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PARSHA ENCOUNTERS

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Parshas Shoftim ✍️ Rabbi Yehoshua Goldstein

Step By Step

The *Chovos Halevavos* tells a story of a “*chasid* (pious man)” who met a group of soldiers returning from battle. He told them, “You have returned from the small battle with booty. Now prepare yourselves for the big battle.” The men, in turn, asked him, “What is the big battle you are referring to?” The *chasid* answered that he is referring to *milchemes hayetzer*, the daily war that every one of us wages against the *yetzer horah*. Whereas a human enemy gives up and retreats after one or two defeats, the *yetzer horah* never gives up. If a person conquers his *Yetzer Horah* on one occasion, the *yetzer horah* returns with new tactics and strategies to convince him to do *aveiros*. As *Chazal* tell us in *Pirkei Avos*, one should not be confident in his ability to refrain from doing *aveiros* until the day of his death. Therefore, it is incumbent upon every person to beware and study the strategies of the *yetzer horah* to be able to detect and overcome them.

One tactic the *yetzer horah* employs is to begin by convincing a person to do “small” *aveiros* and slowly but surely enticing him to transgress greater ones. The *Alshich Hakodosh* points out that this idea is illustrated in the beginning of this week’s *Parsha*. The Torah begins by warning a *dayan* (judge), “*Lo sateh mishpat* - Do not pervert justice.” A *dayan* may feel that in order to avoid *machlokes* he will slightly tilt the verdict to one side, thereby ruling in favor of that particular person. Although it is not outright *sheker*, just a slight “bending of the truth” and for a good cause, the Torah cautions that, nevertheless, it is an *aveira*. If a *dayan* fails this *nisayon* (test), and succumbs to the *yetzer horah*, he is then tested with the continuation of the *passuk*, “*Lo sakir ponim* - Do not respect someone’s presence”. The *yetzer horah* convinces him that if a respected individual comes to him for a *Din Torah*, he must rule in his favor to spare him from embarrassment. If he fails this test as well, the *Yetzer Horah* tempts him with a more blatant *aveiro*, “*Lo sikach shochad* - Do not accept a bribe”.

Similarly, the Torah forbids planting an *asheirah*, a tree to be worshipped as *avodah zorah*, or any tree adjacent to the *Miz-*

be’ach (altar). The *yetzer horah* attempts to convince a person that planting trees near the *Mizbe’ach* beautifies it, and has no connection to the gentiles planting trees next to their idols. If he is successful, the *yetzer horah* proceeds to cause one to transgress the *aveira* mentioned in the following *passuk* - erecting a *matzeveh* (a type of altar gentiles erected for the purpose of worshipping *avodah zorah*). The next step is the prohibition described in the following *passuk*, which is offering an animal with a blemish as a *korban* - an act which was practiced by idolators – and, eventually, the person will be led to worship *avodah zorah* itself, *rachmana litzlon*. This process is what *Chazal* refer to as, “*Aveira goreres aveira* - One *aveira* leads to another”. If a person is victorious in the initial battles against his *yetzer horah*, he won’t be swept up in further defeats.

The same concept applies to positive *mitzvos* as well. If a person performs even a “small” *mitzvah*, he builds up momentum to continue and accomplish “greater” *mitzvos*. As *Chazal* tell us, “*Mitzvah goreres mitzvah* - One *mitzvah* leads to another”. In fact, the *Baalei Mussar* teach that when one makes *kabalos*, resolutions to perfect one’s *avodas Hashem*, small *kabalos* are more effective, as they will last longer and ultimately lead to higher *madreigos* (spiritual levels). For example, resolving to refrain from speaking *loshon horah* for one hour a day is more likely to be a lasting commitment than a resolution not to speak *loshon horah* whatsoever. After mastering one hour, one can expand his commitment to two or more hours, eventually refraining from *loshon horah* all day long.

As we enter *Chodesh Elul* and prepare ourselves for the *Yamim Noraim*, let us be mindful of our position in our personal *milchemes hayetzer* and recognize the tactics the *yetzer horah* uses against us. In this way, may we all be *zocheh* to a *teshuva shleima* and a *k’siva va’chasima tova*.

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HALACHA ENCOUNTERS

Ovens

Rabbi Yisroel Langer

One of the most common *kashrus* issues that arise in the kitchen pertains to the use of the same oven for both meat and dairy. While it is certainly ideal to have separate ovens for meat and dairy, in many homes this is simply not practical, and one must beware of the potential problems involved. As there are various opinions amongst the *poskim* in these matters, each person should follow the rulings of his rav. All conclusions reached in this article are those of Harav Dovid Zucker *shlita*.

Background

There are three considerations when using an oven for dairy and meat:

Ta'am – transfer of “taste” between meat and dairy through direct contact

Reicha - aroma emitted by one food and being absorbed by another

Zeiah - steam emanating from one food and being absorbed by the other.

1) Ta'am

If meat and dairy touch each other directly while baking together, they are prohibited. Furthermore, if meat is broiled directly on a rack, meat taste will transfer from the meat into the rack and dairy food subsequently baked on the same spot will absorb meat taste and become prohibited. This holds true even if the rack was first cleaned of all meat residue. (If the dairy was broiled within 24 hours of the meat it is prohibited even *b'dieved*. If 24 hours have passed, it is still forbidden to broil the dairy food, *l'chatchilah*, although, *b'dieved*, it would be permitted).

This problem can be easily avoided by placing the dairy food in a pot or on aluminum foil - not directly on the rack. The rationale behind this is that *ta'am* does not travel from one *kli* (vessel) into another *kli* without the medium of a liquid. Therefore, no transfer of taste will occur from the rack to the pot/foil. Due to the concern that there may be some meat particles or residue stuck to the rack, it is recommended that the dairy be placed upon two *keilim* (vessels - e.g. two pieces of aluminum foil). (This way, the *ta'am* of the meat particles will only be absorbed into the first layer of foil and not the second, since *ta'am* cannot travel from *kli* to *kli* without liquid).

2) Reicha

The *Gemorah* records a dispute between *Rav* and *Levi* whether *reicha* (aroma) produced by baking a non-kosher food prohibits a kosher food present in the oven at that time. The *halacha* is in accordance with *Levi* that, *b'dieved*, the kosher food remains unaffected (unless one of the foods is sharp tasting). Nevertheless, *le'chatchila*, we **are** concerned about *reicha*. Therefore, *lechatchila*, one may not bake kosher and non-kosher, or meat and dairy together in an oven (Y.D. 108:1). In a microwave, which is not vented, *reicha* is a concern even *b'dieved*, unless this will result in a serious financial loss (ibid). Although, technically, *reicha* is only a concern if at least one of the foods in the oven is fatty or sharp tasting, the *poskim* (*Pri Migadim* S.D. 108:1) maintain that we no longer have the expertise to distinguish between fatty and lean foods and must treat everything as fatty (with the exception of bread which is definitely not considered fatty).

There are two ways to avoid *reicha* in an oven. One solution is to bake the meat and dairy foods at different times and to thoroughly clean the oven of any particles or residue between uses. Any *reicha* imparted into the oven walls or racks during one use will not be released in subsequent baking (see *Shach* 108:12, *Chidushei R' Akiva Eiger*, and *Igros Moshe* Y.D. *siman* 59). Another way to avoid *reicha* issues is by placing the food into a pot whose walls rise above the food level (Y.D.108:2). Since *reicha* can only travel in a straight line, if either one of the foods is contained in such a pot (either the dairy or meat - see *Badei Hashulchan* 108:70), the walls of the pot will prevent any aroma from spreading (*Shach* 108:16). However, it must be noted

that according to the *Rema* this latter *heter* is only applicable to a vented oven but wouldn't be a solution for a microwave.

3) Zeiah

The most serious issue that arises when using the same oven for meat and dairy involves *zeiah* - steam emanating from the foods. The *Shulchan Aruch*, following the opinion of the *Rosh*, rules that steam rising from a liquid has the same status as the liquid itself (e.g. steam rising from a pot of milk is considered like milk). The *Pri Migadim* (quoted by *Pischei Teshuvah* 92:6) limits the scope of *zeiah* to steam emanating from liquid – not from solids. The majority of *acharonim* disagree with the *Pri Migadim* and rule that *zeiah* of any food has the status of the food itself (*Darchei Teshuvah* 92:164). Although the *halacha* follows the latter view, *poskim* still distinguish between liquids, where the presence of *zeiah* is taken for granted, and solid foods which are assumed **not** to have released *zeiah* unless steam is actually visible (*Badei Hashulchan siman* 92, footnote 361; see also *Igros Moshe* Y.D. 40). (Note: Perhaps this distinction is irrelevant in the case of a microwave where all foods commonly give off steam).

The *Shulchan Aruch* (92:8) rules that a pot of milk cooking underneath a pot of meat releases *zeiah* that the meat pot will absorb, thereby prohibiting the meat. The *poskim* add that there are two possible ways through which the milk could also become prohibited:

- 1) Hot steam rising from the milk condenses on the bottom of the meat pot, absorbs meat taste from the pot, and droplets fall back into the milk (assuming the milk is less than 60 times the volume of the falling droplets) (*Pri Migadim* M.Z. 92:29).
- 2) If both pots are in a small, confined area, steam produced by the milk will transfer meat taste from the meat pot into the milk (See *Dagul Mervava* 92:11 and *Hagoas Imrei Boruch*, see also *Badei Hashulchan* 92:166).

According to some *poskim*, in modern day ovens, the concern of *zeiah* may be relevant in the following scenario. Chicken is broiled in an oven causing its gravy to release *zeiah* that is absorbed by the ceiling of the oven. A wet dairy food is then baked in the oven releasing steam that condenses on the ceiling of the oven. Droplets of condensation draw out “chicken taste” and fall back into the dairy food causing it to become prohibited. However, other *poskim* maintain that no condensation takes place in our ovens and the above concern is unfounded. With regard to the second issue mentioned above (i.e. steam itself acting as a conduit to transfer taste within a small confined area), some maintain that our vented ovens do not qualify as a confined area. Additionally, some say that in our ovens no steam is created altogether and therefore *zeiah* is of no concern. (Steam is only created in the presence of cooler air above a hot liquid, which is not the case when an oven door is closed.) (See *Megillas Sefer, siman* 108) Nevertheless, many *poskim* (*Igros Moshe* 40) **are** concerned about *zeiah* even in modern day ovens.

In practice, *lechatchilah*, one should not bake a moist dairy food in a meat oven, even if it is clean, unless the dairy food is covered or if the oven was *kashered*. *B'dieved*, if the dairy food was baked in a meat oven, a rav should be consulted (Harav Dovid Zucker *shlita*). (The cleanliness of the rack, how long ago meat was cooked there, and whether the food was placed directly on the rack will all be factors. See above, “Direct Contact”) In a microwave oven, where droplets and steam are visible, *zeiah* is a greater concern and the food may be forbidden even *b'dieved*.

Next week we will I.Y.H. discuss practical methods for using the same oven for meat and dairy.

Rabbi Langer learns full-time at the kollel.