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“TURNING THE ORDINARY INTO EXTRAORDINARY – THE STATUS OF YOM PURIM IN RAMBAM’S MISHNEH TORAH:

PART II

by Rabbi David Nachbar

Purim’s Aspirational Standards

Several surprising positions and formulations stand out in Rambam’s presentation of Purim - his qualified presentation of Purim’s Issur Melachah seems to contradict the Talmud, his definition of Seudat Purim seems to lack a clear basis in the Talmud and adopts a subjective, ascending-scale definition, and, finally, his definitions of Mishloach Manot and Matanot Le’Evyonim modify the Talmud’s formulation in order to introduce an escalating scale for ambitious fulfillment of both Mitzvot. (*Editor’s note: Last week’s issue of Kol Torah on Parashat Terumah contains an expanded presentation of these issues. See “Turning the Ordinary Into Extraordinary – The Status of Yom Purim in Rambam’s Mishneh Torah: Part I.”*)

The common strand unifying each of these novelties is the aspirational quality of Purim. In each instance, there exists a basic definition that sets a minimum standard, but one that can be subjectively and ambitiously built upon.

Rambam’s opening formulation of Purim’s multiple facets unearths the underlying motive behind Purim’s aspirational standards (Hilchot Megillah 2:14) –

“Mitzvat Yom Arba’ah Assar LeBnei Kefarim, VeAyarot VeYom Chamishah Assar LeBnei Kerachim, LeHiyot Yom Simchah VeMishteh U’Mishloach Manot LeRe’im U’Matanot Le’Evyonim”, “It is a Mitzvah for the inhabitants of the villages and unwallied cities on the fourteenth of Adar, and for the inhabitants of the walled cities on the fifteenth of Adar, for it to be a day of joy and celebration and gift-giving to friends and to the poor.”

Rambam’s remarkable opening definition sets the tone for the ensuing Halachot. There is no Mitzvah to eat a Seudah, nor is there a Mitzvah to send Mishloach Manot or Matanot Le’Evyonim, per se; rather, the Mitzvah is to engage in these activities in order to transform an ordinary, routine, profane day into “a day of joy and celebration and gift-giving to friends and to the poor.” The Mitzvah, in his definition, is “for it to be a day of....”¹ The Mitzvah activities that we perform do not exist against a profane backdrop nor do they stem from a day whose already established character is one of a Yom Mishteh VeSimchah or a Yom Tov. The relationship is reversed such that engagement in these Mitzvah activities transforms the day’s character and creates the extraordinary out of the ordinary.

With this orientation, Rambam’s innovations share a common

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internal logic. The day is inherently profane and routine,² and, hence, Melachah is permitted; however, it is inappropriate because of the aspirational motif which seeks to transform the day into a Yom Mishteh VeSimchah or, possibly even, a Yom Tov.³ Rambam’s definition of Seudah draws upon the Mitzvah of Simchat Yom Tov which is defined by meat and wine, too. Rambam, unlike other opinions, believed that the Mitzvah of Simchat Yom Tov still finds Biblical expression even following the destruction of the Beit HaMikdash through the consumption of meat and wine - “there is no Simchah other than with meat, and there is no Simchah other than with wine” (Hilchot Yom Tov 6:18 based on Pesachim 109a).⁴ The aspirational definition that Rambam introduces into the various Mitzvot of the day – “in accordance with his financial means” for Seudah, “whoever increases his sending of gifts to friends, is praiseworthy” for Mishloach Manot, and “not less than two poor individuals” for Matanot Le’Evyonim - all reflect this goal of transforming the day’s quality. Discrete Mitzvah actions are quantifiable and can be objectively defined. The goal of Purim’s Mitzvot, though, is to transform its quality of time and character of the day.⁵ Toward that end, the transformation of the day’s quality as

² The inherently profane nature of Purim is possibly responsible for Rambam’s extreme view (Hilchot Aveil 11:3) that Aveilut (the state of mourning) is fully applicable on Purim – “*Nohagin Bahen Kol Divrei Aveilut.*” This stands in contrast with the view of the She’iltot and Sefer Miktzo’ot who believe that Purim terminates the observance of Shiv’ah were it to have started, and the more compromising position of Maharam of Rothenberg that *Devarim* SheBeTzina are practiced, but not *Devarim* SheBeFarhesia, private but not public expressions of mourning (*Rosh* Moed Katan 3:85, Tur O.C. 696:4-6).

³ Three potential expressions of Purim’s remnant ‘Yom Tov’ quality might be the aforementioned positions of the She’iltot and Sefer Miktzo’ot that Purim cancels the remaining period of Aveilut Shivah, the Maharil’s practice (Darchei *Moshe* and Rema O.C. 695:1) to wear Shabbat and Yom Tov clothing to honor the day, and the Yesh SheMegalgeil (cited in Meiri Beit HaBechirah Megillah 4a, s.v. chayav) who argue that the Beracha of SheHechyanu during the daytime applies to the day’s quality as a Yom Tov which only begins during the day of Purim, as opposed to other Yamim Tovim where it begins at night. Netziv (Ha’Amek She’Eilal 67:2) views the She’iltot’s view regarding Aveilut as a function of Purim’s Chiyuv Simchat MeRei’ut, rather than the day’s general status as a Yom Tov. For this reason, he posits that there is no aspect of Kavod that pertains to the day, nor an obligation to shave and launder clothing prior to Purim unlike Yom Tov.

⁴ Indeed, Maggid Mishnah (Hilchot Megillah 2:15) references the formulation in Pesachim (109b) and Hilchot Yom Tov (6:18) of “*Ein Simchah...*” as Rambam’s source for including meat. The connection to Simchat Yom Tov is further strengthened by a linguistic parallel in Hilchot Yom Tov (6:18) where Rambam describes the obligation to purchase new items as part of Simchat Yom Tov – “one should purchase for them nice clothing and jewelry in accordance with one’s financial means.” The concept relies upon the Torah’s formulation of celebrating the Yamim Tovim “in accordance with God’s blessing which He has given you” (*Devarim* 16:10, 17). The connection to Simchat Yom Tov can be conceptualized in one of two ways. A more ambitious formulation would argue that the goal of Seudat Purim is to infuse a Yom Tov quality into our experience of Purim, whereas a more tempered formulation would explain that, although Purim technically lacks the status of a Yom Tov, we draw upon a parallel institution in order to define the appropriate Halachic outlets for Simchah. If the wine component of Seudat Purim also draws upon the Mitzvah of Simchat Yom Tov, its tailored Purim application would far exceed its quantity and role on a typical Yom Tov. In fact, Rambam stridently cautions against drinking excessively on Yom Tov contrasting proper Simchah that serves Hashem with drunken frivolity and lightheadedness which eviscerates any service of Hashem.

⁵ The Talmud Yerushalmi’s treatment (Megillah 1:4) of Purim or Shushan Purim which coincides with Shabbat roughly expresses this concept that Purim’s status as a Yom Mishteh Vi’Simchah must be actively created by man rather than viewed as naturally or heavenly endowed. In the Yerushalmi’s view, Seudat Purim cannot be fulfilled on Shabbat, but must rather be delayed until Sunday since the Pasuk states “to make them days of Mishteh VeSimchah.” This teaches that Purim’s Simchah is dependent on *Beit Din*’s creation, not on heaven. The focus of the Yerushalmi is on *Beit Din*’s role in actively creating Purim’s character whereas in the approach developed here the activities of the nation and individuals impact the day’s quality.

¹ In my opinion, *Maggid Mishnah*’s comment (Hilchot Megillah 2:14) that Rambam’s introduction is “explicit there (Masechet Megillah) in many places” glosses over the emphasis and novelty of Rambam’s formulation.

a “Yom Simchah U’Mishteh, U’Mishloach Manot LeRe’im, U’Matanot Le’Evyonim” is commensurate with the degree and extent of one’s investment.

The Mitzvot’s goal oriented focus of transforming the day’s character rather than process orientation that focuses on specific methods might be responsible for Rambam’s willing accommodation of any individual who extends their hand for Ma’ot Purim (money distributed on Purim). A process orientation would treat the funds collected for Matanot Le’Evyonim as earmarked for that Mitzvah alone, and any distribution to an undeserving individual as a complete misappropriation of the money. All of the day’s Mitzvot, however, are aimed at a common goal, the creation of a “Yom Simchah U’Mishteh.” If the distributed funds qualify as Mishloach Manot rather than Matanot Le’Evyonim, the shared primary goal might remain unaffected.⁶

Matanot Le’Evyonim and Rejoicing in Hashem’s Presence

The aspirational quality of Purim day finds greatest expression in one’s investment in Matanot Le’Evyonim, surpassing both the importance of enhancing one’s Seudah “in accordance with one’s financial needs” and the praiseworthiness of embellishing one’s Mishloach Manot. Rambam explains (Hilchot Megillah 2:17) –

“Mutav La’Adam LeHarbot BeMatanot Evyonim MiLeHarbot BeSe’udato U’VeShiluach Manot LeRei’av. She’Ein Sham Simchah Gedolah U’Mefoa’arah Ela LeSamei’ach Leiv Aniyim ViYetomim VeAlmenot VeGeirim. SheHaMesamei’ach Leiv HaUmlalim HaEilu Domeh LaShechinah, SheNe’emar LeHachayot Ru’ach Shefalim ULehachayot Leiv Nidka’im,” “It is preferable for a person to be more liberal with his donations to the poor than to be lavish in his preparation of the Purim feast or in sending portions to his friends. For there is no greater and more splendid happiness than to gladden the hearts of the poor, the orphans, the widows, and the converts. One who brings happiness to the hearts of these unfortunate individuals resembles the Divine Presence, which Yeshayahu (57:15) describes as having the tendency “to revive the spirit of the lowly and to revive those with broken hearts.”

The value expressed here is strikingly parallel to Rambam’s description of Yom Tov (Hilchot Yom Tov 6:18) –

“U’CheSheHu Ocheil VeShoteh Chayav LeHa’Achil LaGeir LaYatom VeLaAlmanah Im She’ar Aniyim HaUmlalim. Aval Mi SheNoeil Daltot Chatzeiro VeOcheil VeShoteh Hu U’Banav Ve’Ishto Ve’Eino Ma’achil U’Mashkeh LeAniyim U’LeMarei Nefesh Ein Zo Simchat Mitzvah Ela Simchat Kereiso,” “When a person eats and drinks [in celebration of a holiday], he is obligated to feed converts, orphans, widows and others who are destitute and poor. In contrast, a person who locks the gates of his courtyard and eats and drinks with his children and his wife, without feeding the poor and the embittered, is [not indulging in] rejoicing associated with a Mitzvah, but rather the rejoicing of his gut.”

Rambam’s terminology as well as the religious value of including less fortunate individuals in one’s celebration are shared in both contexts, Purim and Yom Tov.

⁶ Ramban (Bava Metzia 68b, s.v. VeEin) might have this in mind when he explains – “DeYemei Mishteh VeSimchah Ketiv, U’Mishloach Manot Nami Ketiv.” All of the Mitzvot are geared toward transforming the day, and, as a result, the specific methods are not as consequential. Alternatively, the interchangeability of deserving *Evyonim* with undeserving, wealthier takers might relate to the relationship between the specific methods of *Mishloach Manot* and *Matanot Le’Evyonim*. It’s intuitive to view the two gifts as differing fundamentally in their nature, especially if *Matanot Le’Evyonim* possesses a general, or Purim specific, Tzedakah foundation. The Purim gifts, though, might possess a fundamentally similar nature, differing only in the quantity of portions given based on the intended audience, two gifts to a wealthy individual but sufficing with less to each pauper. See Ritva (Bava Metzia 68b, s.v. Ve’Ein) who formulates “*She’Ein Yom Zeh MiDin Tzedakah Bilvad Ela MiDin Simchah U’Manot, SheHarei Af Be’Ashirim Ketiv U’Mishloach Manot Ish LeRei’eihu.*” For this reason, classification as one type of gift as opposed to another carries less significance and can alleviate the pressure to investigate extensively.

⁷ Rambam’s prioritization of Matanot Le’Evyonim over the Mitzvot of Seudat Purim and Mishloach Manot seems to reflect his personal viewpoint and is without a specific source in Talmudic discussions about Purim. The *Maggid Mishnah*, who typically provides background sources for Rambam’s Halachot, simply states – “*Divrei Rabbeinu Re’uyin Eilav.*”

At the same time, the inverted relationship between Purim and Yom Tov is also captured in this very comparison. On Yom Tov, we are bidden to celebrate before Hashem, “You shall rejoice before Hashem, your God,” and as part of that celebration, the Pasuk continues, we are commanded to include in our celebration individuals facing difficult challenges and compromised circumstances, “you...the Levi within your gates, the convert, the orphan, and the widow amongst you” (Devarim 16:11). Hashem is the paradigm of compassion, mercy, kindness, and boundless, selfless giving, and, as a result, celebration in His presence must express itself through appreciating the source of one’s bounty and through selfless giving. On Purim, the relationship is inverted. Whereas on Yom Tov “rejoicing before Hashem” translates into acts of selfless giving, on Purim acts of selfless, boundless giving create a “rejoicing before Hashem.” By acting selflessly, empathetically, and kindly toward impoverished and downtrodden people, the divine quality of man comes to the fore, “one who gladdens the heart of these unfortunate individuals is comparable to the Divine presence,” as the Rambam writes in Hilchot Purim. The celebration of Purim is thus transformed into a “rejoicing before Hashem.”

For this reason, Matanot Le’Evyonim surpasses Seudat Purim and Mishloach Manot in its aspirational quality and its ability to transform the character of the day. It, more than the others, can infuse the day with a Yom Tov-esque quality of “rejoicing before Hashem.” The ‘Yom Tov’ quality (Esther 9:19) that was featured in the initial celebration of Purim was not rejected when it was later replaced by Matanot Le’Evyonim (Esther 9:22) in the establishment of Purim as a holiday.⁸ Purim seeks to remind us that living in Hashem’s presence and leading a divinely inspired life ought not be reserved exclusively for the Kedushat Ha’Zeman of the Yamim Tovim or for the Kedushat HaMakom of the Beit HaMikdash. Even the ordinary can be made extraordinary and the profane into a quasi-Yom Tov when we tap into the divinity embedded in our humanity and engage in boundless, selfless giving to others.

INTERNAL AND EXTERNAL TESHUVAH

by Eitan Leff (18)

In the seventh Aliyah of this week’s Parashah, Parashat Tetzaveh, the Torah describes the Mizbei’ach HaKetoret. The Mizbei’ach HaKetoret (incense altar), located in the Kodesh HaKodashim, is made of Atzei Shitim (acacia wood) and coated with pure gold. It is one cubit (19-22 inches) long, one cubit wide, and 2 cubits tall. Ketoret is offered on the Mizbei’ach once in the morning and once in the evening, and on Yom Kippur, the blood of a Chatat (sin) offering is sprinkled upon it (Shemot 30:1-10). The Mizbei’ach HaOlah, which is made of bronze and is placed in the Azarah (courtyard), is used for Korbanot (sacrifices). Why do we need two different Mizbechot? Couldn’t the Mizbei’ach HaKetoret or the Mizbei’ach HaOlah have both Ketoret and Korbanot offered upon it?

The Rambam in the Moreh Nevuchim (3:45) pragmatically explains the need for offering Ketoret, which can be used to explain the requirement for two Mizbechot. The Rambam states that there are countless numbers of Korbanot offered daily, so without the Ketoret, the Beit HaMikdash would have smelled like a butcher shop. To avoid an unpleasant odor in the Beit HaMikdash, Hashem therefore commanded the Jews to burn the Ketoret. The Beit HaMikdash is supposed to be a respected place; if there was a foul odor, the Jews would not only disrespect the Beit HaMikdash, but would even scorn it. A human is attracted to a pleasing odor, but

⁸ *Mori VeRabi*, Rav Michael Rosensweig, felt that Rambam’s description of “*Yom Simchah U’Mishteh U’Mishloach Manot LeRei’im U’Matanot Le’Evyonim*” seeks to strike a balanced chord of, on the one hand, recording the later *Pasuk*’s replacement of ‘*Yom Tov*’ with ‘*Matanot Le’Evyonim*’ while, at the same time, not completely relinquishing the ‘*Yom Tov*’ aspiration by preserving the original order of ‘*Simchah*’ prior to ‘*Mishteh*’ unlike that later *Pasuk*’s reversal of ‘*Mishteh*’ preceding ‘*Simchah*’.

abhors and avoids a repulsive stench. Each Mizbei'ach is needed to serve its unique purpose: the Mizbei'ach HaOlah is used to slaughter the Korbanot, while the Mizbei'ach HaKetoret ensures that the experience of the Beit HaMikdash is pleasant.

The Kli Yakar (30:1-2) takes a spiritual approach to the different purposes of the Mizbechot. The Kli Yakar explains that the two Mizbechot are used to atone for different sins: the Mizbei'ach HaOlah is used to atone for bodily sin, and the Mizbei'ach HaKetoret is used to atone for the Neshamah (soul) that is defiled by the body it inhabits. According to the Kli Yakar, man's physical resemblance to animal adequately explains why using a sacrificial animal to atone for the body is logical. Ketoret atoning for the Neshamah is also understandable, because the smoke and fragrances of the Ketoret symbolically ascend to Hashem, just as the Neshamah ascends and descends to Hashem during the morning and the night, coinciding with the time the Ketoret is offered.

We can combine the opinions of the Rambam and the Kli Yakar to synthesize a composite explanation. The Mizbei'ach HaKetoret facilitates forgiveness for the Neshamah, and allows a person to leave the Beit HaMikdash with the recognition that Hashem still values him, even after sinning. The Korban humbles a person, as he recognizes that he should have been the sacrifice being slaughtered for his sin, but remains encouraged by how close the experience has brought him to Hashem.

With this combined approach, we can better understand the locations of the Mizbechot. The Mizbei'ach HaOlah, used to atone for the body, is placed in the outer courtyard. The Mizbei'ach HaKetoret, used to atone for the Neshamah, which is hidden inside the body, is fittingly placed in the Kodesh HaKodashim, which is hidden by the Azarah. When we sin, there are outward and inward implications, and we must repair both our actions and souls, as reflected by the structure of the Beit HaMikdash.

YESHURUN: HASHEM OR YAAKOV?

by Yonasan Rutta ('20)

In this week's Parasha, it is stated, "Ve'Ha'Avanim Tiheyena Al Shemot Bnei Yisrael Shteim Esreih Al Shemotam Pituchei Chotam Ish Al Shemo Tiheyena LiShnei Asar Shavet," "The stones shall correspond [in number] to the names of the sons of Israel: twelve, corresponding to their names. They shall be engraved like seals, each with its name, for the twelve tribes" (Shemot 28:21). The Gemara in Yoma (73b) says that in addition to the names of the Shevatim, the Choshen also had the names of the Avot- Avraham, Yitzchak, and Yaakov- and the words "Shivtei Yeshurun." The Maharsha, commenting on this Gemara, quotes the Yerushalmi which says that the words were actually "Shivtei Yisrael." Why is there a change in Girsah between the Yerushalmi and the Bavli? The Maharsha answers that the Yerushalmi thought that "Shivtei Yisrael" was Yaakov's name repeated in another form, while the Bavli believed that the name of Hashem, in the form of "Yeshurun," was to be written on the Choshen. The Maharsha explains that Rashi on Chumash teaches that Yeshurun is a name of Hashem. The Noda BeYehuda (Rav Yechezkel Landau from Prague) asks: where does Rashi on Chumash state that Yeshurun is a name of Hashem?

He answers as follows: in Parashat Vayishlach, after Yaakov and Esav peacefully parted ways, Yaakov Avinu built a Mizbe'ach. The Pasuk reads, *Va'Yiven Sham Mizbe'ach Va'Yikra Lo Keil Elokei Yisrael* (BeReishit 33:20). Rashi quotes the opinion found in Masechet Megillah (18b) that explains the clause "Va'Yikra Lo Keil" not as Yaakov naming the Mizbe'ach, but as Hashem calling Yaakov "Keil," "God." However, Yaakov is not referred to as "Keil" anywhere else in the Torah. Therefore, the Noda B'Yehuda explains that when Yaakov is called "Keil," it is symbolic of his strength. "Keil" denotes strength, as noted by Tosafot in Rosh HaShanah (17b) when explaining the 13 Middot HaRachamim. Similarly, the word "Yeshurun" denotes strength as it comes from

the root S.R.R., which means "power." Therefore, the Noda BeYehuda asserts that the Maharsha must have interpreted the Rashi on the words "Vayikra Lo Keil", and asked: why would Hashem refer to Yaakov as "Keil?" To answer this question, he reasoned that Rashi was referring to "Yeshurun," a name which the Torah calls Yaakov many times. This would explain why the Maharsha tried to resolve the discrepancy between the Bavli and Yerushalmi, by saying that the Bavli thought that Yeshurun was referring to Hashem!

SURPRISE! GUESS WHAT, I AM NOT JEWISH, SAID THE ROOMMATE! PART I

by Rabbi Chaim Jachter

Introduction

Quite a number of years ago, I received a call from a single woman who told me that a former roommate informed her as she was leaving the shared apartment for the last time, that she was not a Jew. She explained that she was a conversion candidate and posed as an observant Jew in order to learn how to live as a Jew. The woman who called now had to deal with a host of Halachic issues especially the Kashrut standards of her and her two remaining apartment mates residence. She also raised the question as to whether she should inform the local rabbinate of the former roommate's deceitful behavior.

The Use of Non-Kosher Food - Ne'emanut and Mirtat

Halacha accords Ne'emanut, credibility, only to those who respect and observe Halacha. The Mishnah (Bechorot 4:10), for example, teaches that "one who is suspected of not observing a particular Halacha, is not believed to testimony regarding matters associated with this Mitzvah". Presumably, the Ne'emanut is granted only to those actually obligated to perform Mitzvot and not those doing so voluntarily such as conversion candidates. The implication of the lack of Ne'emanut for our case is concern that the non-Jewish roommate used the apartment utensils to cook non-kosher food or create a mixture of milk and meat.

Nonetheless, the Halachic concept of Mirtat seems to preclude concern for the introduction of non-kosher food or practice in the apartment. The Mishnayot and Gemara Avodah Zarah are replete with references to a Kashrut supervisor (Mashgiach) for whom it is not necessary to be actively guarding the food or wine every second of every day. Rather sporadic unannounced visits suffice - "Yotzei V'Nichnas" (see Avodah Zarah 39b, 61a and 69a for example). The sporadic visits create a Mirtat (fear) that the person would come unannounced and discover any disturbance to the Kashrut of the situation.

Accordingly, since the conversion had three Jewish roommates that were regularly in and out of the house we judged that there was sufficient kosher supervision to insure that the utensils did not become non-kosher. Moreover, since the woman was presenting herself as an Orthodox Jewish woman there was a genuine Mirtat lest she be caught introducing non-kosher food to the apartment.

Status of the Wine

Any unopened wine bottle posed a problem of Stam Yeinam, the prohibition to drink wine touched by a Nochri. However, this concern is mitigated by the fact that middle to lower end⁹ wines are Yayin Mevushal (cooked wine). Although there is considerable debate about whether pasteurized wine is

⁹ In this author's experience less expensive items seem to pose fewer Halachic challenges. For example, it is unusual to find Sha'atnez in moderately priced suits and basic models of refrigerators pose fewer issues regarding use on Shabbat and Yom Tov.

classified as Yayin Mevushal¹⁰, Rav Hershel Schachter noted at an OU Kosher seminar that the prevailing custom in America is to be lenient about his matter, following the ruling of Rav Moshe Feinstein and other major Poskim in America. Rav Ovadia Yosef notes that common practice in Israel is also to be lenient about this matter. Thus, any wine that was Mevushal did not have to be discarded. Thankfully, the women did not have any non-Mevushal wine in the home during the time the non-Jew resided in the apartment.

Bishul Akum

Although Kashrut and wine issues seemed to be manageable, the concern of Bishul Akum remained a formidable concern. Broadly speaking, Chazal prohibit food cooked by a non-Jew. There are however, numerous limitations that narrow the application of this rule. For a full discussion for this debate, see my Gray Matter 4:14-18 and my discussion available at http://www.koltorah.org/ravj/15-28_Yayin_Mevushal_and_Non-Observant_Seder_Guests.htm.

The Utensils Used by the Non-Jew

The Rashba and the Rosh argue whether the Bishul Akum decree extends to utensils that touched hot food cooked by a non-Jew. The Rashba argues that we are not only forbidden to eat the food eaten by the non-Jew, but the utensils that touch hot food that a non-Jew cooked are also rendered not Kosher. The Shulchan Aruch (Y.D. 113:16) cites both the view of the Rashba and the Rosh, but it presents the Rashba's strict view as the primary view. The Shulchan Aruch, though, presents a leniency that although one may not Kasher earthenware utensils, in this context one may Kasher earthenware dishes if they are Kasher three times¹¹. The Aruch Hashulchan (113:50) writes that the Rashba's strict ruling is accepted as normative. Thus, the woman and her two apartment mates faced the considerable task of having to Kasher all of the cooking utensils in their home!

Food Suitable for a King - Oleh Al Shulchan Melachim

At first glance, this prohibition might not apply to the utensils in the home of these women. A most significant exception to the Bishul Akum prohibition is that the food must be Oleh Al Shulchan Malachim, suitable for a king's table (Avoda Zara 38a). This rule can be interpreted in two possible ways. The Chazon Ish (cited by Rav Shimon Schwab, cited by Rav Menachem Genack in the OU's Mesorah 1:86) believes that it refers to food that is not of poor quality and would be eaten by a very wealthy person. The Chazon Ish ruled that canned sardines cooked by non-Jews were forbidden because "the King of England eats sardines for breakfast." The Aruch Hashulchan (Yoreh Deah 113:18) seems to agree with this strict ruling of the Chazon Ish.

Rav Schwab reports, though, that many of the great Rashei Yeshiva of pre-war Eastern Europe ate sardines cooked by non-Jews. The practice of the Rashei Yeshiva appears to be in accordance with Rav Soloveitchik's interpretation of this rule. Rav Soloveitchik believes that Oleh Al Shulchan Malachim means that the food has to be suitable to serve at a state dinner. Rav Soloveitchik's interpretation has great implications, as according to his approach, almost no canned food would be included in the Bishul Akum prohibition because food served at a state dinner is cooked fresh. Moreover, it seems unlikely that the women in our case would be cooking food fit for a state dinner.

However, I have been informed by Kashrut professionals that a compromise¹² between the views of the Chazon Ish and Rav Soloveitchik is the generally accepted standard regarding the

definition of "Oleh Al Shulchan Melachim". The compromise is that the quality of food that is, generally speaking, served at a Shabbat or Yom Tov meal is regarded as Oleh Al Shulchan Melachim. Thus, since the non-Jewish roommate resided in the apartment for many months and was a usual participant in the preparation of Shabbat meals, we concluded that it was likely that virtually all of the cooking utensils in the home were used to cook food by the non-Jewish roommate. Thus began the labor intensive task of Kashering all the utensils¹³.

Kashering the Microwave Oven

Contemporary rabbinical authorities debate whether cooking by means of a microwave oven is included in the prohibition of Bishul Akum¹⁴. The arguments for leniency are that when one cooks with a microwave he is not cooking by fire and that microwave technology was not available at the time when Chazal promulgated the Bishul Akum decree and thus was not included in the prohibition. Moreover, most food cooked in a microwave oven is not suitable to be served at a Shabbat meal or is simply cooked food that is reheated¹⁵.

In our case, we followed the ruling of Rav Hershel Schachter that the prohibition of Bishul Akum does not apply to a microwave oven. This is an especially compelling view especially in light of the Rama's (113:13) assertion that only foods cooked by using fire are included in this prohibition. Moreover, we may also consider the opinion of the Rosh that the prohibition of Bishul Akum does not extend to utensils with which a non-Jew cooked food. Thus, we made things a bit easier for the women by avoiding the need to Kasher their microwave oven.

Conclusion

Next week we will conclude our discussion of this unusual situation by addressing the issue as to whether the women should inform the local Beit Din of the errant behavior of the conversion candidate.

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Questions, comments? Contact us at:
koltorah@koltorah.org

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¹⁰ For a full discussion for this debate, see my Gray Matter 4:14-18 and my discussion available at http://www.koltorah.org/ravj/15-28_Yayin_Mevushal_and_Non-Observant_Seder_Guests.htm.

¹¹ Following the minority opinion of the Ba'al HalTtur (cited in the Tur Shulchan Aruch Yoreh Deah 121) who sanctions such Kashering.

¹² This compromise is cited in the name of Rav Hershel Schachter.

¹³ My wife and I welcomed the roommates to our home to make it easier for the women to Kasher their cooking utensils. Kashering the earthenware dishes three times in accordance with the Ba'al HalTtur's view proves challenging in light of a ruling of the Chazon Ish (Yoreh Deah 44:3). He insists that the water must be changed after each koshering, otherwise if one merely repeated immersing a utensil in the same hot water, it is viewed conceptually as one act of immersion. Rav Mordechai Willig offers a simple manner to satisfy the Chazon Ish's requirement. He advises simply heating three different pots of boiling water and immersing each utensil one time in each of the three different pots. This approach was followed in this instance.

¹⁴ For a summary and analysis of the views see Rav Dov Brisman Teshuvot Shalmei Chovah Y.D. 13. Rav Brisman was inclined to be lenient about this matter but retracted his lenient approach upon encountering the strict views of Teshuvot Sheraga HaMeir (6:53:3), Rav Yosef Shalom Elyashiv (cited in Shevut Yitzchak number 61) and Teshuvot Sheivet HaLeivi (8:185).

¹⁵ In which case we apply the rule of Ein Bishul Achar Bishul (one is not regarded as cooking if he simply reheates an already cooked food) in which case the prohibition of Bishul Akum does not apply (Shulchan Aruch Y.D. 113:6).