

# Toras Aish

## Thoughts From Across the Torah Spectrum

**RABBI SHLOMO RISKIN**

### Shabbat Shalom

“**A**nd G-d spoke unto Moses saying: Speak unto Aaron and to his sons, that they separate themselves from the holy things of the children of Israel which they sacrifice unto me so that they profane not My holy name, I am G-d!” [Lev. 22:1-2]

The theme of the priesthood, explored in our portion of Emor, is further amplified in the Haftarah, where we read, "And they [the priests] shall teach My people the difference between the holy and the common, and cause them to discern between the ritually impure and the ritually pure. And in a controversy they shall stand to judge...and they shall hallow my Sabbaths." [Ezekiel 44:23-24] The priests were obviously the religious leaders of the Israelites. However, there are a number of problematic issues regarding their office, status and function. First, one of the great mysteries in the Torah concern the laws of the Red Heifer, whereby the priest is commanded to conduct a complex ritual so that a person defiled by contact with the dead is returned to a state of purity [Numbers 19]. At the same time, the dutiful priest discovers that while facilitating the impure person's return to purity, he himself has become impure. Is it not strange that the very individual who purifies the impure must himself become impure in the process. Why?

A further difficulty concerning the priesthood emerges from the Torah's commandment not to give the Levite tribe, which includes all priests, an ancestral share in the land. Their housing problem was solved by transferring 42 cities from the other tribes' inheritance to the Levites and priests; these cities, as well as six additional "cities of refuge" described in the Torah (Numbers 35) as such, were all islands of protection for anyone who killed accidentally, the fear of revenge by blood relatives of the victim forcing the 'killer' to flee for his life. Inside these 48 cities, the accidental killer could receive asylum, starting his life all over again without the fear that one of the victim's relatives would kill him. (Maimonides, Laws of the Murderer, 8,9).

This issue of Toras Aish is dedicated in honor of  
my new parents  
**Akiva and Nataly Weiss**  
by their son... (I'll let you know my name at the bris!)  
MAZEL TOV!

We have to remember that all sorts of unsavory types fit into the category of the accidental killer; even someone who intended to murder X and ended up murdering Y, or someone who merely intended to maim significantly but not to murder, was called an accidental killer (shogeg), and had a right to seek asylum. Such individuals may not warrant the death penalty in a Jewish Court of Law, but they certainly cannot be counted among the elite of serious Jewry.

Is it not strange that the Torah commands the priestly class, whom I would have imagined to be located as near to the Holy Temple as possible, to have their lives intertwined with such trigger-happy criminals and lowlifes? Finally, the Kohen- Priest ascends the 'bimah' to ask the Almighty to bless the Israelites with the words: "Blessed art Thou... who has sanctified us with the Sanctity of Aaron and has commanded us to bless His nation Israel with love." Do we have another instance in our laws of benedictions wherein the individual bestowing the blessing must do so with love? What does this signify?

In order to begin to understand the true role of Jewish leadership, we must remember that Abraham was not the first person after Noah to devote himself to G-d. Noah's son, Shem - who according to the Midrash was not only born nine generations before Abraham but lived forty years after the first patriarch died - really qualified for this preeminent position. According to the Midrash, it was he, together with his son Ever, who established the first yeshiva in history. When Rebecca, Abraham's daughter-in-law, felt unwell in her pregnancy, she "inquired of the Lord" (Gen. 25:22); Rashi explains that she sought the spiritual advice not of Abraham but rather of Shem. Several verses later, after she gives birth to twins, Jacob the younger son is described as "dwelling in tents." (25:27) Again Rashi tells us that these are the tents of Torah, the tent of Shem and the tent of Ever, for which Jacob, left his father's and grandfather's home to study Torah for fourteen years. And Rashi explains that the guests of honor "at the great feast Abraham made on the day that Isaac was weaned," (Gen. 21:8) were "...the greatest of the generation (gedolai hador): Shem and Ever and Elimelech." But if this is true, why does the historic chain of the Jewish people begin with Abraham and not with Shem and Ever who preceded Abraham by ten and seven generations respectively?

This question is raised by the Raavad (1125-1198) on his gloss to Maimonides' Laws of Idolatry,

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when the "Great Eagle" describes how even "... their (Gentile) wise men... also thought that there was no other G-d but the stars and spheres. But the Creator of the universe was known to none, and recognized by none save a few solitary individuals, such as Enosh, Methusaleh, Noah, Shem and Ever. The world moved on in this fashion until that pillar of the world, the patriarch Abraham was born..." Our first patriarch"...would travel and cry out and gather the people from city to city and kingdom to kingdom until he arrived in the land of Canaan, where Abraham proclaimed his message, 'And he called there on the name of the Lord, G-d of the universe' " [Gen. 21:33]. And Maimonides details how people flocked to Abraham, who would then instruct them about the true path. (Laws of Idolatry,1,2).

But where, asks the Raavad, is Shem in all of this? "If Shem and Ever were there (and we know as we've pointed out earlier that they were the leading Sages, the gedolim) why didn't they protest this idolatry?"

The Kesef Mishnah (Rabbi Yosef Caro) offers an answer to this question: "Abraham would call out and announce [to all the peoples] belief in the unity of G-d. Shem and Ever taught the path of G-d (only) to their students. They did not awaken and announce the way Abraham did, and that's why Abraham's greatness increased."

Said simply, Shem and Ever were Torah giants, but they were deeply involved only in the spiritual progress of their students, the intellectual and religious elite. Abraham on the other hand, understood that the mitzvah 'V'ahavta et HaShem Elokecha' (And you shall love the Lord your G-d) means that one must make G-d, the G-d of righteousness, compassion and peace, beloved by all humankind; this requires going out and traveling and teaching the masses in a Chabad- B'nai Akiva - NCSY-like fashion. Indeed, this is what Abraham did, succeeding on an unprecedented scale. Only an Abraham could have been chosen by G-d as the first Jew.

This element of the Abrahamic personality was codified by the Torah into the priesthood. The priest-Kohanim first and foremost had to love every single Jew - had to call upon G-d to bless the Jews in a loving fashion and had to demonstrate their love by living with the dreags of Jewish society in the Cities of Refuge. The

Kohen-priest had to love his fellow Jews so much that he would gladly be willing to defile himself so that another Jew could become pure! This is the secret of the mystery of the red heifer! © 2009 *Ohr Torah Institutions & Rabbi S. Riskin*

**RABBI KALMAN PACKOUZ**

## Shabbat Shalom Weekly

**T**he Torah states: "And the Almighty spoke to Moshe saying, speak to the Children of Israel saying, 'On the fifteenth day of the seventh month (counting from the Jewish month of Nissan-when we went out of Egypt) is the Festival of Tabernacles (Sukkot), seven days dedicate to the Almighty" (Leviticus 23:33-34).

Rosh Hashanah in Torah law is only one day (Rabbinical law renders it two days) and Yom Kippur is only one day. However, Sukkot is seven days. What lesson for life do we learn from the increased number of days in which we celebrate Sukkot?

Rabbi Samson Raphael Hirsch elucidates: Rosh Hashanah is a day of shaking us out of ways of life displeasing to the Almighty. Yom Kippur is a day of fasting and awareness of our faults and mistakes. Sukkot, however, sets us up afresh in living to achieve the highest earthly possession: joy and happiness before the Almighty. There is only one day for the mood of Rosh Hashanah, and only one day for the fasting of atonement, but seven days, a whole cycle of days, for the joyful building of our huts, and for enjoying our possessions before the Almighty.

This is the essence of what the Torah teaches us: the normal mood of one's life should not be a bowed down, broken feeling, but rather it should be one of joy. Appreciating personal growth, perfection of character and fulfilling one's responsibilities can enhance one's joy in life. *based on Growth Through Torah by Rabbi Zelig Pliskin © 2009 Rabbi K. Packouz and aish.com*

**RABBI JONATHAN SACKS**

## Covenant & Conversation

**T**his week's sedra outlines the festivals that give rhythm and structure to the Jewish year. Examining them carefully, however, we see that Sukkot is unusual, unique. One detail which had a significant influence on Jewish liturgy appears later on in the book of Deuteronomy: "Be joyful at your Feast... For seven days celebrate the Feast to the Lord your G-d at the place the Lord will choose. For the Lord your G-d will bless you in all your harvest and in all the work of your hands, and your joy will be complete." (Dt. 16: 14-15)

Speaking of the three pilgrimage festivals- Pesach, Shavuot and Sukkot-Deuteronomy speaks of 'joy'. But it does not do so equally. In the context of Pesach, it makes no reference to joy; in that of Shavuot, it speaks of it once; in Sukkot, as we see from the above quotation, it speaks of it twice. Is this significant?

If so, how? (It was this double reference that gave Sukkot its alternative name in Jewish tradition: zeman simhatenu, 'the season of our joy'.)

The second strange feature appears in our sedra. Uniquely, Sukkot is associated with two mitzvot, not one. The first: "Beginning with the fifteenth day of the seventh month, after you have gathered the crops of the land, celebrate the festival to the Lord for seven days... On the first day you are to take choice fruit from the trees, and palm fronds, leafy branches and willows of the brook, and rejoice before the Lord your G-d for seven days." (Lev. 23: 39-40) This is a reference to the arba minim, the 'four kinds'-palm branch, citron, myrtle and willow leaves-taken and waved on Sukkot. The second command is quite different: "Live in booths for seven days: All native-born Israelites are to live in booths, so your descendants will know that I made the Israelites live in booths when I brought them out of Egypt. I am the Lord your G-d." (Lev. 23: 42-43) This is the command to leave our house and live in the temporary dwelling that gives Sukkot its name: the festival of Tabernacles, booths, huts, an annual reminder of portable homes in which the Israelites lived during their journey through the wilderness. No other festival has this dual symbolism. Not only are the 'four kinds' and the tabernacle different in character: they are even seemingly opposed to one another. The 'four kinds' and the rituals associated with them are about rain. They were, says Maimonides (Guide for the Perplexed, III: 43), the most readily available products of the land of Israel, reminders of the fertility of the land. By contrast, the command to live for seven days in booths, with only leaves for a roof, presupposes the absence of rain. If it rains on Sukkot we are exempt from the command (for as long as the rain lasts, and providing it is sufficiently strong to spoil food on the table).

The difference goes deeper. On the one hand, Sukkot is the most universalistic of all festivals. The prophet Zekhariah foresees the day when it will be celebrated by all humanity: "The Lord will be king over the whole earth. On that day the Lord will be one, and His name the only name... Then the survivors from all the nations that have attacked Jerusalem will go up year after year to worship the King, the Lord Almighty, and to celebrate the Feast of Tabernacles. If any of the peoples of the earth do not go up to Jerusalem to worship the King, the Lord Almighty, they will have no rain. If the Egyptian people do not go up and take part, they will have no rain." (Zekhariah 14: 9, 16-17)

The sages interpreted the fact that seventy bulls were sacrificed in the course of the festival (Numbers 29: 12-34) to refer to the seventy nations (the traditional number of civilizations). Following the cues in Zekhariah, they said that 'On the festival [of Sukkot], the world is judged in the matter of rain' (Mishnah, Rosh Hashanah 1: 2). Sukkot is about the universal need for rain. At the same time, however, it is the most

particularist of festivals. When we sit in the Sukkah we recall Jewish history-not just the forty years of wandering in the wilderness, but also the entire experience of exile. The Sukkah is defined as a 'temporary dwelling' (dirat arai). It is the most powerful symbol of Jewish history. No other nation could see its home not as a castle, a fortress or a triumphal arch, but as a fragile tabernacle. No other nation was born, not in its land, but in the desert. Far from being universalist, Sukkot is intensely particularistic, the festival of a people like no other, whose only protection was its faith in the sheltering wings of the Divine presence. It is almost as if Sukkot were two festivals, not one.

It is. Although all the festivals are listed together, they in fact represent two quite different cycles. The first is the cycle of Pesach, Shavuot and Sukkot. These tell the unique story of Jewish identity and history: the exodus (Pesach), the revelation at Mount Sinai (Shavuot), and the journey through the wilderness (Sukkot). Celebrating them, we re-enact the key moments of Jewish memory. We celebrate what it is to be a Jew.

There is, however, a second cycle-the festivals of the seventh month: Rosh Hashanah, Yom Kippur and Sukkot. Rosh Hashanah and Yom Kippur are not only about Jews and Judaism. They are about G-d and humanity as a whole. The language of the prayers is different. We say: 'Instill your awe upon all Your works, and fear of You on all that You have created.' The entire liturgy is strikingly universalist. The 'Days of Awe' are about the sovereignty of G-d over all humankind. On them, we reflect on the human, not just the Jewish, condition.

The two cycles reflect the dual aspect of G-d: as creator, and as redeemer. As creator, G-d is universal. We are all in G-d's image, formed in His likeness. We share a covenant of human solidarity (the Noahide covenant). We are fellow citizens of the world G-d made and entrusted to our care. As redeemer, however, G-d is particular. Whatever His relationship to other nations (and He has a relationship with other nations: so Amos and Isaiah insist), Jews know Him through His saving acts in Israel's history: exodus, revelation and the journey to the Promised Land.

No sooner have we identified the two cycles than we see what makes Sukkot unique. It is the only festival belonging to both. It is part of the cycle of Jewish history (Pesach-Shavuot-Sukkot), and part of the sequence of the seventh month (Rosh Hashanah-Yom Kippur-Sukkot). Hence the double joy.

The 'four kinds' represent the universality of the festival. They symbolize nature, rain, the cycle of the seasons-things common to all humanity. The Sukkah / tabernacle represents the singular character of Jewish history, the experience of exile and homecoming, the long journey across the wilderness of time.

In a way not shared by any other festival, Sukkot celebrates the dual nature of Jewish faith: the

universality of G-d and the particularity of Jewish existence. We all need rain; we are all part of nature; we are all dependent on the complex ecology of the created world. Hence the 'four kinds'. But each nation, civilization, religion is different. As Jews we are heirs to a history unlike that of any other people: small, vulnerable, suffering exile after exile, yet surviving. Hence the Sukkah.

Humanity is formed out of our commonalities and differences. As I once put it: If we were completely different, we could not communicate. If we were all the same, we would have nothing to say. Sukkot brings both together: our uniqueness as a people, and our participation in the universal fate of mankind. © 2009 Rabbi J. Sacks & torah.org

#### **RABBI DOV KRAMER**

### **Taking a Closer Look**

**P**arashas Emor begins with instructions for the kohanim, the priestly class, including the prohibition against becoming "tamay" (ritually impure) and restrictions on whom they can marry. Even though most of the time the plural form is used (i.e. "speak to the kohanim," Vayikra 21:1, and "they shall be holy," 21:6; also see 21:5), sometimes the singular form is used instead. The commentators explain why this change was made by ritual impurity, with the Ramban and the Or Hachayim suggesting that it teaches us that this prohibition applies all the time, not just when it is time to perform the service. Other prohibitions (such as drinking wine) only apply when doing the "avodah" (or other priestly roles); we therefore have to be taught that the prohibition against becoming "tamay" always applies.

However, this explanation can not easily be applied to the change from plural to singular form by marriage, as he would be married to her whether it was his turn to perform the service or not. The switch to singular is even more pronounced there, as first the Torah says, "they" cannot marry a woman who was previously a harlot, or who was disqualified from the kehunah because of other relations (such as if her father was a kohain and her mother was someone he was not allowed to marry) or who is a divorcee, then tells us that the reason a kohain cannot marry such a woman is because "he" is holy (21:6).

The Or Hachayim provides other explanations as to why the singular form was used by "tumah," including the need to teach us that it applies to each and every kohain even when there are plenty of other kohanim available to do the service. This explanation can be applied to marriage as well, with the Torah trying to preclude the notion that a kohain can secede from his status as a kohain if he wants to marry someone prohibited to a kohain. By telling us that each and every kohain is "holy," the Torah is telling us that none of them are allowed to turn their backs on their kehunah.

[The Or Hachayim himself (21:8) suggests that the singular form refers to the requirement for the public (through the Jewish courts) to force him to divorce a woman he was not allowed to marry, even if there are other kohanim to perform the service.]

The Chasam Sofer suggests that the singular form is used specifically for the last of the three categories of women prohibited to a kohain, with the "he" referring not to the kohain, but to the ex-husband of the person he wants to marry. A Kohain is not allowed to marry a divorcee because the reason her first husband divorced her may have been "because he is holy," and she was holding him back in his spiritual growth (or was otherwise inappropriate for him because of his being holy). Therefore, since this woman was inappropriate for someone who was (or was trying to be) holy, she is not appropriate for kohanim either (since they are holy). Along similar lines, it can be suggested that since each and every kohain is holy, divorcees are prohibited to all kohanim. For even though there are many marriages that break up for reasons other than the wife being inappropriate for someone holy, since there are some that do (and it seems that in previous generations this was a primary reason for divorcing someone, with one opinion being that it is the only reason one can get divorced, see Gittin 90a; see also Rashi on Devarim 24:1), the Torah was making sure that no kohain married someone inappropriate for him. "They," i.e. all kohanim, "shall not marry a divorcee, because he," i.e. the individual kohain who wants to marry a divorcee that will hold him back from being who he is supposed to be, "is holy to his G-d," and each and every kohain is important and necessary.

Last week I discussed some possible reasons why the plural "you shall not steal" is more relevant to stealing something of monetary value and the singular "you shall not steal" is more closely aligned with kidnapping. One of the possibilities I suggested was that a group of thieves can steal enough for each to take home the minimal amount and therefore be considered a thief in their own right, whereas kidnapping cannot be attributed to more than one person, negating the possibility of using the plural form by kidnapping. Subsequently, I saw that the Panim Yafos (the Hafla'ah) says the same thing; baruch shekivanti.

By the same token, I also came across a piece by Rav Shimon Shkop (Bava Metzia 9:4) suggesting that the Torah treats theft differently than other actions. The concept of "shelichus" usually does not apply to sinning, and only the one who does the sinful act is held responsible, not the person who asked him to do it. However, since the Torah wanted to hold all involved in a theft responsible (including partners working together, even if only one of them actually "stole" the object), it is considered as if both had stolen it. How would this

translate to kidnapping? If the Torah also wanted to hold all involved in a kidnapping responsible (perhaps requiring all of them to "buy back" the victim from the person he was sold to), the plural form would be just as appropriate by kidnapping as by other theft. If, on the other hand, it was only for the monetary compensation (such as paying back twice the value of what was stolen) that the Torah wanted all involved to be considered thieves, and a kidnapping victim cannot really be considered "stolen" (as he is still in his own possession, even if unable to escape), we have an additional reason why the plural form applies more to theft of property than to kidnapping.

The Panim Yafos also discusses whether the Talmudic debate about stealing back what was stolen is relevant to the plural form by theft, concluding that if stealing it back was considered theft we could not impose an oath of not owing money on anyone we suspect might really owe the money. After all, wouldn't someone who denies owing money he really owes also swear falsely? Well, if he thinks that the plaintiff really owes him the money, he will take it (back) and claim that he didn't, but will not swear falsely that he didn't take it. If stealing money back is considered theft, the Panim Yafos continues, he would still be considered a thief, and we would not allow him to swear.

Nevertheless, this may not be so. First of all, just because he is technically considered a "thief" doesn't mean he would swear falsely, just as someone who denies owing money in order to stall for time (intending to pay it back when he is able to) will not swear falsely. Additionally, if my suggestion last week, based on Rabbeinu Bachye, that the Torah changed from plural to singular in order to indicate that different types of theft are being implied, with the choice of which one was used where not needing to be based on a Biblical law, one who steals back what was stolen from him may not really be considered a thief (so can make an oath); Chazal only forbade him from doing so in order that he not be considered a thief by anyone seeing him take something from someone else's possession. © 2009 Rabbi D. Kramer

#### RABBI DOVID SIEGEL

### Haftorah

This week's haftorah gives us a glimpse into the kohanim's status during Moshiach's times. The prophet Yechezkel begins by directing our attention to the specific regulations of the kohanim's garb. He then refers to their restriction from wine and shaving and mentions their prohibition from marrying certain women. This list seems to be, at first glance, a total repetition of the details of our parsha. Yet, a more careful analysis reveals to us something shocking about the elevated status of the ordinary kohain of Mashiach's times. His restrictions and regulations are similar to those of the Kohain Gadol mentioned in this week's

parsha. This suggests that the ordinary kohain's spiritual status will be likened to that of the Kohain Gadol. Evidently, the Jewish people's status will be so elevated that the ordinary kohain will assume levels of sanctity tantamount to the most sanctified person of earlier times.

The prophet Yechezkel conveys this message by drawing our focus to the priestly garb during their service. It will be exclusively linen rather than the customary complex woolen and golden material of earlier times. In addition, the kohanim will be forbidden to wear their garb outside the Bais Hamikdash thereby limiting all mundane association with the garb. Their hair length will be regulated and limited to that of the Kohain Gadol of earlier times- not too long, not too short. They will even be forbidden to marry widows thus limiting their marriage to virgins. (see comments of Radak, Abravenel and Malbim to these respective passages) All of these regulations run parallel lines with those of the earlier Kohain Gadol. In fact, some of them were previously prescribed for the Kohain Gadol during his elevated Yom Kippur service. We conclude from this that the daily Temple service of Mashiach's times will assume higher levels of devotion than ever and resemble, on some level, the Yom Kippur service of earlier generations. The earlier experience of the Kohain Gadol on the holiest of all days in the holiest of all places will eventually become part of the daily service of Mashiach's times!

In order to digest this overwhelming development let us study the inner workings of the Kohain Gadol. In this week's parsha, the Torah gives us the reason for the Kohain Gadol's elevated status. After listing all his specific regulations the Torah states "And he should not leave the Mikdash and not profane the sanctity of Hashem because the crown of Hashem is upon his head." (Vayikra 21:12) Sefer HaChinuch (in Mitzva 270) elaborates upon the concept of "the crown of Hashem". He cites the opinion of the Rambam (in Hilchos Klei Hamikdash 5:7) that the Kohain Gadol was confined to the Bais Hamikdash area throughout his entire day of service. In addition, Rambam teaches us that the Kohain Gadol was forbidden to leave the holy city of Yerushalayim during nightly hours. This produced an incredible focus on Hashem and His service yielding the supreme sanctity of the Kohain Gadol. Sefer HaChinuch profoundly states, "Although the Kohain Gadol was human he was designated to be Holy of Holies. His soul ranked amongst the angels constantly cleaving to Hashem thus detaching the Kohain Gadol from all mundane interests and concerns." (ad loc) Sefer HaChinuch understands the Kohain Gadol's elevated sanctity as a product of his total immersion in the service of Hashem. His surroundings of total sanctity together with his constant focus on Hashem and His service produced the holiest man on earth. His elevated life-style was restricted to one of total sanctity

because his total interest and focus were devoted to purity and sanctity.

We can now appreciate the sanctity of the ordinary kohain of Mashiach's times and its message for us. First, a word about the general status of the Jewish people during that era. The prophet Yeshaya refers to this illustrious time in the following terms, "And the land will be filled with the knowledge of Hashem likened to the water that fills the sea." (Yeshaya 11:9) Rambam elaborates upon this and states, "And in this time there will be no jealousy or quarreling... the preoccupation of all will be 'to know Hashem'...the Jewish people will be great scholars who will understand Hashem to maximum human capacity." (Hilchos M'lochim 12:5) In essence, the entire Jewish nation will be absorbed in learning Hashem's truthful ways. Their total focus will be on Hashem's expression in every aspect of life thus revealing more and more of His unlimited goodness and knowledge. It stands to reason that if this will be the knowledge of the ordinary Jew, how much greater will be that of the kohain who is privileged to stand in the actual presence of Hashem! One cannot begin contemplating the ordinary kohain's daily experience with Hashem. His profound knowledge of Hashem together with his direct and constant association with Him will truly elevate him to the sanctity of "Holy of Holies". His awareness of Hashem's presence will therefore, in certain ways, become tantamount to that of the Kohain Gadol on the holiest day of the year. May we soon merit to witness and experience such elevated levels of sanctity, so sorely needed in our times. © 2009 Rabbi D. Siegel & torah.org

#### MACHON ZOMET

## Shabbat B'Shabbato

by Rabbi Yehoshua Shapira, Rosh Yeshivat Ramat Gan; Translated by Moshe Goldberg

**T**here is a big difference between the internal and external aspects of a human soul, between the ideal and what actually exists. Internally, the soul wants most of all to be attached to G-d with all its strength, to be full of love and fear, as is described in the holy books, but the reality is that we find ourselves very far away from this exalted desire. The heart knows the bitterness of the soul, we are constantly engaged by temptations, the world is full of distractions, we are occupied with various and sundry physical needs. All of these factors make us blind, just like bribery, which can even blind the eyes of a very wise person.

There are two ways to close the gap between the ideal and reality. One way is to expend the large amount of force needed to bring the two together, with full knowledge that this can never be fully accomplished but that we are not permitted to shy away from the task. The second technique is to begin to understand that the two outlooks are not in conflict but that they complement each other. The Almighty lifts the ideal far

above our real abilities, but we can fulfill His will on the level of reality, in spite of its lack of perfection. Our thoughts, our speech, and our actions, the way they really are, bring the ideal light down to earth at a level that the world can withstand.

This is the character of mankind? With all the material shortcomings in human life, nothing else can give such great satisfaction to the Almighty, who created the universe. That is why it is written, "You shall be holy people for me" [Shemot 22:30] -- not holy angels, not holy spirits, but nothing more nor less than holy people. When we take the appropriate path even the angels are secondary to us. When is it true that "the multitude of angels will give you a crown, our G-d"? It is only when they are together with "your nation Yisrael, the groups down below." (Kedusha of Mussaf, Shabbat morning).

This insight can help us resolve the conflict between the strict observance of the Torah law, "an eye for an eye" [Vayikra 24:20], which appears in this week's Torah portion, and the practical ruling of the Oral Torah which transforms this harsh punishment into a financial settlement. The two approaches stem from the two alternatives in our souls, the ideal and the reality. On one hand, we have a desire for perfection coming from deep identification and a sense of responsibility for the consequences of our actions, such that we are even willing to give up our own flesh to make amends for what we have done. On the other hand, there is earthly reality, which insists that nothing good will come of destructive and harmful giving, because there is no way to really correct the wrong that we have done. The only viable alternative is to give some small financial compensation.

In the end, as is written above, the ideal and the practical join together to make a complete whole. In a practical sense, we are involved in reality, paying money, while internally our hearts should be burning with a desire for the ideal. We would like the money to take the place of "an eye for an eye" and serve as a perfect way to mend the fault.

#### RABBI AVI WEISS

## Shabbat Forshpeis

**I**n this week's portion, the Torah proclaims the famous dictum "eye for an eye." (Leviticus 24:20) The message seems clear. If one takes out the eye of a neighbor, his punishment is that his eye is taken out.

The oral law, however, explains through logic that "eye for an eye" is monetary compensation as it may be impossible to carry out equal justice through a physical penalty. For example, Rabbi Shimon Bar Yohai said, if a blind person damaged the sight of another...how would he be able to give an eye for an eye? The school of Hezekiah added that it can sometimes happen that more than an eye could be

taken from the perpetrator if in the process of taking an eye, the assailant dies. (Baba Kamma 84a)

The Talmud also uses a textual proof for its thesis. The Torah states "You shall not take a ransom for the life of a man who is condemned to death." (Numbers 35:31) This implies that for the life of a murderer you may take no ransom, but you may take ransom for the major organs of the human body which do not grow back. (Baba Kamma 83b) One wonders, however, if "eye for an eye" is monetary, why doesn't the Torah spell this out clearly? Perhaps it can be suggested that the written law sets the tone, gives the direction, and presents the teaching. As the Torah is read the listener hears the words "eye for an eye" and concludes that if I remove the eye of another, the crime is so heinous it is deserving of my eye being removed. In the words of Ha-ketav Ve-ha-Kabalah "the Torah mentions here only what punishment the perpetrator of bodily injuries deserves."

The oral law, however, which is the interpretation of the Torah, tells us how these rules are actually practiced. While one who removes the eye of another may be deserving of physical punishment, in practical terms he receives a monetary penalty. My Rebbe in Tanakh, Nechama Leibowitz, points out that in the phrase "eye for an eye" (ayin tahat ayin) the term tahat is used. While usually translated as "for" tahat actually means "instead of." In place of the eye something different is substituted - money. This concept may explain what seems to be a difference between the written and oral law concerning capital punishment. On many occasions, for example for cursing one's parents, the Torah states "He shall die." (Exodus 21:17) Yet, the oral law cites opinions that capital punishment was hardly, if ever, carried out. (Mishna Makkot 1:10)

The Torah once again is telling us about what the perpetrator deserves. Cursing a parent and other such offenses are so horrible that they are deserving of death. However, the oral tradition, through the practical halakhic judicial process, proclaims that capital punishment hardly, if ever, actually occurs.

The written law cannot be understood without the oral law. Together they form one unit. The Zohar claims that written law is the "harsh law" while the oral tradition is the "soft law." The two combine to form what we refer to as Torah whose ways are "ways of pleasantness." (Proverbs 3:17) © 2009 Hebrew Institute of Riverdale & CJC-AMCHA. Rabbi Avi Weiss is Founder and Dean of Yeshivat Chovevei Torah, the Open Orthodox Rabbinical School, and Senior Rabbi of the Hebrew Institute of Riverdale.

**RABBI SHLOMO RESSLER**

## Weekly Dvar

**A**mong many things, Parshat Emor lays down instructions for the Kohanim (Priests) to remain holy. Instructions include not coming in contact with dead bodies, and growing their beards and hair

(21:1-5). Recanati points out an interesting difference between the instructions for the Kohamin to remain "holy", and those of the Levites to be "pure". What is the difference, and why?

Recanati goes on to explain that being pure is simply a result of avoiding anything unclean, while being holy is an active quality of setting yourself apart. The Levites had to shave their hair, while the Kohanim grew it because ridding yourself of impurity requires shedding the past, while being holy requires working on yourself for the future. As a people charged with the task of being holy, we need to be both pure AND holy, and learn to merge the past with our future! . © 2009 Rabbi S. Ressler & LeLamed, Inc.

**RABBI MORDECHAI KAMENETZKY**

## Message of Restraint

**T**he portion Emor begins with a series of exhortations directed to the chosen among the chosen. The elite group of Ahron's descendants are warned about myriad requirements, obligations, and responsibilities that they share as the spiritual leaders of the Jewish nation. The most celebrated of them regards the defilement of a dead person. "Hashem said to Moses, Say to the Kohanim, the sons of Aaron, and tell them, Each of you shall not contaminate himself with a [dead] person among his people" (Leviticus 21:1).

Note the odd expression, "Say to the kohanim, and tell them" The commentaries are quick to point out this seemingly redundant exhortation. It surely seems that telling them once is not enough. Rashi, in fact, quotes Tractate Yevamos:114a explaining, "'Say,' and again 'thou shalt say unto them'—this repetition is intended to admonish the older about their young ones also, that they should teach them to avoid defilement." Clearly, the repetitive nature of the verse defines an exhortation, one far beyond the normal "no." Can there perhaps be a directive to the child within us as well?

My grandfather, Rabbi Yaakov Kamenetzky, of blessed memory, told me the story of how, as the Rav of Toronto, he was quickly introduced to a new world, far different than the world he was accustomed to as the Rav of the tiny Lithuanian shtetl of Tzitivyan, which he left in 1937. One of his congregants had invited him to a pidyon haben, a special ceremony and feast made when a first-born child reaches thirty days old and his father redeems him from the kohen for five silver shekels (dollars).

Entering the hall, Rav Yaakov was impressed by the beautiful meal prepared in honor of the event. He was reviewing the procedure, and the interaction with the Kohen that would frame the event, when the father of the child introduced Rav Yaakov to his father-in-law, a Mr. Segal. Suddenly, Rav Yaakov realized that there was trouble. If Mr. Segal was a Levite, as the name Segal traditionally denotes (Se'gan L'kohen, an assistant to the Kohen), then there would be no need

for a Pidyon HaBen. For, if the mother of the child is the daughter of either a Kohen or Levi, then no redemption is necessary.

"Mr. Segal," asked Rav Yaakov, "are you by any chance a Levi?" "Of course!" beamed the elderly Segal.

Rav Yaakov tried to explain to the father of the child that a pidyon haben was unnecessary, but the father was adamant. He had prepared a great spread, appointed a kohen, and even had the traditional silver tray sprinkled with garlic and sugar cubes, awaiting the baby. He wanted to carry out the ceremony!

It took quite a while for Rav Yaakov to dissuade the man that this was no mitzvah, and to perform the ceremony with a blessing would be not only superfluous, but also irreverent and a transgression. (In fact, one apocryphal ending has the father complaining, "What do you mean, I don't have to make a pidyon haben? I made one for my first son and I'm going to make one for this son!") Ultimately, Rav Yaakov, convinced the man to transform the celebration into a party commemorating, his child's 30th day entered in good health, an important milestone with many halachic ramifications.

Sometimes our desire to perform Mitzvos transcends the will of Hashem not to do them, especially when it comes to emotionally charged rituals that deal with birth and death. In Jerusalem, there is a custom that mourners do not accompany their father's body into the cemetery. Many foreigners, who have attended their parents' funerals in Jerusalem, refuse to abide by that custom, and go to the cemetery despite the protestations of the Jerusalem Chevra Kadisha (Burial Society). It is most difficult to suppress tears on the Shabbos during one's mourning period. However, one must not grieve on the Shabbos. And now, imagine, how difficult is it for a kohen to hold back from attending the funeral of a dear friend or cousin, or any family member who does not fit the criteria that would allow kohenetic defilement? After all, isn't attending a funeral a great mitzvah? Thus, when the Torah discusses the prohibition of defilement, the Torah must announce, "Tell them and tell them, To warn the greater ones to teach the weaker or lesser ones." The power of constraint is not that simple, but the temptation to transgress is compounded when the transgression is rationalized with validity and good-feelings. Thus, the will of the L-rd must be emphatically reiterated to our weaker instincts, when mortal rationality can distort Divine will. © 2001 Rabbi M. Kamenetzky & torah.org

#### **RABBI BEREL WEIN**

## **Wein Online**

**E**very society eventually creates an elite that is of great influence and serves as the leadership cadre of the nation and society. Even those societies such as the communes and kibbutz, where everyone was purported to be equal, eventually produced an elite

that ruled over those societies. All men are created equal but not all men are really equal. By simply looking around at our social surroundings we are acutely aware of this fact. In this week's parsha the Torah creates for us an elite amongst Jewish society - the priestly family of Aharon from which all kohanim in the Jewish world are descended. The Torah details the special laws that govern this family. And it becomes readily obvious to those who study this parsha that the Torah placed greater demands and restrictions on the leadership elite than upon other Jews. Privilege, rank and honor also bring a heightened sense of responsibility.

There is no elite that is truly beneficial to the society that it lives among if it does not sense this greater responsibility for moral probity and exemplary behavior. In discussing the definition of chilul hashem - behavior that is a desecration of Torah values and G-d's name - the Talmud arrives at a sliding scale of behavior. It is not one size fits all. The great scholar and leader of the elite is guilty of this serious Torah violation if he does not pay his bills in a timely fashion! The so-called ordinary person is not held to this rigorous standard though everyone is charged not to be involved in any activity which can be deemed to be a chilul Hashem.

The other side of this coin is that the people of Israel were commanded to give extra honor and deference to the kohanim. Being a kohein, one wears a special G-dly crown. And it is that heaven-granted crown that people are to admire and honor. Since there are no perfect human beings it is easy to find faults and weaknesses within individual kohanim. People would therefore denigrate the kohein whom they felt them to be imperfect, for after all did not the prophet himself state that the kohein must appear to his public as though he were an angel of the Lord. Yet respect for the kohein, every kohein, is built into Jewish custom and ritual. His blessings are to be sought, he is to redeem our first born males, he is to have the opening aliya at the time of the public reading of the Torah, he is to lead us in the prayers after meals and he is to be exempted from tasks of labor and service that often fall upon other Jews. Thus the kohein was charged with the task of living up to his role as an elite leader of his people while the people were charged with the value of giving honor and a place of primacy in Jewish public life to the kohein.

Even though there is presently no Temple in Jerusalem that requires the special and exclusive attention of the kohanim, their status in Jewish life and society has been preserved throughout our long history. That is certainly the reward of the father of the kohanim, the great Aharon. © 2009 Rabbi Berel Wein- Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at [www.rabbiwein.com](http://www.rabbiwein.com). For more information on these and other products visit [www.rabbiwein.com/jewishhistory](http://www.rabbiwein.com/jewishhistory).