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INTERNET PARSHA SHEET ON ACHREI - 5763

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THE PRACTICAL TORAH
RABBI MICHAEL TAUBES

Parshas Acharei Mos: Surrendering Land For Peace in Eretz Yisrael

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

At the end of this Parsha, the Torah indicates that only if the Jewish people observe the Mitzvos properly and do not follow the abominable practices of those who previously inhabited Eretz Yisrael will the land not vomit them out as well (VaYikra 18:26-28). The same idea is also found a little later in the Torah (Ibid. 20:22-23). Although the Gemara in Shabbos (23a) understands from the earlier set of Pesukim (Perek 18 Ibid.) that it is specifically the sins relating to Gilui Arayos, improper sexual behavior, that generate the punishment of the Jews being exiled from Eretz Yisrael and replaced there by other people, Rashi, commenting on one of those Pesukim (Ibid. Posuk 28), states that Eretz Yisrael by its very nature cannot tolerate in its midst people who commit Aveiros in general. The Ramban (on Pasuk 25 Ibid.) develops this point further, explaining that Eretz Yisrael is Hashem's special land and that He has given it to the Jewish people only on the condition that they will observe His Mitzvos; if they do not, they will naturally be expelled from there. The Mechilta (Parshas Beshalach-HaShirah, Parsha 10 s.v. Behar) also links settling in Eretz Yisrael with observing the laws of the Torah.

It is clear from the Pesukim in Tehillim (105:44-45) that the Jews were given Eretz Yisrael specifically in order to observe Hashem's Torah therein, and the Torah itself indicates later (Devarim 19:8-9) that Hashem will give them even more land if they will observe all the Mitzvos properly; the Ramban (on Pasuk 8 Ibid.) stresses that this is the only way they will be given the additional land. On the other hand, the Torah also states clearly that if the Jews do not listen to Hashem's commandments, He will make the land desolate and allow the Jews' enemies to live there, while scattering the Jews among other nations outside of Eretz Yisrael (VaYikra 26:31-33). This idea that turning away from Hashem's Mitzvos will result in the quick departure of the Jews from Eretz Yisrael is also seen from the Pesukim recited as part of the second paragraph of Kerias Shema (Devarim 11:16-17), among other places. Rav Shimshon Raphael Hirsch ("The Nineteen Letters", Eighth Letter) writes that the Jewish people received the gifts of land and of statehood not as an end unto itself, but as a means to carry out the Torah; whether they retain the land depends upon whether they fulfill the requirements of the Torah. It is clear from all of the above that the Jewish national right to Eretz Yisrael is predicated on the commitment to the observance of the Torah, and that the expulsion of the Jews from this land is a

punishment and a sign of Hashem's anger, as powerfully described towards the end of the Torah (Ibid. 29:23-27). What if the Jews, however, are not being physically expelled from the land, perhaps despite, for some reason, the inappropriate religious behavior of many of them, but they are nonetheless willing to abandon Eretz Yisrael, or certain parts of the land, and allow others to live and enjoy complete sovereignty there? Is this allowed? Is it permissible to give away land in Eretz Yisrael to Arabs? The Torah elsewhere, in describing the required conduct of Bnai Yisrael upon their entry into Eretz Yisrael, refers to the obligation to destroy the inhabitants of the land whom they encounter, and then states "V'Lo Techanem" which is usually translated as "do not show them any favor" (Devarim 7:2). The Gemara in Avodah Zarah (20a) however, derives from this phrase that there is a prohibition to grant these people encampment (Chaniyah) in Eretz Yisrael. Although the particular people referred to in the Posuk (Ibid.) are the members of the seven nations who previously lived in that land, as enumerated one Posuk earlier (Ibid. Posuk 1), it is the position of Tosafos (Ibid. s.v. D'Amor) that the prohibition to allow others to have land in Eretz Yisrael applies to other non-Jews as well. The Rambam (Hilchos Avodas Kochavim 10:6) rules that when Jews are in control of the situation in the country, it is forbidden to allow a non-Jew to live in the land even on a temporary basis; he says that to be able to live in Eretz Yisrael, the non-Jew would first have to become a "Ger Toshav," a partial convert who accepts certain specific Mitzvos upon himself, and he then adds that nowadays, this status of being a Ger Toshav cannot be put into effect. The Mishnah in Avodah Zarah (19b) prohibits selling a non-Jew land, or anything attached to the land, in Eretz Yisrael, and a later Mishnah (Ibid. 20b-21a) restricts even the rental of real estate and certain property in that land to non-Jews; the Rambam (Ibid. Halacha 3-4) and the Shulchan Aruch (Yoreh Deah 151:8,10) rule accordingly. It would thus appear that it is certainly forbidden to willingly give land in Eretz Yisrael to a non-Jew.

It must be pointed out, though, that there are some who hold that this prohibition to grant encampment in Eretz Yisrael to a non-Jew refers only to an idolater, and not to any non-Jew. This appears to be the position of the Rambam in his Sefer HaMitzvos (Mitzvas Lo Ta'aseh 51) where he applies this prohibition, and one like it from earlier in the Torah (Shemos 23:33), specifically to people who worship Avodah Zarah. The Rashba, in a different context (Sheilos U'Teshuvos HaRashba Chelek 1 Siman 8), also states that the above cited Posuk which says "V'Lo Techanem" (Devarim Ibid.) does not refer to a non-Jew who does not worship Avodah Zarah; the Meiri, commenting on the aforementioned Gemara in Avodah Zarah (Beis HaBechirah on 20a Ibid. s.v. Kivar), clearly writes that the prohibition to sell land in Eretz Yisrael to a non-Jew does not refer to non-Jews who believe in G-d and are not idolaters. The Tur (Choshen Mishpat Siman 249) also seems to limit the prohibition to idolaters; the Bach (Ibid. s.v. Asur) apparently concurs, mentioning that Arabs (Yishmaelim) are excluded from this prohibition. Rav Avraham Yitzchak HaKohein Kook (Sheilos U'Teshuvos Mishpat Kohein Siman 63) accepts this position, as does Rav Tzvi Pesach Frank (Sheilos U'Teshuvos Har Tzvi, Inyanei Zeraim Chelek 2 Siman 44), among others.

As mentioned above, however, the Rambam in his Mishneh Torah (Ibid. Halacha 6) appears to include any non-Jew (except for a Ger Toshav, which does not exist today) in this prohibition. Similarly, the Beis Yosef, commenting on the aforementioned Tur (Ibid. s.v. Asur), specifically includes Arabs (Yishmaelim), and hence, other non-idolaters, in the prohibition against giving something to a non-Jew; the S'ma (Choshen Mishpat Ibid. Sif

Katan 2) too prohibits giving something away to a non-Jew (although he allows selling to non-Jews), and this may also be the position of the Shulchan Aruch (Ibid. Sif 2). The Netziv (Sheilos U'Teshuvos Meishiv Davar, Kuntres Davar Hashmatah, Daf 58a) clearly states that the prohibition to transfer land in Eretz Yisrael to a non-Jew applies to all non-Jews, not just idolaters; the Chazon Ish (Chelek Zeraim, Hilchos Shiviis Siman 24 Os 3) also writes that there is no distinction between idolaters and other non-Jews regarding this Halacha. He suggests that this very issue may be part of a dispute between Rambam (Ibid.) and the Ra'avad (Hasagas HaRa'avad Ibid.); the Netziv (Ibid.) asserts, however, that the Ra'avad would agree that giving away land to even non-idolaters is forbidden.

Even assuming, though, that one can get around this prohibition to grant encampment in the land to non-Jews, either because it is inapplicable in the current situation, as suggested above by some, or because there may perhaps be some leniencies since the entire prohibition may be MideRabbanan, as is the position of the Radvaz (Sheilos U'Teshuvos HaRadvaz Chelek 6 Siman 2 Alafim 247, printed in Hashmatos on the page before Chelek 7) and of Rabbeinu Saadyah Gaon in his Sefer HaMitzvos, at least according to Rav Yerucham Perlow (Sefer HaMitzvos of Rav Saadyah Gaon, Chelek 2, Lo Taaseh 13-14, Daf 21b), there still is another issue to examine. The Torah states that Bnai Yisrael are required to clear out the land (of its inhabitants) and dwell in it (Bamidbar 33:53). According to the Ramban, both in his commentary on the Torah (Ibid.) and in his commentary on the Rambam's Sefer HaMitzvos (Hashmatas HaAsin, Mitzvas Aseh 4), this Posuk constitutes a Mitzvah incumbent upon every Jew to live in Eretz Yisrael. In the latter source, the Ramban indicates that included in this Mitzvah is the idea that the land may not be left in the control of any other nation, asserting that this obligation applies in any and all generations, even in the time of the exile. Since he also notes (Ibid.) that this Mitzvah requires Jews to wage war in order to obtain land in Eretz Yisrael, it would obviously preclude giving away land which Jews already have there. The Rambam, however, does not enumerate this Mitzvah on his list of 613 Mitzvos; the Megillas Esther (In his Biur to Mitzvos Aseh L'Daas HaRamban) explains that this is because the Rambam does not believe that this Mitzvah applies nowadays. This would mean that according to the Rambam, one perhaps may indeed give away land in Eretz Yisrael nowadays. It should be noted, though, that according to some authorities, like the Avnei Neizer (Sheilos U'Teshuvos Avnei Neizer Chelek Yoreh Deah Siman 454 Os 6-7) and the Chazon Ish (Kovetz Igaros of the Chazon Ish Chelek 1 Igeres 175), the Rambam too agrees that this Mitzvah is in fact applicable today as well.

It must be stressed, however, that based on a different Posuk in this Parsha (Vayikra 18:5), the Gemara in Sanhedrin (74a) allows one to ignore all but three Mitzvos (the Aveiros of idolatry, illicit sex, and murder) in the face of life-threatening danger; the Gemara in Kesubos (19a) states similarly that nothing takes precedence over saving a life (Pikuach Nefesh) besides those three Mitzvos. The Rambam (Hilchos Yesodei HaTorah 5:1-2) and the Shulchan Aruch (Yoreh Deah 157:1) rule accordingly. If it could be determined, then, that giving away land in Eretz Yisrael would save even one Jewish life, doing so would be permissible and indeed obligatory because none of the Mitzvos discussed above take precedence over saving a life. Indeed, the Gemara in Pesachim (56a) indicates that if not for a promise from a Novi, as explained by Rashi (Ibid. s.v. V'Lo), it would have been acceptable for Chizkiyah HaMelech to give away even parts of the Beis HaMikdash itself in order to save lives. Moreover, the Gemara in Gittin (56a-56b) relates that Rabban Yochanan Ben Zakkai was willing to surrender Yerushalayim and the Beis

HaMikdash to the Romans because he was convinced that it was necessary to make peace. It thus seems clear that in order to achieve peace and save lives, Jews may give away land in Eretz Yisrael if it is apparent that those results will transpire.

This may not, however, necessarily be the case. While it is true that saving a life usually takes precedence over all (but three) Mitzvos, as noted above, the Minchas Chinuch (to Mitzvah 425 Os 1) writes that during a war, this principle does not apply. Since the Torah sanctions and indeed mandates war at times, and it is natural that war endangers lives, apparently the rule that saving a life over-rides all other considerations does not apply during a war, as the very nature of war implies a risk to life. This same idea is articulated, among others, by the Netziv in his commentary on the Gemara in Eiruvin (Sefer Meromei Sadeh to Daf 45a Ibid. s.v. Peirush Rashi) and in Kiddushin (Ibid. in Daf 43a Ibid. s.v. Mah) where he discusses the right of a king to wage war and insist that the people endanger their lives. It is important to note that the Ramban, in his commentary on the Rambam's Sefer HaMitzvos (end of Hashmatas HaLavin), indicates that anyone in charge of the government may substitute for the king regarding certain wars; this point is further discussed by Rav Shlomo Zevin (Sefer L'Or HaHalachah page 16) and others.

When the Jewish people in Eretz Yisrael are in a state of war, which is obligatory, at least according to the Ramban, commenting on the Rambam's Sefer HaMitzvos cited above (Hashmatas HaAsin Mitzvas Aseh 4), in order to conquer - and maintain control - over the land, not to mention self-defense considerations, discussed by the Gemara in Sotah (44b) and by the Rambam (Hilchos Melachim 5:1), the idea that saving a life takes precedence over all else is suspended, and the other Mitzvos discussed above are in effect. This is, however, only if the war is one which the Jews are capable of winning, as documented by Rav Moshe Tzvi Neriah (Maamar on Heter Milchamah B'Shabbos, printed in Choveres "Torah SheBa'al Peh" 5727) and others; there is no obligation to fight a losing battle, as apparently was the case in the story mentioned by the Gemara in Gittin (Ibid.) It must therefore be determined, when weighing whether to surrender land in Eretz Yisrael, not only whether this will in fact lead to peace and save lives, but also whether the current situation is one of war, and if so, whether it is one which the Jews are capable of winning, before arriving at a decision.

ravfrand@torah.org RABBI YISSOCHER FRAND
Rabbi Frand on Parshas Acharei Mos [From 1997]

The pasuk [verse] says, "You should keep My statutes and My laws, which if a man obeys, ('v'chai bahem') he shall live through them, I am Hashem." [Vayikra 18:5] The Gemara [Talmud] learns from this source that if a person is faced with the choice of committing a sin or being murdered [or alternatively, neglecting a mitzva or being murdered], the halacha requires the person to commit the aveira [sin] or neglect the mitzva, and not die. However, there are three exceptions: avoda zarah [idol worship], shfichas damim [murder], and giluy arayus [illicit relations]. Barring these three exceptions, the halacha says that one should eat pork, violate the Shabbos, eat bread on Pesach, and do not die. Why? Because we learn from this verse: these are the mitzvos that I gave you, "v'chai bahem," and you should live by them. The Gemara [Sanhedrin 74a] interprets this to mean that "you should live by them, and not die by them." A cursory examination of this pasuk would seem to indicate that the Torah is telling us that human life is more precious than keeping the mitzvos. Therefore, if you have a choice between observing Shabbos or staying alive, your life is more valuable than the mitzva. This is a general rule: life is more important than the

mitzvos, with just three exceptions. Rav Moshe Feinstein Zt"l, in his sefer [book] "Igros Moshe," says (in the course of answering a query on a different subject) that this common understanding of the pasuk is incorrect. That is not what the pasuk is saying, and this is as basic as a Targum Onkelos. [The Targum Onkelos is a nearly literal translation to Aramaic of the words in the Torah, with a minimum of interpolated commentary.] The Targum Onkelos translates this verse as: "and you should live through them in the World to Come." In other words, the verse is not telling us to stay alive and neglect the mitzvos, because life is more precious than mitzvos. The pasuk is telling us that the most precious thing in life is keeping mitzvos, because they bring us to olam haba, the World to Come. Therefore, if I have a choice between observing the Shabbos or being murdered, the Torah says, "live!" Why? Not because life, for its own sake, is more precious than G-d's Commandments. Rather, life is precious because you can do those Commandments! Therefore, do work on this Shabbos so you can keep so many more Shabbosas in the future. Eat chometz on Pesach. Why? So you can go on and do more mitzvos, and be worthy of life in the world to come. This is an entirely different perspective. Life is not valuable just for the sake of life itself, without a purpose. Life is not valuable simply in order for a person to work, do errands and go to ball games. That is not what makes life worth living! What does make life worth living? "V'chai bahem" "I'chayei alma" [in the world to come]. This life leads to a goal. The Torah is telling us to violate the Shabbos and to eat chometz [leaven] on Pesach. Why? Because a human life is valuable _because_ it can do so many more mitzvos in this world. Therefore, violate the Shabbos once so that you can observe Shabbos many more times.

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RavFrand" List RABBI YISSOCHER FRAND
 Rabbi Frand on Parshas Acharei Mos - Kedoshim [from 1998]
 The Nature of the Prayer of the Kohen Gadol

In the Parsha of Acharei Mos, we learn the entire Order of the Service of the Day of Atonement. At the time of the Temple -- and with G-d's help it will again speedily be rebuilt -- the Kohen Gadol spent the entire day of Yom Kippur occupied with the procedures of offering the various sacrifices to bring atonement for the Jewish people. Among the services was the offering of the incense (Ketores) inside the Holy of Holies (Kodesh haKodoshim). We all know that this was the only day of the year that anyone was permitted to enter the Holy of Holies, and on Yom Kippur the Kohen Gadol went in a number of times. The Mishneh tells us that upon leaving the Holy of Holies, the Kohen Gadol would utter a brief prayer in the outer chamber. The Talmud [Yoma 53b] elaborates on the text of this prayer: "May it be Your Will that if this was supposed to be a hot, dry year -- let it be a wet, rainy year which is good for the crops. May the Jewish people not lose dominion over their own destiny and may they not be subject to the domination of other nations. May no Jew have to rely on financial support from another Jew -- let each Jew be financially independent and secure. And may You not accept the prayers of the travelers." (The travelers would hate the rain, because the roads became muddy, so they would pray that it should not rain.)

This was the prayer of the Kohen Gadol on Yom Kippur, just outside the confines of the Holy of Holies. I have always been bothered by the prosaic nature of this prayer. For if I had been in the Holy of Holies on Yom Kippur -- the holiest place in the universe and the holiest day of the year -- and I had my 35 seconds with G-d, then asking for livelihood (as important as that is for me and everyone else) would not be on the top of my list. There are more important things in my life! Here the High Priest is in the Holy of Holies on the holiest day of the year and what does he pray for? Three out of the four things have to do with parnassah -- making a living! I know that it is important -- we do have to pay the bills. But that this should be the Kohen Gadol's prayer on this occasion, in behalf of all of Klal Yisroel, is troublesome.

Recently, I saw an answer in the Sefer Beis Av, by Rav Elyakim Schlessinger. He suggests that the Kohen Gadol is not praying for parnassah. He is praying for the spiritual well-being of the Jewish people. But there are two things that always get in the way of our spirituality -- the distractions of making a livelihood and the distractions of foreign domination (shi'bud malchiyus). If we would all be financially secure, if each of us would win the lottery and would have unlimited time on our hands and would not have to work, it would be a great pleasure. We could learn in the morning, we could learn in the afternoon, we could go visit sick people, we could occupy ourselves with helping others. We could have a life that was entirely spiritual! Except what? We have to make a living. We need to pay the rent. We must pay the mortgage. So we get up in the morning, we 'chap' a davening ([morning] prayer), we run to work, we work like a horse, running around, busy the whole day. We come home at night, tired and exhausted. Maybe we spend a little time with the kids, perhaps we open up a Sefer (Jewish book), and that is the day. What would it be like if we would not have the yoke of earning a living and the yoke of foreign domination? We, thank G-d, live in a compassionate county (malchus shel chessed); but Jews for so many years lived under the boot -- whether it was the boot of the Czars, or whether it was the boot of the Cossacks, whoever it was -- they were always under the boot. It is hard to think about spirituality, when one does not know what is going to be with one's life the next day.

The Rambam writes [Hilchos Melachim 12:4-5] that the prophets' desire for the Messianic Days was because there would be unlimited opportunity for spiritual growth at that time, and the ultimate purpose of Creation is "to know G-d" as the verse states "... for the entire world will be filled with the knowledge of G-d, like the water fills the sea" [Yeshaya 11:9]. That was the prayer of the Kohen Gadol. Not affluence; not luxury; but spirituality. Master of the World, take away all those things that disturb us and derail us from the larger and more important questions in life. Give us abundant sustenance and freedom from the yoke of nations. Why? Because then we can do the things that really matter in life. We can learn. We can do Mitzvos. We sit and think and contemplate about G-d and His Torah.

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From: RABBI YISSOCHER FRAND [SMTP:ryfrand@torah.org]
 [From 1999]

"RavFrاند" List Rabbi Frاند on Parshas Acharei Mos Kedoshim

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frاند's Commuter Chavrusah Tapes on the weekly portion: Tape # 190, The Prohibition of Negiah. Good Shabbos!

Acharei Mos "Once a Year" Atonement The beginning of Parshas Acharei Mos contains the laws of the Service of Yom Kippur the Day of Atonement. The Torah begins with the words "And G d spoke to Moshe after the death of Aaron's two sons when they approached before G d, and they died" [Vayikra 16:1]. This first pasuk [verse] appears to be unnecessary. It really has nothing to do with the Service of Yom Kippur. Chaza"l comment and explain that there is a connection: Just as Yom Kippur is an atonement, so too the death of the righteous is an atonement. I once saw a homiletic insight that I believe is highly appropriate for us. At the end of the entire portion of the Service of Yom Kippur, the Torah writes "And this should be to you an eternal decree to bring atonement upon the Children of Israel for all their sins ONCE A YEAR..." [16:34]. Why does the pasuk need to say "once a year"? We all know that there is only one day of Yom Kippur a year! Obviously, if this is the service of Yom Kippur and Yom Kippur only comes once a year then this whole service is done one time a year! The answer that I saw is as follows: The Torah is giving us a blessing that we should only NEED one Yom Kippur a year. The status of the Jewish people should be that they only need one atonement per year. If the Jewish people need more than one atonement per year, then (G d forbid) G d may need to resort to the other type of atonement the death of the righteous. The Torah's blessing is that we should not need that second type of atonement.

http://www.torahweb.org/torah/2000/parsha/rneu_achmos.html
TorahWeb 3 years ago

RABBI YAAKOV NEUBURGER
MA'ASEH ERETZ MITZRAYIM – BAD CULTURE OR BAD CHARACTER

"Kema'aseh Eretz Mitzrayim asher yishavtem bo lo tha'asu..." The prohibition against adopting the "ma'aseh", the practices of the Egyptians (Acharei Mos, 18:3) refers according to many commentaries to the nature of their social interaction that we are supposed to study, learn to deplore, and distance ourselves from. Rabbi Samson Raphael Hirsch explains that the word, "ma'aseh" in Torah indicates social conduct and ultimately "the attitude of a people towards justice and civic life". (see also Meor Vashemesh, Rav Nison Alpert) It is certainly reasonable that slave masters could start out as individuals whose entire world consisted of themselves and their needs. Perhaps that is why we are reminded in that pasuk that we must not emulate the Egyptians "amongst whom we lived". Apparently it is precisely because we have felt the awful sting of a society built on self focus that we should seek with great conviction to protect ourselves from the behaviors that could have contributed to the development of that culture. The belief that our suffering at the hands of the Egyptians in fact began with behavioral and character flaws would help us understand a phrase that we have repeated many a time in the past few days. Our departure from Mitzrayim is described in Tehillim as "Beis Ya'akov Me'am lo'ez" - "The house of Ya'akov [leaving] a people of strange language". Why did Dovid Hamelech choose to describe our oppressors in such a non-descriptive term, a characteristic that could describe almost any nation? Certainly he could have found some expression that would more surely convey the flavor of the host power throughout our years in exile.

This question led the author of the Torah Temima, Rabbi Baruch Epstein, in his commentary to the sidur, Baruch Sheomar, to translate "me'am loez" in a novel way. He suggests that the Egyptians are referred to as an evil-tongued nation, not a foreign-tongued nation; as perpetrators of La'az - Loshan Horah, not as simply speakers of another tongue. Dovid Hamelech is identifying a tool used by the Egyptian leadership against us; one with which we have become all too familiar throughout our years of wandering. One need only review the opening parshiyos of Shemos, where Pharoh accuses us of harboring unfaithfulness to the very land to whom we had brought the economic stability and prosperity that they were then enjoying. According to the Ramban the Mitzriyim were in fact grateful to Yosef's family and had no ill feelings for them. Pharoh had to wear down those good feelings and convince his people that we were different; different enough to be disinterested in the survival of Egypt. Once the seeds of disenfranchisement were sown, one could easily ask for a tax from those foreigners who were using native resources. A few well placed words could feed into a society so wrapped up with itself that it was unable to integrate others and their needs, ultimately transforming them into treacherous taskmasters. That is why Dovid Hamelech refers to the House of Ya'akov being extricated from the evil tongued Egyptian society. He comes to remind us that what may seem as a behavioral and moral flaw can eat away at the moral infrastructure of an entire people leaving them bereft of any compassion and standards by which to measure themselves. We are reminded through this Hallel passage that the House of Ya'akov, the Jewish home was redeemed from a surrounding that looked upon it with disapproval and distaste. Having lived through the results of that attitude, we are charged through this prohibition against adopting "ma'aseh Eretz Mitzrayim" and rather we are to use our insulated quarters to instill concern for others, a positive outlook and a focus far beyond oneself.

<http://www.shemayisrael.co.il/parsha/peninim/archives/achrei60.htm>

RABBI A. LEIB SCHEINBAUM Hebrew Academy of Cleveland [From 5760]

Parshas Achrei Mos And (he) shall provide atonement for himself and for his household. (16:6)
The Kohen Gadol gained atonement by pronouncing vidui, confession, for his own - as well as his family's -- transgressions. The Torah seems to place emphasis upon the Kohen Gadol's "baiso," household. Indeed, in the beginning of Meseches Yoma the Mishnah states that we prepare another woman for the Kohen Gadol in the event his wife dies prior to the Yom Kippur service. The Kohen Gadol who does not have a wife is disqualified from performing the avodah service. Horav Moshe Shternbuch, Shlita, renders a practical reason for this halachah. Without a wife one lacks sheleimus, completion/perfection. He is deficient, lacking an integral component in completing himself as a man. The individual who represents Klal Yisrael on Yom Kippur must be an adam ha'shaleim, a complete person. On the holiest day of the year, when we seek atonement to perfect ourselves, we must stand before Hashem b'sheleimus.
Horav Shternbuch distinguishes between the Jewish religion and the theology of the gentile nations. Christian dogma expounds that one cannot be holy if he is married. Sanctity and marriage just do not seem to coincide - according to their beliefs. Consequently, in order to maintain their virtue and holiness, their priests do not marry. This is not consistent with what we have been taught. The Kohen Gadol, who must sanctify himself to the

ultimate level of kedushah on the holiest day of the year, can perform the avodah only if he is married. The Christians seem to have a different perspective on sheleimus.

This halacha also repudiates the claim of the Torah's liberal antagonists that women are not viewed on an equal footing with men; we derive from here the exact opposite perspective. A woman is a man's life partner, without whom he is considered incomplete. What greater proof is needed to substantiate woman's equality? Regrettably, for those that question the Torah, no answer is sufficient.

And (he) shall provide atonement for himself and for his household and for all the congregation of Yisrael. (16:17)
Horav Moshe Shternbuch, Shlita, derives an important lesson for all of us from this pasuk. Before one extends himself for klal work, community endeavors, he should ascertain that everything is in order with his own family. Many good-willed, good-minded individuals respond to Klal Yisrael's needs. They hear the cries of the oppressed and needy, but at whose expense? Who takes over the role of the father when he is out saving the world? Children need both parents. One should at least do for his own children what he wholeheartedly does for other people's children. Regarding those askanim, lay leaders, who feel that the merit of working for Klal Yisrael will elevate them to a position in which they do not have to perfect themselves, the Torah seems to have a different idea. The Kohen Gadol must see to the needs and failings of his own family before he can go out to act on behalf of Klal Yisrael.

And (he) shall place them upon the head of the he-goat, and send it with a designated man to the desert. The he-goat will bear upon itself all their iniquities to an inhabited land. (16:21,22)

The Kli Yakar cites Chazal who say that the word, "avonosam," "their iniquities" is an acronym for two words: "avonos - tam", alluding to the sins of he who is called the tam - wholesome - Yaakov Avinu. He explains that whoever causes others to sin, carries the onus of guilt for all the sins which he catalyzed. Eisav and his guardian angel are the ones whose goal it is to bring Klal Yisrael the descendants of Yaakov - ish tam - to sin. It is, therefore, appropriate that Yaakov's sins - which were caused through Eisav's "sponsorship" - should be carried away and brought "back" to Eisav's guardian angel. The sins of "Bnei Tam" are sent l'azazel, to the saros shel Eisav, the angel who represents all that is evil in Eisav.

Horav Matisyahu Solomon, Shlita, derives from here the profundity of shiluach seir l'azazel, sending the he-goat into the wilderness. When Klal Yisrael stood before Hashem on Yom Kippur, divested of their physical dimension, they came to the realization that olam hazeh, the temporary world in which we live, is nothing more than a vestibule, a stepping-stone to Olam Habah, the Eternal World, the World to Come. They began to wonder: How did they sink to such a nadir of sin, to the depths of depravity, to transgress before the Almighty, to rebel against the Creator? They realized that it was Eisav the wicked who presented this world --with all its beauty -- as something more than temporary and fleeting. He has influenced them to the allure of this world through the blandishments of the yetzer hora, evil inclination. They regrettably fell victim to his guile and were swayed by his cunning, as he convinced them to turn their backs on the Almighty. By nature, we know the truth: It is Eisav who has alienated us by presenting olam hazeh as an end unto itself. We send the he-goat -- with everything it represents -- to the source of our iniquity.

We now also understand why the he-goat is sent away through an ish iti, designated man. Chezuni, citing Chazal, explains that

an ish iti is a person who senses that his "eis", time, has come. "Iti", from the word "eis", refers to an individual whom we know, via Divine inspiration, will not live till next Rosh Hashanah. Horav Y. Weintraub, zl, who was rav in Pinsk, explains that one who is acutely aware of his impending demise rejects this world. He ignores and disregards the blandishments of this world. All of the desires and lusts that plague others have no significance to him. He becomes a spiritual person, abnegating himself of his physical dimension. He is the perfect person to effect atonement for Klal Yisrael on this holiest of days. It is specifically he who repudiates the allure of this world, who is not captivated by its enticements, that has license to send the he-goat to its death. He truly understands what Eisav and his co-horts have done to us. He can well relate to the significance and meaning of Yom Kippur.

You shall observe My decrees and My judgements, which man shall carry out and live by them. (18:8)
Rashi explains that "v'chai bahem," "and live by them," is a reference to Olam Habah, the World to Come. In the Talmud Chullin 142 a, Chazal state this fact in regard to the two mitzvos for which the reward of long life is recorded in the Torah: Kibud Av v'Eim, honoring one's parents; and Shiluach Ha'kein, sending away the mother bird. To support this idea, they recount a story in which a father instructed his son to climb a ladder to retrieve some young chicks in a nest after first sending away the mother bird. He carried out his father's wishes, sending away the mother bird. As he was climbing down the ladder with the young chicks, however, he slipped and fell off the ladder. He subsequently died as a result of his fall. Certainly, if arichas yamim, longevity, was to occur in this world, why did the boy die? He was fulfilling not one - but two -- mitzvos whose reward is longevity. This supports the thesis that "chaim," life, is a reward which one "collects" in Olam Habah.

Nachlas Tzvi cites an incredible story that reinforces the concept of "life" in Olam Habah: It happened that during the Russian Kaiser's birthday, a group of young Jewish children were forcibly taken from their families and conscripted into the army. These Cantonists, as they were called, were lined up at the river under the watchful eye of the priest who was to baptize them. One can only begin to imagine the emotions of these young children at this most tragic moment. The signal was given, and they were told to enter the water. The priest was about to issue his official proclamation welcoming these innocent children into the Christian religion, when something strange happened. All of the children screamed out in unison, "Naase v'nishma," "We will do and we will listen," and they jumped into the water, but did not resurface. They went to their deaths with the same clarion cry that their ancestors proclaimed as they stood at Har Sinai about to accept the Torah.

This was not always the case. Many Jewish children have been baptized and, ultimately, lost forever to the Jewish People. The rabbis of various communities did everything within their means either to rescue these hapless children or to speak to them in a manner that would encourage them not to relinquish their faith. For example, the story is told that once Horav Yitzchok Izak Chaver, zl, the famous rav of Vilkovisk, came to a small town in Lithuania. As he entered the Jewish ghetto, he was met with the heart-rending screams of parents whose children had been grabbed and were about to be sent away - forever. Quickly, he removed his rabbinic garb and donned the outfit worn by the Russian/Christian peasant. He went out in the street shaking back and forth, acting like a drunk in an advanced state of inebriation. Noticing the commotion he was causing, the police called him aside and asked to see his passport. Rav Yitzchak Izak continued his ruse, so that he was remanded to the jail cell for the night.

This was, of course, his intent, since this was the same prison in which the children were being held in preparation for being shipped out the next day.

Once in jail, the rav was able to locate the children. After doing so, he revealed his true identity to them and began to speak to them about Judaism, in an attempt to inspire them for one last time before they were shipped off to spiritual oblivion. He related stories of faith and conviction, telling them how our ancestors had given up their lives so that they could live as Jews. Mesiras nefesh, self-sacrifice for Torah and mitzvos, is the primary component in avodas Hashem, serving the Almighty. He implored them to face up to the challenge that would now confront them. "Observe Shabbos, keep kosher, never forget Hashem - even if they rake your skin to death." He described the strength of conviction that was exemplified by the Asarah Harugei Malchus, ten Tanaim, whose lives were taken under the most cruel and painful means; he related the superhuman strength of Chanah and her seven sons, who gave up their lives in defiance of the king, rather than bow down to an idol.

As dawn broke, the guards came for the children. In his parting words, the rav turned to the children and spoke with great emotion, "Holy children, we now are about to separate from each other. I am going to be punished with many painful lashes because I have come to you. You are leaving to face the most trying challenges to your faith. I do not know if I will still be alive when you return, but we will meet again, in Olam Habah. I hope that I will not be eternally disgraced before the Heavenly Court." Those words, emanating from a loving heart entered into the young hearts of the children, imbuing them with the strength and determination to withstand the challenge to their faith.

You shall not present any of your children to pass through for Molech and do not profane the name of your G-d. (18:22)

The thought of delivering one's child to the Molech god is horrifying. Indeed, we have no idea of the mindset of those who fell into the grasp of the pagan gods. Idolatry was rampant. Unless one was totally suffused with Torah, he was subject to the allure and blandishment of the idols and everything for which they stood. Targum Yonasan ben Uziel goes so far as to maintain that the Molech prohibition is an admonishment against any form of intermarriage. A parent has a responsibility to see to it that his children are raised and educated in such a manner that they will choose a mate who will maintain their standard of spiritual values and aspirations. As parents, we must take an active role in making sure that each of our children marries either a ben Torah or a bas Yisrael b'melo muvan ha'milah, in the full extent of the word. How else can we hope to have grandchildren who will adhere to our noble heritage? We are responsible for the education our children receive, as well as for the results of that education.

The Chofetz Chaim, zl., writes that an individual who sends his child to a school where he will be exposed to heretical teachings is included in the Molech prohibition. After all, in both circumstances the innocent child is being exposed to idolatry of the lowest order. One should be prepared to spend all of his money to provide a Torah education for his child. The Chofetz Chaim concludes that the prohibition against sending a child to a school that teaches kefirah, heresy, supercedes the rules of the civil government. Even if one lives in a place where the government demands all children must be educated in such a school - one is forbidden to listen. Evidently, Hashem's law takes precedence over the secular government. Regrettably, many of us do not understand and accept this idea.

Horav Moshe Shternbuch, Shlita, supplements this, positing that the parents will have to answer one day for any transgressions

perpetrated by their child as a result of the deficient education he has received. Parents have an enormous responsibility in raising their children. The Almighty grants us the privilege to raise the children that He so graciously shares with us. Unfortunately, many of us lose sight of this most precious gift.

You shall safeguard My change that these abominable traditions not be done. (18:30)

We may note that shemiras ha'mitzvos, mitzvah observance, guarding Hashem's laws and precepts, is not presented here as a means for spiritual advancement. Rather, it is a preventative measure to protect the individual from sinking into the abyss of the abominate. From the zenith of virtue to the nadir of depravity - that is the essence of mitzvah observance. One who observes can, and will, rise to the pinnacle of holiness; one who does not, can quite possibly fall into the depths of immorality.

Horav David Shneuer, Shlita, feels that this is the specific reason that Chazal instituted the reading of the parsha of arayos, the chapter dealing with immoral and illicit relationships, during Minchah on Yom Kippur. One would think that at such a time, when one is physically and emotionally drained, when he has reached his lowest point of humility; when he no longer has the ability to even think about falling prey to his base desires, the Torah reading would deal with subjects that address spiritual ascendancy - not immorality and prurience.

The Torah is acutely aware of man's base nature and weakness in withstanding the evil inclinations, the challenge to his commitment. The Torah is conveying to us that, regardless of the moment, one's spiritual achievements notwithstanding, he can fall - and fall hard - even on Yom Kippur! That is the message. We only have to accept the warning.

<http://www.ezratorah.org/nisan.htm>

SHABBOS PARSHAS ACHAREI

24 NISAN, APR. 26 NINTH DAY OF THE OMER

The Haftorah is read from Amos 9:7-15. We bless the month of Iyar. We do not say Kel Malei, however, we do say Av Harachmim that was composed for the martyrs of the Crusade period most of whom were slain during the period of Sefiras HaOmer;

MINCHA

Ashrei; Uva Letzion; Half-Kaddish; "Vani Sfilasi"; Torah Reading: three Aliyahs in Parshas Kedoshim (no Half-Kaddish after Mincha Torah Reading); we lift up, rewind the Sefer Torah and return it to the Aron HaKodesh (withYahalelu); Half-Kaddish; Shemonah Esrei of Shabbos; the Chazzan's Repetition; Kaddish Tiskabel; (we omit Tzidkascha Tzedek); Aleinu; Mourner's Kaddish. We begin the weekly study of a chapter of Pirkei Avos - "Ethics of the Fathers" every Shabbos afternoon until Rosh HaShanah (Chapter 1).

EREV ROSH CHODESH 29 NISAN, THURSDAY, MAY 1
FOURTEENTH DAY OF THE OMER

The order of Yom Kippur Koton is not observed.

FIRST DAY ROSH CHODESH 30 NISAN, FRIDAY, MAY 2
FIFTEENTH DAY OF THE OMER

The usual service for Rosh Chodesh: Yaale Veyavo; Half-Hallel; Kaddish Tiskabel; Torah Reading; Mussaf; etc.