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HEMDAT YAMIM

PARASHAT HASHAVUAH

Lech Lecha 8 Cheshvan 5770

Move on ... to Preserve Your Level

Harav Shaul Yisraeli, from Si'ach Shaul, pg. 23

One of the tests that Avraham underwent was the command to move on to a new place. Included in the test is the idea that being on the road and ending up in a new place can be difficult. As Rashi (Bereishit 12:2) tells us, being on the road decreases three things: one's notoriety, his wealth, and his ability to have children.

Part of the test was not only the willingness to leave his place but the effort to maintain equilibrium while doing so. When a person is in his own familiar place, he has a certain standing in the society, and he feels a natural tendency to try to preserve his stature and reputation. Often, for that reason, a person will hold himself back from doing something that could affect his status.

Avraham was well known where he came from, with a special place in society where he commanded a lot of respect, especially after the miracle of being saved from the furnace. That is when Hashem presented him with the command to move. Hashem was concerned that Avraham's actions might not be just for the pure intentions that he had worked on, but it could become, increasingly as time went on, a matter of rote or to preserve that which had been accomplished previously. That possibility of complacency could be a spiritual danger for one who wanted to maintain the genuine high level that Avraham did. That is why he had to go to a place where he had no reputation and was in fact unknown – to start from the beginning.

The idea behind this type of test is hinted at in the command to be involved in Torah study (as found in the context of the *mitzva* of *Kri'at Shema*) as the Torah said to "speak about them as you go on the path" (Devarim 6:7). One is not to take his mind off Torah even when he is on the move and has places where he must go. A person may want to get on the road quickly before it gets too hot or accomplish everything he needs to while he still can. One might think that he could miss *Kri'at Shema* and prayer that day so he can accomplish that which is necessary. The Torah tells us that this is not true, and, in fact, the one who taught this concept was Avraham, as *Chazal* tell us that it was he who instituted *Shacharit* (the morning prayer) (Berachot 26b).

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Deans: Harav Yosef Carmel, Harav Moshe Ehrenreich
3 Rabbi Chiya Hagadol St. P.O.B 36236 Jerusalem 91360

Tel: 972-2-5371485

Fax: 972-2-5379626

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Question: May I bake together uncovered chicken and fish (not for a milk meal) in an oven?

Answer: The *gemara* (Pesachim 76b) says that one should not eat fish that was roasted together with meat because of the danger of leprosy. The Shulchan Aruch (Yoreh Deah 116:2) codifies this in regard to eating meat and fish together. The Rama adds not to roast meat along with fish because of *reicha* (the aroma) but says that if this was already done, the food is not forbidden.

Your case seems to be like the Rama's. The idea behind his compromise is as follows. In the context of roasting kosher and non-kosher foods together (Yoreh Deah 108:1) and baking bread near meat with the intention of eating the bread with milk (ibid. 97:3) we say that roasting things near each other facilitates only minor taste transfer (*reicha*) between the foods. While these situations are to be avoided, food does not become forbidden without more direct contact, including by cooking in the same pot, when the process produces *zeiah* (significant water vapor) in the oven, or when the foods touch. While one should avoid even roasting meat and fish together in an oven, it is fine if one of them is covered reasonably well (Shulchan Aruch, YD 108:1).

Even in your case, there is room for leniency as we will explain. The Maharshal (Chulin 7:15) allows one to roast meat and fish together in one oven, at least in a relatively large oven (like most of ours). He claims, based on the Rambam (Maachalot Assurot 9:23) that the prohibition referred to cooking the two together in one pot, whereas in one oven there is no danger. The Taz (116:2-3) cites the Maharshal but relies on his leniency only in regard to bread baked in the same oven with meat to be eaten with fish (not fish and meat together). The Shach (YD 116:1) cites the Maharshal leniency regarding our case as well, apparently even in a small oven. On the other hand, he also cites an opinion that it is forbidden even *b'dieved* (after the fact) without clearly favoring one opinion. There is an agreed upon issue regarding meat and fish that is more lenient than regarding matters of standard "religious" prohibitions: one can use the same utensils for meat and fish (Taz 116:2). In other words, not in all cases of transference is there deemed to be danger. On the other hand, there are opinions that we are stricter for meat and fish than we are regarding standard prohibitions, based on the rule that "danger is more severe than prohibitions." See the Pitchei Teshuva (YD 116:3) who cites various opinions as to whether to apply the rule of nullification by 60 in this context.

As far as the propriety of following the lenient opinion, it seems that we have to decide how severely the concern of danger should be viewed. For one, is there an issue of a Torah law? Rav Kook (Da'at Cohen 55) writes that the prohibition to inflict on oneself a non-life-threatening danger is only rabbinic. Rav O. Yosef (Yabia Omer I, YD 8) says that while it is forbidden from the Torah to damage oneself, it is only rabbinically forbidden to eat meat and fish, as it only creates the possibility of mishap. Both see the rabbinic status as reason to rule leniently (each in their own context). Furthermore, many notice the Rambam's (the famous rabbi/physician) apparent ignoring of this halacha. The Magen Avraham (173:1) sees this as support for his suggestion that the danger is not prevalent in our times and places. The Chatam Sofer (II, 101) raises an additional possibility that it applies only to a specific species of fish. (There is a rejected opinion that it does not apply to fowl- see Pitchei Teshuva, YD 116:2). While few go as far as ignoring the idea of not mixing meat and fish, many *poskim* factor these opinions in when looking for leniency in gray areas.

Therefore, while it is halachically safer to not roast meat and fish uncovered in the same oven, it seems reasonable to do so in a regular, large oven when there is a need.

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The Special Status of Israel as “Firstborn”

(condensed from Ein Ayah, Berachot 5:84)

Gemara: In response to Bnei Yisrael’s claim: “Hashem has left me,” Hashem responded: “Would a mother forget *ulla* (her young child)?” (Yeshaya 49:15). Hashem was in effect saying: “I will certainly not forget the *ollot* (sacrificial offerings) and firstborn animals that you offered Me in the desert.”

Ein Ayah: The main point behind the *dor hamidbar* (the generation that left Egypt and dwelled in the desert) was to raise Israel to the level on which they were intrinsically meant to be. That is why incredible miracles happened to them, as they did not need their national life to be led according to the rules of nature.

The Nation of Israel will always have a special standing within the world. Even at a time when all the nations will act properly and recognize Hashem, we will still be “My firstborn son is Israel” (Shemot 4:22). This elevated status is engendered by two types of advantages, one by chance and one in essence. One everlasting advantage, which is by chance, is the fact that we recognized Hashem’s glory and clung to Him many generations earlier than the nations. Additionally, though, the reason for this earlier recognition is that we possess a special *kedusha* (sanctity). This not only will last forever but as *shleimut* (completeness) increases “across the board” in the future, so will our spiritual power blossom. That is why Bnei Yisrael’s advantage will always exist.

The interpretation of Hashem’s response is to be explained as follows. “I will certainly not forget the *ollot* you offered before Me in the desert” refers to the fact that, already in the desert, Bnei Yisrael served Hashem, well before others did. Bnei Yisrael’s service of Hashem was in the desert, as inhabited lands were not then ready for such service, and we could have no impact upon them, as the nations were wild and entrenched in evil.

The matter of bringing firstborn animals as sacrifices is to be understood as follows. The service of Hashem naturally should involve firstborns, whether it is service performed by firstborn men or the offering of firstborn animals. This hints at the special status of Israel that is intrinsic in nature as the *pasuk* said: “My firstborn son is Israel.” The advantage that existed in the desert, which was mainly intrinsic, will continue, for Hashem’s word is eternal. For this reason, originally it was the firstborn who were involved in the service, and this was changed only because of the sin of the Golden Calf. Had it not been for that sin, the world’s *shleimut* would have totally revolved around the prominence of Israel, without regard to the spiritual needs of the nations if the latter would take away from Israel in the slightest. Therefore, everything revolved around the status of firstborn that Israel had. For example, at the giving of the Torah, the “youngsters of Israel” were sent forward (Shemot 24:5), and *Chazal* tell us that these were the firstborn (Zevachim 115b).

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Steps of the Child of a Woman Who Returned to the Faith

(condensed from Shurat Hadin, vol. IX, pp. 423-426)

Case: A woman who had lived with an Arab man, converted to Islam, had a son, and later returned to Judaism, appeared before *beit din*. Her son, (age 11) possesses an identity card that has him listed as Moslem. She claims that soon after her son was born, she stopped living with the Arab man and arranged a normative *brit milah* for her son. She presented documentation that she underwent before a *beit din* the conversion-like process of returning to the faith of *kabbalat chavairut* (declaration of the intention to keep *mitzvot* scrupulously) and *tevilla* (immersion). Now the woman wants her son to undergo a process of return to Judaism, to the extent necessary, and that he should have his identity card changed to list him as Jewish.

Ruling: The source that a Jewish apostate who wishes to return to proper Jewish practice requires *kabalat chavairut* and *tevilla* is the Rama (Yoreh Deah 268:12), based on the Nimukei Yosef. This is not a fundamental law but a rabbinically prescribed step to properly deal with the situation. Certainly, even before this process, the person in question has a status of a Jew.

We must determine Rav Yosef Karo's view on the matter, as the woman is of Sephardic origin, for whom his rulings are binding. The Beit Yosef (YD 268), written by the aforementioned, cites the Nimukei Yosef's opinion but then cites the Tur who says that it is unnecessary to subject a halachic Jew returning from a period of sin to undergo a conversion-like process. The Beit Yosef does not state a preference between the opinions but, in a parallel discussion (Yoreh Deah 267:3), he accepts the Tur's opinion, upon which the Rama (ad loc.) argues. Therefore, according to letter of the law, this family should not be required to go through the re-initiation process.

Granted, the common practice is that even returning Jews of Sephardic origin go through the process. However, when it is not possible, e.g., when it involves a young child who cannot be expected to significantly do *kabbalat chavairut*, we can excuse him and allow him to be listed as Jewish immediately so that he can study in Jewish schools. There is logic to request *tevilla*, which can be done at any age, although, again, it appears not to be halachically required for Sephardim.

What would the halacha be for the child of an Ashkenazi family, who wanted to return to the fold? Avot D'Rabbi Natan, cited by the Gra as a primary source in this matter, attributes the need for the process to the fact that the person was involved in all sorts of foreign practices and stresses eating and drinking. It appears that it is not an intrinsic outcome of the "conversion out," which has no halachic standing. Therefore, in our case, where the child was returned to a Jewish lifestyle before becoming entrenched in an Islamic one, there should be no need for *tevilla*. Regarding *kabbalat chavairut*, it also appears that if the mother has been accepted, her small son does not require a separate process (see Rambam, Mishkav U'Moshav 10:5).

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