

BS"D

To: Parsha@YahooGroups.com  
From: crshulman@aol.com

## INTERNET PARSHA SHEET ON VAYIKRA - 5762

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Parashas Vayikra  
EXCERPT FROM DARASH MOSHE, BY RABBI MOSHE  
FEINSTEIN

He shall not place oil on it - for it is a sin-offering (5:11)

The Talmud (Shekalim 6:6) states that the remainder of monies earmarked for sin-offerings or for guilt-offerings shall be used to purchase burnt-offerings.

The reason for this is that a sacrifice is not a bribe meant to placate Hashem to forgive one's sins. One who thinks that way angers Hashem, Whose response is "Why do you trample My courtyards?" Hashem has no need for sacrifices, and His conduct is diametrically opposite to that of mortal man. The latter is likely to forgive one who sins against him if he presents him with a beautiful gift adorned with many adornments. Hashem, in contrast, refuses to accept an offering adorned with oil and frankincense from the sinner. Thus the Torah states: for it is a sin-offering, which Rashi explains: and it is proper that it should not be adorned.

The reason for this is that the intention of one who brings a sacrifice is to draw closer to Hashem, to repent of his sins and to become a different person with the proper character traits and complete faith. He must realize that his entire being belongs to Hashem, Who has given him everything, and as such it is not his "gift" to Hashem which brings about his atonement.

This is the principle of the burnt-offering. It is improper for a sin-offering to be adorned; on the contrary, Hashem should not accept his offering at all. Only because Hashem accepts the repentance of the wicked does He accept this sacrifice, if and only if, the sinner understands that he must behave as one who recognizes that everything is a gift from Hashem. Therefore, the residual money is used to purchase burnt offerings.

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From: RABBI YISSOCHER FRAND [SMTP:ryfrand@torah.org]  
"RavFrand" List - Rabbi Frand on Parshas Vayikra -  
Levites Make A Positive Choice to Serve in Beis HaMikdash  
The pasuk [verse] says, "The rest of the meal offering shall belong to Aharon and his sons..." [VaYikra 2:3]. The Medrash connects this verse with one in Psalms [Tehillim 17:14], interpreting the pasuk in Psalms as follows: "There are mighty people, who took their portion from Your hand." The Medrash identifies these mighty people who took their portion from G-d's hand as the Tribe of Levi. This tribe was so strong, the Medrash says, that they declined to take their portion in the Land of Israel, but instead, took their portion directly from G-d.  
The Ateres Mordechai, by Rav Mordechai Rogov, zt"l, offers a beautiful interpretation of this Medrash, which teaches us a great moral lesson for our time. The Ateres Mordechai says that a person could perhaps think that Leviim, who historically were employed in the Beis HaMikdash and who were the teachers of the children of the Jewish people, were a tribe of 'nebachs'. [Nebach is a Yiddish descriptive phrase for someone who is to be pitied; also used as "What a pity."] Yaakov Avinu had 12 sons. Thank G-d, eleven of them were successful and talented children; one was a 'lemech'. [Lemech is

a Yiddish descriptive phrase for someone who is not too bright.] So what does one do with a son who is unfortunately a little awkward? That son stays in the Beis HaMikdash; he becomes a teacher; he becomes a Rebbe.

There is an expression in the secular world "Those who can, do, those who can't, teach." This means that one who has any brain in his head and any head on his shoulder will go out and become a doctor or a lawyer or an accountant or computer analyst -- something important! At least work for the government! But, 'nebach', if you can't do anything else, then, and only then, you teach.

The Medrash is telling us that this was far from the case concerning the Tribe of Levi. Do not imagine for a minute that the Tribe of Levi were a bunch of nebachs. The Tribe of Levi was mighty. They were talented and capable. They could have done anything. They could have had the job of Zevulun or Naftali or any other tribe. But they were mighty. They made a conscious decision not to take a portion in the Land. They gave up the transitory and temporal world, for the sake of a lasting world that is 'chai v'kayam' [living and permanent].

What is the proof that they were happy with their decision? A doctor usually wants his son to go into medicine. A businessman wants his son to take over the business. If one is pleased with what he is doing, he wants his son to follow in his footsteps. But one who is not pleased with what he is doing, chas v'sholom, does not want his child to continue in his profession. "I had it rough, I could not go to school. But you? You are going to have something decent in life."

The Medrash is telling us that the Tribe of Levi was not a cop-out. They did not do what they did because they had no other choice. Rather, they made a positive decision and were attracted to the spirituality of the job for themselves and for their children. The Tribe of Levi did not choose to teach because they had nothing else to do. They chose to teach because they knew which profession had true value.

Elementary School Teachers are the new Tribe of Levi

Today, we have a new generation of Leviim. These are our Rebbeim and Teachers. I particularly refer to the Day School teachers of the elementary grades. Teachers in primary grades receive very little respect. Here are people that could have become lawyers or accountants or computer analysts, but they chose to educate Jewish children. They chose to stay and provide a new spirit to a new generation of children, to stay and spend 6-8 hours a day with little kids. We all know that this is no simple task.

They are the new Tribe of Levi. They are not teaching because they could not do anything else. These are people who voluntarily chose "Not to take a portion in the Land". We all know of the crying shame that our educators receive sub-standard wages.

Rav Yaakov Kamenetsky (1891-1986) once said that both the president and the janitor have keys to the bank. The way to tell which one is the president and which one is the janitor is to look at their paychecks. The money tells us. (HaDamim Modi'im.) We pay for that which we consider important. If, because of our many sins, we cannot show our appreciation to the educators of the generation through their paychecks, we should at least give recognition and appreciation and show our gratitude without limit to these people, who have, on a daily basis, devoted their lives to experience the hardships of elementary school education, thereby passing up the transitory world and acquiring a world that is Chai v'Kayam [alive and permanent].

Transcribed by David Twersky; Seattle, WA  
DavidATwersky@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org This write-up was adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tape series on the weekly Torah portion. These divrei Torah were adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: TAPE #3, The Korban Pessach Today. Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright 1 2002 by Rabbi Yissocher Frand

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[From last year]

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#### DIVERGENT FAMILY CUSTOMS BETWEEN HUSBAND AND WIFE

BY RABBI HOWARD JACHTER

Introduction The obligation to abide by the Halachic practices of our parents is best illustrated by the following Talmudic passage (Pesachim 50b):

The Bnai Byshan did not travel from Tyre to Sidon on Friday to avoid detracting from their preparations for Shabbat. Their children posed the following question to Rav Yochanan: Our fathers were able to abide by this stringent practice because they were wealthy. We, however, find it economically cumbersome to abide by this stringency. Are we obligated to maintain their practice? Rav Yochanan answered that they must follow their fathers' customs, as Sefer Mishlei teaches, Listen, my son, to the teachings of your father, and do not abandon the Torah of your mother. (1:8).

There are many customs for Pesach that we may have inherited from our ancestors. These might include Kitniyot or Gebruchts, depending on one's origins. Questions often rise in modern times when husband and wife have divergent family customs. In this issue, we will review both published and unpublished responsa on this topic.

The Tashbetz's Responsum There is only one responsum on this topic that was published before the twentieth century, as in those days people rarely married someone who lived far away from them. Hence, there was little likelihood of divergent family customs between husband and wife. The development of modern means of transportation and the mass movements of the past century facilitated marriages between Jews of different backgrounds. Therefore, many twentieth century authorities addressed this issue.

The Tashbetz (3:179) wrote the classic responsum on this topic. He presents two reasons why the wife should adopt her husband's customs. First, it would be highly disruptive if both the husband and the wife were to maintain their respective conflicting family practices. For example, if the husband is Sephardic and the wife Ashkenazic, the husband would eat Kitniyot on Pesach and the wife would not. It is difficult for husband and wife to abide by two different standards of Kashrut. Second, the Tashbetz invokes the Talmudic principle of Eeshto Kigufo (see Sanhedrin 28b and Encyclopedia Talmudit 2:300-301). The Gemara considers husband and wife as one person. Hence, the Gemara states that one is disqualified from testifying about his wife's relatives just as one is disqualified from testifying about his own relatives. The Tashbetz invokes this principle to teach that the wife should adopt her husband's family traditions.

The Tashbetz also writes that even after the husband dies, the wife should continue practicing her husband's family customs if the couple has children and she has not remarried. The Tashbetz bases this assertion on the Torah's laws regarding the eligibility of a woman whose father is not a Kohen to eat Terumah (Vayikra 22:11-13). If her husband is a Kohen, she may eat Terumah even after his death if the couple had children and she has not remarried.

The Responsa of Rav Moshe Feinstein, Rav Ovadia Yosef, and Rav Gedalia Felder Rav Moshe Feinstein (Teshuvot Igrot Moshe Orach Chaim 1:158), Rav Ovadia Yosef (Teshuvot Yabia Omer 5:37), and Rav Gedalia Felder (Yesodei Yeshurun 6:239-240) rule that the wife must adopt the Halachic customs of her husband. They cite the following Halachic principle as the basis for their ruling. The Mishna Berura (468:19, and see Biur Halacha 468:4 s.v. Haholech) rules that if one permanently relocates to a community whose Halachic practices differ from the community that he left, he should adopt the new community's customs. This rule applies whether the new community's customs are stricter or more lenient than the old communities.

These authorities argue that Halacha views a woman who marries

as moving to a new community to her husband's home. Rav Moshe cites a number of biblical verses that demonstrate that the Torah views marriage as a woman moving into her husband's home. For example, regarding divorce the Torah (Devarim 24:1) describes the husband as sending his wife from his home. Accordingly, the wife must accept the customs of her husband's family. Rav Ovadia and Rav Felder cite the Tashbetz as a precedent for their ruling. Common practice reflects the rulings of Rav Moshe, Rav Ovadia, and Rav Felder, that wives accept the family traditions of their husbands.

Rav Ovadia Yosef's Major Limitation of this Rule Rav Ovadia Yosef (Or Torah Iyar 5761) imposes a major limitation on the rule that the wife must adopt her husband's Halachic practices. He writes that this rule applies only to practices that her husband's family has practiced for generations, such as Kitniyot or Gebruchts. However, the wife is not obligated to adopt the stringent practices that her husband accepted upon himself. Rav Ovadia presents the following illustration of this ruling: If the husband accepted the stringent level of Shemittah observance by avoiding reliance on the Heter Mechira the wife is not required to abide by this stringency. Rav Ovadia writes that if the husband is unable to maintain his strict practice due to his wife's lack of cooperation, the husband should request his Rav to release him from his Neder to follow the stringency.

A common application of this ruling is that if the husband accepts upon himself to avoid relying on communal Eruvin, the wife is not bound to follow this stringency. Similarly, if the husband accepts the stringency to observe Shabbat according to Rabbeinu Tam's standards of assessing when nighttime begins, she does not have to abide by this stringency.

It appears that common practice reflects Rav Ovadia's ruling on this matter. For example, according to family tradition this author's great grandfather (Rav Gershon Adler, one of the leading Halachic authorities of late nineteenth century Galicia) observed Shabbat according to Rabbeinu Tam's standards, while his wife (Rebbetzin Tzipora Adler, who was renowned for her piety) did not follow this stringency. Rav Moshe Snow (a student of Rav Moshe Feinstein) told this author that although Rav Moshe adopted the strict approach to the Chalav Yisrael issue, Rebbetzin Feinstein did not.

Rav Yehuda Henkin's Responsum This author asked Rav Yehuda Henkin if there is any flexibility regarding the practice of wives adopting husband's rulings. Rav Henkin (Teshuvot Bnai Anim 3:29) responded that although the common practice is for wives to accept their husband's family practices, there is some room for flexibility.

Rav Henkin acknowledges that common practice is to follow Rav Moshe's, Rav Ovadia's, and Rav Felder's rulings. However, Rav Henkin challenges the fundamental assumption of their ruling. They assume that the Torah believes that, metaphysically speaking, a wife moves into the home of her husband. Rav Henkin, though, notes the dispute between Rabbeinu Tam and the Maharam of Rothenberg regarding when husband and wife come from different places whether a wife must move to the husband's town or vice versa (see Tur and Bait Yosef Even Haezer 75). The Rama (ibid. 7) and Bait Shmuel (E.H. 75:7) rule that the Halacha accepts Rabbeinu Tam's ruling that the husband must move to the wife's town. If the husband must move to the wife's town, observes Rav Henkin, then he will be required to observe the local Halachic practices of those of the wife's family.

Rav Henkin also asserts that Devarim 24:1 does not constitute a Halachic norm that the marital home belongs to the husband in a metaphysical sense. It could be that the Torah merely reflects the sociological norm of the time that the marital home belonged to the husband, and upon divorce he sent her from his home. Rav Henkin argues that the Torah does not preclude the joint ownership by husband and wife of the marital home both in an economic and metaphysical sense.

Moreover, Rav Henkin argues that the responsum of the Tashbetz does not constitute a legitimate precedent because it runs counter to the ruling of the Rama. Rav Henkin observes that the Tashbetz (1:97 and 3:87 s.v. Vehasomech) rejects Rabbeinu Tam's ruling that the man must move to the wife's town. The Rama rules that Rabbeinu Tam's ruling is not rejected.

Rav Henkin concludes that we should not abandon the accepted practice for wives to follow their husbands' family traditions. However, he rules that a wife may continue to follow her family's traditions regarding a matter that does not impinge on her relationship with her husband and does not impose a hardship on her. Rav Henkin requires that she stipulate with her fiancé before the marriage that she wants to continue to practice her own family's traditions. For example, this author's wife stipulated that she wished to continue to practice her family tradition to wait five hours between eating meat and milk rather than accepting this author's family tradition to wait six hours between eating meat and milk.

Three Other Rulings Rav Henkin wrote to this author (in an unpublished responsum) that if the husband is a convert or a Baal Teshuva and the wife's family has an unbroken chain of Halachic observance, the husband may adopt his wife's family traditions. He writes, though, that it might be more appropriate for the husband to follow the prevalent traditions of the community to which he belongs. Rav Henkin counsels that the husband should seek the guidance of his Rav in choosing the most appropriate approach to this issue.

Rav Chaim David Halevi (Techumin 6:84) writes that in a marriage where the wife is Halachically observant and the husband is not, the family should practice the wife's family's traditions. Rav Zalman Nechemia Goldberg told this author that he agrees with this ruling.

It seems common practice for women to practice certain aspects of Hilchos Nidda in accordance with her mother's family traditions. This refers to matters that do not directly impinge on the husband. An example is whether the wife should immerse twice or three times in the Mikva.

Conclusion Generally speaking, a wife should follow her husband's family traditions, such as regarding Kitniyot or Gebruchs for Pesach. Nevertheless, there are certain limited circumstances where a wife may continue to follow her family's traditions.

Postscript Geirim and Baalei Teshuva and their children should consult their rabbi regarding which Minhagim they should follow.

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<http://www.tzemachdavid.org/thepracticaltorah/vayikra.shtml>

THE PRACTICAL TORAH

BY RABBI MICHAEL TAUBES

Parshas VaYikra: SPEAKING LASHON HORA

No definitive Halacha LeMa'aseh conclusions should be applied to practical situations based on any of these Shiurim.

The opening Posuk of this Parsha states "... and Hashem spoke to him (Moshe) from the Ohel Moed--Lemor" (VaYikra 1:1). The word "Lemor" is usually translated as "saying," and thus seems here to be simply the concluding word of an introductory phrase similar to many others in the Torah. The Gemara in Yoma (4b), however, derives from this "Lemor" that when one is told something by someone else, he is forbidden to repeat it to another person unless directly told to do so by the first person. Rashi there (Ibid. s.v. She'Hu) explains this derivation by saying that the word "Lemor" can be understood as implying "Lo Emor," meaning "do not tell" unless specific permission is granted. The Maharsha (Chidushei Aggados Ibid. s.v. She'Hu) explains more simply that since Hashem had to explicitly say Lemor to Moshe, thereby telling him to repeat those words to Bnai Yisrael, we may derive that without specific permission, it would have been forbidden for Moshe to do so, thus teaching us that in general one cannot tell something that he has heard to another person.

The Semag (Mitzvas Lo Ta'aseh 9) writes that this prohibition constitutes a full fledged Lav, that is, a true Torah violation, a notion which he says is actually derived from the word Lemor itself; he thus holds that there exists in general a Lav to repeat to others things which one has heard. The Semag (Ibid.) places this prohibition together with other prohibitions concerning what one may and may not say to or about others, such as Rechilus, Lashon Hora and lying about other people or things, all of which, he documents, are serious transgressions. The Torah Temimah on the Posuk in this Parsha (Ibid. Os 2) believes that this may not actually be a real Lav, but it is rather a

less severe prohibition merely hinted at by the Torah. The Magen Avraham (Orach Chaim Siman 156 Sif Katan 2), however, does list this prohibition among all the other things one must avoid saying or doing during the course of the day. He also adds that if that which one does relate is something negative about another person, he has violated the prohibition of Lashon Hora. It is clear, therefore, that one must be very careful about what one tells to someone else.

The Rambam (Hilchos Deos 7:1,2) outlines and explains the three different violations which fall within this prohibition of relating things to other people. The first is Rechilus, which is when one runs around telling lots of other people things he has heard about or from others. The second is Lashon Hora, which is when that which is said about another person is something negative or detrimental to him. In both of these cases, the fact that one's report may be true makes no difference. The third violation is Motzi Shem Ra, which is when that which one relates is false. The Rambam adds (Ibid. Halacha 5) that one who speaks Lashon Hora violates the transgression whether he talks in front of the subject of his remarks or not. He concludes (Ibid. Halacha 7) that it is forbidden to dwell among people who speak Lashon Hora or to even listen to what they have to say.

The Gemara in Pesachim (118a) makes it clear that besides the prohibition to speak Lashon Hora, there is an independent prohibition to accept Lashon Hora. The Rashbam (Ibid. s.v. HaMikabel) explains that this means that one cannot believe Lashon Hora even if he happens to hear it. The Semag (Mitzvas Lo Ta'aseh 10) enumerates this as a separate prohibition on his list of Mitzvos; the Rambam (Hilchos Deos Ibid. Halacha 3) writes that the transgression is worse for the one who believes Lashon Hora than for the one who speaks it. The Chofetz Chaim, in his Hilchos Lashon Hora (Klal 6 Sif 1) elaborates on this prohibition, documenting additional sources. He then adds (Ibid. Sif 2) that although even listening to Lashon Hora is usually forbidden, it is permitted for one to listen if the information is directly relevant to him and can prevent him from having some problem in the future. He concludes, however, that believing Lashon Hora as absolute truth is forbidden in all cases. In his Hilchos Rechilus (Klal 5 Sif 1,2) the Chofetz Chaim points out that the same prohibition exists to believe Rechilus. We therefore see that even if one unfortunately has to hear Lashon Hora or Rechilus reported by another person, it is still forbidden for him to believe it.

What should one do if he has already heard and believed Lashon Hora or Rechilus? In both Hilchos Lashon Hora (Ibid. Sif 12) and in Hilchos Rechilus (Ibid. Sif 4), the Chofetz Chaim says that one must make every effort to remove this information from his mind and stop believing it. He should also make up his mind that he will no longer accept such information from anyone, and conclude that those who repeated it to him must have exaggerated or embellished the story on their own so that it doesn't fully represent the whole truth. If he himself has already gone and repeated this to others, the Chofetz Chaim, in Hilchos Lashon Hora (in Be'er Mayim Chaim Klal 6 Sif Katan 34), writes that he must ask forgiveness from the subject of his report and try to convince anyone he spoke to that the story is not really true.

We can see from all this how severe a transgression excessive talking can lead one to. The Chofetz Chaim introduces his book, the Sefer Chofetz Chaim, by documenting that one can violate as many as thirty one different commandments by following a course on which he will relate, listen to, or believe stories about other people.

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From: Shlomo Katz[SMTP:skatz@torah.org] Subject: HaMaayan / The Torah Spring - Parashat Vayikra Hamaayan / The Torah Spring Edited by Shlomo Katz

Sponsored by The Katz and Vogel families, on the bar mitzvah of grandsons Yehuda Katz & Moshe Katz Sponsored by the Spector family, on the yahrzeit of husband, father and grandfather Avrohom ben Nosson Nuta a"h

In this week's parashah, we begin to read of the different sacrifices that one might bring. These laws begin (in verse 2), "When adam / a person among you brings an offering to Hashem . . ." On this the Zohar comments, "Not the first man and not the last man." What

does this mean?

R' Mordechai Rogow z"l (1900-1967; Lithuanian rabbi, later rosh yeshiva in Chicago) explains: When Adam Harishon, the first man, served G-d, he was in the Garden of Eden. There, the presence of G-d was clearly revealed, and it was easy to recognize His power and divinity and to show allegiance to Him.

The "last man" will also be in a unique position. He will witness the conclusion of our present exile. He will possess a full, panoramic perspective on history, and he will be able to appreciate the meaning and purpose of all of our sufferings. With that outlook, he, too, will have an easy time serving Hashem. As the verse states (Yishayah 12:1), "You will say on that day, 'I thank you Hashem, for You were angry with me, and now Your wrath has subsided and You have comforted me'."

It is neither the offering of the "first man" nor the offering of the "last man" which is most desired by Hashem. Rather, it is the offering that we bring in our present circumstances which He desires. We have not directly witnessed the beginning of Hashem's plan, nor have we been shown the end of His master strategy. We are confused by countless questions about how Hashem runs His world. Even so, we bring offerings to Him, and we do so with our full hearts. These, teaches the Zohar, are the offerings that Hashem desires most. (Ateret Mordechai)

"When adam / a man among you brings an offering to Hashem . . ." (1:2)

Rashi comments: "Why is the term 'adam' employed here for 'man' [rather than the more common 'ish']? To teach: Just as the first man ('Adam Harishon') did not offer sacrifices from anything acquired by theft - since everything was his - so you, too, shall not offer anything acquired by theft."

R' Eliyahu Eliezer Dessler z"l (Mashgiach of the Gateshead and Ponovezh yeshivot; died 1953) observes that Rashi's comment (which is derived from Midrash Rabbah) has a deeper message than the purely halachic / legal statement: "A stolen animal is invalid for a sacrifice." He writes:

One who brings an animal sacrifice is supposed to picture that he is offering himself to G-d. The animal merely stands in the place of the person who brings it. Who is capable of doing this? Only a person who is, in R' Dessler's lexicon, a "giver." (A recurring theme in R' Dessler's writings is that all people fall into one of two groups: "givers" and "takers." While every person must both give and take during his lifetime, some people are inherently "givers" - even when they take, it is only in order to give. Most people, though, are inherently "takers" - even when they give, it is only in order to take. See Michtav M'Eliyahu, Vol. I, pp. 32-51 / In English: Strive for Truth, Vol. I, pp. 118-158.)

A "taker" cannot bring a proper sacrifice, because he does not really give. He certainly is incapable of giving of himself, as a sacrifice requires. Moreover, even if a person is a "giver" in practice, but in his heart he is a "taker", his offering is not complete. Therefore Rashi tells us: What characterized Adam? Not only did he not steal, for everything was his, but even the thought of taking was unknown to him. Only such a person, Rashi teaches, can offer a proper sacrifice.

(Michtav M'Eliyahu Vol. 1, p.126)

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Upon perusal of the text, one will observe that the Torah refers to the Kohanim in three different ways: first is HaKohen, the Kohen, used regarding Olas ha'of, the burnt offering of the fowl; second, the Torah calls them Bnei Aharon haKohanim, the sons of Aharon, the Kohanim; finally, we find regarding placing the fire, the Torah refers to Bnei Aharon, HaKohen, the sons of Aharon, the Kohen. Can we derive a message from these distinct usages?

Horav Moshe Feinstein, z.l., explains that the Torah defines three levels of Kehunah, each one specified for a different function. Once the wood and fire are already prepared the korban may be offered by anyone whom the Torah qualifies as a Kohen. The source of his qualification is irrelevant. When the sacrifice requires additional preparation, then the Kohanim must remember that they are the sons of Aharon, a position that demands exemplary behavior. Their behavior serves as a standard for others to emulate. Last, we note that the Kohanim who place the fire on the Mizbayach, Altar, in order to engender fire to descend from Heaven, are synonymous with Aharon HaKohen. They must learn to perform this sacred act in the same manner as Aharon, their grandfather, did.

Rav Moshe applies this idea to contemporary life. When the generation is observant and everyone is prepared to -- and does -- study Torah, we may learn from anyone and also teach anyone. The fear of inauthentic views of Judaism, which influence people who are ill prepared and not spiritually fortified, does not exist during such a utopian circumstance. During times when the winds of apostasy shake the very underpinnings of our religion, we need leadership that is inspired, adept and scholarly. One who teaches Torah is akin to the Kohen, and he must accordingly be suitable for this function. When the times demand that someone breathe a spirit of kedushah, holiness, into the people, that they be infused with a burning passion for Torah and mitzvos -- symbolized by the fire on the Mizbayach -- it is essential that the teacher be on an even more lofty level of kedushah. He must be like Aharon, who never wavered, who rejected any thought of change, whose thoughts and intentions conformed totally with Hashem's views as expounded by the Torah.

If one's offering to Hashem is an elevation offering of fowl, he shall bring his offering from turtledoves or from young doves. (1:14)

Hashem chose domestic animals, which are usually harassed by others, as sacrifices. Likewise, He declared fit among the birds those species which are helpless and attacked by birds of prey. Turtledoves may be offered if they are at least one year old. Regarding doves, the halachah changes. Only a young dove is eligible for sacrifice. Rabbeinu Bachya explains the reason for this. Hashem designated grown turtledoves fit for sacrifice due to their unique trait. When the female's mate dies, she remains loyal to it and never associates with another bird. The fidelity of this bird to its mate teaches us a powerful lesson. Indeed, we are compared to the turtledove in that we remain faithful to Hashem, never turning away from the true G-d for another. Grown doves, on the other hand, are not kosher, since they are overprotective of their mates, and -- out of jealousy-- stir up needless strife.

Chazal want us to take note of these birds and derive a necessary lesson regarding our own character development. Fidelity to a relationship is a requisite for maintaining it. This idea applies to marriage, to friendship, to a rebbe/talmid, teacher/student, relationship, as well as to all areas where a commitment of two parties is intrinsic to the relationship. There is yet another area where fidelity is not only necessary, it is crucial. I refer to the mitzvah of chesed, performing kindness to others. Quite often, when we do the right thing and reach out to those in need, we forget that they begin to rely on us. We might be the first or only person that has shown an interest in them, that has really cared about them. They have yearned for this moment, and now we must follow through. Chesed is a wonderful activity, but, we must remember, it is a commitment and, in many situations, it is a compelling one.

People begin to rely on this commitment, on the fidelity of their benefactor, to the point that it is almost inconceivable to them that their benefactor will not follow through. Whether it is an Erev Shabbos

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From: listmaster[SMTP:listmaster@shemayisrael.com]  
PENINIM ON THE TORAH - PARSHAS VAYIKRA  
BY RABBI A. LEIB SCHEINBAUM  
The sons of Aharon the Kohen shall place fire. (1:7)

phone call, a Shabbos visit, delivering a supper, or just a constant social gesture of good-will, we must follow through. The following story demonstrates the consequences of this type of dependence.

In 1989, a severe earthquake shook -- and almost flattened -- Armenia, snuffing out the lives of over 30,000 people in the span of four minutes.

In the midst of the utter devastation and chaos, a father rushed to the school where he had brought his son that morning, only to discover that it had been totally demolished. He was in terrible shock. All he could think of was the promise he made each night to his son as he tucked him into bed, "No matter what the circumstances, I will always be there for you." He looked at the utter devastation, and tears welled up in his eyes. What about his promise?

He felt paralyzed, unable to move, as he watched broken-hearted, shell-shocked parents walking around, screaming, crying out, "My son, daughter; my baby!" He looked around. All he saw was despair and hopelessness.

What about his promise? He could not let his son down. All of a sudden, he began to act. He remembered that his son's classroom was in the rear right corner of the building. He rushed there and began to dig. Other parents attempted to pull him away. "They are dead. It is useless. You cannot save them anymore. Face reality - it is over!" they told him.

He responded to each parent, "I made a promise to my son. I will keep my commitment. Will you help me find my child?" People ignored him, thinking that out of despair he had lost his mind. He did not care. He had to keep his promise. So, he began to dig - by himself - one stone at a time - one shovel of dirt at a time.

The fire chief arrived and told him, "Go home. We will take care of it. It is dangerous for you." He ignored him and kept digging. The police came and entreated him to leave: "You are outraged and heartbroken. You are not being rational. You are risking your own life. Let us handle it." He did not listen. He had a promise to keep. "Do you want to help me?" he called out. "Or else, let me be. I must search for my son. I promised him," he said.

He kept on digging. Six hours became ten hours. He was determined, as he dug throughout the night. Eighteen hoursB twenty four hours - a full day of digging, and he would not stop. His promise gave him hope. He was a man on a mission - to save his son, to keep his promise. Thirty-six hours - and suddenly, in the beginning of the thirty-eighth hour, he pulled back a large boulder and heard his son's voice. He screamed his son's name, "Armand!" He heard back, "Daddy? It is me. I told the other children not to worry. I told them that if you were alive, you would come to save me, and when you saved me, they would also be saved. You promised me that 'no matter what happened, I will always be there for you.' You kept your word."

"What is going on in there?" he asked. "There are only fourteen of us left from a group of thirty-three. We are scared, hungry, thirsty and thankful to be alive. When the building collapsed, it made a wedge, like a triangle. That saved us."

"Come on out, my son," the father called to Armand. "No Daddy! Let the other children go out first, because I know that no matter what, you will be there for me!"

An incredible story of determination, resolve and commitment. The persistence of a father in the face of crisis, chaos, suffering and tragedy underscores the depths of chesed and serves as a paradigm. It may not be a Jewish story. It may only be a story. The lesson, however, is explicit: a major component of chesed is fidelity, keeping a promise, maintaining a commitment, being consistent and always being there for those who depend on us.

He shall tear it apart - with its feathers - he need not divide it; the Kohen shall cause it to go up in smoke on the Mizbayach (1:17)

When a soul will bring a meal-offering to Hashem. (2:1)

These two pesukim clearly demonstrate Hashem's empathy and love for the poor and under-privileged. Rashi questions the fact that the feathers of the sacrificed bird is burnt on the Mizbayach. After all, no odor is more harsh than the smell of burning feathers. He explains that since this is the sacrifice offered by a poor man, it is of utmost beauty

and sanctity. The smell in no way diminishes the spiritual value of the Korban Minchah, meal-offering, Rashi notes that the word nefesh, soul, is not used in regard to any of the korbanos nedavah, voluntary offerings, except for the Minchah. He explains that it is usually the poor man, not able to afford much more, who can only bring a meal-offering. Hashem says, "Although the poor man's offering is modest, I consider it in his behalf as if he had offered his soul. Hashem cares for those who are weak, deprived and alone. He knows that their sacrifice is truly a sacrifice, that they offer up a part of themselves with their sacrifice.

I think that there is a deeper insight into the poor man's gift, the poor man's sacrifice. I recently saw a story, told by a Holocaust survivor, that elucidates the concept of the poor man's sacrifice. The man related that one day, when he was in the concentration camp, another inmate's bread ration was stolen. This was a terrible thing. To have one's ration stolen was literally a death sentence, as the simple crust of bread which he received daily kept him from going over the edge of starvation. What was this poor wretched soul to do?

The man was terrified and heart-broken. How could he survive with nothing to eat? The solution came from his peers. The narrator of the episode and two of his friends broke off a piece of their own meager portion of bread and shared it with the hapless inmate. They saved him, but, as the narrator continued, "We accomplished more than saving a life; we developed a penetrating insight into the essence of what it means to help someone in need.

"Hashem has blessed me, and I have become a wealthy man. I have shown my appreciation through my support of various Torah institutions. Indeed, I have given away hundreds of thousands of dollars over the past fifty years since I was liberated from Auschwitz. Yet, I must make it clear that nothing comes remotely close to that little crust of bread that I gave to the inmate. This is because all the money that I have given away over the years was money I could spare. I always had more money, but could not spare that piece of bread. It was all I had!"

What a powerful lesson. What an incredible insight. While giving tzedakah is praiseworthy and fulfills an obligation, there is no comparison between he who has what to give and he who does not have - but gives anyway. Such a person gives more than money - he gives his soul! We take tzedakah for granted, assuming that what we receive from an individual is derived from a source from which he is free to give. Do we really know someone else's financial situation? Do we know what moves one to give to a specific tzedakah, despite his lack of "extra" funds? I would go so far as to say that it is none of our business. Everyone has his own specific priority and tzedakah for which he has an affinity. We should stop judging people by what and to whom they give. Perhaps, we should stop judging people - period.

Every Minchah sacrifice of yours you must salt with salt; you must never annul the salt of your G-d's Covenant. (2:13)

What is the meaning of the "covenant of salt?" Rashi explains that a covenant was forged with salt going back to the Six Days of Creation, a reference to the "waters below," the oceans, whose water is salty. Hashem promised the oceans that they would be offered on the Mizbayach, Altar, either in the form of salt or as the water for the Nisuch Hamayim, water libation, during the Festival of Succos. During Creation, the "waters above the firmament" were granted the unique privilege of becoming a part of the Heavenly region. They would always be in close proximity to the Divine Presence. The waters "below the firmament," the oceans that are so much a part of our lives, were relegated to the material world. Clearly, this division lacked equitability. By way of compensation, the "waters below" received a promise: twenty five hundred years later, salt and water would be taken from them and used in the sacrificial service and for the water libation on Succos.

Let us analyze this division of function between the two waters. Hashem offered the oceans a compensation for the privilege He did not grant them, namely that of serving together with the "upper waters" as matting under the Kisei Hakavod, Heavenly Throne. The degree of Divine closeness -- the relationship accorded to the "upper waters" -- which would not be theirs was balanced by another form of

closeness: they would one day be granted to be offered up to Hashem on the Mizbayach.

While the separation of functions may be equitable, there is one primary difference between the two. The "upper waters" were able to come close to Hashem immediately after their creation, while the "lower waters" were compelled to wait many centuries before their time would come. Where is the "yoisher," justness? Horav Meir Bergman, Shlita, explains that the lower waters were ready and waiting, eagerly prepared to serve Hashem whenever their call would come. Yearning to perform a mitzvah, eagerly longing to fulfill the Divine will, brings us close to Him. We may suggest that longing to perform a mitzvah, being in a constant state of desire to serve Hashem, demands an incredible amount of fortitude and conviction. One who is a mevakesh, who seeks every opportunity to come closer to the Divine, manifests incredible love and devotion. We might even argue that waiting twenty five centuries for an opportunity to serve Hashem is a greater distinction than to receive it immediately, without expending effort. Indeed, if we think about it, waiting for something, yearning for a specific gift from Hashem, whether it is a child or the suitable shidduch, designated mate, increases one's appreciation of the gift when it finally arrives.

When the anointed Kohen shall sin for the guilt of the people. (4:3)

The pasuk addresses the Korban Chatas brought by the Kohen Gadol when he sins unintentionally, in a situation in which that, had his action been intentional, the punishment would have been kareis, Heavenly excision, premature death. We may question the Torah's text. If the sin is the Kohen's, why does the Torah describe it as being l'ashmas haam, the guilt of the people? This wording would seem to preclude any sin committed by the Kohen Gadol.

Horav David Feinstein, Shlita, derives from here that a leader is a reflection of his followers. When the people observe their leader acting inappropriately, it gives them an opportunity to justify their own improper behavior. After all, they can say, "He is so much more powerful and exalted than we are. If he cannot control his base desires, if he can fall prey to his yetzer hora, evil inclination, are we expected to do better?" Likewise, when the people sin, it becomes difficult for the leader to rise above them and perfect his behavior. He needs their support and encouragement.

This is what the Torah is alluding to with the phrase, "for the guilt of the people." If the Kohen has sinned, it is likely because the people have sinned and influenced him. In turn, his sin will leave a negative impression on his followers, making it difficult for them to control their own urges. Hence, the guilt of the people is indivisible from his own guilt. It either has begun with the people, or it has begun with the Kohen Gadol. In any event now, regrettably, they are in the same place - for the wrong reasons.

Sponsored by Dr. Raymond and Jaqueline Sandler in honor of the bar mitzvah of our dear son Ted May you achieve even greater heights in your Torah learning and continue to be a source of nachas to your family and Klal Yisrael

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[http://www.torahweb.org/torah/2001/parsha/rhab\\_vayikra.html](http://www.torahweb.org/torah/2001/parsha/rhab_vayikra.html)  
[From last year]

RABBI YAAKOV HABER  
KORBANOT - ELEVATING THE PHYSICAL WORLD

The Torah outlines for us in this week's parasha, four types of korbanot -- offerings. Olah, Sh'lammim, Chatat, Asham. The Olah offering was unique in that, with the exception of the hide which was given to the Kohanim, it was entirely consumed on the mizbei'ach. For the remaining three, only parts of the animal, the eimurim, were offered on the altar, whereas the remaining parts of the animal were eaten subject to various time and place requirements (see Mishnayot Z'vachim Perek Eizehu M'koman). With two of these three, the Chatat and the Asham, only the Kohanim were allowed to eat, whereas with the Sh'lammim, all had a portion. There was another type of korban though that, in this regard, was the opposite of the Olah. The Shtei HaLechem, the two leavened breads brought on Shavuot, although

having the status of a Mincha -- a meal offering, was entirely consumed by the Kohanim. How can we understand this range of requirements concerning the offerings?

Rav C. Y. Goldwicht zt"l, the founding Rosh Hayeshiva of Yeshivat Kerem B'Yavneh, noted an additional anomaly. Although non-Jews may offer korbanot to G-d, their only choice is the Olah. Indeed, when Yitro joins Moshe in the desert, and, according to the tradition of Chazal, converted, then he joined Aharon and the Elders in partaking of z'vachim, a reference to Sh'lammim. Why?

Korbanot represent Avodah -- service of the Divine. A central teaching of Judaism, and the crucial thrust of mitzvot, is the sanctification of every aspect of the physical world in the service of the Creator. Indeed, korbanot spanned the entire range of the physical creation. They included minerals (salt), plants (oil, meal), birds (doves, pigeons), and animals. It is not surprising then that the korbanot also reflect the range of Divine service. Certain mitzvot are comparable to the Olah. On Yom Kippur, we separate from physicality, and elevate ourselves by devoting the entire day to ruchniyut -- spirituality. Others are more similar to the Sh'lammim -- t'fillin contain portions of Torah inside but are formed from the hide of animals (both the parchment and the containers). (Indeed, Rav Goldwicht noted that one of the holiest objects in halacha, the seifer Torah, is formed from a very physical object, animal hide.) Others, however, are more like the Shtei HaLechem. On Pesach, we eat matza, totally physical food, none of which is brought on any mizbei'ach, and yet it is a central mitzva! Indeed, the Talmud comments concerning the korbanot that are partially eaten by the Kohanim, that kohanim och'lim uv'alim mitcap'rim -- the Kohanim eat, and the owners of the offering achieve atonement. Halacha even compares the table at which we eat to a mizbei'ach. (This is one of the reasons we keep salt at the table.)

The commentary Kli Chemdah on Parashat VaYeira notes that the Shtei Halechem are offered on Shavuot, the day of Mattan Torah. One would have expected additional Olot instead, wholly brought to G-d! Rather, the message of Torah is the elevation of the mundane. Lo nit'na Torah l'malachei hashareit -- the Torah was not given the entirely spiritual angels, it was given to Man -- the composite of n'shama and guf, soul and body, to convert the physical aspects of himself and the world into the spiritual. Therefore, Yitro partakes of a sh'lammim only after his conversion to highlight this theme of mitzvot.

In the temporary absence of the Bait HaMikdash, when we cannot physically offer korbanot, may the study of their laws and significance be viewed by Hakadosh Baruch Hu, as un'shal'ma parim s'fateinu -- our words should be a substitute.

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From: Kerem B'Yavneh Online[SMTP:feedback@kby.org] Subject: Parshat Vayikra

Parshat Vayikra  
THE NOTION OF TZIBBUR  
Rosh Hayeshiva RAV MORDECHAI GREENBERG shlita  
The Ramban, in the beginning of Sefer Vayikra (1:2) distinguishes between two concepts: tzibbur (community) and shutfin (partners). He writes:

If many [people] contribute to bring an olah (burnt-offering) -- it is an olah of partners; what difference is there between two who join in a sacrifice and ten or a thousand who join in it? However, the keitz hamizbe'ach, which comes from the leftover [money], the court stipulates about them, and therefore it is an olah of the tzibbur.

A partnership is nothing more than the sum of all the parts of the partners. Not so a tzibbur -- it is far more than a collection of individuals. A community that is comprised of ten is not just nine Jews and one more. It goes far beyond this. A tzibbur is a living body, a cohesive organism of individuals that are connected, who complement one another and stimulate each other. On the Rambam's statement (Hil. Mamrim 2:4) that it is possible for Beit Din to neglect a mitzvah as a hora'at sha'a (tentative measure), "Just as the doctor amputates one's hand or foot so that the entire [person] will live," the Radbaz writes: "This analogy is only correct if we view all of Israel as if they are one body. Even though the bodies are distinct, since their souls are

hewed from one place, they are like one body, since the soul is primary."

The principle of national unity exists only in Israel, as Rav Kook zt"l writes in Mishpat Kohen (#124):

Every nation, the main [purpose of its] gathering is in order to benefit the private individuals, but the group itself has no self-existence. Thus, the notion of a tzibbur for the nations is on the level of partners ... However, in truth, for Israel -- tzibbur and partners are two concepts ... because the tzibbur of Israel has a collective sanctity and existence ... and it stands above division. Therefore, the communal sacrifices have to be from the public [funds].

Similarly, the Ba'al Hatanya writes (ch. 34):

They all match, and all have one Father. Therefore, all of Israel are called brothers, literally, due to the source of their soul in One G-d; just that their bodies are separate.

The Maharal also writes (Netivot Olam, Netiv Hatochacha ch. 2):

All of Israel are guarantors for one another, because they are one nation. You do not find this in any [other] nation, who are not one nation like Israel, who are compared to one person. If there is a wound in one of his limbs, they all feel because they are one body. So, too, when one of Israel transgresses, all of Israel feel the sin, since they are like one person. So, too, they are one nation.

The Meshech Chochmah writes that when one of Israel violates a sin between man and G-d, it is considered a affront between man and his friend, on account of the damage that he causes his friend, due to their being bound and connected one to another.

The Maharal explains in this way the idea of the korban Pesach, which is all a symbol of unity: It is in its first year; it is roasted whole with its legs and innards; it is prohibited to take it apart by breaking a bone; it is cooked specifically by roasting, which causes it to shrink into one body, and not in water, which softens and breaks apart; it is eaten together by the entire house, and only in one house and not in two groups, and not in two places.

With this Rav Kook zt"l explains the argument between the Sadducees and the Perushim, whether an individual can dedicate and bring the daily sacrifice. The Sadducees did not understand the special kedusha that Klal Yisrael has, and thought that Israel is like all the other nations. The tzibbur is only many partners, and therefore even individuals can bring communal offerings. The Perushim emerged victorious, that there is a collective kedusha to the tzibbur. Therefore, a communal offering may come only from public funds.

<http://www.jpost.com/Editions/2002/03/14/Columns/Columns.45198.html>

SHABBAT SHALOM: A secret inner light

By RABBI SHLOMO RISKIN

(March 14) Parshat Vayikra Leviticus: 1:1- 5:26

"And the Lord summoned Moses and spoke to him from the Tent of Meeting saying:" (Leviticus 1:1)

What might cause the countenance of an individual to glow?

First, let us explore the origin of Moses's rays of splendor, because as you may remember the Torah has previously described Moses as having descended from Mount Sinai with rays of splendor (karan or panav, Exodus 34:29).

Obviously we must first understand that the rays were not horns, an inaccurate translation of the Hebrew karan. As a result of this mistranslation, Michelangelo's Moses is depicted with horns protruding from his forehead, and the typical anti-Semitic canard is to portray every Jew with horns. I believe that this study will shed some light on radiant appearances in general and on Moses' unique personality in particular.

The Book of Leviticus opens with the verse "And the Lord summoned Moses," the first word being the Hebrew vayikra, which means, "and He summoned" or "called out to"; it is fascinating that a small alef is the masoretic, traditional way of writing the Hebrew vykra, so that the text actually states vayike "and He chanced upon," as if by accident.

Rashi comments: "The word VaYiKRA precedes all (Divine) commandments and statements, which is a term of endearment used by the heavenly angels...; however, G-d appeared to the prophets of the idolatrous nations of the world with a temporary and impure expression, as it is written, 'And He chanced upon (va yiker) Balaam.' "

Apparently, when Moses was writing the Torah dictated by G-d, he was too humble to accept for himself the more exalted and even angelic Divine charge of VaYiKRA; therefore, he wrote the less complimentary vayiker relating to himself, retaining his faithfulness to G-d's actual word VaYiKRA ("And He summoned") by appending a small alef to the word VaYiKR.

The midrash goes one step further. It poignantly, if naively, pictures the heavenly scene of Moses, having completed his writing of the Five Books, being left with a small portion of unused Divine ink. After all, the Almighty had dictated VaYiKRA and Moses had only written VYiKR A (small alef), rendering the ink to be used for the regular size alef as surplus. The midrash concludes that the Almighty Himself, as it were, took that extra ink and lovingly placed it on Moses's forehead; that is what gave rise to the "rays of splendor."

Behind this seemingly simplistic but beautiful description lies a world of profound thought. Moses did not transfer all of the Divine ink to the Torah parchment; obviously not, if we understand the ink to be the symbol of G-d's words, because there was much behind the actual letters of Torah which Moses understood, but which was too profound for him to successfully communicate to others.

As Maimonides explains in his Guide for the Perplexed, Moses was on the highest level of the ladder of prophecy; only he - and none other of his contemporaries - were able to fully comprehend the Divine will. Moses wrote down and explained (the Oral Law) as much as he felt could be understood by Joshua and the elders; the rest he retained in his mind and soul. The aspects of Torah which Moses retained within himself is graphically expressed by the midrash as the extra ink placed upon his forehead.

MOST PEOPLE are less than they appear to be - or, at least, are less than what they would like us to think they are. They immediately try to impress us with what and who they know, dropping names and terms which imply that they are far more knowledgeable than they actually are. As another midrash describes it, they are like the pig who extends his cloven hoof as if to advertise, "See how kosher I am! See how kosher I am!" If we look more deeply at the pig, however, one will readily discern that he is not kosher all, because he lacks a double digestive tract.

Based upon this midrashic image, Yiddish folklore refers to any individual who tries to impress others at a first meeting with how much he knows when he really knows very little, as hazir fissel kosher (the pig's hoof only appears to be kosher).

Most people are less than they appear to be - and wear artificial masks in order to make a false impression; indeed persona, the base word for personality, is the Greek word for mask. There are however, those rare individuals who are more than they appear to be, who have much more knowledge, insight and sensitivity than they feel that they are able to communicate to others.

It is that inner wisdom, hidden from the outside world of externals, which causes a charismatic glow of radiance to emanate from the countenance. In the case of Moses, his concealed depths of spiritual and intellectual understanding were of such a highly charged nature that they emanated rays of splendor which required him to wear a mask - not to exaggerate who he was, but rather to minimize the Divine sparks which his inner self automatically projected (Exodus 34:33).

Once we understand that the Torah which Moses received from G-d contained much more - eternally more - than he ever communicated in either written or oral formulations, we may begin to understand the powerful source for an unending and constantly regenerating Oral Tradition. Indeed, "whatever creative interpretation a learned and devoted scholar-student may expound was originally given to Moses at Sinai."

And at the same time, we now understand the real source of charismatic rays of splendor.

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From: Jeffrey Gross[SMTP:jgross@torah.org] By Rabbi Doniel Neustadt  
**BIRKAS HA-ILANOS: THE BLESSING OVER TREES IN BLOOM**  
Rosh Chodesh Nissan marks the beginning of the season for Birkas ha-Ilanos - the blessing we recite upon seeing fruit trees in bloom. Since this blessing, which extols Hashem's ongoing renewal of creation(1), is recited only once a year(2), its halachos are difficult to remember. Women, too, may recite this blessing since it is not considered a "time-related mitzvah" from which women are exempt(3).  
[See  
<http://www.torah.org/advanced/weekly-halacha/5762/vayikra.html> or  
<http://www.torah.org/advanced/weekly-halacha/5757/shemini.html> for rest of this shiur.]

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From: Kollel Iyun Hadaf[SMTP:kornfeld@netvision.net.il] Subject: Insights to the Daf: Bava Metzia INSIGHTS INTO THE DAILY DAF brought to you by Kollel Iyun Hadaf of Yerushalayim daf@dafyomi.co.il, <http://www.dafyomi.co.il>  
BAVA METZIA 111 (29 Adar) - L'iluy Nishmas ha'Gaon Rav Yosef Pinchas ben Rav Noach ha'Levy Levinson (Yahrzeit: 29 Adar Alef), by his son. BAVA METZIA 112-115 - these Dafim have been dedicated anonymously l'Ilyuy Nishmas Tzirel Nechamah bas Tuvya Yehudah.  
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Bava Metzia 107 HALACHAH: IS IT BETTER TO LIVE NEAR TO OR FAR FROM A SHUL QUESTION: The Gemara quotes different explanations for the verse, "Baruch Atah ba'lr" (Devarim 28:3). Rav explains that the blessing of "Baruch Atah ba'lr" means that your house will be near to the Beis ha'Kneses. Rabbi Yochanan argues and explains that "Baruch Atah ba'lr" means that you will have a place to relieve yourself near your table, but a house near to the synagogue is not considered a blessing, as Rabbi Yochanan expresses elsewhere (Sotah 22a), one receives "Sechar Pesi'os" -- more reward for taking more steps to walk to the Beis ha'Kneses. Does Rav argue with Rabbi Yochanan and maintain that one does not receive "Sechar Pesi'os" for walking farther to the Beis ha'Kneses? ANSWERS: (a) The TORAS CHAIM explains that Rav takes into account a different factor. The Gemara in Berachos (47b) says that one should make an effort to go early to the Beis ha'Kneses in order that he be among the first ten who make the Minyan, for the reward of the first ten is equivalent to the reward of all those who come afterward. Rav apparently holds that this reward takes precedence over the reward of "Sechar Pesi'os." (b) The MAHARSHA explains why the verse "Baruch Atah ba'lr" implies a Beis ha'Kneses according to Rav and a Beis ha'Kisei according to Rabbi Yochanan. Until modern times, it was the practice to build most synagogues and bathrooms outside of the residential area. Hence, there was a reasonable danger involved in going out to the synagogue alone (as in Berachos 5b-6a, see Tosfos 2a, DH Mevarech and 6a, DH ha'Mispalel) or to the bathroom alone. Rav and Rabbi Yochanan, therefore, explain, respectively, that it is a blessing to have a Beis ha'Kneses nearby, or a bathroom nearby. According to the Maharsha, it could be that Rav certainly agrees that there is "Sechar Pesi'os" for walking farther to a Beis ha'Kneses. However, that only applies when the Beis ha'Kneses is inside of the city, relatively nearby to one's home, and one does not have to endanger himself to get to the Beis ha'Kneses. (Y. Shaw)

THE REWARD FOR WALKING TO SHUL QUESTION: Rabbi Yochanan maintains that a person receives "Sechar Pesi'os" for walking to a Beis ha'Kneses that is farther away, even if there is one that is nearby (see RASHI to Sotah 22a, and Insights there). Although we see from here the importance of exerting oneself for a Mitzvah, we only find the importance of exerting oneself by traveling a longer distance with regard to the Mitzvah of going to a Beis ha'Kneses. (We do not find that it is a greater Mitzvah, for example, to walk a longer distance to perform the Mitzvah of sitting in a Sukah.) Is there any reason why going to a Beis ha'Kneses should be unique in this respect? ANSWERS: (a) Perhaps there is a special Mitzvah to travel to the Beis ha'Kneses since the Beis ha'Kneses is called a "Mikdash Me'at" (Megillah 29a; see also Bava Metzia 28b) and there is a Mitzvah in the Torah to travel to the Beis ha'Mikdash during the Regel. The same Mitzvah to travel to the Beis ha'Mikdash applies to traveling to the "Mikdash Me'at," the Beis ha'Kneses. (b) The point of Tefilah is to bring oneself closer to Hashem and to lessen, as it were, the distance between oneself and Hashem. Traveling a distance towards the Beis ha'Kneses symbolizes that one is exerting himself to lessen the distance between him and Hashem, and as such it is a proper preface to prayer. (This might also be the theme of Aliyah l'Regel.) (MAHARAL in NESIVOS OLAM, Nesiv ha'Avodah 5)

Bava Metzia 114 HALACHIC RULINGS OF ELIJAHU HA'NAVI QUESTION: The Gemara relates that Rabah bar Avuha found met Eliyahu ha'Navi standing in a Beis ha'Kevaros of Nochrin. Rabah bar Avuha asked him whether or not we are "Mesadrin l'Ba'al Chov" (we make the creditor leave certain basic necessities for the debtor when he collects his debt from the debtor's assets). Eliyahu ha'Navi answered that we learn a Gezeirah Shavah from Erchin which teaches that we are "Mesadrin l'Ba'al Chov."

It seems from the Gemara that Halachic rulings of Eliyahu ha'Navi are relevant and acceptable. We see this also in Eruvin (43a), which discusses whether or not Eliyahu taught certain Halachos, and in Berachos (3a), where Rabbi Yosi learned a number of Halachos from Eliyahu. We find also in a number of places that certain Halachic questions remain in doubt "until Eliyahu comes to resolve them for us" (see, for example, Sanhedrin 44a and Menachos 32a). How do we reconcile this with the teaching of RASHI (Shabbos 108a) who says that we cannot rely on Eliyahu for Halachic questions of Isur v'Heter, but only for questions of "fact or fiction?" In addition, the Gemara in Temurah (16a) teaches that we may not rely on a prophet even to remind us of a Halachah le'Moshe mi'Sinai that was forgotten! The source for this seems to be the Gemara earlier in Bava Metzia (59b), which teaches that even if a Bas Kol emanates from Shamayim and declares the Halachah to be in accordance with a particular opinion, we do not follow the Bas Kol because "Lo ba'Shamayim Hi" (Devarim 30:12). Moreover, the SEFER HA'CHINUCH (#350), the RAN, and the NIMUKEI YOSEF cite the GE'ONIM who rule that we are "Mesadrin l'Ba'al Chov," and they explain that the reason for the Ge'onim's ruling is that Eliyahu ruled that we are "Mesadrin." How can we follow a ruling issued by Eliyahu ha'Navi? (MAHARATZ CHAYOS here; see also BIRKEI YOSEF OC 32:4.) ANSWERS: (a) The MAHARATZ CHAYOS explains that when Eliyahu gives a reason and a source for his ruling, then it is no worse than the ruling of any other of the Chachamim of the generation. The Maharatz Chayos in Berachos (3a) adds that when Eliyahu ha'Navi is saying a Halachah as a prophecy, or Nevu'ah, from Hashem, we cannot accept it. When he is saying it as his own, personal opinion of Da'as Torah, then we can accept it. When Rashi in Shabbos says that Eliyahu cannot teach us a Halachah, he means that Eliyahu cannot teach us Halachos as Eliyahu "ha'Navi", in his role as a prophet. But as a normal person, he is able to teach us Halachos. (See also BIRKEI YOSEF loc. cit., TORAH TEMIMAH, Vayikra 27:216, and CHASAM SOFER, Teshuvos 6:98, as cited by the D'VAR YAKOV here.) Similarly, the TOSFOS YOM TOV (Eduyos 8:7), in explaining how we can rely on Eliyahu's future rulings on Halachic questions, says that Eliyahu will give his reasoning and proofs for his rulings.

(c) Similarly, when Eliyahu is not saying a prophecy but is saying a Halachah that was once taught (by someone else), we certainly accept it. Only when he teaches something that was never taught before and he is teaching it as a prophet, do we not accept it. (See also Insights to Eruvin 43:2.)

114b ELIJAHU HA'NAVI'S RESURRECTION OF THE DEAD QUESTION: The Gemara (114a) relates that Rabah bar Avuha met Eliyahu ha'Navi standing in a Beis ha'Kevaros of Nochrin. Rabah bar Avuha asked Eliyahu how he could be in a Beis ha'Kevaros, as Eliyahu was a Kohen and a Kohen is prohibited to enter a Beis ha'Kevaros. Eliyahu answered that the graves of Nochrin have no Tum'ah. The Rishonim ask that if Eliyahu ha'Navi was a Kohen, then how was he permitted to resurrect the son of the widow by touching him, as described in Sefer Melachim I (ch. 17)? ANSWERS: (a) TOSFOS (DH Amar Lei) answers that since Eliyahu was certain that he would succeed in resurrecting the child, it was a case of "Piku'ach Nefesh" which overrides the prohibition of a Kohen becoming Tamei. Tosfos' answer is difficult to understand. We find that "Piku'ach Nefesh" overrides Isurim only with regard to saving the life of a person who is alive now. We do not find that one may transgress an Isur in order to bring back to life someone who has already died. (b) TOSFOS RABEINU PERETZ (cited by the SHITAH MEKUBETZES) answers that perhaps the child had not actually died, but was just unconscious (see also TARGUM YONASAN). Tosfos Rabeinu Peretz infers this from the verse that says, "... until there was no more breath left within him" (Melachim I 17:17). We may question this answer from the verse in Melachim II (2:9) which says that Elisha requested from Eliyahu that he bestow upon him twice his strength. The Gemara in Sanhedrin (47a) explains that Elisha was requesting from Eliyahu the power to resurrect "two" dead, even though Eliyahu had resurrected only "one". The one that Eliyahu resurrected was this child of the widow (see Rashi there, DH Na Pi Shenayim). The Gemara there implies that the child of the widow was actually dead. Tosfos Rabeinu Peretz continues and asks a different question on his answer. Reish Lakish (in Nazir 43a) maintains that a Kohen is not permitted to touch a Goses, a person on his deathbed. The unconscious child was certainly no better than a Goses. How, then, was Eliyahu permitted to touch him? Tosfos Rabeinu Peretz answers this question by saying that a Goses, according to Reish Lakish, is considered to be dead already since he is certainly going to die. Since the child was eventually revived, he did not have a status of a Goses whom a Kohen is prohibited to touch. (c) RABEINU BACHYE (Parshas Pinchas, end of 25:11) says that the woman (Ishah ha'Tzarfatis) was a Nochrin, and thus her dead son had no Tum'as Ohel. Even though the corpse of a Nochrin does have Tum'as Maga, it could be that Eliyahu did not actually touch the child, but rather he bent over him without touching him. The RIDVAZ refutes this answer, citing Chazal who say that the child resurrected by Eliyahu was the prophet Yonah ben Amtai, who was a Jew. (Tosfos (114a-b, end of DH Mahu) says in the name of a Midrash that the child resurrected by Eliyahu was Mashi'ach ben Yosef.) The Ridvaz says further that it is not reasonable to say that such a miracle would have occurred for a Nochrin. In addition, Eliyahu certainly would not have permitted himself to lodge in the home of a Nochrin. (d) The RIDVAZ (Teshuvos 6:203) cites a number of answers to this question and rejects them. He concludes that Eliyahu's Heter to be Metamei was because of a "Hora'as Sha'ah" that was issued at that time permitting him to become Tamei in order that a Kidush Shem Shamayim be achieved through him. This is also the answer of the TOSFOS HA'ROSH.