

Rabbi Wein's Weekly Blog

PESACH SHENI

The idea that is embedded in the commemoration of Pesach Sheni is truly a unique and exceptional one. The Torah generally provides no opportunities for do overs. One cannot fulfill the commandment of shofar or of lulav at any other time except those set aside for those commandments in the month of Tishrei. Yet here, regarding the Pesach offering complete with the commandments of matzoh and maror, the Torah provides that if, under certain circumstances, one was unable to fulfill these commandments in the month of Nissan he will be able to do so in the month of Iyar.

There are many ramifications to understanding this exceptional situation. The Torah provides that if one was ritually impure or was too distant from Jerusalem to perform the commandment in the month of Nissan, he or she is given the opportunity to fulfill this obligation a month later. Since the holiday and commandments of Pesach are inextricably associated with the general concept of the redemption of Israel from exile and persecution, the ramifications of the laws regarding Pesach Sheni have special relevance and importance in Jewish history, even when the Temple no longer stands completed in Jerusalem.

There is an immediacy associated with this concept and that immediacy perhaps has even greater relevance and insight for our present time and national circumstances. For, in effect, our generations have been granted another opportunity to rebuild the Jewish people in the Jewish homeland. If we were unsuccessful, as apparently we were previously, or that previous Jewish generations for some reason did not take the opportunity to return to the land of Israel or did not have such an opportunity, we their descendants have certainly been granted that do-over, a make-up opportunity that Pesach Sheni represents. We will be charged as to what we did or did not do with this opportunity and situation.

Over the centuries many opportunities for Jewish settlement in the land of Israel were ignored or even aborted by the Jewish people themselves. There were many historical and even religious reasons for this behavior. But the main reason was that they felt themselves to be impure and unworthy of success in such a momentous, unprecedented endeavor. They were also physically very far away from Jerusalem, a city mostly desolated and physically unattractive under foreign faiths and rulers who were not particularly friendly towards any sort of Jewish presence within their domain.

The idea of redemption, national revival and the return to the land of Israel was, in practical terms, placed on the back burner of Jewish life. The very idea of a messianic redemption served to postpone if not even negate any action on the part of the Jewish people themselves in returning and rebuilding themselves as a nation in their ancient homeland.

The messianic idea of a supernatural person who would rectify all wrongs and overcome all problems in an instant became a legendary truth amongst the people of Israel. Because of this we have suffered from false messianism, which allowed charlatans and other more well-meaning individuals to claim that they had the keys of redemption in their hands. For nineteen centuries the Jewish people dreamt of Jerusalem, but it was in terms of a dream and not in terms of actual progress.

The state of Israel as it is presently constituted, after 70 years of its existence and success, is a national illustration of the idea of redemption as expressed in the concept of Pesach Sheni. This time, against all odds, predictions, religious sentiments and political experts, the Jewish state arose after thousands of years of exile and persecution. And it did so in a completely unpredictable and perhaps very uncomfortable manner. It was headed by Jews whose loyalty to Torah and Jewish tradition was questionable and sometimes not apparent. It had with it many moments of matzah and maror – disputes, violence, half-baked ideas and no shortage of inner and outer enemies. Yet, it has weathered these storms and the miracle of the ingathering of the exiles has occurred before our eyes, just as the ancient prophets of Israel stated that it would.

The challenge before all of us is how to deal with this opportunity that the Lord has granted us in an intelligent, realistic and faithful manner.

We will have to admit to ourselves and perhaps even publicly that the ways of the Lord are not discernible to us and that it is arrogant for us to think that the One Above must somehow conform to our preset ideas and imagined processes. We are living in a generation of Pesach Sheni.

Shabbat shalom

Berel Wein

Rav Shlomo Aviner Shlit"a

"Hopeless Students"

"He doesn't understand a thing, and he never will understand a thing in Mathematics." That's what his teacher commented on his Sixth Grade report card. Likewise, regarding all his other subjects he was called "weak, lazy," and other such names. His average monthly grade was 4 or 4.5 out of 10. And now, this childhood friend of mine, a member of the same Bnei Akiva group, Chaim Brazis, is an internationally known professor of Mathematics and a member of the Academy of Science of America and of France.

My friend, Rabbi Moshe Hagar, the head of the pre-military yeshiva in Yatir, was the worst soldier in his platoon during basic training. When he dismantled his rifle, his officers would have to go looking for parts he lost, and he was in total shock, and slept with his army boots on. His commander called him "Kuni Lemel". At the end of basic training, when he was accepted into the squad commander course, his own commander said to him, "Hagar, YOU're going to be a squad commander? You're a nothing!" Now he's a colonel, and a deputy division commander.

Dr. Orit Alpi, an instructor in psychology at Ben Gurion University, hands out to her students a copy of a bad elementary school report card, with no name, as an exercise for them, and asks them to predict the future of that student, and indeed, they all paint a morose picture. Then she reveals to them that it is her own report card.

Stories such as these can be found in abundance. Albert Einstein did not speak until age four, and did not know how to read until age seven. He was described by his teachers a slow thinker, with weak intelligence, and prone to foolish dreams. He was rejected by the Zurich Polytechnic.

Charles Darwin, father of the Theory of Evolution, was considered by his teachers and his father to be a simple boy with a below-average IQ. They thought he was wasting his time with hobbies like collecting animal species and observing nature instead of studying. Even at university he did not excel. Rather, he loved to collect insects and to read nature books.

Louis Pasteur was an average pupil, and chemistry he came out fifteenth out of twenty-two students. In university as well he did not achieve impressive results. Yet there have been very few researchers who produced as much of benefit for all mankind as he did.

The famous sculptor Auguste Rodin, was called an idiot by his father. His uncle called him "uneducable". His teachers called him "a bad pupil", and he three times failed the entrance exams to Art School.

Lev Tolstoy, the great Russian author, was declared by his teacher to be lazy and lacking talent. At the University, studying the humanities, he failed his exams and was described as being incapable of and uninterested in learning.

Thomas Edison, the prolific inventor and physicist was described by his teachers as too stupid to learn.

Walt Disney was fired by the newspaper where he worked due to his lack of ideas.

Beethoven, the brilliant composer, did not play the violin well, and his teacher called him "hopeless as a composer".

Henry Ford, who suffered from dyslexia, was a failing student, and went bankrupt five times before he succeeded in becoming a millionaire.

Winston Churchill was both dyslexic and psychologically depressed. After a whole career of failures, starting in sixth grade, he was made prime minister of England at age sixty-two.

There are many many more such people who after discovering in childhood that they suffered from learning disabilities, later succeeded: The author Hans Christian Andersen, the physicist Alexander Graham Bell, the artist Leonardo Da Vinci, American

General George Patton, the millionaire Nelson Rockefeller, and American President Woodrow Wilson.

Ascending in holiness, the Netziv of Volozhin, Rabbi Naphtali Zvi Yehuda Berlin, did not reap blessing as an elementary school “Cheider” pupil. It was decided to send him to learn a trade, yet he broke out in bitter weeping and asked for one more year to try (from the book “Gedolei HaDorot”, by Rabbi Yechiel Michel Stern II:801). HaGaon HaRav Yosef of Lutzk was a mischievous boy who did not want to learn at all, and he was removed from all Torah learning (“She’al Avicha Veyagedcha”, Rabbi Shalom Mordechai Shvadron I:127; and see my work, “Ani Lo Shaveh”, page 125). The Chassidic Admor Rabbi Tzvi Hirsch of Rimenov was a very weak student as a boy, until he slowly pulled himself up through enormous toil (“Sarei HaMe’ah”, by Rav Maimon IV:113-129; “Ani Lo Shaveh”, page 225).

Ha-Gaon Maharam Shik in his childhood had a weak ability to understand. He couldn’t understand even one page of Talmud. Yet he didn’t let it bother him. Instead, he toiled a great deal until he slowly achieved wisdom. (Gedolei HaDorot II:718). Rabbi Nachumke of Grodno, spiritual mentor of the Chafetz Chaim, following a move by his family to a new town and a new school when he was ten years old, could not succeed in Torah learning. He lost his love for learning and fell into a depression, deciding that he was incapable of it. He then joined up with a gang of wild boys and would wander around the town. It was decided to send him away so that he would not have a deleterious influence on other boys. He left the house of study, returned home, ceased studying, started collecting edible nuts from the forest and selling them to assist in supporting the family, and only a long time later slowly got back on track.

“The Rambam had a great deal of trouble understanding, and he had little desire to learn” (Seder HaDorot, 527, Entry: Rambam). Ascending further in holiness, Rabbi Akiva had trouble learning and remained an ignoramus until age forty. Then he went to learn Torah with his son (Avot DeRabbi Natan 6) and became the light of Israel.

Likewise, the son of Rabbi Eliezer and grandson of Rabbi Shimon bar Yochai strayed totally off the track into a life of abominable sin and corruptness.. Rebbe [Rabbi Yehuda HaNasi] approached him, ordained him as a rabbi, and assigned a Torah scholar to him to teach him. Yet he did not succeed in learning, and daily expressed his desire to return to his where he had been.. All the same, the Torah scholar encouraged him, saying, “We’ve made a rabbi out of you, and you want to go back there?! That doesn’t suit you!” In the end he abandoned his bad ways, decided to learn, great in Torah and became a scholar (Bava Metzia 85a). It should be noted that Rebbe, in awarding him the title of “rabbi” was relying on his judgment that ultimately he would return to the proper path.

Rabbi Sacks

Covenant & Conversation 5778

Life-Changing Ideas in the Parsha

In the Diary - Emor 5778

Time management is more than management and larger than time. It is about life itself. God gives us one thing above all: life itself. And He gives it to us all on equal terms. However rich we are, there are still only 24 hours in a day, 7 days in a week, and a span of years that, however long, is still all too short. Whoever we are, whatever we do, whatever gifts we have, the single most important fact about our life, on which all else depends, is how we spend our time.[1]

“The span of our life is seventy years, or if we are strong, eighty years,” says Psalm 90, and despite the massive reduction of premature deaths in the past century, the average life expectancy around the world, according to the most recent United Nations figures (2010-2015) is 71.5 years.[2] So, concludes the Psalm, “Teach us to number our days that we may get a heart of wisdom,” reminding us that time management is not simply a productivity tool. It is, in fact, a spiritual exercise.

Hence the following life-changing idea, which sounds simple, but isn’t. Do not rely exclusively on To Do lists. Use a diary. The most successful people schedule their most important tasks in their diary.[3] They know that if it isn’t in there, it won’t get done. To Do lists are useful, but not sufficient. They remind us of what we have to do but not when. They fail to distinguish between what is important and what

is merely urgent. They clutter the mind with trivia and distract us when we ought to be focusing on the things that matter most in the long run. Only a diary connects what with when. And what applies to individuals applies to communities and cultures as a whole.

That is what the Jewish calendar is about. It is why chapter 23, in this week’s parsha, is so fundamental to the continued vitality of the Jewish people. It sets out a weekly, monthly and yearly schedule of sacred times. This is continued and extended in Parshat Behar to seven- and fifty-year schedules. The Torah forces us to remember what contemporary culture regularly forgets: that our lives must have dedicated times when we focus on the things that give life a meaning. And because we are social animals, the most important times are the ones we share. The Jewish calendar is precisely that: a structure of shared time.

We all need an identity, and every identity comes with a story. So we need a time when we remind ourselves of the story of where we came from and why we are who we are. That happens on Pesach, when we re-enact the founding moment of our people as they began their long walk to freedom.

We need a moral code, an internalised satellite navigation system to guide us through the wilderness of time. That is what we celebrate on Shavuot when we relive the moment when our ancestors stood at Sinai, made their covenant with God, and heard Heaven declare the Ten Commandments.

We need a regular reminder of the brevity of life itself, and hence the need to use time wisely. That is what we do on Rosh Hashanah as we stand before God in judgment and pray to be written in the Book of Life.

We need a time when we confront our faults, apologise for the wrong we have done, make amends, resolve to change, and ask for forgiveness. That is the work of Yom Kippur.

We need to remind ourselves that we are on a journey, that we are “strangers and sojourners” on earth, and that where we live is only a temporary dwelling. That is what we experience on Succot.

And we need, from time to time, to step back from the ceaseless pressures of work and find the rest in which we can celebrate our blessings, renew our relationships, and recover the full vigour of body and mind. That is Shabbat.

Doubtless, most people – at least, most reflective people – know that these things are important. But knowing is not enough. These are elements of a life that become real when we live them, not just when we know them. That is why they have to be in the diary, not just on a To Do list.

As Alain de Botton points out in his Religion for Atheists, we all know that it is important to mend broken relationships. But without Yom Kippur, there are psychological pressures that can make us endlessly delay such mending.[4] If we are the offended party, we may not want to show other people our hurt. It makes us look fragile, vulnerable. And if we are the offending party, it can be hard to admit our guilt, not least because we feel so guilty. As he puts it: “We can be so sorry that we find ourselves incapable of saying sorry.” The fact that Yom Kippur exists means that there is a day in the diary on which we have to do the mending – and this is made easier by the knowledge that everyone else is doing so likewise. In his words:

It is the day itself that is making us sit here and talk about the peculiar incident six months ago when you lied and I blustered and you accused me of insincerity and I made you cry, an incident that neither of us can quite forget but that we can’t quite mention either and which has been slowly corroding the trust and love we once had for one another. It is the day that has given us the opportunity, indeed the responsibility, to stop talking of our usual business and to reopen a case we pretended to have put out of our minds. We are not satisfying ourselves, we are obeying the rules.[5]

Exactly so: we are obeying the rules. We are following the Jewish calendar, which takes many of the most important truths about our lives and, instead of putting them on a To Do list, writes them in the diary.

What happens when you do not have that kind of diary? Contemporary Western secular society is a case-study in the consequences. People no longer tell the story of the nation. Hence national identities, especially in Europe, are almost a thing of the past

—one reason for the return of the Far Right in countries like Austria, Holland and France.

People no longer share a moral code, which is why students in universities seek to ban speakers with whose views they disagree. When there is no shared code, there can be no reasoned argument, only the use of force.

As for remembering the brevity of life, Roman Krznaric reminds us that modern society is “geared to distract us from death. Advertising creates a world where everyone is forever young. We shunt the elderly away in care homes, out of sight and mind.” Death has become “a topic as taboo as sex was during the Victorian era.”[6]

Atonement and forgiveness have been driven out of public life, to be replaced by public shaming, courtesy of the social media. As for Shabbat, almost everywhere in the West the day of rest has been replaced by the sacred day of shopping, and rest itself replaced by the relentless tyranny of smartphones.

Fifty years ago, the most widespread prediction was that by now almost everything would have been automated. The work week would be down to 20 hours and our biggest problem would be what to do with all our leisure. Instead, most people today find themselves working harder than ever with less and less time to pursue the things that make life meaningful. As Leon Kass recently put it, people “still hope to find meaning in their lives,” but they are increasingly confused about “what a worthy life might look like, and about how they might be able to live one.”[7]

Hence the life-changing magic of the Jewish calendar. Philosophy seeks timeless truths. Judaism, by contrast, takes truths and translates them into time in the form of sacred, shared moments when we experience the great truths by living them. So: whatever you want to achieve, write it in the diary or it will not happen. And live by the Jewish calendar if you want to experience, not just occasionally think about, the things that give life a meaning.

Shabbat Shalom.

[1] For an excellent recent book about the way our behaviour is governed by time, see Daniel Pink, *When: The Scientific Secrets of Perfect Timing*, Riverhead Books, 2018.

[2]

https://en.wikipedia.org/wiki/List_of_countries_by_life_expectancy.

[3] See Kevin Kruse, *15 Secrets Successful People Know about Time Management*, 2017.

[4] Of course, Yom Kippur atones only for sins between us and God, not for those between us and our fellows. But it is a day when, traditionally, we seek to make amends for the latter also. Indeed most of the sins we confess in the long list, *Al Cheit*, are sins between humans and other humans.[5] *Ibid.*, xxxiv.

[5] Alain De Botton, *Religion for Atheists*, Hamish Hamilton, 2012, 55 – 56.

[6] Roman Krznaric, *Carpe Diem Regained*, Unbound, 2017, 22.

[7] Leon Kass, *Leading a Worthy Life: Finding Meaning in Modern Times*, Encounter Books, 2018, 9.

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In Eretz Yisroel, this week's parsha is Behar, whereas in chutz la'aretz it is Emor. Next week, those in Eretz Yisroel will be reading one parsha, Bechukosai, whereas those in chutz la'aretz will be reading double parshios Behar/ Bechukosai. Thus, everyone reads Bamidbar as a "buffer" between the tochacha of Bechukosai and Shavuos, fulfilling (according to Tosafos) a takkanah of Ezra (see Gemara Megillah 31b and Tosafos s.v. Kelalos).

Since the beginning of Behar discusses the important mitzvah of shemittah...

A Glossary for a Future Shemittah Year

By Rabbi Yirmiyohu Kaganoff

Question #1: Shemittah or shevi'is?

“What is the difference between shemittah and shevi'is?”

Question #2: Sefichin

“What are sefichin?”

Question #3: Heter otzar beisdin

“I consider myself fairly well-educated, which may be a mistake. But I recently heard a term that I never heard before: heter otzar beis din. What does this term mean?”

Answer

Since we will all be reading about shemittah either this week or next, it is appropriate to study and/or review a basic glossary of shemittah-related terms.

Among the terms that we will learn are the following:

Kedushas shevi'is

Pach shevi'is

Issur sechorah

Tefisas damim

Havla'ah

Shamur

Ne'evad

Sefichin

Biur

Heter mechirah

Otzar beis din

Heter otzar beis din

First, let us discuss the basics:

Basic laws of the land

In parshas Behar, the Torah (Vayikra 25:1-7) teaches that every seventh year is shemittah. We are prohibited from plowing, planting or working the land of Eretz Yisroel in any way, and we must leave our land fallow. It is even prohibited to have a gentile work a Jew's land (Avodah Zarah 15b), just as one may not hire a gentile to do prohibited work on Shabbos. The owner of a field or orchard must treat whatever grows on his land as ownerless, allowing others to enter his field or orchard to pick, without charge, as much as their families can use. The landowner, himself, also may pick as much as his family will eat (see Rambam, Hilchos Shemittah 4:1).

The landowner should make sure that others know that they may help themselves to the produce.

Kedushas shevi'is

The Torah declared *vehoysa shabbas ha'aretz lochem le'ochlah*, "the produce of the shemittah should be used only for food" (Vayikra 25:6), thereby imbuing the fruits and vegetables that grow in shemittah year with special sanctity, called *kedushas shevi'is*. There are many ramifications of this status. The produce that grows during shemittah year should be used only for consumption and should be eaten (or drunk) only in the usual way. For example, one may not cook foods that are usually eaten raw, nor may one eat raw produce that is usually cooked (Yerushalmi, Shevi'is 8:2; Rambam, Hilchos Shevi'is 5:3). One may not eat raw shemittah potatoes, nor may one cook shemittah cucumbers or oranges. It would certainly be prohibited to use shemittah corn for gasohol or any other form of biofuel.

Contemporary authorities dispute whether one may add shemittah orange or apricot to a recipe for roast or cake. Even though the fruit adds taste to the roast or cake, many *poskim* prohibit this cooking or baking, since these types of fruit are usually eaten raw (*Shu't Mishpat Cohen* #85). Others permit this, if it is a usual way of eating these fruits (*Mishpetei Aretz* page 172, footnote 10).

Similarly, juicing vegetables and most kinds of fruit is considered “ruining” the shemittah produce and prohibited, although one may press grapes, olives and lemons, since the juice and oil of these fruits is considered superior to the fruit itself. Many contemporary authorities permit pressing oranges and grapefruits, provided one treats the remaining pulp with *kedushas shevi'is*. Even these authorities prohibit juicing most other fruit, such as apples and pears (*Minchas Shelomoh*, Shevi'is pg. 185).

Food and not feed

One may feed shemittah produce to animals only when it is not fit for human consumption, such as peels and seeds that people do not usually eat (Rambam, Hilchos Shemittah 5:5). Last shemittah, a neighbor of mine, or perhaps his turtle, had a problem: The turtle is fond of lettuce and won't eat grass. One may feed animals grass that grew during shemittah, but one may not feed them lettuce that grew in Israel during shemittah. However, when the lettuce begins to wilt or becomes soggy, rendering it not usable for human consumption, one may use it for feed. In fact, the reason why many are careful to not

dispose of shemittah produce even after it is no longer usable is because it is still usable for animal feed.

Jewish consumption

Shemittah produce is meant for Jewish consumption; one may not give or sell kedushas shevi'is produce to a gentile, although one may invite a gentile to join a meal that includes shemittah food (Rambam, Hilchos Shemittah 5:13, as explained by Mahari Korkos).

Don't destroy edibles

One may not actively destroy shemittah produce suitable for human consumption. Therefore, one who has excess shevi'is produce may not dispose of it in the trash, as he would with a surplus of produce not having kedushas shevi'is.

Although some authorities rule that there is a mitzvah to eat shemittah produce, most contend that there is no obligation to eat shemittah food – rather, the Torah permits us to eat it (Chazon Ish, Hilchos Shevi'is 14:10).

Peels that are commonly eaten, such as apple peels, still have kedushas shevi'is and may not simply be disposed of. Instead, we place these peels in a plastic bag and then place the bag in a small bin or box called a pach shevi'is, where it remains until the food is inedible. When it decomposes to this extent, one may dispose of the shemittah produce in the regular garbage.

Why is this true?

Once the shemittah produce can no longer be eaten, it loses its kedushas shevi'is. Although the concept that decay eliminates sanctity seems unusual, this is only because we are unfamiliar with the many mitzvos to which this principle applies. There are several other mitzvos where, in theory, this rule applies – meaning that the items have kedushah that governs how they may be consumed, but once they are no longer edible, this kedushah disappears. The mitzvos to which this rule applies are terumah, challah, bikkurim, revai'i and maaser sheini. However, although the halacha regarding loss of kedusha is relevant to these mitzvos, in practice, we cannot observe this halacha, since these items cannot be consumed by someone tamei (Rambam, Hilchos Terumos Chapter 11; Hilchos Maaser Sheini 3:11). This explains why most people are unfamiliar with the rules of kedushas shevi'is.

When eating shemittah food, one need not be concerned about the remaining bits stuck to a pot or an adult's plate that one usually washes off; one may wash these pots and plates without concern that one is destroying shemittah produce. However, the larger amounts left behind by children, or leftovers that people might save, should not be disposed of in the garbage, but should be scraped into the pach shevi'is.

Issur sechorah – commercial use

One may not harvest the produce of one's field or tree in order to sell it in commercial quantities or in a business manner (Tosefta, Shevi'is 5:7; Rambam, Hilchos Shemittah 6:1). For example, shemittah produce may not be sold by weight or measure (Mishnah, Shevi'is 8:3), nor sold in a regular store (Yerushalmi, Shevi'is 7:1).

Tefisas damim

If one trades or sells shemittah produce, the food or money received in exchange becomes imbued with kedushas shevi'is. This means that the money should be used only to purchase food that will itself now have the laws of shemittah produce, as explained above. The original produce also maintains its kedushas shevi'is (Sukkah 40b).

Havla'ah

At this point, we must discuss a very misunderstood concept called havla'ah, which means that one includes the price of one item with another. The Gemara (Sukkah 39a) describes using havla'ah to “purchase” an esrog that has shemittah sanctity, without the money received becoming sanctified with kedushas shevi'is. For example, Reuven wants to buy an esrog from Shimon; however, Shimon does not want the money he receives to have kedushas shevi'is. Can he avoid this from occurring?

Yes, he can and he may. If Shimon sells Reuven two items at the same time, one that has kedushas shevi'is and the other that does not, he should sell him the item that does not have kedushas shevi'is at a high price, and the item that has kedushas shevi'is accompanies it as a gift. Although everyone realizes that this is a means of avoiding imbuings the sales money with kedushas shevi'is, it successfully accomplishes

preventing the money from becoming subject to the laws of kedushas shevi'is.

Shamur and ne'evad

According to many (and perhaps most) rishonim, if a farmer did not allow people to pick from his fields, the shemittah produce that grew there is called shamur and becomes prohibited (see Ra'avad and Ba'al Hama'or to Sukkah 39a). Similarly, many authorities prohibit consuming produce that was tended in a way that violated the agricultural laws of shemittah (Ramban, Yevamos 122a). This produce is called ne'evad. Many late poskim prohibit using produce that was either shamur or ne'evad.

Shemittah exports

The Mishnah (Shevi'is 6:5) prohibits exporting shemittah produce outside Eretz Yisroel. Some recognized authorities specifically permit exporting shemittah wine and esrogim, although the rationales permitting this are beyond the scope of this article (Beis Ridbaz 5:18; Tzitz Hakodesh, Volume 1 #15:4).

Sefichin

What are sefichin? Sefichin is a term referring to annual produce that grew during the shemittah year. Min hatorah, produce that grew by itself without anyone working the field during shemittah is permitted to be eaten. Unfortunately, even in the days of Chazal, one could find unscrupulous farmers who would plant grain or vegetables during shemittah year and then market them as produce that grew on its own. So that these farmers not benefit from their sins, Chazal forbade all grains and vegetables, even those that grew on their own -- a prohibition called sefichin. Sefichin are treated as non-kosher food, even requiring one to kasher the equipment that cooked them!

There are several exceptions to this rule. One is that produce of a non-Jew's field is not prohibited as sefichin. Another exception is that perennials that do not require planting every year are not included in the prohibition of sefichin. Although trees and other perennials definitely thrive when pruned and cared for, most will produce fruit even if left unattended for a year, and the farmer has less incentive to violate shemittah by tending his trees.

Thus, tree fruits, tree nuts, and bananas do not involve the prohibition of sefichin. (If they grew in a field whose owner was not observing shemittah, they might involve the prohibition of shamur.)

Biur shevi'is

At this point in our discussion, we need to explain the concept of biur shevi'is. The word biur literally means elimination, as in biur chometz, which refers to the eradication of chometz, performed each year before Pesach. One of the laws that applies to shemittah produce is that once a specific species is no longer available in the field, one can no longer keep shemittah produce from that species in one's possession. At this point, one must perform a procedure called biur shevi'is. Although there is a dispute among the rishonim as to the exact definition and requirements of biur shevi'is, we rule that it means declaring ownerless (hefker) any shemittah produce in one's possession (Ramban, Vayikra 25:7; cf. Rashi, Pesachim 52b s.v. mishum and Rambam, Hilchos Shemittah 7:3 for alternative approaches.) For example, let us say that I picked shemittah apricots and canned them as jam. When no more apricots are available in the field, I must take the remaining jam and declare it hefker in the presence of three people (Yerushalmi, Shevi'is 9:5). I may do this in front of three close friends, who will probably not take the jam after my declaration; it is sufficient that they have the right to take possession. If someone fails to perform biur, the shemittah produce becomes prohibited.

Heter mechirah

Probably the most controversial issue in contemporary shemittah observance is that of heter mechirah, a dispute that goes back to the earliest days of the modern settlement of Israel, over 130 years ago. Heter mechirah means that the farmer sold his land to a gentile, who is not required to observe shemittah. Since a gentile now owns the land, the gentile may farm the land, sell its produce, and make a profit. The poskim dispute whether a Jew may work land owned by a gentile during shemittah (Tosafos, Gittin 62a s.v. ayn odrin, prohibits; Rashi, Sanhedrin 26a s.v. agiston, permits). Even among those authorities who permit heter mechirah, most do not permit Jews to work their fields. Today, most chareidi authorities will not permit relying on heter mechirah or use of heter mechirah produce.

Some contemporary poskim prohibit the use of fruit from properties that had heter mechirah on the basis that since heter mechirah is invalid, the fruit is considered shamur and therefore forbidden. Other poskim permit the fruit, because they rule that the forbidden working of an orchard or treating it as private property does not prohibit its fruit (see Shu"t Igros Moshe, Orach Chayim 1:186). Thus, even if one does not consider the heter mechirah to be valid, according to many, the fruit is still permitted, but must be treated with kedushas shevi'is.

Otzar beis din

What is an otzar beis din? Literally, the words means "a storehouse operated by beis din." Why would a beis din be operating a storehouse? Do they impound so much merchandise while doing litigation? No. Let me explain.

As mentioned above, the owner of an orchard may not harvest his produce for sale, and he must allow individuals to help themselves to what their family may use. But what about people who live far from the orchard? How will they utilize their right to pick shemittah fruit?

Enter the otzar beis din to help! The beis din represents the public interest by hiring people to pick and transport the produce to a distribution center near the consumer. Obviously, no one expects the pickers, sorters, truckers, and other laborers to work as unpaid volunteers; they are also entitled to earn a living. Similarly, the managers who coordinate this project are also entitled to an appropriate wage for their efforts. Furthermore, there is no reason why beis din cannot hire the owner of the orchard to supervise this massive project, paying him a wage appropriate to his significant skills and experience in knowing how to manage this operation. This is all legitimate use of an otzar beis din.

Who pays for otzar beis din services? The otzar beis din divides its costs among the consumers. The charges to the user should reflect the actual expenses incurred in bringing the products to the consumers, and may not include any profit for the finished product (Minchas Shelomoh, Shevi'is 9:8 pg. 250). Thus, otzar beis din products should cost less than regular retail prices for the same items, since there should be no profit margin. (See Yerushalmi, Shevi'is 8:3 that shevi'is produce should be less expensive than regular produce.)

Please note that all the halachos of kedushas shevi'is apply to otzar beis din produce. Also note that acquiring from an otzar beis din is not really "purchasing," since you are not buying the fruit, but receiving a distribution – your payment is exclusively to defray operating costs. Therefore, the money paid for otzar beis din produce does not have kedushas shevi'is, because it is compensation for expenses and not in exchange for the shemittah fruit (Minchas Shelomoh, Shevi'is 9:8 pg. 250).

Produce still in the possession of an otzar beis din at the time of biur is exempt from biur, meaning that there is no requirement to declare it hefker. The reason is that this product is still without an owner – the otzar beis din is a distribution center, not an owner. However, produce originally distributed through an otzar beis din and now in private possession must be declared hefker.

Heter otzar beis din

The modern term "Heter otzar beis din" is used pejoratively. The purpose of an otzar beis din is to service the consumer, not the producer, as I explained above. Unfortunately, unscrupulous individuals sometimes manipulate the rubric of otzar beis din to allow a "business as usual" attitude, violating both the spirit and the halacha of shemittah. If the farmer is operating with a true otzar beis din, he will allow people to enter his field and help themselves to the produce. If he bars people, then he is violating the basic laws of shemittah, and his produce distribution is not according to otzar beis din principles. Similarly, if the field owner treats the produce as completely his own and charges accordingly, this contradicts the meaning of otzar beis din. These cases are disparagingly referred to as heter otzar beis din; meaning they reflect abuse of the concept of otzar beis din.

Conclusion

Just as observing the seventh day, Shabbos, demonstrates our belief in the Creator, so, too, observing every seventh year as shemittah demonstrates this faith. For someone living in Eretz Yisroel, observing shemittah properly involves assuming much halachic responsibility and education. For the modern farmer, observing shemittah can, indeed, be true mesiras nefesh, since among the many other concerns that he has, he also risks losing customers who have

been purchasing his products for years. For example, a farmer may be selling his crop somewhere in Europe. If he informs his buyer that he cannot produce during shemittah, he risks losing the customer in the future.

Of course, a Jew realizes that Hashem provides parnasah, and that observing a mitzvah will never hurt anyone. An observant farmer obeys the Torah dictates, knowing that Hashem attends to all his needs. Indeed, recent shmittos have each had numerous miracles rewarding observant farmers in this world for their halachic diligence. Who can possibly imagine what reward awaits them in Olam Haba!

*Ohr Somayach :: Torah Weekly :: Parshat Emor
For the week ending 5 May 2018 / 20 Iyyar 5778*

Rabbi Yaakov Asher Sinclair - www.seasonofthemoon.com

Insights

Put On Your Dancing Shoes

"And G-d said to Moshe, 'Say to the Kohanim...' (21:1)

Arguably, Fred Astaire was one the greatest dancers who ever lived. And what made him so great? He made it all look so easy, so effortless. While other dancers labored their way around the screen, Fred made it all look so simple. But behind that "effortlessness" were hours and hours of relentless hard work. As his coworkers testified, he was a perfectionist. Yet it never showed. It all looked so, so easy. A Jew is supposed to dance through life, not to labor with a heavy heart.

There once was a rich man who arrived at a hotel. He was given the penthouse suite and the clerk assured him that his luggage would be brought up presently. After an hour, and with still no sign of his cases, the rich man phoned down to the bell clerk. "But, sir," came the reply, "We sent your bags up twenty minutes ago!" Just as the rich man was putting down the phone, there came a knock at the door. The rich man made his way over to the entrance to his suite and opened the door. There was a bell-hop who was turning various shades of puce from his exertions. Under both his arms were two large cases. "Here!", he gasped, "are your cases, sir!" He then proceeded to sink to his knees from oxygen deprivation. The rich man, without batting an eyebrow said, "Take them back downstairs!"

"What!"

"Take them back downstairs!"

"But I've just practically broken my back bringing them all the way up here!"

"Take them back downstairs! These are not my cases."

"But you haven't even looked at them!"

"I know they aren't mine."

"How?"

"My cases are full of diamonds. Diamonds are very light. If you're huffing and puffing, these can't be my cases."

There's an old expression in Yiddish that translates as "It's difficult to be a Jew." This phrase was obviously coined by someone who was carrying the wrong cases.

"Its ways are ways of pleasantness", says the Psalmist about the Torah. The Torah may be demanding, it may take a lot of hard work and practice, but the last thing it wants from us is to be a bunch of joyless "laborers".

One of the hardest things for people who become religious is to add a little touch of "Fred Astaire" to their observance

And sometimes this can lead to tragic results.

A ba'al teshuva wants nothing more than his progeny to be living exemplars of faith and halachic observance, and yet this dream often ends in heartbreak.

Ba'alei teshuva have little to hang on to except their enthusiasm and a lot of siyata d'Shmaya. If you stand over your children like a halachic KGB, how can you hope they will stand up to the blandishments of an increasingly hedonistic society? How can you imbue them with a love of Torah and mitzvot unless you dance with the Torah — and not just on Simchat Torah?

Whenever the Torah gives the instructions for a halacha, a Torah law, it always uses the expression of dibur — speak. Dibur is a strong word. It implies a certain toughness and implacability, as would befit the immutable Word of G-d. All halachot in the Five Books and also in the Book of Yehoshua are transmitted by using the words Vaydaber ("And He spoke") or Daber ("Speak"). All, that is, except one.

In this week's Torah portion we see that the instructions to the Kohanim, the Priests, were given over using the expressions "Vayomer" — "And He said" and "Emor" — "Say." These are much softer and lighter expressions. Why the change?

Even though the work of the Kohen was extremely exacting and, in some cases, physically taxing, the Torah charges the Kohen to perform his tasks with lightness and ease. The Kohen was also responsible to teach the Jewish People. Here again, if they showed that their tasks were light and joyous for them, this would encourage the people. But if they made it all seem so difficult, who would want to follow their example?

In life you have to know how to "dance" a little — especially if you want others to dance with you.

Sources: *The Dubner Magid, Rabbi Moshe Feinstein in D'rash Moshe. Thanks to Rabbi Chaim Tzvi Senter.*

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OU Torah

Rabbi Dr. Tzvi Hersh Weinreb

The Unburied Corpse

Dead. Unburied. Abandoned. Forgotten.

What can be a worse fate?

I once read a very moving novel about the events immediately preceding World War I and the fate of those who were caught up in the chaos of the opening days of that war. The author of the book, a Jew, was Joseph Roth, and the name of the book is *The Radetzky March*.

I was drawn to this book because it deals, in part, with the Jews of Galicia and the effect that World War I had upon them. Both my paternal and maternal great-grandparents were caught up in the events of those times, and I wished to learn more about those events, if only from a fictional account.

I found the book informative and troubling, but the single event recorded in it that had the most impact on me was a description of the novel's hero, a combatant in the initial outbreak of the battle and gunfire. At one point, as he was fleeing for safety, he encountered the corpse of one of his fellows. Rather than pass this corpse by in his flight, he chose to drag the corpse to a nearby graveyard, dig a shallow grave with his bayonet, and bury the poor man.

Although the hero of this story was not a Jew, he was acting in accordance with a supreme Jewish value. At great personal risk, he buried a met mitzvah, an abandoned corpse with no one else present to bury it. Our Torah insists that giving such a corpse the dignity of a proper burial is a mitzvah, one which takes priority over almost any other good deed.

The source for this great mitzvah is in this week's Torah portion, Parshat Emor, where we read of the strict prohibition upon kohanim, members of the priestly caste, to come into contact with the dead. Exceptions are made for the kohen's parents, children, siblings, and spouse.

And an exception is made for the met mitzvah. Should the kohen encounter an abandoned corpse, and no one else is available to bury it, he is commanded to ignore the prohibition against contact with the dead, and he must bury that corpse himself.

This is the meaning of the phrase in the very first verse of our parsha, "... he shall not defile himself for any dead person among his people..." (Leviticus 21:1). Paraphrasing Rashi's words here: "When the dead man is among his people, the kohen cannot defile himself, but when the dead man is not among his people, i.e., there is no one else to bury him, then the prohibition does not apply."

Our tradition is unusually sensitive to the sanctity of the human body. In life, certainly. But even in death. A proper Jewish burial is the last chesed shel emet (kindness of truth) that one can perform for another. It is this important Jewish value which has led Jewish communities throughout the ages to do all that they could to recover the bodies of those of our brethren who perished in prisons, on battlefields, or in tragic natural disasters.

I must note a poignant incident in our history, an incident which culminated in the recovery of two metei mitzvah. Part of the narrative of these two heroes is recounted in the book *The Deed* by Gerold Frank. It is the story of two boys who gave their lives to assassinate a high British official, based in Egypt, whose policies threatened to

block Jewish immigration into what was then Palestine. Their names were Eliahu Bet Zouri and Eliahu Hakim. They acted under the orders of the high command of the "Stern Group." They succeeded in assassinating the official, but were tried and hanged for their efforts. They were buried near Cairo in 1945.

But they were never forgotten. In 1975, the State of Israel exchanged twenty Arab prisoners for the bodies of these two young men and reburied them in hero's graves upon Mount Herzl.

In recovering their bodies and eventually affording them an appropriate Jewish burial, the Israeli government was adhering to the teaching of this week's Torah portion. They saw to it that these metei mitzvah were buried properly.

I also must make reference to the contingents of Israeli rescue workers who dug beneath the rubble of the horrific earthquake in Haiti in 2010, in search not only of living survivors but of dead bodies, were acting in accordance with this great mitzvah. They were exemplifying a major Torah value.

And so, this week again, as so often in our study of the parsha, we discovered a value of paramount importance, a priority mitzvah, buried between the lines, nay between the words, of a simple phrase. This week, that phrase is in the very first verse of Parshat Emor.

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Rabbi Buchwald's Weekly Torah Message

Emor 5778-2018

Rabbi Ephraim Z. Buchwald

"The Great Moses Seems Not to Know the Answer"

In this week's parasha, parashat Emor, we encounter the episode of the megadef, the blasphemer, which is the first of four cases where Moses seems to be unable to determine what the proper disposition of the religious or legal issues should be.

The Torah, in Leviticus 24:10, tells us that the son of an Israelite woman and an Egyptian man went out among the Children of Israel, and fought in the camp with the son of an Israelite man. The next verse states, וַיִּקְרַב בֶּן הָאִשָּׁה הַיִּשְׂרָאֵלִית אֶת הַשֵּׁם, וַיִּקְלַל, וַיְבִיאֵוּ אֹתוֹ אֶל מֹשֶׁה, the son of the Israelite woman pronounced the Holy Name of G-d and blasphemed, so they brought him to Moses. After identifying that the man's mother's name was Shlomit the daughter of Divri of the tribe of Dan, we are told that they placed the blasphemer in detention to clarify through G-d what should be done with him.

G-d instructs Moses that the blasphemer is to be removed to outside the camp, and all those who heard him blaspheme shall place their hands on his head and the entire assembly shall stone him to death.

In Leviticus 24:23, the Torah confirms that the Children of Israel took the blasphemer outside the camp, they stoned him to death and the Children of Israel did as the L-rd had commanded Moses.

The second case where the proper response eluded Moses is found in parashat B'ha'a'lot'cha, Numbers 9:6. There we are told that there were a group of men who were in the state of ritual impurity and could not bring the Passover sacrifice in its proper time in the month of Nissan. In Numbers 9:7, they say to Moses, אָנֹכְנוּ טְמֵאִים לְנֶפֶשׁ אָדָם, "We are contaminated through a human corpse. Why should we be diminished by not offering the L-rd's offering in its appointed time among the Children of Israel?"

Moses then tells the people to stand by while he hears what the L-rd will command. In Numbers 9:10-11, G-d informs Moses that there will be a make-up date for those people who are unable to bring their Pascal sacrifices at the proper time, and that thirty days later, in the month of Iyar, they will be permitted to bring the Passover offering together with matzah and marror.

The third case is found in parashat Shelach, Numbers 15:32. There the Torah states that while the people were in the wilderness, וַיִּקְצְאוּ אִישׁ וַיִּקְצְאוּ אִישׁ, מִקְשֵׁשׁ עֲצִים בַּיּוֹם הַשַּׁבָּת, the people found a man violating the Sabbath by gathering wood on the sacred day. They brought him to Moses, Aaron and the entire assembly. The Torah informs us that he was placed in custody, for it had not been clarified what should be done to him.

Eventually, G-d says to Moses that the man shall be put to death and that the entire assembly of Israel shall pelt him with stones outside the camp. The Torah reports that the perpetrator was stoned by the people and put to death.

The fourth and final instance in which Moses was unable to promptly respond, is found in parashat Pinchas regarding the daughters of Zelophehad. The five daughters of Zelophehad stood before Moses, Elazar, and the princes of Israel and the entire congregation and claimed that their father had died in the wilderness for his own sin and not as part of the Korach rebellion. They maintained that their family should not lose the land of their paternal estate in Israel, simply because their father had no sons.

The Torah, in Numbers 27:5, reports, וַיִּקְרָב מֹשֶׁה אֶת מִשְׁפָּחָן לִפְנֵי ה', and Moses brought their claim before the L-rd.

G-d responds that the daughters of Zelophehad are indeed correct, and that they shall surely be given possession of their father's inheritance in Israel among the other tribes.

The commentators point out that in the case of the people who are impure and couldn't bring the Pascal sacrifice, as well as in the case of the daughters of Zelophehad, the reply from G-d was immediate, whereas in the case of the blasphemer and the person gathering wood on Shabbat, there is a delay. The blasphemer and the one who gathered wood were placed in detention until the final verdict was clarified.

The reason for this, say the rabbis, is that when the issue is a monetary matter, the answer is given immediately to preclude any further financial losses. However, in the case of capital punishment, the justice system seeks to postpone the determination as much as possible, since a human's life is at stake and Judaism places great value on human life.

There are those who say that Moses actually recused himself in these four instances because he felt that he had a direct relationship with each of these cases. Moses is always somehow involved, either because he is directly associated with the conflict itself or because of his status as the primary decisor of law. Of course, Moses knew the proper disposition in each of these cases, but he felt that it would appear to be far more equitable if G-d adjudicated the issues.

In the case of the daughters of Zelophehad, Rashi notes that Moses also knew what the proper disposition should be—that the daughters should inherit their family's land, but he did not know if they should inherit the additional portion of the firstborn as well. Furthermore, the daughters of Zelophehad showed such great devotion and love for the land of Israel that the Al-mighty felt that these newly clarified statutes of inheritance should, as a reward, be recorded for posterity in the names of these righteous women (Talmud, Sanhedrin 8a).

There are even those who maintain (Tosafot Baba Batra 119b, cf Afilu) that the gatherer of wood was really a truly righteous person who purposely decided to sacrifice his life and violate the Shabbat in order to teach the People of Israel the great sanctity of the holy day. Many of the people who left Egypt maintained that they no longer had to keep the Sabbath since they were going to die in the wilderness and never enter the land of Israel. Perhaps, the reason that the exact form of capital punishment eluded Moses, was so that this law would be recorded for posterity in the name of the gatherer of wood, who would be specially acknowledged for his great sacrifice.

Once again, we see that it is frequently through slight textual nuances and seemingly subordinate details in the Torah that many important principles and values are taught.

While the four cases may seem similar, the significant differences between each of them teach extraordinary values with which the Torah has endowed humankind.

The festival of Lag Ba'Omer (literally the 33rd day of the counting of the Omer) will start on Wednesday Night, May 2nd, and continue all day Thursday, May 3rd, 2018. The Omer period is the 49 days from the second night of Passover through the day before the festival of Shavuot. The 33rd day is considered a special day because, on that day, the students of Rabbi Akiva ceased dying and because it marks the anniversary of the passing of great Talmudic sage, Rabbi Simon bar Yochai.

May you be blessed.

The Times of Israel

The Blogs :: Ben-Tzion Spitz

Emor: Public Vindication

Innocence is like polished armor; it adorns and defends. - Bishop Robert South

It is not uncommon for the media to accuse a person or group of some misdeed, splash it in bold type on the front page of the newspaper, and then when innocence has been discovered, will print a retraction in small type buried in the back of the paper, if at all. By then the damage has been done, the reputation of the accused has been tarnished, even ruined beyond repair.

Rabbeinu Bechaye on Leviticus 22:27 (Emor) highlights the fact that God has the contrary approach to vindication. He gives an analogy to a woman from a royal household of whom rumors of some misdeed are spread about by members of the royal court. The king himself investigates and finds the rumors to be baseless. The king then proceeds to throw a royal banquet, inviting the entire royal court, and places this innocent woman at the head table next to him, thereby declaring in the clearest possible way that the king has found her to be innocent and favorable in his eyes.

Thus Rabbeinu Bechaye explains the question as to why the bull is mentioned in the Torah as the most important animal to be sacrificed. He states that the elevated importance of the bull comes to publicly vindicate the grave sin which was committed with its likeness, namely the sin of the golden calf. By giving such honor to the adult version of the calf, God is in a sense stating that the Children of Israel weren't truly to blame for that egregious sin. God "researched" the matter and discovered that it was not the Israelites that initiated the turn to idol worship, but rather the "Erev Rav," the mixed multitude of people who had joined the Jewish nation during its exodus from the slavery of Egypt. It was this multitude of peoples, of idolatrous background, who called for and incited the impressionable Jewish people to worship the golden calf.

God does forgive the nation of Israel, and the importance of the bull in the sacrificial order demonstrates the public vindication for that sin.

May we always be found innocent of misdeeds and may we be vindicated of any misattributed wrongs, sooner or later.

Shabbat Shalom,

Dedication - To Akiva Schwartz on his Bar-Mitzvah.

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Rav Yissocher Frand - Parshas Emor Perceptions Become Reality

The Torah teaches, "The son of an Israelite woman went out — and he was the son of an Egyptian man — among the Children of Israel; they contended in the camp, the son of the Israelite woman and the Israelite man" [Vayikra 24:10]. This introduces the incident of the Blasphemer (Megadef). A certain individual got into a fight and blasphemed the Name of the Almighty. As it says in the parsha, this is a capital sin for which the punishment is stoning.

The pasuk uses the expression, "The son of an Israelite woman went out..." Rashi quotes several interpretations which address the question, "from where did he go out?" The Talmud quotes in the name of Rav Berachya that "he went out from the above quoted passage" (relating to the weekly (re)placement of the lechem ha'panim ["show bread"] on the shulchan [table]n the mishkan. "He scoffed and said, 'On the Sabbath day he shall arrange it. It is the practice of the king to eat warm, fresh bread every day. Might a king eat cold, nine-day-old bread?'"

Twelve challahs were placed on the shulchan every Shabbos. The kohanim did not eat them until the subsequent week. The Blasphemer was upset about the "King's honor." We do not even give commoners day-old bread. Should a king be given bread more than a week old? What kind of business is this?

The Imrei Emes (the Gerer Rebbe) asks: The Gemara says at the end of Tractate Chagiga that a miracle occurred with the lechem ha'panim, that it stayed fresh the entire week. It was placed on the shulchan warm, and it remained warm (and fresh) the whole week. The Gemara further relates that when the people came to Yerushalayim [Jerusalem] or the shalosh regalim [pilgrimage festivals]nd they were about to return home after spending a whole week in Yerushalayim, the kohanim would pick up the shulchan and show the pilgrims the shulchan with the lechem ha'panim and say, "See how dear you are before the Omnipresent — He makes a miracle that the bread stays hot (and fresh) for an entire week." If so, what was this

person's problem? This was not stale bread — it was “fresh piping-hot bread, straight out of the oven.”

The bread on the shulchan was called lechem ha'panim (literally 'Bread of the face'.) The Imrei Emes says that the pasuk in Proverbs teaches, “As water reflects a face back to a face, so one's heart is reflected back to him by another” [M[Mishlei 27:19]The way Reuvin perceives Shimon, the way he feels towards him, is the way Shimon will perceive him. When someone looks at someone else with a scowl, the object of the scowl will return the scowl right back to the first person, and the same with a smile. A person's facial expression generates a reciprocal relationship.

The bread was called the lechem ha'panim. The Imrei Emes explains that the way someone looked at it, is the way it was! When a normal person looked at the lechem ha'panim at the end of the shalosh regalim and saw that it was piping hot, he would say, “Look at the Almighty's kindness to us! Look at how dear we are to Him!” However, someone who has an agenda or a jaundiced eye with a negative attitude to everything, looked at the lechem ha'panim and thought, “cold, stale bread!”

That is the way people are. The way you look at people is the way they look at you. That becomes the reality. Even though in reality the lechem ha'panim was hot and fresh, his perception was that it was cold, because of his preconceived notions and agenda.

All Blasphemies are not Created Equal

The other observation I would like to share is from the sefer Milchamos Yehuda, from Rav Yehudah Lubart. The pasuk regarding the punishment of the Blasphemer says, “Any man (ish, ish) who will blaspheme his G-d shall bear his sin. And one who pronounces blasphemously the Name of Hashem shall be put to death; the entire assembly shall surely pelt him with stones — proselyte and native alike — when he blasphemes the Name, he shall be put to death” [V[Vayikra 24:15-16]/p>

Rav Lubart makes an interesting observation: First the pasuk uses the expression “any man who will blaspheme his G-d he will bear his sin.” Initially, it does not say what the sin is. It just says he will have a sin. Then it says, “one who pronounces blasphemously the Name of Hashem he shall be put to death.” Why, he asks, does it merely say “He will bear his sin” in the introduction but regarding this particular blasphemer, it says, “he will be put to death.” Why weren't these two statements condensed into one simple statement – a man who blasphemes G-d will be put to death! Why is it so verbose?

Rav Lubart answers with a novel idea: This blasphemer is one of those who left Egypt. He saw the ten makkos [p[plagues]he saw yetzias Mitzrayim [t[the Exodus]he saw krias Yam Suf [t[the splitting of the Red Sea]and he personally heard Hashem speak at Har Sinai. The Almighty, in all of His Glory, revealed to this person what no other generation had ever seen. And yet, he blasphemed the name of the Almighty. There are other people who only see G-d “in Hiding.” Sometimes they have such terrible troubles that they cannot even perceive that the Almighty is Merciful. Their perception of the Ribono shel Olam is not through the Shem Havaya (which is the Attribute of Mercy); it is through the Shem Elokim (which is the Attribute of Judgment).

The complaint against the Blasphemer was – You, who saw the Merciful Hand of G-d openly, you who witnessed the Name of “Havaya” – you of all people should utter the Name of G-d (Shem Hashem) and curse it?! You shall be put to death. On the other hand, there can be a person – Ish, Ish ki yekalel Elokim – who sees only the Attribute of Judgment (the Name Elokim) – who also utters blasphemous remarks. Ultimately, it is up to the Almighty to judge every person as they are, and if a person, chas v'shalom, curses the Name of G-d, it is a terrible sin and he will bear his iniquity. But depending on the circumstances, it may not be as bad as what the Blasphemer did.

We are all familiar with the terrible suffering that Iyov endured. In his suffering, Iyov uttered some things that should not have been uttered. But the Talmud [B[Bava Basra 16b]ses the language, “a person is not held accountable in his moment of terrible pain” (ayn adam nitfas b'shas tsa'aro). An example of this is that there are certain people, (May the All Merciful save us from such tribulations) who went through the Holocaust, and they were never the same. Perhaps because of their experiences, they say things or they believe things

that should not be said or should not be believed. It is up to the Almighty to sort it all out. It is not for us to excuse, and it is not for us to blame — that is G-d's task.

The first part of the pasuk alludes to that. First it says, “Any man who curses Elokim,” referring to a person who curses Elokim, because of the Attribute of Judgment that he has been shown. He will bear his sin — but it is up to the Master of the World to decide what that punishment will be. However, the Blasphemer, who utters the name of Hashem (the Name of the Merciful Havaya) and yet curses the Almighty – he is clearly deserving of being stoned. He shall be put to death!

Thus, the Ribono shel Olam takes into account the circumstances and the experiences of anyone who utters words that are blasphemous. At the very best “he will bear his sin”; but in the case of the Megadef — he shall surely be put to death.

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Drasha - Message of Restraint

Rabbi Mordechai Kamenetzky

The portion Emor begins with a series of exhortations directed to the chosen among the chosen. The elite group of Ahron's descendants are warned about myriad requirements, obligations, and responsibilities that they share as the spiritual leaders of the Jewish nation.

The most celebrated of them regards the defilement of a dead person. “Hashem said to Moses, Say to the Kohanim, the sons of Aaron, and tell them, Each of you shall not contaminate himself with a [dead] person among his people” (Leviticus 21:1).

Note the odd expression, “Say to the kohanim, and tell them” The commentaries are quick to point out this seemingly redundant exhortation. It surely seems that telling them once is not enough.

Rashi, in fact, quotes Tractate Yevamos:114a explaining, “‘Say,’ and again ‘thou shalt say unto them’ — this repetition is intended to admonish the older about their young ones also, that they should teach them to avoid defilement.” Clearly, the repetitive nature of the verse defines an exhortation, one far beyond the normal “no.” Can there perhaps be a directive to the child within us as well?

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

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

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

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

It took quite a while for Rav Yaakov to dissuade the man that this was no mitzvah, and to perform the ceremony with a blessing would be not only superfluous, but also irreverent and a transgression.

(In fact, one apocryphal ending has the father complaining, “What do you mean, I don't have to make a pidyon haben? I made one for my first son and I'm going to make one for this son!”)

Ultimately, Rav Yaakov, convinced the man to transform the celebration into a party commemorating, his child's 30th day entered

in good health, an important milestone with many halachic ramifications.

Sometimes our desire to perform Mitzvos transcends the will of Hashem not to do them, especially when it comes to emotionally charged rituals that deal with birth and death. In Jerusalem, there is a custom that mourners do not accompany their father's body into the cemetery. Many foreigners, who have attended their parents' funerals in Jerusalem, refuse to abide by that custom, and go to the cemetery despite the protestations of the Jerusalem Chevra Kadisha (Burial Society). It is most difficult to suppress tears on the Shabbos during one's mourning period. However, one must not grieve on the Shabbos. And now, imagine, how difficult is it for a kohen to hold back from attending the funeral of a dear friend or cousin, or any family member who does not fit the criteria that would allow kohenetic defilement? After all, isn't attending a funeral a great mitzvah?

Thus, when the Torah discusses the prohibition of defilement, the Torah must announce, "Tell them and tell them, To warn the greater ones to teach the weaker or lesser ones." The power of constraint is not that simple, but the temptation to transgress is compounded when the transgression is rationalized with validity and good-feelings. Thus, the will of the L-rd must be emphatically reiterated to our weaker instincts, when mortal rationality can distort Divine will.

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Shema Yisrael Torah Network

Peninim on the Torah - Parshas Emor

פרשת אמור השע

Rabbi A. Leib Scheinbaum

אמר אל הכהנים בני אהרן ואמרת אליהם לנפש לא יטמא בעמין

Say to the Kohanim, the sons of Aharon, and you shall say to them: to a (dead) person he shall not become impure among his people. (21:1)

Chazal (Midrash Vayikra Rabbah 26:6) quotes the pasuk in Sefer Tehillim (19:10), Yiraas Hashem tehorah omedes la'ad, "Fear of Hashem is pure, it will stand for all eternity." Rav Levi said, "Because Aharon HaKohen maintained such fear of Hashem, he was given this parsha, which will accompany his children and their descendants until the end of time." Which parsha is this? The parsha which addresses the avoidance of impurity.

It sounds as if the primary requirement imposed upon the Kohanim is the mandate that they maintain a heightened level of purity. What about the prohibition against marrying a divorcee or someone whose lineage is tainted? Why is the mitzvah of maintaining purity singled out as the mitzvah that was given to the Kohanim for all time?

The Zera Shimshon addresses this question. He explains that, with regard to matters of impurity, one might conjecture that once a Kohen becomes impure – that is it. His holiness has been compromised, so that it had departed from him; he can now be exposed to impurity without the fear of further damage. In contemporary times we assume everyone to be impure, since we no longer have access to the ashes of the Parah Adumah, which is the vehicle for effecting purification. Thus, one might wonder what the purpose is in a Kohen avoiding impurity altogether. After all, – it is what it is; he is already impure.

Hashem thus makes it clear that this mitzvah is not null and void. It will exist until the end of time. Therefore, although they have no possibility of maintaining true purity, it is still prohibited for Kohanim to come in contact with impurity.

The crux of Hashem's promise appears to be that the Almighty will continually dwell with the Kohanim – even in the midst of their impurity. This implies that the sanctity of the Kohanim never leaves them, and that, even when they become impure, the Shechinah will continue to repose among them. This is why Kohanim can never be allowed to become impure and why this mitzvah continues to remain a hallmark of the unique relationship between Hashem and His Kohanim for all time.

Perhaps we might extend this idea further. A great Chassidic leader (Horav Levi Yitzchak m'Berdichev) once said, "One can be for Hashem or (chas v'shalom, Heaven forbid) against Hashem, but he cannot say that he is not with Hashem." This means that Hashem never leaves a person, regardless of his iniquity. He is a loving Father Who never rejects His child. He is with us in times of joy, in times of sadness, in times of adversity and in times of our failure to act as a loving child should act. In a recent visit to Bnei Brak, I had the opportunity to meet with the Kuzmirek Rebbe, Shlita. I shared with him the travail that someone was experiencing as a result of a soured interpersonal relationship. The Rebbe's reaction was inspirational. He remarked, "I do not understand why people do this to other Jews. Hashem says, 'Imo Anochi b'tzarah, I am with him during his troubles.' This means that when a Jew suffers, he does not suffer alone. Hashem is with him. When a person causes another Jew to have pain, he is causing Hashem to 'have' pain. Why would a person want to cause pain for Hashem?"

We never think about it this way. At times we might cause hurt and humiliation to another Jew; of course, we feel justified with our actions. We feel it is payback for what he did to us, or it is a deterrent for what he might do to us in the future. While in someone's perverted mind he might justify his actions, but does he ever think about the fact that he is simultaneously causing pain for Hashem? That is something no one can justify.

את אביה היא מחללת

She desecrates her father. (21:9)

Why should her father be blamed? Veritably, parents often must accept blame for their children's indiscretions, but it seems that here it is assumed. By exhibiting profligate behavior, the daughter of the Kohen has disgraced her father. We find a similar case concerning the family of Miraim bas Bilgah, whose family was disgraced as a result of her rebelliousness. Apparently, the Torah here blames the father. Later (Parashas Ki Seitzei) concerning the debasement of the naarah ha'meorasah, betrothed maiden, who was found guilty of infidelity, she is taken to the doorway of her father's home to be stoned. Her parents are blamed. Why? Who does not know wonderful, caring, loving parents who do everything in the world for their children, to no avail? It is a Heavenly decree that some must suffer. Some children go off the derech, despite every medium employed to circumvent and prevent these tragedies from occurring.

I think Rashi alludes to what might be the reason that the father is held in contempt concerning his daughter's disgrace, when he writes: "Chilelah u'bizah es kevodo, She profaned/disgraced and humiliated his honor; She'omrim alav, arur she'zu yalad, arur she'zu gidal, because they say about him, 'cursed is he that gave birth to this (girl), cursed is he that raised this (girl).'" The father reprov'd his daughter. He certainly had rebuked her numerous times. So why was it ineffective? I think the answer lies in one word – kevodo, his honor. The father was not as concerned with his daughter's crass and ignominious behavior and its effect on her religious observance, as much as he was concerned over what it was doing to his standing in the community. The father feared that his daughter's nefarious activities were a disgrace to his esteemed position.

I remember vividly years ago a student who began to gravitate towards non-observance. He still came to shul, but did not daven. He rarely put on Tefillin. He kept kosher at home. Once he left the house, kashrus, Shabbos and all of the other Jewish staples went out the window. I remember his father visiting me to attempt to somehow turn his son around. "I cannot tolerate him coming to shul on Shabbos dressed in jeans, a colored tee shirt with offensive designs and lettering all over it, and wearing sandals without socks. He is humiliating me! I can handle the (lack of) Shabbos, kashrus, etc., but why does he have to embarrass me in front of my friends?"

This is what concerned the father – not Shabbos – not kashrus, but the fact that his son's chosen dress code embarrassed him. Kavod, honor, esteem – that is what he cared about. His concern was for himself and his reputation – not his child's spiritual demise. When parents put themselves first, when their comfort zone precedes the spiritual and emotional needs of their children, then they must own up to their part in the children's spiritual departure from Jewish observance. Es avivah hee michalelels, "She desecrates her father": Apparently, this is all her father cared about when he admonished her

to come home. After all, what are the neighbors and the people in shul going to say?

וכי תזבחו זבח תודה לד' לרצונכם תזבחו

When you slaughter a feast Thanksgiving to Hashem, you shall slaughter to gain favor for yourselves. (22:29)

Rashi understands this pasuk as an enjoinder to one who offers a Korban Todah, Thanksgiving-offering, to maintain the proper kavanah, positive intention, that it all be eaten on that day. If one has intention to prolong the eating until the next day, he not only disqualifies the korban, but he also loses favor for himself in the eyes of Hashem. A korban achieves efficacy if the individual offering the sacrifice adheres to the prescribed Biblical rules concerning its offering. Otherwise, the korban is invalid. L'retsonchem is required in order for a korban to be effective.

Horav Avraham Pam, zl (cited by Rabbi Sholom Smith in "Messages from Rav Pam"), renders the word l'retsonchem homiletically, interpreting it as "according to your will." This means the korban is a free-will offering, the result of an individual's personal motivation to express his gratitude to Hashem for favors received. Under normal circumstances, the Korban Todah is brought for any of four circumstances in which a person's life had been imperiled: surviving a serious illness; crossing the desert; taking a dangerous trip; having been freed from prison. In all of these cases, the expression of gratitude is a "no brainer." One realizes that he almost died, and, if not for the grace of G-d, he would not be here. It is only right that he offer a Thanksgiving-offering.

What about the fellow who has no threats to his life, but realizes that everything that he possesses, all of his good fortune is a miraculous gift from Hashem? The novelty of this pasuk is that it refers to a situation in which a person offers a korban l'retsonchem, voluntarily – out of free will – not as a result of the above cited circumstances, but due to (unlike so many of us who simply take our good fortune for granted – and even expect it) a deep-rooted realization that whatever he has in life – children, health, livelihood, success, joy and satisfaction – are all miraculous gifts from Hashem. These gifts merit a Korban Todah – not one which he has to give, but one which he wants to give!

Such a person acknowledges the daily, constant miracles which he experiences and which sustain him. Although cloaked behind the veil of what we are used to calling "nature," they are miracles and wonders from Hashem. When one sees through the ambiguities and discovers that the Hand of Hashem guides and manipulates life to his betterment, when he realizes that all of his life's achievements are the result of Hashem's blessing, he will (or should) feel a sense of gratitude that inspires him to offer a Korban Todah to Hashem. This is the meaning of being guided by one's own will. While most of us realize that it is all from Hashem – some of us feel a sense of entitlement. After all He owes me. How sad.

One of the features of this week's parsha is the tzivui, command, to bring the Omer to the Bais Hamikdash. Beginning on the second day of Pesach, we count forty-nine days until Shavuot. The Rambam views the counting as similar to the anticipation one has as he waits to greet a welcomed guest. The Sefer HaChinuch says that by counting the days, we express our gratitude to Hashem for the harvests that we enjoy. Furthermore, when we count days, we count time, which is Hashem's greatest gift to us. We realize that every day, every hour, every moment, is a blessing which we may not squander. As we age, this blessing catalyzes greater meaning and value. Time becomes much more important as the "sands of the hourglass" move from top to bottom. Every new day is a cause for celebration. How do we celebrate? How should a Jew celebrate the greatest gift from Hashem? He should give back by using every waking moment of that day to serve Him via: bringing fresh blessing into the world; helping his fellow Jew. No one pleases a father more than someone who helps his children. Our Heavenly Father certainly appreciates it if our expression of gratitude to Him were to include reaching out to His children.

ושמרתם מצותי ועשיתם אתם אני ד'

You shall observe My commandments and perform them. (22:31)

Rashi explains the verbs in this pasuk practically: u'shmartem, "You shall observe," as referring to Mishnah, study; and va'asisem; "and perform them," as an enjoinder to action, to

carrying out mitzvos. In contrast, the Chasam Sofer, zl, approaches the verb "u'shmartem," homiletically. U'shmartem, "You shall guard them," as we find concerning Yaakov Avinu's understanding of Yosef's dream; V'aviv shamar es ha'davar, "And his father kept the matter in mind" (Bereishis 37:11). Our Patriarch anticipated the results of the dream. He guarded it, anticipating its outcome. Thus, the Torah teaches us that it is not enough to merely execute the mitzvah; it is vital that we anxiously anticipate the opportunity to perform the mitzvah. We wait for it, yearn to perform it. This is the meaning of observance: vitality, excitement, anticipation and longing.

Horav Reuven Karlinstein, zl, portrays how this attitude plays itself out in our daily lives. When the alarm clock rings, we arise from bed knowing that soon we will be able to put on our Tefillin and daven to Hashem. We are excited and actually count the minutes to that moment. The flipside is one with which we are all quite familiar. The alarm clock rings, and we look at the time, thinking to ourselves, "How much more sleep can I squeeze out?" Perhaps if we cut back on the coffee we can sleep longer and still come to shul in time to daven.

I recently had the zechus to watch my grandson put on Tefillin for the first time under the direction of Horav Binyamin Elyashiv, Shlita. It took place in a small, quaint shul which houses the Tiferes Bachurim Yeshiva, which the gaon directs. We all arose early and threaded our way down the winding streets of Meah Shearim. We were asked to be there at 6:10 a.m. We were there much earlier, waiting with bated breath for Rav Elyashiv's entrance. The air was filled with anticipation and excitement, knowing that the first time one puts on Tefillin leaves a powerful impact – for the rest of one's life. That was the brachah, blessing, that he received, "You should always put on Tefillin this way." Every day – every mitzvah – should be a privilege, an honor, an unprecedented opportunity.

Imagine the Jews, Holocaust survivors, who – after years of physical, emotional and spiritual deprivation – finally had the opportunity to renew their active bond with Hashem. How they put on Tefillin!

Horav Aharon Kohen, zl, was Rosh Yeshiva in Chevron. A brilliant gaon and tzaddik, he devoted himself to his work, despite being frail and sickly throughout most of his life. Horav Yechezkel Sarne, zl, was his brother-in-law. At his funeral, Rav Sarne related that he once asked his brother-in-law from where he was able to conjure up the strength to arise from his bed every day. Rav Kohen replied that, indeed, he had no strength to get up. When he remembered where he was going, however, that it was time to daven to Hashem, this realization "lifted" him from his bed and propelled him to the bais hamedrash. When one maintains the proper attitude of u'shemartem, the va'asisem is a natural and successful progression.

Rav Reuven Karlinstein views u'shemartem mitzvosai as an admonition to guard the quality of mitzvah observance, to see to it that every mitzvah is performed to perfection, with the correct attitude and proper devotion, with joy and aforethought. He quotes Horav Sholom Schwadron, zl, who explains the pasuk in Shemos 12:17, U'shemartem es ha'matzos, "And you shall guard/watch the matzos," in a novel manner. Chazal (Mechilta) derive from here – Mitzvah ha'baah l'yadcha al tachmitzenah, "Do not allow a mitzvah which comes into your hands (if the opportunity to perform a mitzvah arises) to become chametz/leaven (Do not tarry in its performance. Act with haste to carry out the mitzvah.)" Why is it that Chazal chose this pasuk specifically to teach this lesson? It is not as if there are no other places in the Torah from where we may derive the critical importance of not allowing a mitzvah to fester, to carry it out as soon as possible.

Rav Sholom explains that matzah is unique in that it is unnecessary to do anything whatsoever to create chametz from matzah. All one needs to do is – nothing. Let it sit and become leaven. Thus, it is specifically here that the Torah emphasizes the need not to allow an opportunity to perform a mitzvah to sour. One should be acutely aware that in order to destroy a mitzvah, to lose it forever, it is not necessary to act in a negative manner against it. All one needs is to do nothing, to sit back complacently and take his sweet little time in getting his act together, during which the opportunity for mitzvah performance dissipates. If one does not apply himself to the mitzvah, he loses it.

The Alshich HaKadosh wonders why the Torah speaks almost redundantly, saying, "You shall observe, and perform." Is

observance not performance? He explains that with every mitzvah that a Jew performs, he creates a Heavenly Malach, Angel. If the mitzvah that he performs is carried out without devotion, aforethought, passion, excitement; if his actions are insipid, lacking any feeling, almost sickly – the Angel he creates will be identical to the mitzvah. The “quality” of the Angel that he creates mimics the quality of his mitzvah performance. Obviously, one who performs a mitzvah properly, with devotion and passion, creates an Angel that will be favorable to him. Thus, the Torah writes: “You shall observe My mitzvos,” and the manner in which you observe the mitzvos creates the enduring quality of the mitzvah: “You will make the mitzvah,” giving it the power to protect you and stand in your behalf. We reap what we sow.

ולא תחללו את שם קדשי ונקדשתי בתוך בני ישראל

You shall not desecrate My Holy Name, and I shall be sanctified among Bnei Yisrael. (22:32)

Some of us live under the misguided, self-imposed impression that Kiddush Hashem, sanctifying Hashem’s Name, is a one-time event – the ultimate sacrifice one must accept upon himself when the need arises and the situation is so pressing that there is no other way out other than abdicating one’s religious commitment. Horav Nissan Alpert, zl, understands otherwise from the text of this pasuk. According to the Rambam (Hilchos Yesodei HaTorah 5:1), this pasuk is the source for the mitzvah that all the Jewish People are commanded to sanctify the great and holy Name of Hashem Yisborach. As it says, V’nikdashti b’soch Bnei Yisrael, “And I will be sanctified among Bnei Yisrael.” If this is the case, why did the Torah not present the mitzvah in a positive tzivui/commandment-like message: “You should sanctify Hashem’s Name”? In its present form of: “Do not desecrate My Name – and “I shall – (in the future) be sanctified,” it is almost saying that sanctification is a future event that will come to pass.

Rav Alpert believes that the pasuk is actually presenting us with a fundamental insight concerning the nature of mesiras nefesh, devotion and dedication to the point of self-sacrifice in general, and Kiddush Hashem in particular. It is not a one-time, last ditch effort. It is a lifestyle.

How do we define mesiras nefesh? It is the act of relinquishing everything – up to and including one’s life. Clearly achieving such an extraordinary level of devotion and commitment does not happen overnight. It requires a step by step process in which the individual climbs higher and higher, ultimately achieving such a profound relationship with Hashem, His Torah and mitzvos, that he stands willing and prepared to give up his life for them. It seems unrealistic that an intelligent adult would be willing to give up his life for the sake of Kiddush Hashem just because he discovered one day that such a mitzvah in fact exists. It also does not make sense that such

a decision is an isolated, spur of the moment decision, disconnected from any other thought in the person’s mind.

Rather, mesiras nefesh is the result of: one’s having lived a life of devotion to Hashem; clear and thoughtful cogitation of the meaning and values of Judaism; living a life of observance – of shemiras Shabbos, taharas ha’mishpachah, family purity, kashrus, integrity in the marketplace. These, in turn, are the result of spiritual integrity and its accompanying appropriate demeanor – in the home, the shul, and the business. Such a person has sanctified himself. He is ready – if and when the time comes that he is asked to make the ultimate sacrifice. The kedushah that he has developed within him will direct and guide him toward the mitzvah of mesiras nefesh al Kiddush Hashem.

This is the meaning of V’nikdashti b’soch Bnei Yisrael. It will happen, but not as the result of a command; rather, it will occur as the natural extension of one’s behavior and lifestyle up to that seminal moment. It takes a lifetime of “holy living” in order to “die holy.”

Va’ani Tefillah

השיבה שופטנו כבראשונה

Hashivah shofteinu k’varishonah. Restore our justices as before.

The Semichah Controversy (continued)

The Ralbach’s contention with the Mahari Beirav’s ordination was that the rabbanim of Yerushalayim were not included in the process. The Rambam’s ruling applies only when all of Yisrael’s sages are involved. Furthermore, the Ralbach felt that the decision to follow only the rabbanim of Tzfas slighted the rabbanim of Yerushalayim. The dispute continued and became heated, with the two primary disputants becoming embroiled in a machlokes l’shem Shomayim, controversy for the sake of Heaven – but a controversy nonetheless. Every aspect of the Halachah was debated, each side standing firm in its position. The dispute was “resolved” when the Turkish government informed all involved that semichah was but the first step in the process of reestablishing a Jewish state – something upon which the Turkish rulers frowned. Consequently, Rav Beirav was forced to flee to Egypt. By the time matters quieted down, the popular opinion had already swung into the corner of the rabbanim of Yerushalayim.

Of the four musmachim, Rav Yosef Karo took it to the next step by ordaining the Alshich, who, in turn, ordained Rav Chaim Vital. In his Bais Yosef commentary, Rav Yosef Karo responds to all of the Ralbach’s objections. We anxiously await the day when Eliyahu HaNavi will clarify the question and “restore our justices as before.”

Dedicated in memory Mrs. Seliga Ahuva (Schur) Mandelbaum

זליגה אהובה בת הרב דניאל ע"ה

ז' אייר תשנ"א

"תנו לה מפרי ידיה ויהללוה בשערים מעשיה

by her family - HoRav Doniel "l' & Shoshana Schur
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לע"נ

שרה משא בת ר' יעקב אליעזר ע"ה