and vegetables, and can fly, are all kosher. As the Torah lists all the types of kosher animals, one begins to wonder: why does Hashem care what animals we eat?

Interestingly, the Torah gives no explanation for why Bnei Yisrael were commanded to eat kosher. In Parashat Chukat, the Torah talks about the Parah Adumah as the “*Chukat Hatorah,*” “The statute of the Torah” (BeMidbar 19:2). Rashi (ibid. s.v. *Zot Chukat HaTorah*) identifies the category of Mitzvot known as Chukkim (‘statutes’) as those which lack an apparent rationale. These mitzvot are mitzvot that we are commanded to perform even if we do not understand why. Kashrut falls into this category of Chukkim, something Hashem commanded the Jews to do without giving a reason behind it. But even if God did not tell Bnei Yisrael the logic of kashrut explicitly, there must be some explanation of why Bnei Yisrael were commanded to keep kosher.

One explanation for why Bnei Yisrael were commanded to eat kosher is given by Rambam in Moreh Nevuchim (3:48). He says that Hashem is acting as a nutritionist of sorts, prescribing foods that will keep us healthy. Hashem knows all foods that are harmful to the body, and He removed them from our diet for our sake. Yet, as pointed out by the Kli Yakar (VaYikra 11:1 s.v. *VaYedabeir Hashem*), the reason for kashrut cannot be physical, as the non-Jews who consume non-kosher food suffer no adverse effects. There must be another reason.

Another explanation of kashrut is that it teaches Bnei Yisrael the important characteristic of patience by having to wait a number of hours between eating meat and milk, and the trait of restraint reminds us that we cannot have everything we desire. These character traits will improve all aspects of our lives, making us better people. The problem with this answer is that there are many other mitzvot in the Torah that guide Bnei Yisrael in the direction of becoming good people. Why is kashrut necessary if other Mitzvot serve this purpose?

At the end of Parashat Shemini, the Torah says, “*ViHiyitem Kedoshim Ki Kadosh Ani,*” “Be holy, because I am holy” (VaYikra 11:44). Ramban (VaYikra 23:2 s.v. *El Kol Adat Bnei Yisrael*) interprets this pasuk to mean that we should stay away from bad, and actively act in a good way in the eyes of Hashem. Ramban also adds, “*Kadeish Atzmecha BeMutar Lach,*” “You should make yourself holy [by denying yourself even some things] which are permitted for you.” Not only should one always do the right thing, but one should go out of his way to help others, above and beyond the baseline level of obligation.

But, this is not the only way to interpret this pasuk. Rashi says that in order to be holy, one should listen to Hashem’s commandments and not disobey him. One of the commandments that Hashem gave us is kashrut. So, in the eyes of Rashi, by eating kosher, we are fulfilling the commandment of ViHiyitem Kedoshim.

All in all, the phrase “you are what you eat” puts the Jewish people on a whole other level. We are not just commanded to eat kosher in order to stay healthy, but we eat these foods in order to be holy like Hashem. By restricting our diet in obedience to God, we mark ourselves as His treasured people.

The third Kula mentioned is that the dentures themselves are made out of materials that cannot absorb taste. Rav Ovadya quotes the She'alot Shalom (Mahadurah Tinyana 195) and the Darchei Teshuva (99:11) who asked a doctor who claimed that dentures do not absorb taste, as it would cause the denture to smell and be a source for germs.

This Kula may also be difficult on a scientific level. Many dentures are made with metal components which should absorb Ta'am just like other metals. The non-metal dentures are really a form of plastic; plastic is subject to a debate among the Poskim as to whether it has the status of a Keli Cheres (earthenware vessel) which has Beli'ot but cannot be kashered, the status of a metal which absorbs and can release, or the status of glass which does not even absorb. Some are of the opinion that even though in theory they can be Kashered, nevertheless, we are afraid that one may not Kasher the plastic utensil in boiling water properly. The same would be true for dentures. Therefore, according to many authorities, dentures do absorb and cannot be Kashered. Additionally, some dentures do have a bad smell to them if not kept clean, refuting the words of the doctor quoted above.

Rav Ovadya Yosef's three approaches have left us with a few Halachic challenges. In his first approach, we still had to work out the fact that some opinions hold a Keli Sheini is Mavli'a and Maflit. Even a liquid is as long as it's Yad Soledet Bo. Moreover, there is the issue of a Devar Gush. The second approach of Rav Ovadya is not consistent to modern day findings. The third approach may be problematic in a practical way: many have metal dentures and many authorities hold that plastic absorbs, so for one reason or another it cannot be Kashered.

We can answer the first Halachic issue of Rav Ovadya simply by saying that we don't rule like those who say a Keli Sheini at the minimum is able to be Mavli'a and Maflit. As the Aruch HaShulchan (105:19-20) writes, most authorities do not follow this opinion at all, and even if the liquid is Yad Soledet Bo, it cannot transfer Ta'am in a Keli Sheini. Furthermore, according to the stringent opinions, our case of fillings and dentures is a case of She'at HaDechak. Fillings are a She'at HaDechak because it is impractical to Kasher one's mouth all the time. As Rav Shmuel Vosner, a prominent Posek in Bnei Brak, writes in his work Sheivet HaLevi (1:148), it is something the "Rov HaTzibbur Ein Yecholim La'Amod," "The majority of the congregation cannot stand." Rav Ovadya explains that dentures are a She'at HaDechak because it is impossible to Kasher them without destroying them. Dentures are also a Hefsed Merubah (great loss), since buying many pairs are expensive. Therefore, even according to the stringent opinions, the Taz (105:4) writes that in a case of Makom Chashuv (important place) or Hefsed Merubah (major monetary loss), we can be lenient and rely on those opinions who hold that a Keli Sheini (even if the liquid is Yad Soledet Bo) cannot transfer Ta'am. In terms of Chameitz, we can be lenient as well due to Hefsed Merubah.

As presented earlier, Rav Ovadya pointed out that the Aruch HaShulchan (447:11) and the Mishnah Berurah (447:26) write that even though by Pesach we are more Machmir with regards to a Keli Sheini, in a case of a Hefsed Merubah and Simchat Yom Tov, we can fall back on the regular Halachah. So too, by fillings and dentures we can say that since they are a Hefsed Merubah one cannot really afford to keep paying for new dentures or fillings, and we can be lenient and rely on the regular rule that a Keli Sheini does not transfer Ta'am by a liquid even if it is Yad.

Additionally, the Minchat Shlomo points out in the matter of Chameitz that there are many opinions that hold that the Rama is Machmir that a Keli Sheini does absorb Ta'am only when one can Kasher the Keli. If the Keli cannot be Kashered, then the normal rule applies. So the Minchat Shlomo writes that here too, it is impossible to Kasher fillings, and in order to Kasher them we should rely on the normal rule that a Keli Sheini is not a Mavliyah. Even more so, one can claim that the mouth is really a Keli Shlishi.

We can answer the Devar Gush problem the same way. Concerning a Devar Gush, the Aruch HaShulchan (94:32) writes that in a Hefsed Merubah or BeDi'eved, one can rely on the Rama. Therefore, since fillings are a Hefsed Merubah we can be lenient and rely on the opinions who are lenient. Additionally, the Shevet HaLevi (1:148) quotes the Chetam Sofeir (Yoreh Dei'ah 95) who writes that in a difficult situation one can be lenient by a Devar Gush. With respect to Pesach, R' Joseph ben Meir Teomim, notable for his work Pri Megadim, notes (Orach Caim, Eshel Avraham 451:38) that in terms of a significant loss we are lenient for a Devar Gush in a Keli Sheini even for Pesach. Even though it is possible for someone to taste or eat something from a Keli Rishon, perhaps we can rely on the idea that the mouth itself is a Keli. Therefore, the mouth is a Keli Sheini and one can rely on the leniencies just expressed.

In regards to whether or not plastic absorbs and is 'Kasherable': Since this situation is a Sha'at HaDechak and Hefsed Merubah we would need to follow the lenient opinions that they either don't absorb, or they absorb and can be Kashered. We would also need to follow the opinions that hold that since one is not concerned that the utensil will be damaged when it is used as a Keli Rishon, for Kashering as well the individual will have no fear of Kashering it in a Keli Rishon. Additionally, since dentures are used to sip boiling hot tea, there is no worry that the person will be nervous when they Kasher the denture with boiling hot water.

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