

# Toras Aish

## Thoughts From Across the Torah Spectrum

**RABBI LORD JONATHAN SACKS**

### Covenant & Conversation

**E**mbedded in this week's parsha are two of the most fundamental commands of Judaism -- commands that touch on the very nature of Jewish identity. Do not desecrate My holy name. I must be sanctified among the Israelites. I am the Lord, who made you holy and who brought you out of Egypt to be your G-d. I am the Lord.' (Leviticus 22:32)

The two commands are respectively the prohibition against desecrating G-d's name, Chillul Hashem, and the positive corollary, Kiddush Hashem, that we are commanded to sanctify G-d's name. What are these commands and what do they mean?

First we have to understand the concept of "name" as it applies to G-d. a name is how we are known to others. G-d's "name" is therefore His standing in the world. Do people acknowledge Him, respect Him, honour Him?

The commands of Kiddush Hashem and Chillul Hashem locate that responsibility in the conduct and fate of the Jewish people. This is what Isaiah meant when he said: "You are my witnesses, says G-d, that I am G-d" (Isaiah 43:10).

The G-d of Israel is the G-d of all humanity. He created the universe and life itself. He made all of us -- Jew and non Jew alike -- in His image. He cares for all of us: "His tender mercies are on all his works" (Psalm 145:9).

Yet the G-d of Israel is radically unlike the gods in which the ancients believed, and the reality in which today's scientific atheists believe. He is not identical with nature. He created nature. He is not identical with the physical universe. He transcends the universe. He is not capable of being mapped by science: observed, measured, quantified. He is not that kind of thing at all. How then is He known?

The radical claim of Torah is that He is known, not exclusively but primarily, through Jewish history and through the ways Jews live. As Moses says at the end of his life:

Ask now about the former days, long before your time, from the day G-d created human beings on the earth; ask from one end of the heavens to the other. Has anything so great as this ever happened, or has anything like it ever been heard of? Has any other people heard the voice of G-d speaking out of fire, as

you have, and lived? Has any god ever tried to take for himself one nation out of another nation, by testings, by signs and wonders, by war, by a mighty hand and an outstretched arm, or by great and awesome deeds, like all the things the Lord your G-d did for you in Egypt before your very eyes? (Deut. 4:32-34)

Thirty-three centuries ago, Moses already knew that Jewish history was and would continue to be unique. No other nation has survived such trials. The revelation of G-d to Israel was unique. No other religion is built on a direct revelation of G-d to an entire people as happened at Mount Sinai. Therefore G-d -- the G-d of revelation and redemption -- is known to the world through Israel. In ourselves we are testimony to something beyond ourselves. We are G-d's ambassadors to the world.

Therefore when we behave in such a way as to evoke admiration for Judaism as a faith and a way of life, that is a Kiddush Hashem, a sanctification of G-d's name. When we do the opposite -- when we betray that faith and way of life, causing people to have contempt for the G-d of Israel -- that is a Chillul Hashem, a desecration of G-d's name.

That is what Amos means when he says: They trample on the heads of the poor as on the dust of the ground, and deny justice to the oppressed... so desecrate My holy name. (Amos 2:7)

When Jews behave badly, unethically, unjustly, they create a Chillul Hashem. People say, I cannot respect a religion, or a G-d, that inspire people to behave in such a way. The same applies on a larger, more international scale. The prophet who never tired of pointing this out was Ezekiel, the man who went into exile to Babylon after the destruction of the First Temple. This is what he hears from G-d: "I dispersed them among the nations, and they were scattered through the countries; I judged them according to their conduct and their actions. And wherever they went among the nations they profaned my holy name, for it was said of them, 'These are the Lord's people, and yet they had to leave his land.'" (Ezekiel 36:19)

When Jews are defeated and sent into exile, it is not only a tragedy for them. It is a tragedy for G-d. He feels like a parent would feel when he sees a child of his disgraced and sent to prison. He feels a sense of shame and worse than that, of inexplicable failure. "How is it that, despite all I did for him, I could not save my child from himself?" When Jews are faithful to their

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mission, when they live and lead and inspire as Jews, then G-d's name is exalted. That is what Isaiah means when he says, ""You are my servant, Israel, in whom I will be glorified" (Isaiah 49:3).

That is the logic of Kiddush Hashem and Chillul Hashem. The fate of G-d's "name" in the world is dependent on us and how we behave. No nation has ever been given a greater or more fateful responsibility. And it means that we each have a share in this task.

When a Jew, especially a religious Jew, behaves badly -- acts unethically in business, or is guilty of sexual abuse, or utters a racist remark, or acts with contempt for others -- it reflects badly on all Jews and on Judaism itself. And when a Jew, especially a religious Jew, acts well -- develops a reputation for acting honourably in business, or caring for victims of abuse, or showing conspicuous generosity of spirit -- not only does it reflect well on Jews. It increases the respect people have for religion in general, and thus for G-d.

This is how Maimonides puts it in his law code, speaking of Kiddush Hashem: "If a person has been scrupulous in his conduct, gentle in his conversation, pleasant toward his fellow creatures, affable in manner when receiving, not retorting even when affronted, but showing courtesy to all, even to those who treat him with disdain, conducting his business affairs with integrity... And doing more than his duty in all things, while avoiding extremes and exaggerations -- such a person has sanctified G-d." (Maimonides, Hilkhot Yesodei ha-Torah, 5:11)

Rabbi Norman Lamm tells the amusing story of Mendel the waiter. When the news came through to a cruise liner about the daring Israeli raid on Entebbe in 1976, the passengers wanted to pay tribute, in some way, to Israel and the Jewish people. A search was made to see if there was a Jewish member of the crew. Only one could be found: Mendel the waiter. So, at a solemn ceremony, the captain on behalf of the passengers offered his congratulations to Mendel who suddenly found himself elected de facto as the ambassador of the Jewish people. We are all, like it or not, ambassadors of the Jewish people, and how we live, behave and treat others reflects not only on us as individuals but on Jewry as a whole, and thus on

Judaism and the G-d of Israel.

"Be not afraid of greatness. Some are born great, some achieve greatness, and others have greatness thrust upon 'em," wrote Shakespeare in Twelfth Night. Throughout history Jews have had greatness thrust upon them. As the late Milton Himmelfarb wrote: "The number of Jews in the world is smaller than a small statistical error in the Chinese census. Yet we remain bigger than our numbers. Big things seem to happen around us and to us." (Milton Himmelfarb, *Jews and Gentiles*, Encounter Books, 2007, pg. 141)

G-d trusted us enough to make us His ambassadors to an often faithless, brutal world. The choice is ours. Will our lives be a Kiddush Hashem, or G-d forbid, the opposite? To have done something, even one act in a lifetime, to make someone grateful that there is a G-d in heaven who inspires people to do good on earth, is perhaps the greatest achievement to which anyone can aspire. Shakespeare rightly defined the challenge: Be not afraid of greatness. ©2014 Rabbi Lord J. Sacks and rabbisacks.org

**RABBI SHLOMO RISKIN**

## Shabbat Shalom

"**T**hey shall direct My people as to what is sacred and what is mundane; they shall inform them as to what is ritually impure and what is pure....My teachings and My statutes amongst all of My festivals they shall preserve and My Sabbaths they shall sanctify" (Ezekiel 44:23-24)

What is the most important quality for a religious leader - a sharp mind or a sensitive heart, a commitment to study or a commitment to loving-kindness?

This week's Biblical reading of Emor opens with the laws applying to the Kohen-Priests, the religious, ritual leaders of Israel. The prophetic reading from the Book of Ezekiel provides the quintessential leadership role played by the Kohanim:

To direct the Jewish people in areas of the sacred and mundane, the ritually pure and impure, the teachings and the statutes, the details of the festivals and the prohibitions of the Sabbath, one must become expert in Jewish law and ritual. After all, we are called the people of the Book because our leaders must dedicate themselves to what is written in our great books, the Bible, Talmudic literature, its commentaries and responsa, as well as to our Codes of Law.

Hence, one of the greatest transgressions a Jew can commit is "bitul zman," wasting or nullifying time. Conversely, one of the greatest accolades the Talmud can bestow upon anyone is that "their mouth never ceased from studying" (lo pasik pumey mi'girsu). Haredi newspapers and magazines fulsomely praised Rabbi Yosef Shalom Elyashiv ztz"l, the most respected haredi decisor of the last decade by quoting his family:

his wife reported that she would tear her hair out of her head before attempting to separate him from his holy books, no matter the seriousness of the family problem, and his daughter recounted that none of his children would simply converse with their father, because that would interrupt him from his studies. It was only at dusk on Shabbat afternoons, when his library was too dark to allow him to see the small print, that the pious sage would go for a walk and allow one of the children in turn to accompany him. Even then, the sage was hardly free for open discussion; he couldn't be disturbed from his thoughts of Torah, and the children would have to content themselves with walking at his side and basking in his glory as the gadol hador, the greatest sage of the generation.

Despite all of this, however, the Talmud itself recounts a frightening tale which would question our previous citations:

"Rabbi Rachumi would return home (from the Talmudical Academy wherein he was studying for a period of years) every Erev Yom Kippur. Once (on the day before Yom Kippur) he became absorbed in study. His wife was anxiously expecting his arrival, 'Now he is coming, now he is coming', she said, but he did not come. She became upset and a tear descended from her eye. He (Rabbi Rachumi whose name ironically means "man of mercy") was sitting on the roof (apparently engrossed in his books). The roof fell in underneath him and he died (apparently in punishment-B.T. Ketubot 62a).

There are other Biblical and Talmudic statements which would strengthen the need for humane sensitivity as a critical subtext for any halakhic decision. For example, the Biblical definition of G-d's ways and G-d's glory-insofar as these concepts may be at all understandable to mortals- is "A G-d of love, a G-d of Love, a compassionate, powerful One who gives grace freely, Is long-suffering, filled with loving-kindness and truth" (Exodus 34:6, and this passage, as explained by the Mekhilta, is the very source for the oral law and way it is to be applied). The Talmud therefore declares, "He who has Torah learning without good deeds is as if he is bereft of G-d" (B.T. Avodah Zara 17b)

Our response literature, from Rabbi Moshe Isserles to Rabbi Moshe Feinstein and Rabbi Ovadia Yosef, is replete with amazing examples proving the importance of humane compassion as an over-riding factor in halakhic decision-making.

Haim Grade, in his moving novel "Rabbis and Wives", tells of a great Torah scholar known as the "porush" (the separated one) of Vilna, who refused to answer halakhic questions. This self-imposed "exile" came about because when he was a student in Slobodka, his mother had made a long trip to see him, but he was so involved in extra Yom Kippur Katan prayers and Talmudic studies that he had no time to

see her. He was haunted by her last words, "I have a son a Zaddik (righteous man)" because he feared that these words were said not with pride, but rather with sarcastic irony.

I believe that the Kohanim, descendants of Aaron, the High Priest, who "loved all creatures and brought them closer to Torah" (Avot 1:12), must bless the congregation "with love" in order to stress the importance of love in meting out religio-legal judgments. ©2014 Ohr Torah Institutions & Rabbi S. Riskin

### RABBI BEREL WEIN

## Wein Online

The children of Aharon, the priests of Israel, are the focal subjects of the beginning of the Torah reading of this week. The Torah deals with the inevitable presence of death in human affairs. The Torah forbids the priests of Israel from associating with death. The Torah allows their presence at personal family tragedies but otherwise prevents their participation in funerals and in attending to the ritual treatment of the dead.

There are many reasons advanced for this prohibition. Ramban attributes it to the special spiritual quality of the priests whose awareness of G-d is so constant and concentrated that they do not need the reminder of death, human frailty and mortality that all other humans require. There is no reason to subject them to the ritual impurity that death imposes upon those that attend, to those who have passed on.

But, there can be other ideas advanced as well. Among them is the thought that the spiritual leaders of Israel are to concentrate on life. There is a natural realization of human mortality but very little in life can be accomplished if one is constantly thinking of one's demise. The priest of Israel is to concentrate on building the future of the Jewish people, to create generations of loyal and productive Jews and to serve as a role model of probity, holiness and public service. As such, he is almost bound to avoid death, which is a condition, to put it mildly, that inhibits a positive and optimistic view of the future.

Another idea involved here in this discussion is that a priest, a spiritual leader, has to have a cheerful disposition. A dour personality is not an asset for any spiritual leader. The Chovat Halvovot famously remarks that even if one has a broken heart one must display a cheerful disposition to others.

Short tempers and depressing attitudes certainly do not inspire others to commit themselves to following a leader or emulating that personality. Dealing with death on a regular basis is not conducive to an optimistic frame of mind. I knew a number of rabbis who, after a number of years, no longer officiated at funerals simply because of the emotional and psychological toll that this task was exacting from them.

The Ponovezher Rav, Rabbi Yosef

Kaheneman, was a kohein, a priest. He told me that originally there were objections in his community to his becoming the rabbi there since this would not allow him to conduct funeral services. He in turn claimed that it was to be viewed as an asset and not a liability since he would remain in a cheerful mood - and that there were enough troubles besetting Lithuanian Jewry in the 1920's without having a community with a saddened spiritual leader.

Be that as it may be, funerals are part of life and part of a rabbi's job description. Nevertheless, the prohibition against associating with death for the priests remains in force and it is one of the hallmarks of that special class of Jews. ©2014 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](http://www.rabbiwein.com)

#### **RABBI AVI WEISS**

### **Shabbat Forshpeis**

In 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) ©2013 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 YITZCHOK ADLERSTEIN**

### **Be'eros**

Say to the kohanim, the sons of Aharon, and say to them, each of you shall not become tameh to a dead person among his people.

Be'er Mayim Chaim: We already understand the halachic importance of repeating the instruction "speak" within the space of a few words. The Torah wishes to "warn" according to Chazal (Yevamos 114a) "the adults regarding the children." In other words, Moshe instructed not only all the kohanim above the age of legal responsibility, but commanded them about the children as well, and to ensure that even minors would not be forced to violate the tumah-prohibitions of the kehunah.

The Torah speaks on many planes, however, and we can offer another explanation for the doubled verb. R. Tarfon taught (Arachin 16b), "There is no proper rebuke in this generation. When a person (noting some unseemly behavior in his friend, and chastising him for it, as the Torah commands) says to his fellow, 'Remove the splinter from between your eyes,' the other responds, 'Remove the beam from between yours!'" In other words, the one to whom the rebuke is addressed deflects the criticism by arguing that the rebuker is guilty of worse than he! While the person addressed may be guilty of minor sins -- the

splinter -- the rebuker lugs around an entire beam.

Now surely in a generation of sinners, some would-be rebukers are hoisted by their own petards, and shown to be greater transgressors. But would there not be many attempts at rebuke by those on more or less an equivalent moral footing? Why does R. Tarfon see a common opportunity for the rebukee to point to the rebuker's beam relative to his own splinter?

Crucial to understanding R. Tarfon's point is understanding just how interconnected Jews are to each other. The Jewish nation functions as an integrated organism -- a single body. When any part of it is hurt or pained or diminished spiritually, all of it is affected -- whether the people feel the consequences or not. While the organs of the body have their separate functions, they are all part of a single dynamic system. What goes on in the head can affect the heel -- the most remote part of the foot. The opposite is true as well. An injury to the foot will communicate itself to the head.

The upshot of this is that the transgressions of the common people impact upon the nasi, the head of the nation, simply because of their mutual connection and interdependence. The nasi fails some spiritual test because some part of the spiritual poison of the lowliest in Israel is transmitted to him.

You will find another hint to this concept at the beginning of Parshas Ekev. "Because/ekev you will listen to these chukim...Hashem will bless you." (Devarim 7:12-13) Ekev also means heel. The great blessings that the Torah promises for compliance with Hashem's wishes cannot fully vest in the people until full observance spreads to even the heel, the lowliest of the nation. The fullness of His berachah needs a perfected place to which it can attach itself. When the heel is imperfect, some of that imperfection spreads to all other parts of the Torah nation -- even the heads.

Frequently, someone of supposedly sterling qualities is the one to rebuke. Most often, he will not be guilty of the transgression about which he rebukes the common man. This would situate him in a good place to offer rebuke without engendering a cynical charge of hypocrisy. Yet R. Tarfon reports that their dialogue goes something like this:

Great person: "We are all interconnected. Your active sin has trickled up to my level, and turned into splinter. It is nothing like your greater, active aveirah, but it has caused within me a smaller sin, a splinter, by sinning at least in my mind. This is all your fault. This splinter, this small sin, is sourced in you -- between your eyes."

Lesser person: "The arrow points in both directions. You may not be guilty of an active sin, but your record is not perfect in its own right. You have independently sinned in small ways, especially through thought, and those sins have trickled down to me. Your small sins ramified all over the body of the Jewish

nation. In my case, they helped me to stumble in far more substantial ways. You are partially to blame for the great beam of my sins. It is sourced in you -- from between your eyes!"

We return to our pasuk, to find all this at work. The kohen is the symbol of enhanced, perfected avodah. Our pasuk speaks of two kinds of exhortations to the kohanim, each significant. First, they are addressed as the bnei Aharon. They are urged to keep the mighty trust placed in them, and act scrupulously in carrying out their responsibilities. Next, they are warned that any failure on their part is not only tragic in and of itself, but it will impact upon others. Thus, lenefesh lo yitamah b'amav. "Your indiscretion will be a source of contamination for the common people, the am. Relative to them, you are the neshamah of the people, the thought-soul. They serve as the nefesh, the action-soul. See to it that you do not stain their. When your neshamah is not completely in order, it will cause them to stumble in the arena of overt action. (Based on Be'er Mayim Chaim, Vayikra 21:1) ©2014 Rabbi Y. Adlerstein and torah.org

**RABBI KALMAN PACKOUZ**

## Shabbat Shalom Weekly

**T**he Torah states: "And when you reap the harvest of your land, you shall not wholly reap the corner of your field; and the gleanings of your harvest you shall not gather; for the poor and the stranger you shall leave them (the corners and the gleanings), I am the Lord your G-d" (Leviticus 23:22).

Why is the owner commanded to leave the corners and gleanings rather than being commanded to gather the produce and give it to the poor?

By not presenting the produce to the poor man, the poor man escapes the humiliation of being handed charity. Instead, he maintains his dignity as he feels that he is just taking what is his due by Torah law. It is important to be sensitive to others. *Based on Love Your Neighbor by Rabbi Zelig Pliskin ©2014 Rabbi K. Packouz and aish.com*

**RABBI DOVID SIEGEL**

## Haftorah

**T**his 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. ©2014 Rabbi D. Siegel & torah.org

#### **RABBI SHLOMO RESSLER**

### **Weekly Dvar**

**P**arshat Emor's very first Passuk (verse) says (21:1) "Hashem said to Moshe: Speak to the Kohanim, the sons of Aaron, and tell them: Each of you shall not contaminate himself to a dead person." Firstly, why does it use double wording that Moshe should "say" AND then "tell" the Kohanim? Secondly, why is it so important that they not contaminate themselves by touching the dead? Sages explain the double language to include a warning for parents to teach their children the importance of Mitzvot (commandments) in general, and this one specifically. Still, what's the significance of the warning?

Rabbi Yochanan Zweig explains our Passuk beautifully by pointing out the grammar being used: The Torah didn't say that parents should just "tell" their children of the commandment, but rather that they should also "speak" to them of it. The difference is that telling someone to do something imposes the speaker's will on them, while speaking to him or her about it shows them that it's for their good, and that the speaker is together with them. Rather than saying, "Do as I say", the parent says, "Do as I do", which is much more effective. In our case, the Torah "tells" us the facts, that

a dead person contaminates those who touch it, and the reason behind it (because the dead can't improve themselves) "speaks" to our very essence as Jews. As it turns out, the Torah is teaching us a very pertinent lesson, to parents and non-parents. Not only should we be able to TELL why our actions follow commandments, but also realize that our actions SPEAK by example! ©2004 Rabbi S. Ressler & LeLamed, Inc.

**RABBI DOV KRAMER**

## Taking a Closer Look

**"A**nd the entire congregation shall stone him" (Vayikra 24:14). Since it is a logistical impossibility to have "the entire congregation" participate in the stoning of the sinner convicted of committing a capital offense (not to mention how extremely dangerous having hundreds of thousands of people throwing stones simultaneously would be), as well as it being inconsistent with the prescribed procedure of having the witnesses do the stoning -- with others (who are not described as being "the congregation") only getting involved if the witnesses were unable to complete the mission (see D'varim 17:7), the Midrash (Toras Kohanim, see also Sifre towards the end of Parashas Sh'lach) tells us that the Torah does not mean that everyone must (or should) participate in the stoning. Rather, the intent of the verse is that the stoning should take place "with an assembly of the entire congregation."

Having everyone present at the stoning presents problems as well. For one thing, what happens if not everyone can make it? Must the stoning be postponed until everyone gets there? [Although there are numerous procedural obligations put into the Jewish judicial system to prevent, or at least greatly minimize, the possibility of capital punishment actually being carried out, there is no indication that requiring every single individual to be there for an execution is one of those obstacles.] The requirement of having "the entire congregation" present applied not only to the specific case of the desert blasphemer under discussion, but to anyone convicted of blasphemy throughout the generations (see 24:16). Even if the execution was scheduled in Yerushalayim at a major holiday, when every adult male was required to make a trip to the Temple (putting aside how it might affect the holiday spirit), the Torah is well aware that not everyone would be able to make the trip every time (see Bamidbar 9:10); how could every member of the "congregation" be required to witness every execution if people lived so far apart? [The space required to have everyone witness the stoning would also seem to preclude everyone literally being there.]

Although not explicitly addressing these issues, Malbim says that the term "congregation" refers to the Sanhedrin (Jewish Supreme Court). Requiring the 71

judges who make up the Sanhedrin to be present at every execution alleviates most (if not all) of these issues. If this were the requirement, though, it would mean that either all executions took place in Yerushalayim (where the Sanhedrin was based) or that they had to be summoned to any city where an execution was scheduled. (I don't know of any indication that either is the case.) Additionally, Toras Kohanim explains the verse, which says "all who heard [the blasphemy]," to mean that the judges also put their hands on the blasphemer's head, not just the witnesses (since they heard the blasphemy too, when it was repeated during the court proceedings). If the judges already had to be there for this preliminary step of the execution, why must their presence be mentioned again just a few words later in the verse? Even if the "judges" were not the Sanhedrin (but a court of 23), with these words teaching us that the Sanhedrin must be present too, why isn't it pointed out "the congregation" refers to the Sanhedrin? Do we only need to be taught that the verse doesn't mean that "the entire congregation" literally stones the blasphemer, only that they must be present, without needing to be taught who this "congregation" is?

Rashi (on our verse) quotes Toras Kohanim, but adds a few words of his own: "from here [we learn] that a person's representative ("sh'liach") is like him," i.e. it is as if the person who appointed the representative did the action himself. This addition raises several additional issues. The most obvious one is the two thoughts seem contradictory; if everyone must literally be present at the execution, what need is there to have a representative? Representing who? Because of this issue, B'er Heitiv (Ho'il Moshe) suggests that there must be a mistake in Rashi's words; instead of saying "from here [we learn]," he substitutes "another approach would be." In other words, Rashi is providing two possible ways to understand the verse; either it means that everyone must be present, or that everyone must participate in the stoning, which is accomplished by having some do it on behalf of everyone else. Although suggesting such a way around the problem indicates how severe the problem is, there is no indication that this is what Rashi's words originally were. Besides, the "second approach" has issues too (aside from those raised above about having an official requirement for everyone to participate). If there is a requirement to participate in the stoning (or to be present at the stoning, for that matter), how can someone else "fill in"? It would seem to be a "mitzvah she'b'gufo," which must be performed with one's own body and cannot be fulfilled by anyone else. Just as one person can't put on "t'filin" on behalf of someone else, throwing a stone (or seeing the stoning) should not be able to fulfill another's obligation to throw a stone (or see the stoning). There's an additional problematic aspect here too, as it is possible for me to fulfill my

requirement of wearing "t'filin," take them off, and then put them back on again for someone else (even though it won't work since each person has to wear "t'filin"). But if everyone is really required to throw a stone (or see the stoning), when one does so, it has to count towards his personal obligation; how can it counts towards another person's obligation too? (Doing the "sh'chita" of the Korbon Pesach is different, as there is the possibility of bringing a separate offering; here there is but one stoning.) Are we supposed to keep track of how many people we are representing and throw that many stones?

Another issue raised by some of the commentators (e.g. Nachalas Yaakov) is that the Talmud (Kidushin 41a-b) struggles to find a source for the notion that an action done by a representative is attributed to the person who appointed the representative, and our verse isn't referenced. If, as Rashi's words indicate, "we learn [from here]" that it works, why doesn't the Talmud mention it? For this reason, some take out the word that means "from here we learn," with the latter words in Rashi being an explanation of the first words. Aside from this not addressing any of our earlier issues, making it less explicit that our verse is an instance where appointing a representative works does not alleviate the problem of the Talmud not referencing it when trying to find a source for the concept.

All of these issues are predicated on the notion that when the Midrashim (and Rashi) say that the stoning must take place "with an assembly of the entire congregation" it means that they must literally be there. The word I translated here as "assembly" ("ma'amad") is translated by ArtScroll as "convocation" (a synonym), and by the publishers of the old blue linear Chumash/Rashi that was in my parents' and grandparents' home as "in the presence of." Although most of the mainstream commentators on Rashi (e.g. Mizrachi and Gur Aryeh) do not discuss this Rashi at all (indicating that they had no issues with it), those who do seem to understand the word "b'ma'amad" in the same way. I would suggest, however, that this is not what the Midrashim (or Rashi) really meant. Instead, I would translate the word "as representatives of," similar to the way there were representatives from each of the Tribes for the offerings in the Temple, representatives known as... (wait for it) "ma'amados" (see Rashi on Bamidbar 28:2).

[When the Talmud (M'gilla 26a) discusses selling things that are holy, a differentiation is made when the sale is made "b'ma'amad anshei ha'ir" and when it is not. Rashi doesn't translate those words as "in the presence of the men of the city," but as "with the permission of the men of the city." Even if the context of the word sometimes means that people are physically there (such as "ma'amad Har Sinai"), and the word itself literally means "stand," the context sometimes

indicates that it is a euphemism for "on behalf of." This seems to be the case when the Midrashim (and Rashi) explain our verse.] When Rashi explains what the "Men of the Ma'amad" were (Yuma 37b), he says that they were those "who stood as representatives of the public for the offerings." Here too, Rashi means that there are men appointed to represent the entire community at an execution. Not that everyone is required to participate in the stoning or even that everyone is required to be there for it, but that they must be represented there, similar to the way there are representatives by the Temple offerings.

As previously indicated, the type of representation being discussed here is not the same as the representation the Talmud in Kidushim is trying to find a source for, so our verse is not referenced. Panim Yafos says so explicitly (baruch she'kivanti), explaining that the Talmud is trying to find a source for the ability of one person to be the representative of another, as an individual. When it comes to a communal obligation, such as Temple offerings or the need for the community to be present at an execution, individuals can be appointed to represent the entire community. Since this is the situation in our verse, Rashi quotes Toras Kohanim, which explains that the words "the entire congregation shall stone him" doesn't mean that every individual will literally stone him, but that those who do (whether it is the witnesses or, failing that, others who are there) are doing so on behalf of the entire congregation. After establishing that the ones who do so represent the entire congregation when fulfilling the communal obligation, Rashi adds that "from here we learn that (regarding communal obligations) an action done by representatives are attributed to the community that appointed them," borrowing the language employed by the Talmud regarding those who represent an individual. ©2014 Rabbi D. Kramer

