

**והיתה לו ולזרעו אחריו ברית כהונת עולם וכו'
"and it shall be for him and his descendants a covenant of Kehuna
forever"**

In last week's Parsha the Torah relates how Pinchas killed Zimri in zealous retaliation for his terrible sin. Our Parsha commences, that as a reward for Pinchas' courageous act of Kiddush Hashem, he will receive the gift of Kehuna - him and his children for generations. However, not only did Pinchas and his descendants receive the same status as Aharon and his sons, he also added another facet to the laws of all Kohanim in general. Targum Yonasan tells us that because of his great act, Pinchas and all Kohanim received the rights to the זרוע לחיים וקיבה (the forearm, jaw, and stomach) of every animal that is slaughtered. Each of these three items symbolize a specific aspect of Pinchas' great act. He explains, that the forearm is to symbolize that which Pinchas grabbed with his arm a spear to kill Zimri, the stomach is to symbolize the location where he stabbed Zimri (his lower abdomen), and the jaw to symbolize the fact that he davened for Klal Yisrael (with his mouth). This is also mentioned in the Gemara (חולין קלד). Through his great act of Kidush Hashem he merited reward for himself, his descendants, the Kohanim, and all of Klal Yisrael with another Mitzva of זרוע לחיים וקיבה.¹

I. Some of the details of this Mitzva are as follows:

- 1) Every Yisrael (not a Kohen or a Levi) that slaughters a domesticated animal (i.e. cow, sheep or goat), must give the זרוע לחיים וקיבה to a Kohen².
- 2) The זרוע לחיים וקיבה are defined as the right forearm of the animal, beginning from the shoulder joint until the lower knee, the entire jaw (upper and lower) including the tongue, and the lower stomach³.
- 3) The obligation of giving the זרוע לחיים וקיבה is upon the Shochet, not the owner. Therefore for example, in a slaughterhouse owned by a company, the Shochet is the one responsible to fulfill this obligation and not the company⁴.
- 4) A Kohen (or Levi) that slaughters, is not required to give זרוע לחיים וקיבה. However, if he is slaughtering for a Yisrael or for business, he is required to give to another Kohen⁵.
- 5) The זרוע לחיים וקיבה may be given to a woman who is the daughter of a Kohen even if she is married to a Yisrael, and may even be given to her husband. In fact, the Gemoro brings many examples of Amoraim who ate זרוע לחיים וקיבה utilizing the rights of their wives⁶. This is in contrast to Trumah and Pidyon Haben, which may only be given to the Kohen himself⁷. There is a Machlokes Haposkim if the husband needs permission in these circumstances from his wife⁸.

¹ וע' בהגהות מהר"א אזולאי על הלבוש (ס"א) שכתב עוד טעם דהם הראשים והמובחרים שבחלקים ע"ש לענין פטור של לוי יש ספק בגמ' ומש"ה פטור דהמע"ה והפוסקים דנו לענין תפיסה אי מהני או לא, ואכמ"ל וע' בשו"ת מנחת שלמה ח"ב ס"ד אות ד' שמסופק בבהמה איטר יד אם נותן של ימין או לא.

² וע' לקמן לענין גזל השבט

³ ונחלקו בזה רש"י ותוס' עם חייב בכה"ג מדאורייתא או מדרבנן, ע' חולין קלב ובר"ן שם

⁴ חולין קל"ב ע"א

⁵ ע' תוס' קידושין ח' ע"א שנסתפק בזה, וע' יו"ד ס' ש"ה בפ"ת בשם תשו' חת"ס דבשעת הדחק יכול ליתן לאשתו, אמנם ברא"ש ובחינוך פסקו דאינו יכול וכן עמא דבר.

⁶ ע' פר"ח ובערוה"ש

⁷ ע' פר"ח ובערוה"ש

6) The זרוע לחיים וקיבה themselves do not have Kedusha, and once the Kohen has received them, he may do with them as he wishes. However, the Gemara says that the befitting way to eat the Matonos is "roasted with mustard", in other words, it should be prepared as a delicacy. In this way, the Kohen shows that this meat was given to him as a royal gift from Hashem and should be served as such⁹.

II. The Rishonim argue as to whether this Mitzva applies only in Eretz Yisrael, or even in Chutz Laaretz. Most are of the opinion that it applies all over¹⁰. However, Rashi asserts that this Mitzva applies only in Eretz Yisrael¹¹. The Sefer Hachinuch (מצוה תקו) says that this Mitzva applies all over, although the majority of butchers do not do so, and "וקי ה' יחליפו כח - we do not have the strength to force them". In other words, the minhag in his time was not to give זרוע לחיים וקיבה in Chutz Laaretz, however were he able, the Chinuch would have forced them.

The Shulchan Aruch (יו"ד ס' ס"א) rules like Rashi that only in Eretz Yisrael must one give the זרוע לחיים וקיבה, and that such is the minhag. However he makes reference to the opinion of the Chinuch as well.

The Chasam Sofer (חולין קלו) writes that this whole discussion is only applicable if one assumes that זרוע לחיים וקיבה are simply another one of the 24 priestly gifts that are meant to support the Kohanim who would otherwise have no livelihood being preoccupied with the Avodas Hakohanim. Hence, it should only apply in Eretz Yisrael and only during the time when the Beis Hamikdash stood. However, if the זרוע לחיים וקיבה are a special reward for Pinchas, as we explained, then it would apply everywhere, being that it is not connected at all with the Avodah of the Kohanim¹².

It is also interesting to note, that R' Yaakov of M'reish (one of the Rishonim) in sefer שו"ת מן השמים ("Responsa from Heaven" a compilation of answers that he received from Shomayim to his questions) asked what is the halacha regarding giving זרוע לחיים וקיבה in Chutz Laaretz. He was answered that it is an obligation all over, and those who do not give are committing a grave sin¹³.

R' Yonasan Eibeshitz writes, that it is a great wonderment on those who are careful with all other mitzvos, and with this mitzva they are lax, when most of the Poskim hold it is an obligation even in Chutz Laaretz. He proceeds to tell, how his son-in-law fulfilled this mitzva by giving the זרוע לחיים וקיבה to his father-in-law, since his mother-in-law was a Bas Kohen (see above)¹⁴. Similarly, the Aruch Hashulchan (שם) writes how he recalls from his childhood a certain Gadol who used to distribute זרוע לחיים וקיבה before Yom Tov. He concludes that it is certainly a great Mitzva that may be done even in Chutz Laaretz, ואשרי אנוש יעשה זאת. The Chida also writes of Gedolim in Eretz Yisrael who would specifically purchase goats to fulfill this Mitzva¹⁵.

Even Rashi himself, who Paskens that nowadays the minhag is to only give זרוע לחיים וקיבה in Eretz Yisrael, says that one who is careful with this mitzva in Chutz Laaretz as well, will receive many blessings¹⁶.

⁹ע' חולין קלב: ובתוס' וראשונים שם ויש שכתבו דאם לא איכפת ל' מצוה דוקא צלי בחרדל ע"ש. וכ"פ בשו"ע ס' י"ב
¹⁰רמב"ם הל' ביכורים פ"ט ה"א, רי"ף, רמב"ן, ר"ן, תשב"ץ קטן ס' שפ"ז בשם מהר"ם, וכן דעת המרדכי ס' תשל"ה בשם רבינו

האי גאון, האגודה, הראב"ד בכפתור ופרח פרק ט"ז, והב"י באב"ק ר"כ ס"א
¹¹וכ"כ התוס' שם דף קלו: ד"ה כרבי אלעאי, דס"ל דהא דקאמר ר"א דראשית הגז נוהג רק בארץ ה"ה כל מתנות כהונה וכ"כ
רש"י בשבת י' ע"א ע"ש. ושיטת הרשב"א, בתורת הבית בית ג' סוף שער ג', הוא דגם נוהגת במקומות הסמוכים לא"י כגון מצרים
ובבל ע"ש וכ"כ בשו"ת ח"ג ס' שמ"ו. וכ"פ המאירי והריטב"א

¹²וכעין זה כתב ג"כ בתשובות והנהגות ח"ג שמ"ו. ולכאורה יש לדון בדבריהם ע"פ מה דאיתא בחולין קל: דנותנים מתנו"כ בשביל
שילמדו הכהנים תורה, ע' דברי הימים ב' (ל"א ד') וכ"כ הלבוש, וא"כ לכאורה שייכי גם בזה"ז, ויל"ע בזה

¹³שו"ת מן השמים ס' ע"ג מכת"י
¹⁴כרתי ופולתי ס' ס"א

¹⁵מחזיק ברכה ס' ס"א י"ט. בענין אם יכול לקיים ע"י שליח ע' כרו"פ ס"ק ו' ובמחזיק ברכה ס' כ"ה, ויסודם הוא מתוס' נזיר י"ב
בענין חלה ואכמ"ל

¹⁶ע' ספר הפרדס בתשובה, וכן בהגהות אשר"י חולין פ"י ס"ו בשם האו"ז שהמחמיר תבא עליו ברכה

However, the minhag nowadays in Chutz Laaretz is not to give זרוע לחיים וקיבה to Kohanim, in accordance with the psak of the Mechaber¹⁷. Furthermore, since the obligation of giving זרוע לחיים וקיבה is on the Shochet, there is no reason to avoid eating these parts of the animal (such as the tongue etc.) even for someone who wants to be Machmir.¹⁸

In Eretz Yisrael itself, the Shulchan Aruch paskens that there is an obligation to give זרוע לחיים וקיבה. (וכ"פ) However, the earlier Acharonim argue as to whether the minhag was to give or not¹⁹.

Nowadays in Eretz Yisrael, Matonos are not usually given, since (for practical reasons), the livestock is owned by Non-Jews until after the Shechita²⁰.

III. Bracha

The question of whether to make a bracha on this mitzva is essentially divided into two parts - the הפרשה (separation of the parts for the Kohen) and the נתינה (giving them to the Kohen).

As far as making a bracha when separating the parts, the concensus of the Poskim is not to make a bracha. This is because the parts themselves do not have Kedusha as we explained, and therefore the separation is not changing the status of the rest of the animal in any way²¹. However, some Poskim say to make a bracha anyway²².

When giving the parts to the Kohen one also does not make a Bracha since the Kohen has a divine right to them, and the Yisrael is not giving anything from his own²³. However, the Vilna Gaon made a bracha when giving זרוע לחיים וקיבה as well as a שהחיינו²⁴.

IV. Most people do not get a chance to fulfill this Mitzva. However it is important to understand the great lesson that this Mitzva teaches us. Pinchas acting on his own to defend the principles of the Torah, brought reward and honor to himself and his descendants, and from then on Klal Yisrael received the Zchus of another Mitzva D'oraysah to keep and cherish forever. We must learn from here the great effect (both for good and Chas Vshalom the opposite) the action of one individual can have on himself, his family and all of Klal Yisrael. The potential is limitless.

Good Shabbos.

מאיר הלוי הלמן
פעיה"ק תובב"א

¹⁷ כך שמעתי ממומחה

¹⁸ כך אמר לי הגרש"ק שליט"א. וע' בתשובות והנהגות הנ"ל שדן בזה לענין גזל השבט

¹⁹ ע' בס' בית הלל שם ובפר"ח שהשיג עליו. וע"ע במחזיק ברכה שם

²⁰ כך שמעתי ממומחה בא"י

²¹ רמב"ן ספה"מ שורש י"ב ופרמ"ג משב"ז ס"ק ז' שחולק על שיטת הדמשק אליעזר, וכ"כ החכמ"א בשער משפטי הארץ פ"ח

ה"ט

²² דמשק אליעזר הנ"ל, וע' רוקח ס' שס"ו שהובא ביד אפרים

²³ כ"כ הרשב"א בשו"ת ח"א ס' י"ח דמשלחן גבוה קזכ"י

²⁴ כך העיד בפאת השלחן בסוף הל' א"י, ובטעמא דמילתא כתב דמשמע מהרשב"א בחידושו דמתנות ממון בעלים הם ומש"כ

הגר"א בביאורו אינו סוף דעתו בדבר ע"ש. וכן הובא במעשה רב. וע' יד אפרים על שו"ע ס' ס"א. אמנם הפר"ח שם והחכמ"א הנ"ל פסקו שלא לברך. וע' שו"ת להורות נתן ח"ב ס' נ"ה