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subject: Rabbi Hershel Schachter - Incomplete Kedusha

**Rabbi Hershel Schachter**  
**Incomplete Kedusha**

All human beings were created b'tzelem Elokim and one of the mitzvos of the Torah (in parshas Ki Savo) is "v'holacto bidrochov", i.e. to preserve that tzelem elokim which was implanted within us at birth by acting according to the middos of Hashem (see Rav Chessed, vol 2, page 205).

In the beginning of parshas Kedoshim the Torah repeats this idea but with a slight modification; here the Torah commands us to act in a kadosh manner because Hashem is kadosh. There is, however, a slight difference in the wording used to describe how we should act vs. the word describing Hashem. "Kedoshim", describing how we should act, is written chosair (without a vov) while the word describing Hashem - "Kodosh" - appears in the Torah moleh (with a vov). The Tannaim in the Sifroh picked up on this discrepancy and understand this to mean that we should not attempt to be on the same level of kedusha as Hakadosh Boruch Hu. Hiskedusha is complete (moleh) while ours can only be incomplete (chosair). What are the Tannaim driving at with this point?

About one hundred years ago a suggestion was made that perhaps the Jews should incorporate the Gospels into their Bible and thereby solve the age old problem of anti-Semitism. Achad Ha'am, who was neither a believing nor an observant Jew, published an essay rejecting the idea. He explained that the Jewish Bible and the Christian Bible simply cannot blend in together because there are several major glaring contradictions between the two. One of those glaring contradictions was regarding altruism. Judaism teaches that every man is basically selfish and as such should strive to treat other people's needs as if they were our own. But whenever there is a contradiction between the two precedence is given to our own needs (see Bava Metziah, 62A, "chayecha kodmim").

In the introduction to his major work, Shaarei Yosher, Ha'gaon R' Shimon

Shkop z"l suggests that perhaps that is what the Tannaim were driving at in their comment mentioned above. Kedusha in this context refers to our doing chessed for others. The medrash points out that the Torah both begins and ends with Hakadosh Baruch Hu doing gemilus chassodim (Sotah, 14A). In addition, the medrash considers the theme of the Book of Ruth to be a demonstration of the reward that one receives for practicing gemilus chassodim. Despite this emphasis on chessed, we should not think that we should dedicate ourselves for doing chessed for others in a purely altruistic fashion - that is only for Hakadosh Baruch Hu. The mishna (Avos 1:14) quotes Hillel as telling us that we are always motivated with selfish feelings ("im ein ani li, mi li?"), but one should not define "himself" as only himself ("k'shani l'atzmi, mo ani?") Rather, we should each view our family, our community, our people, and ultimately all of mankind, as an extension of ourselves and therefore by doing for others we are really doing for ourselves. Copyright © 2014 by The TorahWeb Foundation. All rights reserved.

from: Shabbat Shalom <[shabbatshalom@ounetwork.org](mailto:shabbatshalom@ounetwork.org)>  
reply-to: [shabbatshalom@ounetwork.org](mailto:shabbatshalom@ounetwork.org)  
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subject: Shabbat Shalom from the OU

**Followership**

**Britain's Former Chief Rabbi Lord Jonathan Sacks**

There is a fascinating sequence of commands in the great "holiness code" with which our parsha begins, that sheds light on the nature not just of leadership in Judaism but also of followership. Here is the command in context:

Do not hate your brother in your heart. Reprove [or reason with] your neighbour frankly so you will not bear sin because of him. Do not seek revenge or bear a grudge against anyone among your people, but love your neighbour as yourself. I am the Lord. (Lev. 19: 17-18)

There are two completely different ways of understanding the italicized words. Maimonides brings them both as legally binding.[1] Nahmanides includes them both in his commentary to the Torah.[2]

The first is to read the command in terms of interpersonal relations. Someone, you believe, has done you harm. In such a case, says the Torah, do not remain in a state of silent resentment. Do not give way to hate, do not bear a grudge, and do not take revenge. Instead, reprove him, reason with him, tell him what you believe he has done and how you feel it has harmed you. He may apologise and seek to make amends. Even if he does not, at least you have made your feelings known to him. That in itself is cathartic. It will help you to avoid nursing a grievance.

The second interpretation, though, sees the command in impersonal terms. It has nothing to do with being harmed. It refers to someone you see acting wrongly, committing a sin or a crime. You may not be the victim. You may be just an observer. The command tells us not to be content with passing a negative judgment on his behaviour (i.e. with "hating him in your heart"). You must get involved. You should remonstrate with him, pointing out in as gentle and constructive a way as you can, that what he is doing is against the law, civil or moral. If you stay silent and do nothing, you will become complicit in his guilt (i.e. "bear sin because of him") because you saw him do wrong and you did nothing to protest.

This second interpretation is possible only because of Judaism's fundamental principle that kol Yisrael arevin zeh ba-zeh, "All Jews are sureties [i.e. responsible] for one another." However, the Talmud makes a fascinating observation about the scope of the command:

One of the rabbis said to Raba: [The Torah says] *hokheach tokhiach*, meaning "you shall reprove your neighbour repeatedly" [because the verb is doubled, implying more than once]. Might this mean *hokheach*, reprove him once, and *tokhiach*, a second time? No, he replied, the word *hokheach* means, even a hundred times. Why then does it add the word *tokhiach*? Had there been only a single verb I would have known that the law applies to a

master reproving his disciple. How do we know that it applies even to a disciple reproving his master? From the phrase, *hokheach tokhiach*, implying, under all circumstances.[3]

This is significant because it establishes a principle of critical followership. So far in these essays we have been looking at the role of the leader in Judaism. But what about that of the follower? On the face of it the duty of the follower is to follow, and that of the disciple to learn. After all, Judaism commands almost unlimited respect for teachers. "Let reverence for your teacher be as great as your reverence for heaven," said the sages. Despite this the Talmud understands the Torah to be commanding us to remonstrate even with our teacher or leader should we see him or her doing something wrong. Supposing a leader commands you to do something you know to be forbidden in Jewish law. Should you obey? The answer is a categorical No. The Talmud puts this in the form of a rhetorical question: "Faced with a choice between obeying the master [God] or the disciple [a human leader], whom should you obey?"[4] The answer is obvious. Obey God. Here in Jewish law is the logic of civil disobedience, the idea that we have a duty to disobey an immoral order.

Then there is the great Jewish idea of active questioning and "argument for the sake of heaven." Parents are obliged, and teachers encouraged, to train students to ask questions. Traditional Jewish learning is designed to make teacher and disciple alike aware of the fact that more than one view is possible on any question of Jewish law and multiple interpretations (the traditional number is seventy) of any biblical verse. Judaism is unique in that virtually all of its canonical texts – Midrash, Mishnah and Gemara – are anthologies of arguments (Rabbi X said this, Rabbi Y said that) or are surrounded by multiple commentaries each with its own perspective.

The very act of learning in rabbinic Judaism is conceived as active debate, a kind of gladiatorial contest of the mind: "Even a teacher and disciple, even a father and son, when they sit to study Torah together become enemies to one another. But they do not move from there until they have become beloved to one another." [5] Hence the Talmudic saying, "Much wisdom I have learned from my teacher, more from my colleagues but most from my students." [6] Therefore despite the reverence we owe our teachers, we owe them also our best efforts at questioning and challenging their ideas. This is essential to the rabbinical ideal of learning as a collaborative pursuit of truth.

The idea of critical followership gave rise in Judaism to the world's first social critics, the prophets, mandated by God to speak truth to power and to summon even kings to the bar of justice and right conduct. That is what Samuel did to Saul, Elijah to Ahab and Isaiah to Hezekiah. None did so more effectively than the prophet Nathan when, with immense skill, he got King David to appreciate the enormity of his sin in sleeping with another man's wife. David immediately recognised his wrong and said *chatati*, "I have sinned." [7]

Exceptional though the prophets of Israel were, even their achievement takes second place to one of the most remarkable phenomena in the history of religion, namely that God himself chooses as His most beloved disciples the very people who are willing to challenge heaven itself. Abraham says, "Shall the judge of all the earth not do justice?" Moses says, "Why have you done evil to this people?" Jeremiah and Habakkuk challenge God on the apparent injustices of history. Job, who argues with God, is eventually vindicated by God, while his comforters, who defended God, are deemed by God to have been in the wrong. In short, God Himself chooses active, critical followers rather than those who silently obey.

Hence the unusual conclusion that in Judaism followership is as active and demanding as leadership. We can put this more strongly: leaders and followers do not sit on opposite sides of the table. They are on the same side, the side of justice and compassion and the common good. No one is above criticism, and no one too junior to administer it, if done with due grace and humility. A disciple may criticise his teacher; a child may challenge a parent; a prophet may challenge a king; and all of us, simply by bearing the name Israel, are summoned to wrestle with God and our fellow humans in the

name of the right and the good.

Uncritical followership and habits of silent obedience give rise to the corruptions of power, or sometimes simply to avoidable catastrophes. For example, a series of fatal accidents occurred between 1970 and 1999 to planes belonging to Korean Air. One in particular, Korean Air Flight 8509 in December 1999, led to a review that suggested that Korean culture, with its tendency toward autocratic leadership and deferential followership, may have been responsible for the first officer not warning the pilot that he was off-course.

John F. Kennedy assembled one of the most talented group of advisors ever to serve an American President, yet in the Bay of Pigs invasion of Cuba in 1961 committed one of the most foolish mistakes. Subsequently, one of the members of the group, Arthur Schlesinger Jr., attributed the error to the fact that the atmosphere within the group was so convivial that no one wanted to disturb it by pointing out the folly of the proposal.[8]

Groupthink and conformism are perennial dangers within any closely-knit group, as a series of famous experiments by Solomon Asch, Stanley Milgram, Philip Zimbardo and others have shown. Which is why, in Cass Sunstein's phrase, "societies need dissent." My favourite example is one given by James Surowiecki in *The Wisdom of Crowds*. He tells the story of how an American naturalist, William Beebe, came across a strange sight in the Guyana jungle. A group of army ants was moving in a huge circle. The ants went round and round in the same circle for two days until most of them dropped dead. The reason is that when a group of army ants is separated from their colony, they obey a simple rule: follow the ant in front of you.[9] The trouble is that if the ant in front of you is lost, so will you be.

Surowiecki's argument is that we need dissenting voices, people who challenge the conventional wisdom, resist the fashionable consensus and disturb the intellectual peace. "Follow the person in front of you" is as dangerous to humans as it is to army ants. To stand apart and be willing to question where the leader is going is the task of the critical follower. Great leadership happens when there is strong and independently minded followership. Hence, when it comes to constructive criticism, a disciple may challenge a teacher and a prophet reprimand a king.

[1] Maimonides, *Hilkhot Deot* 6:6-7. [2] Nahmanides, *Commentary to Leviticus* 19: 17. [3] *Baba Metzia* 31a. [4] *Kiddushin* 42b. [5] *Kiddushin* 30b [6] *Ta'anit* 7a. [7] *2 Samuel* 12: 13. [8] See Cass Sunstein, *Why Societies Need Dissent*, Harvard University Press, 2003, 2-3. [9] James Surowiecki, *The Wisdom of Crowds*, Little, Brown, 2004, 40-41.

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From Rabbi Yissocher Frand [ryfrand@torah.org](mailto:ryfrand@torah.org) & [genesis@torah.org](mailto:genesis@torah.org)  
To [ravfrand@torah.org](mailto:ravfrand@torah.org) 5773

Subject Rabbi Frand on Parsha

**Rabbi Yissocher Frand - Parshas Achrei Mos – Kedoshim**

Who Has To Honor Whom?

The beginning of Parshas Kedoshim contains a pasuk which presents a very interesting juxtaposition of mitzvot: "Every man shall revere his mother and his father and you shall observe My Sabbaths – I am Hashem your G-d." [Vayikra 19:3]. Rashi wonders about the connection between Shabbos observance and revering one's parents. Rashi cites the *Toras Kohanim* which teaches, based on the juxtaposition in this pasuk: "Although I enjoined you about revering a parent, if your parent should say to you, 'Desecrate the Shabbos', do not listen to them. And so too it is with regard to other commandments." This is a halachic principle brought down several times in the Talmud, which is also codified in the *Shulchan Aruch*.

Rav Yaakov Kaminetsky adds that the Torah is teaching us another message here as well. We believe as Jews that G-d created the world in six days and that on the seventh day He rested. Prior to Creation the world did not exist and obviously people did not exist. This "Creation scenario" is not universally accepted. There are many people who in fact deny any role of G-d in creation. The Darwinian Theory and others posit that human beings evolved from lower species and reject the "story of Creation" as spelled out

in the beginning of the Book of Bereshis. This is a philosophical-theological dispute of how one views the world.

There is a practical difference between these two world views. The difference boils down to who needs to honor whom? Should older people need to honor younger people or should younger people need to honor older people? If one believes that man has evolved from the lower forms of life, then presumably the further one gets away from that "original man" the higher form of life one would expect. If man evolved from a monkey, then the first generations of men were not very far removed from monkeys. Later generations have "evolved more" than earlier ones and hence the earlier generations must honor the later ones. The bottom line is that parents should honor their children. If on the other hand, -- as we believe -- the Almighty created the First Man, it follows that the First Man was the most perfect human being that the world has ever seen. He was without flaws because he was the handiwork of the Master of the Universe Himself. No one can improve upon that! As we get further away from that First Man, man diminishes in stature. If we are going down, rather than up, it is clear that the younger generations need to honor the previous generations.

With this introduction, the pasuk now is crystal clear. "A man shall revere his mother and his father." Why? It is because "My Sabbaths you shall keep – I am Hashem your G-d." There is a link between these two parts of the pasuk. Since there was a Creation – which you testify to by observance of Shabbos on the seventh day of the week, then parents who are a generation closer to creation and to the original man who was created by the Almighty need to be revered by the younger generation!

This insight of Rav Yaakov comes with a story as well. In his later years, Rav Yaakov attended a Kenesiah Gedolah of Agudas Yisroel in Eretz Yisrael. He was already an older man at the time and was accompanied on his travels by one of his sons. As we all know, the trip to Eretz Yisrael is a long trip and Rav Yaakov was an older man. His son waited on him hand and foot throughout the journey. There was a person on the plane sitting nearby who was astounded by the love, respect, and dedication the son was showing to his father. At one point, he commented to Rav Yaakov Kamenetsky, "My children do not treat me like that. What is your secret in child-raising that your son treats you like a King?"

In effect, Rav Yaakov told him the above quoted idea. We implant in our children the belief that the further we are removed from Sinai, the more one has had to endure the phenomenon of "yeridas haDoros" [lessening of the generations]. Therefore, they understand that the older generation is a "better generation" and hence they honor and respect us. "If your children do not act this way", Rav Yaakov told the gentleman on the plane, "perhaps it is because they feel that they are more advanced than you are and that on the contrary, you should honor them."

Rabbeinu Dovid Abudraham: What's In A Name?

The pasuk in the parsha says, "You shall not steal, and you shall not deny falsely, and you shall not lie to one another." [Vayikra 19:11] Rashi points out that the theft mentioned in this pasuk refers to monetary theft, while the prohibition "Thou shall not steal" in the Ten Commandments refers to the capital offense of kidnapping. This fact is not widely known in the world at large. The average person who is not versed in the traditions of the Oral Law, believes that "Thou shall not steal" in the Ten Commandments refers to monetary theft.

I would like to relate an incident which teaches how careful a person must be to avoid stealing money (or property). There is a famous Sephardic commentator known as Rabbeinu Dovid Abudraham. Rabbeinu Dovid wrote a commentary on the Siddur, which is one of the classic commentaries on Jewish liturgy. How did he get the name Abudraham? This is not a common name, even among Sephardic Jews. There is a story that goes with the name. Rabbeinu Dovid was a merchant. I do not know exactly what he sold, but whatever it was, people would give him their money and he would measure out the commodity he was selling and give them what they purchased, based

on weight. In those days, the scales were far more primitive than today. Also, they did not weigh in pounds or ounces, kilos or grams. The unit of weight in those days in his country was something called the dram. However, when someone ordered 10 drams of merchandise, Rabbeinu Dovid would not put 10 drams on the scale and measure it all at once; he would put one dram at a time on the scale. With each dram that he would sell, he would give a little more than the exact measure, to be sure that he was not near the borderline of possible theft. He would repeat this slight perk for the customer with each dram he weighed out.

One day a Gentile entered the store and told Rabbeinu Dovid that he wanted 9 drams of merchandise. So Rabbeinu Dovid went through his ritual and weighed out a dram nine times, wrapped up each dram, and gave the package to the customer. However, when the customer left the store, Rabbeinu Dovid began to think, "Maybe I only wrapped up 8 packages; not 9. Maybe I short-changed the customer on this order!" He ran out of the store to catch the customer before he got too far down the block, to tell him he might have only received part of his order." The truth is he probably gave him 9 drams worth of merchandise even if it was only in 8 packages because of his practice of giving extra; and most likely, he had given him the full number of packages anyhow.

At any rate, the Gentile was so impressed with the honesty of Rabbeinu Dovid that he converted to Judaism.

In Arabic the name preface "Abu" means "father of" (similar to the Hebrew word Aba). That is why he had the name "Abudraham" – it meant in Arabic "Father of the Dram," because he was so meticulous in his business dealings that he measured out each order dram by dram.

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD

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### Parsha Potpourri

#### Parshas Kedoshim– Vol. 9, Issue 30

#### Compiled by Ozer Alport

#### ואהבת לרעך כמוך אני ד' (19:18)

The Torah commands us to love other Jews as we love ourselves. In his commentary on this verse, Rashi quotes Rabbi Akiva, who comments that this is *the* fundamental rule of the Torah, making it clear the tremendous value that Judaism places on this mitzvah. However, the Ramban and several other commentators point out that while this concept sounds lofty and inspiring in theory, in practice it is virtually impossible to accomplish. How can we love any other person as much as we love ourselves, let alone every single Jew in the world?

The answer to this apparent difficulty may lie in the fact that in commanding us to love our fellow man as we love ourselves, the Torah does not use the more common word for friend – חבר – but rather the word רע, which when pronounced *rei'ah* means "friend," but with different vowels can be read as *ra*, which means "evil." How can the same word that means "friend" also connote evil?

Rav Yitzchok Hutner points out that there is another word that shares this root: תרועה, the sound of the shofar that we are commanded to blow on Rosh Hashana (Bamidbar 29:1). What is the connection between these seemingly disparate concepts? A תקיעה is complete and uninterrupted and is therefore associated with טוב (good), which is also perfect and whole. A תרועה, on the other hand, is a broken sound, so it comes from the root רע to connote the concept of being deficient and lacking, which is the essence of evil.

How does this insight apply to the Torah's use of the word רעך to connote a friend whom we are commanded to love? Rav Hutner explains that the essence of true friendship is that the two friends feel so close to one another that they view themselves as two parts of a whole. Without the other friend,

each person views himself as an incomplete unit, but together, the two partial entities combine to reach fullness and completion.

In other words, while the term “friend” is colloquially used to describe any person with whom we enjoy spending time, the Torah’s definition of friendship encompasses much more: It demands that we view ourselves as two parts of a whole. The Torah conveys this message by deliberately using the word רֵעַ to refer to your friend whom you are commanded to love as yourself, as a way of hinting to us that the key to successfully fulfilling this mitzvah is to view yourself as one with every single Jew and to feel their emotions as you would experience your own.

Interestingly, Rav Yehuda Wagshal points out that the Targum Onkelos on this verse translates the word וְאָהַבְתָּ – you shall love – into Aramaic וְתַרְחַם – you shall be compassionate. What is the connection between love and compassion? The opposite of compassion is אַכְזָרְיּוּת (cruelty). The commentators point out (see Rashi Iyov 19:13) that the word אַכְזָר can be read as a combination of two words – אַךְ זָר, which means “only a stranger.”

This teaches us that it is only possible to be cruel to another person if we view him as a stranger, somebody with whom we have no connection. Just as a person would not be mean to himself, so too he cannot be cruel to somebody he views as part of him. Therefore, prior to displaying cruelty to another person, it is necessary to first emotionally dissociate oneself from him and view him as a stranger.

In the opposite direction, a person is similarly inspired to feel compassionate not only toward himself, but also toward anybody with whom he feels a connection. When somebody views another person as part of him, he instinctively feels compassionate toward that person, and as a result, he automatically comes to love him. For this reason, the Targum translates the word אָהַב – love – as רַחַם – compassion, as feeling an emotional connection to another person is a necessary prerequisite to loving him.

**אל תפנו אל האבת ואל הידענים אל תבקשו לטמאה בהם אני ד' אלקים (19:31)**  
**והנפש אשר תפנה אל האבת ... לזנת אחריהם ונתתי את פני בנפש ההוא והכרתי אתו מקרב עמו (20:6)**

**ואיש או אשה כי יהיה בהם אוב או ידעני מות יומתו באבן ירגמו אתם דמיהם במ (20:27)**

The Torah commands us in no uncertain terms not to turn for guidance or assistance to practitioners of sorcery and necromancy, discussing the prohibition against doing so three times in Parshas Kedoshim alone. Toward the end of Shaul’s life, he was faced with a battle against an army of Philistine forces (Shmuel 1 28). When Shaul saw their army’s encampment, he was terrified and confused about what to do, and he attempted every technique at his disposal to inquire of Hashem for guidance about how to proceed, but Hashem ignored Shaul and refused to answer him through his dreams, through prophets, and through the Urim V’Tumim.

After Shaul had exhausted all of his traditional options without any success, he told his servants to seek out for him a בעלת אוב (sorceress), and he proceeded to enlist her services to summon the spirit of the deceased prophet Shmuel to advise him about how to proceed. The tremendous difficulty with this episode is: How is it possible that Shaul, for all of his shortcomings and mistakes in judgment, could think that it was permissible to inquire of the dead using sorcery, something which is explicitly forbidden by the Torah?

The Ohr HaChaim HaKadosh (Devorim 18:14) and Oneg Yom Tov (Introduction) explain Shaul’s reasoning by pointing out that the prohibition in Parshas Shoftim against turning to sorcerers and necromancers is immediately followed by the following explanation for the mitzvah (Devorim 18:14-15): כי הגוים האלה אשר אתה יורש אותם אל מעננים ואל קסמים ישמעו ואתה לא כן נתן לך ד' אלקיך נביא מקרברך מאחריך כמני יקים לך ד' אלקיך אליו תשמעו – For these nations that you are possessing hearken to astrologers and diviners, but not so has Hashem your G-d given for you. Hashem your G-d will establish for you a prophet like me from your midst, from your brethren; to him shall you hearken.

In other words, the Torah seems to say that the reason Hashem does not want us to turn to magicians and sorcerers is because these were the

practices of the non-Jews who inhabited the land of Israel before us, but we do not need them since Hashem gives us prophets whom we can consult instead. As such, Shaul assumed that it is only forbidden to consult a sorceress or necromancer if one has an option of going to a prophet instead. However, in a situation in which that is not an option, such as in this case where he tried to do so but was not answered, Shaul thought that the prohibition did not apply and he was allowed to go to the בעלת אוב.

Although the Ohr HaChaim HaKadosh and Oneg Yom Tov maintain that Shaul was incorrect in his judgment and they only give this explanation as a way of understanding Shaul’s thought process and judging him favorably, the Netziv (HaEmek Davar 18:14) writes that not only was this Shaul’s rationale, but he was in fact correct in his logic, as in a time of danger when no prophet is available to be consulted, it is in fact permitted to consult a sorcerer or necromancer for guidance.

Along these lines, the Shach (Yoreh Deah 179:1) rules that if a person is ill, it is permissible to use magic and sorcery to heal him due to the fact that we do not have prophets to ask. Although the Maharshah (Shu”t Maharshah 3) disagrees and maintains that if the person is merely sick it is forbidden to do so since it is not a case of pikuach nefesh (saving a life), this implies that it would be permissible if somebody’s life is truly in danger, just like the Netziv writes regarding Shaul.

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subject: Weekly Parsha from Rabbi Berel Wein

**Weekly Blog :: Rabbi Berel Wein**

**Seeing Israel**

Since I have spent the past two weeks outside of Israel I have come to the conclusion that the only way to truly see and appreciate Israel is by stepping away from it a little bit, so to speak – to see it from afar. Those of us who are blessed to live in Israel, many times on a regular daily basis gain a very myopic view of the country, its struggles and accomplishments. The rabbis in their usual incisive and pithy way phrased it as follows: “Those to whom miracles occur are unable to recognize the miracles that befall them.”

The nature of human beings is to concentrate on the details and not see the larger picture in historical or societal perspective. Midrash points out to us that one of the great facets of the personality of our father Abraham was that “he saw the place from afar.”

Up close, Mount Moriah, the Temple Mount, is not too impressive. It certainly is not the Matterhorn or Mount Everest. Yet, like its sister mountain, Sinai, it is the mountain as far as civilization and human progress is concerned. From afar and in historical perspective it towers over all other hills and peaks.

Well, it is not only Mount Moriah that must be seen in perspective but it is the land and state of Israel also that must be seen in perspective. Up close it is a country surrounded by hostility and sometimes violence with serious economic, social, religious and diplomatic problems and shortcomings. But viewed overall, from a distance and with perspective, it is the miracle of the ages shining before our befuddled eyes.

The struggle of the Jewish communities in the Jewish diaspora to somehow survive and remain Jewish is a monumental one. Even in the safe and secure strongholds of Torah life, in Orthodox neighborhoods, this struggle is omnipresent and challenging. In spite of all of the noise, furor and turmoil surrounding the social issues – and they are social issues, not religious ones – of religious Jewry in Israel, the difficulties and challenges to a religious lifestyle in Israel are infinitely less than they are anywhere else on earth.

Except, that when one is living in Israel and engaged in the daily unceasing problems of life generally and Jewish life particularly one has no basis of comparison nor any true sense of proportion and perspective. There is a lot of extreme rhetoric scattered about on all sides and emanating from all of the different groupings that constitute the diversity of Israeli society.

Since our memory of the past has been distorted, if not even erased by the Holocaust and by the uprooting of Sephardic Jewry, we have no true basis for comparing what Jewish life really was like a century ago and what it is like today. We cannot see ourselves from afar and thus "the holy cloud over the mountain" is not visible to us. The prophet therefore describes us as "a people walking in darkness."

One of the current crazes engendered by our far-too-smart-phones is taking a photograph of one's self at some type of event - a "selfie." What we need today is a good "selfie" of all of us Jews regarding the land and state of Israel.

When one visits an art museum - and there are some amongst us that actually do such a thing - one should not view the masterpieces from too close a distance. If one stands too near to the work of art, only scattered gobs of paint smeared on cloth canvas will be visible. By stepping back a little and then viewing the painting, only then is the genius of the artist's talent and inspiration revealed before our eyes. Though the artist painted the picture from up close, that artist intended his or her work to be viewed and appreciated from afar.

The Talmud boldly states that "there is no artist as is our God." He also apparently wants us to view His works from afar, from a perspective, with historical accuracy, wonder and appreciation. I think that is certainly the case and crux of the matter regarding the land and state of Israel and its reestablishment as the Jewish nation-state and homeland.

A greater emphasis on perspective, historical and religious, is certainly one area of our educational systems that can and should be improved upon. Honest analysis, accurate facts, less fantasy and fictitious storytelling and a greater concentration on the whole rather than the disparate parts of Jewish and Israeli society would help calm the stormy waters of controversy in the Jewish world.

Shabat shalom

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from: Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>

reply-to: info@jewishdestiny.com

subject: Weekly Parsha from Rabbi Berel Wein

**Weekly Parsha Blog :: *Kdoshim***

**Rabbi Berel Wein**

The usual translation of the word *kdoshim* into English is "holy." As is also usual in translations from Hebrew into English, it does not carry with it the nuance that is present in the original Hebrew word. *Kdoshim* is not exclusively meant to represent holiness in the common usage of the word but it encompasses a dedication and devotion to a cause, an idea - to a faith itself. The Lord Himself, so to speak, describes His own Being as being not only holy but also as being dedicated - dedicated to fulfill His Will through the people of Israel, their history, behavior, events and destiny.

By describing Himself in this fashion, God reassures us that there is purpose to our lives and actions. He desires that we be dedicated throughout our lives, in all of our actions, to educate the world in His ways and value system. His dedication to us is oftentimes hidden and not clearly understood and appreciated but it is eternal and ongoing.

Our dedication to Him and His Torah must also be of that very nature - eternal and ongoing. Thus holiness is no longer to be viewed as pure piety, noble as that trait is, but rather also to be one of perseverance and tenacity, even stubbornness, if you will. The stiff-necked people are also the holy and dedicated people. This overriding sense of loyalty and tenacity of spirit and action is truly one of the basic hallmarks of Jewish history and life.

It is no coincidence that it is this parsha of the Torah that contains such a large number of commandments. For dedication and loyalty can only be translated into behavior by rote, ritual and varied actions. That is why the Mishna itself commented that the Lord wanted to prove Israel meritorious by providing such a large number and great variety of commandments to be fulfilled and performed. For only by such a regimen are human beings able to develop loyalty, purpose and a firm commitment to goodness and righteousness.

We are all creatures of habit and in developing good habits we become transformed into being good people. Good habits require drill and repetition, firmness and discipline. There are no shortcuts to holiness or dedication, no easy faith and convenient sense of religion. So the Jew is surrounded on all sides in one's daily life by God's commandments.

Everything in life becomes capable of holiness and dedication to God's nobility of existence. There really is nothing in life that is truly relegated to the mundane and unholy. It is the human attitude towards events and actions, the sense of purpose and dedication that accompanies one's actions which define the holiness and dedication of each and every action and facet of our existence. This plethora of commandments is meant to enhance and accomplish this holy purpose and give eternal meaning to our lives and society. That is why the lord is justified in ordering us to be a just, holy and dedicated people.

Shabat shalom

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from: Shema Yisrael Torah Network <shemalist@shemayisrael.com>

to: Peninim <peninim@shemayisrael.com>

subject: Peninim on the Torah by Rabbi A. Leib Scheinbaum

**Peninim on the Torah by Rabbi A. Leib Scheinbaum**

***Parshas Kedoshim***

***Speak to the entire congregation of Bnei Yisrael. (19:2)***

Rashi derives from the communal reference in the above pasuk that Parshas Kedoshim was recited b'Hakhel, at a public gathering of the entire nation, because, as Rashi explains, "Most of the Torah precepts are derived from it." Ramban explains that the foundations of all the Aseres HaDibros, Ten Commandments, are represented in this parsha. Horav Yisrael Belsky, Shlita, opines that the communal element of mitzvah observance is addressed in this parsha. While acknowledging that the Torah begins as a private, individual obligation between man and Hashem, we also embrace a communal aspect, a public obligation to Torah and mitzvos that extends beyond the individual. Rav Belsky suggests that the mitzvos addressed in this parsha relate in some way to the rules governing the conduct of a tzibbur, community.

I would like to focus on the mitzvah prohibiting cheating with weights and measures. The Torah writes, *Lo saasu avel b'mishpat*, "Do not carry out a miscarriage of justice with measures, weights and volume." We are enjoined to maintain accurate scales for measuring the various items we sell. From the perspective of the individual: each individual is prohibited from possessing faulty weights and measures. At the same time, the wider community is admonished to provide a suitable environment which not only disdains dishonesty, but underscores and encourages honesty and fair play.

It seems like a simple, sensible commandment, which should be accepted wholeheartedly by the community. Sadly, this does not seem to be the case. Can we really hold up our collective heads and declare that we hold financial integrity as a standard to which all members of our communities aspire? Can we say that not one member of our community ever acts in a financially reprehensible way- yet, in every other aspect is a well-known, highly-respected, religious, fully active and, even, influential member of our community? Can we honestly say that we regard theft as a sin which disqualifies an individual from being considered a full-fledged member of our community? Regrettably, we view financial mendacity-- and other forms of larceny associated with financial manipulation at the expense of the na'ive and unsuspecting-- as nothing more than a character flaw due to one's moral weakness. Certainly, this is not a shortcoming which would warrant ostracizing the individual from the community.

Why are we so accepting? Rav Belsky explains that certain activities become acceptable only because, as we say in Yiddish, *Alle tuen azoi*, "Everybody does it." This really means that this type of behavior has become unobjectionable precisely because the community at large turns a blind eye to it. Thus, one can get away with it. This neither makes it right, nor renders the person "acceptable."

Yet, until the collective community takes a stand and rejects any form of dishonest interaction, the behavior will continue, and the perpetrators will continue to receive honoraria, while those who struggle to eke out an honest living will fall by the financial wayside. Shortly before the parsha of Amalek (Devarim, Ki Seitzei 25:13), the Torah repeats the laws of just measurements. Chazal derive from here that when one acts dishonestly with weights and measures, he will be visited by the likes of Amalek. Likewise, a society in which such behavior is tolerated - even considered passible - will be subject to the ravages of Amalek. We no longer may tolerate what has become termed as "acceptable aveiros."

***You shall be holy, for I, G-d, your G-d, are holy. (19:2)***

A Jew must achieve a spiritual plateau that towers above pious, virtuous, good, saintly and other such wonderful adjectives. A Jew must strive for kedushah, sanctity, holiness. In Parashas Kedoshim, the Torah outlines a small number of laws which define the character of Jewish life. These are the fundamentals for the social ordinances that govern a communal Jewish life under Hashem: morality; justice; selflessness; and brotherly love.

In the previous parsha, Acharei Mos, the Torah detailed the negatives, the immoral behavior that was a way of life for the Canaanites, a way of life that is strictly forbidden to the Holy Nation. The present parsha calls attention to a number of the positives, behavior to which a Jew should adhere. We may note that the "positives" follow the moral "negatives," to teach us that only a society established and maintained upon the foundation of a morally-pure life can function as virtuous and just. One who is bereft of the moral posture of purity will be neither virtuous nor just.

Moral purity begins at home in the way in which a child is raised. The moral values imparted to a child become his or her foundation for life. Indeed, Horav S. R. Hirsch, zl, observes that the present parsha, Kedoshim tiheyu, begins with the commandment to honor one's father and mother, which happens to be the cornerstone of all society and all human civilization. Interestingly, with regard to reverence, the mother is mentioned before the father. Rav Hirsch explains that, only when a man has taken for himself the proper wife in a Divinely-sanctioned marriage, will the children have a true mother, which is the first prerequisite for moral and spiritual humanness. When parents "have it together," there is hope that such conditions can produce Jewish relationships between children and parents, which is the basis of Jewish life. In such a situation, children will flourish before G-d, and the social virtues required for a Torah society will be effectively nurtured from the cradle on.

The commentators grapple with the exact definition of kedushah. The consensus of opinion to which they all agree is that kedushah results when a morally-conforming human being maintains complete dominion over all of his energies and inclinations and over the various enticements that the yetzer hora, evil-inclination, throws at him. Furthermore, he does not simply stunt, neglect, or suppress these energies and inclinations, but rather, he harnesses them to serve Hashem. No impulse, potential or inclination, from the most spiritual to the most sensual, is in and of itself inherently good or bad. Each is given to us for the purpose of serving Hashem. Each can be employed for a positive purpose. The kadosh has the ability to conquer, prevail and dominate over these tendencies and mobilize them for positive, spiritual growth. How does man gain mastery over his inclinations? Surely, moral resolve is not to be tested in the sphere of the forbidden - where any slip will result in disaster. It is in the area of permissibility that one must initiate and exercise his powers of self-restraint, in conduct that is morally permitted, but if overdone, can have serious consequences. This is how one achieves personal sanctity.

While most of the laws in this parsha fit into the framework of social ordinances, some - like Shabbos, idol worship, and the laws concerning korbanos, sacrifices - might be included as a result of their identification with kedushah. It is for this reason that the prohibitions concerning crossbreeding and wearing mixtures of wool and linen, which are essentially chukim, mitzvos whose rationale eludes us, seem out of place. How are shatnez, mixture of wool and linen, crossbreeding animals, and planting mixed species linked with Kedoshim tiheyu?

I was fortunate to discover a profound exposition from the Orzover Rebbe, zl, Horav Yechiel HaLevi Epstein, which sheds light on our query. In his commentary to Devarim 22:9, on the pasuk Lo sizra kilayim, "You shall not sow your fields with a mixture," the Ozrover cites the Tikunei Zohar that says: "We only sow the same specie, because the vineyard of Hashem is the Jewish People. This is why our sages devised the text of Havdalah, the prayer recited when Shabbos ends and the work week is about to begin. We address the various sorts of separation between the entities, such as: mikodesh l'chol from holy to profane/mundane; ohr l'choshech, light to darkness; Yisrael l'amim, Jew to gentile. These mixtures cannot integrate with one another."

The above teaches us that kilayim, prohibited admixtures, are not limited to seeds and fabrics. They allude to the inexorable separation that exists between holy and profane;

Jew and gentile. Klal Yisrael is considered Kerem Hashem, the Almighty's vineyard, and one who mingles the non-Jew with the Jew sows kilayim in Hashem's vineyard. Furthermore, light and darkness are two entities that are clearly distinguishable from one another; the dissimilarity between the two is blatant and unquestionable. We must remember, declares the Ozrover, that the disparity between Jew and gentile is no different. We just are unable to perceive it with our eyes of flesh and blood. The discrepancy between kodesh and chol is similar; just because we do not see the difference with our human eyes does not mean it does not exist. One does not have to perceive the actual contrast. It is enough to know that it exists. We now understand why the Torah includes the laws concerning admixture in the parsha which addresses kedushas Yisrael, the sanctity of the Jew. It is not only relevant concerning the significance of maintaining social justice and adhering to a strong moral compass. It is important to the acknowledgement and preservation of the sanctity which we as Jews harbor within us. This can only be realized by maintaining a strict sense of self-sufficiency, recognizing our self-worth and our distinctiveness. We cannot run from the world. We do not live in a ghetto. If we view ourselves in the proper light, however, we will not gravitate to what is out there, because we recognize that we function above and beyond whatever "they" have to offer us.

The inherent kedushah which exists within the essence of each and every Jew is real and is manifest during instances in his life when one would least expect it. Some individuals view the Jewish people through the eyes of history as its victims. We have suffered daily for over a thousand years. Nary a day has gone by that a Jew in some area of the world has not been persecuted, and even killed. To call us victims would be condescending. We should view ourselves as a nation of survivors, having outlived and out-achieved all of our persecutors.

After citing the Tikunei Zohar that distinguishes between Jew and gentile with regard to the very essence of each, it is important and necessary to underscore that, when a gentile commits to Judaism, he becomes a full-fledged Yehudi with the inherent kedushas Yisrael that accompanies it. This is one of the many beautiful aspects of our religion. We are not quick to accept everyone, but one who sincerely commits and is accepted, becomes one of us. Let me share the following vignette, related by Horav Yissachar Shlomo Teichtel.

A certain ger, convert, from the town of Topol, insisted on accompanying his fellow Jews when they were sent off to the death camps in Poland. He was imprisoned in Zholina's detention camp to await the arrival of the deportation train. A few Slovakian collaborators snuck into camp and sought him out. "We are offering you a chance to escape," they said to him. "Come back home with us. You are not a Jew as far as we are concerned. You are one of us. Take your family and leave. We will protect you." Avraham Klein shouted into the faces of his "rescuers," "I am a Jew! I am just like all of the other Jews. I am going with them to Poland, and I will share the same fate as my brothers. Neither you nor anyone else like you will send me home. Only G-d Himself can do that." This was his powerful reply.

Avraham Klein was born in Piestany, and he converted to Judaism in Munkacs. Indeed, the Munkacer Rebbe himself was his mohel, circumcised him. He eventually married a wonderful, righteous woman, and together they raised several pious sons who studied Torah in yeshivos. Now that he was about to embark on the expulsion train, he turned to his fellow Jews and said, "You think it is good to be a Jew only when things are going well for the Jews. This is not so. Someone who is prepared to suffer together with suffering Jews - he is someone who is called a Jew. I am going with you happily to Poland, for this is the will of the Heilige Bashefer, Holy Creator."

He continued his little speech by comparing Jewish suffering to the complications that often arise following surgery: "Even if the actual procedure has gone well, at times, complications set in afterwards. One must have a strong heart, filled with faith in the Almighty, to survive the aftermath of surgery. If an individual is not resolute in his faith in Hashem, if his heart is not strongly aligned with G-d, he will go under, Heaven forbid, in times of trouble."

***You shall not stand aside while your fellow's blood is being shed. (19:16)***

***Then I shall concentrate My attention upon that man and upon his family. (20:5)***

There are two pesukim, seemingly unrelated to one another, that both impart the theme of collective responsibility for all Jews. In other words, just because one does not see something happen, he is not relieved of responsibility if he has been aware of it. Likewise, when we cover up the malevolent activities of those close to us, we will answer for it. The Torah first teaches that one must not stand idly by as Jewish blood is spilled. Rashi adds, "To see his death, and you are able to save him." Rashi is teaching us that, if we are able to save someone and we do not, we transgress Lo saamod al dam reiecha. Horav Yeruchem Levovitz, zl, adds that we may imply from Rashi that it is not relevant whether one was there and executed the act of saving a fellow Jew, or if he was farther away. As long as he could have prevented his fellow Jew's blood from being spilled and he did not, he will one day answer to Hashem for his lack of caring. If one is

simply aware of his fellow's plight - be it life-threatening or a financial breakdown - he must come to his assistance. He cannot cover his face and say, "I was not there." If one knows about it - it is as if he were there!

The second pasuk relates the punishment for one who gives his child to the molech, idol. Hashem will punish the individual - and his family. Why is the family being held responsible for the sin of one of its members? They shielded the sinner, covering up his miscreancy, saving him from the court's punishment. Rashi adds, if a family has one of its own who is a moches, tax collector, they are all considered mochsims, because they covered up for him. Thus, they become as contemptible as he.

Rav Yeruchem observes that this type of covering up for relatives, children, even friends, does them no benefit. In fact, it transforms us into like-minded sinners. Offering excuses for a child's behavior is commonplace. "My child would never do that!" is a common form of renegeing of parental responsibility. Veritably, some children suffer because their family situation is, at best, tragic. This takes its toll on the child's mindset, causing him to act out his "issues." It is understandable that, in certain extenuating circumstances, we turn a blind eye to a child's guilt. Chazal are teaching that when we cover up, give excuses, rationalize a child's egregious behavior - we become no different.

The Torah teaches us to confront issues head-on and assume responsibility. Ignorance might be bliss - but not for long. It is especially serious when parents are sucked into their child's behavior. Not only does the child lose out, because no one is willing to concede that there is a serious problem, but the parent has become labeled an accomplice.

***You shall not hate your brother in your heart; you shall reprove your fellow and do not bear a sin because of him. (19:17)***

Maase avos siman labanim, "The actions of the fathers are a sign/portent for their sons." Chazal teach that, when the Patriarchs acted, the manner in which they acted, the consequences of their actions, the situations which they encountered, the challenges which they experienced, are all simanim, signs, for us, their children, to follow, to emulate, to study and remember. We must derive a lesson from their responses, so that we are prepared when a similar situation confronts us.

Yaakov Avinu had issues with three of his sons, whom he rebuked shortly before his death: Reuven, Shimon and Levi. Likewise, Moshe Rabbeinu endured tribulations from the descendants of these Shevatim, Tribes. Dassan and Aviram, who were Moshe's constant nemeses, were descendants of Reuven, while Korach, who impugned the integrity of Moshe's leadership, was a scion of Levi. The apple falls not far from the tree, and, while their sins were relative to the period in Jewish history in which they lived, they nonetheless are recorded in history as despots who sought to derail Moshe's leadership.

Rebuke is a requisite in a relationship. If one really cares, he will point out his friend's failing in a respectful, diplomatic and caring fashion. One who overlooks his friend's shortcomings may one day be haunted by his regret over not calling to attention an action that could have been circumvented. The first place in the Torah in which we observe a case of rebuke is when Yosef related to his father, Yaakov Avinu, what he felt were his brothers' misdeeds. Yosef thought that, when he brought this information to his father's attention, Yaakov would immediately react and rebuke his sons - thereby preventing any further misconduct. He was wrong. Our Patriarch did not recoil the way Yosef wanted him to react. Yaakov understood his sons' behavior far better than Yosef did.

Actually, when one peruses the Biblical narrative, we note that there is historical precedent for --and pathology behind-- Yaakov and Yosef's reactions.

Horav Aryeh Leib Heyman, zl, observes that, when Yaakov was growing up in the home of his parents, Yitzchak Avinu and Rivkah Imeinu, he too, encountered a sibling whose activities left much to be desired. Yaakov lived with Eisav for sixty-three years before he was compelled to leave due to his intervention concerning the blessings. During this period, Eisav acted like Eisav, an uncouth personality coupled with unbridled evil. He put on a show of sham piety when he presented himself to his father. His mother and brother were not fooled by his actions. They were acutely aware of his two-faced behavior. Why did Yaakov not share his knowledge of Eisav's profligate behavior with his father?

Rav Heyman attributes Yaakov's reluctance to none other than his mother. Apparently, Rivkah was fully aware that Eisav was evil, yet, she chose to remain silent. Why? She conjectured that, if it were to be necessary for Yitzchak to be made aware of his son's miscreancy, Hashem would have informed him. If the Almighty was silent, what right did she have to speak? Indeed, a similar reaction was had by Yitzchak after Yosef's sale. He was aware of the entire debacle, but she did not inform his son, Yaakov. Why? He said, "If Hashem did not tell him (Yaakov), should I?" Nonetheless, being a Matriarch, Rivkah was aware of what it meant to raise children. She understood that it was not Yaakov's place either to rebuke Eisav, or to inform on him to their father.

Rachel Imeinu was an entirely different story. She died when her older son was but eight years old. As a result, this young orphan lost out on two fronts. First, he had no mother with whom he could share his fears, doubts, goals in life. She was gone, and, while Yosef had a loving father in Yaakov, he did not have Rachel, his mother. Second, his father loved him so much that he probably spoiled him because he was a yasom, orphan. Yaakov had a multi-colored coat made for Yosef. This, too, demonstrated to the young boy that the door to his father's heart was open for him. Thus, Yosef, who had originally sought to reprove his brothers himself, went instead to his father. It was downhill after that.

This is a powerful explanation of the events that occurred in the Chumash. It also gives an insight into parenting. There is no question that Yaakov had known what he was doing when he gave Yosef the kesones pasim, multi-colored coat. Yosef deserved it for a number of reasons. Until now, we thought that this garment had been the proverbial last straw on the camel's back. We now have a different angle for viewing the relationships among Yosef and Yaakov and the brothers. Yosef was a young orphan who had no one in whom to confide. Naturally, he turned to his father. It was not that Yosef was a "tattletale"; rather, he was deeply concerned about his brothers' behavior, and, left bereft of his mother, he had no one else. He went to his father - and this appears to be the "rest of the story."

***You shall love your fellow as yourself - I am Hashem. (19:18)***

The principal middah, character trait, on which one must work the most is loving our fellowman. If one truly manifests love, care and sensitivity, he has no place for any of the other character deficiencies. If we always think first of our fellow Jew, we cannot harbor anger, arrogance, lack of sensitivity. If we care for all Jews, then we have resolved our bein adam l'chavero, relationship between man and his fellowman; this will also resolve our bein adam laMakom, relationship with Hashem. Horav Yaakov Moshe Charlop, zl, derives this from the above pasuk and the manner in which it is explained in Toras Kohanim and the Talmud Shabbos 31a.

According to Rabbi Akiva, Chazal teach: Zeh Klal gadol baTorah, "This is a great principle of Torah." Additionally, Chazal teach, Man d'alach sani, l'chaverchecha lo saavid, "What one does not want for himself, he should not do to his friend. The rest of the Torah is its explanation. Go learn and you will see how everything fits in." Chazal are informing us that the yesod, origin, of all sin is one's lack of middos, his character trait deficiencies. One who is a baal middos, maintains refined character traits, will not sin - even behind closed doors. We sin because we are deficient, our middos lack refinement. Thus, we are subject to the inner evil-inclination which is never satisfied. It all begins with the love we should manifest for our fellow Jew. One does not harm a brother, or, at least, it is uncommon and unusual. If one manifests true love, one cannot hurt, be jealous, arrogate over, manipulate, cheat. These issues occur when one does not embody love. All Jews are brothers. Thus, one who has failed in his interpersonal relationship is invariably unable to serve Hashem properly.

"Furthermore," says Rav Charlop, "since Kudsha Brich Hu, v'Oraisa chad hu, 'Hashem and the Torah are one unified unit,' it is impossible to achieve dveikus b'Hashem, to cling to the Almighty, like we are enjoined to do unless - one fulfills the mitzvah of ahavas Yisrael, love for all Jews. This is the essence, the underlying motif of the Torah. Without it, one does not fulfill the Torah." No Torah - no Hashem. They are one unit. It is as simple as that.

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Parsha Parables By Rabbi Mordechai Kamenetzky

**Drasha Parshas Kedoshim  
by Rabbi Mordechai Kamenetzky**

***Leap of Love***

Among the many commandments explicated in this week's Torah portion we find the ubiquitous phrase of brotherly love. "Love your neighbor as yourself" (Leviticus 19:18) has found its way, in varying forms, into the moral codes of an array of cultures and civilizations.

What is interesting, however, are the phrases that precede this exhortation "You shall not take revenge, and you shall not bear a grudge against the members of your people; you shall love your neighbor as yourself -- I am Hashem."

Rashi quotes the Talmud in Yoma on the varying forms of grudges: If Reuven says to Shimon, "Lend me your sickle," and Shimon replies, "No!" And the next day Shimon says to Reuven, "Lend me your hatchet," and Reuven retorts, "I am not going to lend it to you, just as you refused to lend me your sickle" - this is avenging. "Bearing a grudge," however, is: If Reuven says to another, "Lend me your hatchet", and he replies "No!" And on the next day he says to him, "Lend me your sickle," and Reuven replies "Here it is; I am not like you, because you would not lend me" - this is bearing a grudge because he retains enmity in his heart although he does not actually avenge himself.

The strange juxtaposition seems a bit difficult to comprehend. Why would the Torah warn us against revenge, an act that is surely filled with malice and ill-will, and then command us to instead love our brother as our self? Surely one who wants revenge is not ready to take that great leap, from anger-filled rage to the highest level of brotherly love?

Shouldn't the Torah rather end the exhortations with the plea of brotherly reconciliation? Isn't asking the potential avenger to love the object of his anger like himself asking too much?

Rabbi Elchonon Wasserman, the Rosh Yeshiva of the Baranovitch Yeshiva, visited the United States in the latter part of the 1930s to raise funds for his yeshiva. Unfortunately, he made a greater impact on the America than America made on his yeshiva, and the funds raised did not help much. Reb Elchonon returned to a Poland clouded by the darkness of war to be with his students for the ensuing nightmare. The Nazis later murdered him together with his students in Kovno (Kaunas) Ghetto.

While he was in the United States, he was accompanied by young, enthusiastic students, my father amongst them, who felt privileged to help the great sage in his efforts.

Once, a student brought him to visit a wealthy man who had a philanthropic reputation. The bachur was confident that the meeting would prove successful. Unfortunately, the expectations proved fruitless, and Reb Elchonon and the student were shown to the door, empty-handed.

The young man left the house and sat down on the steps of the mansion utterly dejected. Reb Elchonon, who was quite tall, bent down to him, "Why are you so upset?" he asked softly.

"Upset? Why shouldn't I be upset? This man has the ability to support your whole yeshiva for a year, and he sent us away as if he does not have the ability to give even a dime!"

Reb Elchonon smiled. "The Torah tells us that Moshe was told to choose Betzalel to build the Mishkan. Let us assume that Moshe went in the street and asked where he could find Betzalel. Moshe was told that Betzalel could be found in the Bais Medrash. He went into the Bais Medrash and asked someone, 'Are you Betzalel?' The man said no. Should Moshe have been upset? Of course not! It's not the man's fault that he was not Betzalel! He was not born Betzalel and his job was obviously not to be Betzalel! Moshe went to another man. Are You Betzalel? Again the man said no! Should Moshe have been angry with him? Again, of course not!

"Well, my son," continued Reb Elchonon, "You can't be upset with him! He is just not the man that was chosen to help!"

Perhaps one can explain the verse by saying that one cannot be upset when the hammer is not offered. If your friend did not give you what you wanted, then this particular neighbor is obviously not the vehicle, messenger, or shliach to give it to you! You can't avenge that fact!

Perhaps that is why the phrase to love your neighbor as yourself follows the Torah's exhortations against revenge. At a time that you are disappointed, even angry, at a friend or relative for not lending or giving you an item, take a step back and think. "Are you angry at yourself for not having a hammer?" Of course not! Why should you be? You don't own a hammer! You can't be angry at yourself if you don't have the hammer! If you don't have a hammer you can't give yourself the hammer!

The posuk is telling us. "You shall not bear a grudge; you shall love your neighbor as yourself! Just as you do not bear a grudge at yourself for not

having a hammer, don't be angry at anyone else. After all, they obviously weren't the ones chosen to give it to you! So next time you are upset at someone for not aiding you in what you yourself could not achieve, think. Do not take revenge or harbor ill-will. Treat your neighbor as you would have treated the original culprit of incapability and love him as yourself! Rabbi Mordechai Kamenetzky is the Rosh Yeshiva of Yeshiva Toras Chaim at South Shore and the author of the Parsha Parables series. Questions or comments? Email [feedback@torah.org](mailto:feedback@torah.org). Project Genesis, Inc. Project Genesis [genesis@torah.org](mailto:genesis@torah.org) Copyright © 2013 by Torah.org Torah.org: The Judaism Site Project Genesis, Inc. 122 Slade Avenue, Suite 250 Baltimore, MD 21208

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**Parshas Kedoshim**

**Making favorable judgments**

**R' Netanel Gertner**

**gTorah | The Dvar Torah Service ([ng@gtorah.com](mailto:ng@gtorah.com))**

The Torah states in numerous places that upstanding societies are predicated on justice:

וְיִשְׁפֹּט אֶת עַמִּיתוֹ בְּצֶדֶק תִּשְׁפֹּט – You shall judge your fellow with righteousness (19:15)

Rashi notes that this is not just the approach for formal legal systems and executors of justice; this is how people ought to conduct themselves on an individual level too. The Gemara in Shabbos states that דִּין אֹתוֹ לִכְתּוּב, דִּין אֹתוֹ לִכְתּוּב – one who judges their fellow favorably is judged favorably in return.

The Ba'al Shem Tov teaches that when a person gets to Heaven, he is ushered into a courtroom, and is instructed to judge a case. The case is presented, the prosecution speaks, then the defense. The eager new-comer pounds the gavel and declares the defendant guilty. The angels pull him aside, and say, "Reb Yid, this case was actually about you. You are the defendant. Don't you remember that time you..." He must then answer for all the times he was guilty.

R' Yisroel Reisman points out that this is why we call this process דִּין וְהִשְׁבֵּן – a ruling and accounting. The ruling comes first.

R' Reisman asks a poignant question – this mechanism will not work on people who already know this. When it is eventually and inescapably their turn to judge, will the people who know better declare everyone and everything innocent, and when informed that they are the defendants, will they feign surprise and be absolved?

The Beis HaLevi explains that the judgment in Heaven is not a new, independent decision.

The judgments we make in our lives will one day be applied to ourselves, and we will be held to the standards we expected of others. All a person truly is, is the decision they have made. Are we real? Do we match up to what we think we perceive to be in the mirror? When you judge another, you do not define them; you define yourself. If you are kind, you will be treated kindly. You project the values and beliefs you have, and one day, which will one day be shined on you.

וְיִשְׁפֹּט אֶת עַמִּיתוֹ is not exclusively about a court system. It is a way of life; a mentality. It is the way to create a community of fair, decent, and good people. Don't treat people well based on their respective merit, or otherwise. Treat people well purely because you are someone who treats all people well.

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**The Tattoo Taboo and Permanent Make-Up Too**

**by Rabbi Yehuda Spitz**

**For the week ending 23 June 2012 / 2 Tammuz 5772**

There is a widespread myth, especially among secular American Jews, that a Jew with a tattoo may not be buried in a Jewish cemetery[1]. This prevalent belief, whose origin possibly lies with Jewish Bubbies wanting to ensure that their grandchildren did not stray too far from the proper path, is truly nothing more than a common misconception with absolutely no basis in Jewish law. Jewish burial is not dependant on whether or not one violated Torah law, and tattooing is no different in this matter than any other Biblical prohibition.

This mistaken belief was personally hammered home to this author several years back, when my chavrusa, the indefatigable Rabbi Jeff Seidel, requested our hosting several secular youth for a Rosh Hashana meal. One stood out in particular, due both to his gargantuan buff size, as well as his every movement screaming military. This former U.S. soldier, in Jerusalem discovering his roots after returning from a tour of duty in Afghanistan, sported a few tattoos. Our four year-old daughter stared fascinated at the artwork along his arms and asked innocently why he had colored on himself. He replied, (as he dipped his challah into sugar[2]), that it was a "mistake", but she shouldn't worry

because he was going to get them taken off since he wanted to be buried in a Jewish cemetery[3].

#### The Source

The Torah states[4], “You shall not etch a tattoo on yourselves, I am Hashem”. This prohibition only applies if the individual performs a two-step process, perforating the skin and filling the resulting hole(s) with ink, causing the mark to become (at least semi-) permanent. The Mishna[5] and Gemara clarify that the Torah attached the extra “I am Hashem” to this proscription, demonstrating the significance that is inherent in this prohibition, as tattooing is connected to idolatry. The Rambam, Sefer Hachinuch, and Tur[6] explain that this prohibition originated as a Jewish response to idol worship and paganism, as it was common practice for them to tattoo themselves, essentially branding themselves publicly as idolaters, enslaved to whichever god they served. Judaism prohibited tattoos entirely, in order to completely disassociate itself from other religions. Micro-pigmentation

Micro-pigmentation, also known as derma-pigmentation or permanent make-up, is a recent development in the world of beauty aids. This process entails a needle depositing colored pigments into the skin’s dermal layer, the layer between the permanent base layer (where full tattoos are done, making them permanent) and the constantly changing outer layer, the epidermis. This procedure, usually done on the lips and around the eyes, giving a “just made-up” look, eliminates the need for tedious daily make-up application, and is semi-permanent, lasting between three to five years.[7] The question becomes, is derma-pigmentation permitted by Torah law, or is it intrinsically just another form of prohibited tattooing?

The answer is based on understanding several nuances in the Biblical prohibition.

#### What is Writing?

The term used by the Torah to refer to tattooing, is “Kesoves ka’ka”, literally “writing incisions”. The fact that the Torah calls tattooing a form of writing leads many Rishonim to infer that the Biblical prohibition expressly refers to writing at least one actual letter[8]. Others do not accept this conjecture, and maintain that all tattooing is assur min HaTorah[9]. However, all agree any other type of tattoo such as a picture or shape would still be forbidden, at least Rabbinically.

#### Pondering Permanence

One of a proper tattoo’s hallmarks is its permanence, with a lifetime guarantee. This is due to ink being injected deep in the subcutaneous dermis, and showing through the epidermis (outer layer of skin). Many Rishonim therefore conclude that the Biblical prohibition specifically refers to a permanent tattoo which will last a lifetime; all other tattoos involving skin piercing would only be prohibited Rabbinically[10]. However, it must be noted that other Rishonim make no mention of such a condition of permanence in the original Biblical prohibition[11].

#### Idolrous Intent

Additionally, it is possible that one violates the prohibition of tattooing on a Biblical level only if his intention is for idolatry. As mentioned previously, one of the purposes of this commandment was to noticeably keep the Jews separate from their pagan and idolatrous neighbors. Several authorities, including the Chasam Sofer, surmise that if one would tattoo himself for an entirely different purpose, he would have violated a Rabbinic injunction against tattooing and not the full Biblical one[12]. Yet, other authorities are hesitant to recognize this supposition and maintain that intent is irrelevant; all tattooing is assur min HaTorah[13].

#### Managing Micro-pigmentation

So where does that leave us with micro-pigmentation? It would seem that at the very least it would fall under the Rabbinic prohibition of tattooing, if not the full Biblical one. Yet, dependant on how the Rishonim understood the Biblical prohibition, there are some mitigating factors. First of all, cosmetic tattooing of permanent make-up is not “written” in letters, nor is it actually permanent, instead lasting for several years. Additionally, since there is no idolatrous intent, rather its being performed in the name of beauty, has led several authorities to permit its use[14]. However, the vast majority of contemporary authorities reject such leniency, with the near unanimous view forbidding such procedures, maintaining that even with such rationales, derma-pigmentation would still, at the very least, fall under the Rabbinic prohibition of tattooing[15].

Yet, in case of extraordinary circumstances, such as pressing medical need, or preserving human dignity (Kavod Habrios) such as scar removal or blemish correction, many contemporary authorities are inclined to permit such procedures, as according to most Rishonim cosmetic tattooing would merely violate a Rabbinic injunction, and the Gemara states “one may violate a Rabbinic prohibition to preserve human dignity[16]”. This would be similar to undergoing elective cosmetic corrective surgery, which would be permitted, even though there is a prohibition against inflicting a wound upon oneself[17]. However, the consensus is that “just for the sake of beauty” does not seem to be enough of a reason to allow a halachic dispensation for cosmetic tattooing.

To sum up the Torah perspective on the matter, I quote the words of mv”r[18] Rabbi Yonason Wiener[19] in a related interview with the Jerusalem Post, “The ancient Greeks worshipped their bodies and tried to annihilate the small Jewish minority who saw man as more than muscle and flesh. This was a battle of superficiality against spirituality. Tattooing represents the Greek ideal that beauty is skin deep. We won the battle of Chanuka but the war continues to this day. The Jewish religion is more than skin deep!![20]”

*The author would like to acknowledge Rabbi Chaim Jachter’s relevant comprehensive article which appears in his recent book “Gray Matter” vol. 3, ppg. 67 - 78, which served as the impetus for my interest and research for this article.*

*For any questions, comments or for the full Mareh Mekomos / sources, please email the author: yspitz@ohr.edu*

*Disclaimer: These are just a few basic guidelines and overview of the Halacha discussed in this article. This is by no means a complete comprehensive authoritative guide, but rather a brief summary to raise awareness of the issue. One should not compare similar cases in order to rules in any real case, but should refer his questions to a competent Halachic authority.*

[1] See Rabbi Dr. Ari Z. Zivotofsky’s excellent article on the OU website: Jews With Tattoos.

[2] This former soldier astoundingly claimed that he followed all minhagim of the Ben Ish Hai (as he put it). See Kaf Hachaim (O.C. 583, 4) that one may also dip his challah into sugar and not necessarily honey on Rosh Hashana (after dipping into salt, of course. See earlier article “Salting With Sugar”).

[3] However, generally one is not obligated to try to get his tattoo removed. See Shu”t Mimamakim (vol. 4, 22, from Rav Efraim Oshry - a Holocaust survivor himself) who advised Holocaust survivors not to remove their tattoos, but to rather wear them as badges of honor. Regarding someone who had an inappropriate tattoo on his arm where lays his tefillin, see Shu”t Minchas Yitzchak (vol. 3, 11) and Shu”t B’tzeil HaChochma (vol. 5, 81; in the next responsum - 82, he discusses at length the halachic permissibility of various options of tattoo removal). See also Rav Eliyahu Bakshi Doron’s article in Techumin vol. 22, ppg. 387 - 391.

[4] Vayikra (Parshas Kedoshim) Ch. 19, verse 28.

[5] Makkos 21a and following Gemara.

[6] Rambam (Hilchos Avoda Zara Ch. 12, 11), Sefer HaChinuch (Mitzvah 253), Tur (Y”D 180). This issue is also codified in the Shulchan Aruch (Y”D 180), Chochmas Adam (89, 11), Ben Ish Chai (Year 2 Masei 15), and Kitzur Shulchan Aruch (169, 1).

[7] There are three different methods of “permanent make-up”, all of which use a needle to pierce the flesh and have ink added: Manual method (SoftTap), Reciprocating Machine (Coil), and Rotary Machine (Pen Machine).

[8] Including the Tosafos Yeshanim (m’ksav yad, cited in sefer Nassan Piryo on Gemara Makkos 21a), Tosafos Rabbeinu Peretz (ad loc.), Piskei Tosafos (Makkos, 32), Sma”k (Mitzvah 72), Sefer HaChinuch (Mitzvah 253), Bartenura (Maakos Ch. 3, Mishna 6 s.v. kasav), Orchos Chaim (vol. 2, 22, 4), Shu”t Me’il Tzedaka (31, cited in Pischei Teshuva Y”D 180, 1), Shu”t Mutzal Me’aish (51), Shu”t Zera Emes (vol. 3, Y”D 111), and Chida (Birkei Yosef Y”D 180, 1 & 2; Machzik Bracha O.C. 340, 3).

[9] Including the Ra’avad (Toras Kohanim, Parshas Kedoshim 86), Ra”sh MiShantz (Parshas Kedoshim 3, 6, 10), Yad HaKetanah (Hilchos Avoda Zara, Lo Taaseh 37, Minchas Ani 87), Minchas Chinuch (Mitzvah 253, 5 & 7), and Aruch LaNer (Makkos 21a). Additionally, the Rambam and Rashi make no mention of the “requirement” of tattooing actual letters.

[10] Including Rashi (Vayikra Ch. 19, 28; Gittin 20b s.v. kesoves), Ritva (Makkos 21b s.v. hakosev), Rivan (Makkos 21b s.v. hakosev), Ohr Zarua (vol. 1, 716), Sefer HaChinuch (ibid.), and Piskei Tosafos (Gittin 73). See also Rav Chaim Kanievski’s Passhegen HaKsav (Ch. 6) who proves that most Rishonim hold this way as well, that there is no issur deoraysa unless the tattoo is permanent.

[11] Nimukei Yosef (Makkos 21a) and Peirush Rabbeinu Yonason (ad loc.). Additionally, neither the Rambam nor Shulchan Aruch mention a specific requirement for permanence in the Biblical prohibition of tattooing. See also Shu”t Lehoros Nosson (vol. 10, 64, 10) who maintains that lasting several years may also be considered “permanent”, similar to the laws of tying on Shabbos, where a knot that would last only several months is nonetheless referred to as a permanent knot.

[12] Tosefta (Makkos Ch. 3, 9; cited in Biur HaGr”a Y”D 180, 1), Rabbeinu Yerucham (Sefer Ha’Adam, Nesiv 17, cheilek 5), Chasam Sofer (glosses to Gittin 20b, Tosafos s.v. bkeseva), Maharam Shick (Sefer HaMitzvos, 254), Shu”t Shoel U’Meishiv (Tinyana, vol. 1, 49), and the Get Pashut (124, 30; cited in Minchas Chinuch 253, 6). See also Rav Chaim Kanievski’s Passhegen HaKsav (Ch. 9) who proves that most Rishonim hold this way as well, that there is no issur deoraysa unless the tattoo is done lshem avoda zara.

[13] Tosafos (Gittin 20b s.v. bksovet), Aruch LaNer (ibid.), Minchas Chinuch (ibid.) concludes tzarich iyun to say such a leniency. Additionally, the Rambam and Shulchan Aruch make no mention of the “requirement” of tattooing exclusively for idol worship, implying that no matter what one’s intent is, tattooing would still be prohibited Biblically.

[14] They maintain that if one’s purpose in getting permanent make-up is exclusively for beauty, then that is enough to override ‘3 derabbanans’. These poskim include Rav Ovadiah Yosef (Taharas HaBayis vol. 3, Dinei Chatzitza 8, ppg. 29 - 34), Rav Avigdor Nebenzahl (cited in Taharas HaBayis ibid.), and Rav Ezra Batzri (Techumin vol. 10, pg. 282; author of Shu”t Shaarei Ezra). Rav Matis Deutsch (Shu”t Nesivos Adam vol. 1, 43) is inclined to permit it for beauty purposes as well, but concludes that most authorities do not accept this reasoning.

[15] Including Rav Yosef Shalom Elyashiv (cited in Techumin vol. 18 pg. 114), Rav Y.Y. Fischer (ibid.), Rav Shmuel HaLevi Vosner (Shu”t Shevet HaLevi vol. 10, 137), Rav Shlomo Zalman Auerbach (cited in Nishmas Avraham vol. 2 - Y”D 180, pg. 132 s.v. u’lchorah, who maintains that in a similar case, when the prohibition was derabbanan, Rav Shlomo Zalman only permitted it to correct an actual blemish, and not for beauty purposes), Rav Chaim Kanievsky (cited in Shu”t Nesivos Adam ibid., 24), the Mishpetei Uziel (Shu”t, new edition vol. 2, Y”D 22, 3, pg. 89, who, in a similar case, only permitted for medical reasons), the B’tzeil HaChochma (ibid., who, in a similar

case only permitted for medical need, extenuating circumstances, or bmakom mitzvah), the Lehoros Nosson (Shu"t ibid., who maintains that we should pasken each of these machlokesim lechumra, as if they were all deoraysa), the Shraga HaMeir (Shu"t vol. 8, 44 & 45, who only permits for medical need), the Rivevos Efraim (responsum in Shu"t Shav V'Rafa vol. 1 pg. 156 - 157, who only permits for medical need), the Megilas Sefer (on O.C. and Y"D, 16), the Shav V'Rafa (Shu"t vol. 1, 45, who only permits for medical need), and Rav Baruch Shraga (Techumin vol. 18, ppg. 110 - 114, who only permits for medical need).

[16]Brachos 19b.

[17]See Gemara Bava Kamma 91b, Tosafos ad loc. (s.v. ela hai), and Shu"t Igros Moshe (C.M. vol. 2, 66).

[18]Mori V'Rebbi - my teacher and rebbi

[19]In a relevant interview with the Jerusalem Post, "Tattoo Crazy Israelis".

[20]See Shu"t Shevet HaLevi (vol. 6, 33, 2, s.v. ul'idach) who, in a discussion unrelated to tattoos, discourages women from wearing excessive make-up, citing the Gemara Shabbos 62b, which states that excessive cosmetics was one of the reasons for the destruction of the Beis HaMikdash. In a subsequent responsum, (Shu"t vol. 10, 137), Rav Vosner further adds permanent make-up to this category as well.

L'iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda, and l'zchus for Shira Yaffa bas Rochel Miriam and her children for a yeshua teikef u'miyad!

Rabbi Spitz serves as the Sho'el U' Meishiv and Rosh Chabura of the Ohr Lagolah Halacha Kollel at Yeshivas Ohr Somayach in Jerusalem, Israel.

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**Tzarich Iyun: Jews with Tattoos**

**Rabbi Dr. Ari Zivotofsky**

Misconception:[1] A Jew with a tattoo may not be buried in a Jewish cemetery.

Fact: This belief has no basis in Jewish law. Just as a Jew who violated other Torah laws may be buried in a Jewish cemetery, so too may one who violated the prohibition against being tattooed.

Background: This misconception is widespread amongst American Jews. References to it are often found in general American culture:[2] for example, it was mentioned on the TV show *The Nanny*[3]

Tattoos are Biblically prohibited.[4] The Torah states (Vayikra 19:28): "You shall not make gashes in your flesh for a dead person; you shall not etch a tattoo on yourselves. I am God." The Torah uses the term ketovet ka'aka when referring to a tattoo; ketovet is derived from the root letters kaf, tav, vet, which means to write, while the second word, ka'aka, is difficult to translate as this is the only time it appears in the Bible.[5], [6] Onkelos translates the term as "rushmin charitin, incisions." The Septuagint translates it as "grammata stikta, tattooed writing/drawing."

Clarifying the Biblical prohibition, the Mishnah (Makkot 3:6) and Gemara (Makkot 21a; Yerushalmi, Makkot 3:6) state that it only applies if the individual performs a two-step process: perforating the skin and filling the resulting hole with ink. Injecting ink into the deep layers of the skin causes the mark to become permanent. Rashi (Leviticus 19:28; cf. Rashi on Makkot 21a) explains that the writing is done with a needle that yields a mark that is permanent.

Rabbi Shimon, as explained by Bar Kapparah in the Gemara, claims the prohibition only pertains to a tattoo that includes the name of an idol. Tosafot (Gittin 20b, s.v. beketovet ka'aka; see Beit Shmuel, EH 124:16) asserts that there is a rabbinic prohibition against applying temporary writing that appears like a tattoo and the *Minchat Chinuch* 253:1 prohibits permanent marking of the skin even if no ink is applied. Rambam and Shulchan Aruch rule that in order to violate the prohibition one needs to pierce the skin and apply color, in either order (Hilchot Avodat Kochavim 12:11; Yoreh Deah 180:1; Shach 180:1; Kitzur Shulchan Aruch 169:1). They both rule that the one being tattooed is not culpable, the tattoo "artist" is. If, however, the person being tattooed assists in the tattooing process, he is culpable, similar to the laws regarding the shaving of one's beard and peyot (Rambam ibid.; Shulchan Aruch, Yoreh Deah 180:2). Some rabbinic authorities maintain that the one who is tattooed is guilty of violating the prohibition and should receive lashes (Kesef Mishnah 12:1, Shach, Yoreh Deah 180:4).

It is not known how prevalent tattooing was in Biblical times. Rambam (Hilchot Avodat Kochavim 12:11) says that tattooing was customary among pagans as a means of declaring the individual indentured to a certain idol.[7] However, with regard to the prohibition, intent is immaterial.

The prohibition against tattooing has many ramifications in modern times. Tattooing has become very popular, both in Israel and the US, and many Jews are not even aware that such a prohibition exists. What happens when someone with tattoos does teshuvah? Is he obligated to have the tattoos removed, an often difficult and painful process? There would seem to be no obligation to have them removed, although one may wish to do so as a middat Chassidut; all the more so if the tattoo is of either an immoral or idolatrous

nature. Nowadays, there are creams that can fade a tattoo over time. Laser removal is also an option. Undergoing plastic surgery to remove tattoos is, halachically speaking, questionable because it involves inflicting wounds upon oneself.[8] Another method of removal involves "covering up" the tattoo by injecting new dye. This method is also halachically questionable as it is possible that the removal process itself is considered tattooing.[9] A woman once asked Rabbi Ephraim Oshry (1914-2003), the well-known posek who wrote responsa during the Holocaust, if she could remove her concentration camp tattoo via plastic surgery. He advised Holocaust survivors not to remove their tattoos, but rather to wear them as badges of honor (Teshuvot Mima'amakim 4:22). Much rabbinic discussion surrounds the relatively new semi-permanent cosmetics (also known as cosmetic tattooing) that are applied via needle.[10] Several leading rabbinic authorities believe that if the cosmetics are indeed long lasting, and applied to the deep layers of the skin, it is prohibited to use them.[11] Others note that Rashi emphasizes in both his commentary to the Chumash and to the Gemara that in order for a tattoo to be prohibited, it must last a lifetime, and semi-cosmetics do not. Rabbi Yaakov Ariel, chief rabbi of Ramat Gan, wrote in an online responsum that the prohibition is with regard to writing words or pictures, but mere color on the skin does not constitute a tattoo and is, therefore, not prohibited. Despite this, the general consensus among posekim is to prohibit semi-permanent makeup for a variety of different reasons.[12] Rabbi Shmuel Vosner also raises some philosophical problems with regard to semi-permanent makeup. In a discussion unrelated to tattoos (Teshuvot Shevet HaLevi 6:33), he discourages women from putting on too much makeup and cites the Gemara (Shabbat 62b) that states that one reason for the destruction of the Beit Hamikdash was the excessive use of cosmetics.[13] He brings this argument up again with regard to semi-permanent makeup, and insists that makeup, when appropriate, should be used in moderation.

The question of whether a tattoo is considered by halachah to be a chatzitzah with regard to hand washing before eating bread or with regard to bathing in a mikvah is also raised, but most authorities determine that a tattoo does not constitute a chatzitzah. Other rabbis have questioned—and ultimately permitted—the writing on the skin by a doctor to mark the location where surgery should be performed (Rabbi Avraham Sofer Avraham, Nishmat Avraham 5:67-8). Mishpatei Uziel (II Yoreh Deah 22) ruled that for a need, tattooing is permissible.

Since tattooing is Biblically prohibited and has a possible connection to idolatry, one can easily understand where the misconception comes from. There is a Biblical obligation to bury a dead Jew (Sanhedrin 46b; Shulchan Aruch, Yoreh Deah 348:2; 357:1-2; 362:1), even an evil one (Shu"t Chatam Sofer, Yoreh Deah 341). Furthermore, the halachah states that one should not bury an evil person near a tzaddik, nor even a very wicked person near a mildly wicked person, nor a good person near an outstandingly pious individual (Sanhedrin 47a; Rashi, ibid.; Shulchan Aruch, Yoreh Deah 362:5).[14], [15] This law is derived from the incident in II Kings 13:21, where the body of a false prophet was thrown into the Prophet Elisha's grave and then arose from the dead because God did not want the rasha buried with Elisha. The Gemara explains that there were therefore different cemeteries even for different levels of rishut, evil. For example, there were different burial areas for those killed by beit din via stoning and those killed by sword.[16]

This halachah led to the formation of burial societies—groups of people with common values who purchase burial plots near each other. Thus, only in a Jewish cemetery does one find separate burial sections for societies of like-minded individuals. Indeed, a halachically conscious person should be alert to this issue when purchasing a burial plot, and should try to purchase one with a group that is particular about whom they accept. Burial societies were created specifically for this purpose. Membership in such a society is different than membership in, for example, a shul, which does not necessarily guarantee the religious observance of its members.

In general, a sinner is not excluded from a Jewish cemetery on the basis of his having violated certain laws, and thus Shabbat desecraters are buried in Jewish cemeteries. There are, however, rare exceptions. Since cremation was introduced in the late 19th century, there has been a great deal of rabbinic discussion about how to deal with a Jewish person's cremated ashes. Some authorities maintain that excluding them from a Jewish cemetery will help discourage the practice of cremation. Three different positions emerged: exclude the ashes of cremated Jews from a Jewish cemetery, permit their interment in a Jewish cemetery, or permit the burial but in a separate section (see e.g., Seridei Aish 2:123-124; Melamed L'hoil 2:113-114; and Gesher Hachaim 1:16-9). Cremation is so frowned upon in rabbinic literature that in a lengthy response (Chelkat Yaakov, 2:4), Rabbi Mordechai Yaakov Breisch ruled in 1957 that it is better to be buried in a non-Jewish cemetery than to be cremated. This truly highlights the negative attitude halachah has towards cremation.

Oftentimes uninformed Jews think that because they violated various Torah laws (such as having a tattoo), they will be denied a Jewish burial; they therefore conclude that they would like to be cremated, since they prefer cremation over a non-Jewish burial.

However, there is a terrible irony here. For almost no one is excluded from a Jewish cemetery due to lack of halachic punctiliousness. When one is cremated, however, one denies oneself the privilege of having a Jewish burial. In fact, cremation is one of the only ways to guarantee that one will not have a Jewish burial.

Another related misconception is that suicides are buried outside of the cemetery. In fact, they are not buried outside of a Jewish cemetery, although they are buried at a distance from the other deceased, sometimes in a separate section of the cemetery (Gilyon Maharsha, Yoreh Deah 345; Sidney Goldstein, *Suicide in Rabbinic Literature* [New Jersey, 1989], 60-61). In other cultures, such as the Greek and Roman cultures, suicides were excluded from cemeteries. However, there is no Talmudic source for excluding suicides from being buried in a Jewish cemetery, and this practice was discouraged by halachic authorities (see Tzitz Eliezer 10:41 and Benjamin Gesundheit, "Halachic and Moral Analysis of Masekhet Semahot," *Tradition* 35:3 [2001]: 40 and sources on 48).

Ab initio, those of similar religious and moral stature should be buried next to each other. If, however, a tzaddik and a rasha are buried next to each other, it may not be necessary to move the rasha, although some separation, such as a halachic partition, is usually advised (see Gilyon Maharsha, Yoreh Deah 362:5; Shu"t Chatam Sofer, Yoreh Deah 341; Minchat Yitzchak 6:136; Shevet HaLevi 7:193). If, however, fraud or bribery was involved in acquiring the desirable plot, then the rasha should indeed be moved (Shu"t Maharsham 7:47). Although moving graves is for the most part discouraged,[17] it is sometimes recommended. Rabbi Shmuel Engel (Shu"t Maharash, 3:65) permitted one to move his wife's grave when it was discovered that she was mistakenly buried in a section of the cemetery reserved for Shabbat desecraters.

Despite the lack of any halachic basis, the misconception about tattoos continues to prevail. The *Jerusalem Post Magazine* ("In the Flesh," by Malina Sarah Saval, March 21, 2003, 12-13) reported: "True, in past generations rabbis responded to the biblical injunction by denying the tattooed a taharah [purification]—the traditional cleansing and preparation of a Jewish body for burial. However, in today's predominantly secular society, where tattoos are usually acquired for decorative and not idolatrous reasons, that sanction has been unofficially lifted." The author quotes an individual who performs taharat in Los Angeles as stating that no chevrah kadishah today would deny a taharah to someone merely because he had a tattoo. The article also states that taharat had historically been denied to those with tattoos because of their association with idolatry. I managed to locate the journalist who wrote the article and the individual quoted in the article. Neither of them could provide a source for the assertion made regarding taharat.

The bottom line is that just as those who ate treif, violated Shabbat, took interest on loans or cheated on taxes can be buried in a Jewish cemetery, so can those who violated the prohibition of tattooing. If sinners were excluded from Jewish cemeteries, our cemeteries would be empty. A person with a tattoo is buried in a Jewish cemetery, no questions asked.

#### Notes

1. I thank Rabbi Joel M. Finkelstein, rabbi of Anshei Sphard-Beth El Emeth Synagogue in Memphis, Tennessee, for alerting me to this misconception and Rabbi Elchonon Zohn, chevrah kadishah director of the Vaad Harabonim of Queens and national director of the National Association of Chevra Kadisha, for his helpful comments on the presented material.
2. Geraldo Rivera, interview, *TV Guide*, 13 May 1989, 21; *Curb Your Enthusiasm*, HBO, season 3, episode 6, "The Special Section."
3. *The Nanny*, CBS, season 4, episode 9, "Tattoo," aired November 20, 1996.
4. Rabbi Itamar Machpud wrote *Kedushat Yisrael*, a book on this prohibition. The book does not mention that a tattooed individual cannot be buried in a Jewish cemetery, and in a personal conversation I had with the author, he said he knows of no source for such a claim. This misconception seems to be predominantly American and is not well known in Israel.
5. Rashi points out similar words in Bamidbar 25:4 and II Samuel 21:6.
6. See Ralbag on the verse for a summary of positions. Ibn Ezra says that there are those who interpret ketovet ka'aka not as a prohibition against tattooing but as a prohibition against having a procedure done with fire, i.e., branding, as was done with cattle or slaves. Seforno says that there should only be one physical mark on one's body—circumcision.
7. See Steve Gilbert, *Tattoo History* (2001); many ancient cultures tattooed, often for the purpose of branding. The Greeks in Plato's time marked slaves so that if they escaped they could be recognized. Ancient Romans tattooed mercenary members of the army to prevent desertion. Samoans tattooed the noses of criminals. In eighteenth-century Japan, criminals had a pictograph of a dog marked on their foreheads.
8. For interesting discussions on the topic, see B' mareh Habazak 5:78 (*Jerusalem*, 5765), 164-5; Dayan Weiss, *Minchat Yitzchak* 3:11; Rabbi Eliyahu Bakshi-Doron, *Techumin* 22:387-391.

9. See Rabbi Ezra Batzri, *Techumin* 10: 282-287 and Rabbi Betzael Stern, B'tzel Hachachmah 5:82 who discusses many aspects of the prohibition.

10. I thank Rabbi Professor Aryeh Frimer for pointing me to many of these sources.

11. See Rabbi Ezra Batzri, *Techumin* 10: 282-287; Rabbi Baruch Shraga, *Techumin* 18: 110-114; Rabbi Shmuel Wosner, *Shevet HaLevi* 10:137; and B' mareh Habazak 2:81.

12. For an excellent summary of this topic, see Rabbi Chaim Jachter, *Gray Matter*, vol. 3 (New York, 2008), 67-78.

13. For a discussion of many reasons offered for the Temple's destruction see: Ari Z. Zivotofsky, "What's the Truth about . . . the cause of the Destruction of the Beit Hamikdash," *Jewish Action* (summer 2004).

14. Because death and burial atone for sins, rabbis have questioned whether the deceased, irrespective of who he was, could be deemed fully righteous after death such that anyone can be buried next to him (Sha'agat Aryeh, new Shu"t, 17). For a similar discussion, see Maharsham 3:343.

15. Regarding burying a non-Jew in a Jewish cemetery, see: Gittin 61a; Rambam, *Avel* 14:12 and *Melachim* 10:12; *Shulchan Aruch*, Yoreh Deah 367:1; *Kesef Mishnah*, *Melachim* 10:12; *Megillat Ruth* 1:17; *Targum*, *ibid.*; and *Yevamot* 47b.

16. Based on this, the Chatam Sofer was asked the following interesting question (Shu"t Chatam Sofer, Yoreh Deah 333, cited in *Pitchei Teshuvah*, Yoreh Deah 362:4). The Talmud (*Sotah* 8b; *Sanhedrin* 37b) states that the four types of death penalty that a beit din can mete out still exist and that if, for example, a person is guilty of a capital crime warranting stoning, he will fall off of a building. The Chatam Sofer was thus asked whether a murder victim may be buried in a regular cemetery. After all, a person put to death by beit din was not buried in a regular Jewish cemetery. The Chatam Sofer responded that he may be buried in his family plot for a variety of reasons [although note that this was often not the practice]. One reason is that the rabbis were careful about their words. According to the Talmud, a person guilty of a capital crime gets the due punishment. Thus, one deserving of stoning may fall off a tall building. But the rabbis did not state that all those who fall off of buildings are necessarily guilty of a capital offence.

17. It is not always prohibited and when there is a need, a grave may be transferred. See Rabbi Yisrael Rosen, *Techumin* 18 (5758): 254-273.

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