

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI LORD JONATHAN SACKS ZT"l

Covenant & Conversation

The parsha of Emor contains a chapter dedicated to the festivals of the Jewish year. There are five such passages in the Torah. Two, both in the book of Exodus (Ex. 23:14-17; 34:18, 22-23), are very brief. They refer only to the three pilgrimage festivals, Pesach, Shavuot and Sukkot. They do not specify their dates, merely their rough position in the agricultural year. Nor do they mention the specific commands related to the festivals.

This leaves three other festival accounts, the one in our parsha, a second one in Numbers 28-29, and the third in Deuteronomy 16. What is striking is how different they are. This is not, as critics maintain, because the Torah is a composite document but rather because it comes at its subject-matter from multiple perspectives -- a characteristic of the Torah mindset as a whole.

The long section on the festivals in Numbers is wholly dedicated to the special additional sacrifices [the musaf] brought on holy days including Shabbat and Rosh Chodesh. A memory of this is preserved in the Musaf prayers for these days. These are holy times from the perspective of the Tabernacle, the Temple, and later the synagogue.

The account in Deuteronomy is about society. Moses at the end of his life told the next generation where they had come from, where they were going to, and the kind of society they were to construct. It was to be the opposite of Egypt. It would strive for justice, freedom and human dignity.

One of Deuteronomy's most important themes is its insistence that worship be centralised "in the place that God will choose," which turned out to be Jerusalem. The unity of God was to be mirrored in the unity of the nation, something that could not be achieved if every tribe had its own temple, sanctuary or shrine. That is why, when it comes to the festivals, Deuteronomy speaks only of Pesach, Shavuot and Sukkot, and not Rosh Hashanah or Yom Kippur, because only on those three was there a duty of Aliyah le-regel, pilgrimage to the Temple.

Equally significant is Deuteronomy's focus -- not found elsewhere -- on social inclusion: "you, your sons and daughters, your male and female servants, the Levites within your gates, and the stranger, the orphan

and the widow living among you." Deuteronomy is less about individual spirituality than about the kind of society that honours the presence of God by honouring our fellow humans, especially those at the margins of society. The idea that we can serve God while being indifferent to, or dismissive of, our fellow human beings is utterly alien to the vision of Deuteronomy.

Which leaves Emor, the account in this week's parsha. It too is distinctive. Unlike the Exodus and Deuteronomy passages it includes Rosh Hashanah and Yom Kippur. It also tells us about the specific mitzvot of the festivals, most notably Sukkot: it is the only place where the Torah mentions the arba minim, the "four kinds," and the command to live in a sukkah.

It has, though, various structural oddities. The most striking one is the fact that it includes Shabbat in the list of the festivals. This would not be strange in itself. After all, Shabbat is one of the holy days. What is strange is the way it speaks about Shabbat: The Lord said to Moses, "Speak to the Israelites and say to them: The appointed times [moadei] of the Lord, which you are to proclaim [tikre'u] as sacred assemblies [mikra'ei kodesh]. These are my appointed festivals [mo'adai]. Six days shall you work, but the seventh day is a sabbath of sabbaths, a day of sacred assembly [mikra kodesh]. You are not to do any work; wherever you live, it is a sabbath to the Lord."

There is then a paragraph break, after which the whole passage seems to begin again: These are the Lord's appointed times [mo'adei] festivals, the sacred assemblies [mikra'ei kodesh] you are to proclaim [tikre'u] at their appointed times [be-mo'adam].

This structure, with its two beginnings, puzzled the commentators. Even more was the fact that the Torah here seems to be calling Shabbat a mo'ed, an appointed time, and a mikra kodesh, a sacred assembly, which it does nowhere else. As Rashi puts it: "What has Shabbat to do with the festivals?" The festivals are annual occurrences, Shabbat is a weekly one. The festivals depend on the calendar fixed by the Bet Din. That is the meaning of the phrase, "the sacred assemblies you are to proclaim at their appointed times." Shabbat, however, does not depend on any act by the Bet Din and is independent of both the solar and lunar calendar. Its holiness comes directly from God and from the dawn of creation. Bringing the two together under a single heading seems to make no sense. Shabbat is one thing, moadim and mikra'ei kodesh are something else.

So what connects the two?

Rashi tells us it is to emphasize the holiness of the festivals. "Whoever desecrates the festivals is as if he had desecrated the Sabbath, and whoever observes the festivals as if he had observed the Sabbath." The point Rashi is making is that we can imagine someone saying that he respects the Sabbath because it is God-given, but the festivals are of an altogether lesser sanctity, first because we are permitted certain kinds of work, such as cooking and carrying, and second because they depend on a human act of fixing the calendar. The inclusion of Shabbat among the festivals is to negate this kind of reasoning.

Ramban offers a very different explanation. Shabbat is stated before the festivals just as it is stated before Moses' instructions to the people to begin work on the construction of the Sanctuary, to tell us that just as the command to build the Sanctuary does not override Shabbat, so the command to celebrate the festivals does not override Shabbat. So, although we may cook and carry on festivals we may not do so if a festival falls on Shabbat.

By far the most radical explanation was given by the Vilna Gaon. According to him, the words "Six days shall you work, but the seventh day is a sabbath of sabbaths," do not apply to the days of the week but to the days of the year. There are seven holy days specified in our parsha: the first and seventh day of Pesach, one day of Shavuot, Rosh Hashanah, Yom Kippur, the first day of Sukkot and Shmini Atseret. On six of them we are allowed to do some work, such as cooking and carrying, but on the seventh, Yom Kippur, we are not, because it is a "Sabbath of Sabbaths" (see verse 32). The Torah uses two different expressions for the prohibition of work on festivals in general and on the "seventh day." On the festivals what is forbidden is *meleket avodah* ("burdensome or servile work"), whereas on the seventh day what is forbidden is *melakhah*, "any work" even if not burdensome. So Yom Kippur is to the year what Shabbat is to the week.

The Vilna Gaon's reading allows us to see something else: that holy time is patterned on what I have called (in the Introduction to the Siddur) fractals: the same pattern at different levels of magnitude. So the structure of the week -- six days of work followed by a seventh that is holy -- is mirrored in the structure of the year -- six days of lesser holiness plus a seventh, Yom Kippur, of supreme holiness. As we will see in two chapters' time (Lev. 25), the same pattern appears on an even larger scale: six ordinary years followed by the year of Shemittah, "release."

Wherever the Torah wishes to emphasize the dimension of holiness (the word *kodesh* appears no less than twelve times in Lev. 23), it makes systematic use of the number and concept of seven. So there are not only seven holy days in the annual calendar. There are also seven paragraphs in the chapter. The word "seven" or

"seventh" occurs repeatedly (eighteen times) as does the word for the seventh day, Shabbat in one or other of its forms (fifteen times). The word "harvest" appears seven times.

However, it seems to me that Leviticus 23 is telling another story as well -- a deeply spiritual one. Recall our argument (made by Judah Halevi and Ibn Ezra) that almost the entire forty chapters between Exodus 24 and Leviticus 25 are a digression, brought about because Moses argued that the people needed God to be close. They wanted to encounter Him not only at the top of the mountain but also in the midst of the camp; not only as a terrifying power overturning empires and dividing the sea but also as a constant presence in their lives. That was why God gave the Israelites the Sanctuary (Exodus 25-40) and its service (i.e. the book of Leviticus as a whole).

That is why the list of the festivals in Leviticus emphasizes not the social dimension we find in Deuteronomy, or the sacrificial dimension we find in Numbers, but rather the spiritual dimension of encounter, closeness, the meeting of the human and the divine. This explains why we find in this chapter, more than in any other, two key words. One is *mo'ed*, the other is *mikra kodesh*, and both are deeper than they seem.

The word *mo'ed* does not just mean "appointed time." We find the same word in the phrase *ohel mo'ed* meaning "tent of meeting." If the *ohel mo'ed* was the place where man and God met, then the *mo'adim* in our chapter are the times when we and God meet. This idea is given beautiful expression in the last line of the mystical song we sing on Shabbat, *Yedid nefesh*, "Hurry, beloved, for the appointed time [*mo'ed*] has come." *Mo'ed* here means a tryst -- an appointment made between lovers to meet at a certain time and place.

As for the phrase *mikra kodesh*, it comes from the same root as the word that gives the entire book its name: *Vayikra*, meaning "to be summoned in love." A *mikra kodesh* is not just a holy day. It is a meeting to which we have been called in affection by One who holds us close.

Much of the book of *Vayikra* is about the holiness of place, the Sanctuary. Some of it is about the holiness of people, the *Cohanim*, the priests, and Israel as a whole, as "a kingdom of priests." In chapter 23, the Torah turns to the holiness of time and the times of holiness.

We are spiritual beings but we are also physical beings. We cannot be spiritual, close to God, all the time. That is why there is secular time as well as holy time. But one day in seven, we stop working and enter the presence of the God of creation. On certain days of the year, the festivals, we celebrate the God of history. The holiness of Shabbat is determined by God alone because He alone created the universe. The holiness of the festivals is partially determined by us (i.e. by the fixing of the calendar), because history is a partnership

between us and God. But in two respects they are the same. They are both times of meeting (mo'ed), and they are both times when we feel ourselves called, summoned, invited as God's guests (mikra kodesh).

We can't always be spiritual. God has given us a material world with which to engage. But on the seventh day of the week, and (originally) seven days in the year, God gives us dedicated time in which we feel the closeness of the Shekhinah and are bathed in the radiance of God's love. *Covenant and Conversation is kindly supported by the Maurice Wohl Charitable Foundation in memory of Maurice and Vivienne Wohl zt"l*
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RABBI SHLOMO RISKIN

Shabbat Shalom

“**T**remove the blasphemer to the outside of the camp” (Leviticus 24:14) Our Biblical portion of Emor concludes with a strange and almost mythical tale of what appears to be the son of a mixed marriage (“the child of an Israelite woman and of one who is an Egyptian man”) who picks a fight with an Israelite and publicly blasphemes. In response, God commands that those who heard his blasphemy must place their hands upon the blasphemer’s head and pelt him with stones (Leviticus 24:10-23).

The rather terse Biblical account is fraught with textual difficulties. Why does the Bible delineate the same capital punishment in three separate verses (Leviticus 24:14, 16, and 23)? And why tell a gossipy tale of mixed marriage as the prelude to the law of the blasphemer? Why not simply record the crime and its punishment, as is usual in the Bible? And if the background story is to be told, why not give all of the details? We are left with many gaps, especially as to the background of the two individuals who intermarry and their son’s attitude to his identity.

The nature of the punishment is also strange. Why do the people who hear the blasphemous words have to place their hands on the head of the criminal? “Laying of the hands” in the Bible generally signifies either a conferral of authority such as when Moses gives over his authority to Joshua (Numbers 27:23), or a transference of guilt – such as when the High Priest places the sins of the nation upon the head of the scapegoat (Leviticus 16:21,22). Neither of these symbols applies to the blasphemer.

Finally, the Biblical description of the blasphemer’s punishment concludes with the seemingly superfluous phrase “he shall be pelted, yes, be pelted, by the entire witness-congregation, stranger as well as citizen” (24:16). The next verses in the very same chapter seem to be presenting a totally disparate crime: “If a man smites the soul of another, he shall die, yes die” (24:17). The Bible goes on to record the laws of smiting animals and causing blemishes to other individuals adding kind of obiter dictum: “There shall be one law for

you, stranger as well as citizen, for I am the Lord your God” (24:22). The chapter concludes by returning to the blasphemer, who is to be removed from the encampment and pelted with stones (24:23). Why all of this extraneous material in the midst of the tale of the blasphemer?

I believe that the Bible is explaining to us what might have caused a Jew to stoop to publicly blaspheming the Lord who had just taken the Israelites out of Egypt with wonders and miracles. The crime was particularly strange since it was a transgression from which the perpetrator derived no “pleasure of the moment” (as in the case of the cohabitation with Midianite women or the orgiastic dancing associated with worshipping the Golden Calf); it only served to express his bitter anger, rebellion and disillusionment.

We have already seen that father Jacob needed to discover and accept his own proud identity. He achieved this by freeing himself from his obsession with the hands of Esau which were internally wreaking havoc with the “wholehearted man, dweller of tents” – his real persona. Only when he had succeeded in doing this could he truly accept “the Lord God of Israel” and merit the name Israel. (Indeed, each of us receives our basic identity, certainly in the most formative stages of our lives, from our parents, from their sense of identity and from the way in which they relate to each other and to us).

The Midrash, cited by Rashi, gives us a fascinating insight into the parents of this Israelite born to a mixed marriage: his Egyptian father was the taskmaster who smote the Hebrew slave and was, in turn, smitten by Moses. Apparently, this man’s self-image was severely damaged, and he yearned for acceptance by the Hebrews! His mother, Shlomit bat Divri from the tribe of Dan, was constantly chattering (dibur is speech), greeting everyone in sight again and again (“shalom lakh, shalom lakh,” Shlomit would always prattle). She too, desperately sought acceptance from everyone around her, and became easy prey for the sexually promiscuous. Two such parents, who came from two very different cultural backgrounds may well have married for the wrong reasons and could hardly have given their son a strong sense of identity as a proud child of Israel.

A Midrash, cited by Rashi reinforces this idea. Picking up on the phrase, “the son of the Israelite woman went out...”, it asks: “Where did he go out from? Rabbi Levi answered, ‘He went out from his world of Judaism’”. Even though as the son of a Hebrew woman, Jewish law defined him as a Hebrew, the fact that his father was Egyptian (even though the Midrash states that he converted) caused him to be treated as an outsider. He neither felt himself to be a full Jew, and nor did other Jews accept him as one. The Midrash goes on: “He went out frustrated from Moses’ Religious Court. He wanted to establish his tent in the encampment of the tribe of

Dan (from his mother's side), but he was rebuffed – the tribal inheritance followed the male lineage. When Moses sided with the decision of the tribe, he went out and blasphemed" (Vayikra Rabbah 33: 3).

This young man, certainly an Israelite from a halakhic, legal perspective, yearned for acceptance; instead he was rejected and rebuffed. His fight with an Israelite was against the tribe of Dan who removed his tent from their encampment. His resulting sense of alienation caused him to feel alienated from and rejected by the God of Israel as well. Indeed, it is almost natural for us to strike out against those whom we perceive as having attacked us!

The Talmud similarly teaches that when Timna, a Mediterranean princess, was rejected in her quest for conversion by our Patriarchs, she became mistress to Elifaz (son of Esau) and bore him Amalek (B.T. Sanhedrin 99b). Amalek became Israel's arch-enemy. Rejection breeds rejection, and thus the Divine imperative that the rejecting Israelite community must place its hands on the head of the blasphemer: because they are grafting onto him their sin of rejection. The blasphemer becomes the community's scapegoat.

The primary message of our redemption from Egypt is that we must "love the stranger (the other), because we were strangers in Egypt". Hence our Biblical passage emphasizes that the stranger must be treated as a citizen and that rejecting a human being is tantamount to smiting his soul. Only when we truly accept the stranger will God truly accept us as His redeemed people! ©2023 Ohr Torah Institutions & Rabbi S. Riskin

RABBI BEREL WEIN

Wein Online

We can all agree that the priestly family of Aharon has always had a special rank and position within the Jewish people. Having been chosen to represent God to the Jewish people and the Jewish people to God, so to speak, they had a decisive role of influence within Jewish life. Because of this, the Torah held them to a higher standard of pedigree and behavior than the rest of the Jewish people.

The prophet taught us that the priest was to resemble an angel of God in his knowledge and observance of Torah commandments and values. The special laws for the priests regarding marriage, divorce and pedigree that appear in this week's Torah reading were also intended to influence the rest of the Jewish people even though they, not being from the family of Aharon, were not bound by them.

The values of marriage, probity in personal relationships, pedigree and family were all indirectly strengthened throughout the Jewish nation by the special laws that were given to the priestly family. The priest was always meant to serve as an example, a role model for all of Israel. In essence this was his true

spiritual role while his officiating at the Temple services was his day job, so to speak. We can also understand why the individual priest spent relatively little time at the Temple throughout the year but was occupied as the teacher of other Jews, through actual educational methodology and, just as importantly, by personal example.

During both First and Second Temple times, priests were the pivotal force in Jewish life, perhaps even more so than the kings and rulers of the nation. The priestly clan saved the Jewish people from national and moral destruction. Yet, at other times, they were the catalyst for the people's abandonment of Torah and Jewish tradition.

The Talmud lists for us the names of families from Second Temple times who were to be eternally remembered positively because of their Torah true behavior. And the names of those families of priests who were to be remembered negatively, due to their unseemly practices and behavior, were also recorded. Many of the laws and duties regarding the priests remained valid and in force even after the destruction of the Second Temple. The Talmud ordained that the priests were to continue to receive special honors and recognition from the Jewish people. The priestly blessings became the focal point of the prayer services and the honors due the priest were constantly strengthened in the long night of our exile. The priest was seen as our living personal connection to our past Temple glories and to our future redemption.

In our current world there are a number of study groups throughout the Jewish world, especially here in Israel, which concentrate upon the study of the laws and procedures of the priestly duties vis-a-vis the Temple services. It is no wonder that the priests of Israel are proudly zealous in preserving their lineage and the special place that they occupy in Jewish life. ©2023 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. For more information on these and other products visit www.rabbiwein.com

RABBI AVI WEISS

Shabbat Forshpeis

If the concept of tzelem Elohim teaches that every human being is godly, why is a blemished priest (Kohen) prohibited from serving in the Temple? As the Torah states: "Any of your seed who has a blemish shall not approach to offer...whether it be a person who is blind or lame...or has a broken leg or broken arm" (Leviticus 21:17-19).

Perhaps it can be suggested that the prohibition does not stem as much from the Kohen himself as it does from the community he serves. In other words, the reason for the disqualification does not derive from the Kohen's handicap but from the congregation's inability to accept or receive the service of someone it considers

less than whole.

Discomfort with those who are challenged continues to this day. Many people shun those with facial or limb differences, those with Down syndrome or autism, and those in wheelchairs.

This dynamic especially manifests itself in the realm of leadership. President Franklin Delano Roosevelt's childhood polio had confined him to a wheelchair, so his staff ensured the public would never see pictures of him in a wheelchair, believing such an image would prevent people from accepting Roosevelt as a powerful leader. But this stigma should not exist.

This may be why the Midrash states that, in messianic times, the blemished will come back to life as they were – only to be immediately healed (Bereishit Rabbah 95:1). My sense is, as my son Dr. Dov Weiss pointed out, that the Midrash does not mean that they will be healed supernaturally; many authorities insist that even in the messianic redemptive period, the world will be governed by natural law. Rather, the Midrash tells us that they will be healed in the sense that society will not regard these individuals as deficient. In the redemptive world, people will have scars, but they will not be seen as blemished.

In sum, the biblical period continuing through Temple times projected the dream of perfection. The redemptive period, in a certain sense, will take us to a new level. Its goal will be to create a society of excellence – but excellence is not perfection. To paraphrase the Italian aphorism quoted by Voltaire, perfection is the enemy of good.

Instead, we will have a messianic world in which everyone, including those with special needs (and who among us does not have a special need?) will be fully accepted and welcomed. ©2023 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

DR. ERICA BROWN

The Torah of Leadership

I've always loved the word "scrupulous," even though it can be a mouthful to pronounce. It offers the subtle combination of meticulousness, thorough attention to details, and the moral quality of avoiding wrongdoing in the smallest of ways. It communicates the nexus of careful, intentional thought and deed in relationship with honesty, integrity, and righteousness. It describes leadership at its best. Sadly, we don't expect our leaders to be scrupulous today when it comes to the ethics. We've lowered the bar so much that some leaders step right over it.

Our parsha, Emor, demands that the priestly class, in particular, be very careful about their conduct, especially when it comes to managing donations to the Temple: "God spoke to Moses, saying: Instruct Aaron

and his sons to be scrupulous (va'yinazru) about the sacred donations that the Israelite people consecrate to Me, lest they profane My holy name..." (Lev. 22:1-2).

Rashi explains that the root of fastidious care – nezer – means to distance oneself or set oneself apart. He uses two biblical prooftexts to support his explanation from both Ezekiel 14:7 and Isaiah 1:41. We recognize this word from the nazir, the ascetic who refrains from certain behaviors to live a less worldly existence. He sets himself apart. Nezer also refers to a crown around the head; the nazirite does not cut his hair, perhaps to bring attention to the role the mind plays in self-sanctification.

One passage in the Talmud explains that scrupulous behavior was also expected of those who collected funds for the Beit Ha-Mikdash, our holy Temple, to cover the cost of offerings. The coin gatherer was not allowed to wear clothing with cuffs. He was also not allowed to wear shoes, sandals, tefillin, or amulets, all places where coins might be hidden from view. Having authority and exposure to a lot of money can tempt even the most scrupulous. Avoid suspicion and take every precaution not to arouse it. The Talmudic passage concludes with a verse from Proverbs: "Find favor and approval in the eyes of God and humans" (Prov. 3:4).

Speaking of endings, our chapter in Emor ends where it begins: "You shall faithfully observe My commandments: I am. You shall not profane My holy name, that I may be sanctified in the midst of the Israelite people—I, God, who sanctify you, I who brought you out of the land of Egypt to be your God, I, the Lord" (Lev. 22:31-33). It's not easy to know what it means to sanctify God's name and not profane it. It might all come down to one question: does every small action of ours reflect uprightness?

Leadership expert Dan McCarthy challenged readers to think hard about this question. In his article "Leadership Scruples: What Would You Do? 20 Ethical Dilemmas for Leaders" (Great Leaders, Jan. 28, 2009), McCarthy resurrected the game Scruples to ask leaders how they would handle different scenarios. Here are just 5 of his 20 questions:

1. Your manager congratulates you for a brilliant suggestion and hints at a promotion. Your employee gave you the idea. Do you mention this to the manager?
2. A colleague is out of his office. You notice his paycheck stub on his desk. Do you glance at it?
3. Your manager demands to know what a co-worker is saying behind his back. It's not flattering. Do you tell him?
4. You want to quit a job without notice but you need a good reference from your employer. Do you invent a family health emergency?
5. You decide not to hire someone because he's wearing a nose ring. When he asks why he didn't make it, do you give the real reason?

We can add lots of questions to McCarthy's list.

There are the big questions about leadership scrupulousness like, "Am I honest in what I say and do? Do I use language that hurts or heals? Do I curse or gossip too much about colleagues?" And then there are the smaller but no less important questions that are the modern-day version of the coin-free charity collector's clothing: "Do I take office supplies for personal use without asking permission or checking on the company's policy?"

At the heart of scrupulous behavior is the understanding that small acts of misconduct can grow over time into larger acts of moral corruption and small acts of honesty can grow a reputation of trust. Who would you hire, the person who takes paperclips home or the person who asks before taking something for personal use? I know my answer.

Our Torah reading this week puts another frame on these questions: godliness. Sanctification opens our chapter and closes it. If you want to strengthen your relationship with God, care about the details. If you want to strengthen a relationship with others, care about the details. If you want to strengthen your leadership, care about the details. All of the small details add up to a reputation of love, integrity, goodness, warmth and depth.

In his book *Morality*, Rabbi Jonathan Sacks explains that, "Bad behaviour can easily become contagious, but so can good behaviour, and it usually wins out in the long run."

So, how scrupulous are you? © 2023 Dr. E. Brown and Rabbi Lord Jonathan Sacks-Herenstein Center for Values and Leadership

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Chadash in the Diaspora

Translated by Rabbi Mordechai Weiss

The mishnah at the end of *Orlah* makes an unequivocal statement about *chadash* (grain from the new harvest, which may not be eaten until the *omer* offering is brought on the sixteenth of Nissan). According to this mishnah, "*Chadash* is biblically forbidden everywhere." This means it is an issue not only in Israel, but in the Diaspora as well. The rule is derived from the verse: "Until that very day, until you have brought the offering of your G-d, you shall eat no bread or parched grain or fresh ears; it is a law for all time throughout the ages **in all your settlements**" (*Vayikra* 23:14). Clearly, this last phrase includes the Diaspora.

Even though *chadash* applies in the Diaspora according to this mishnah, the *omer* offering may not be brought from grain grown in the Diaspora (as the mishnah states in *Menachot* and as the Rambam rules).

This mitzva is more difficult to follow in the Diaspora, since wheat there sprouts before the sixteenth of Nissan, and might be made into flour (which is not the case in Israel). Some rabbinic leaders in the Diaspora

used to roam from place to place with their own pots and pans, looking for wheat that was not *chadash*.

However, the mishnah in *Kiddushin* presents, in addition to the view cited above, a lenient view that biblically the law of *chadash* pertains only to the Land of Israel. According to this view, the mitzva of *chadash* is similar to the offering of the *omer*, in that both are relevant only in the Land of Israel. Thus, we see that in *Kiddushin* the status of *chadash* in the Diaspora is disputed. One would expect that we would follow the explicit ruling in *Orlah*, where only one view is recorded: that *chadash* is forbidden everywhere. But it is not that simple. Which mishnah to follow may depend upon which tractate was written first. If the mishnah in *Orlah* is later than the mishnah in *Kiddushin*, then it seems there was a disagreement followed by an unopposed statement, so we should follow the unopposed statement. (Hence *chadash* would be prohibited even in the Diaspora.) However, if *Orlah* is earlier, then it seems the disagreement continued afterwards in *Kiddushin* despite categorical statement in *Orlah*.

We might assume that *Orlah* must be earlier. After all, it is part of *Seder Zera'im* (the first of the six orders of the Mishnah), while *Kiddushin* is part of *Seder Nashim* (the third order). But it is not that simple. There is a general principle that "The Mishnah is not in order." This means that the order of the Mishnah's tractates is logical, not chronological. It does not necessarily correspond to the time periods in which they were originally taught. © 2017 Rabbi M. Weiss and *Encyclopedia Talmudit*

RABBI AVI SHAFRAN

Cross-Currents

The Baitusim, a sect in Talmudic times often associated with the Tzedukim (or Sadducees), had a congenial approach to establishing the date of Shavuot, which the Torah describes as the fiftieth day from a particular point (*Vayikra* 23:15-21).

The Sinaic mesorah defines that starting point as the second day of Pesach (designated by the Torah as "the day after the Shabbos" -- "Shabbos" here meaning the first day of the holiday), the day the *omer* sacrifice was brought. Thus, Shavuot could fall on any day of the week.

But the Baitusim seized on the Torah's reference to that first day of counting as "the day after the Shabbos" as indicating that the fifty days must start after a literal "Shabbos," on a Sunday, the first one after the *omer*, ensuring that Shavuot, too, would always fall on an Sunday.

A Baitusim spokesman defended his group's position to Rabban Yochanan ben Zakkai: "Moshe, our teacher, loved the Jews and... established [Shavuot] after Shabbos, so that the Jewish people would enjoy themselves for two days" (*Menachos*, 65a).

Hashem, he was asserting, certainly wanted His

people to have a "long weekend" each summer.

An enticing thought, perhaps. But not what Hashem commanded. And Judaism is all about doing what He commands, whether it sits well with us or we think we have a better, "improved" idea. It isn't our prerogative to "reform" divine will.

Our mandate is to be tamim, "simple," "perfect," "trusting." It was, after all, our ancestors' declaration of Na'aseh vinishma, "We will do and [only then endeavor to] hear [i.e. understand]" that earned us the Torah.

Which declaration, of course, took place, according to the mesorah, on Shavuos.

As Rava told a heretic who ridiculed his alacrity, "We Jews proceed with simple purity, as it says [in Mishlei 11:3], 'The simplicity of the upright will guide them' (Shabbos 88b).

Notes the Shem MiShmuel: The "seven weeks" that are counted from Pesach to Shavuos are pointedly called sheva Shabbasos temimos -- "seven perfect weeks." Weeks, the word is hinting, for us to grow in what merited us the Torah, our temimus. ©2023 Rabbi A. Shafran and torah.org

RABBI DAVID LEVIN

Priestly Disqualifications

All male Kohanim were descendants from Aharon and his sons, but not every Kohein could serve in the Temple. The Kohein had to be ritually pure, which meant that at some times he might have been excluded because he was temporarily tamei, ritually impure. Most impurities could be remedied by waiting the appropriate time of impurity and then going to a ritual bath. Some impurities would also need an offering in the Temple before the Kohein was permitted to eat terumah, the portion of food set aside for a Kohein, or serve in the Temple again. Still, there were other factors, temporary or permanent, which could prevent a Kohein from serving. This week's parasha details those exclusions.

The Torah states: "Speak to Aharon saying, 'Any man of your offspring throughout their generations in whom there will be a blemish, shall not come near to offer the food of his Elokim. For any man in whom there is a blemish shall not approach: a man who is blind or lame or whose nose has no bridge, or who has one limb longer than the other, or in whom there will be a broken leg or a broken arm, or who has abnormally long eyebrows, or a membrane on his eye, or a blemish in his eye, or a dry skin eruption, or a moist skin eruption, or has crushed testicles. Any man from among the offspring of Aharon the Kohein who has a blemish shall not approach to offer the fire-offerings of Hashem; he has a blemish – the food of his Elokim he shall not approach to offer. The food of his Elokim from the most holy and from the holy he may eat. But he shall not come to the Curtain, he shall not approach the Altar, for he has a blemish; and he shall not desecrate My sacred offerings, for I am Hashem, Who sanctifies them.'"

The Torah is very careful in the words that it uses. The Torah states, "Speak to Aharon saying, 'any man of your offspring,'" which indicates that the statement does not include Aharon himself. This is further indicated by the use of the future tense in the words, "there will be a blemish." The Ramban points out that, had the Torah said, "Speak to Aharon and his sons," when it is speaking of a blemish (as we often find in the Torah concerning a law involving offerings) the Torah would have had to say, "any man among you," which would have included Aharon. Yet, Aharon is Hashem's Holy one, "completely fair and no blemish in him." It is understood from this that Hashem was warning Aharon to caution his own sons about blemishes.

The list of blemishes which disqualify a Kohein indicate that they may be temporary or permanent. The disqualification will occur as long as the blemish exists. A broken arm or an injury to one's eye could be either temporary or permanent. Being blind or deaf might also be temporary or permanent depending on the type of injury involved. A blemish need not be from birth, and illness or trauma may cause the blemish. HaRav Zalman Sorotzkin learns this from two phrases in our section: (1) "in whom there will be a blemish" indicates future and permanence (the blemish will still be there in the future), and (2) "in whom there is a blemish" indicates present and temporary (while it is present now it may disappear in the future).

HaRav Shmshon Raphael Hirsch explains the phrase "shall not approach to offer" with the understanding that a person who offers a sacrifice elevates himself to be "lechem Elokav, food for his G-d." The regular Kohein and the Kohein Gadol are "clad in garments of purity and girded with the aspiration of this perfection." From this Hirsch continues, "There must not be a contradiction between the appearance of the Kohein who brings the offering and the character that makes the offering worthy of bringing as an offering. The blemishes that render an animal unfit for an offering make the Kohein also unfit for bringing the offering, and an animal offered by a Kohein who has a blemish is disqualified as if the animal itself had the blemish."

HaRav Sorotzkin explains that there are three different kinds of blemishes which disqualify a Kohein from service in the Temple. The first category is a blemish that would disqualify an animal, and the same type of blemish would disqualify the Kohein. These number fifty, which are enumerated in the Talmud. The second (ninety types of blemishes) are those which would not disqualify an animal but would disqualify a Kohein. The third, small group of two blemishes of fall under the category of morit ayin, appearances. It is clear that some of the blemishes would make it physically difficult to perform the service, while others seem to disqualify the Kohein based on the appearance of an unsightly defect which might be rejected by Hashem.

It is important to understand the blemishes that

disqualify the Kohein. A broken arm or leg, one arm or one leg shorter than the other, being blind or deaf, clearly would make it difficult to perform the services in the Temple without assistance. With some of the blemishes it depends on which side of a difference of opinion one accepts. The term "gibein" is translated according to Rashi as abnormally long eyebrows. Reb Saadia Gaon and Radak understand this to mean that the Kohein is a hunchback and his eyebrows hang down. If one sides with Rashi, the defect is cosmetic; but if one understands this defect to be physically damaging, one would judge this to be a problem of being able to carry out the required service.

We must remember that the Kohein was not given a portion of the land since his responsibility in the Temple would always precede his working the land. The Kohein's service entitles him and his family to a portion of the crops of each of the other tribes as well as a portion of certain sacrifices and offerings brought when it is his turn to serve in the Temple. But what happens to the unfortunate Kohein who has one of these blemishes? He cannot serve through no fault of his own. Yet, from the words of the Torah, "The food of his Elokim from the Most Holy and from the Holy he may eat," the Kohein is allowed to eat from the Holy food, namely, the portion of the offerings that is brought upon the altar and the portion of the crops brought to the Temple.

In today's age, when fairness is sought for everyone, the plight of the blemished Kohein seems discriminatory. But in that same vein, one could question why the Kohein was chosen over the other tribes to serve Hashem in the Temple. We may fail to realize that we are unable to discern equality, nor may that be the ideal that we should seek. Hashem has a plan for each of us which makes our task unique. Our challenges and our strengths are each different. May we seek to understand our unique role in Hashem's plan. ©2023 Rabbi D. Levin

RABBI JONATHAN GEWIRTZ

Migdal Ohr

"A Kohain who buys a soul, the purchase of his money, that person may eat of it, and those born in his house, they shall eat of his bread." (Vayikra 22:11) Parshas Emor deals with the sanctity of the Kohanim, and teaches that it is the responsibility of each generation to impress upon the next how crucial it is to remain pure. While others may walk into a cemetery or come into contact with a corpse, a Kohain must be extra careful to avoid this. Not only those who offered the sacrifices back in history, but even today, a Kohain must avoid this contamination.

The special gifts given to a Kohain in exchange for his dedication to Hashem's service must be eaten in purity. If, somehow, a Kohain becomes impure, or even if he is contaminated by contact with the corpse of a close relative for whom he is permitted to become defiled, he is not allowed to eat that food in this state, lest

he defile it.

We can understand that the Kohain cannot eat these foods if he is not completely pure and sanctified. That's why it is unusual that a gentile slave purchased by the Kohain MAY eat of it. Certainly, he is not on as high a level as the Kohain even when he is impure, nor is he on the level of a Jewish slave, but neither of them can eat while he can! Why might this be?

We'd like to suggest that the Eved Canaani, the gentile slave, has a certain advantage over the others when it comes to eating Teruma and similar foods. Like the wife or daughter of a Kohain, he earns his right to eat as an extension of the Kohain. Should the daughter marry a non-Kohain, she loses that right, though her father is a Kohain.

The Eved Ivri should also be considered an extension of the Kohain, enabling him to eat, but the Torah says, "the purchase of his money" to tell us that the Eved Ivri, who may go free at the end of six or fifty years, is excluded. Like the daughter of the Kohain, circumstances may sever their bond.

The Eved Canaani, however, is allowed to eat despite his less-holy origins because he has now become connected to the Kohain forever. We are adjured to always hold onto our non-Jewish slaves (lest they revert back to their previous ways, bereft of the commandments the slave of a Jew receives) and thus, this servant will ALWAYS be connected to his master. This knowledge and acceptance make him a subordinate part of his master, almost like a limb. Therefore, he can eat the sanctified foods because his connection is permanent.

The message is clear. When we recognize, accept, and even appreciate, that we are eternally connected to Hashem; that we are His acquisition (as it says (Devarim 32:6) "He is your Father Who acquired you), then we become a part of Him, our level of sanctity is raised, and we can rightfully benefit from all that is His.

A man came to visit a famous resort. "Tell me," he asked a local, "Is this place as healthful as everyone says?"

"Of course," replied the strapping fellow. "Why, when I first arrived here, I couldn't dress myself, and I had to be fed! I couldn't even speak. Now look at me."

"Amazing," replied the visitor, noting his physique. "How long have you been here?"

"Oh," said the local, "I was born here." ©2023 Rabbi J. Gewirtz & Migdal Ohr

