

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI LORD JONATHAN SACKS

Covenant & Conversation

The nineteenth chapter of Vayikra, with which our parsha begins, is one of the supreme statements of the ethics of the Torah. It's about the right, the good and the holy, and it contains some of Judaism's greatest moral commands: "You shall love your neighbour as yourself," and "Let the stranger who lives among you be like your native-born. Love him as yourself, for you were strangers in Egypt."

But the chapter is also surpassingly strange. It contains what looks like a random jumble of commands, many of which have nothing whatever to do with ethics and only the most tenuous connection with holiness:

"Do not mate different kinds of animals."

"Do not plant your field with two kinds of seed."

"Do not wear clothing woven of two kinds of material." (19)

"Do not eat any meat with the blood still in it."

"Do not practise divination or sorcery."

"Do not cut the hair at the sides of your head or clip off the edges of your beard." (26-28)

And so on. What have these to do with the right, the good and the holy?

To understand this we have to engage in an enormous leap of insight into the unique moral/social/spiritual vision of the Torah, so unlike anything we find elsewhere.

The West has had many attempts at defining a moral system. Some focused on rationality, others on emotions like sympathy and empathy. For some the central principle was service to the state, for others moral duty, for yet others the greatest happiness of the greatest number. These are all forms of moral simplicity.

Judaism insists on the opposite: moral complexity. The moral life isn't easy. Sometimes duties or loyalties clash. Sometimes reason says one thing, emotion another. More fundamentally, Judaism

identified three distinct moral sensibilities each of which has its own voice and vocabulary. They are [1] the ethics of the king, [2] the ethics of the priest and fundamentally, [3] the ethics of the prophet.

Jeremiah and Ezekiel talk about their distinctive sensibilities: "For the teaching of the law [Torah] by the priest will not cease, / nor will counsel [etzah] from the wise [chakham], / nor the word [davar] from the prophets." (Jer. 18:18)

"They will go searching for a vision [chazon] from the prophet, priestly instruction in the law [Torah] will cease, the counsel [etzah] of the elders will come to an end." (Ez. 7:26)

Priests think in terms of Torah. Prophets have "the word" or "a vision." Elders and the wise have "etzah". What does this mean?

Kings and their courts are associated in Judaism with wisdom -- chokmah, etzah and their synonyms. Several books of Tanakh, most conspicuously Proverbs and Ecclesiastes (Mishlei and Kohelet), are books of "wisdom" of which the supreme exemplar was King Solomon. Wisdom in Judaism is the most universal form of knowledge, and the Wisdom literature is the closest the Hebrew Bible comes to the other literature of the ancient Near East, as well as the Hellenistic sages. It is practical, pragmatic, based on experience and observation; it is judicious, prudent. It is a prescription for a life that is safe and sound, without excess or extremes, but hardly dramatic or transformative. That is the voice of wisdom, the virtue of kings.

The prophetic voice is quite different, impassioned, vivid, radical in its critique of the misuse of power and the exploitative pursuit of wealth. The prophet speaks on behalf of the people, the poor, the downtrodden, the abused. He or she thinks of the moral life in terms of relationships: between G-d and humanity and between human beings themselves. The key terms for the prophet are tzedek (distributive justice), mishpat (retributive justice), chessed (loving kindness) and rachamim (mercy, compassion). The prophet has emotional intelligence, sympathy and empathy, and feels the plight of the lonely and oppressed. Prophecy is never abstract. It doesn't think in terms of universals. It responds to the here and now of time and place. The priest hears the word of G-d for all time. The prophet hears the word of G-d for this time.

The ethic of the priest, and of holiness



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generally, is different again. The key activities of the priest are lehavdil -- to discriminate, distinguish and divide -- and lehorot -- to instruct people in the law, both generally as teachers and in specific instances as judges. The key words of the priest are kodesh and chol (holy and secular), tamei and tahor (impure and pure).

The single most important passage in the Torah that speaks in the priestly voice is Chapter 1 of Bereishit, the narrative of creation. Here too a key verb is lehavdil, to divide, which appears five times. G-d divides between light and dark, the upper and lower waters, and day and night. Other key words are "bless" -- G-d blesses the animals, humankind, and the seventh day; and "sanctify" (kadesh) -- at the end of creation G-d sanctifies the Shabbat. Overwhelmingly elsewhere in the Torah the verb lehavdil and the root kadosh occur in a priestly context; and it is the priests who bless the people.

The task of the priest, like G-d at creation, is to bring order out of chaos. The priest establishes boundaries in both time and space. There are holy times and holy places, and each time and place has its own integrity, its own setting in the total scheme of things. The kohen's protest is against the blurring of boundaries so common in pagan religions -- between gods and humans, between life and death, between the sexes and so on. A sin, for the kohen, is an act in the wrong place, and its punishment is exile, being cast out of your rightful place. A good society, for the kohen, is one in which everything is in its proper place, and the kohen has special sensitivity toward the stranger, the person who has no place of his or her own.

The strange collection of commands in Kedoshim thus turns out not to be strange at all. The holiness code sees love and justice as part of a total vision of an ordered universe in which each thing, person and act has their rightful place, and it is this order that is threatened when the boundary between different kinds of animals, grain, fabrics is breached; when the human body is lacerated; or when people eat blood, the sign of death, in order to feed life.

In the secular West we are familiar with the voice of wisdom. It is common ground between the books of Proverbs and Ecclesiastes and the great

sages from Aristotle to Marcus Aurelius to Montaigne. We know, too, the prophetic voice and what Einstein called its "almost fanatical love of justice." We are far less familiar with the priestly idea that just as there is a scientific order to nature, so there is a moral order, and it consists in keeping separate the things that are separate, and maintaining the boundaries that respect the integrity of the world G-d created and seven times pronounced good.

The priestly voice is not marginal to Judaism. It is central, essential. It is the voice of the Torah's first chapter. It is the voice that defined the Jewish vocation as "a kingdom of priests and a holy nation." It dominates Vayikra, the central book of the Torah. And whereas the prophetic spirit lives on in aggadah, the priestly voice prevails in halakhah. And the very name Torah -- from the verb lehorot -- is a priestly word.

Perhaps the idea of ecology, one of the key discoveries of modern times, will allow us to understand better the priestly vision and its code of holiness, both of which see ethics not just as practical wisdom or prophetic justice but also as honouring the deep structure -- the sacred ontology -- of being. An ordered universe is a moral universe, a world at peace with its Creator and itself. *Covenant and Conversation 5777 is kindly supported by the Maurice Wohl Charitable Foundation in memory of Maurice and Vivienne Wohl z"l* © 2017 Rabbi Lord J. Sacks and rabbisacks.org

RABBI SHLOMO RISKIN

Shabbat Shalom

"**S**peak to the entire congregation of the People of Israel and say to them: 'You shall be holy, for I the Lord your G-d am holy.'" [Lev. 19:2] What does it mean to be holy? In our generation, the emotionally-charged observance of Yom Hazikaron -- when we honor the memories of those who have lost their lives defending the State of Israel -- provide poignant answers to this ancient question.

I would like to offer some context for this matter by citing a teaching from Rabbi Yechezkel "Chatzkel" Abramsky, z"l, legendary sage and rabbinical judge of London and Jerusalem. He taught that three aspects of our ethnicity create Jewish identity: belonging to a special nation, a special religion, and a special holy community. These three elements are expressed in the Tahanun supplication that we recite after the daily Shemoneh Esrei prayer.

The first element is reflected in the words: "Guardian of Israel, guard the remnant of Israel, and do not destroy Israel, those who recite 'Shema Yisrael'." Fascinatingly, the prayer speaks of "Israel" and not of "Jews", of our national heritage rather than of our religious faith. Israel is, after all, the name of our common patriarch, Yisrael; it is the special term for our national homeland -- and every family descendant responds to the familiar words "Shema Yisrael".

We begin this prayer by entreating the Almighty to preserve also those Jews who do not identify with a traditional code of conduct or a commitment to a particular faith or set of beliefs. It is enough that they are citizens of the State of Israel, or diaspora Jews who identify with the “Jewish family” in times of crisis. This is the covenant of Jewish peoplehood that G-d established with Abraham.

The prayer continues: “Guardian of a unique people, guard the remnant of a unique nation, and do not destroy a unique people, who declare Your Name one and unique, the Lord our G-d is one and unique.”

In this stage of the prayer, we ask for the preservation also of those who see themselves as “Jews” in addition to being Israelis, those who live a unique traditional lifestyle of Sabbath, festivals and kashrut, and those who are committed to faith in one G-d. These Jews express the covenant at Sinai, the special religious beliefs and way of life that make Jews a singular and unique people.

The prayer concludes: “Guardian of a sacred people, guard the remnant of a sacred nation, and do not destroy a sacred people, who triplicate with three sanctities before the Sacred One.” This is the final and highest aspect of our ethnicity: in addition to our being a nation and a religion – Jews and Israelis, bound up together with a family-nation-state and committed to a system of traditions and beliefs – we must also strive to be sacred, holy.

This is the very first commandment of this week’s Torah reading of Kedoshim: “you shall be holy.” What does this mean? Yosef Goodman, z”l, son of my beloved friends and fellow residents of Efrat, Mordechai and Anne Goodman, demonstrated how to answer this question.

In early 2006, Yosef, a member of an elite IDF unit, was participating in an army training maneuver at the Nitzanim base near the city of Ashdod. While jumping out of an army plane, Yosef’s parachute became entangled with the parachute of his unit commander.

Facing terrifying choices, Yosef made the brave and holy decision to disentangle his parachute, which would save the life of the commander, but which would catapult him to certain death on the ground below. At the funeral on Har Herzl, an IDF officer praised Yosef, calling him a fearless soldier who showed everyone the meaning of Zionism. Yosef, z”l, is a kadosh, a holy Jew.

Who is holy? Roi Klein, z”l, a young married father of two, who loved his nation, his land and his Torah with all his heart and soul. In the Second Lebanon War in the Summer of 2006 against Hezbollah, Roi found himself in the town of Bint Jbeil removing armaments with his army reserve unit. He was standing near the entrance to a building when a terrorist threw a grenade that landed near him. Klein yelled out to his men, “Klein is dead! Klein is dead!”

and, while proclaiming “Shema Yisrael!”, jumped on the live grenade, muffling the explosion with his body and saving the lives of all of his fellow soldiers. Roi, z”l, is a kadosh, a holy Jew.

Please, G-d, preserve all members of the Jewish nation: the Jews who have only the most basic of Jewish ethnic ties; those who have deep Jewish religious ties; and those who have attained a degree of G-d-like holiness! Preserve all members of the Jewish nation, for each of us has the capacity to attain holiness! ©2017 Ohr Torah Institutions & Rabbi S. Riskin

RABBI BEREL WEIN

Wein Online

All of us are aware of the difficulty of translating lofty values and ideas into practical daily human behavior. We all wish to be kind and gentle, considerate of others and their needs, a holy and good people. But life and its challenges and complexities always interfere and make the achievement of these goals difficult and elusive.

The goal of being a consecrated, good and holy nation, the goal set for the Jewish people at the onset of our history, is one that is agreed upon and revered by Jews in all centuries and locations. How to reach and realize that goal has been a matter of controversy and contention for millennia.

Moshe himself complains to G-d that “You have commanded me to elevate this people spiritually but You did not tell me how to do it! Explain Your essence to me.” And the Lord responds by stating that this is an impossibility for human beings to comprehend. So to speak, we are left to our own devices when it comes to achieving individual spiritual greatness. Only those who feel themselves spiritually impoverished can attempt to grow spiritually.

Much is left for human beings to accomplish with their own initiative and creativity. As the rabbis so succinctly put it: “Everything is dependent on Heaven but for awe and reverence for Heaven itself!” Achieving that awe and reverence is the path to spiritual growth and enhanced holiness in life. And this is the constant and complex struggle within to find and develop our better qualities and overcome and discard our negative ones.

But we should not think that Heaven has abandoned us completely in this search for holiness and spiritual greatness, without providing us with the tools that we may employ in accomplishing this lifelong mission. Hence, the plethora of commandments that make up much of this week’s Torah reading.

There seems to be a commandment that is relevant to every moment and situation in life. These commandments stand independent of any other goal in life except for their mandatory fulfillment. Yet all of Jewish thought and tradition saw them as being the building blocks of spiritual Jewish life, holy attitudes and

behavior.

Without these commandments, which translate themselves into daily repetitive human behavior, the road to holiness and spiritual fulfillment for Jews is pretty much blocked. Jewish history has shown us time and again the futility of trying to guarantee Jewish survival, let alone spiritual greatness, with the absence of the observance of the commandments.

The essence of Jewish life is not some mysterious guru-driven pursuit of holiness. Rather it is loyalty to Jewish tradition, as reflected in the necessity for observance of and reverence for the specific commandments described for us in the Torah. Fulfillment of these commandments does not necessarily guarantee the creation of a holy Jew but absent those commandments and the pursuit of the goal of personal and national holiness wanes and soon disappears. Such is the clear lesson of Jewish history. ©2017 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

Why were Nadav and Avihu, two of Aharon's (Aaron) sons killed? The Torah states their death came when they brought an eish zarah, a foreign fire, into the Temple. (Leviticus 10:1) But what was the nature of this fire?

Some maintain that because the prohibition against drinking is found in the sentences that follow their death, (Leviticus 10:9) the fire alludes to the possibility that Aharon's sons served in the sanctuary while intoxicated. This may be the reason for the punishment of death.

Others insist that the fire relates to their being "hot" in deciding halakhic matters themselves without consulting Moshe (Moses). Note that the preceding sentence (Leviticus 9:23) stresses the leadership role of Moshe and Aharon.

I am convinced that when many answers are offered, it indicates that none are truly compelling. It can be suggested that we cannot comprehend the reason why Nadav and Avihu's actions were deserving of death. Only G-d can grasp the unfathomable, we cannot.

This may explain why the Torah tells us at the beginning of this week's portion, that the Lord spoke to Moshe immediately after the death of Aharon's two sons. (Leviticus 16:1) The lesson: despite the suffering of sufferings, the horror of an untimely ghastly death, dialogue continues. G-d tells Moshe to speak to Aharon and Aharon does G-d's will. In fact this may be the central point of the Nadav - Avihu story. Although not understanding why his sons died, Aharon and the

priesthood continue on in a relationship to G-d.

Not coincidentally, soon after the first sentence of our portion, Aharon the high priest is commanded to select two identical goats and, by lots, designate one as an offering to G-d and the other to be pushed over the cliff for Azazel. (Leviticus 16:6-11) It is extraordinary that although these goats are identical in every way, they experience different fates. This to teach Aharon and all of us that sometimes life takes tragic twists and turns that are inexplicable.

When confronted with such inexplicable suffering we ought all remember the words of Esther Wachsman, mother of Nachshon (the young Israeli soldier murdered by Arab terrorists a number of years ago). She said, "When tragedy befalls us we should not ask 'why?' but rather, 'what shall we do now?'" It is our choice whether to approach our tragedy by only crying 'woe is me' or whether to allow it to elevate us, giving our lives new meaning and direction and bringing us closer to G-d.

Rav Yosef Dov Soloveitchik makes this very point when distinguishing between "fate" and "destiny." Fate casts each of us into a dimension of life we cannot control. Destiny, on the other hand, "is an active existence in which humanity confronts the environment into which she or he was cast...Humanity's mission in this world is to turn fate into destiny, an existence that is passive and influenced to an existence that is active and influential." ©2017 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 KALMAN PACKOUZ

Shabbat Shalom Weekly

The High Priest, the Cohen Gadol, performs a special service in the Tent of Meeting on Yom Kippur. Only he performs this service and he does it alone. The Torah states: "And there shall be no man in the Tent of Meeting when he goes in to make atonement in the sacred place" (Leviticus 16:17).

Why does the Torah emphasize, "and there shall be no man" when he does the service?

The commentary Degel Machaneh Ephraim, points out that the Cohen Gadol might feel conceited being the only one chosen from the entire nation to perform the sacred service on the most holy day of the year. He might focus on the honor he was receiving from others and how other people would be thinking of him with respect and even awe. Therefore, the Torah tells him, "There shall be no man," that is, the Cohen Gadol should mentally view the world as if there were no other people in existence. He should do this when he enters the tent of meeting to make atonement in the sacred place. By having this mental attitude, he frees himself from any thoughts of seeking honor and approval.

This is a useful technique for people who are worried about what others think about them. If no one else exists, then you do not need to worry what they think of you. In truth, others do not think about you as much as you think they do. And if they do think about what you do, it makes little practical difference -- especially, if you use this technique to free yourself from the harm and pain caused by the illusion that they are thinking about you and that it matters. *Dvar Torah based on Growth Through Torah by Rabbi Zelig Pliskin © 2017 Rabbi K. Packouz & aish.com*

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Touching Food

Translated by Rabbi Mordechai Weiss

In our Parsha it states the words "V'initen et Nafshesechem" 17;31 (you shall afflict yourselves).

This language "to afflict" appears four more times with relation to the holiday of Yom Kippur, in which our Rabbis derive the five activities that one must refrain from doing on Yom Kippur (eating, drinking, anointing, wearing leather shoes, and marital relations).

In the Jerusalem Talmud, Law Five, it states that the showbread which was usually divided by the Kohanim (priests) on Shabbat, when Yom Kippur falls on a Shabbat they would divide it after the completion of Shabbat. It would seem that even touching this bread, and by extension even touching food would similarly be forbidden on Yom Kippur.

There are those who say, that touching food on Yom Kippur is really not an issue since the severity of the day is upon the individual and one would never therefore eat food because one touches it. The Imrat Chasidim seems to concur when he states that even if all the fast days were eliminated, people would still fast on Yom Kippur because of the seriousness of the day.

In order to explain the Jerusalem Talmud that was quoted earlier, one must say that it was sited not in the context of a law but rather according to the view that states that one may prepare from Yom Kippur (if it falls on a Shabbat) to after Shabbat, and in that setting even on Yom Kippur it would be forbidden because one might come to eat it by touching it.

However according to the accepted law, this is not necessary.

Withholding Wages (Baal Talin)

One is commanded to pay the wages of a worker at the proper time. Should a person not pay at the appropriate time, he would not fulfill this positive commandment of paying on time ("B'yomo Titen Sacharo") and would be transgressing a negative commandment of withholding wages (Baal Talin) as well. However it would not subject the transgressor to lashes (Malkot) since eventually he must pay this debt that he owes, and in actuality it is a negative commandment that has no action (Lav she'en bo

Maaseh) since by withholding wages he is not actively doing something wrong.

The above only applies to a case where the person who must pay indicates that he doesn't have the funds now but understands his obligation to pay and intends to pay eventually. However a person who deliberately denies payment, or claims that he never engaged the person, even for a worker who is employed hourly or daily or nightly--such a person transgresses five negative commandments (Lo Taaseh) and one positive commandment (Aseh).

This is also applicable to a worker who was engaged for labor on a weekly, monthly, yearly or even the entire seven year Shmittah cycle.

If a person contracts an artisan to build something, when he completes the work the buyer does not have the obligation to pay immediately since the artisan has in his possession the finished object in which the buyer supplied the material.

In a case that the artisan is supplying the raw material there is certainly no prohibition of "Baal Talin" if the buyer doesn't claim it immediately, since the artisan is looked upon as a seller of his material and not a worker.

The above prohibition of "Baal Talin" applies whether engaging for hire, a man, animal or utensils.

However, if someone at the outset of the writing of the contract, stipulates that he might not pay on time, then he does not transgress this law of "Baal Talin". Indeed it is preferable that one is clear as to the stipulations of the contract at the outset, so as not to be placed in a situation that he might not have fluid money and would be unable to pay his debt and thus transgress the Mitzvah of "Baal Talin". ©2017 Rabbi M. Weiss and Encyclopedia Talmudit

RABBI PINCHAS WINSTON

Perceptions

I am always intrigued by the way the Torah can teach something Kabbalistic, and not make a big deal about it. As a result, people don't as well, and just learn it on a Pshat level, the simplest level of explanation.

Obviously the ENTIRE Torah is Kabbalistic. As the Ramban points out, the entire Torah is one long Name of G-d, aside from all the Names that are mentioned in the Torah. You can't get any more Kabbalistic than that.

True as that is, still, it is possible to ignore that fact because the Torah reads just fine as a straightforward narrative. Some mitzvos may be beyond our understanding at this time, but most people can accept that without having to get Kabbalistic. As we said at Mt. Sinai, "We will do and [when possible] we will [also] understand."

The parentheses were mine, but they seem to be an accurate assessment from over the ages.

One mitzvah that is somewhat of an exception

is the goat to Azazel on Yom Kippur. Part of the Yom Kippur service in the Temple was to choose two identical goats -- literally twins -- and send one for slaughter to G-d and the other off a cliff to Azazel.

If they were twin goats, what determined which one went where? The Torah tells us:

"[Aharon] shall take the two he goats, and place them before G-d at the entrance to the Tent of Meeting. Aharon shall place lots upon the two he goats: one lot 'For G-d,' and the other lot, 'For Azazel.' Aharon shall bring the he goat upon which the lot, 'For G-d,' came up, and designate it as a sin offering. The he goat upon which the lot 'For Azazel' came up, shall be placed while still alive, before G-d, to [initiate] atonement upon it, and to send it away to Azazel, into the desert." (Vayikra 16:6-10)

Thus the fate of each goat was determined, not by man, but by G-d. Aharon may have chosen the lots, but it was Divine Providence that determined how they came out.

The question is, if the goats were identical, why did it make a difference which goat went to G-d, and which one went to Azazel? Was there a blemish in one goat that could not be seen without first killing it, which was not possible in this case since it had to be sent alive off the cliff?

After all, could the two goats really be identical in EVERY way? Wouldn't genetics guarantee that one was healthier than the other, or better than its twin in some way? Perhaps this sacrifice required a level of perfection that man could not guarantee but G-d could.

The question can be answered on more than one level. Recently I heard one answer that is as profound as it is simple, and very relevant to raising children.

The person was speaking about children who come from Torah observant homes but who do not continue in the Torah way. One of the most common names used for such children is "OTD," which stands for "Off the [Torah] Derech -- Way."

The speaker used the question about the goats to illustrate an important point he was making. He pointed out how, when people see a child from a Torah family turn secular, they assume that something went wrong in the chinuch -- education. Or, they assume something is wrong with the child. Why else would a child not want to be frum?

Likewise, when children grow up and continue in the Torah way, they assume the opposite. They think that the child remained observant because he had the proper chinuch, the proper family upbringing. Why else would a child remain religious, especially in today's world?

Though each assumption is often correct, closer investigation reveals that this is not always the case. In many situations, two different children can have "identical" upbringings, and experience the same

kind of chinuch, and yet end up going in two different spiritual directions. It can and often turn out that the reason why one child remained true to Torah is the reason why another did not.

Of course, people do not like to hear such things. It makes the whole process of raising children too mysterious, too chancy. Parents like to believe that they have more control over the outcome of their children than they actually do. The "success" that some families have with their children seems to suggest that they are right.

The speaker said that the goats teach us otherwise. They tell us that two children can be, for all intents and perhaps, identical in upbringing and chinuch, and yet end up going in two different directions. One can end up going "to G-d," and one can end up going "to Azazel," that is, in a spiritually destructive path.

The reason for the difference? Nothing we can see. Nothing we can determine. Divine Providence. Something only G-d can see. Something only G-d understands. Something only G-d knows.

Many years ago I came across Sha'ar HaGilgulim, the Arizal's teachings on the topic of reincarnation. I had no idea what to expect when I started, other than learning about the concept of reincarnation. What I learned so amazed me that I learned in more than once, and eventually translated the sefer into English.

Admittedly, it is risky business translating anything Kabbalistic. Translation requires interpretation and VERY specific phraseology. This is ESPECIALLY so when it comes to something as mystical as reincarnation and personal rectification.

So why did I do it anyhow? For the very reason mentioned above. To share with others the extremely valuable insights I learned. The sefer changed my perspective with respect to people. I learned about how very different one person's journey in life can be from another's, but for reasons we can't know, like previous incarnations or inherent soul natures.

The sefer helped me understand myself better. It helped me understand others better. It helped me understand Jewish history better. Those with whom I have shared the work have said the same thing as well. They have learned, as I have, that the most obvious answers are not always the right ones when it comes to explaining why one child remains on the path of Torah, and one does not. ©2017 Rabbi P. Winston & torah.org

RABBI MORDECHAI KAMENETZKY

Honorable Mentshen

This week the Torah tells us about loving every Jew. It adds a special verse exhorting us to be especially sensitive to a special type of Jew the convert. "When a proselyte dwells among you in your land, do not taunt him. The proselyte who dwells with

you shall be like a native among you, and you shall love him like yourself, for you were aliens in the land of Egypt -- I am Hashem, your G-d" (Leviticus 19:33-34)

A person who converts has the status of a Jew. He is a full-fledged member of the community and every social, moral and ethical tenet applies to him. Though he may be exempt from particular laws concerning "kahal" (which would have implications in marital law), he is otherwise as equal as any Jew. And that's why this verse troubles me. After all, if the convert is a Jew, why do we need a special command telling us not to inflict any discomfort upon him? Hadn't the Torah told us in verse 18, "Love your neighbor as yourself?" Why implore born-Jews to be nice to the newcomers through a series of commands that seem to use a moral approach: "You were once a stranger, so you know how it feels?" A convert is a Jew. And a Jew is a Jew! All rules apply!

When my grandfather Rabbi Yaakov Kamenetzky, of blessed memory, was dean of Mesivta Torah Voda'ath back in the 1950s, he developed a professional relationship with a psychotherapist who worked with some of the students. The doctor would often call Rabbi Kamenetzky to discuss his treatment of some of the students under his care. They also would have discussions on psychology and education. The doctor was a student of the famed psychotherapist, Dr. Sigmund Freud, and despite Freud's attitude toward religion, this particular doctor was always respectful and never attributed any of the students' problems to observance or religious commitment.

Years later, when Rav Yaakov was informed that the doctor had passed away, he felt it incumbent to attend his funeral. He assumed it would not be the type of service he was used to, and even understood that he, a frocked and bearded sage, would appear out of place among a medical community of his distinguished colleagues, assimilated German and Austrian psychotherapists and mental health professionals. However, Rav Yaakov's gratitude overruled his hesitation.

When entering the Riverside Chapel, Rav Yaakov was shocked to see that a distinguished Rav, a friend of his, was performing the funeral and that scores of Torah observant Jews were participating. After the service which was done in total compliance with halacha, Rav Yaakov approached his friend who had officiated.

How do you know the doctor? What connection do you have with him? "What do you mean," answered the Rav. "Of course I knew him. The doctor davened in my shul three times a day!"

My grandfather had never discussed religion with the man, he just respected him for his professionalism and abilities.

The Torah tells us that even though there is a universal command to love every Jew as yourself, an

additional concept applies specifically to a convert. We must be kind to him as part of the overall moral obligation of a nation that also endured the trauma of being strangers. In addition to loving Jews as their inherent birthright, it is also imperative to display love to them when our moral obligation demands it. The Torah is teaching us not only to act with affection as born Jews but as honorable mentshen. ©2015 Rabbi M. Kamenetzky & torah.org

RABBI YITZCHOK ADLERSTEIN

Davar B'Ito

"**P**erform all My laws and safeguard My decrees to go in them. I am Hashem your G-d. Safeguard My decrees and My laws, which man shall perform and live by them. I am Hashem." Confusion reigns! First the order is laws followed by decrees. That changes to decrees and laws in the very next verse. In the first pasuk, we are asked to "go" in the decrees; there is no such demand regarding the laws. We could object even more strongly regarding the latter pasuk. Not only is the order changed, but we are hard pressed to find a reason for stating it altogether. What does it add that was left unsaid by the first pasuk?

Customary wisdom (reflected here in Rashi on the first pasuk) tells us that mishpatim/laws refers to rules that are rationally appealing and self-evident. Chukim/decrees are rules that have no such appeal, and which therefore upset our "rational" selves. We obey them out of respect and devotion to the King, Who has the right to command whatever He wants, whether it makes sense to us or not. In fact, this approach fits our first pasuk rather nicely. It explains why we are only told to "perform" the rationally-accessible mitzvos, while we are asked to "go in" the chukim. This last phrase asks us to turn some behavior into the custom of the land. Chukim have to be artificially turned into an accepted way of life, a customary way in which the community acts and "goes" in. Mishpatim do not require such regimentation. Because they appeal to us, we must simply see to it that we follow our natural inclination to observe them, and not fall prey to the meretricious arguments of our lusts and desires.

So far, so good. But what will we make of the second pasuk, with its curious reversal? We must conclude that here, "decrees" and "laws" mean something quite different. The usual explanation holds true when mishpatim are placed first. When the order changes, as it does in the second verse, we can see no reason why the Torah would assign pride of place to those mitzvos whose understanding troubles us, putting them before mitzvos whose logic we find compelling.

We must conclude that in the second pasuk, the terms mean something quite different. They do not refer to the practical observance of the mitzvos, but to the way Torah is learned and processed-in effect, to the

mechanics of the Oral Law. Chukim are the fixed rules of derivation, whereby new laws are derived from the text, even though they are not part of the plain meaning of the text. Mishpatim are those laws that are uncovered through the use of the chukim. When used this way, it makes perfect sense that chukim should come before mishpatim! (In fact, it is not only when the words "chukim" and "mishpatim" are used together-and in that order-that they refer to the process of Torah she-b'al-peh. Even when used alone, the two terms sometimes do not refer to types of practical mitzvos, but to the rules and process of derivation. When Moshe explains his judicial role to his father-in-law, "And I make known the chukim of G-d and His teachings," (Shemos 18:16) he means the ways Hashem wanted Torah studied to yield new halachic conclusions. When the Torah speaks of "the Torah they will teach you and the mishpat that they will say to you," (Devarim 17:11) Rambam (Mamrim 1:2) explains mishpat as "things that are learned by derivation, using one of the principles of derivation.")

Certainly when the two terms are used together, and "chukim" is placed first (such as our second pasuk), we cannot explain them as mitzvos whose meanings are remote, as opposed to those whose meaning seems apparent. In fact, however, we see that Chazal applied both sets of meanings to our second pasuk! Some of their derashos treat the terms as referring to Torah study; others see them as dealing with performance of mitzvos.

(The reason for this is not difficult to discern. One of the principles of derivation that we have been discussing is context. The shape that a derashah takes must sometimes be determined by the context in which it is embedded. Our psukim are sandwiched between others that deal entirely with practical observance-the laws of forbidden relations. This hints to us that the derashos from our pasuk should be applied, in part, to practical issues.)

So we find, on the one hand, that Chazal (Toras Kohanim, and Sanhedrin 59A) see an endorsement of Torah study in the phrase "which man shall perform and live by them." (By speaking of "man" rather than Jew, we can see that a non-Jew who studies the parts of Torah appropriate to him is as praiseworthy as a High Priest.) Clearly, the reference is to study of Torah, not to the performance of mitzvos. On the other hand, the same phrase is the source of halachah regarding practical observance of the mitzvos. The gemara (Yoma 85B) derives from it that a person need not sacrifice his life in order to comply with the mitzvos (with the exception of the three cardinal sins of idolatry, forbidden relations, and murder).

We must emphasize, however, that the primary meaning of chukim and mishpatim (when they are used in that order) refers to Torah study, not to performance of mitzvos. The gemara's derashah that puts life before

mitzvos does not flow from the plain meaning of the text, but is a secondary allusion.

Indeed, it must be so. Our pasuk comes after a parshah speaking about forbidden relations, which is one of the mitzvos for which a person must indeed sacrifice his or her life!

This leads to another observation. If we are correct that the primary meaning of the second pasuk tells us about Torah study, the reference to "living" by them must refer to an elevated quality of life. The Torah clues us in that if we want to experience life as it was meant to be lived-life in which the soul delights in spiritual connection-we need to learn Torah seriously. But why would such a lesson be planted in the middle of a section dealing with arayot?

The pasuk before the two we have considered here contains a clue. "Do not act according to the practice of the land of Egypt in which you lived. Do not act according to the practice of the land of Canaan to which I bring you. Do not follow after their decrees." People can come to transgress the most serious sins of the Torah as a consequence of the practices and decrees of their neighbors. This pasuk warns against the effects of living in the midst of a morally loose people. Some will tend to follow along with the fixed behavior patterns of their host cultures.

We have to admit, however, that not everything can be blamed on the external environment. People succumb to eruptions of desire within them. To protect against such failure, our pasuk offers a suggestion. Learn Torah in a manner that enriches your life, and leaves you feeling spiritually fulfilled. When your thoughts are full of Torah, there will be little room for thoughts of lust. (Based on Ha'amek Davar, Vayikra 18:4-5) ©2012 Rabbi Y. Adlerstein & torah.org

