

Weekly Parsha Achrei Mos
Rabbi Wein's Weekly Blog

The death of the two sons of Aaron remain one of the great mysteries that the Torah presents to us. The Talmud and Midrash have advanced several ideas as to why such a tragedy occurred and it may seem to a certain extent it was self-inflicted. The reasons for their failures are listed - they had drunk too much wine, they never intended to marry and father a family and they wanted their elders to pass on so that they could be the leaders of the people. Over the centuries other ideas of their failings have been enumerated by the commentators.

In the face of all of this we have the record of the Torah itself that their father Aaron was silent. The silence many times is the only acceptable answer in the face of tragedy. The silence indicates the line between the judgment of heaven and the understanding of life that humans bring to it. My thoughts are not your thoughts and my ways are not your ways, that is what the Lord says, and man must adjust to that difficult reality.

So, Aaron is silent. He does not complain, and he does not cast blame. Is he aware of the behavior of his sons? The Torah does not comment upon that either. Many times, parents really do not comprehend their children nor are they privy to their ambitions or thoughts. But the Torah leaves all of this as an open question as far as Aaron and his sons are concerned. We have no idea as to what he thought of his sons, but we can understand the anguish and pain that he must have suffered on that terrible day of tragedy. Aaron remains a symbol therefore of the ability to continue life even when life has struck a deadly blow to the person. In this respect I always felt that he is a prototype of Iyov who also seems to suffer for causes that are unknown and inexplicable. However, Iyov complains loudly and demands to know why. Aaron is silent and does not raise his voice either in anger or in doubt.

I can only imagine that the surviving sons of Aaron, Elazar and Itamar, are placed under enormous personal and emotional pressure. The older sons, Nadav and Avihu, were seen as the heads of the family and as the ones who bore responsibility for preserving the line of the priesthood and the holiness of the Tabernacle and Temple. Now they have suddenly been removed from the scene. Elazar and Itamar are the only ones left. Many times in human history we have seen that younger brothers who never expected to become a monarch or have a position of importance and influence, when fate decreed otherwise and made that younger person the head of the family or the leader of the country, rose to the occasion.

It is not that they imitated their older siblings who no longer were present, but rather it was that they were able to assert their own personality and their own inner greatness. One never knows the capabilities and potential that one has

until and unless one is challenged by fate and life itself. Potential exists within everyone. The ability to bring forth that potential and to further it and strengthen it and make it beneficial, that is a challenge.

So, included in the tragedy of the deaths of the two older sons of Aaron is the response of the two younger sons who apparently rise to the occasion. Elazar will be the high priest that leads the Jewish people to the land of Israel and Itamar will be the one that is able to organize and correctly finance the building of the tabernacle in the desert and other projects as well. The line of the priesthood of Israel that exists until today runs through Elazar and Itamar who never expected to be the ones that would have to bear that burden and meet that challenge. That is also part of the idea of Aaron's silence. For who knows how people will respond and who knows what potential will be released that will help build the Jewish people and humankind.

Shabbat Shalom
Rabbi Berel Wein

Covenant & Conversation

Lord Rabbi Jonathan Sacks ZTL

The Scapegoat - Acharei Mot [Kedoshim in Israel]

The strangest and most dramatic element of the service on Yom Kippur, set out in Acharei Mot (Lev. 16:7-22), was the ritual of the two goats, one offered as a sacrifice, the other sent away into the desert "to Azazel." They were to all intents and purposes indistinguishable from one another: they were chosen to be as similar as possible in size and appearance. They were brought before the High Priest and lots were drawn, one bearing the words "to the Lord," the other, "to Azazel." The one on which the lot "To the Lord" fell was offered as a sacrifice. Over the other the High Priest confessed the sins of the nation, and it was then taken away into the desert hills outside Jerusalem where it plunged to its death. Tradition tells us that a red thread would be attached to its horns, half of which was removed before the animal was sent away. If the rite had been effective, the red thread would turn to white.

Much is puzzling about the ritual. First, what is the meaning of "to Azazel," to which the second goat was sent? It appears nowhere else in Scripture. Three major theories emerged as to its meaning. According to the Sages and Rashi, it meant "a steep, rocky, or hard place". In other words, it was a description of its destination. In the plain meaning of the Torah, the goat was sent "to a desolate area" (el erez gezerah, Lev. 16:22). According to the Sages, this meant it was thus taken to a steep ravine where it fell to its death. That, according to the first explanation, is the meaning of Azazel.

The second, suggested cryptically by Ibn Ezra and explicitly by Nahmanides, is that Azazel was the name of a spirit or demon, one of the fallen angels referred to in

Genesis 6:2, similar to the goat-spirit called 'Pan' in Greek mythology, 'Faunus' in Latin. This is a difficult idea, which is why Ibn Ezra alluded to it, as he did in similar cases, by way of a riddle, a puzzle, that only the wise would be able to decipher.

He writes:

I will reveal to you part of the secret by hint: when you reach thirty-three you will know it.

Nahmanides reveals the secret:

Thirty-three verses later on, the Torah commands: "They must no longer offer any of their sacrifices to the goat idols [se'irim] after whom they go astray." See Nahmanides on Lev. 17:7

Azazel, on this reading, is the name of a demon or hostile force, sometimes called Satan or Samael. The Israelites were categorically forbidden to worship such a force. Indeed, the belief that there are powers at work in the universe distinct from, or even hostile to, God, is incompatible with Judaic monotheism. Nonetheless, some Sages did believe that there were negative forces that were part of the heavenly retinue, like Satan, who brought accusations against humans or tempted them into sin. The goat sent into the wilderness to Azazel was a way of conciliating or propitiating such forces so that the prayers of Israel could rise to heaven without, as it were, any dissenting voices. This way of understanding the rite is similar to the saying on the part of the Sages that we blow shofar in a double cycle on Rosh Hashanah "to confuse Satan." (Rosh Hashanah 16b)

The third interpretation, and the simplest, is that Azazel is a compound noun meaning "the goat [ez] that was sent away [azal]." This led to the addition of a new word to the English language. In 1530 William Tyndale produced the first English translation of the Hebrew Bible, an act then illegal and for which he paid with his life. Seeking to translate Azazel into English, he called it "the escapegoat," i.e. the goat that was sent away and released. In the course of time, the first letter was dropped, and the word "scapegoat" was born.

The real question, though, is: what was the ritual actually about? It was unique. Sin and guilt offerings are familiar features of the Torah and a normal part of the service of the Temple. The service of Yom Kippur was different in one salient respect: in every other case, the sin was confessed over the animal that was sacrificed. On Yom Kippur, the High Priest confessed the sins of the people over the animal that was not sacrificed, the scapegoat that was sent away, "carrying on it all their iniquities" (Lev. 16:21-22).

The simplest and most compelling answer was given by Maimonides in The Guide for the Perplexed:

There is no doubt that sins cannot be carried like a burden, and taken off the shoulder of one being to be laid on that of another being. But these ceremonies are of a symbolic character, and serve to impress people with a certain idea, and to induce them to repent – as if to say, we have freed

ourselves of our previous deeds, have cast them behind our backs, and removed them from us as far as possible.[1]

Expiation demands a ritual, some dramatic representation of the removal of sin and the wiping-clean of the past. That is clear. Yet Maimonides does not explain why Yom Kippur demanded a rite not used on other days of the year when sin or guilt offerings were brought. Why was the first goat, the one of which the lot "To the Lord" fell and which was offered as a sin offering (Lev. 16:9) not sufficient?

The answer lies in the dual character of the day. The Torah states:

This shall be an eternal law for you: On the tenth day of the seventh month you must fast and not do any work... This is because on this day you shall have all your sins atoned [yechaper], so that you will be cleansed [le-taher]. Before God you will be cleansed of all your sins. Lev. 16:29-30

Two quite distinct processes were involved on Yom Kippur. First there was kapparah, atonement. This is the normal function of a sin offering. Second, there was taharah, purification, something normally done in a different context altogether, namely the removal of tumah, ritual defilement, which could arise from a number of different causes, among them contact with a dead body, skin disease, or nocturnal discharge. Atonement has to do with guilt. Purification has to do with contamination or pollution. These are usually[2] two separate worlds. On Yom Kippur they were brought together. Why?

As we discussed in parshat Metzora, we owe to anthropologists like Ruth Benedict the distinction between shame cultures and guilt cultures.[3] Shame is a social phenomenon. It is what we feel when our wrongdoing is exposed to others. It may even be something we feel when we merely imagine other people knowing or seeing what we have done. Shame is the feeling of being found out, and our first instinct is to hide. That is what Adam and Eve did in the garden of Eden after they had eaten the forbidden fruit. They were ashamed of their nakedness and they hid.

Guilt is a personal phenomenon. It has nothing to do with what others might say if they knew what we have done, and everything to do with what we say to ourselves. Guilt is the voice of conscience, and it is inescapable. You may be able to avoid shame by hiding or not being found out, but you cannot avoid guilt. Guilt is self-knowledge.

There is another difference which, once understood, explains why Judaism is overwhelmingly a guilt rather than a shame culture. Shame attaches to the person. Guilt attaches to the act. It is almost impossible to remove shame once you have been publicly disgraced. It is like an indelible stain on your skin. It is the mark of Cain. Shakespeare has Lady Macbeth exclaim, after her crime, "Will these hands ne'er be clean?" In shame cultures, wrongdoers tend either to go into hiding or into exile, where no one knows their past, or to commit suicide.

Playwrights in these cultures have such characters die, for there is no possible redemption.

Guilt makes a clear distinction between the act of wrongdoing and the person of the wrongdoer. The act was wrong, but the agent remains, in principle, intact. That is why guilt can be removed, “atoned for,” by confession, remorse, and restitution. “Hate not the sinner but the sin,” is the basic axiom of a guilt culture.

Normally, sin and guilt offerings, as their names imply, are about guilt. They atone. But Yom Kippur deals not only with our sins as individuals. It also confronts our sins as a community bound by mutual responsibility. It deals, in other words, with the social as well as the personal dimension of wrongdoing. Yom Kippur is about shame as well as guilt. Hence there has to be purification (the removal of the stain) as well as atonement.

The psychology of shame is quite different to that of guilt. We can discharge guilt by achieving forgiveness – and forgiveness can only be granted by the object of our wrongdoing, which is why Yom Kippur only atones for sins against God. Even God cannot – logically cannot – forgive sins committed against our fellow humans until they themselves have forgiven us.

Shame cannot be removed by forgiveness. The victim of our crime may have forgiven us, but we still feel defiled by the knowledge that our name has been disgraced, our reputation harmed, our standing damaged. We still feel the stigma, the dishonour, the degradation. That is why an immensely powerful and dramatic ceremony had to take place during which people could feel and symbolically see their sins carried away to the desert, to no-man’s-land. A similar ceremony took place when a leper was cleansed. The Priest took two birds, killed one, and released the other to fly away across the open fields (Lev. 14:4-7). Again the act was one of cleansing, not atoning, and had to do with shame, not guilt.

Judaism is a religion of hope, and its great rituals of repentance and atonement are part of that hope. We are not condemned to live endlessly with the mistakes and errors of our past. That is the great difference between a guilt culture and a shame culture. But Judaism also acknowledges the existence of shame. Hence the elaborate ritual of the scapegoat that seemed to carry away the tumah, the defilement that is the mark of shame. It could only be done on Yom Kippur because that was the one day of the year in which everyone shared, at least vicariously, in the process of confession, repentance, atonement, and purification. When a whole society confesses its guilt, individuals can be redeemed from shame.

[1] The Guide for the Perplexed, III:46.

[2] There were, though, exceptions. A leper – or more precisely someone suffering from the skin disease known in the Torah as tsara’at – had to bring a guilt offering [asham] in addition to undergoing rites of purification (Lev. 14:12-20).

[3] Ruth Benedict, *The Chrysanthemum and the Sword*, (Boston: Houghton Mifflin) 1946.

Shabbat Shalom: Parshat Aharei Mot (Leviticus 16:1-18:30)

Rabbi Shlomo Riskin

Efrat, Israel – “And you shall observe My decrees and My laws which a human being shall perform and he shall live by them; I am the Lord.” (Leviticus 18:5)

It is fascinating that our Bible commands us to perform the laws and statutes of the Lord, and then it adds “and he shall live by them.” Would any moral individual think to perform laws that could cause them to die? Our Sages use this seemingly superfluous phrase to teach a most important lesson, one which distinguishes Judaism from some other religions: “You shall live by these My laws and not die by them. If someone says to you, ‘Desecrate the Sabbath or I’ll kill you,’ you must desecrate the Sabbath; desecrate one Sabbath so that you will live to observe many more Sabbaths” (BT, Yoma 85b).

Our religion revels in life. To be sure, there are instances when one must be ready to die for one’s faith, but this is limited to three most egregious crimes: murder, sexual immorality and idolatry. If one says to a Jew “kill X or I’ll kill you; rape Y or I’ll kill you,” the Jew must give up his or her life rather than commit these crimes. Similarly, in times of persecution, Jews must demonstrate that they will not give in to gentile pressure – even pressure unto death – to relinquish their faith. But under ordinary conditions, no Jewish law overrides the preservation of human life.

Even the famous test of Abraham, the apparent Divine command that Abraham sacrifice his son to Him, concludes with Abraham being forbidden to harm his son (Kierkegaard notwithstanding). The most classic commentary, Rashi, even goes so far as to say that Abraham misunderstood the Divine command, that God never meant that he should slaughter his son, but rather dedicate him in life and not in death.

Unlike the Christian symbol of the cross, which eternalized the martyrdom of the founder of Christianity, and far from the glory some militant Islamic groups ascribe to the shahidim—the so-called martyrs who are urged (and handsomely paid) to blow themselves up together with innocent Israelis amid the promise of eternal bliss with 72 virgins—Judaism has never courted martyrdom.

Indeed, our priests-kohanim aren’t even allowed to come into contact with a dead body, so consistent are we in promoting Judaism as a life-fostering and this-world oriented religion.

What still remains strange and difficult to understand is that immediately following the biblical mandate to “live by God’s laws,” in our weekly portion of Aharei Mot comes a long list of prohibited sexual relationships which fall under the rubric of “one must die rather than transgress.” If living by God’s laws is so important, why follow that stricture

with laws for which one must be willing to die rather than transgress? I believe the answer is to be found in a difficult conundrum suggested by the Elders of the Negev. The Talmud (BT, Tamid 32b) records a discussion between Alexander the Great and the Elders of the Negev: Alexander asked, "What ought people do if they wish to keep on living?" The Elders answered: "They must slay themselves". Asked Alexander: "What ought people do if they wish to die?" Answered the Elders. "They should try to stay alive!"

Permit me to explain. Let us answer the second question first. If an individual lives only in order to keep on living, he is bound to fail, and he will die in the end; after all, I am not aware of any individual who got out of this world alive! Hence if a person wishes to die, let him continue to try to stay alive forever. He will surely die because he will surely fail.

And what ought someone do if he wants to keep on living? Let him slay himself, or at least let him find an idea to live for which is more significant than his own life. Then even if he dies in pursuit of that ideal, his life will have gained ultimate meaning, and he himself will be linked to eternity. Martin Luther King, Jr. put it very well in his Detroit speech in June 1963: "And I submit to you that if a man hasn't discovered something that he will die for, he ain't fit to live."

The only life that is truly meaningful is a life dedicated to an idea which is greater than one individual's life.

Hence, in our portion, "You shall live by My laws," appears within the context of a group of laws for which one must be willing to give up his life.

Shabbat Shalom!

Parshas Acharei Mos

Rabbi Yochanan Zweig

This week's Insights is dedicated in loving memory of Barry Ross, Binyomin Yitzchak ben Meir. "May his Neshama have an Aliya!"

Time After Time

You shall observe My decrees and My laws; which a man shall carry out and he shall live by them – I am Hashem (18:5).

In this week's parsha, the Torah introduces a new concept regarding observing the mitzvos: they give a person "life." Rashi (ad loc) is troubled with the literal meaning that a person can achieve life through observing the mitzvos and asks, "Is it not man's destiny to die?" Thus, Rashi explains that this "life" refers to the eternal reward that a person achieves in "The World to Come."

Interestingly enough, both of the Aramaic translations of the Torah, Targum Onkelos and Yonasan Ben Uziel, understand the plain meaning of this verse in exactly the same manner – that this "life" refers to the reward a person receives in the next world.

Yet this understanding of the verse to simply refer to the "life" a person receives in the next world is difficult to accept in light of the following discussion in the Talmud (Yoma 85a). The Gemara relates that R' Akiva, R' Yishmael, and R' Elazar Ben Azaryah were traveling together with a few others and the question was raised, "From where do we know that one is obligated to violate Shabbos to save a person's life?"

The Gemara then records each of the tanaim's opinions as to why we are obligated to violate Shabbos to save a person's life. Most of the opinions were based on brilliant logical inferences in Jewish law. One by one the Gemara takes them apart and invalidates them as the ultimate source for this law. The Gemara then quotes the amora Shmuel, that the source for this law is based on this very verse from this week's parsha: "and he shall live by them." The implication of this verse is that a person must live through the mitzvos and that one should not die through the observance of the mitzvos. Thus, the Gemara concludes that the literal meaning of this verse is that the preservation of a person's life overrides the obligation of keeping mitzvos (the only mitzvos that are excluded from this and for which one must give up his life to fulfill are murder, idolatry, and illicit relations). Indeed, Maimonides (Hilchos Shabbos 2:3) quotes this very verse as the source for this law.

This is very difficult to understand in light of the literal translations according to Rashi and the targumim. According to Rashi and the targumim, the life mentioned in this verse doesn't refer to a person's life in this world. How is it possible that the source for saving a person's life in this world is the very verse that they say refers to the life one merits in The World to Come?

The Torah is teaching us one of the most fundamental principles of Jewish philosophy. People in this world have a very temporal existence. Thus, the most precious possession that any person has is time. Yet, without a greater purpose to one's life, one's most precious possession is merely a depreciating asset. In other words, if an average person lives 70-80 years, approximately 27,375 days, then every day that passes is one less in his possession.

Anyone who lives on savings knows the insecurity of contemplating what will happen when the savings runs out. A person's temporal existence is the very same issue but on a much larger scale. This gnawing feeling that one's life is merely slipping away is undoubtedly the source for many questionable decisions that come as a result of this issue. This is why one often sees older people wearing "hip" clothes or sporting ponytails – fashions that are generally reserved for teenagers and young adults – because they are trying to hold on. This feeling, that one's life is slipping away, is also the reason people go through midlife crises.

Chazal are teaching us a fundamentally different way of viewing our lives – one that should change a person's

outlook on life. By observing the mitzvos, a person merits “life” in The World to Come. As Rashi points out, earning “life” in this world is essentially meaningless because it’s temporal. But receiving a share in The World to Come is achieving an eternal existence. Therefore, our lives here aren’t merely a diminishing asset; each day provides an opportunity to deliver an incredible eternal existence.

This is the very same reason that we violate Shabbos (or other mitzvos) to save a person’s life. Because the value of our temporal life is based on the fact that through it we have the potential to achieve eternal life.

Happiness of Holiness

For on this day He shall provide atonement to cleanse you [...] (16:30).

Much of this week’s parsha is dedicated to discussing the service that the kohen gadol does in the Beis Hamikdash on Yom Kippur. According to the Gemara (85b), this verse is the source that Hashem grants atonement on Yom Kippur. Interestingly, the day itself provides atonement for certain sins, even without a person’s complete repentance for those transgressions.

The Gemara (Ta’anis 30b) suggests two reasons why the Mishna considers Yom Kippur to be one of the two happiest days on the Jewish calendar: because a person receives atonement on this day and because on Yom Kippur the Jewish people received the second set of tablets. Even though receiving the second tablets signified that Hashem forgave His people for the sin of the Golden Calf, this forgiveness cannot be the reason why Yom Kippur is considered a very happy day, as that would be the same reason as the first (i.e. Hashem grants atonement). What is the connection between receiving the second set of luchos and the day a person receives forgiveness?

At the end of Gemara Megilla (31a) the Talmud lists all the Torah readings for the different days of the year. Among this list is the reading for Yom Kippur and it is quite interesting to note that all of the readings of the day come from this week’s parsha.

In the morning we read from the beginning of this week’s parsha, which discusses the avodah and other Yom Kippur observances (such as fasting), while in the afternoon we read from the end of this week’s parsha, which enumerates all the illicit relationships. While the morning’s readings are quite understandable, we must try to understand why Chazal instituted the reading of forbidden relationships on the holiest day of the year. It seems a little incongruous.

In the beginning of the parsha, we find a fascinating Rashi (16:1). Rashi describes the reason for observance of the mitzvos is not as one might think, because Hashem’s relationship with the Jewish people is not one of a king-subject relationship but rather as a doctor-patient relationship. This concept is very important to internalize.

Just as a doctor advises his patient on what’s the best way for him to act in order to live, so too the reason that Hashem gave us the Torah is so that we would have a

guide to living our best lives possible. Only by observing Hashem’s mitzvos can we have the most remarkable physical, emotional, and spiritual lives. The Torah and mitzvos are in place for our sake.

A person who lives his life with little structure and is driven to continuously experience succeeding levels of a hedonistic lifestyle essentially defeats his own purpose for existence. This is because the physical body is only capable of experiencing a limited amount of pleasure (e.g. you can only eat and drink so much). Anything physical is limited to physical boundaries.

The more continuous physical pleasure a person seeks, the less pleasure he receives from the same acts, and eventually a person becomes a slave to his very desires. Consider a drug addict: the first time the pleasure may be beyond belief, but for the rest of his drug filled life he is trying to achieve that same original high – a feat which cannot be reached and ultimately causes a spiral of destruction.

Yom Kippur is the day that, through Hashem’s beneficence, we “reboot” and begin anew. We distance ourselves from all physicality and contemplate our lives and the sins that we are driven towards by our physical bodies. Hashem grants us forgiveness, much in the same manner one declares bankruptcy; thus it is a chance to start over and begin anew to lead a productive life.

This is the reason we read about the forbidden relationships as Yom Kippur draws to a close. It’s a reminder that focusing merely on seeking higher and more exotic physical pleasure leads to destructive and debasing behavior. In addition, just as a sugar addict must seek continually higher and higher sugar levels to enjoy food and drink, and eventually loses the ability to enjoy typical healthy foods, so too the constant pursuit of any physical pleasure is self-defeating in that eventually it causes us to be unable to enjoy the physical pleasures that life offers.

This is why on this day of “rebooting” we also received the second luchos. The Torah is the manual given to us by Hashem to lead the most incredible life. The structure that Hashem put into place is the only way to achieve the maximum physical, emotional, and spiritual pleasure from life.

Ohr Somayach :: Torah Weekly :: Parsha Insights

For the week ending 23 April 2022 / 22 Nissan 5782

Rabbi Yaakov Asher Sinclair -

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Parshat Acharei Mot

The Power of Silence

“Any person shall not be in the Tent of Meeting when he (Aharon) comes to provide atonement in the Sanctuary...” (16:17)

The Kohen Gadol, the High Priest, would come into the Holy of Holies only once a year, and his first service in that awesome place and on that awesome day was not to seek

forgiveness for the people for the sins of spiritual contamination, of rebellion either through desire or even for thoughts of atheism, or for that matter, any sin between man and God. Rather, it was to seek atonement for gossip and slander — the sins that destroy the cohesion of society, that break the bond between one person and another.

The tongue can give life and the tongue can kill as it says in Mishlei, Proverbs (18:21), “Death and life and in the hand of the tongue.” The agency of the atonement on Yom Kippur is through the ketoret — the spice offering. It is the nose that senses the ketoret, and it is the nose that can discern between life and death. Life was breathed into man through his nostrils, and thus the first organ that can detect the absence of life — death — is the nose. When things die, they smell offensive, and nothing is more offensive than a human cadaver, the greatest recipient of life.

It is specifically Aharon who can bring atonement for the sins of the mouth because it was Aharon who was able to be silent in the face of the greatest tragedy, when he lost two sons on the same day, as it says, “And Aharon was silent...” (10:3)

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Chief Rabbi Ephraim Mirvis

Dvar Torah Acharei Mot: The Torah's Travel Insurance
28 April 2022

Have you ever been asked to take ‘shliach mitzvah’ money? If you have, you’ll be familiar with the idea. The Talmud teaches,

“Shluchei mitzvah einan nizokin.” – “People who are on a mission to perform a good deed on behalf of others will come to no harm.”

With this in mind, sometimes when people are going on a journey, family or friends might give them some money, asking, “When you reach your destination please give this to charity.” With this they’re giving the traveller their blessing that no harm will befall them.

This is one of many examples of the concept of ‘shlichut’, where we ask people to carry out good deeds on our behalf. The Talmud teaches,

“Shlucho shel adam kemoto.” – “One’s representative is just like oneself.”

That person becomes your ‘yada arichta’ – your extended arm. The concept of shlichut therefore has numerous blessings. It’s great for those who are asking others to perform good deeds because it means that their output of goodness is increased. They don’t have to carry out every single deed themselves, and those who carry out the deeds are blessed as a result.

The Torah, in Parshat Acharei Mot however, gives one notable exception to the concept of shlichut, of delegation. We’re presented with laws concerning inappropriate sacrifices and the Torah tells us that somebody who brings such a sacrifice,

“Dam yechasheiv laish hahu,” – this wrongdoing “will be considered to be the act of the person who carried it out.”

Says the Talmud:

“Hu velo sholcho,” – “It’s that person’s wrongdoing and not the wrongdoing of anyone who asked them to carry it out.”

Here the Torah is letting us know that ‘ein shliach lidvar aveirah,’ – you cannot have a representative to carry out something which is wrong. If you’re performing a wrongdoing – it’s on your own head. You can’t blame anyone else for it.

So therefore let us take advantage of the concept of shlichut; let’s ask people to perform good deeds on our behalf; let’s increase all the output of the kindness and good that we perform in this world; let’s increase blessings for our society – but let’s never forget that when it comes to wrongdoing, no person should ever be allowed to give the excuse “I was only doing my duty. I was only obeying orders.”

Shabbat shalom.

Rabbi Mirvis is the Chief Rabbi of the United Kingdom. He was formerly Chief Rabbi of Ireland.

Rabbi Yissocher Frand - Parshas Acharei Mos

Rabbi Akiva's Students Did Not Die for the Crime of Disrespectful Behavior

I would like to read several paragraphs from an undated letter by the Chofetz Chaim. It is difficult to know what the historical context was, but it is obvious from this letter that the Chofetz Chaim is terribly pained about something. This letter is found in the sefer Chizuk HaDas, which is one of the Chofetz Chaim’s sefarim. It is Letter #31 in that collection. Although this is written well over a hundred years ago, the subject matter is, unfortunately, very contemporary for a variety of reasons.

Therefore, I wish to publicly express my terrible pain about this issue. Maybe there will be found people who will take this matter to heart and my effort will not have been in vain. I am greatly pained that argumentation has proliferated amongst the Jewish people. Jews, Talmidei Chachomim, are fighting with one another. Every day, there are new factions, and factions of factions, that emerge to contest with one another. All of this is done publicly.

They print articles; they print “Kol Korei” proclamations, each backing up their particular points of view. They spread these articles and pamphlets and posters to every corner. This person gathers signatures to support his position, and this person gathers signatures to support his position. Each side heaps scorn on the other side of the dispute, back and forth. The result of all this is that the entire exile has become one huge bonfire, lit up with the fire of dispute. Not a single day passes where such publications do not reach my hand, bashing one side or the other—papers and publications each heaping scorn and shame on the opposing position.

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Actively Passive (Acharei Mot)

Ben-Tzion Spitz

To make oneself an object, to make oneself passive, is a very different thing from being a passive object. - Simone de Beauvoir

According to both biblical and Midrashic sources, Nadav and Avihu, the sons of Aaron the High Priest, were great men. In some respect, they were even considered greater than Moses and Aaron, which makes it even more perplexing how such prestigious and religiously accomplished individuals could deserve such a dramatic divine punishment. How was it that a divine fire killed these two great men on the very day of the consecration of the Tabernacle?

The Chidushei HaRim on Leviticus 16:3 states that while Nadav and Avihu were clearly great men and purely motivated, they made a critical mistake. They showed initiative at the wrong time. Furthermore, the demonstration of initiative in the wrong instance indicates a dangerous understanding of man's role in God's world.

It demonstrated a belief that they controlled the world to an extent, that they were the masters of the outcome of events, that the strength of their hand would shape reality. The Chidushei HaRim explains at length that such belief is a fallacy and misunderstands God's active role in the world.

He highlights the underlying premise that God is in complete control of everything. A grain of sand does not move unless God allows it. God gives us free will and the ability to exercise it. He will rarely intervene in our actions in a direct or obvious way, but He is the ultimate enabler of everything that occurs in the world. We have an obligation to follow His commands and to use our free will to do what God asks. However, when we use our abilities and initiative to do something God hasn't commanded, it presumes a certain arrogance and belief that we can determine what should and will happen in the world.

When those instincts of wanting to act when we aren't supposed to come to the fore, we need to consciously refrain from pursuing those actions. We need to actively be passive. That is what Moses tells the Jews when they stood at the Sea with the Egyptian army poised to attack them: "God will fight for you, and you stay still."

There are times for action, there are times for initiative, but perhaps no less important, there are times not to take the initiative, not to react, not to presume that we are the masters of what occurs, but rather to remember that God is the ultimate conductor. Ironically, once we internalize that we're not the ones in control, it enables greater autonomy in God's world. Once we realize that God is ultimately in control, it gives us a greater ability and license to correctly exercise our free will.

This greatly pains me that also in our Holy Land, these actions of the Satan have been successful. It, too, has fallen into the trap of Machlokes. Each side feels that they have the truth with them and that it is only the opposing camp which is causing the Machlokes. Each side feels they are totally righteous, and will not in any way be punished for causing such Machlokes. This is a great mistake. Every Machlokes, even one which starts out for the Sake of Heaven, is vulnerable to having the human element ("I need to win") take over. This is the inevitable nature of Machlokes.

Everyone knows the story of what happened to Rabbi Akiva, who had 24,000 students. There was at the time a great plague, may the Merciful One save us from such. All 24,000 students died, and the world was desolate, from lack of Torah.

Why were they deserving of death? Was it merely because they did not treat one another respectfully? Was it because they yelled at each other? Was it because they insulted each other? All that would be terrible, but they are not capital offenses. All these actions merely involve prohibition of Ona'as Devorim (hurtful words) [Vaykira 25:17]. It is a negative prohibition, but not one deserving of the death penalty at the Hand of Heaven.

So why then did the Talmidim of Rabbi Akiva die? Why did 24,000 of his students fall for not treating one another with respect? It can only be because their actions created a great Desecration of G-d's Name in the world. When Talmidei Chachomim argue with one another, it is a tremendous Chilul Hashem, for it besmirches the reputation of Torah in the eyes of the entire world. The aveyra of Chilul Hashem is indeed punishable by Death at the Hand of Heaven.

About this I say, "How can we not be in fright from the example of these 'Cedars of Lebanon' who met such a fate for the sin of the Chilul Hashem their disrespectful behavior caused."

People of a certain stature need to be afraid, not only of Machlokes, which is an issur, and not only of Lashon HaRah, which is an issur – but they need to be afraid of something that is far greater than either of those two prohibitions, and that is Chilul HaShem. For the aveyra of Desecrating the Name of Hashem, we know, unfortunately, that the punishment is very great.

Why am I speaking about this now?

This is our first meeting during the days of Sefiras Ha'Omer. The Chofetz Chaim is writing a frightening Chiddush, and this is something we need to ponder, particularly during this time of Sefira. We need to strive to make a Kiddush HaShem and avoid Chilul Hashem at all costs.

Transcribed by David Twersky; Jerusalem
DavidATwersky@gmail.com

Technical Assistance by Dovid Hoffman; Baltimore, MD
dhoffman@torah.org

May we realize what things we can and should get involved in, and in which things we shouldn't.

Chag Sameach and Shabbat Shalom,

Dedication - To Israeli astronaut Eytan Stibbe. Wishing him and the rest of the Dragon Endeavour crew a safe return.

Ben-Tzion Spitz is a former Chief Rabbi of Uruguay. He is the author of three books of Biblical Fiction and over 600 articles and stories dealing with biblical themes.

Rabbi Shmuel Rabinowitz

Acharei Mot 5782 - Shortcut to Intimacy between A Couple?

In Parashat Acharei Mot, we read a list of prohibitions regarding intimacy and relations within the family. After the title, “No man shall come near to any of his close relatives, to uncover [their] nakedness,” the Torah delineates the list of relatives that are prohibited from marrying one another: a mother and son, brother and sister, father and daughter, etc.

These prohibitions were accepted by all of humanity. They were also accepted by all known ancient cultures, though in some there were exceptions. For example, in ancient Egypt, there were kings who married their sisters. The main innovation in this list are the reasons offered by the Torah for some of the prohibitions. Some of the reasons are mentioned in this week's Torah portion and others in next week's, Kedoshim, where we read of the very severe punishments given to those who transgress.

For example, this is how the Torah refers to the obvious prohibition of marriage between a brother and a sister:

And a man who takes his sister, whether his father's daughter or his mother's daughter, and he sees her nakedness, and she sees his nakedness it is a chessed, and they shall be cut off before the eyes of the members of their people...(Leviticus 20, 17)

Why is a prohibited marriage between a brother and a sister referred to as a “chessed,” a word that usually has a positive connotation of loving-kindness? Indeed, some commentators wrote that the meaning of “chessed” in this context is different from the one in other places in the Torah. Here, the meaning is disgrace, and not loving-kindness. Another commentator of the 13th century wrote that this is a case in which a man thinks he is doing an act of “chessed,” of loving-kindness, with his sister. “This man has a sister who is poor and he cannot marry her off to another. He thinks in his heart to do an act of ‘chessed’ with her by taking his sister, and he is convinced this is an act of kindness” (Rabbi Chaim Paltiel).

Rabbi Samson Raphael Hirsch (among the leaders of the Jewish community in Germany of the 19th century) explained that the term “chessed” in this verse connotes devotion to another that deviates from the norm. Usually, devotion is positive and praise-worthy, but here, explains Rabbi Hirsch, the devotion is negative and disgraceful.

Let us follow this train of thought. The concept of “chessed” indeed connotes devotion to another, and perhaps also empathy and emotional closeness. Emotional closeness and friendship that exist naturally between a brother and a sister are familiar to all of us. Family is a person's closest support system; the people he leans on and draws strength from in times of need.

But here's where a serious error can occur. Can the friendship between a brother and sister be a good foundation for an intimate relationship? The Torah, which categorically forbids this, points to the problem in such a relationship. “It is a chessed.” It is a relationship founded on natural closeness and therefore it has no basis as an intimate relationship.

The power of an intimate relationship between a couple stems from the fact that the man and woman bring different personalities to the relationship, different cultural backgrounds, and different perspectives on life. Every married person knows this: A short time after a couple marries, the stardust settles and they discover their differences. Now they need to embark on a journey of slowly growing closer to one another until they succeed in establishing a stable relationship based on will and effort. Then they create their own intimate relationship – something new, a human wonder, that neither of them had when alone and which does not exist with any other couple except them.

To correctly build a relationship between a couple, they must have those differences, that will to think of the other, to get closer and to take him or her into consideration. There is no way to skip that journey, and anyone who succeeds in it can attest to the fact that it is well worth the effort. Happiness does not come easily. But when it does – it justifies the effort required to achieve it.

Marriage between a brother and a sister, or between family relations in general, expresses an attempt to skip the differences and build a relationship devoid of effort and investment. Not only will this fail, but it is also disgraceful and forbidden. In order to attain the happiness and love of an intimate relationship between a couple, there must be the willingness to work hard, make sacrifices, and make the effort.

The writer is rabbi of the Western Wall and Holy Sites.

Shema Yisrael Torah Network

Peninim on the Torah - Parashas Acharei

פרשת אחרי תשפ"ב

אחרי מות שני בני אהרון... והיתה זאת לכם לחקת עולם לכפר על בני ישראל

After the death of Aharon's sons... This shall be to you an eternal decree to bring atonement upon Bnei Yisrael. (16:1,34)

The *Yalkut Shemoni* (*Shmuel* 2:155) teaches: “On the first of *Nissan*, the sons of Aharon (*HaKohen*) just died. Why does the Torah record their passing juxtaposed upon

the laws of the *Yom Kippur* service? This teaches that just as *Yom Kippur* serves as an atonement, so, too, do the deaths of the righteous (expiate the sinful acts of *Klal Yisrael*). Why is the death of Miriam *HaNeviyah* juxtaposed upon the laws of *Parah Adumah*? This teaches that just as the ashes of *Parah Adumah* purify one from ritual contamination, so, too, does *missas tzaddikim*, the death of *tzaddikim*, atone.” What is the relationship between *Parah Adumah* and the death of a *tzaddik*? *Parah Adumah* does not atone; it purifies/cleanses one of *tumah* – not sin. A *tzaddik*’s death atones; it does not purify.

How can one best define a *tzaddik*, righteous person? Certainly, a number of definitions are valid, all of which maintain a commonality. What is the core of his righteousness? In his eulogy for the *Steipler Gaon*, *zl*, *Horav Yaakov Galinsky, zl*, asked: “Imagine if we were asked to eulogize Moshe *Rabbeinu*, our quintessential *Rebbe*: who brought down the Torah; who put up with us for forty-years of traveling in the wilderness; who yearned so much to enter *Eretz Yisrael*, but did not! What would we say? How would we describe the man who was probably the archetypical Jew, who had no peer? The answer is found in the conclusion of the Torah. Hashem coined two words which comprise the definitive, consummate description of Moshe *Rabbeinu*: *eved Hashem*, “servant of Hashem.” These two words say it all.

Likewise, when *Horav Elchanan Wasserman, zl*, was asked to eulogize his *Rebbe*, the *Chafetz Chaim*, he began (and ended), “And Moshe, the *eved Hashem*, died.” One could render no better tribute to the man who altered the way we learn *Halachah* and the way we speak than the words, *eved Hashem*. What is the meaning of *eved*, and how is it uniquely applied to a *tzaddik*? The answer may help us shed light on how a *tzaddik*’s death atones.

Chazal (*Shemos Rabbah* 35:4) relate Moshe *Rabbeinu*’s dialogue with Hashem concerning the future of *Klal Yisrael*. Moshe asked, “They are destined one day not to have a *Mishkan* or *Mikdash* (to serve as collateral for them). Hashem will ‘collect’ His loan, be appeased to the extent that He does not pursue the borrower [the Jewish people] by taking away the *Mishkan* (*mashkon* – collateral/*Mikdash*) and *Bais Hamikdash*. What will serve as the Jewish people’s collateral?” Hashem replied, “I will take from them a righteous person and make him their collateral, and, with this act, I will grant atonement for all of their sins.” *Chazal* are teaching us that only Hashem atones. The *tzaddik* is the collateral which He takes because the “borrower” is overwhelmed with “debt.” Understandably, the *tzaddik* must not only be free of personal debt; in addition, he must not have any personal obligations. He has no “self.” This idea of abnegated selfhood defines *eved Hashem*, servant of Hashem. A servant has no self. Everything that he has belongs to his master, whom he serves unequivocally. Only one who is totally subservient to Hashem can achieve collateral status

and, thus, catalyze the process of atonement. Likewise, the *Parah Adumah*, which never came in contact with anything that had been ritually contaminated, expiates sin. It has no obligations. It belongs to Hashem.

There is a well-known story (I say well-known because it has been changed numerous times) concerning an early *Gerrer chassid* whose business fell on hard times. From the way things were going, in a few months he would be totally bankrupt. He went to visit his *Rebbe*, the saintly *Chiddushei HaRim* (first *Gerrer Rebbe*) to seek his sage advice and petition his blessing. If he did not get help soon he would end up in debtors’ prison. It was *Erev Rosh Chodesh*. What better time to approach the *Rebbe*? The *Chiddushei HaRim* listened to his *chassid*’s tale of woe and responded, “Tomorrow, during the recitation of *Hallel*, say *Ana Hashem*, ‘Please Hashem,’ with extra *kavanah*, devotion/concentration.”

The next day, the man stood for *Hallel* and concentrated on the words, *Ana Hashem hoshia na*, “Please Hashem, save!” For good measure, he added, *Ana Hashem, hatzlicha na*; “Please Hashem, grant success.” The *chassid* was certain that he had recited these phrases with sufficient fervor. Hashem would surely come to his rescue.

A few days passed, and the man’s bank account descended to a dangerous low. If something did not happen soon, he would be in serious trouble. He did not understand. He had followed his *Rebbe*’s advice to the letter. What could have gone wrong? He would return and ask the *Rebbe*. As he was about to enter the *Rebbe*’s home, he encountered the *Rebbe*’s grandson, the young Yehudah Aryeh Leib (the future *Sefas Emes*). The *Rebbe* had raised his orphaned grandson who would one day become his successor. He explained his predicament to the young man, “I do not understand. I heeded the *Rebbe*’s advice, and nothing happened.” The young man replied, “You do not understand. My grandfather did not mean: *Ana Hashem hoshia na* or *hatzlicha na*. My grandfather wanted you to concentrate on *Ana Hashem ki ani avdecha*, “Please Hashem – because I am Your servant!”

The man had the correct *Ana Hashem*, but the wrong request.

בקרבתם לפני ד' וימותו

When they approached before Hashem, and they died. (16:1)

Chazal (*Vayikra Rabbah* 20:6; *Eiruvim* 63a) enumerate a number of errors/sins attributed to Nadav and Avihu which precipitated their tragic, untimely deaths. One of these infractions is *moreh halachah bifnei rabbo*; “renders a *halachic* ruling in the presence of his *rebbe*” (in this case, Moshe *Rabbeinu*). We have no question that to *paskin*, rule *halachically*, in front of his *rebbe* is disrespectful and interrupts the chain of transmission/*Mesorah* from *Sinai*, but does it warrant such a devastating punishment? Furthermore, the Torah alludes to the reason for their deaths. *B’karvasam lifnei Hashem*

va'yamussu, "When they approached before Hashem and they died." It appears that their sin was in being in the wrong place at the wrong time, entering the *Kodesh HaKodoshim*, Holy of Holies (the place where the *Kohen Gadol*, holiest man, entered only on *Yom Kippur*, the holiest day of the year) without prior authorization.

Undoubtedly, overlooking one's *rebbe*, even to the most minor degree, is a sign of disrespect, but does it warrant such punishment? *Horav Yeruchem Levovitz, zl*, explains that, on the contrary, the punishment teaches us the gravity of the sin. When one is in the presence of his *rebbe*, he remains still until he is asked to speak. When one is with his *rebbe*, he should sense a feeling of unobtrusiveness, as if he does not exist. His total subjugation to his *rebbe* defines his relationship as a *talmid*, student, vis-à-vis his mentor. This is the meaning of *b'karvasam lifnei Hashem*; being in a place where they did not belong. They crossed the boundary of the student/*rebbe* relationship.

All this is good and well and explains their infraction, but does it warrant such punishment? Veritably, their deaths were a *Kiddush Hashem*, sanctification of Hashem's Name. It taught the nation that Hashem is exacting with those closest to Him. While the lesson is obvious, did no other way exist to teach the lesson? This question applies to all the other infractions *Chazal* cite which were considered inappropriate behavior for men of such noble standing. But does the punishment match the sin? Was it critical that such extraordinary *tzaddikim*, righteous men, die such a bizarre death on what was to be their family's and *Klal Yisrael's* most festive and joyous day, as they celebrated the inauguration of the *Mishkan*?

Horav Gedalyah Eisman, zl (Mashgiach Kol Torah), cites a well-known *Chazal* in the *Talmud (Bava Metzia 85b)* in which Rabbi Chiya claims that he is acting to ensure that the Jewish People will not forget the Torah. (This means that they are on the verge, and he is acting to prevent it.) "What do I do?" Rabbi Chiya explains, "I go and sow flax seeds, and with the flax seeds, I make twine nets, which I use to hunt (and trap deer), which I slaughter and feed the meat to orphans. I then use the skins to make parchment, upon which I write the five books of *Chumash*. I teach one entire book to a child, and then I take six (more) children with whom I study *Mishnah*. I then say to them, 'Each of you study with the rest until all of you are proficient in the Torah.'"

The question that glares at us is: Rabbi Chiya was a Torah teacher to thousands. During the time that he was spending preparing the crude materials, he could have been learning and teaching. Why did he choose this "hands on" approach to teaching Torah? Why did he not visit his local Judaica store and purchase parchment – or a Torah scroll, for that matter?

We derive from here a powerful lesson with regard to successful teaching: every step of the way must be pure.

Any flaw impairs the Torah that he teaches. Rabbi Chiya made sure not to waste the meat of the deer; instead, he gave it away to orphans. He understood that if the meat were not used for a noble purpose, the parchment would be rendered less than perfect.

There is more. This was no simple Torah lesson. This was a lesson upon which the entire future would rely if Torah were in danger of being forgotten. If so, this was the new beginning from which Torah would be disseminated to all of *Klal Yisrael*. The first is most significant, because the future is riding on it.

We now understand why Hashem meted out such punishment to Nadav and Avihu. They were the first. So, too, was that day – *Rosh Chodesh Nissan*. It was the inauguration of the *Mishkan*, the *Nesiim*, the *korbanos*. Everything was beginning on that day. The slightest flaw would undermine the future. It would never be the same. It is not that the sin was great – it is the fact that it was a day upon which the entire future would be based. They had no room for error.

Returning to the *rebbe/talmid* relationship, we cite vignettes that evidence the reverence which permeated the bond that existed between *Horav Chaim Brisker, zl*, and his *talmid*, *Horav Baruch Ber Lebowitz, zl, Rosh Yeshivah* of Kaminetz and one of the *yeshivah* world's greatest Torah luminaries. *Rav Baruch Ber* was a student in Volozhin when *Rav Chaim* was senior *maggid shiur*. (It was there that he formulated and expounded his innovative approach to the complexities of the *Talmud* and *Rambam*. Rather than focus on *pilpul*, which builds complex arguments based upon passages in the vast corpus of *Talmud*, *Rav Chaim* resolved issues by focusing on the basic categories of the law in order to explain the specifics of its application. In other words, he demonstrated that there was no contradiction, because they had been comparing apples to oranges. This became known as the *Brisker derech*, which has been the anchor upon which the *yeshivah* world has established its *derech ha'limud*.) When *Rav Baruch Ber* needed to speak with his *Rebbe*, he would tremble with fear. Indeed, as he walked to *Rav Chaim's* house, he just stood by the door, afraid to knock. It was only when someone in the house walked by and saw him that he was motivated to enter.

Horav Eliezer Palchinsky, zl (quoted in *L'sitcha Elyon*), related that he heard from the *Brisker Rav, zl*, that the reason *Rav Baruch Ber* would cite *Rav Chaim* in a terse, abridged form, followed by his own exegesis into what his *Rebbe* taught and how he understood it, was that this was how *Rav Chaim* spoke. *Rav Baruch Ber* manifested extraordinary awe for his *Rebbe*, which prevented him from asking *Rav Chaim* to elucidate the statement. *Rav Baruch Ber* did this on his own. The *Brisker Rav* concluded, "Father would render a subject with such clarity that we were embarrassed to ask him to elucidate further."

Rav Baruch Ber visited his *Rebbe* during Rav Chaim's illness, when he was in excruciating pain. Every once in a while, Rav Chaim would cry out in pain. Rav Baruch Ber said, "If only I could have the *Rebbe's* pain" (thereby alleviating the *Rebbe's* pain). Rav Chaim immediately countered, "I do not want to hear such words which contradict an explicit *Mishnah*." Rav Chaim did cite the *Mishnah*, and Rav Baruch Ber accepted the rebuke, but he was too meek to ask to what *Mishnah* his *Rebbe* was referring. When he related the incident (to his peers and students), he conjectured that it was a reference to the *Mishnah* in *Bava Metzia* (2:11) that teaches one to return to his own lost article prior to returning his *Rebbe's*. This indicates that one's own material needs precede those of his *Rebbe*. If this is true concerning material needs, it certainly holds true concerning physical needs (pain).

ומאת עדת בני ישראל יקה שני שעירי עזים להטאת

From the assembly of *Bnei Yisrael*, he shall take two he-goats for a sin-offering. (16:5)

Actually, only one of the he-goats was used as a sin-offering. The other one was sent into the wilderness to Azazel. Why does the Torah refer to them both as a *chata*? *Horav Zev Weinberger, zl (Shemen HaTov)*, explains that both he-goats were selected (almost) simultaneously, with a requirement that their appearances resemble one another. At first, they were both potentially a sin-offering. Ultimately, only one "makes it," because the other one was selected to be a *Korban l'Azazel*. A powerful lesson to be derived herein. We see that it is not one's direct personal achievements that carry weight, but even something or someone whom he inspired, whose life's trajectory was altered due to his influence: the organization that was forever changed due to his involvement and impact – this, too, is viewed as his achievement, even though he had not personally directly established it.

This idea is especially relevant to those who are *mezakei ha'rabim*, bring merit to the multitude, catalyze the spiritual growth of others through overt *kiruv*, outreach, or just by serving as an exemplar of how Torah changes a person's life. They might think that by addressing the spiritual (and often physical/material) needs of others, they are reducing their own growth potential, but they would be wrong on two counts: First, one benefits greatly from his students. The *rebbe* gives, but he also receives. This give and take catalyze his own spiritual growth. Second, one receives a unique *shefa*, overflow, of *hatzlachah*, success, as a result of his dedication to the growth of others.

As an aside, another (lesser known) benefit exists relative to *zikui ha'rabim* (which should be publicized). *Horav Yaakov, zl, m'Lisa (Rav Yaakov Lorberbaum)*, the author of the *Nesivos HaMishpat* (quoted in the biography of *Horav Mendel Kaplan, zl*), was considered the *gadol hador*, leading Torah luminary of his generation. (His was a generation that included extraordinary brilliant and erudite Torah leaders.) He devoted his life faithfully and

tirelessly to the betterment of his coreligionists of all stripes. As great as he was, both in Torah and *chesed*, acts of lovingkindness, these were overshadowed by his exceptional humility. Towards the end of his life, having authored a number of outstanding treatises on the vast corpus of Jewish law, he decided to publish a *Siddur*. He feared that errors might have somehow crept into his *sefarim* and, as a result, he would not be granted "admission" into *Olam Habba*, the World-to-Come. Therefore, he authored the *Siddur Derech Chaim* purely as an act of *chesed*, kindness, to the Jewish people. He hoped that this act of kindness would gain him access to *Olam Habba*.

The *Rosh Yeshivah (Rav Mendel Kaplan)* taught, "In order to do big *mitzvos* (to have great far-reaching achievements), one must have great merits (small people do not create big things). One does not just wake up one morning and say, 'Now I am ready' and expect to perform a great *mitzvah*. One requires sufficient merit (either ancestral merits or the merits accrued from the previous performance of many *mitzvos*) in order to be able to achieve great things.

"A case in point would be the *Bais Yosef (Horav Yosef Karo, zl, author of the Shulchan Aruch, among other sefarim)*, who had accumulated great merit which led to the *siyata diShmaya*, Divine assistance, which he had to perform extraordinary *mitzvos*. Greater scholars than the *Bais Yosef* existed, yet he authored the *Shulchan Aruch* which is the leading accepted Code of Jewish Law. Why did he merit to write the *Shulchan Aruch*, while others did not? Divine assistance. [Indeed, *Horav Yehonasan Eibeshutz, zl (Urim v'Tumim 48b)*, writes that the *Bais Yosef* was unable to figure out all of the intricate *Talmudic* calculations of the scholars that preceded him. Yet, they did not write the *Shulchan Aruch*; he did!] He was granted special *siyata diShmaya* to be *mechaber*, write, only correct *halachah*." All of this was due to the merits that he earned. When one helps others, he not only has his merits – he accumulates merit for their achievements. It is a most wonderful investment of time and energy. The returns are incredible!

יהי בהם

By which he shall live. (18:5)

If one cannot/does not live *bahem*, in them (Torah and *mitzvos*), he has no life; he is not living in the true sense of the word. A life without purpose is not living. Torah gives purpose to life. The *Chiddushei HaRim* interprets the enjoinder of *V'chai bahem* as an exhortation to live through *mitzvah* performance; *mitzvos* should be alive, our primary sense of joy, through which we enthusiastically live life to the fullest by observing *mitzvos* to perfection. Anyone who has ever *davened* well, studied through a difficult *blatt*, page, of *Gemarah* will attest to such an ecstatic, rapt feeling. Understandably, this presents a dim view of perfunctory *mitzvah* observance.

One who tepidly carries out the will of Hashem, as if the only reason he is performing the *mitzvah* is that he must – not because he desires – undermines the very foundation of *mitzvah* observance. Our day begins with our conversation with Hashem: *davening*. How we *daven* definitely sets the tone for the rest of the day. If our *davening* is expressed with an audible sound that resonates with passion and fervor, which bespeaks before Whom we stand, then our day becomes “alive.” Such a person does not simply perform *mitzvos*; he “lives” them.

Devotion to *mitzvos* manifests itself accordingly in varied circumstances and to different people. Not everyone has been raised in a religious environment, but he might remember something meaningful from his youth, something that warms his heart and keeps him connected to his people. These people, by and large, are victims, *tinokos she'nishbu*, children taken into captivity, who never had a chance, were never availed the opportunity, who were neither encouraged nor inspired to practice Torah and *mitzvos*. Some, however, remember snippets which they heard. These snippets mean so much to them, to the point of self-sacrifice. The following vignette underscores this idea.

A recent émigré from the Soviet Union appeared at the office of the Tel Aviv *Chevra Kadisha*. He asked to meet with the director. He was ushered into the office of the director, introduced himself (in broken Russian/*Yiddish*) and promptly removed from his pocket a small bloodied medicine vial. “I would like to have this buried,” he said. Obviously, the director wanted an explanation, which was forthcoming. “I made numerous attempts to leave Russia. Finally, I was able to procure a visa. I made my good-byes. My family physician, a woman, asked me to come by her office prior to my departure. I came by and she told me the following, ‘I am Jewish, having been raised by parents who did their utmost to maintain a semblance of the religion amidst a country and culture that was rabidly anti-Semitic. While we did not practice much, I was raised with the understanding and yearning that the Holy Land, *Eretz Yisrael*, is the home of the Jews, and, if possible, where we should all live. Because of my position as a physician, it would be futile to apply for a visa. They will never allow me to leave. However, I ask a favor of you.’ She excused herself for moment and returned with this bloodied vial. With tears flowing down her face, she said, ‘I am unable to be buried in the Holy Land, but I plead with you to take this part of my body (she had sliced off the top of her finger) and have it buried in *Eretz Yisrael!*’” With this, the man concluded his story. Needless to say, the finger was buried – and there was even a small monument placed in honor of a woman who wanted to live – and die – as a Jewess.

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OU Torah Halacha on OU

Why Israel and Chutz La’Aretz Read Different Parshas (And Why We Don’t Re-Align Sooner)

Rabbi Jack Abramowitz

This year, we have a situation that arises every so often – certainly not infrequently! In America, Europe, Australia, South Africa – basically, most of the world – the eighth and final day of Pesach falls on a Shabbos. But in Israel, where Pesach is only seven days long, the last day of the holiday is Friday. The next day is a regular, non-yom tov Shabbos (or “Shabbat,” as most people there would say). This creates the following discrepancy: in Israel, they read parshas Acharei Mos on the Shabbos that to them is the day after Pesach. In the rest of the world, where Shabbos is still observed as Pesach, we read the special portion for yom tov.

This means that the following week, Kedoshim is read in Israel and Acharei Mos is read in the rest of the world. The week after that, Emor is read in Israel and Kedoshim is read elsewhere. This goes on for fifteen weeks until the parshiyos eventually realign. This occurs when Israel reads parshas Masei and the rest of the world reads both Matos and Masei.

Here’s what the calendar looks like:

Fifteen weeks! Three and a half months!

Because this is a leap year (i.e., a year with an extra month of Adar), we may be looking at the maximum number of weeks possible for a discrepancy between Israel and elsewhere but in other years, the difference may be even more pronounced. If the sedras of Acharei Mos-Kedoshim, Behar-Bechukosai and Chukas-Balak were joined, as they are in most years, we might have three fewer weeks of discrepancy but an even bigger question arises: Why wait so long to re-synchronize the calendar when all we need to do is for Israel to split a double parsha?

The question is largely based on the assumption that having everybody read the same Torah portion at the same time should be the overriding concern. Before we address that assumption, let’s look at why we read the Torah the way we do.

The Rules of the Torah-Reading Schedule

Historically, the Torah was not always divided the way we read it today. Our current system was designed by the Geonim in Bavel (Babylonia) but for centuries, the triennial (three-year) cycle was popular in Israel. It is therefore not unheard of for different communities to not all be reading the same Torah portion at the same time. (It appears that things started to coalesce in the 14th century.) Nevertheless, there were always certain principles, such as that the portions of the curses in sefer Vayikra (meaning parshas Bechukosai) and in sefer Devarim (meaning parshas Ki Savo) should be read before Shavuos and Rosh Hashana, respectively; this practice is attributed to the

Biblical Ezra (Megillah 31b – Tosfos there adds that parshas Bemidbar should also be read before Shavuos so that the curses in Bechukosai aren't too close to Shavuos). The Shulchan Aruch (OC 428:4) lays out four rules, which serve as the basis for why certain sedras may or may not be joined:

(1) The Shabbos before Pesach must be parshas Tzav in a regular year or parshas Metzora in a leap year, unless Rosh Hashana was on a Thursday, in which case it's parshas Acharei Mos. This necessitates joining Vayakhel-Pekudei into a single parsha in most years;

(2) The Shabbos before Shavuos is parshas Bemidbar, as we have discussed. (In a leap year in which Rosh Hashana was on Thursday, it is parshas Naso.) Because of this, three sets of parshiyos in sefer Vayikra are combined in a regular (non-leap) year: Tazria-Metzora, Acharei Mos-Kedoshim and Behar-Bechukosai. (In regular years when Pesach starts on Shabbos, Behar and Bechukosai are read separately in Israel because 22 Nisan is a regular Shabbos there);

(3) Parshas Vaeschanan is read on the Shabbos after Tisha b'Av. Because of this, the parshiyos of Matos and Masei need to be combined except in leap years in which Rosh Hashana fell on Thursday or in Israel in leap years when Pesach starts on Shabbos (as is the case this year – 5779). Outside of Israel, when Shavuos falls on Friday (so that Shabbos is the second day), Chukas and Balak must also be read together;

(4) Parshas Nitzavim is read on the Shabbos before Rosh Hashana, as we have discussed. Because of this, if Rosh Hashana falls on a Monday, there will be two non-yom tov Shabboses in between Rosh Hashana and Succos. In such a case, the parshiyos of Nitzavim and Vayeilech must be split, reading Vayeilech between Rosh Hashana and Yom Kippur, so that Haazinu is read before Succos. (This is because V'Zos HaBracha needs to be read on Simchas Torah.) However, if Rosh Hashana falls on a Thursday, there is only one non-yom tov Shabbos between Rosh Hashana and Succos (the other being Yom Kippur) so Nitzavim-Vayeilech must be read as a single parsha in order to accomplish the same result.

(Easy as pie, no?)

We go into things with these four basic ground rules in place, but there are other factors to consider.

Why Don't We Adjust Sooner?

As noted, the simple solution in most years would be for Israel to split a double parsha, which would cause them to realign with the rest of the world. The reason we don't do this is explained by Rav Yissachar ben Mordechai ibn Sussan (15th century). In Tikkun Yissachar, he writes that Israel is following the predominant custom, which is presumably based on the Torah's ideal that Pesach should be observed for seven days. It would be unseemly for the residents of Israel to tweak their practice to align with the rest of the world, whose Torah-reading schedule is "off"

out of necessity, thanks to the addition of an eighth day of Pesach. And so, in Israel, they wait until the last possible juncture to combine sedras. (We'll explain why in a moment.)

Because this year (5782) is a leap year, there are no double parshas for Israel to split, but the question still arises: why don't the rest of us "double up" two sedras earlier, in order to catch up with Israel?

There are a number of factors. For one thing, in a leap year, combining Matos-Masei is the normal thing to do. If we combined an earlier sedra, we'd have to separate Matos and Masei, which goes against our "standard operating procedure." (See Maharit.) But why are we so keen – both in Israel and elsewhere, to delay combining parshas to the last possible opportunity?

It seems that the appropriate course of action when doubling-up two sedras is to wait for the latest opportunity to do so. This could either be because people historically waited to combine parshas until they saw that they were going to have a problem meeting one of the four "checkpoints" described above, or simply in order to make it evident that they were "doubling up" Torah readings in order to meet one of these checkpoints.

While people might acknowledge the necessity inherent in the former hypothesis, I question its historicity, since we've been working with standardized calendars for far longer than we've had a standardized Torah-reading schedule; I therefore tend to favor the latter hypothesis. People may find it a less compelling reason but I think the logic underlying it makes perfect sense. Consider: We add an extra month of Adar to our calendar every so often in order to ensure that the following month – Nisan, in which Pesach occurs – falls in the spring. Doing it this way was a necessity in Sanhedrin times, when the calendar was set month by month, based on the testimony of witnesses. Nowadays, however, we have a calendar that will last us to eternity. We could just as easily accomplish our goal by inserting an extra Kislev or an extra Shevat. Nevertheless, we only insert an extra Adar since the additional month is only declared for the sake of the month that follows it. Similarly, I can see the logic of doubling up two Torah readings at the juncture closest to the point that actually necessitates such a change.

The Modern-Day Traveler's Dilemma

It's apparent that this issue has presented a halachic quandary for more than a millennium but it has really only become a point of contention for some people in the few decades, based on increasingly-common transit between Israel and diaspora communities. Being in a country reading the "wrong" parsha for one's own schedule creates the inconvenience of trying to find a minyan reading the sedra of one's homeland (probably easier for an American, European or Australian in Israel than vice versa) or trying somehow to "fix" things upon one's return home.

Obviously, if one is in a place with a lot of one's own countrymen, such as an English-speaking yeshiva in Israel or some kind of vacation resort, by all means one may read the sedra that the visiting congregation is up to even if it's not the one being read throughout the country they're visiting. It must be noted, however that one is not obligated to find such a minyan. Reading the Torah is a communal obligation, not an individual obligation. An individual fulfills his personal obligation through the communal reading even if it's not the one he would have heard at home. (Yom Tov Sheini Kehilchaso 9:13-17 cites Rav Moshe Feinstein, Rav Shlomo Zalman Auerbach, Rav Shach and Rav Elyashiv on this matter.)

Nevertheless, some people seem to feel quite strongly that the ubiquity of travel between Israel and elsewhere warrants a change. I, personally, believe that such a demand may be missing the point of the enactment. The Geonim and Rishonim appear to have put a lot of thought into the matter of our Torah readings but the number of travelers between Israel and elsewhere does not appear to have been a major factor in the decision-making process. There have always been travelers between Israel and the diaspora. Even today, the number of travelers affected by this discrepancy represents a tiny minority of world Jewry. It just happens to be a somewhat larger tiny minority than in previous generations.

But What About Unity?

As far as the concept of "Jewish unity" – the idea that we should inherently all be reading the same parsha as much as possible – that's a nice ideal but it's not the driving force in this matter. Yes, Jewish unity is an important concept. This is stressed throughout our literature, from the idea that we camped at Sinai k'ish echad b'lev echad (like a single person with a unified purpose – Rashi on Exodus 19:2, citing the Mechilta d'Rabbi Yishmael) to the principle that kol Yisroel areivim zeh bazeh (all Jews are interconnected – Talmud Shevuos 39a. And no, that wasn't a typo – "zeh bazeh" has a different nuance in meaning than the more familiar "zeh lazeh," which occurs elsewhere). Jewish unity is important but it's not the sole driving force in halacha.

Consider if you will the holiday of Purim, which occurred close to the end of the Biblical period. The Sages instituted that Purim be observed on 14 Adar. Unless one is in a city that was walled since the time of Joshua – in that case, one observes Purim on 15 Adar. And it doesn't stop there! Take a look at the first two mishnayos in tractate Megillah: there were small villages where residents would only assemble in shuls on Mondays and Thursdays. In such villages, if 14 Adar didn't fall on one of those days, they would observe Purim on the closest preceding Monday or Thursday. Accordingly, some people might read the megillah on 11, 12 or 13 Adar, while others read it on 14 Adar and still others read it on 15 Adar! Didn't Chazal understand the importance of Jewish unity?

Of course they did. But they also understood that unity doesn't mean being in lockstep. We all celebrate Purim in mid-Adar but the needs of different communities may affect exactly when that is. It may be inconvenient for a person if he's in Jerusalem on 14 Adar and in Tel Aviv on 15 Adar – neither of which is observed as Purim – but we're not about to change the practice because of such commuters.

The same is true of our Torah-reading schedule. All of Jewry now observes the one-year cycle, and we are sure to re-align at four points in the year, as detailed above. In between those points, however, there's "wiggle room" that enables different communities to meet different halachic needs. Yes, there are some world travelers who may be inconvenienced by the differences between Israel and elsewhere but, as with those who commute in and out of Jerusalem in Adar, the onus is on the individual to adjust to the community, not vice versa.

The fact that we may sometimes read different sedras for weeks - or even for months - is a celebration of our individuality. The fact that we always make sure to re-align is a sign of our unity.

Rabbi Jack Abramowitz is Torah Content Editor at the Orthodox Union.

Ohr Somayach Insights into Halacha

For the week ending 30 April 2022 / 29 Nissan 5782

Acharei Mos & Kedoshim: The Curious Case of the Missing Haftarah 5782/2022

Rabbi Yehuda Spitz

Next Shabbos, for those of us in Chutz La'aretz,[1] something atypical will occur during davening. When it comes time for the haftarah, chances are that the actual reading will not be the previously scheduled haftarah listed in your Chumash, that of Kedoshim, but rather the haftarah listed for the previous parashah, Acharei Mos. In fact, in previous years, as the reading commenced in the shul where I was davening, so did a concurrent dispute with the gabbai, with mispalleleim arguing that the Ba'al Koreh was erroneously reading the wrong haftarah!

But, to properly understand why the 'wrong haftarah' was (it turns out, quite properly) read, some background is needed.

Haftarah History

According to the Abudraham and Tosafos Yom Tov, the haftaros were established when the wicked Antiochus IV (infamous from the Chanukah miracle) outlawed public reading of the Torah. The Chachamim of the time therefore established the custom of reading a topic from the Nevi'im similar to what was supposed to be read from the Torah.[2] Even after the decree was nullified, and prior to the Gemara's printing, this became minhag Yisrael.

Most haftaros share some similarity with at least one concept presented in the Torah reading. The Gemara Megillah (29b-31a) discusses the proper haftarah readings

for the various holidays throughout the year, which are rather related to the holiday and generally trump a weekly haftarah.

Ground Rule Double

An interesting halacha that concerns us is which haftarah is read when Acharei Mos – Kedoshim is a double parashah, which also has ramifications for this year when they are read separately. Although the Abudraham cites two disparate minhagim with no actual ruling: one to read the first parashah's haftarah and 'the Rambam's minhag' to read the second, nevertheless most other Rishonim, including the Sefer Haminhagim, Mordechai, Ramban, Hagahos Maimoniyos, Shiblei Haleket, and Tur, rule to read the second parashah's haftarah.[3]

This is also codified as the proper ruling by both the Shulchan Aruch and Rema, and as far as this author knows this was accepted by all of Klal Yisrael.[4] The main reason to do so is to enable reading a haftarah similar to what was just concluded in the Torah leining, which translates to the second parashah that was just finished and not the first parashah. So we see that generally speaking, whenever there is a double parashah, the haftarah of the second parashah is read, as that is the Torah reading that we just concluded.

Acharei Exclusion

Yet, when it comes to the parshiyos of Acharei Mos and Kedoshim, it seems that it is not so simple. Although the Shulchan Aruch does not mention any difference between these and other double parshiyos, the Rema, the great codifier of Ashkenazic psak, however, citing precedent from the Sefer Haminhagim and the Mordechai, rules that the haftarah of the first parashah, Acharei Mos, is the proper one to read.

The reason for the uncharacteristic change is that the haftarah of Parshas Kedoshim, 'Hashishpot', from sefer Yechezkel, includes what is known as 'To'avas Yerushalayim,' referring to a revealing prophecy of the woeful spiritual state and the terrible happenings that will occur to the inhabitants of Eretz Yisrael for not following the word of G-d. The Gemara in Megillah (25b) relates a story of Rabbi Eliezer and one who read such a haftarah, who was subsequently found to have his own family's indiscretions exposed. Ultimately though, the Gemara concludes that that haftarah can indeed be read, and even translated.[5]

Hazardous Haftarah?

Despite that, all the same, it seems that we are being taught that whenever possible, we should try to avoid having to read this condemning passage as the haftarah. Additionally, the content of Acharei Mos's haftarah, 'Halo K'Bnei Kushiyim' (from Amos in Trei Asar Ch. 9) has similar content to Parshas Kedoshim as well. Therefore, the Rema rules that when the Torah reading is the double parshiyos of Acharei Mos and Kedoshim, and as opposed to every

other double parashah, the haftarah of Acharei Mos is read instead of Kedoshim's.

Although the Levush vigorously argued against switching the haftaros, positing that it is a printing mistake in the earlier authorities to suggest such a switch,[6] nevertheless, the Rema's rule is followed by virtually all later poskim and Ashkenazic Kehillos.[7]

However, it must be noted that this switch was not accepted by Sefardic authorities and when Acharei Mos and Kedoshim are combined, they do indeed read Kedoshim's haftarah, 'Hashishpot.'[8]

This Year's Stats

All of this may be fine for most years when it is a double Parashah. But, as mentioned previously, this year (5782/2022), Acharei Mos and Kedoshim are read separately. Moreover, to further complicate matters, due to a calenderical quirk, this year, these parshiyos are actually read on different weeks in Chutz La'retz than they are read in Eretz Yisrael. Ergo, with all of these divergent factors, the real question becomes how far will Ashkenazim go to avoid saying Kedoshim's haftarah when Acharei Mos and Kedoshim are not combined? And, how will this play out in different parts of the world?

This is where it gets interesting. The Gemara (Megillah 31a) states that whenever Rosh Chodesh falls out on Shabbos, a special haftarah is read: 'Hashamayim Kisi,' as it mentions both the inyanim of Shabbos and Rosh Chodesh.[9] If Rosh Chodesh falls out on Sunday, then on the preceding Shabbos, the haftarah of 'Machar Chodesh' is read, as it mentions the following day being Rosh Chodesh. This is the codified halacha as well, barring specific exceptions.[10]

Rav Akiva Eiger, adding a wrinkle, writes that when Parshas Acharei Mos falls out on Erev Rosh Chodesh and its haftarah gets pushed off for 'Machar Chodesh,' then the proper haftarah for Parshas Kedoshim the next week is... Acharei Mos's haftarah, and not Kedoshim's![11] Rav Eiger's reasoning is since we find precedent by a double parashah that we actively try not to read Kedoshim's haftarah due to its explicit content, the same should apply for any other time Acharei Mos's haftarah was not read, for whatever reason - that it should trump and therefore replace (and displace) Kedoshim's haftarah!

Indeed, and although not the common custom, there is even an old Yerushalmi minhag not to ever read the haftarah of Kedoshim; and even when the Parshiyos are separate, Acharei Mos's haftarah is read two weeks in a row.[12] However, this is not the common minhag, and actually Kedoshim's haftarah, "Hisishpot," the actual rarest haftarah read for most of Ashkenazic Jewry, is slated to be read by the majority of Klal Yisrael in only two more years – 5784/2024 – the first time since 5757/1997![13]

'Halo' the Hallowed Haftarah of Kedoshim

Although not universally accepted,[14] Rav Akiva Eiger's rule is cited as the halacha by the Mishnah Berurah, and the

proper Ashkenazic minhag by the Kaf Hachaim.[15] The Chazon Ish, as well as Rav Moshe Feinstein, and Rav Chaim Kanievsky,[16] all ruled this way as well. That is why in years when Acharei Mos was Shabbos Hagadol and its usual haftarah was not read, but rather replaced by the special haftarah for Shabbos Hagadol, many shuls read Acharei Mos's haftarah on Parshas Kedoshim, instead of Kedoshim's usual one.

In fact, that is how both Rav Yosef Eliyahu Henkin's authoritative Ezras Torah Luach, as well as Rav Yechezkel Michel Tukachinsky's essential Luach Eretz Yisrael rule as the proper minhag.[17] And this year, in Chutz La'aretz, with Parshas Acharei Mos's haftarah being 'Machar Chodesh,' (due to Rosh Chodesh Iyar being Sunday and Monday), according to the vast majority of Ashkenazic authorities, Parshas Kedoshim's haftarah is... Acharei Mos's: 'Halo K'Bnei Kushiyim.' [18] Meaning, practically speaking, in many shuls around the world, Kedoshim's haftarah will not be found following Parshas Kedoshim, but rather preceding it. Of course, the Sefardic minhag is still to read 'Hasishpot.'

Eretz Yisrael a Week Ahead

I mentioned several times previously that this is what will occur for those of us in Chutz La'aretz. But what about those of us in Eretz Yisrael? How does this haftarah switch play out? Interestingly, this issue does not come up at all this year for Bnei Eretz Yisrael. This is because this year (5782/2022) the eighth day of Pesach (Yom Tov Sheini), observed only outside Eretz Yisrael, fell out on a Shabbos. On this Shabbos/Yom Tov the communities of the Diaspora leined the Yom Tov reading of 'Aser Te'aser' (Devarim, Parshas Re'eh, Ch. 14:22), whereas in Eretz Yisrael, Parshas Acharei Mos, the next parashah in the cycle, as Pesach has already just ended, was leined. Therefore, Acharei Mos's regularly scheduled haftarah, 'Halo K'Bnei Kushiyim,' was read in Eretz Yisrael then, in its appropriate time.

This coming Shabbos, Parshas Kedoshim (in Israel; which will be Parshas Acharei Mos in Chutz La'aretz), is Erev Rosh Chodesh and therefore its haftarah for everyone worldwide will rightly be 'Machar Chodesh,' and thus avoiding the issues enumerated in this article entirely. So it comes out that according to the prevailing Ashkenazic minhag, the haftarah leined in Eretz Yisrael on Isru Chag Pesach for Parshas Acharei Mos is the same haftarah that will be leined everywhere else in the world on the 6th of Iyar - two weeks later - for Parshas Kedoshim.

Fascinatingly, this year Eretz Yisrael will stay a week ahead of the rest of the world, and will not actually synchronize until Mattos/Maasei, around Rosh Chodesh Av - more than three months hence! [19] The last several times such a large Parashah discrepancy occurred were back in 1995, 2016, and 2019. The next time will be in 21 years from now in 2043/5803. [20] An elucidation on the subject will IY"Y be featured in an upcoming article.

Back to haftaros, to sum up the matter, the next time you are trying to figure out what happened to the missing haftarah of Kedoshim, be aware - you may have to turn back to Acharei!

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[1] The proper reading for those of us in Eretz Yisrael will be discussed later on in the article.

[2] As per the Tosafos Yom Tov (Megillah, Perek Bnei Ha'Ir, Mishnah 4 s.v. l'chisdran), citing the Sefer HaTishbi (Shores Petter). A similar background is given by the Abudraham (Seder Parshiyos V'Haftaros) and the Bach (Orach Chaim 284; although he does not cite which actual wicked king was the one who was gozer shmad shelo likros b'Torah). Alternately, the Aruch Hashulchan (Orach Chaim 135: 2) posits that as the Mishnah in Megillah (31a) lists reading the haftarah along with special Torah readings that Moshe Rabbeinu established, it is most likely that the Anshei Knesses HaGedolah established their reading. However, there are other reasons given, dating far earlier - back to the times of the Gaonim (Teshuvos HaGaonim 55; see also Shibbolei Haleket 44). In the words of Rav Yirmiyohu Kaganoff in a recent fascinating article titled 'An Unusual Haftara,' "Some early sources report that, in ancient times, a haftarah was recited towards the end of Shacharis everyday of the year. At the point of davening when we recite Uva Letzion, they would take out a sefer Navi and read about ten verses together with their Aramaic translation, the common Jewish parlance at the time. Then, they recited the two main pesukim of kedushah, Kadosh Kadosh Kadosh... and Boruch Kevod... together with their Aramaic translations. In those days, all men used to study Torah for several hours after davening, before occupying themselves with their daily livelihoods. The Navi was recited to guarantee that people fulfilled the daily requirement to study some Biblical part of the Torah, in addition to the daily requirement of studying both Mishnah and Gemara. This daily practice of incorporating some "haftarah" reading ended when people needed to spend more time earning a living. To ensure that this practice of studying some Tanach daily at the end of davening would not be forgotten, they still recited the verses of Kedusha, a practice mentioned in the Gemara (Sotah 49a). Around the recital of these two verses developed the prayer we say daily that begins with the pasuk "Uva Letzion." Although the daily "haftarah" ceased at this time, on Shabbos and Yom Tov, when people do not work, the haftarah readings continued. As a result, there is no need to mention Uva Letzion immediately after Kriyas HaTorah on Shabbos and Yom Tov, since that is when we recite the haftarah. For this reason, Uva Letzion is postponed until Mincha. It is noteworthy that although the second reason is better known and is quoted frequently by halachic commentaries (from the Bach, onwards), the first reason is found in much earlier sources. While the earliest source mentioning the second approach was the Abudraham, who lived in the early fourteenth century, the first source is found in writings of the Gaonim, well over a thousand years ago." Rav Kaganoff continues that "I suspect that both historical reasons are accurate: Initially, the haftarah was instituted when the Jews were banned from reading the Torah in public; they instituted reading the haftaros as a reminder of the mitzvah of public Torah reading. After that decree was rescinded and the mitzvah of Kriyas HaTorah was reinstated, Jews continued the practice of reading the Neviim and even extended it as a daily practice to encourage people to study the Written Torah every day. When this daily practice infringed on people's ability to earn a living, they limited it to non-workdays."

[3] Abudraham (Seder Parshiyos V'Haftaros), Sefer Haminhagim (Minhag Shel Shabbos), Mordechai (end Maseches Megilla h, 831; and not like the Ravyah citing the Ri Halevi), Ramban (Seder Hatefillas Kol Hashana, end par. Hamaftir B'Navi; 'v'zu haminhag b'rov hamekomos'), Hagahos Maimoniyos (Hilchos Tefillah, Ch. 13: 20), Shibbolei Haleket (80), and Tur (Orach Chaim 428).

[4] Shulchan Aruch (Orach Chaim 284: 7) and Rema (Orach Chaim 428: 8). See also Chayei Adam (vol. 2, 118: 17), Kitzur Shulchan Aruch (79: 6), Aruch Hashulchan (Orach Chaim 428: 7), Kaf Hachaim (ad loc. 51), and Yalkut Yosef (Kitzur Shulchan Aruch, Orach Chaim 484: 6).

[5] On the other hand, in Maseches Sofrim (Ch. 9:11) this story is cited slightly differently, and ends off with Rabbi Eliezer's shittah, implying that his stringent view is the final word on the matter, and not as the Gemara ultimately concludes.

[6] Levush (Orach Chaim 428: 8 and 493 s.v. l'Parshas Kedoshim; at length). He adds that that haftarah, although discussing 'To'avas Yerushalayim' is not the actual one discussed in the Gemara that Rabbi Eliezer held should not be read (which is found in Yechezkel Ch. 16). Additionally, 'Hasishpot' is mentioned by several early authorities as being the proper haftarah for several other parshiyos (some Sefardim and Yemenites in fact read it for Parshas Shemos). Therefore, he maintains, how can we now say that it should not be read? Moreover, if the

reason normally to read the second parashah's haftarah is to read a haftarah similar to what was just read, why should that change just because of a specific haftarah's content? He concludes that several other important authorities, including the Tikkun Yissachar (Minhagos Haftaros pg. 84), hold not to switch and when Acharei Mos and Kedoshim are combined, Kedoshim's haftarah should still be read.

[7] Including the Agudah (cited by the Magen Avrohom, Orach Chaim 428: 10), Bach (ad loc. s.v. u'mah shekasav), Matteh Moshe (424), Magen Avrohom (ibid.), Elyah Rabbah (493: 17; and Elyah Zuta 16 - citing it as the minhag of Prague, following his 'Zikno HaGaon z"l'), Tosafos Yom Tov (Malbushei Yom Tov ad loc. 3; citing it as the minhag of the Maharash), Ba'er Heitiv (Orach Chaim 428: 9), Chayei Adam (vol. 2, 118: 17), Kitzur Shulchan Aruch (79: 6), Aruch Hashulchan (Orach Chaim 428: 7), Mishnah Berurah (428, 26), and Rav Chaim Kanievsky's Shoneh Halachos (ad loc. 22). The Kaf Hachaim (ad loc. 52) cites this as the prevalent Ashkenazic minhag.

[8] See Kaf Hachaim (Orach Chaim 428: 52) who says that Sefardic minhag is to follow the Kenesses Hagedolah (ad loc.) and Tikkun Yissachar (ibid.), as well as the mashma'os of the Shulchan Aruch, who makes no mention of a switch, that when Acharei Mos and Kedoshim are combined, Sefardim indeed read 'Hasishpot,' the haftarah of Kedoshim. See also Yalkut Yosef (ibid.) and Rav Mordechai Eliyahu's Darchei Halacha glosses to the Kitzur Shulchan Aruch (79: 3) who state this as well. Interestingly, there are actually two different haftaros from Yechezkel known as 'Hasishpot,' (Ch. 20 and Ch. 22) both discussing 'To'avas Yerushalayim.' If Acharei Mos and Kedoshim are combined, Sefardim generally read 'Hasishpot' from Yechezkel Ch. 20, which is also Kedoshim's regular haftarah for Sefardim. The remarkably similar 'Hasishpot' that Ashkenazim would read for a stand alone Parshas Kedoshim is from Yechezkel Ch. 22, which Sefardim would have generally already read the previous week, for a stand alone Parshas Acharei Mos (and not 'Halo K'Bnei Kushiyim' that Ashkenazim would have read).

[9] See also Shu"t Noda B'Yehuda (Tinyana, Orach Chaim 11).

[10] Megillah (31a-b); see also Shulchan Aruch and commentaries to Orach Chaim (425:2). This was discussed at length in a previous article titled 'Of Haftaros and Havdalah: Shabbos Rosh Chodesh Av 5781.'

[11] Hagahos Rabbi Akiva Eiger (Orach Chaim 428, on Magen Avrohom 10).

[12] See Rav Yisrael Yaakov Fischer's Shu"t Even Yisrael (vol. 8: 38) and Halichos Even Yisrael (pg. 217: 24; also citing this as the shittah of Rav Zelig Reuwen Bengis). He even mentions years and places where this was actually nahug (mainly Old Yishuv-Yerushalmi/Perushim shuls). There are tales of how when this would occur, Rav Fischer would lock up the Neviim of Yechezkel in his shul, the Zichron Moshe Shteiblach ("Minyan Factory") - to prevent "Hasishpot" from being leined. Thanks are due to Nehemiah Klein for pointing this out.

[13] According to Rabbi Dovid Heber of the Star-K and author of Shaarei Zemanim, for most Ashkenazic Kehillos, the haftarah of 'Hasishpot' is practically read only 14 times in the Tur's (Orach Chaim end 428) 247 year cycle, making it the rarest of all haftaros. In fact, after the upcoming leining in 5784/2024, the next time this opportunity is scheduled to occur is 5801/2041. In contrast, and as mentioned previously, for many Sefardim, 'Hasishpot' is read three times annually (Parshas Shemos, Acharei Mos, and Kedoshim; well, one of the two 'Hasishpot's is read twice and the other once). In Rabbi Heber's recent excellent *The Intriguing World of Jewish Time* (Ch. 11, pg. 177), he states that following the prevalent minhag Ashkenaz "the most infrequently leined haftarah is that of Kedoshim, "Hasishpot." It is only leined in a leap year that begins on a Shabbos and in which Pesach begins on a Tuesday. This only occurs on average once every seventeen years. The longest possible span between years that this haftarah is leined is forty-four; it was leined in 5388/1628 and again in 5432/1672."

[14] In fact, and aside for the Levush and those who follow him, the Sefer Haminhagim (ibid.), who is the source of the halacha of switching haftaros for Acharei Mos and Kedoshim when combined, explicitly writes that when Acharei

Mos's haftarah is not read due to Rosh Chodesh etc., on the next week, Kedoshim's haftarah should be read and not Acharei Mos's haftarah. This author has since heard that the Belzer minhag is to follow the Sefer Haminhagim on this and not Rav Akiva Eiger. However, a reading of the Luach Belz - Dvar Yom B'Yomo (5782, Shabbos Emor/Chu"l Shabbos Kedoshim) proves otherwise, citing 'Halo K'Bnei Kushiyim' as the proper haftarah.

[15] Mishnah Berurah (ibid.) and Kaf Hachaim (ibid.). It is also cited lemaaseh by several other sefarim including the Shulchan Hakeriah (28), Leket Kemach Hachodosh (vol. 3, Tomer Devorah 85), Shu"t Beis Yisrael (Taussig; vol. 8: pg. 206), and Zer HaTorah (Ch. 10: 133, hagahah 176). See also the excellent maamar by Rabbi Moshe Eliezer Blum in Kovetz Ohr Yisroel (vol. 52: Sivan 5768) citing several proofs that the ikar halacha indeed follows Rav Akiva Eiger.

[16] See Shoneh Halachos (ad loc. 22); Rav Kanievsky adds that this was also the Chazon Ish's psak. See also Shu"t Igros Moshe (Orach Chaim vol. 1: 36), where although dealing with what to do if one already made a brachah on the wrong haftarah for Parshas Acharei Mos/Kedoshim [if reading from a Navi, Rav Moshe rules that 'Hasishpot' should be read instead of making a new brachah; however if from a Chumash then one should just read Acharei's haftarah], Rav Moshe mentions that generally speaking, the haftarah for Kedoshim is rarely read, and cites as a davar pashut that anytime there is a conflict of haftaros, Acharei Mos's haftarah is read in its stead.

[17] Luach Ezras Torah (5782, Parshas Kedoshim) and Luach Eretz Yisrael (5782, Minhagei Hashana, Nisan, s.v. Kedoshim).

[18] See for example, Rav Yosef Eliyahu Henkin's Luach Ezras Torah 5782 (Iyar, Parshas Kedoshim), Rabbi Arthur Spier's *The Comprehensive Hebrew Calendar* 5660-5860/1900-2100 (5782, Parshas Kedoshim), the Itim L'vinah Luach 5782 (Nissan-Iyar 5782), and the Luach Belz - Dvar Yom B'Yomo (5782, Shabbos Emor/Chu"l Shabbos Kedoshim).

[19] As pointed out by R' Yosef Strauss, the great Eretz Yisrael/Chutz La'aretz Parashah divide notwithstanding, there are three times over this period when the same haftarah will be read by all worldwide: This upcoming Shabbos - 29 Nissan (Machar Chodesh), 24 Tammuz (1st week of Bein Hametzarim), and 2 Av (2nd week of Bein Hametzarim).

[20] Thanks are due to R' Yosef Yehuda Weber, author of *Understanding the Jewish Calendar*, for pointing this out. This monumental split, from Pesach to Matos-Masei, can only occur in a leap year when the last day of Pesach in Chutz La'aretz is on Shabbos. In his words, "this can only occur in two types of leap years. 1. When Rosh Hashana is on Monday and the year has 385 days [Marcheshvan and Kislev both have 30 days]. 2. When Rosh Hashana is on Tuesday and the year [always] has 384 days."

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

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

This article was written L'Refuah Sheleimah for my former neighbor Rav Binyomin Povarsky - Refael Binyomin ben Leah, L'Ilyu Nishmas Maran Sar HaTorah Harav Shmaryahu Yosef Chaim ben Harav Yaakov Yisrael zt"l (Kanievsky), this author's beloved grandmother, Chana Rus (Spitz) bas Rav Yissachar Dov a"h and uncle Yeruchem ben Rav Yisroel Mendel (Kaplan) zt"l, and l'zechus Shira Yaffa bas Rochel Miriam v'chol yotzei chaltzeha for a yeshua sheleimah teikif u'miyad!

L'Ilyu Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda

Rabbi Yehuda Spitz, author of *M'Shulchan Yehuda* on Inyanei Halacha, serves as the Sho'el U'Meishiv and Rosh Chabura of the Ohr Lagolah Halacha Kollel at Yeshivas Ohr Somayach in Yerushalayim.

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לע"נ

שרה משה בת ר' יעקב אליעזר ע"ה
ביילא בת (אריה) לייב ע"ה
אנא מלכה בת ישראל ע"ה