

# All About Honor in Halacha

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As we study the weekly Parshiyos in Sefer Bereishis, we encounter stories and lessons from our towering patriarchs, Avraham, Yitzchak and Yaakov. The Ramban expresses great interest in every detail related by the Torah, and introduces us to the fundamental concept of “Maaseh Avos Siman LaBonim”[1]. This refers to the idea that the actions of our forefathers created a spiritual reality which was symbolic for their descendents. In other words, the challenges met by our great patriarchs transmitted to their children a unique form of spiritual DNA[2], whereby the potential was created for their descendants to emulate their deeds. Thus, it is incumbent upon us to explore the deeper concepts found in these familiar stories and comprehend their relevance today. Indeed, in the footsteps of Avraham Avinu, we find that one of the hallmarks of the Jewish nation is Chessed[3]. Consequently, the refined manner in which he served his guests turns out to be of Halachic interest to us[4].

## Who's Coming to Dinner?

For example, in a complicated kashrus question, there are times when halacha may dictate that only in extenuating circumstances such as hefsek merubah, l'tzorech Shabbos, or if guests are coming, one may be lenient[5]. There is debate in the Acharonim which type of guests would qualify for this halachic dispensation. The Tosafos Yom Tov rules that only important guests that one would want to impress would qualify; conversely, poor charity cases would not make the grade. However, the Minchas Yaakov[6] argues that we see that Avraham Avinu welcomed guests whom he thought were ‘three simple wandering pauper Arabs’ and accorded them highest honors. Certainly, he maintains, leniencies involving Hachnosas Orchim would apply to downtrodden Jews as well. Most authorities, including the Chofetz Chaim, actually conclude that one who invites in such Yidden not only fulfills the Mitzva of Tzadaka, but Hachnosas Orchim as well[7].

## Chaticha HaReuyah L'Hischabed

Yet, the flip side of Honoring Guests is not a dispensation, but rather a halachic stringency. Generally, if a piece of non-kosher food is mixed in with two or more identical pieces of kosher food, it is battel b'rov - it becomes nullified within the majority. However, if the non-kosher food is a Chaticha HaReuyah LeHischabed, an honorable piece that is fit to be served to an important guest[8], it is not battel (nullified). Regardless of how many pieces are involved, whether three or three thousand, the entire mixture is forbidden, and none of the pieces may be eaten[9].

## Size Matters

Still, the exact parameters of this designation are debated. For example, the Shulchan Aruch maintains that a Chaticha HaReuyah LeHischabed refers exclusively to a respectable portion that is cooked and ready to be served. All others, even a desirable and expensive cut of meat, would not meet this criterion, as one would presumably not honor a distinguished guest with a raw steak, and can be nullified. However, according to the Rema, whom Ashkenazic practice

follows, even large pieces of raw meat (i.e. steak, cutlets, brisket etc.) would fall into the category of Chaticha HaReuyah LeHischabed. He avers that once the meat is of a respectable size, which then can potentially be carved up, cooked and served to an important guest, it is still considered fit for honoring a guest.

Based on the above, if a non-kosher raw steak is accidentally mixed up with five hundred kosher steaks, the basic halacha would depend on this dispute. According to the Shulchan Aruch, since the steak is raw, it is not fit for guests, and can be nullified. However, according to the Rema, generally speaking, they would all be prohibited.

Although there are Ashkenazic authorities who maintain that in a case of extenuating circumstances or great loss one may rely on the Shulchan Aruch's opinion, others only allow use of this rationale as an additional factor to permit leniency, but not on this basis alone. On the other hand, many other decisors disagree entirely[10]. As with all halachic issues, if such a situation arises the question should be referred to a knowledgeable halachic authority.

#### Non-Deplumed

One situation all agree on is that a raw chicken still in feathers cannot qualify as a Chaticha HaReuyah LeHischabed and can be nullified. The same would apply to a side of beef that has not yet been skinned. At that stage it would be too much of a jump in logic to consider honoring someone with it. Even though nowadays, with the advent of modern technology, de-feathering chickens is no longer a time-consuming and arduous task, it still would not change that chicken's inability to be considered honorable at that stage in its life, err... death[11]. [12]

#### Shwarma Surprise

Another interesting issue that arises is whether a portion of food can claim to be a Chaticha HaReuyah LeHischabed. For example, can a plate of shwarma be nullified? It itself would be considered an honorable meal, especially in the Middle East, but it is not one Chaticha. If someone accidentally mixed several strips of non-kosher shwarma amid many other kosher ones, what is the shwarma's status?

The answer to this question is based on a comment of the Rema, regarding or shuman avaz, fried goose skin. Apparently, back in those days this was quite a popular delicacy, and the Rema ruled that it is considered a Chaticha HaReuyah LeHischabed[13]. Yet, the Taz points out that the most respectable method of preparing this delectable dish is by cutting it into small strips and frying it. Therefore, he posits, since a plate of small strips of fried goose skin would be served to a guest, a single piece of it could also be considered a Chaticha HaReuyah LeHischabed, even though no one would think of serving a single small strip! Based on this understanding, the same would apply to our shwarma. If even a single non-kosher shwarma strip would get mixed in with kosher shwarma, the entire mixture would be prohibited.

Yet, there is still hope for shwarma lovers. The vast majority of authorities strongly disagree with the Taz's logic and maintain that in order to designate an item as a Chaticha HaReuyah LeHischabed, it primarily must be a solitary Chaticha that one would want to use to honor a guest. Since no one would serve a single piece of this fried skin to a guest, rather it is exclusively served with many strips together as a dish, it cannot be considered a true Chaticha HaReuyah LeHischabed[14]. The same would apply to our shwarma. Delicious as it might be, one small strip just would not cut it, and can still be nullified[15].

It would certainly behoove us to emulate our esteemed forefathers and the lessons they have imparted to us. As my namesake, the renowned Maharal M'Prague[16] explains, the three pillars holding up the world[17] are actually exemplified by our esteemed Avos and their unique middos. Our Avos teach us so much, both by their actions which we aspire to emulate, and by the details of their conduct, which reverberate and result in the nuances of psak halacha, from ancient times to modern times.

[1]See the Ramban's famous explanation (Parshas Lech Lecha Ch. 12, verse 6; and in his introduction to Sefer Shemos); cited in previous article titled '(Not) To Eat Fish On Rosh Hashana?'. According to the Ramban, and cited by many later authorities, the purpose of showcasing the actions of the Avos is to demonstrate that a physical action, small as it may be, serves as a conduit to actualize and channel a Divine decree; in this case creating and enabling abilities in future generations.

[2]Deoxyribonucleic acid; commonly referred to as the 'building blocks' of life.

[3]See Gemara Yevamos (79a) and Kesuvos (8b), based on Parshas Vayera (Ch. 18, verse 19); Yerushalmi Kiddushin (Ch.1, Halacha 1), based on Parshas Eikev (Devarim Ch. 7, verse 12), and the Torah Temima's explanation (Parshas Eikev ad loc. 19).

[4]For a glimpse of how important these 'Ma'asei Avos' are halachically, see previous article titled 'Ma'aseh Avos = Halacha L'Ma'aseh'.

[5]For a good example see the Rema's preface to his sefer Toras Chatas, and Yoreh De'ah (69, 6).

[6]Soles L'Mincha (on the Toras Chatas, 15, 3), arguing on the premise of the Tosafos Yom Tov (Toras HaAsham ad loc.); cited briefly in Pischei Teshuva (Y"D 69, 13).

[7]Although there are different mehalchim in understanding this machlokes, nonetheless Rav Moshe Halberstam (Shu"t Divrei Moshe 42, 2) posits that it is based on how these authorities understood the Maharil (end Lekutei Maharil), who is the source of the dispensation given l'kavod orchim. Apparently, the Maharil did not discuss 'orchim aniyim'. Therefore, the Tosafos Yom Tov understood them to be only included in the category of tzedaka, and not kavod orchim, as he understood that reserved for guests whom the baal habayis would want to honor. However, the Minchas Yaakov understood it to be an inclusive hetter, for anyone invited, no

matter how worthy they are of the honor. He then concludes that most authorities count serving poor guests as fulfilling both Mitzvos: hachnassas orchim and tzedaka. These include the Maharsha (Brachos 10b s.v. harotzeh), Shelah (Pesachim, end Perek Ner Mitzvah s.v. u'schar gadol), Pele Yoatz (Erech Orchim), and Chofetz Chaim (Ahavas Chessed vol. 3, Ch. 1, s.v. v'da). See also mv"r Rav Yosef Yitzchok Lerner's Sefer HaBayis (33, 9 and footnote 13) at length, who explains that these poskim are not arguing on the Maharil, rather explaining that this was his intent, to include serving the destitute in the mitzvah of tzedaka, but not to exclude them from hachnosas orchim.

[8]Although the Shulchan Gavoah (Y"D 101, 1) implies that a portion served that any guest would find b'kavodik would qualify for this designation, however, most authorities including the Terumas HaDeshen (78), Rashal (Yam Shel Shlomo, Chullin Ch. 7, 53), Kneseses HaGedolah (Y"D 101, Haghos on Tur 9), and Pri Megadim (ad loc. M.Z. & S.D. 1; Y"D 72, 7; and Klalei Hora'ah 7) maintain that in order to be considered a Chaticha HaReuyah LeHischabed it must be fit to be served to an important guest such as a dignitary or Baal Torah.

[9]See Yoreh De'eh 101 at length for the full parameters of this halacha.

[10]The Chasam Sofer (Shu"t Y"D 91, cited in Pischei Teshuva Y"D 101, 4) maintains that since many Rishonim, including the Rashba (Toras HaBayis Haaruch, Bayis 4, Shaar 1, pg. 13b), the Ran (Chullin 36b s.v. v'garsinan), the Ra'ah (Bedek HaBayis, Bayis 4, Shaar 1, pg. 17a), and the Rambam (Hilchos Maachalos Asuros Ch. 16, 5) whom the Shulchan Aruch bases his psak on, and other Poskim including the Pri Chadash (Y"D 101, 12) rule like the Shulchan Aruch's shitta, that one may definitely rely on it b'makom hefsed merubah, if there is any sort of additional safek involved. Other Ashkenazic authorities who rule similarly include the Shvus Yaakov (Shu"t vol. 3, 68), the Maharsham (Daas Torah, Y"D 49, 19), the Ya'avetz (Shu"t Sheilas Ya'avetz vol. 1 end 58, s.v. ode) and the Aruch Hashulchan (Y"D 101, 15). However, the Pri Megadim (Y"D 101, S.D. end 8 & Klalei Hora'ah 6) is uneasy to accept this leniency and concludes tzarich iyun. Other authorities, including the Pri Toar (Y"D 101, 6), Yeshuas Yaakov (ad loc. 7), and Chochmas Adam (53, 9), rule exclusively like the Rema. Additionally, the Beis Shlomo (Shu"t Y"D vol. 1, 122), Rav Shlomo Kluger (Haghos Chochmas Shlomo to Y"D 102), and the Yad Yehuda (Y"D 101, pih"a 9 & pih"k 16) all maintain that an Ashkenazi may not rely on the Shulchan Aruch's shitta regarding this halacha, even b'makom hefsed merubah. For more on such dispensations see previous article titled 'A Halachic Analysis of the Recent Meat Scandal Ruling'.

[11]The Shulchan Aruch and Rema (Y"D 101, 3) both agree on this, as at that stage it is simply "mechusar maaseh gadol" to actually honor someone with it. Although the Badei Hashulchan (Y"D 101, 32 and 36) opines that nowadays with modern technology chickens in their feathers might still potentially be considered Chaticha HaReuyah LeHischabed as they can be deplumed in seconds, he nevertheless concludes that his sevara is tzarich iyun. Yet, many other contemporary poskim, including Rav Chaim Kanievsky (in a yet unprinted responsa to Rabbi Yitzchok Winkler), Rav Moshe Sternbuch, Rav Eziel Auerbach (both psakim told to this author by Rabbi Daniel Yaakov Travis), Rav Yaakov Blau zt"l (personally told to this author), the

Megillas Sefer (on BB" C & Taaruvos 101, 9 & 10), and Kinyan De'ah (Y" D 101) unequivocally reject his sevara and rule that even nowadays we would not consider it a Chaticha HaReuyah LeHischabed due to a variety of reasons, including: 1) The whole din of Chaticha HaReuyah LeHischabed is derabbanan and even if we would forward the notion that this case might be considered as such, we still pasken l'kula in a case of safek whether something is a Chaticha HaReuyah LeHischabed, and is still is battel bshishim. (See Shach Y" D 101, 2 and Taz 101, 1). This is especially true according to the rule set down by the great Rav Chaim Ozer Grodzinsky zt" l (Shu" t Achiezer vol 2, 15, 6) that Chaticha HaReuyah LeHischabed needs to be definitively defined as such, but anything that is in doubt by anyone if such an item can be used to honor someone, is definitely not considered Chaticha HaReuyah LeHischabed. 2) Quite possibly, even though stating "mechusar maaseh gadol", the issue might not be actually dependant on amount of manual labor needed, but rather on its importance while in the process of getting it ready to be eaten. For example, a live animal can never be considered a Chaticha HaReuyah LeHischabed, as one cannot present it to a guest this way; it does not yet have the title of food, similar to the din that a piece of meat that it is not yet salted is also not considered a Chaticha HaReuyah LeHischabed (Rema ibid. 2), and the "tircha" level of melicha is debatable, especially in contrast to depluming. 3) The Shach (ad loc. 7) quotes the Rashal and Bach that chickens still feathered are also not considered davar shebminyan, and anything that is battel from davar shebminyan is also not considered a Chaticha HaReuyah LeHischabed. The Pri Megadim (ad loc, S.D. 7) explains their reasoning that it is still considered "ma'us – disgusting" and therefore can not be considered chashuv, and consequently is neither davar shebminyan nor Chaticha HaReuyah LeHischabed. So, even if we would opine that nowadays it should be considered a Chaticha HaReuyah LeHischabed based on "tircha", it would still not be considered as such due to this reason. 4) By explaining the definition of "Hakol l'fi HaMakom V'Hazman" (Shulchan Aruch Y" D 110, 1, Shach Y" D ad loc., 12, Knesses HaGedolah ad loc., Haghos on B" Y 37), the Pri Megadim (ad loc. M.Z. 9) cites two methods of understanding this dictum cited by the Minchas Yaakov (40, 8): Either those that are explicitly mentioned in the Shulchan Aruch and commentaries are always considered Chaticha HaReuyah LeHischabed, and consequently never battel, even if the times changed and is no longer considered something which with to honor a guest; or that those explicitly mentioned are considered as such min hastam, but if they no longer are considered as such, then they no longer have the din of Chaticha HaReuyah LeHischabed. The Pri Megadim rules that if the issue in question is only derabbanan, then "raui l'fsok" like the second way of understanding. This pertains to our discussion of animals still unskinned, as well. For, if in a case of something explicitly cited as Chaticha HaReuyah LeHischabed may no longer be considered as such and we would rule leniently, then certainly by something that is unequivocally quoted as not being Chaticha HaReuyah LeHischabed, we would not be mechadesh a new sevara to turn it into one, especially as the whole issue is derabbanan! 5) There is a well known halachic dictum, quoted by authorities throughout the ages and spectrum: "Ain lanu l'hosif al mah shelo nizkar b'Chazal - we should not add to gezeros not mentioned by Chazal". This would certainly apply here as well, when the machmir by Chaticha HaReuyah LeHischabed, the Rema, explicitly writes that feathered chickens cannot be considered as such; how then can we add a new gezeira to assur?! Due to the above, even nowadays a chicken still 'feathered' cannot be considered a Chaticha HaReuyah LeHischabed.

[12]Another interesting dispute between later authorities who follow the Ashkenazic practice is whether the need to carve it down to a serving size is enough to consider it a non-Chaticha HaReuyah LeHischabed. The Shvus Yaakov (Shu"t vol. 3, 68) that a large bovine that still needs to be carved up into quarters and pieces etc. would not be considered a Chaticha HaReuyah LeHischabed, as there would be too much tircha to carve it down to a serving size, even according to the Rema's shitta. However, the Yad Yehuda (Y"D 101, pih"a 10 and piha"k 19) disagrees, maintaining that cutting down to size is not a true tircha; therefore if that is all that is missing it still would be designated a Chaticha HaReuyah LeHischabed.

[13]Rema (Y"D 101, 4), Taz (ad loc. 10).

[14]The Taz is a daas yachid on this and the halacha pesuka follows the Shach (Nekudos HaKessef Y"D 101, 1) who argues on his shitta, as virtually all poskim including the Issur V'Hetter (25, 23; quoting the Maharil - Shu"t HaChadoshos 72), the Rema himself (Toras Chatas 40, 4), the Rashal (Yam Shel Shlomo, Chullin Ch.7, 53), Lechem Chamudos (ad loc., 164; quoting Rav Shlomo Luria), Pri Chadash (Y"D 101, 17), Minchas Yaakov (40, 9), Beis Lechem Yehuda (ad loc, 14), Shulchan Gavoaah (ad loc.), Kreisi U'Pleisi (ad loc, 11), Chavas Da'as (ad loc Biurim 6 & Chiddushim 12), Pri Megadim (ad loc., M.Z. 10), Chochmas Adam (53, 11), Hisorerus Teshuva (Shu"t vol. 4, Hashmatos pg. 127 s.v. Rema), Yad Yehuda (Y"D 101, pih"a 12, piha"k 27), Beis Yitzchak (vol. 1 Amudei Zahav 33), Zivchei Tzedek (Y"D 101, 26), Ben Ish Chai (Shu"t Rav Pe'alim vol. 1, Y"D 23), Aruch Hashulchan (Y"D 101, ibid., 19), and Kaf HaChaim (ad loc., 43) pasken like the shitta of the Shach, that each individual piece has to be considered a Chaticha HaReuyah LeHischabed, and not the serving dish. Due to the strength of their arguments, several of these poskim actually reject the Rema's notion that or shuman avaz can ever be considered Raui LeHischabed. Others, such as the Pri Megadim (ibid.), posit that the Rema must have been referring to large pieces of or shuman avaz, that each one individually would be considered a Chaticha HaReuyah LeHischabed. Either way, to sum it up, as the sefer Vayizrach Yitzchok (on Hilchos Taaruvos pg. 114) concludes "Halkar K'rov Minyan U'Rov Binyan HaCholkim al HaTaz".

[15]However, and as opposed to shwarma which has the potential to be considered a respectable food, it should be noted that this sheilah would not arise when referring to lower class food such as french fries. Aside for the famous debate between the Chochmas Adam (66, 4) and Aruch Hashulchan (Y"D 113, 18) whether a potato can ever be considered a chashuv food, all would agree that when it is fried and turned into cheap plebian common fare, it certainly cannot be considered a Chaticha HaReuyah LeHischabed. See previous article titled 'The Halachic Adventures of the Potato'.

[16]In the Maharal's Derech HaChaim commentary to Avos (vol. 1, Ch. 1, 2, ppg. 28 - 30).

[17]As per the second Mishna in Avos; the ma'amar of Shimon HaTzaddik - 'Torah, Avodah and Gemillus Chassodim'.

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

L'iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda.