

INTERNET PARSHA SHEET
ON SHMINI - 5758

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Ravfrand@torah.org "RavFrاند" List - Rabbi Frاند on Parshas Sh'mini

Striking At the Heart of What the Jewish People are All About In this week's portion we have the tragic event of the death of Aharon's two oldest sons. At the height of the joy of the dedication of the Tabernacle, Nadav and Avihu were consumed by a 'foreign fire' which came down from Hashem and killed them. The Talmud tells us [Eruvin 63a] "Aharon's sons did not die until they issued a halachic ruling before Moshe their teacher". There are different interpretations among the Sages exactly what Nadav and Avihu did to warrant this terrible punishment. One of the opinions expressed in the Medrash and the Talmud was this teaching that they issued their own ruling in front of their teacher. A student is not allowed, by Halacha, to issue a ruling in the presence of his teacher. One who does so is deserving of the death penalty. This is the interpretation given to the Biblical expression "they offered a foreign fire". The crime was not the offering of the sacrifice per say; the crime was that they took independent action without consulting with Moshe their teacher. The Gemara in Eruvin further relates that R. Eliezer had a student who issued a halachic ruling in R. Eliezer's presence and R. Eliezer announced that this student would not live out the year -- which is exactly what happened. If we think about this, it is very difficult to comprehend. What is so terrible about ruling on a halachic question in front of one's teacher? We understand that there is a matter of honoring a Rabbi (Kavod haRav) or of a Torah scholar. But that this should be a capital offense, is difficult to comprehend. Moreover, we also know the rule that a Rabbi has a right to "forgive his honor" (Rav she'machal al k'vodo, k'vodo machul). A teacher can say "You don't have to stand up for me". We would think that any time a student rules in front of his teacher, the teacher should forgive. Why was R. Eliezer not more compassionate? Why did he say with certitude that this student would die within the year? Apparently, in these situations forgiving (mechila) doesn't help. The teacher does not have the ability to forgive. Why not? The Mir Rosh Yeshiva, zt"l, explains that the sin of issuing a halachic ruling in one's teacher's presence is a much more basic sin that merely not showing this teacher the proper respect. The Talmud relates in tractate Chagiga (14a) that the prophet Isaiah came to the Jewish people before the destruction of the Temple and he gave them 18 curses. He told them of the terrible things that would befall them. Included in these things was that "there would not be found in Israel one versed in Chumash or in Mishneh, in Talmud or in Aggadah; there would be no Judges and no Prophets and no one capable of sitting in a Yeshiva." But the ultimate curse he told them was that "... they shall behave haughtily, the youth against the elder and the base against the honorable." [Isaiah 3:5]. We can somehow live with ignorance and with the absence of Prophets, but when does Klal Yisroel descend to the deepest of pits? When do they hit rock bottom? When there is no honor given to elders. The reason for that is because the Medrash says that Israel is compared to a bird. Just as a bird cannot fly without wings, the Jewish people cannot exist without their elders. Elephants can exist without wings, cats can exist without wings, all animals can exist without wings -- except a bird. The rest of the world can exist without their elders. For the Egyptians, the Romans, the French, the Americans, the Italians it is nice to have elders -- but it is not crucial to their very being. But the Jewish people is not a Jewish people without their

B'S'D'

elders. Just as a bird cannot exist without its wings, that which keeps Klal Yisroel afloat is its elders. Therefore the curse of curses that Isaiah gave to the Jewish people before the Churban was that they will reach the stage that the young people will be disrespectful to the elders. This said R. Chaim Shmulevitz is the terrible crime of issuing a ruling in front of one's teacher. When people issue opinions and comment on every aspect of life or Halacha without consulting their elders, they are doing a terrible injustice to all of us. They are stripping us of our Gedolim. That is the crime of Moreh Halacha lifnei Rabo, making a ruling in front of one's teacher. It is not an affront to the Rabbi per say, it is something that strikes at the heart of what the Jewish people are all about. We are a nation of tradition. "Ask your father and he will tell you; your elders and they will say to you" [Devorim 32:7]. Without that tradition of consulting the elders, the Talmidei Chachomim, the older generation, we will not exist. Therefore when a student teaches the law in front of his teacher, he is stripping the Jewish people of something that is essential to their whole being. For this reason, there is no forgiving on the teacher's part of this terrible sin. And for this reason the joy at the erection of the Tabernacle had to be dampened with the death of Aharon's two sons -- because this lesson had to be learnt. We are not a nation without our elders. Sources and Personalities R. Chaim Shmulevitz (1902-1978) Mir Rosh Yeshiva; Jerusalem. Transcribed by David Twersky; Seattle, Washington twerskyd@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@clark.net RavFrاند, Copyright (c) 1998 by Rabbi Y. Frاند and Project Genesis, Inc. Project Genesis: Torah on the Information Superhighway learn@torah.org 6810 Park Heights Ave. <http://www.torah.org/> Baltimore, MD 21215 (410) 358-9800 FAX: 358-9801

parasha-page@jer1.co.il Intriguing glimpses into the weekly Torah reading and Jewish holidays Parashat Shemini 5758 - "The Accuracy of our Written Torah"

The Weekly Internet P * A * R * A * S * H * A - P * A * G * E by Mordecai Kornfeld of Har Nof, Jerusalem (kornfeld@virtual.co.il) This week's publication has been dedicated by Avy Reichman of Queens, N.Y., to the Zechus of his father, Dovid Ben Avroham, whose Yahrzeit is 23 Nisan.

<http://www.shemayisrael.co.il/parsha/kornfeld>
PARASHAT SHEMINI 5758

This week it is my privilege to share with you a truly amazing essay on a "hot" contemporary topic, prepared exclusively for the Parasha-Page by a good friend of mine, Rabbi Dovid Lichtman <Dlichtman@Aish.edu>. Rabbi Lichtman former Rabbi of the Orthodox congregation in Calgary, Alberta (Canada), presently lives in Kiryat Sefer, Israel, and lectures at the Aish Hatorah Discovery Seminar. He welcomes your comments on this article.

THE ACCURACY OF OUR WRITTEN TORAH Our Torah scroll is perhaps our most revered physical possession today. The honor and respect with which we handle our Torah in synagogue results from our knowledge that it contains the words of Hashem as dictated to Moshe over 3300 years ago. Meticulous care has been taken to insure the proper transmission of the Torah. There are many factors which collectively contribute to the wholeness of the Torah, but perhaps the single most important factor is the orthography, or proper spelling of each word. In fact, the orthography of the Torah is considered so important that the scribe is instructed to "be careful with your task, for it is sacred work; if you add or subtract even a single letter, [it is as if] you have destroyed the entire world!" (Eruvin 13a). The Rambam writes (Hil. Sefer Torah 7:11) that if one letter is added to or missing from a Torah, it is invalidated and is not conferred the sanctity of a Torah scroll. Special mechanisms were established by the Sages to ensure its accurate transmission through the generations (see, for example, Megilah 18b; YD #274). (From the wording of the Rambam, it appears that this is true even if the wanton letter does not affect the meaning of the word. This is also the ruling of the Tikunei ha'Zohar (#25), Ramban end of Introduction to the Torah, Magen

Avraham and Vilna Gaon OC 143:4, Sha'agat Aryeh (#36), Chatam Sofer (OC #52), in contrast to Minchat Chinuch's ruling (#613) that a missing or additional letter does not invalidate a Torah scroll unless it affects either a word's pronunciation or its literal or exegetical meaning.) Originally, the Torah was so well preserved that every letter was counted (Kiddushin 30a), which is why the early scribes were given the title "Soferim" ("Counters/Scribes"). Thousands of traditions were handed down specifying orthographic details. One of the more well-known is that the letter 'Vav' of the word 'Gachon' in this week's Parasha (Vayikra 11:42) is the middle letter of the Torah (Kiddushin, ibid. -- refer to Rabbi Kornfeld's "Torah from the Internet" p. 122 for an in-depth discussion of this and similar traditions.)

Indeed, the text of today's Torah scrolls the world over are uniform, with very few exceptions. As we will demonstrate, the Mesorah (transmitted tradition) of our text was well tended to; its margin of error appears to be less than .00004, and to involve only insignificant letters at that. However, upon investigation it is evident that there existed many variants among older Torah scrolls. This prompts us to ask a number of questions: (a) First, one must ask how it came to be that there existed such diverse texts. Did they derive from individual copyists' errors, or were there differing Mesorot? (b) Second, one must ask how we came to accept at present one text as "correct" from among the many that once existed. (c) Third, can we have any degree of certainty that the present day unified text is the accurate text of the Torah as transmitted to and transcribed by Moshe? In this essay, we will attempt to address these questions.

II Originally, it was easy to attend to the Mesorah of the Torah text. A Torah scroll written in Moshe's own hand was kept in or near the Holy Ark in the Holy of Holies (Bava Batra 14a). This text, which apparently was accessible to the Kohanim (Rashi Bava Batra 14b s.v. Sefer; see also Tosefot, Bava Batra 14a s.v. Shelo), undoubtedly served as the proof text for all other texts. The scroll which each Jewish king was required to write and bear at all times was likewise copied from this scroll (Rambam, Hil. Sefer Torah 7:2, based on Yerushalmi Sanhedrin 2:6). The kingly scrolls, in turn, served as proof texts after their owner's death. The destruction of the first Beit ha'Mikdash most likely brought with it the destruction of these proof texts. Ezra the Scribe, who led the people back to Eretz Yisrael and began to rebuild the Beit ha'Mikdash, set to reestablishing a proof text. At this point, a defining event occurred. According to the Talmud Yerushalmi (Ta'anit 4:2), three ancient scrolls were found in the Temple confines which had slightly variant texts. (Although the Yerushalmi does not specify when this occurred, other sources relate that it happened in the days of Ezra and according to some versions, it was Ezra himself who found the scrolls -- see Torah Sheleimah, Shemot 24:25.) The Yerushalmi then relates that the correct version of the Torah was determined by virtue of a majority of 2 against 1. Throughout the period of the Second Beit ha'Mikdash, a scroll referred to as 'Sefer Ezra' or 'Sefer Ha'azarah' (Moed Katan 18b) served as the standard for all others. Sefer Ha'azarah was either the very scroll that was written by Ezra the Scribe or one that was copied from it (Rashi, ibid.). Professional Soferim were employed at the Beit ha'Mikdash to correct private scrolls based on this scroll (Ketuvot 106a; Shekalim 10b).

These highly accurate scrolls and their copies remained the standard until well after the destruction of the second Beit ha'Mikdash. The Talmud in Kiddushim (30a) establishes that the accurate counting of the letters of the Torah was preserved at least until Tanaitic times (2nd century CE).

III A century or so later, in the times of the Amora'im, Rav Yosef commented that this accuracy was already somewhat diluted. Such a lack of accuracy can only have been made apparent by the existence of divergent texts. The Gemara makes it clear that even this dilution of accuracy was only with regard to Malei and Chaser. (Malei and Chaser refer to unpronounced letters, such as 'Vav' and 'Yud,' which lend added accent to vowels. Their presence or absence does not affect the meaning of a word). Nor does the Gemara state in how many instances doubts arose regarding orthography. It is possible that these uncertainties were limited to a very few instances. In fact, nowhere in the Talmud or Midrashic sources is there recorded a dispute over the orthography of a specific Malei or Chaser, either before or after the

time of Rav Yosef. (It should be pointed out that according to some, Rav Yosef was merely stating that *he* could not determine the exact number of letters in the Torah, since he himself was blind and could not count them by heart and he was not willing to rely on another person's count - see Rav Reuvain Margulies in "HaMikra V'HaMesorah," #4). Due to the dispersal of the Jewish people and the lack of a central supervising authority, variations in scrolls continued. Authorities in Israel and Bavel, independently, undertook to produce one highly accurate text. These authorities, called the Masorites, thrived and produced such works between the 8th and 10th centuries. Their methodology, which was based on the system described by the Yerushalmi Ta'anit (above, section II), may be called the "eclectic process," or majority rule. Simply stated, this process involves surveying a great variety of Torah scrolls whereby each letter of the text is compared and contrasted. The correct orthography is determined based on the majority of texts, and hence errors are weeded out. For example, if in a survey of 200 Sifrei Torah, 198 were found to have in one particular place a spelling of 'honour' and 2 were found to have the spelling as 'honor', it may be assumed that the former is the correct orthography, while the latter were introduced by careless scribes. (Of course, the eclectic process can only be employed using older texts of good standing to some degree. This is evident from the fact that only the three scrolls found in the Temple confines were considered for the process, in the time of Ezra. After all, certainly hundreds of scrolls were in existence at the time.) The crowning jewel of the master texts produced in this manner was the one produced in Teveryah by Aharon ben Moshe ben Asher (known simply as "Ben Asher") of the late 10th century. The Rambam extols his text as being extremely accurate and it was adopted by the Rambam and many others as the standard (Rambam, Hil. Sefer Torah, beginning of 8:4). In the Rambam's time, this Torah was known to be in Alexandria, Egypt. (Traditionally, the "Keter Aram Tzova," or Aleppo Codex, presently in Yerushalayim, is purported to be the Ben Asher manuscript. Unfortunately, only the Nevi'im and Ketuvim sections of this manuscript remain intact, as virtually the entire Torah section of the manuscript was lost to fire a few decades ago.) Today, the Teimani (Yemenite) Torah scrolls are very likely exact copies of this text. It is well known that the Yemenite Jews adhered firmly to the Rambam's rulings in every matter of Halachah. The limited size and dispersion of their community throughout the generations made it much easier for them to preserve their Mesorah. Indeed, there is no variance among Teimani scrolls today. Despite the Rambam's efforts to ensure the perpetuation of one standardized text, divergent scrolls began to propagate once again. A contemporary of the Ramban, the RaMaH (Rav Meir Halevi Abulafia -- early 13th century), undertook to reestablish a text of exceptional accuracy. The RaMaH again used the eclectic process, surveying hundreds of old and reputable scrolls. (RaMaH did not have the Ben Asher manuscript at his disposal.) The resultant text was published in his work "Mesores Seyag la'Torah." Given the great effort that RaMaH invested in this project and his standing as a leading Halachic authority, his work became the definitive standard until today, certainly with regard to orthography (see Ohr Torah, Minchat Shai and Keset ha'Sofer). We have thus answered the first two of our questions: (a) Since a standard, approved Mesorah for the Torah text existed throughout much of our history, in all probability the variant texts of early Torahs may be attributed to sloppy copyists, who did not carefully compare their work with the Masoretic proof-text of the times, or were not able to do so. (b) The manner in which the mistaken texts were weeded out from the correct ones was the eclectic process of the Yerushalmi in Ta'anit, which has been employed regularly since the time of Chazal in order to ensure proper transmission of the Torah.

IV (c) However, we have not yet addressed our third question: Can it be scientifically demonstrated that our text is indeed the correct one (i.e., that the eclectic process worked)? Halachically, we are secure in our reliance on the eclectic process (Teshuvot Ginat Veradim 1:2:6). This does not mean, though, that our Mesorah is 100% in agreement with the original text that was handed to us by Moshe. It only means that we are doing our

best and are following the dictates of Halachah in determining how to write our Torahs. In fact, many authorities write that our texts may very well not match up with the true Mosaic text (authorities in OC 143:4, Sha'agat Aryeh. Chatam Sofer and Minchat Chinuch cited at the beginning of section I, see Hagaon Rav Moshe Sternbuch in "Mitzvat ha'Yom," pp. 32-43, who discusses the Halachic aspects of this statement in detail.). But does that mean that our texts may be *wildly inaccurate*, or that *one or two* discrepancies may exist? Or, returning to our first question, can it be proven that enough attention was given to preserving the Mesorah and that copyists' errors were usually nipped in the bud before assuming the part of "Mesorah?" Or did too long a time pass between Masoretic overhauls, and many errors became independent Mesorahs over the years? (This theoretical question has been brought to the forefront in recent years by the great Torah Codes debate.) An exercise regarding this very question has been conducted by Dr. Mordechai Breuer of Yerushalayim, with fascinating results. In his work, "The Aleppo Codex and the Accepted Text of the Torah," Dr. Breuer describes his years of meticulous research and discusses his conclusions in attempting to demonstrate the scientific usefulness of the eclectic process. In fact, Dr. Breuer's purpose was to demonstrate that a single Mesorah already existed in the years prior to the RaMaH, even though the RaMaH did not have such a Mesorah at his disposal. (The existence of such a single Mesorah is flatly rejected by many academicians.) Dr. Breuer began by selecting four texts of ancient origin to compare and contrast in his study. Each of these texts predate the RaMaH. The texts were all of the type written by the Tiberian Masorites (as opposed to the Babylonian Masorites) yet clearly differed from each other in certain significant formatting areas, indicating that they were not copied from an immediate common source. In addition, he included the text of the Mikra'ot Gedolot of Yaakov ben Chaim, printed in Venice, 1525. (It should be noted that the orthography of these 5 texts differed widely from one another, in one case by more than 200 letters from the others.) Using the eclectic process, he suggested that if a broad majority of 4 out of 5 texts (and not just 3 of the 5) agreed with each other, it could be assumed that the fifth, inconsistent text was a copyists' error. His results were startling. There are 304,805 letters in the Torah. All five texts were in *total* agreement in all but about 220 letters. Of these, all but *20* were resolved by a majority of at least 4 texts against 1! Of the 20 remaining conflicts, Dr. Breuer was able to clarify all but *6* by applying another Masorite method, that of carefully studying thousands of early Masoretic notes (a broader topic similar in style to the eclectic process). These final 6 he was not able to clarify because three of the Torahs presented one spelling, while the remaining *two* presented another. It was apparent that nearly all of the inconsistencies between the Torahs were caused by copyists errors, and not by Masoretic uncertainties. Next, the resultant 'eclectic' text was compared with the RaMaH's text (i.e., our present text). It was found that the RaMaH differed in but *6* places from the eclectic. That is, the margin of uncertainty of our Torah scrolls is probably not more than 12 (out of 304,805!) letters -- the 6 indeterminate ones, plus the six in which the RaMaH's text differed from Dr. Breuer's eclectic! When he compared the results of his experiment with the Teimani text (which, as we mentioned, is probably identical to that of Ben Asher), the results were even more startling. The texts were in perfect agreement! Their margin of uncertainty may be no more than 6 letters! Equally amazing is that *all* the above mentioned differences involve Vavs and Yuds, which do not affect the meaning of the word at all. (As for the remaining six uncertainties in Dr. Breuer's eclectic survey, in three of the instances the RaMaH and Teimani texts agreed with the 3-against-2 majority text. In the other three cases, the RaMaH and Teimani texts were themselves split over the same variant spellings as were the pre-RaMaH texts. In total, that means that the Teimani text differs from the RaMaH's text in but *9* letters -- see endnotes for details.) In conclusion, the transmission of our Torah text has been well tended to and well preserved. The methods of Chazal have proudly withstood the tests of time. Such demonstrations of the strength of our Mesorah are indeed a Kiddush Hashem.

The author welcomes your comments on the above article:

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ENDNOTES: Torah variants of Dr. Breuer's results, as compared to our (RaMaH's) Torahs, in order of appearance (Eclectic; TTeimani): (1) Bereishit 4:13 "Mineso" (E&T w/o Vav); (2) Bereishit 7:11 "Ma'ayanos (E&T w/o Vav); (3) Bereishit 9:29 "Vayehi" (E&T Vayihayu); (4) Bereishit 46:13 "v'Shimron" (E with Vav); (5) Shemot 14:22 "Chomah" (E w/o Vav); (6) Shemot 25:31 "Te'aseh" (E&T w/o Yud); (7) Shemot 28:26 "ha'Efod" (E&T w/o Vav); (8) Bamidbar 1:17 "b'Shemot" (T w/o Vav); (9) Bamidbar 10:10 "Chodsheichem" (T with Yud); (10) Bamidbar 22:5 "Be'or" (T w/o Vav); (11) Bamidbar 33:52 "Bamotam" (E w/o Vav); (12) Devarim 23:2 "Daka" (E&T with Alef instead of Heh. Lubavitch Chassidic texts are in agreement with T in this matter). "TORAH FROM THE INTERNET," by RABBI MORDECAI KORNFELD, is available now at a HEBREW BOOKSTORE near you, or from the publisher JUDAICAPR@AOL.COM Mordecai Kornfeld |Email: kornfeld@virtual.co.il| T1/Fx(02)6522633 6/12 Katzenelbogen St. | kornfeld@netvision.net.il| US:(718)520-0210 Har Nof, Jerusalem, ISRAEL | kornfeld@shemayisrael.co.il| POB:43087, Jrslm

Michlelet Torah Viregesh mtv1@netvision.net.il Michlelet Torah Viregesh has undertaken to publish English, for the first time (and for much of the material, for the first time anywhere), the idea, thoughts and selections of Shiurim of Nehama Leibowitz ZT"l. By distributing this new material on the internet, we hope to reach as many people each week, and help them gain insight into Parshat Hashavua. One of the main goals of Michlelet Torah Viregesh is to teach its own women students who come for a year of post high school study, the ideas, skills and "Derech" in learning of Nehama Leibowitz. ... Many of these Shiurim will be written by Dr. Moshe Sokolow. Dr. Moshe Sokolow is Associate Professor of Jewish Studies, and Director of the Educational Services Program (ESP) for Yeshiva High Schools, at Yeshiva University. He teaches at Stern College for Women, the Azrieli Graduate School of Jewish Education, and is the Editor of TEN DA'AT: A Journal of Jewish Education. For 12 years he has been conducting a weekly Shiur in "Parshat Ha-shavua" for the Minyan Hashkama at Merkaz Torah (Lincoln Square Synagogue). He has translated several of Nehama Leibowitz's pedagogic essays, and published "Ma'fat'eh HaGilyonot," an index to all 30 years of Nehama's weekly Parsha sheets.

YOU ARE WHAT YOU EAT: A LOOK AT KASHRUT Part One: For What Purpose? QUESTION: Were the Jewish people the first to be given dietary restrictions? ANSWER: No. The very first was Adam (Genesis 2:16-17), concerning permissible and prohibited fruits.

QUESTION: Why was he so restricted? ANSWER: According to the Midrash Tadshe: In order that his gaze should be continually directed towards [the prohibited tree] and thereby call to mind his Creator and be conscious of the yoke his Maker placed upon him, lest he be overwhelmed by his passions.ö

QUESTION: Can you cite another example of a law whose purpose is educative? ANSWER: According to some sources, the reason behind the prohibition against slaughtering a heifer and its calf on the same day is educative; i.e., its reason is not inherent to the prohibited act, but serves to train or educate the performer.

QUESTION: Are there other explanations for the laws of Kashrut? ANSWER: Maimonides argues that there is an inherent advantage to the laws of Kashrut, namely that they prevent illness and other detrimental physical effects. Yitzhak Arama (15th century Spain, author of Akeidah Yitzhak), on the other hand, disagrees sharply: God forbid that we should imagine that the prohibition of foods is dependent on hygienic considerations. If that were the case, the Torah, far from being the work of the living God, would be no better than any medical treatise. Furthermore, the so-called harmful effects of such foods could always be counteracted by various drugs. Antidotes could always be discovered rendering the prohibition null and void and the words of our Torah of no lasting value. The real reason is quite different. The dietary prohibitions are motivated by spiritual considerations, to keep the soul healthy and pure and preserve it from being defiled and tainted by unclean and abominable passions, thoughts and ideas.

As Nehama elaborates: ARAMA offers a further variation in the motive for the prohibition of certain foods. It was not that their consumption was detrimental to the soul of man, but rather abstention from them was conducive to self-control and discipline in life. Self-control, he states, is the distinctive feature marking of man as superior to animal. By not being

allowed to eat just anything that comes to his mouth or that he fancies, he will be disciplined, from his childhood, to exercise the same self-control that he is called on to display in the dietary field, in other fields, in accordance with the thought expressed at the end of the daily Shema', in the paragraph concerning the wearing of Tzitzit: 'That you go not astray after your own heart and after your own eyes' (Numbers 15:39).

Part Two: Bein Yisrael La'Amim: Kashrut as Hedge Against Assimilation Another explanation of Kashrut is advanced by Shadal (Shmuel David Luzzatto, 19th century Italy): Every Jew must be set apart in laws and ways of life from the nations and not imitate their deeds, always cleaving to the God of his forefathers: 'Sanctify yourselves and be holy, for I am holy' (Leviticus 6:44).

QUESTION: Is this reason truly valid? If all the gentiles started keeping Kosher, would the laws of Kashrut then lose their validity? ANSWER: Logically, the answer is: Yes, they would.

For this very reason, perhaps, Rabbi David Tzvi HOFFMAN says: Some tend to regard these laws as designed to make a fundamental cleavage between the Jewish people and the other nations. A special diet was imposed on the Jewish people, to make them feel separate or specially singled out as a holy nation, as the people of the Lord. In actual fact, the verse quoted makes no mention of the idea that certain foods were prohibited in order to separate them from the nations. On the contrary, it is stated that since God has separated the Jewish people from other peoples, Israel is obliged to observe the divine precepts that teach us to make a difference between clean and unclean beasts, just the same as Israel is obliged to keep other Mitzvot.

Out of apparently the same consideration, SHADAL adds: But besides this reason which varies with time and place (for instance, if all the world were to worship the true God and keep just laws, this separation would not be necessary) the multiplicity of Mitzvot and statutes is of benefit at all times and places in improving our moral behavior on two counts: (1) the Mitzvot we observe remind us of God who commanded them.. and acts As a restraint on our passions that we should not sin; (2) the only method by which man can overcome his passions and rule over himself lies in habituating himself to forgoing material enjoyments and the endurance of pain and difficult circumstances. The numerous Mitzvot and statutes of our Torah accustom man to exercise self-control, to endure and abstain.

Part Three: Purity and Danger [Purity and Danger is actually the title of a book by anthropologist Mary Douglas, including a chapter on the laws of Kashrut.] Another approach to the laws of Kashrut early in the modern period argued that they were borrowed from the non-Jewish environment. One such theory found their source in the Zoroastrian religion (Persia, during the second Temple period) which makes a sharp distinction between forces of good and light (represented by the god, Ahura Mazda) and those of darkness and evil (represented by Ahriman). The distinction between clean and unclean animals, it was argued, followed from this.

In response to this argument, Rabbi HOFFMAN wrote: This theory is untenable, since the precepts of purity and holiness in the Zoroastrian scriptures and Judaism are not identical. For instance, all the beasts with uncloven hooves, such as the horse and the donkey, the dog and the fox, are, according to Zoroaster, clean animals, whereas according to the Torah, they are unclean. According to the Torah, defilement is a subjective term which only exists in relation to man. There is no point of contact between Zoroaster and the Mosaic law beyond the fact that both list categories of clean and unclean animals, and this is a feature common to all ancient peoples. Indeed, the Torah, no doubt, takes for granted the existence of a tradition common to all the peoples.

QUESTION: What (other) Torah laws indicate that there is no essential distinction between clean and unclean animals? ANSWER: The Torah laws which require us to have compassion on both clean and unclean animals. These include: \aleph not hitching an ox and a donkey to the same plow; \aleph helping adjust the load on a donkey; \aleph returning stray animals to their owners

QUESTION: Where does the Torah imply that the distinction between clean and unclean animals is (in Hoffman's words): a feature common to all

ancient peoples? ANSWER: Noah, who represents mankind in the pre-Judaic era, is instructed to bring the animals into the ark according to their division into clean (7 of each) and unclean (2 of each).

EXTRA: QUESTION: If a pair was sufficient to insure the survival of a species, why was Noah commanded to bring 7 of the clean species?

ANSWER: Right after the flood, Noah expressed his gratitude to God for his rescue by offering Him sacrifices. Since sacrifices could only be offered from clean animals, there had to be more of them.

hamaayan@torah.org Hamaayan / The Torah Spring Edited by Shlomo Katz Shemini In Israel: Tazria-Metzora April 25, 1998 This issue is dedicated in memory of Mr. Abe Spector Avraham ben Natan Nata a"h, a devoted friend and supporter of Hamaayan. Sponsored by Rachel, Adina, Elisheva and Devorah Katz on Menashe and Leora's birthdays

We are now in the midst of Sefirat Ha'omer/The Counting of the Omer, during which we observe certain forms of mourning for 24,000 students of Rabbi Akiva who died during this part of the year. Chazal teach that they died because they did not show proper respect to each other. Why were these students deserving of death and why did they die at this time of the year? R' Aharon Kotler z"l (died 1962) explains: R' Akiva was a crucial figure in the transmission of the Oral Law. [Ed. Note: The gemara teaches that most anonymous mishnayot and many anonymous midrashim may be attributed to certain students of R' Akiva and follow the halachic viewpoint of R' Akiva.] It was reasonable to expect of R' Akiva's students that they too be worthy of transmitting the Oral Law. By not treating each other with respect, they proved themselves to be unworthy of being R' Akiva's heirs, and, having failed in their lives' missions, they died. Why did their failure to treat each other with respect render them unfit to transmit the Torah? Because we learn in Pirkei Avot that there are 48 prerequisites to acquiring the Torah. One of these, which those students were lacking, is "cleaving to friends." Of course, if R' Akiva's students could not acquire the Torah because of this failing, they could not transmit it to the next generation either. Why did they die at this time of the year? R' Kotler explains that the period between Pesach and Shavuot is a time of preparing to receive the Torah. Those students, however, were not preparing to receive the Torah, they were acting in a manner inconsistent with receiving the Torah. (Mishnat R' Aharon Vol. III p.17)

R' Levi Krupenia z"l Last week marked thirty days since the passing of R' Levi Krupenia, rosh yeshiva of Yeshivat Toras Emes-Kamenitz in Brooklyn. R' Krupenia was 84 years old. R' Krupenia was born in Slonim, Russia, and studied in the Mirrer Yeshiva. With that yeshiva, he spent the World War II years in Shanghai and became close to the mashgiach/dean of students, R' Chatzkel Levenstein. After the war, R' Krupenia taught at Yeshivat Bais Hatalmud in New York. He also became a son-in-law of R' Reuven Grozovsky. (The latter's father-in-law was R' Baruch Ber Leibowitz, head of the Kamenitz Yeshiva in Lithuania.) In the early 1960's Rav Krupenia became the rosh yeshiva of Yeshivat Toras Emes-Kamenitz. Later, he began to divide his time between Brooklyn and a branch of the yeshiva in Woodbridge (in the Catskills).

R' Shaul Kagan z"l This week also marks thirty days since the passing of R' Shaul Kagan, founder of the Kollel of Pittsburgh. R' Kagan was 62 years old. He was born in Europe. After his family fled to the U.S., his father became rosh yeshiva of Yeshiva Rabbenu Yaakov Yosef (RJJ). R' Shaul studied there and later enrolled in the fledgling yeshiva in Lakewood under R' Aharon Kotler. Almost 20 years ago, R' Kagan established a kollel (institute for advanced study by married men) in Pittsburgh, Pennsylvania. He began with ten men who studied and taught classes (for free) to the community. An appreciation of the Kiddush Hashem that he and his kollel made on the city of Pittsburgh may be gleaned from a comment made once by the non-Jewish, then-Pittsburgh Mayor Richard Caligari, "What those ten men are doing day and night in that study hall on Bartlett Street is giving hope and strength for Russian Jews far across the globe." Asked later why he would make such a comment, the Mayor said, "Rabbi Kagan told me a little bit about the Torah. Then he explained what you rabbis do. Then he took me to the kollel. I saw from the way that he talked about your Torah and by seeing you study that whatever the Torah does, it must impact much farther than Pittsburgh." (Both of these articles are based on Yated Ne'eman, March 2) Hamaayan, Copyright (c) 1998 by Shlomo Katz and Project Genesis, Inc. Posted by Alan Broder, ajb@torah.org . Project Genesis: Torah on the Information Superhighway learn@torah.org 6810 Park Heights Ave. http://www.torah.org/ Baltimore, MD 21215 (410) 358-9800

weekly@jer1.co.il * TORAH WEEKLY * Highlights of the Weekly Torah Portion Parshas Shemini http://www.ohr.org.il

Dear Torah Weekly Reader: For the next few weeks, the Parshios will be read in Israel one week before they are read in the rest of the world. We are

sending out Torah Weekly based on the Israel schedule so that ALL our readers may enjoy Torah Weekly on a timely basis.

"DOCTOR LIVINGSTONE, I PRESUME." "And the swine ... it is impure for you." (11:7) Moshe may have been the greatest teacher in the world, but he was no global explorer. His entire experience as a naturalist must have been quite limited. He never ventured out of a rather small part of the Middle East. Which makes it all the more strange then that the Torah makes predictions about animal life which it would have been impossible for Moshe to know about. The Torah defines a kosher animal as having split hooves and chewing the cud. However it singles out the pig as the only animal that has a true split hoof and yet does not chew its cud. No person living in such a small part of this vast world could have known such a fact. More so, no prudent individual would have stated so definitively that there are absolutely no creatures alive that break this classification. The Torah tells us that any fish that has fins and scales is kosher. If Moshe was no globetrotter, he was even less a deep-sea diver. Yet the Oral Law states that any fish that has scales will always have fins. How could such a fact be known to someone who lived some 3,300 years ago and was more familiar with splitting the sea than diving into it? The Talmud teaches that Hashem inserted subtle reminders of His authorship in the Torah. Only the Creator of the universe could have, and would have, stated so dramatically and so accurately such definitive rules of the natural world.

PUTTING A TIGER IN THE TANK "Neither shall you defile yourselves with any swarming thing that moves on the earth, because I am the Lord that brought you up from the land of Egypt." (11:44-5) You pull into the gas station in your Ferrari Berlinetta, the fenders barely clearing the tarmac by two inches. You bring it to a halt and get out. There it sits, purring, a large expensive beast waiting to be fed. You say to the attendant "Fill it up with Cheapo gasoline." The attendant does a double take. He looks at you as if you were a serial murderer. And he's right. An advanced machine requires highly refined fuel. A simpler machine can get by on something much more basic. The Jewish People received the laws of kashrus only after they had been raised from the pits of slavery to the status of a kingdom of priests and a holy nation. The Torah normally refers to the Exodus with the expression "to take out of Egypt." Here, however, the expression is "to bring up." Only after the Jewish People have been brought up, only after they have been elevated to their new status, do they become sensitive to the spiritual damage which non-kosher food causes. >From now on, non-kosher food for a Jew becomes worse than Cheapo gasoline in the tank of a Ferrari.

Sources: o "Doctor Livingstone, I Presume." - Tractate Chullin o Putting A Tiger In The Tank - Rabbi Simcha Zissel from Kelm

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weekly-halacha@torah.org WEEKLY-HALACHA FOR 5758 SELECTED HALACHOS RELATING TO PARSHAS SHMINI By Rabbi Doniel Neustadt A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

THE MITZVAH OF SEPARATING CHALLAH It is a time honored custom for women to bake challoos for Shabbos, both because it enhances kavod Shabbos(1) and because it is an opportunity for them to set aright Chavah's sin on the first erev Shabbos of Creation(2). For this reason, it is halachically preferable that a woman be the one who separates the challah rather than a man. Although Shulchan Aruch cites challah-baking as a worthy custom "that should not be abandoned(3)", many women find it difficult to bake Shabbos challoos on a steady basis. But even some women who do not adhere to the custom regularly make a point of baking challah for the Shabbos after Pesach, for it is a tradition that baking challoos immediately after Pesach is a segulah for parnasah. Many follow the additional custom of baking challah in the form of a key or pressing a key into the dough (schlisel challah) to symbolize "the key of parnasah"(4). Let us, therefore, review some of the halachos pertaining to separating challah.

THE PROCEDURE OF SEPARATION: Those who usually recite l'shem yichud before performing a mitzvah should do so before performing this mitzvah as well(5). The woman should stand while the challah is being separated and the blessing recited(6). If she did so while sitting, however, the challah separation is still valid(7). The proper time to separate challah is before baking the dough while the batter is raw. If, however, one forgot to separate challah before baking the dough, she must do so after the dough has been baked(8). A small piece of dough is removed from the mass. Preferably, the designated piece should be at least a k'zayis(9) (approx. 1 oz.). The designated piece of dough should be held with the right hand. A left-handed person should hold it in her left hand(10). Immediately before the separation of the designated piece(11) - with no talking in between - the blessing should be recited. The following is the correct text: "Baruch Ata Hashem Elokeynu Melech Haolam Asher Kidshanu B'Mitvosav V'tsivanu L'hofrich Chalah." Some follow the custom of adding two words to the end of the blessing: "Min Hae'esah". One who does not have this tradition should not add these two words(12). After the separation of the challah, it is proper to recite (in any language): This piece is [separated for] challah(13).

DISPOSING OF THE CHALLAH The designated piece should be burned until it is no longer edible. The ashes may then be discarded. Under extenuating circumstances, when the challah cannot be burned, some poksim permit carefully wrapping the challah in a bag and throwing it in the garbage(14). In such a case, less than a k'zayis should be separated.] The piece of challah that was separated is forbidden to be eaten. In effect, it is a non-kosher food. Care should be taken that it does not touch the rest of the baked goods, either in or out of the oven. If the challah is burned inside the oven [in which other items are being baked] it should be left tightly wrapped in silver foil so that steam from the non-kosher challah does not penetrate the oven walls. B'dieved, however, if it was not wrapped, the oven does not become non kosher and does not need to undergo a koshe ring process(15). If, however, the challah comes into physical contact with the other baked goods while they are in the oven, the baked goods may become non-kosher(16). A rav must be consulted.

THE MINIMUM AMOUNT OF FLOUR(17) WHICH REQUIRES SEPARATION OF CHALLAH: A dough which contains less than 10 cups of flour (approx. two and a half to three pounds) is completely exempt from challah. A dough which contains more than 10 cups of flour requires separation of challah, but no blessing is recited. A dough which contains more than 16 cups of flour (over 4 pounds) requires separation of challah with a blessing(18). It is possible that a dough which was originally baked with less than the prescribed amount of flour would ultimately require separation of challah: If several small doughs are combined, they are halachically considered as one dough. In the following three cases the doughs may be considered as one dough(19): If the doughs are [or were previously] pressed together tightly enough so that when they are separated they will stick to one another, they are considered as one dough and challah must be separated from one of them. Even if the doughs are not [or were not] pressed together but are placed in one deep utensil(20) and are touching each other(21), they require hafroschas challah and challah must be separated from one of them. Note that even if the doughs have been baked into bread or cakes and then placed together in one utensil, they will require hafroschas challah at that point. Even if the doughs are not [or were not] pressed together and are not [or were not] placed in one utensil, but are lying on a counter or on a table and are touching each other and are completely wrapped up in a cloth, they are considered as one dough and challah must be separated from one of them(22). Note that even if the doughs have been baked into bread or cakes and then wrapped together, they will require hafroschas challah at that point. The following exceptions to the above rule apply: If the two doughs have different sets of ingredients and thus taste different from each other, or even if they taste the same but were made by two different people, or even if they were made by one person but she does not want to mix them or combine them, or even if she does not care whether they are mixed but the flours are from grain grown in two separate years - then they are not considered as one dough, even if they are pressed together

or touching each other in the same utensil. An oven, a refrigerator or a freezer is not considered as a utensil which combines small doughs or baked goods into one big unit, particularly if the items are individually wrapped(23). The above information is useful for women who are baking several doughs, each of which contains less than the minimum amount of flour. Women who would like to incur the obligation and fulfill the mitzvah of challah have one of the three following options. They are all l'chatchilah: They could firmly press the doughs together; They could place the doughs, while touching each other, in one deep utensil; They could leave the doughs on the counter or table and completely enwrap them in a towel or sheet. After one of these options is followed, challah may be separated as described above.

FOOTNOTES: 1 Rama O.C. 242:1. 2 Mishnah Berurah 242:6. 3 Rama and Beur Halachah, ibid. 4 See Ta'amei ha-Minhagim 596-597 for the origin of this custom. 5 Kaf ha-Chayim O.C. 457:12. The appropriate nusach is quoted there. 6 Pischei Teshuvah Y.D. 328:2; Aruch ha-Shulchan 328:5. 7 Mishnah Berurah 8:2. See Magen Avraham 8:1. 8 Mishnah Berurah 457:5. 9 Rama Y.D. 322:5. 10 Mishnah Berurah 206:18. 11 Chochmas Adam (Sha'arei Tzedek 14:32). See also Meiri, Challah 2:2. 12 Kaf ha-chayim 457:10. One who separates challah after the dough has been baked, definitely should not recite those two words. 13 R' Akiva Eiger Y.D. 328:1; Chochmas Adam, ibid. 14 Chazon Ish (oral ruling quoted in Practical Guide to Kashrus, pg. 101); Teshuvos R' Yonson Shteif 276; Minchas Yitzchak 4:13 and 4:102. 15 Since dough, generally, is not liquid and hardly emits steam. Even if it will, it is negligible and will be bateil beshishim. 16 See Leket ha-Omer 14, note 3. 17 Water and other ingredients are not included in the minimum amount. 18 Ruling of Harav T.P. Frank which is followed by many women. Some poskim maintain that a blessing should not be recited unless five pounds of flour are used - Harav Y.E. Henkin (Eidus Y'israel 40). 19 Based on Mishnah Berurah 457:7 and Beur Halachah. 20 The utensil must be sufficiently deep so that no dough [or baked item] will protrude from it. 21 Minchas Yitzchak 8:109 maintains that even if the doughs are in individual pans or bags and the pans are touching each other [and they are placed in one big deep utensil] the doughs are considered combined. Harav S.Z. Auerbach (Shemiras Shabbos K'hilchasa 42, note 39) disagrees. 22 Beur Halachah 457:1. 23 See Beur ha-Gra Y.D. 325:3 (concerning an oven). See also Machzeh Eliyahu 111 and Shemiras Shabbos K'hilchasa 42, note 39.

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yhe-intparsha@jer1.co.il Introduction to Parshat Hashavua (VBM) By Rabbi Alex Israel Parshat Shemini: DEATH IN THE SANCTUARY Our Parsha opens on the festive "Yom Hashemini" - the eighth and final day of the ceremonial dedication of the Tabernacle (known in Hebrew as the Mishkan). The Jews had spent half a year planning, crafting and building all the specially designed symbolic objects for this Tabernacle. There was the holy ark of the covenant made with gold, which would hold the two tablets of stone. There was the decorative coverings and curtains woven with colorful wools and gold thread in a most intricate design. There was the menorah - the candelabra - which would be lit daily, the altar, the incense, the clothes of the priests. It was all in place. Now the Children of Israel would have a focus for their religious service, a portable sanctuary which they would carry with them every step to the land of Israel. For seven days now, (Leviticus, chapter 8) the priests had been engaged in a special inauguration service - the "Miluim". The special ritual Temple objects as well as the priests were consecrated through a daily formula of sacrifices and "anointing oil". Now, was the climax: "On the eighth day Moses called Aaron and his sons and the elders of Israel...TODAY THE LORD WILL APPEAR TO YOU." (9:1-4) Both Aaron and the people were to offer sacrifices which would prepare them spiritually for the revelation of God. They brought a sin-offering focusing their minds on repentance and self-betterment. They brought a burnt-offering expressing their total dedication to God, and then a shelamim - peace-offering - which is representative of human covenant with, and closeness to God. "Aaron lifted his hands towards the people and blessed them; and he stepped down after the sin-offering, the burnt-offering and the peace-offering... and the presence of the Lord appeared to all the people. Fire came forth from before the Lord and consumed the burnt-offering.... And all the people saw, and shouted with joy, and fell on their faces." (9:22-24) God responds to the offerings of man by sending fire from heaven to burn the offering. This revelation is understood by the people. They react with frenzied excitement and unbridled praise, exhilaration. They shout for joy and bow to the ground. Why is this event so significant? Perhaps it may simply be understood as the successful realization of a major national project. The explicit aim of the Mishkan was to establish a connection with the Divine Presence through a spiritual center at the focal point of the Israelite camp. God had promised that this structure would facilitate an ongoing contact between His presence and the people - "Make for me a Tabernacle and I will rest my presence in their midst" (Exodus 25:8). Now, the Mishkan has realized its goals. A connection has been established. God has made revealed His presence in the house dedicated to His name. But an additional dimension must have been present in the minds of the people of Israel. Ever since the sin of the Golden Calf, God had distanced himself from the nation. He had done this in a most visual way. Whenever Moses wished to communicate with God, he would have to go outside the camp to a special "tent of meeting" (ibid. 33:6-10). It was as if God had divorced himself, most literally, from the people. Now, with the presence of God revealed to the entire nation in the newly established Tabernacle, which was in the CENTER OF THE CAMP, God

was sending a clear message to the people. He was telling them that they had been forgiven for the betrayal of the Golden Calf. The breach was repaired, direct contact was now restored. (Rashi, Leviticus 9:23) NADAV AND AVIHU Against this backdrop of celebration and religious euphoria, we are abruptly brought down to earth with something of a shock. Without so much as a break in the narrative, the Torah relates the following tragic episode: Now Aaron's sons Nadav and Avihu each took his firepan, put fire on it, and laid incense upon it; and they offered before the Lord alien fire, of which they had not been commanded. And fire came forth from the Lord and consumed them; thus they died before the Lord. Then Moses said to Aaron, "This is what the Lord meant when he said: Through those close to Me I show Myself holy, and I go in glory before all the people." And Aaron was silent. (10:1-3) The contrast in mood and atmosphere could not be sharper; however, there is no doubt that a linkage exists between the stories. The word "ESH" - fire - appears at the critical point of each section of the narrative. First, God's FIRE consumes the sacrifices on the altar. Then Nadav and Avihu offer incense with a firepan, an act which is considered as "alien FIRE". The result is that FIRE emerges from God and consumes them. It is almost as if Nadav and Avihu themselves become the very offerings which only moments before had been burnt by the fire of God on the altar. All the commentaries on this enigmatic episode attempt to delve into the precise nature of the sin of Nadav and Avihu. What exactly did they do wrong? What was their motivation? Why did they do it?

A QUESTION OF MOTIVATION. The sin of Nadav and Avihu would seem to be simple. The Torah tells us that, "they offered before the Lord alien fire, of which they had not been commanded." This is reiterated elsewhere in the Torah (Numbers 3:4, 26:61) and there would, therefore, seem little room for discussion on this point. As we have noted, the repeated use of the word "fire" leads us to believe that their being consumed by fire was a punishment for the alien fire that they brought. But the gravity of the punishment begs us to search for further clues. Would two young priests be punished with death simply for making a procedural error? Many of the answers - and you can find a spectrum of suggestions as to what was the crime of Nadav and Avihu - define the sin on the basis of the motivation concerned.

1.DRUNK One of the most famous approaches to the issue is that of RASHI. He comments: "They entered intoxicated. Notice that immediately after their death, God warned the surviving priests not to enter the Temple after drinking." Rashi (basing himself on the Midrash) does not invent this explanation. He has a strong TEXTUAL proof. He notes a clear undertone in a verse which opens the very next paragraph. There God commands: "Do not drink wine or intoxicating drink when you enter the sanctuary AND YOU WILL NOT DIE." Why the qualifying statement here? Why tell us how to avoid death in God's sanctuary so soon after the horrible death of Nadav and Avihu if the issues are entirely without connection? Apparently, Nadav and Avihu had been celebrating; they drank a little too much. In their unrestrained state, they entered the sanctuary; after all, this was a day of celebration for the Tabernacle. It was there that they met their death.

Was it so bad? - they were only drunk! But the lesson must be that in the presence of God, in the Temple, we cannot lose control of our bodies and minds. The Temple is a place where we focus our mind - senses heightened, brain and emotion engaged in the encounter with the almighty. Drunkenness and the loss of control are an anathema to the Temple. Drunkenness in the Temple is the height of irreverence and the ultimate act of turning ones face from God's presence. As for Nadav and Avihu, they should know better. They are priests, the servants of God in all that relates to the Tabernacle. They must always be 'on call'. We might that any in that alert awareness is a fundamental flaw in the servant of God. Even today, in a reflection of this law, we are restricted from praying if we are in a state of drunkenness. This law applies to Kohanim (Priests) in an interesting way. They are restricted from engaging in the priestly blessing in the Synagogue if they have consumed alcohol as long as they are still affected by it. (Shulchan Aruch Orach Chayim 99:1, 128:38)

HUMAN INITIATIVE There is a problem however with Rashi's explanation. It relates more to what is said between the lines to that which is stated explicitly. The Sifra (a 2nd century Midrash) offers two alternative approaches: "... another view: When they saw that Aaron had offered the sacrifices and performed the prescribed service and God had not descended in revelation to Israel, Nadav said to Avihu, 'Does anyone cook without fire?' They went to get fire immediately - alien fire - and brought it into the Holy of Holies as it states (10:1) 'Now Aaron's sons Nadav and Avihu each took HIS firepan, put fire on it...' Let us examine this view. It sees Nadav and Avihu waiting for the fire to descend from heaven. They think that maybe God cannot burn the offering without their assistance. According to this view, their sin is a serious lack of faith in God. They are unsure whether God has the ability to create fire for himself. Note the textual support. The "alien fire" is identified as their own personal fire. It was alien because it was undesirable. God responded by demonstrating that he had the power to create fire, and fire of such intensity that it would end their lives. (It is interesting that this midrash inserts the episode of Nadav and Avihu into the time lapse between the sacrifices being offered and fire descending from God. Examine the text of the verses 9:22-24 - and you will see the gap into which the Midrash inserts this story.)

RELIGIOUS MOTIVATIONS. But perhaps the most powerful of all is this third alternative explanation, found once again in the Sifra: "And the sons of Aaron took: They too were bound up in the joy of the occasion. When they saw the "new" fire (from God) they acted to add love to love." What is the meaning of this esoteric explanation? Apparently, according to this reading, Aaron's sons were moved by only the noblest of motives - thus their honorable title, "sons of Aaron." They saw God's love for his people by means of the fire he sent to bless the endeavors of man, and they wished to reflect that act back to God. They wanted to imitate God, to dedicate their own religious act to God in a reflection of God's actions towards man. Rabbi Hirsch explains that their motivations were ideal, but the methods inappropriate. The verses stress their independent act, without consulting the religious authorities - Moses and Aaron. They were well intended, in fact God Himself calls them (v.3) "krovei" - "those who are close to Me." So why did they die? Because this was "alien fire". Why was it alien? Because the Torah stresses "they had not been commanded" to bring it. Only that which God has prescribed is legitimate in the Temple. Individual religious expression, even the most heartfelt feelings of the soul, have to be channeled and expressed in a particular way. Nadav and Avihu broke this sacred code. "... all offerings are formulae of the demands of God.... A self-devised offering would be the murder of the very truths which our offerings are meant to express and would be placing a pedestal on which to glorify one's own ideas.... Not by fresh inventions even of God-serving novices, but by carrying out that which is ordained by God has the Jewish priest to

establish the authenticity of his activities." (Hirsch on 10:1) Are we all treated so harshly? Apparently not. The Torah records God's guiding rule of establishing an unusually high standard: "Through those close to Me I show Myself holy, and gain glory before all the people." It is the closeness to God - whether physically, in the Temple, or religiously, in the case of the righteous that causes God to apply a more stringent treatment. The Talmud has a different way of putting this. It states "God takes issue with the righteous, up to a hairbreadth."

UZZA We now turn to another fatal story whose similarity to the Nadav and Avihu episode pinpointed it as the chosen haftara of the week. We will compare our two stories; their similarities and differences; and see whether we can discern a common message. "David assembled all the choicest men of Israel, thirty thousand strong... to bring up the Ark of God to which God's Name was attached.... They loaded the Ark of God onto a new cart and conveyed it from the house of Avinadav... David and all the House of Israel danced before the Lord to the sound of all types of instruments: lyres harps, timbrels, sistrams and cymbals. When they reached the threshing floor of Nachon, Uzza reached out for the Ark of God and grasped it for the oxen had stumbled. And God was furious with Uzza. And God struck him down on the spot and he died there with the Ark of God. David was angry that the Lord had inflicted a breach upon Uzza, and he named the place 'Breach of Uzza'..." (II Samuel 6:1-8) The background to the story. King David has recently established Jerusalem as his capital city. He wishes to raise the prestige of God and the prominence of religion by establishing the Temple in his royal city. His first stage is to bring the Ark of the Covenant - which has been in exile for over fifty years - into Jerusalem. This journey is to be the ceremonial installation of the Ark in the city, until tragedy strikes - a horrible death halts the singing and dancing, and the festive procession grinds to an abrupt and tragic halt. The very choice of this passage from the Prophets to accompany our Parsha tells us that we should identify a connection between the two stories. Certain parallels are clear. First is the festivities which provide the backdrop to the stories. Both episodes are introduced with elaborate mass celebrations. The reason for the pomp and ceremony in both cases is the Temple itself and the close proximity of God's presence. The feelings are the same the mixture of excitement and religious ecstasy at God's increased closeness and involvement in the life of the nation, blended with a sense of awe which this occasion generates. Furthermore, in both stories, there is the revelation of God's presence. In our Parsha, we have the fire from heaven, and in the haftara, the Ark is traditionally considered as the "chariot" of God, a sort of vehicle for God's presence (See Ex. 25: and Numbers 10:25-26). While the sounds of song and praise are still ringing in our ears, the narratives record a swift stroke from God causing sudden death. In both stories, the reasons given for the death of this person are difficult to accept. In both cases, it would appear that the victims are high ranking priests, righteous people. Nadav and Avihu are the elder sons of Aaron. Moses says about them "Through those close to Me I show Myself holy". They were close to God and that is why they were treated with such strictness. Uzza too is the son of Avinadav who had been taking care of the Ark during its exile and was positioned in immediate proximity to the Ark in the procession. The Talmud comments on the phrase "And he died there WITH the Ark of God" - Just as the Ark exists for all time, so Uzza entered the world to come." (Sota 35a). Neither victim is characterized a sinner.

RESPONSES TO SUFFERING In a certain way, we can see these stories as raising the classic questions of theodicy. They open the theological mystery of why the righteous suffer. Neither Uzza nor Nadav and Avihu were evil. They might have slipped up. They acted recklessly, inappropriately, even sinfully. But did their punishment match the crime? These stories are similar but in one respect they differ enormously. The contrast in the human responses to the tragedy of the deaths of these young promising people are fascinating. Here in Leviticus we read of Aaron's response. "And Aaron was silent." Aaron is unresponsive and accepts the divine decree. He exhibits no towards God. He cried at home for his children who were lost forever, but he did not question the Almighty. David is different. He does not stay quiet. He feels that Uzza has been treated badly. After all, he simply wanted to protect the Ark; he wanted to prevent it from falling to the ground. David expresses his questions, his sense of amazement at the divine justice, and he goes further, by eternalizing the questions. He names the place "Strike against Uzza."

YOM HASHOAH This week is Holocaust Remembrance day. Around the Jewish world people cast their minds back to those most horrendous inexplicable years when man murdered man in a mechanical manner, heartless, inhumane and evil. How do we respond religiously to suffering which appears incomprehensible? Good honest people, just like us, little children with their unbridled inquisitiveness and innocent minds, men and women of all walks of life, went to their death. Six million people. Can we explain God? Can we explain the fire which consumed them? We are not commenting on a Biblical passage. We cannot offer explanations. Maybe we can humbly sit in silence - like Aaron - before God, accepting the absurdity of his decree. "Baruch Dayan Ha-emet" is the blessing we say over tragedy - blessed be the True Judge. We know God is true, but where is the Justice? - But maybe, we too can offer our honest questions to God. Just like King David, we too can voice even outrage, our pain. We can tell God that we do not understand.

Shabbat Shalom.

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Shabbos 137 2) MILAH ON "YOM TOV SHENI SHEL GALUYOS" QUESTION: The Mishnah says that it is possible for the time for a baby's Milah to occur twelve days after he is born: If he was born during Bein ha'Shemashos and following is followed by two days of Rosh Hashanah. Why does the Mishnah say that Shabbos was followed by two days of *Rosh Hashanah*, and not any two-day Yom Tov? ANSWERS: (a) The RAMBAM (Hilchos Milah 1:15) learns from this Mishnah that even a Milah that is not performed at its proper time (i.e. on the eighth day) *does* override the second day of Yom Tov. Had it not been Rosh Hashanah, the Milah *would* be performed on the second day of Yom Tov. The Rambam's reasoning is that the second day of Yom Tov is a rabbinical injunction, while the Mitzvah of Milah is mid'Oraisa. A Mitzvah mid'Oraisa overrides a rabbinical injunction. The second day of Rosh Hashanah, however, is not merely a Yom Tov because of the rabbinical injunction; rather, it is a Safek Yom Tov mid'Oraisa, and therefore it is not permitted to perform on the second day of Rosh Hashanah a Milah that cannot be performed

on Shabbos. (b) The RITVA, TESHUVOS HA'ROSH, and TUR take issue with the Rambam and maintain that Milah (except when performed on the eighth day) may not be performed on the second day of *any* Yom Tov. The reason why the Mishnah specifically mentions Rosh Hashanah is because the Mishnah was written in Eretz Yisrael, where there no other Yom Tov was two days long. This also seems to be the opinion of Rashi (Pesachim 47a).

Shabbos 138 1) HALACHAH: USING AN UMBRELLA ON SHABBOS QUESTIONS: The Gemara says that a person is permitted to unfold a folding chair ("Kisei Traskal") on Shabbos even though doing so creates a shelter over the space underneath the chair. (a) What is the Halachah regarding opening an umbrella on Shabbos? Is it the same as a folding chair? (b) Furthermore, if an umbrella is opened before Shabbos, may one carry it over his head on Shabbos? Is it the same as standing a bed upright that was on its side, which the Gemara permits? ANSWERS: (a) The NODA B'YEHUDAH (OC 1:30) says that it is prohibited to open an umbrella on Shabbos, because one thereby creates an Ohel. The CHASAM SOFER (OC 72) also rules that it is prohibited. The BI'UR HALACHAH (OC 315:7) explains that it is not similar to a folding chair, because such a chair unfolds right into position. An umbrella, however, is different, because the metal rods keep the umbrella locked in the open position, and these must be clicked into place when unfolding the umbrella. Because of this, opening an umbrella is deemed constructing an Ohel, and not merely putting an object in a different position. (b) Regarding an umbrella that was opened prior to Shabbos, the Bi'ur Halachah writes that it is prohibited to carry it on Shabbos because wherever a person walks while carrying the umbrella, he is making a new Ohel in that place (since he is holding the umbrella for the sake of it serving as an Ohel by protecting the space underneath it). Of course, in a place where there is no Eruv it is prohibited to carry an umbrella for an additional reason, since carrying it comprises Hotza'ah in Reshus ha'Rabim.

138b 2) HALACHAH: "SI'ENA" AND WEARING A WIDE-BRIMMED HAT OPINIONS: The Gemara says that under certain conditions, a "Si'ena" may be worn on Shabbos, while under other conditions, it is prohibited. What is a "Si'ena," and under what conditions is it permitted or prohibited? (a) RASHI says that a "Si'ena" is a wide-brimmed hat. If it is not worn *tightly* (Mehudak) on the head, there is a fear that the wind might blow it off one's head and one might then carry the hat in Reshus ha'Rabim. ("Mehudak," according to Rashi, means "tight" and is the condition for *permitting* a hat to be worn.) (b) TOSFOS cites RABEINU CHANANEL who says that a "Si'ena" is a hat or head covering. When the brim is made from a hard material that does *not* bend*, it is prohibited to wear it on Shabbos because it is an Ohel. If the brim is soft and pliable, it may be worn on Shabbos. ("Mehudak," according to Rabeinu Chananel, means that it "does not bend" and is the condition for *prohibiting* a hat to be worn.) (c) The RAMBAM says that a "Si'ena" refers to any Talis or overgarment that a person drapes over his head which protrudes in front of him or to the sides. If it is tightly bound to his head *and* it is stiff and does not bend, it is like an Ohel and may not be worn. (Apparently, "Mehudak," according to the Rambam, means both that it is "tight" and that it "does not bend," and it is the condition for *prohibiting* a hat to be worn - TESHUVOT RADVAZ in Leshonos ha'Rambam.) HALACHAH: Is it permitted to go out with a hat with a wide, stiff brim? According to Rabeinu Chananel it should be prohibited, and according to Rashi it should be prohibited if it is not worn tightly on one's head. The MISHNAH BERURAH (OC 301:152) lists a number of reasons to permit wearing a hat on Shabbos. (a) First, the Magen Avraham says that if the brim of a hat is sloped downward, it is not considered an Ohel and may be worn. (b) Second, we may rely on Rashi's opinion that it is only prohibited if it is not worn tightly. (c) Third, the hats that we wear are not worn in order to provide shade. (d) Finally, if the brim is not stiff, it is certainly permitted.

Shabbos 140 1) HALACHAH: TAKING ANTIBIOTICS ON SHABBOS QUESTION: Rav Acha bar Yosef became ill and went to Mar Ukva for advice. Mar Ukva advised that he drink soaked Chiltis for three consecutive days. Rav Acha bar Yosef prepared and drank the medicinal solution on Thursday and on Friday, and then on Shabbos he inquired whether he was permitted to soak the Chiltis and drink it on Shabbos. Rav Huna permitted him to prepare the solution on Shabbos. Since he had already taken the medicine for two days, if he would not take the medicine on the third day as prescribed, he would be in danger. The SHITAH L'ARAN points out that the Gemara does not mean that he was in actual mortal danger, because then it would certainly be permitted to do whatever is necessary to save one's life. Rather, doing things necessary for Refu'ah is permitted even when one is not in danger but in considerable discomfort. The Gemara here means that Rav Acha bar Yosef would have been in considerable discomfort, but not in danger, had he not prepared the medicine on Shabbos. This is also the RAMBAM's understanding of the Gemara (Hilchos Shabbos 22:7) -- Rav Acha bar Yosef would have become sick without the medicine, but he would not have been in mortal danger. Is the case in the Gemara comparable to the contemporary question of taking antibiotics on Shabbos, which must be taken for a number of consecutive days in order to be effective?

ANSWER: (a) RAV MOSHE FEINSTEIN Ztz"l in IGROS MOSHE (OC 3:53) writes that it is permitted to take antibiotics on Shabbos only in the situation where a person is experiencing considerable mental anguish due to worrying that he will not get better without the medication, to the point that he is on the verge of having a nervous breakdown. A normal person, though, should not take antibiotics on Shabbos. (b) RAV SHLOMO ZALMAN AUERBACH and others, as cited in Shemiras Shabbos k'Hilchasa (34:17), permit taking antibiotics on Shabbos. However, Rav Shlomo Zalman Auerbach says that it cannot be compared to the case in our Gemara, because in our Gemara Rav Acha bar Yosef would have become *more ill* had he not taken the medicine on Shabbos, whereas someone who misses a day of antibiotics will not necessarily become more ill. He will not become cured, but will not get worse either.

Shabbos 141 1) MOVING "MUKTZAH" WITH ONE'S BODY OPINIONS: The Mishnah states that one may use his body, but not his hands, to move straw that is on a bed, even though the straw is Muktzah because it is designated as fuel for fire (Rashi, DH ha'Kash). Why is it permitted to move straw with one's body if the straw is Muktzah? (a) According to RASHI, the person is moving the straw with his body in order to arrange the straw so that it is comfortable to lie upon. It could be that Rashi rules like the ROSH on Daf 44a (3:19), who permits moving Muktzah with one's body as long as one does not move it with one's hands. (Rashi, however, may allow moving Muktzah only with the trunk of one's body, but not with one's feet which are, like the hands, sometimes used to move objects.) (b) The RITVA (44a) explains that it is permitted to move straw that is Muktzah in this case because the person is doing so in order to rest on Shabbos. For one's

Shabbos pleasure, it is permitted to move Muktzah with one's body. (c) The RAN and RAMBAN (44a) and the RITVA later (154a) explain that the Mishnah is referring to one who wants to lie down on the bed but the straw is in his way. He may knock the straw off of the bed because he is moving it for the sake of something which is permissible (i.e. the bed). This understanding of the Ramban is the interpretation of Rav Shlomo Zalman Auerbach as printed at the end of Shemiras Shabbos K'Halchasah. (d) The CHAZON ISH, though, interprets the RAMBAN to be saying that one may move the straw because he is not doing an obvious, visible act of moving the straw. Rather, while in the process of the act of lying down he moves the straw out of the way. (See also Insights to Shabbos 127:1)

Shabbos 145b 2) "KULYAS HA'ISPENIN" AGADAH: What is the significance of the "Kulyas ha'Isphenin" not returning to Eretz Yisrael? (a) Ba'alei Musar explain that in Galus, a Jew must be stubborn in his commitment to Torah and Mitzvos in order to survive the scoffing of gentiles. One who is not able to "swim against the current" is apt to, Rachmona Leitzlan, get washed away from the destiny of his brethren. (b) On a deeper level, the Aruch (noted in the margin of the Vilna Shas) explains the Kulyas ha'Isphenin is another name for the Shivuta fish. We are told (Chulin 109b) that the marrow of a fish called "Shivuta" tastes exactly like Chazir (pork). Shivuta, then, is an allegorical reference to Jews who, like the Chazir, "show off their split hooves" but are not committed to Torah deep inside. Their marrow (i.e., what is hidden deep inside of their hearts) is likened to a Chazir. (The name "Kulyas" may come from the word "Kulis" (with a Tav'), which means "a bone containing marrow.") If a Jew in Galus is not committed to Torah in his heart, even though he practices the Mitzvos as he should, his family will not be able to resist the currents of the secular world that surrounds him. (M. Kornfeld)

Shabbos 148 1) BORROWING OBJECTS ON SHABBOS ... HALACHAH: The SHULCHAN ARUCH (OC 307:11) records the opinion of Rashi, as well as the Ran's opinion that in a language which does not differentiate between "Hash'ileini" and "Halveini," one should make some change in the normal way of asking to borrow an item. The MISHNAH BER URACH (307:43) cites the PRI MEGADIM who adds that even when borrowing an item of a Mitzvah, such as a Sefer, one should not use the same term that one normally uses to borrow an item.

Shabbos 148b 2) HALACHAH: REBUKING A WRONGDOER The Gemara says that if someone is transgressing a rabbinical prohibition, unaware that the act is prohibited, one should not rebuke him if he knows that the transgressor will continue sinning knowingly ("Mutav sh'Yehu Shogegin v'Al Yehu Mezdin"). This concept does not apply, though, to prohibitions that are written in the Torah. The Poskim (OC 608:2) discuss the details that are relevant to this Halachah in practice: (a) A person must rebuke someone who *willfully* sins, even if one feels certain that the sinner will not heed the rebuke. If a person is transgressing a prohibition that is written *explicitly* in the Torah, it is assumed that he knows that it is forbidden and he is sinning intentionally, and therefore one must rebuke him and tell him to stop sinning. (b) If one sees that the wrongdoer is not accepting the rebuke, then one should continue to rebuke him until the wrongdoer gets upset and yells at him. However, this rebuke should be administered in private and not in public (one rebukes a sinner in public only once). Also, if the sin was committed in private, one should rebuke the sinner only in private. The Bi'ur Halachah (608 DH Chayav) writes in the name of Sefer Chasidim (#413) that one does not need to rebuke a person until the person yells at him unless he feels close to the person (that is, they know each other well and there is a chance that the rebuke will be accepted). (It is important to remember that the point of rebuke is *exclusively* to bring the wrongdoer back to the just ways of Hashem and His Mitzvos, and not to reprimand the sinner. Depending on the level of scholarship of the person who sinned, rebuke must be administered in different ways in order to be effective.) (c) However, if the person is committing a sin that is not stated explicitly in the Torah, or one that is prohibited mid'Rabanan (and it is not evident that he knows it is forbidden), then if one knows for sure that the sinner is not going to listen to the rebuke, he is not required to tell the sinner to stop, because rebuking him will only make his sin worse (by changing it from an unintentional sin to an intentional one). If there is a *possibility* that he might listen to the rebuke, then one is obligated to rebuke him (as the Gemara said on 55a).

Shabbos 149 2) HALACHAH: LOOKING AT DRAWINGS OPINIONS: The Gemara says that it is forbidden to look at drawings during the week. To what type of drawing does this prohibition apply, and why is it forbidden to look at it? ... HALACHAH: The MAGEN AVRAHAM (OC 307:23, cited by the Bi'ur Halachah) writes that the custom is to be lenient and allow drawings unless they were made for Avodah Zarah. He adds that it is certainly permitted to look at them casually, without gazing intently at them.

150b 2) THE CHASID WHO WANTED TO FIX HIS FENCE ON SHABBOS [I] CHASIDUS? QUESTION: The Gemara relates that there was a certain Chasid who wanted to fix a breach in his fence on Shabbos. He remembered that it was Shabbos and refrained from fixing his fence, and Hashem rewarded him with a Tzela'f plant that grew in the place of the breach and provided sustenance for him and his family. What was so great about refraining from desecrating Shabbos that merited such a miracle as reward? ANSWER: The YERUSHALMI (Shabbos 5:3) relates that this Chasid thought on Shabbos about fixing the fence *after* Shabbos. Thinking about such a thing on Shabbos is permissible, as our Gemara states. However, since he was a Chasid, he regretted thinking -- on Shabbos -- about doing a Melachah after Shabbos. He decided not to act on his thoughts and *never* to fix his fence. As reward for his concern for the honor of Shabbos, Hashem fixed the breach by making a Tzela'f plant grow there. [II] WHO'S WHO IN THE TALMUD AGADAH: According to REMA MIPANO (Sefer ha'Gilgulim), this Chasid bore the soul of Tzela'fchad. It appears that this Chasid rectified the sin of Chilul Shabbos with which Tzela'fchad had tainted his soul. Earlier in this Masechta (96b), we are told that Tzela'fchad was the "Mekoshesh" described in the Torah who was killed for desecrating Shabbos. His act involved either plucking or gathering twigs from the ground or carrying them more than four Amos in Reshus ha'Rabim. All of these acts are involved in repairing a fence. The Chasid rectified the sin of Tzela'fchad by deciding never to fix the fence because he had thought about fixing it on Shabbos. His reward was a Tzela'f plant, or a "Tzela'f Chad" (a sharp, thorned Tzela'f). The Tzela'f provides three types of edible fruit (as Rashi describes in Berachos 37a). These three types of fruit may correspond to the three portions in the land of Israel that Tzela'fchad passed on to his daughters (his own, his rights to his father's portion and his Bechorah rights in his father's portion, Bava Basra 116b).

3) DOING MELACHAH BEFORE HAVDALAH OPINIONS: The Gemara says that a person may not do Melachah before reciting Havdalah. What is the reason for this Halachah? (a) RASHI

explains that it is prohibited because it is necessary to first do an act that represents *escorting out the Shabbos*. The CHIDUSHEI HA'RAN adds that the Rabanan wanted to make a sign to show that Shabbos has ended. (b) The RAMBAM (Hilchos Shabbos 29:5) says that it is prohibited to "eat, do work, or taste anything" before reciting Havdalah. The BRISKER RAV (stenograph) infers from the fact that the Rambam places work between eating and tasting that all three of those activities are prohibited for the same reason. A person may not eat because there is a Mitzvah of Havdalah that is incumbent upon him to perform. Similarly, a person may not do Melachah because it will *distract him* from his obligation to recite Havdalah. The Brisker Rav adds that a number of Halachic differences between the Rambam and Rashi due to the difference in their understanding of this Halachah: (1) The SHULCHAN ARUCH (OC 299:10) says that a person may not do any Melachah before Havdalah. The REMA says in the name of RABEINU YERUCHAM that one may do Melachah, but one may not do "Melachah Gemurah" (a "total," very involved Melachah) before Havdalah. The Brisker Rav explains that the Shulchan Aruch agrees with Rashi, that one may not do Melachah before making a sign that Shabbos has ended. Rabeinu Yerucham, though, agrees with the Rambam, who says that one may not do Melachah because it will distract him from the Mitzvah of Havdalah that he must do. Only an *involved* Melachah (such as sewing) will distract him, and therefore one may do a Melachah which is not distracting (such as kindling a flame) before Havdalah. (2) There is an argument whether one who says "ha'Mavdil Bein Kodesh l'Chol" may do Melachah and eat as well, or he may only do Melachah (since he has not yet recited the proper Havdalah). According to the RIF (Pesachim 104a), a person who says "ha'Mavdil..." may not only do Melachah, but he may eat as well before Havdalah. The RAN there argues and says that saying "ha'Mavdil..." permits only Melachah to be done. The Brisker Rav explains that the Rif agrees with the Rambam; since eating and doing Melachah are prohibited for the same reason, whatever permits one will also permit the other. The Ran, on the other hand, agrees with Rashi, that eating and doing Melachah before Havdalah are prohibited for two separate reasons (Melachah, because it is necessary to show that Shabbos has ended, and eating, because one is obligated to do the Mitzvah of Havdalah). Therefore, saying "ha'Mavdil" is a sufficient indication that Shabbos has ended and permits Melachah. It cannot permit eating, though, since the Mitzvah to recite Havdalah is still incumbent upon the person.

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dafyomi@jer1.co.il Insights into Daf Yomi from Ohr Somayach Week of 17-23 Nissan 5758

A Blessing in Time The long-awaited moment has come. The mohel has performed the bris milah and both he and the father of the circumcised child have made their blessings. Now it is time for the assembled guests to joyously burst forth with their own blessing for the child's future: "Just as he entered the bris, so shall he enter into Torah, marriage and good deeds." This is the text of the blessing as it appears in our gemara editions. It is also the form customarily used in the Ashkenazic community. In the Sephardic community the text, based on the ruling of the Beis Yosef, is directed towards the father: "Just as you brought him into the bris so may you bring him into Torah, marriage and good deeds." Even though it would seem logical to thus directly bless the father rather than to offer an indirect blessing, the Sifsei Kohen (Yoreh Deah 265:3) provides an explanation for the Ashkenazic custom. Since there are situations in which the father is not alive or not present at the bris, thus rendering it impossible to offer him a direct blessing, it is preferable to have a standard, indirect text of a blessing which suits all occasions. No matter if it is direct or indirect, the text of this blessing demands analysis in regard to the chronology it maps for the child's future. The common denominator of Torah, marriage and good deeds is that they, like bris milah, are all obligations which the father has in regard to his son (Kiddushin 29a). Torah study, our Sages point out, must precede marriage, and is therefore mentioned first. But what about the good deeds of mitzvah performance? Isn't the Bar Mitzvah age of thirteen the point where this is achieved by the father and should it therefore not come first? Rabbi David Avudraham reminds us that even though a boy becomes responsible for the fulfillment of mitzvot at the age of thirteen, he is not held accountable for Heavenly judgment until he is twenty. Since the ideal age for marriage is at age eighteen (Avos 5:21) - before one reaches the age of twenty (Kiddushin 29b) - we therefore express our wish that the little baby will reach this milestone in his life even before he reaches the age of Heavenly responsibility for good deeds. Shabbos 137b

The Happy Heart "Your brother Aharon, the levite, is going forth to meet you," said Hashem to Moshe when he ordered him to return to Egypt as the prophet who would initiate the process of the Exodus, "and he shall see you and rejoice in his heart." (Shmos 4:14) As a reward for this nobility of heart, declares Rabbi Malai, Aharon merited to wear the choshen mishpat (breastplate of justice) upon his heart. A bit of historical background will help us better understand the connection between Aharon's joy and his reward. Aharon was a prophet long before his younger brother Moshe. This is indicated in the statement of Hashem's messenger to Aharon's descendant, the Kohen Gadol Eli, in which he reminds him that Hashem appeared to his ancestor Aharon back in Egypt (Shmuel I 2:77). (Aharon's prophecy is contained in Yechezkel 20:7-12). Moshe was hesitant to assume the role of prophet in place of his older brother lest he hurt his feelings, and therefore suggested that Hashem "send the one who had hitherto been sent" (Shmos 4:13). Hashem was angered by this hesitation and assured Moshe that Aharon would not bear the slightest grudge and would even rejoice in his younger brother's elevation. This Divine anger found expression, says Rabbi Yossi, in Moshe losing the privilege of being a kohen. His brother Aharon, who is identified in the opening passage as a levite because of the status initially assigned to him, was now destined to be the kohen while Moshe would only be a levite. The choshen mishpat which is worn by the Kohen Gadol was the symbol of this elevated status. Now the pieces come together. Aharon was so noble in spirit that he was capable of overcoming the natural temptation to envy a younger brother's superiority and could even wholeheartedly rejoice in seeing the prophetic role taken from him and given to Moshe. As a reward he was given the opportunity to rejoice when the exalted status of kohen was taken from Moshe and given to him. This is what is meant by our Sages in the Midrash (Shmos Rabbah 3:17) when they state: "The heart which rejoiced in the greatness of his brother shall wear the urim vetumim (the choshen mishpat's supernatural adornments)." Shabbos 139a

Written and Compiled by Rabbi Mendel Weinbach

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Shiur HaRav Soloveichik ZT"L on Parshas Shemini (Shiur Date: 4/19/77)

"And Moshe said: this is what Hashem has commanded you to do in order that the glory of Hashem may be revealed to you." (Vayikra 9:6). This verse is reminiscent of several verses in Shemos and Bamidbar which describe the Ohel Moed as the place where Hashem would meet with Moshe. (See Shemos 25:22, 40:34-35, Bamidbar 7:89). The Rav noted that the verse in Shemos (29:42-44) says that the Olas Tamid was to be brought at the entrance to Ohel Moed before Hashem, where Hashem will meet with you (Lachem) to speak to you (Aylecha) there. And Hashem will meet there with Bnay Yisrael and it will become sanctified through the glory of Hashem. Why does the Torah say in this verse that the meeting was to be between Hashem and Bnay Yisrael, while in most other places the Torah says that the meeting would take place between Hashem and Moshe?

The Rav explained that Ohel Moed was the place of meeting between Hashem and Bnay Yisrael. However Moshe was the emissary of Bnay Yisrael and he represented them in his meetings with Hashem. The Rav noted that the fact that Moshe was the emissary of Bnay Yisrael is noted in the Gemara (Berachos 32) when explaining the verse Lech Rayd, go down from your greatness. The only reason you, Moshe, were granted leadership was on behalf of Bnay Yisrael. Now that they have sinned there no longer is a need for you to serve as their leader.] Bnay Yisrael, and not Moshe, were the intended audience for the revelation of Hashem all along. Moshe was the medium through which that revelation took place, because the people were not capable of meeting directly with Hashem. The verses in Parshas Tetzaveh (Shemos 29:42-45) state the ultimate purpose of the Kedushas Hamishkan: for Hashem to dwell, Kvayachol, among Bnay Yisrael.

In Parshas Shemini we find that the first revelation of Hashem was to the people. As Moshe said "for today Hashem will appear to you (Bnay Yisrael)". Hashem wants to make this into a place where He meets with Bnay Yisrael, not Moshe personally. Even though subsequent meetings after the dedication of the Mishkan were between Hashem and Moshe, Moshe still acted as the representative of Bnay Yisrael. The revelation discussed in Parshas Shemini is the precedent that indicates that even though subsequent revelations were to Moshe alone, they were virtual revelations to all of Bnay Yisrael, even though Moshe acted as the emissary of Bnay Yisrael.

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