

Weekly Shiur from Maran HaRishon LeTzion HaGaon Rabbi David Yosef shlit"a, Motzaei Shabbat Parashat Chayei Sarah 5787, Shiur #376

English

Parashat Vayetze

Preparing Tea and Coffee on Shabbat

Topics of the Shiur:

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Introducing Rav: HaGaon Rabbi Daniel Menachem Zayat shlit"a, one of the Rabbis of the Bet Midrash *Yechaveh Daat*

Shiur of Maran HaRishon LeTzion shlit"a:

Yashar koach to HaGaon Rabbi Daniel Menachem Ziat shlit"a, an outstanding scholar who studied with us for many years. Today, *Baruch Hashem*, he is an excellent *dayan* who judges with complete truth, and even now he applies himself to his learning wonderfully, like a young *avrech*. May he continue to rise ever higher, spreading his wellsprings outward, magnifying Torah and glorifying it. Amen, *ken yehi ratzon*.

Congealed Fat – Dry or Liquid?

We will continue with the topic of cooking on Shabbat. The *Rishonim* raise a question about a congealed dish, such as fat, which solidifies after it cools: is congealed fat considered dry or liquid? As we explained in previous shiurim, an electric *plata* (hotplate) has a better status than a fire that is *garufah* or *ketumah* (a stove whose coals were swept away or covered with ashes), and it is permitted—for Sepharadim and Ashkenazim alike—to take a dry food, such as rice, out of the refrigerator, place it on the *plata* and heat it, even until it is very hot. The reason is that there is no *bishul achar bishul* (cooking after cooking) for a dry food, and with a *plata* no further condition is needed in order to return food to it. The main thing is that the food be fully cooked and dry.

Now, suppose a certain food is dry at the moment, but once it is placed on the *plata* and heats up, it will melt and become clear liquid, just like soup. The question is whether we go by the time it is placed there or by the final result, since in the end it will be liquid. Regarding congealed fat, there are *Rishonim* who hold that it is forbidden—not because of cooking, but because of the prohibition of *nolad* (creating something new), or out of concern that one may come to squeeze fruits whose juices may not be squeezed.

Maran the *Shulchan Aruch* writes (*O.C.* 318:15): "It is permitted to place an *infanda* opposite the fire, in a place where the hand recoils, even though the fat in it, which had congealed, melts again." An *infanda* is a *borekas* in Spanish, a pastry filled with all kinds of things; there it is speaking of an *infanda* with meat inside. "Opposite the fire, in a place where the hand recoils" is similar to a *plata*, since an electric *plata* has the status of being opposite the fire in a place where the hand recoils (*yad soledet bo*), and it does not require the conditions for returning food. The words of the *Shulchan Aruch* clearly imply that there is no concern here—neither for *bishul achar bishul* in a liquid, nor for *nolad*, nor for the decree against squeezing.

The Rama's Position

The *Rama* (318:15) brings the case of a pot containing gravy that congealed and melts again, and continues: "The custom is to be stringent; however, in a case of need one may rely on the first opinion." In other words, according to the Ashkenazi custom one is stringent about this *lechatchilah*, and in a case of need one may be lenient. Whoever examines the words of the *Rama* and his sources sees that this is not because of *bishul achar bishul* in a liquid, but out of concern for those who hold that this involves *nolad*, as if something new were being created here on Shabbat. Most of the *Rishonim*—almost all of them—hold that there is no concern of *nolad* here, since the thing already existed and only its form changes slightly.

However, from the sources the *Rama* cited, it appears that he is stringent here because of *nolad*. It is also clear there that the case is of a cold dish, and regarding *bishul achar bishul* of a cold liquid the *Rama* agrees that it is forbidden; nevertheless, this is not considered liquid. Therefore, since both the *Shulchan Aruch* and the *Rama* consider this a dry food, it is permitted.

Several points should be noted. First of all, this is not unanimous: *Levush* and *Chayei Adam* are stringent, and several other *Acharonim* rule that it is forbidden and treat it as liquid. However, since the *Shulchan Aruch* and the *Rama* hold that it is called dry, that is certainly the halachah.

Congealed Because of the Cold or by Nature

Some things congeal by nature, such as fat, and sometimes soup as well, and some things congeal because of the cold, such as something placed in the freezer that turns to ice, or things that become ice even at the low temperature of the refrigerator. If the item melts at ordinary room temperature, and the only reason it congealed is that it was in the refrigerator, then we truly consider it liquid.

Therefore, for example, if a person put soup in the freezer and it froze completely, we do not say that since it was in the freezer and is currently dry, it is considered a dry dish. Rather, it is considered a liquid dish, since when it is left in the air of the room it thaws on its own and turns liquid. In other words, by its nature it is a liquid.

Where are we lenient? With fat, for example, and with fully cooked jelly, which can be considered dry since it remains congealed at room temperature. The rule is: anything that remains congealed at room temperature is considered dry, and anything that thaws on its own at room temperature and becomes liquid is considered liquid.

Sugar and Instant Coffee

From here we can learn about other very common items, such as sugar. First of all, one must know that all the white sugar sold today is fully cooked. There may be types of natural sugar that are not cooked, and with any such item where there is a doubt, one must check, because if it is not cooked it poses a problem of cooking. But the regular sugar commonly found today is cooked. Accordingly, sugar is considered dry, and therefore it is permitted to pour boiling water onto cooked sugar. Even though it dissolves within a second as soon as hot water is poured on it, it is considered dry.

Instant coffee, on the other hand, must be checked type by type. Regular Elite instant coffee, which is very common in Eretz Yisrael, is fully cooked. Therefore it is permitted, for Sepharadim and Ashkenazim alike, to put instant coffee powder and sugar into a cup and pour boiling water over them straight from the urn. Even though the water is in a *kli rishon* and truly boiling, since both the coffee and the sugar are fully cooked, there is no *bishul achar bishul* for a dry item. Even if they dissolve within a second or less and become liquid, we go by the moment the hot water is poured. *Magen Avraham* writes this explicitly, and many *Acharonim* agree with him, and as mentioned, this is also evident from the words of the *Shulchan Aruch* and the *Rama*, who consider this dry and not liquid. When boiling water is poured onto it and it is a mixture, there is no concern of *nolad* even according to the *Rama*.

It should be emphasized that this was said about the regular white sugar found today and about Elite instant coffee, not about roasted coffee. Today there are types of instant coffee that are not cooked at all, or that contain mixtures of other ingredients, and each type must be checked. This is not a blanket permission; rather, when there is a doubt one must clarify, since this is a Torah prohibition of cooking, and pouring boiling water cooks immediately.

Tea and Tea Bags

In the past, people used tea essence: they would cook tea essence on Friday, and on Shabbat they would add a little of the essence to boiling water. Many people still do this today, but most people use tea bags. With tea bags the law is entirely different, because *Pri Megadim* writes that tea leaves are considered *kalei bishul* (easily cooked). To understand what *kalei bishul* are, let us first cite the Mishnah.

There is a Mishnah in *Shabbat* (145b), which the Gemara cites and discusses at length: "Anything that came into hot water before Shabbat may be soaked in hot water on Shabbat. Anything that did not come into hot water before Shabbat may be rinsed with hot water on Shabbat, except for old salted fish and the *kulias ispani*." "Anything that came into hot water before Shabbat"—according to *Rashi* and the *Rambam*, this refers to something fully cooked, cooked *kol tzorko* (completely). "May be soaked in hot water on Shabbat"—it is permitted to soak the cooked item even in a *kli rishon*.

Of course, this does not refer to a *kli rishon* standing on an open flame. Just as it is forbidden to place a pot on an open flame, because it looks like cooking or out of concern that one may stir the coals, so too it is forbidden to soak even a dry cooked item in a pot that is on the fire, since the moment one soaks it inside, it is as if he placed it on the fire.

However, if the pot was removed from the fire, or it is standing on an electric *plata* or on a fire covered with a metal sheet, it is permitted. For example, one may take cold, fully cooked pieces of meat and put them into a boiling dish to heat them. The same applies to anything cooked *kol tzorko*, such as pieces of potato or cooked rice, put into soup in a *kli rishon*, provided that the pot is not standing on the fire itself but on the counter or on the *plata*, or there is a separation between it and the fire—a pot on top of a pot, or a metal sheet covering the fire, and the like. There is indeed a dispute among the *Rishonim* about this, but almost all of them explain that "may be soaked" applies even in a *kli rishon*. Apart from *Ohr Zarua* and *Mordechai*, almost all the *Rishonim* hold that there is no *bishul achar bishul* for a dry item—although this too is not unanimous—and so it is ruled in the *Shulchan Aruch*.

Kli Rishon and Kli Sheni

A *kli rishon* is the vessel in which food is cooked. When one pours from it into another vessel, the pouring is called *iruy* from a *kli rishon*, and the vessel into which it is poured is called a *kli sheni*. The Gemara says that a *kli sheni* does not cook, and from the beginning of the Mishnah it would seemingly appear that a cooked item may be soaked in a *kli rishon*, whereas an uncooked item is forbidden in a *kli rishon* and permitted only in a *kli sheni*.

Tosafot ask: what is the difference between a *kli rishon* and a *kli sheni*? A *kli sheni* is also very hot! They explain that a *kli rishon* stood on the fire, and therefore even after it is removed from the fire its walls are hot, and when something is put into it, it cooks. Therefore it is forbidden to soak an uncooked item in a *kli rishon* even after it has been removed from the fire. This is not so with a *kli sheni*, whose walls are cold and which keeps cooling down.

Whoever studies the words of the *Rishonim* on this *sugya* carefully sees that this is the explanation. For example, a pot in which one cooked, containing food that was cooked, is placed on the counter—it immediately begins to cool. Suppose it was 100 degrees; after he took it off and it began to cool, it is 80 degrees. On the other hand, if a pot was on the fire and he poured from it into another vessel, the vessel into which it was poured is a *kli sheni*, and if we measure the temperature, we will find that in the first vessel it has already dropped to 80 degrees, while in the second vessel it is 100 degrees.

It is forbidden to put an uncooked item into the *kli rishon*; that is a Torah prohibition. There is a dispute between the *Bavli* and the *Yerushalmi*, and a lengthy discussion among the poskim, as to whether, when the vessel is no longer on the fire but is still very hot, this is *bishul de'orayta* (cooking by Torah law). The halachah is that it is considered *bishul de'orayta*, and I have already written about this at length.

In light of all this, *Tosafot* ask: is it possible that a *kli rishon* whose temperature is low is more stringent than a *kli sheni* whose temperature is very high? The answer is simple: the walls of a *kli rishon* are hot, and the walls of a *kli sheni* are cold. The proof is clear: if we take two pots, one at 80 degrees that is a *kli rishon* and the other at 100 degrees that is a *kli sheni*, and come back to them after a quarter of an hour, the *kli sheni* will have cooled much faster. The *kli rishon* will have dropped, say, from 80 to 60 degrees, while the *kli sheni* will already be at 40 degrees. The reason is that the walls of a *kli rishon*, which stood on the fire, cool slowly. Therefore, if an uncooked item is put into it, the item does not cool it very much; on the contrary, the hot dish is dominant and cooks it. A *kli sheni*, on the other hand, cools quickly, and an uncooked item put into it does not get cooked but rather cools what is in the vessel. This is how we understand the Torah-level difference between a *kli rishon* and a *kli sheni*: a *kli rishon*, as long as it is *yad soledet bo* (hot enough that the hand recoils), truly cooks, whereas a *kli sheni*, even if it is very hot, does not cook by Torah law.

The Dispute of Rabbenu Tam and Rashbam

But even this is not simple; there are *Rishonim* who hold that a *kli sheni* is forbidden *mide'rabbanan* (Rabbinically). The Mishnah says: "Anything that came into hot water before Shabbat"—a cooked item—"may be soaked in hot water on Shabbat," in a *kli rishon*. "Anything that did not come into hot water before Shabbat"—an uncooked item—"may be rinsed with hot water," meaning one pours hot water or a hot dish over it. *Tosafot* ask: what case is this, where an uncooked item may be rinsed with hot water on Shabbat? If it refers to pouring from a *kli rishon*, this depends on the dispute between *Rabbenu Tam* and *Rashbam*.

They were two brothers, grandsons of *Rashi*. *Rashbam*, the older grandson, merited to learn Torah with *Rashi* himself. *Rabbenu Tam* was a small child when *Rashi* passed away, and in his early years his brother *Rashbam* was his teacher and taught him Torah. Over time, however, *Rabbenu Tam* grew very great and was considered the greatest of the *Rishonim* among the Sages of France and the greatest of the *Ba'alei HaTosafot*. His sister's son, *Rabbenu Yitzchak HaZaken* (the Ri), is also considered one of the two principal *Ba'alei HaTosafot*. *Rashbam* too is held in very high regard among the great *Rishonim*.

There is a major dispute between *Rabbenu Tam* and *Rashbam*, which is discussed extensively in *Yoreh De'ah* in the laws of *Ta'aruvot* (mixtures). According to *Rabbenu Tam*, *iruy* from a *kli rishon* is like a *kli rishon*: just as it is forbidden to soak an uncooked item in a *kli rishon*, so too it is forbidden to pour onto it from a *kli rishon*. Therefore, a person who wants to take a tomato or a cucumber and open the tap of the urn so that boiling water pours over it—according to *Rabbenu Tam* this is absolutely forbidden, since *iruy* is like a *kli rishon*.

According to *Rashbam*, however, the law is different: the moment the water comes out of the *kli rishon* into the air, it has left it, and its status is that of a *kli sheni*. For it to be considered a *kli sheni*, it need not reach a *kli sheni* whose walls are cold and cool down there; the very fact that it

comes out of the *kli rishon* into the air already cools it slightly. In reality, if we take two pots at a full boil and pour from one into the other, we will see that within a few seconds the bubbles and the boiling stop, because the water cooled slightly as it passed through the air. Therefore *Rashbam* says that the very fact that the bubbling stops shows that this *iruy* is like a *kli sheni*.

As for the halachah, in the laws of Shabbat Maran the *Shulchan Aruch*, *siman* 318, rules explicitly that *irui* is like a *kli rishon*, following *Rabbenu Tam* and not *Rashbam*. In *siman* 253, however, we see the opposite: the *Shulchan Aruch* takes *Rashbam*'s view into account to be stringent, but does not rely on it to be lenient. In *Yoreh De'ah* as well, the *Shulchan Aruch* rules that *iruy* cooks *kedei klipah*, meaning the outer layer. Regarding Shabbat, it makes no difference how much it cooks, since any cooking at all is forbidden.

The Two Answers of Tosafot

In light of this, let us study the Mishnah according to *Rashbam* and according to *Rabbenu Tam*: "Anything that came into hot water before Shabbat may be soaked in hot water on Shabbat"—as mentioned, because there is no *bishul achar bishul*. "Anything that did not come into hot water before Shabbat"—an uncooked item, for example a cucumber—"may be rinsed with hot water on Shabbat." According to *Rashbam* this fits perfectly: one takes a *kli rishon* and pours onto an uncooked item, and there is no problem at all, since *iruy* is like a *kli sheni*, and the Gemara says clearly that a *kli sheni* does not cook.

According to *Rabbenu Tam*, however, the Mishnah does not fit so well, because according to *Rabbenu Tam iruy* is exactly like a *kli rishon*, and it is difficult: how can it be permitted to pour from a *kli rishon* onto an uncooked cucumber? *Tosafot* ask this question and give two answers. According to *Rabbenu Tam*, we must say that the Mishnah's "may be rinsed with hot water on Shabbat" refers to pouring from a *kli sheni*, that is, *iruy* from a *kli sheni*. But *Tosafot* ask: why must the Mishnah resort to *iruy* from a *kli sheni*? Soaking in a *kli sheni* itself is permitted, so all the more so it is permitted to pour onto it from a *kli sheni*!

In the first answer, *Tosafot* say that it is indeed forbidden *mide'rabbanan* to soak in a *kli sheni*, because it looks like cooking. In other words, according to *Rabbenu Tam* a *kli sheni* does not cook by Torah law, but by Rabbinic law it does. In the second answer, *Tosafot* say that even according to *Rabbenu Tam* it is permitted to soak in a *kli sheni*, since a *kli sheni* does not cook at all, except for *kalei bishul*—which we will explain below. The Mishnah said "may be rinsed" to teach that there are items for which even *iruy* from a *kli sheni* is forbidden, namely *kalei bishul*, which cook quickly. *Rashba* and *Ritva* hold like the second answer of *Tosafot*.

We see, then, that there is a major practical difference regarding soaking an uncooked item in a *kli sheni*. According to *Rashbam* it is permitted, as follows from our explanation of the Mishnah. According to *Rabbenu Tam* it depends on a dispute: according to the first answer of *Tosafot* it is forbidden to soak in a *kli sheni*, since it looks like cooking, and according to the second answer it is permitted.

Kli Sheni in the Shulchan Aruch and the Rama

There is a tremendous dispute regarding the view of Maran the *Shulchan Aruch* on a *kli sheni*. I wrote a long article on the subject, which was not printed in *Halachah Berurah*, but I also addressed the subject in *Halachah Berurah* (*Siman* 318), and I wrote that the view of the *Shulchan Aruch* is that a *kli sheni* does not cook at all. In a responsum I wrote to a certain Rav at the time, I explained the subject more extensively and proved unequivocally that according to the *Shulchan Aruch* a *kli sheni* does not cook at all.

The *Rama* (318:5), however, regarding *bishul achar afiyah* (cooking after baking), is stringent even in a *kli sheni*. From here we see that the *Rama* takes into account those who are stringent about *bishul achar bishul* in a *kli sheni*, since among the *Rishonim* there are two reasons why it is forbidden to put bread in a *kli sheni*. Therefore, in a certain way, at the very least, the *Rama* is somewhat more stringent than the *Shulchan Aruch* regarding a *kli sheni*.

Everything said until now concerns items that are not cooked at all. Cooked, dry items, as mentioned, may be soaked even in a *kli rishon*. Here we are speaking, for example, of a person who wants to heat a cucumber and eat it hot: pouring boiling water on it from a *kli rishon* is forbidden, since the halachah follows *Rabbenu Tam* that *iruy* is like a *kli rishon*, and we are stringent like his view. But soaking it in a *kli sheni*, after the water has already left the *kli rishon*, is a matter of dispute, and according to Maran the *Shulchan Aruch* it is certainly permitted.

This is the first thing everyone needs to know about the rule that a *kli sheni* does not cook: whether there is a concern that it looks like cooking, *michzei kimvashel*. This is a dispute, and most poskim hold that there is no *michzei kimvashel* with a *kli sheni*.

Defining Kalei Bishul

However, the Mishnah emphasizes that there are items that cook even in a *kli sheni*, and according to *Rabbenu Tam* it is forbidden to pour on them even from a *kli sheni*: just as *iruy* from a *kli rishon* is like a *kli rishon*, so too *iruy* from a *kli sheni* is like a *kli sheni*. The Mishnah gave two examples of *kalei bishul*: old salted fish and the *kulias ispani*. The poskim discuss this Mishnah, and it is very clear that it refers to soft, salted fish. Some say that the *kulias* is what is called herring today: a very soft fish that is salted and eaten that way, without cooking. Because of its softness it cooks even in a *kli sheni*, and that is what is called *kalei bishul*.

From here we learn that with any uncooked item one must consider whether it is *kalei bishul*. Water and oil are not considered *kalei bishul*. Onion and garlic too—even though, if they are cut and placed in a *kli sheni*, they are sharp and give off a lot of flavor—are not *kalei bishul*, and there are explicit proofs for this. Whole spices, such as black peppercorns, are not considered *kalei bishul*, but ground spices, on the other hand, may perhaps be considered *kalei bishul* because they were ground.

Mint Leaves in a Kli Sheni

My father, Maran zt"l, wrote a complete responsum in *Yechaveh Daat* on mint leaves, ruling that mint is not considered *kalei bishul*. Therefore it is permitted to put mint leaves into a cup of tea that is in a *kli sheni*, since according to the *Shulchan Aruch* a *kli sheni* does not cook, as we explained. Although the mint gives a lot of flavor to the tea, giving off flavor does not mean that it is being cooked.

Beware of Insects in Mint Leaves

Of course, this refers to mint leaves with no concern of insects, and insects are very common in mint. Today there are special insect-free mint crops from Gush Katif. Even with these, it is very important to wash the leaves well before use and to check as much as possible that they have no insects.

In the past it was not like this; the mint was full of insects. I remember that my mother a"h would take the mint leaves and put them in a certain place to dry. The Gemara says that any creature that has no bone does not live more than 6 months, and the insects, which have no bones, die within 6 months, and after another 6 months they turn into mere dust and crumble completely. Therefore my mother would leave the mint leaves to dry for a whole year, and afterward they were completely dry and could be put into salads, and the flavor remained very good. That is how mint was used in the past, since otherwise it was almost impossible.

Tea Leaves as Kalei Bishul

Accordingly, we must also discuss tea leaves, which today are put into bags. Here *Pri Megadim* introduces a novel ruling that tea leaves are called *kalei bishul* and cook even in a *kli sheni*. *Pri Megadim* lived more than 200 years ago, and they certainly drank tea then too. But the production process of tea varied from place to place: in some places they dried the tea leaves and cut them into small pieces, and in other places they roasted them in an oven.

However, regarding tea leaves one must understand that this is not coffee: nobody takes tea leaves and eats them as they are, because they are not fit to eat. This is also the conclusion of *Yechaveh Daat*, which discusses this subject, and I too brought many proofs for this in *Halachah Berurah* on *Siman* 318.

Likewise, there is no difference between roasted and unroasted tea leaves. Even if they are roasted, they are still subject to the prohibition of cooking, and one could perhaps say that it is even Torah-level cooking. After all, regarding *kalei bishul* in a *kli sheni*, the implication of the Mishnah is that it is complete Torah-level cooking, since it cooks easily: it is very soft, like the salted fish the Mishnah gives as an example, which cook very quickly. Therefore tea leaves, even if roasted, since their processing has not been completed, are not similar to coffee.

Roasted coffee, on the other hand, when mixed with sugar, some people do eat. In the past, people who set out on long journeys and wanted to avoid becoming dehydrated and thirsty would take roasted coffee and mix it—what is called Turkish coffee today. An ordinary person who

wants to eat it can tolerate it, as opposed to tea leaves—perhaps a cow would eat them... they are not fit to eat.

Accordingly, a bag containing tea leaves is not considered cooked, since it is *kalei bishul*: even if the leaves are roasted, their processing has not been completed. As for soaking it in a *kli sheni*, according to *Pri Megadim*, with whom all the *Acharonim* agree, this is called *kalei bishul*, and therefore it is forbidden in a *kli sheni*.

Tea in a Kli Shelishi

The question arises regarding a *kli shelishi* (third vessel). If we pour water from the urn into a cup and from there into a second cup, the urn is the *kli rishon*, the first cup into which we poured from the urn is considered a *kli sheni*, and the second cup is a *kli shelishi*.

Tea bags placed in a *kli shelishi* release the color of the tea quickly, whereas in cold water it would take a long time for even a little color to come out of them. Seemingly one could say that if they still give off color, they are still cooking. *Mishnah Berurah* is in doubt whether, regarding *kalei bishul*, one may be lenient with something truly hot in a *kli shelishi*, or whether it is forbidden even in a *kli shelishi*, and he discusses the subject in *Biur Halachah* (318).

As for the halachah, my father, Maran zt"l, holds that tea bags may be placed in a *kli shelishi* (*Chazon Ovadia, Shabbat*, vol. 4, p. 378; *Halichot Olam*, vol. 4, p. 50; *Yabia Omer*, vol. 7, 40:3-5 and footnote 3 in new edition; *Halachah Berurah, Bishul*, pp. 282-283). That is, a person who wants to make tea on Shabbat should pour water from the urn into a cup, transfer it to another cup, and only then put the tea bag into it. It is forbidden to put the bag into the cup and pour hot water over it, because that is *irui* from a *kli sheni* and still forbidden. One must wait, first pouring the hot water into the second cup, and only afterward putting the tea bag into it.

One may rely on this, since the very definition of tea leaves as *kalei bishul* is a novel ruling of *Pri Megadim*. I once heard this from my father, Maran zt"l. I asked him that seemingly there is no great difference, and it is still as if it is cooking, and he answered me that the very definition of tea leaves as *kalei bishul* is a *chiddush* (novel ruling), and therefore it is enough for us to be stringent like *Pri Megadim* in a *kli sheni*, but in a *kli shelishi* one may be lenient. Whoever wants to be stringent and transfer it to a third cup, which is actually a fourth vessel, will certainly be blessed, but according to the letter of the law one may be lenient even in a *kli shelishi*.

The Sale of the Birthright

Yaakov Avinu buys the birthright from Esav. Esav came in exhausted, and according to *Chazal* (*Bava Batra* 16b), on that day he had committed very ugly, terrible and dreadful deeds—murder, rape and all the evil things—and he was only 15 years old at the time. On that day Avraham Avinu passed away, and lentils are the food of mourners, so Yaakov cooked lentils: "And Yaakov cooked a stew" (*Bereshit* 25:29). Esav said: "Pour into me, please, some of this red, red stuff… therefore his name was called Edom" (*Bereshit* 25:30), and in short, he sold him the birthright.

When Yaakov offers him the lentils in exchange for the birthright, Esav replies: "Here I am, about to die, so what use is the birthright to me?" (*Bereshit* 25:32). *Chazal* say: what is the meaning of "I am about to die"? Is there *techiyat hametim* (resurrection of the dead)? No, because he also denied *techiyat hametim*. Then they make the agreement; Yaakov gave Esav bread and lentil stew, "and he ate and drank, rose up and went" (*Bereshit* 25:34).

Mekach Ta'ut (A Mistaken Sale)

Here there is a difficult question that the great commentators on the Torah discuss. There is a rule in transactions between people: if a person sold his fellow an item worth a lot of money for a pittance, by more than a *shetut* (a sixth), the sale is void. For example, a person sold for 60 shekels something worth 100 shekels, then came to the buyer and said to him: Dear sir, I made a mistake, I sold it to you too cheaply, please return the item to me. According to halachah, at more than a sixth the sale is void, and he can claim: You misled me.

Here Esav sells something of enormous value for nothing more than bread and lentil stew—not even meat... Seemingly this is a void sale! After all, the birthright is a very great thing: a firstborn takes a double portion in the inheritance, and he continues the path of Yitzchak. When Yitzchak heard that Yaakov had bought the birthright, he said: "He too shall be blessed" (*Bereshit* 27:33)—meaning, I wanted to bless the firstborn, and if Yaakov is the firstborn, the blessings are due to him. The service in the Bet HaMikdash was also supposed to be performed by the firstborn, and perhaps in the future too it will be performed by the firstborn.

Nevertheless, it is not considered a *mekach ta'ut*. The reason is that if a person sells a very valuable item in a place where people do not understand its worth, they will not pay much for it. If a person goes to the jungle in Africa and offers them diamonds, they will tell him: What will we do with diamonds? It is very pretty, lovely—keep it for yourself. They will not be willing to pay anything for it. If he brings them potatoes they will pay for them, but diamonds they do not understand; for them it is worthless.

So too when a person says: I know that in certain situations this item can be sold for a great deal of money, but right now, as far as I am concerned, I am willing to sell it for a pittance. For example, a very hungry person says: Give me something to eat, I am dying of hunger, and they answer him: A sandwich? 1,000 dollars for a sandwich. He knows that if he does not buy the sandwich for 1,000 dollars he will die of hunger, and if he has any sense and does not want to die for "*kiddush hakesef*" (sanctifying money)... he will immediately pay whatever they want, as long as he does not die of hunger.

Esav was in such a low state at that moment that, as far as he was concerned, the birthright was worth nothing: "Here I am, about to die, so what use is the birthright to me?" It is written: "And he ate and drank, rose up and went, and Esav despised the birthright." For him the birthright was worth nothing, and therefore he sold it for a pittance. It is written: "And he ate and drank, rose up and went." Why does the Torah need to tell us that he went? Obviously he did not sit there to this very day! Rather, he went because he was sure he was making such a good deal, and he was afraid Yaakov would change his mind. Therefore, as soon as he finished eating, he got up and left, so that Yaakov would not have time to change his mind—to that extent.

A Thing's Value Depends on How We Regard It

From here we see something interesting: the value of a thing is measured by our attitude toward it. If we regard it as important and value it, its worth increases, and if we do not regard it as important, its value drops. From here we understand the attitude we must have toward the mitzvot and the holy Torah.

The *Chafetz Chayim* writes that a person who did not learn much Torah, but only a little, when he reaches the World to Come and sees what enormous reward he receives for the Torah he learned, will not rejoice; rather, he will weep and be very distressed. He will say: Such great reward is given for this, and I treated it lightly and did not learn much Torah?! How could that be?!

We have a problem in that we do not sufficiently understand the greatness of the reward of those who learn Torah, the great stature of a yeshiva student who sits and learns day and night. Today all kinds of new ideologies are being created, and one must know that the most important ideology is to sit and learn Torah. There is nothing more important than this, and it also protects Am Yisrael. This is our existence—our existence is the Torah.

Chazon Ish writes in his letters about a person who merits knowledge of Torah, to sit and engage in it, that he walks among people and looks like a human being, but in truth he is an angel, dwelling among mortals and living a life of exaltedness, elevated above all praise. The more we value Torah study, the more our reward will be doubled from *Hashem Yitbarach*. May we merit to learn and to teach, to observe and to fulfill. Amen, *ken yehi ratzon*.

I bless the entire public present here and all those listening on Radio "Kol Berama" and through all other media: may you be successful and prosper in all your endeavors, and may you merit to raise your children in Torah and fear of Heaven, with good health and length of days and years. Amen, *ken yehi ratzon*.