

INTERNET PARSHA SHEET
ON EMOR - 5760

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From: Don't Forget [SMTP: sefira@torah.org] genesis@torah.org Subject: Day 23 / 3 weeks and 2 days Tonight, the evening of Friday, May 12, will be day 23, which is 3 weeks and 2 days of the omer. This list has been dedicated in memory of HaRav Yerachmiel Baruch ben Elazar Friedman, and Chaya Gittel bas haRav Ben-Tzion HaCohen Rosenfeld To begin or cancel your subscription to this class, please write to sefira-subscribe@torah.org or sefira-unsubscribe@torah.org as appropriate.

<http://www.jpost.com/> The Jerusalem Post Newspaper : Online News From Israel - Columns Article Friday, May 12 2000 02:11 7 Iyar 5760 SHABBAT SHALOM: A leader's heart, a leader's mind BY RABBI SHLOMO RISKIN

(May 11) "And God spoke unto Moses saying: 'Speak unto Aaron and to his sons, that they separate themselves from the sacred offerings of the children of Israel, which they hallow unto Me, and that they profane not My holy name: I am God.'" (Lev. 22:2)

This week's Torah portion of Emor is about the priests. What are the qualities necessary for a religious leader? What guidelines can the Bible give us about preparing rabbis and religious educators for our times? My teacher and mentor, Rav Joseph B. Soloveitchik, of blessed memory, often spoke of two unique garments worn by the High Priest during his ministrations in the Holy Temple: the headplate turban (tzitz) and the breastplate shirt (hoshen).

The headplate represented the necessary mental gifts to communicate knowledge, understanding and application of Torah; the breastplate, situated around the heart, reflected the necessary sensitivity and concern for the wellbeing of the people; indeed, the names of the 12 tribes were engraved on the hoshen.

In his eulogy for Rav Meshulam Zusha Twersky, the Talner Rebbe, in 1972, Soloveitchik clarified the dual and complementary roles of leadership: the majestic rav and the holy rebbe.

The majestic rav is essentially concerned with his students' cerebral capacities, uses the logical word as his medium and addresses his message to the intellectual elite; the holy rebbe is essentially concerned with his students' emotional capacities, uses religious experience as his medium and attempts to contact the soul of every single Jew. The majestic rav seeks and demands exacting truth; the holy rebbe emanates unconditional love. The majestic rav chastises the one who commits a transgression with harsh words, stressing the rigors of ethical and moral exactitude; the holy rebbe weeps over one who commits a transgression, and extends his hand in forgiveness.

The majestic rav analyzes the expressed concepts of Torah and affects the external activities of his students; the holy rebbe delves into the secret depths of Torah and transforms the inner world of his disciples. The majestic rav is embodied in the tzitz, while the holy rebbe is embodied in the hoshen. A rav is known by that title to the outside world, but is affectionately called rebbe by each of his student-followers. I would argue that both the headplate and the breastplate as well as the requisite Torah qualities of leadership they represent must be worn by the truly great religious leader of today.

IN ANOTHER of Soloveitchik's essays (Shomrim LaBoker,

B'S'D published in Divrei Hashkafa, Jerusalem 1992), he extrapolates the necessary qualities of religious leadership from a detailed exposition of a verse found in the haftara of our Torah portion: "The Kohan-Priest Levites, sons of Zadok, draw near to Me to serve Me... They instruct (yuru) My nation as to distinguishing between the holy and the profane; they inform (yodiyu) as to the difference between pure and impure; they bring all arguments before the bar of justice; they guard (yishmoru) the statutes concerning all My festivals; and they cause My Sabbaths to be made holy." (Ezekiel 44:15 - 24)

Each of these functions requires careful understanding and training. First of all, the authentic religious leader is a religious instructor, a decisor (posek); he must have the requisite knowledge to decide what is permissible from the halachic perspective. It goes without saying that in addition to wide erudition he must have deep humility; as important as it may be to know how to pasken (halachically instruct), it is even more important not to be embarrassed about having to consult a higher authority.

Secondly, the religious leader must be a gifted educator, able to reveal the internal beauty, logic and relevance of both the written and oral Torah. His command of the theoretical and conceptual aspects must be of such a caliber that he enhances the respect in which our traditional texts are held. The very word yida also means to experience with love - and every good educator must impart the Jewish experience with love! Thirdly, the religious teacher-rabbi must be a paragon of honesty and justice, clearly above personal gain and subjective involvement. In the words of Maimonides: "He must fill the world with righteousness and break the arms of the wicked when he battles the wars of the Lord" (Laws of Kings 4,10).

In his masterpiece Halachic Personality (Ish Hahalacha), Soloveitchik records how his grandfather, Rav Haim of Brisk, stopped the funeral of a wealthy individual on a Friday morning, insisting that since a poor person had died first, his funeral must precede that of his wealthy townsman. This combination of kindness and fearless pursuit of justice is for Soloveitchik the major hallmark of the religious teacher-rabbi. Fourthly, the religious leader must guard our religious institutions by making certain that they continue into the next generation. The phrase shomer Torah v'mitzvot, literally meaning a guardian over Torah and commandments, suggests a guardian of an object who assumes even monetary responsibility over the thing in his possession, which he must return intact. So must the religious rav-teacher ensure the continuity of the Torah which has been entrusted to him.

And finally, the rabbi-educator must protect the sacredness of our rituals and festivals. He can only do so by being himself a model of sacred conduct, by being above reproach in his appearance and comportment at all times. He must also see to it that the prayer services and ritual celebrations are decorous, authentic, sincere and meaningful. I believe that Soloveitchik's guidelines pose an important and necessary challenge to all those who labor in the vineyard of the Lord.

Shabbat Shalom

From: Aish.com [SMTP: aishlist@aish.com] Shragasweekly@aish.com
Subject: Shraga's Weekly - Emor
<http://aish.com/torahportion/shragasweekly/showArticle.asp>
Aish.com SHRAGA'S WEEKLY
RABBI SHRAGA SIMMONS

"ISRAEL AND KIDDUSH HASHEM" Parshat Emor - Leviticus 21-24

In this week's parsha, God tells the Jewish people: "You shall not desecrate My Holy Name (Chillul Hashem), rather I should be sanctified among the Children of Israel (Kiddush Hashem). I am God Who makes you holy" (Leviticus 22:32).

What is the nature of this mitzvah?

The primary privilege and responsibility of every Jew is to create positive PR for God through our loyal adherence to His Torah. Certain mitzvot clearly achieve this, like eating Matzah on Passover. When I spend a week cleaning out breadcrumbs from every nook and cranny of my home, the only possible motivation is that God said so! By eating matzah, I increase the respect for God in the world, which is the essence of Kiddush Hashem.

Another obvious example is the mitzvah of Bris Milah -- circumcision. Who would perform non-medical surgery on a helpless baby -- and on such a sensitive part of the body? (Even the most radical college fraternity doesn't require such an extreme show of commitment!) So when a Jew performs Bris Milah, it is a Kiddush Hashem, awakening us and others to the presence of God in our lives.

THE KNIFE

The Holocaust produced many heroic deeds of Jews standing loyal to God, in the face of the most impossible conditions.

A beautiful story illustrates this idea (from "Stories of the Holocaust," by Y. Eliav):

One of the forced laborers in the camps relates that one day he heard frightening cries of anguish the likes of which he had never heard before. Later he learned that on that very day a selection had been made -- of infants to be sent to the ovens. We continued working, tears rolling down our faces, and suddenly I hear the voice of a Jewish woman: "Give me a knife."

I thought she wanted to take her own life. I said to her, "Why are you hurrying so quickly to the world of truth..." All of a sudden the German soldier called out, "Dog, what did you say to the woman?"

"She requested a pocketknife and I explained to her that it was prohibited to commit suicide."

The woman looked at the German with inflamed eyes, and stared spellbound at his coat pocket where she saw the shape of his pocketknife. "Give it to me," she requested. She bent down and picked up a package of old rags. Hidden among them, on a pillow as white as snow, lay a tender infant. The woman took the pocketknife, pronounced the blessing -- and circumcised the child. "Master of the Universe," she cried, "You gave me a healthy child, I return him to You a worthy Jew."

WATCHING CLOSELY

Every aspect of our behavior can foster a Kiddush Hashem. I asked a woman who recently became observant what led her to make such a commitment. She said that when her 10-year-old niece became observant, the girl transformed from being a spoiled brat, into a model of kindness and compassion. The woman said, "If this is the effect that Torah has on a person, then I want it, too!"

On the converse, a Jew acting in a despicable manner is a desecration of God's Name. Which is why we are so bothered when a Jew cheats in business. Besides violating the Torah prohibition of stealing, the additional tragedy is that people will say, "If this is the effect that Torah has, then I don't want any part of it." It distances people from connecting to God.

Even further, such behavior demoralizes society, because there is a feeling that if Jews -- the "guardians of morality" -- are corrupt, then what hope is there for the rest of us?

This is perhaps the reason why the State of Israel today is a constant source of worldwide media attention, and why the United Nations routinely condemns Israel for every slight misstep (real or imagined). If it happened in another country, it may be forgiven as a consequence of law and order. But deep down the world expects Jews to uphold their mission as the role models for humanity, the "Light Unto the Nations."

This is why the Talmud (Yoma 86a) says that Chillul Hashem is the most serious of all transgressions, and the one for which it is most difficult to atone.

SHOUTING DOWN

In actuality, the State of Israel has been a great source of Kiddush

Hashem. The blossoming of the desert, the ingathering of the exiles, the great centers of Torah study, and the solid economic base -- what other country achieved so much in its first 50 years? And this on the heels of a devastating Holocaust and crippling blows from Arab enemies.

Unfortunately, Israeli society also has aspects of Chillul Hashem on both sides of the fence. Orthodox Jews sometimes throw things and shout -- and the effect can be devastating.

The Torah says: "You shall surely correct your neighbor, but don't bear a sin because of him" (Leviticus 19:17). This means it is forbidden to correct someone if the result will make matters worse. If the other person will get defensive, and this will create tension and resentment, then it is no mitzvah to correct them. Actually the bigger mitzvah in this case would be to keep quiet, or find a more pleasant way of expression. Don't allow your Kiddush Hashem to become a Chillul Hashem.

LOFTY JEWISH IDEALS?

On the other side, visitors to Israel are often shocked to find Jews sitting in cafes eating bread on Passover, and even having pork roasts on Yom Kippur. Israeli society condones such public vulgarity as a dance company performing naked at the official Independence Day celebration, or a transsexual being selected to represent the county at the high-profile Eurovision songfest. It's all over the media for the world to watch and say, "Such is the People of the Book?!"

Israel is a living workshop where lofty Jewish ideals can become reality. To chase after the lowest elements of Western society is to sink into the grime of history. Is this how we define "something Jewish existing in the world?" Is this the expression of "light unto the nations?" Is this the culmination of 2,000 years of struggle and suffering? Is this what Tzahal soldiers died for? Is this being "free in our land?"

It was not too many years ago that Israeli society still held itself to a higher standard. In the 1960s when British rock legend Cliff Richard performed here, parents were outraged at the negative effect on Jewish children. Shortly thereafter, the Beatles were refused entry into Israel -- on the grounds of being a subversive influence. Today, this seems tame by comparison. And whether one agrees or disagrees with that decision is not the point. The issue is that Israel -- the model of morality for world Jewry, and the model for all humanity -- had taken a stand.

We have built our land so beautifully and have achieved so much. But do we want to succeed like the other nations, if "success" is defined by 80 cable channels and teenagers with nose-rings and bulimia? The image of kibbutzniks dancing around the campfire has faded into stadiums thumping with heavy metal music.

Achad HaAm called Israel "the historic center of a roving spiritual idea." The world is watching. And it's God's good Name on the line. It's up to us.

SHABBAT SHALOM, RABBI SHRAGA SIMMONS

Rabbi Shraga Simmons spent his childhood trekking through snow in Buffalo, New York. He has worked in the fields of journalism and public relations, and now manages the Aish HaTorah website in Jerusalem. You can contact him directly at: simmons@aish.com (C) 2000 Aish HaTorah International - All rights reserved. Email: webmaster@aish.com Home Page: <http://aish.com>

From: listmaster@jencom.com[SMTP:listmaster@jencom.com]
companion@shemayisrael.com BELOVED COMPANIONS
BY RABBI YISROEL PESACH FEINHANDLER

Emor Marriage Brings Growth

And he who is the High Priest among his brethren, upon whose head the anointing oil was poured, and who is consecrated to put on the garments, shall not suffer the hair of his head to grow long, nor rend his clothes. (VAYIKRA 21:10)

One day in the old city of Jerusalem, a Jew was walking down the street with an umbrella in his hand. An Arab who happened to be

walking at his side tripped on the umbrella, slipped on the slippery stones, and ended up falling in such a way that he died instantly from the accident.

Knowing that when the Arabs found out about this they would seek revenge, the unfortunate Jew ran to the house of the Chief Rabbi of Jerusalem, Rabbi Yoseph Chaim Sonnenfeld. To his astonishment, the Rabbi refused to give him shelter, and demanded that he leave his home immediately. The poor Jew began pleading for his life, but with no success. The Rabbi was adamant that he leave his house, saying, "You must leave immediately! My house is not a shelter for those who kill accidentally." Hopeless, the Jew left the Rabbi's house, and found himself shelter in one of the basements of the neighborhood. Meanwhile, there was a great tumult on the Arab street when they found the body. Several Arabs denounced the Jews and especially their Rabbi who, so they claimed, was known to give protection to murderers. A few hours later, a group of soldiers accompanied by some Arab dignitaries barged into Rabbi Sonnenfeld's house and began searching for the murderer. Outside an Arab mob waited, planning to lynch the Jew when he was found.

The soldiers searched every corner of the Rabbi's house, but found nothing, and finally had to leave empty-handed. Only then did Rabbi Yoseph Chaim Sonnenfeld's associates realize why he was so adamant in refusing to give shelter to the Jew: in order to save the Jew's life.

(OLAM CHESED YIBANEH, p. 140)

Rabbi Yoseph Chaim Sonnenfeld remained calm in spite of the great pressure he was under. He utilized his self-control and clarity of mind to ultimately save the life of a fellow Jew. In a similar way, every married person should develop his inner strengths so that he is prepared to fulfill his task in married life.

Why is he called the Kohen Gadol? Because he is greater than others in five things: in physical beauty, in strength, in wealth, in wisdom and in age.

In physical beauty: He is more handsome than his brethren.

In strength: He is strong with power. Come and see that Aharon waved in the air twenty-two thousand levites in one day. How was it done? He waved them in the air back and forth and up and down.

In wealth: If he was not wealthy on his own, his fellow kohanim gave him wealth and made him rich. There was a story of Pinchas the satar [stonecutter], who was appointed to be the Kohen Gadol, and his brethren the kohanim, went out to him and found him hewing stones, and they did not let him continue; rather they filled his quarry with gold coins. From where do we know that if he has no wealth of his own, his brethren raise him up? Since it is written, "And the kohen, who is greater than his brethren."¹

This is true not only for a High Priest, but also for a king. And so we find that when David, the future king, went out to combat Goliath the Philistine, Sha'ul said to him, "You will not be able to go to this Philistine to combat him, since you are but a youth, and he is an experienced warrior."² And David answered Sha'ul, "Your servant was a shepherd to his father, and the lion and the bear came, etc."³ Sha'ul said to him, "Who told you that you are capable of killing him?" Immediately David answered him, "G-d, Who has saved me from the lion and the bear, will save me from this Philistine."

Immediately, [after that proclamation], "Sha'ul put the warrior clothes upon David." ⁴ And it is written of Sha'ul, "[Sha'ul was] a full head taller than the entire nation." ⁵ But the moment that Sha'ul dressed David with his clothes and saw that they fit him, he looked with jealousy upon David [he gave him an ayin hara]. When David saw that he had embarrassed Sha'ul, he said to him, "I am unable to go with all these [clothes], since I am not used to them." ⁶ From here we learn that even if a person is short, when he is appointed king, he suddenly becomes tall. Why does this happen? Because when a person is anointed with the oil of anointing he becomes more praiseworthy than his brethren.

(YALKUT 631 par. Larnah)

Why does the Kohen Gadol have to be superior to the other kohanim? Why should he be handsome, when we find that handsomeness is not a particularly praiseworthy trait? What does strength have to do with being a Kohen Gadol? Why does a Kohen Gadol need wealth? From the way our Sages have interpreted the story of David and Sha'ul, it seems David grew a head taller when he put on Sha'ul's clothes. How can we explain such a phenomenon? How does the oil of anointing work that it causes a person to grow so quickly?

The task of the Kohen Gadol is to be the leader of the kohanim. He brings the most important sacrifices and he enters the Holy of Holies on Yom Kippur. He does not attend the funerals of any of his relatives, and he marries only a virgin.⁷ Having such a distinguished position demands reverence from others, and that is gained by his possessing qualities that are valued in their eyes, those of physical beauty, power, wealth, wisdom, and age. These qualities give him the tools to fulfill his task completely.

Even being handsome, which seems like a vain trait, is a valuable tool in gaining power and obedience. One is not allowed to be haughty because of his good looks, since he did nothing to gain that trait. However, despite the lack of effort involved, people admire someone who is handsome. Thus, G-d gave this trait to the kohen who was destined for this important task.

A person does not become handsome only after he becomes a Kohen Gadol, but this is a trait he is born with. From this we can learn that a person is born with the tools he will need for the tasks that he will have in life. G-d knows what task is destined for the selected kohen, and thus grants him beauty that he will be able to fulfill his task to the utmost.

Even physical power is a valuable tool for leadership. When people see that their leader is powerful, they revere him more. They feel that just as he has physical power, he must also have spiritual power. Even though one has nothing to do with the other, his capacity to do physical work enhances his powers of leadership.

People tend to revere others who possess wealth. We see that a wealthy person can afford to be daring and eccentric because his wealth gives him power. This same power, when properly channeled, is an important tool in the hands of the Kohen Gadol. Would he not possess his own wealth, he might have to listen to and obey other kohanim who have great riches, and he might feel belittled in their presence.

>From the way our Sages have interpreted the story of David and Sha'ul, David grew taller when he put on Sha'ul's clothes and was anointed. How can we understand such a phenomenon?

The answer is that when a person receives a task to fulfill in life, he grows to fit that task. Here it seems that G-d made a miracle, that David grew physically taller. This comes to teach us that we certainly grow taller in spirit, to meet each task that confronts us.

Play your Natural Role in Marriage

Every husband is looked upon by his wife as the "Kohen Gadol" of the family. She reveres him and looks up to him for guidance and leadership. That is part of a wife's nature. Just as the Kohen Gadol receives the tools from heaven that he needs to fulfill his task, so does every husband receive the tools to be a successful husband. It is not really difficult to be a good husband, since we inherently possess in our very natures whatever is necessary to succeed.

Your wife thinks of you as powerful, handsome and wise. She often asks you to lift something heavy for her, adores you, loves to look at you, and constantly asks your advice. Since this is the natural way in which a wife thinks of her husband, it is really not difficult to be a good husband. Every husband begins married life with this advantage, and he just has to play the natural role his wife expects of him.

How pitiful it is when a husband ruins the image that he has in his wife's eyes. Instead of maintaining a pleasant appearance, he goes around looking sloppy, and instead of trying to help her or give her some good

advice, he ignores her requests or answers angrily or without thinking. In this way he will lose the very precious gift that he has been given. Instead of his wife looking at him as a "Kohen Gadol," she will now think of him as a simpleton, since he has destroyed his own image in her eyes.

just as a king becomes tall when he is anointed with the special oil, so does every husband become capable of fulfilling his role as soon as he marries. Once you assume the task, you are capable of mastering the art of becoming a successful spouse. Your personality and your character will grow to new dimensions as you thoughtfully and carefully take your new responsibilities to heart and strive to fulfill them to the best of your abilities.

This too, applies to the task of being a wife. The moment woman marries, she receives from Heaven the tools she needs to be a wonderful wife. She now possesses charm, beauty and patience that she never had before when she was single. Even if she used to become irritated with her friends if she had to wait for them only a few minutes, she can now wait for her husband for hours. She used to get angry at the smallest things, and now it is almost impossible to make her upset.

We know that the Kohen Gadol could not serve in the Beis Ha-mikdash on Yom Kippur unless he had a Wife. 8 The atonement of the entire Jewish people was dependent on, this one woman who was willing to be the wife of the Kohen Gadol. From this we can see, that the wife of the Kohen Gadol had an importance equal to his own, since he could not fulfill his tasks without her.

This teaches us how important is the role of the wife in every family. Even though her husband may not be the Kohen Gadol, without her patience and love he cannot succeed in his tasks. Even the greatest men need the support of their wives in order to succeed. Marriage is a lifetime task that demands much of us every day. Yet if we wish to succeed, the tools lie in our very own hands.

1. Vayikrah 21:10 2. Shemuel I 17:33 3. Ibid. 17:34 4. Ibid. 17:38 5. Shemuel I 9:2 6. Shemuel I 17:39 7. Vayikra 21:1 -3 8. Yoma 2a

www.star-k.org/articles/dateline.html

A TRAVELER'S GUIDE TO THE INTERNATIONAL DATELINE
RABBI DOVID HEBER, Kashrus Administrator
[refer to attached map]

In today's global market, the furthest regions of the Earth are much closer to home than one could ever imagine. For example, Citric Acid, an integral ingredient in soft drinks, and Ascorbic Acid (Vitamin C), a common nutrient and preservative, are now coming from a variety of Chinese factories. L-Cysteine, a dough conditioner used in the baking industry is produced in many Chinese plants, including six inspected and certified by the Star-K. Star-K certified Glycerine is manufactured in the Philippines and shipped to the United States. Mashgichim are frequently sent to Thailand, Fiji, and Indonesia to oversee Kosher Tuna Fish production.

When assigning a Mashgiach to inspect these factories, besides briefing the Mashgiach on ingredients, equipment, and products at the plant, the Halachic issues of crossing the International Dateline must also be addressed. This issue is not unique to Mashgichim. Tourists, businessmen, and individuals traveling to the Pacific Rim and South Pacific regions are confronted with such shailos on a regular basis.

What is the International Dateline? The International Dateline accepted by most countries (hereafter referred to as the Civil Dateline) is an imaginary line zig-zagging around 180° Longitude through the Pacific Ocean (see Line C on attached map), separating one day from the other. If it is 1:00 p.m. Monday on the eastern side of the Dateline, it is 1:00 p.m. Tuesday on the western side. Therefore, if one travels from the United States to China a day is "lost." For example, if one crosses at noon Monday, one would turn his watch (with date display) ahead from

noon Monday to noon Tuesday as he crosses the line from east to west, "skipping" Monday afternoon and night, and Tuesday morning. When one travels from China to the United States a day is "gained," as one would turn his watch back from noon Tuesday to noon Monday. This person will experience Monday afternoon and night, and Tuesday morning, twice. Halacha addresses two aspects of the Dateline: The location and Halachic implications of crossing the Dateline.

I. LOCATION: Various Rishonim, early commentators, and many Acharonim, later commentators, have written extensively on this topic. The three major opinions are as follows:

A. The Chazon Ish bases his opinion on the Baal Hamoer's (and other Rishonim) explanation of a complicated Gemarah in Rosh Hashona (page, daf 20, which discusses the appearance of the new moon in different regions of the world). The Dateline "technically" runs 90 degrees east of Yerushalayim, where the time is six hours later. This line is at 125.2°E (line B) and runs through Australia, China, and Russia.

However, if the Dateline in reality ran through the Chinese and Australian continents, the line could run through Main Street of Changchun, China, and Rawlinna, Australia. Families on one side of Main Street would recite Kiddush while families on the other side recite Havdala. It may be possible for those who want two days of Shabbos to cross from west to east after Shalosh Seudas and start Shabbos again. Those who want to skip almost all of Shabbos could cross Main Street from east to west and go from sunset Friday to sunset Saturday. However, Halacha does not allow for such a situation. Instead, we consider the eastern land masses of the Asian and Australian continents tufel, secondary, to the western land masses of these same continents. Therefore, eastern sections of Australia, China, and Russia observe the same day for Shabbos as the western sections (all pi yisod olam Italmid shel harash).

Therefore, the Halachic Dateline of the Chazon Ish avoids going through land by gerrymandering along the Russian and Korean coasts, then along the 125.2°E longitude line, through the East China Sea, Philippine Sea, and Indonesia. Finally, the line cuts eastward, around most of the Australian coast, and south towards Antarctica. According to the Chazon Ish, Japan, New Zealand, and Fiji are on the same side of the Dateline as the United States. When the Japanese and New Zealand residents say it is Saturday, Halacha says it is Friday. When they say it is Sunday, it is Halachically Shabbos.

B. Rav Yechezkel Michel Tucazinsky, the author of the Gesher Hachaim, in sefer hayomom bikadur haretz, bases his ruling on Chazal's Judaic principle that Yerushalayim is "the center of the world." If so, the Earth "starts and ends" (i.e. the dateline) on the exact opposite side of the Earth, halfway around the globe at 144.8°W (line E). This line runs from the Gulf of Alaska through the Pacific Ocean east of Hawaii, placing Hawaii on the "other side of the Dateline" from the United States. Hawaii would then be nineteen hours ahead of Baltimore, rather than five hours behind, as it is on the same side of the Dateline as Asia. The day Hawaiians call Friday is Halachically Shabbos, and the day they call Saturday is Halachically Sunday.

C. "Mid-Pacific Poskim" - Several Poskim, including the Bnai Tzion (Rav Dovid Shapiro z"tl), are of the opinion that the Halachic Dateline runs through the middle of the Pacific Ocean, and closely resembles the Civil Dateline. According to these opinions, Japan and New Zealand are on the western side of the Dateline (similar to Asia), and residents of these locations observe Shabbos on the local Saturday. Hawaii is on the eastern side of the Dateline (similar to America), and residents observe Shabbos on their local Saturday.

The exact location varies among the Mid-Pacific Poskim. The Bnai Tzion's Dateline slants westward through the Bering Straits (between Alaska and Siberia), touching the Siberian coast, through the Pacific Ocean at approximately 177°E (west of Fiji), then turns east of New Zealand. Due to the slanting, the line intersects the Civil Dateline at

three points. Other Mid Pacific Poskim, including the azei sadeh (Rabbi Shmuel Dovid Siegel) and Rabbi B. Rabinowitz Thumim (in Hapard Eyar Tishid), are of the opinion that the line is at 169.7oW (Line D) - from the eastern tip of Siberia, directly southward through the Pacific Ocean, 10o east of the Civil Dateline.

What is the Halacha? One should consult with his Rav prior to crossing the Pacific Ocean, especially if he must stay over Shabbos in Japan, New Zealand, or Hawaii. The Halachic ruling of RAV MOSHE HEINEMANN, shlit"a, Rabbinic Administrator of the Star-K, is as follows: One should follow the majority of opinions in determining which day is observed as Shabbos, and also observe dinei deoaisa batorah, Shabbos prohibitions of the Torah, on the day of the minority opinion. However, Rabbinic prohibitions, such as shopping and the handling of Muktzah, are permissible on the day which the minority opinion considers Shabbos. In addition, performing even a biblically prescribed violation of Shabbos through a shinui, unusual manner, or through the action of a Gentile, would be permitted on the day which the minority opinion considers Shabbos.

The Halachic ramifications of this pasak (ruling) are as follows: In New Zealand and Japan, "Saturday" is Shabbos according to the Gesher Hachaim and the Mid Pacific Poskim. Therefore, the local Saturday should be fully observed as Shabbos, with Shabbos Prayers and Kiddush, etc. (Incidentally, this is the day the Orthodox Jewish community in New Zealand observes as Shabbos.) However, according to the Chazon Ish, Shabbos is on the local Sunday. Therefore, one should not perform any malacha daraisa on Sunday. Nevertheless, on Sunday, one should daven regular weekday Tefilos, donning Tefillin during Shacharis.

In Hawaii, "Saturday" is Shabbos according to the Chazon Ish and the Mid Pacific Poskim. Therefore, the local Saturday is fully observed as Shabbos. (This is the day the small Orthodox Jewish community in Hawaii observes as Shabbos.) The day known locally as "Friday" is Shabbos according to the Gesher Hachaim, and one should not perform malacha dearaisa on that day. Cooking for Shabbos should be done on Thursday.

Determining the majority opinion on the Aleutian Islands or South Pacific Islands, including Fiji and American Samoa, is complicated and beyond the scope of this article. However, in the following locations, Shabbos is observed on the local Saturday, and a "second day" is not necessary: Australia, China, Mainland Russia, Taiwan, Hong Kong, Mainland Alaska (below the Arctic Circle), and Manila and other areas of the Philippines west of 125.2oE.

II. CROSSING THE DATELINE: Repeating or skipping a day by crossing the Dateline poses various concerns in many aspects of Halacha, including davening, Sefira, Holidays, and laws of family purity. The guidelines are as follows: Halachos relating specifically to the time of day are not affected by crossing the Dateline. For example, if one davens Shacharis on Monday morning on a plane flying westbound, and crosses the Dateline "into" Tuesday morning, one does not daven Shacharis again. The person has already fulfilled his obligation and is not required to perform these Mitzvos until the sun sets and rises again. However, Mitzvos that are dependent on the day of the week or month are affected by crossing the Dateline. For example, if one crosses the line westbound from 1:00 p.m. Thursday to 1:00 p.m. Friday, one must begin preparing for Shabbos as it is Erev Shabbos and Shabbos will begin in several hours. If one flies westbound from 1:00 p.m. on Monday, the 16th of Tammuz, and crosses the Halachic Dateline to 1:00 p.m. Tuesday on the 17th of Tammuz, one fasts until nightfall. Sample Itineraries:

A. Westbound - "Lose a Day" - Qantas Airlines Flight #12

Leave Los Angeles 10:30 p.m. Sunday - Arrive Sydney 6:00 a.m. Tuesday

Except for landing, the entire 14E hour flight is through the night.

One davens Maariv in Los Angeles. After crossing the Dateline, an additional Maariv is not required, even though it instantaneously becomes the next night. If Sunday night is 32 bomer, and one counts Sefira in Los Angeles, one counts 33 bomer, without a Brocha, upon landing in Sydney on Tuesday morning. On Tuesday night, 34 bomer, and on the remaining nights of Sefira, a Brocha is recited. On Chanukah, if one lights three Chanukah candles on Sunday night, before leaving Los Angeles, one lights five candles on Tuesday night in Sydney. The fourth night is "skipped." If a hepsak tahara was performed on previous Shabbos, Sunday is Day #1 of the 7 nikium, Monday is skipped, Tuesday is Day #2, etc. Sunday is Day #7, and one goes to the Mikvah on Sunday night.

B. Eastbound - "Gain a Day" - United Airlines Flight #2

Leave Hong Kong 1:15 p.m. Tuesday - Arrive Los Angeles 11:30 a.m. Tuesday

The sun sets several hours into this thirteen hour flight. It then rises several hours later. One davens Tuesday's Mincha after take-off, Maariv after nightfall, and Shacharis after sunrise. Although the Dateline has been crossed before sunrise, and it is Tuesday morning again, one davens the Tuesday Shacharis on the plane and Tuesday Mincha in Los Angeles. One davens two Tuesday Shacharis' and Minchas as these laws are governed by cycles of sunrise and sunset, not days of the week. If Tuesday is 33 bomer, 33 bomer is counted on Monday night in Hong Kong. After landing in Los Angeles on Tuesday, 34 bomer is counted again without a Brocha. On Tuesday night, 34 bomer, and on the remaining nights of Sefira, a Brocha is recited. If Tuesday is the third day of Chanukah, three candles are lit on Monday night in Sydney and four candles on Tuesday night in Los Angeles. Hallel is recited nine times, as one davens Shacharis on Tuesday morning (the third day of Chanukah) twice. One should preferably not depart Sydney on Sunday as, according to the Chazon Ish, it is Shabbos shortly after take-off, when the plane begins flying northeast over the Pacific Ocean. If one flew on Sunday, one should not do any malacha dearaisa until nightfall. If one departs on Friday, one must keep Shabbos from before sunset until crossing 144.8oW longitude, when it is Friday again according to all opinions, including the Gesher Chaim.

In the summer of 1894, the Rav of Melbourne, R' Avraham Abir Hirschwitz, traveled by ship from Sydney to Auckland, New Zealand, and San Francisco. The details of his trip and pasak were published in 1908 in his Sefer, Shailos v' Teshuvos Beis Avrohom.

Perhaps at the time, those studying this Sefer thought this is halacha shano nogaya limaiasa, non-practical, non-relevant law. Little did they realize that less than one hundred years later Jews from all over the world would fly this route on a regular basis, and the laws would become more relevant than they could ever imagine.

The author wishes to thank Rabbi S.D. Siegel, author of azei sadeh, Rabbi Yisroel Taplin, and Mr. Chaim Brumer for their invaluable assistance.

From: Jeffrey Gross[SMTP:jgross@torah.org]

WEEKLY-HALACHA FOR 5760

SELECTED HALACHOS RELATING TO PARSHAS EMOR

By Rabbi Doniel Neustadt

A discussion of Halachic topics related to the Parsha of the week.

For final rulings, consult your Rav.

WASHING BEFORE A MEAL: PROBLEMATIC SITUATIONS

QUESTION: Visitors to amusement parks, etc., are often stamped on the back of their hand so that they can freely exit and re-enter the park. May one wash his hands for a meal while the stamp is visible, or does the stamp constitute a chatzitzah (an halachical obstruction) that invalidates the netilas yadayim? ANSWER: Yes, one may wash his hands. There are two reasons why this may be permitted: Shulchan

Aruch(1) rules that dried ink is considered a chatzitzah. He is referring, however, only to dried ink which can actually be felt when touched, such as ink from an inkwell. If there is only an inky smudge but the ink has no substance and cannot be felt, it is not considered a chatzitzah(2). An additional argument for leniency in this case is that the basic halachah follows the opinion of the poskim who rule that one is required to wash his hands only until the knuckles. Although under normal circumstances one should be stringent and wash his hands until the wrist(3), in this situation [when the stamp is needed for re-entry and there is no other choice] we may rely on the basic view that washing the hands until the knuckles is sufficient. Accordingly, even if the stamp on the back of the hand would constitute a chatzitzah, the washing itself is still valid.

QUESTION: Is a woman's nail polish considered a chatzitzah?

ANSWER: Generally, no. Since women paint their fingernails for the sake of beauty, the polish is considered as if it is part of their body and is not considered a chatzitzah(4). If, however, the nail polish has become chipped and the woman would be embarrassed to be seen in public in that state, it is possible that the nail polish would no longer be considered as part of her body(5). She should, therefore, remove the chipped polish before washing her hands.

QUESTION: Are men or women required to remove their rings before washing their hands for a meal? ANSWER: Generally, yes. A ring is considered a chatzitzah since the water cannot easily reach all parts of the finger while it is worn. Even though a loose-fitting ring does allow the water to reach the entire finger, the poskim maintain that it is difficult to assess what exactly is considered loose and what is considered tight. L'chatchilah, therefore, all rings should be removed before washing(6). B'dieved, though, one who forgot to remove his ring and has already washed, need not wash his hands over, as long as the ring fits loosely around the finger(7). [When in doubt if the ring is loose or not, the washing should be repeated but the blessing should not.] The rule that an object such as a ring is considered a chatzitzah applies only to men or women who sometimes, even on rare occasions, remove their ring from their finger. The occasional removal signifies that the person is sometimes particular about having the ring on his finger, rendering it a chatzitzah. It follows, therefore, that men or women who never take their ring off, even when kneading dough or performing manual labor, may wash their hands for a meal while wearing a ring(8).

QUESTION: Is a band-aid protecting an open wound [from bleeding, infection or pain] considered a chatzitzah? ANSWER: No. Indeed, the area which the band-aid is protecting does not need not to be washed at all. Care should be taken, however, that at least 3.3 fl. oz. of water is poured over the rest of the hand(9). It frequently happens, however, that the wound which was originally protected by the band-aid has healed and the band-aid no longer serves as protection. In such a case, the band aid must be removed before the washing. If it was not, the washing may be invalid(10).

QUESTION: Is it permitted to wash for a meal in the bathroom?

ANSWER: L'chatchilah this should not be done, even if the hands will be dried outside the bathroom(11). It is proper, therefore, to fill a cup with water and wash one's hands outside the bathroom. Under extenuating circumstances, however, there are several poskim who are lenient and allow washing in a modern day bathroom, since they are in several ways different from the olden-day bathroom which the Shulchan Aruch was referring to(12). In addition, several poskim are lenient concerning a bathroom which is also used for personal grooming, e.g., tooth brushing or hair combing (a full bathroom). In their opinion, such a bathroom may be used for washing hands as well(13).

QUESTION: What is the proper procedure to follow when using the bathroom immediately before washing for a meal? ANSWER: This presents an halachic problem since it would be improper to wash the hands twice in a row, nor is it proper to delay the recital of asher yatzar until the meal has begun. After debating the various possibilities, the

poskim recommend one of the following two methods(14): Wash your hands with water but without using a vessel(15), dry your hands and recite asher yatzar, and then rewash your hands with a vessel as usual and recite al netilas yadayim and ha-motzi(16); Wash your hands with a vessel as usual, recite al netilas yadayim, dry the hands, recite asher yatzar and then recite ha-motzi(17).

FOOTNOTES: 1 O.C. 161:2. 2 Mishnah Berurah 161:14. See also Machatzis ha-Shekel 8. There is a minority view that holds [concerning tevillah] that a mere appearance may also be considered a chatzitzah (see Sidrei Taharah Y.D. 198:17). See following paragraph as to why the stamp will not be a chatzitzah even according to that view. 3 Mishnah Berurah 161:21 and Beur Halachah. 4 Mishnah Berurah 161:12. 5 Halichos Bas Yisrael 3:2 and other contemporary poskim. See possible source in Igros Moshe Y.D. 3:62 [concerning artificial eyelashes]. 6 Rama O.C. 161:3. 7 Mishnah Berurah 161:18. This is valid, however, only if he poured at least 3.3 fl. oz. of water over his hand. 8 Mishnah Berurah 161:19; Aruch ha-Shulchan 161:6. [A woman who removes her ring only when immersing in a mikveh, may still wash for a meal while wearing a ring.] 9 O.C. 162:10. 10 Mishnah Berurah 161:4. If the band-aid is on the back of the hand past the knuckles, the washing is valid b'dieved. 11 Chazon Ish O.C. 24:26; Igros Moshe E.H. 1:114. 12 Eretz Tzvi 110-111; Zekan Aharon 1:1; Harav Y.Y. Henkin (Eidus l'Yisrael); Minchas Yitzchak 1:60. 13 Eretz Tzvi 110:111; Chelkas Yaakov 1:205; 2:174; Minchas Yitzchak 1:60; Harav E.M. Shach (Hashkafaseinu, vol. 4, pg. 5). 14 There are also some other suggestions, see Kaf ha-Chayim 165:1 and Ketzos ha-Shulchan 33:14. 15 As explained in Minchas Yitzchak 5:96 that it is not required to use a vessel when washing one's hands upon leaving the bathroom. Those who are particular to wash their hands from a vessel upon leaving the bathroom, should not use this method. 16 Kitzur Shulchan Aruch 40:15; Mishnah Berurah 165:2. If not enough water is available for two washings, all agree that the second method is followed. 17 Aruch ha-Shulchan 165:2 and Chazon Ish O.C. 24:30, who testify that our custom is to follow this method. If the hands are very dirty, this method cannot be used, since the dirt may be considered a chatzitzah.

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From: rachrysl@netmedia.net.il midei@shemayisrael.com Subject: MIDEI SHABBOS by Rabbi Eliezer Chrysler - Parshas Emor MIDEI SHABBOS by RABBI ELIEZER CHRYSLER

This issue is sponsored in loving memory of Rifkah bas Mordechai and Eliezer ben Meshulam whose Yohrzeit will be on the 11 Iyar Parshas Emor

Reflections on S'firas Ho'Omer

Raban Yochanan ben Zakai and the Baytusim

The Gemoro in Menochos (65a) cites a B'raisa which lists some of the details contained in Megilas Ta'anis (a book containing the many dates on which it was, at that time, forbidden to fast, and possibly to eulogize, because of the miracles that happened on those days). Among them is Shavu'os (the Gemoro in Ta'anis 17b discusses why such a decree was necessary on a day like Shavu'os, which is anyway a Yom-tov). The miracle that occurred on Shavu'os is that they succeeded in silencing the Baytusim (a sect of Tzedokim), who in turn maintained that "the day after Shabbos" which the Torah describes as the first day of the counting of the Omer, means literally on Sunday.

Their argument was based, as one old Baytusi explained, on Moshe's love for Klal Yisroel, which would undoubtedly have prompted him to fix Shavu'os after Shabbos, to give Yisroel two consecutive days of rest. Consequently, they would have to begin counting the Omer on Sunday.

If Moshe loved Yisroel so much, countered Raban Yochanon ben Zakai, then why did he keep them in the desert for forty years? What he may have meant is, that it wasn't Moshe who decreed that Yisroel should remain in the desert, but G-d. By the same token, it was G-d who controlled the calendar, not Moshe.

Raban Yochanon ben Zakai himself, proved from the fact that one posuk orders us to count fifty days (implying that they are not full weeks), whilst another posuk says to count seven weeks, that sometimes the days of the Omer amount to full weeks (when one starts counting from Sunday), and sometimes they do not (when one starts counting in the middle of the week). And the Gemoro goes on to quote various other Tano'im who give different answers to disprove the Baytusim's baseless contention.

What prompted the Baytusim to explain the posuk in this way, the Torah Temimah contends, is the fact that the Torah writes "the day after Shabbos", and not "the day after Pesach, Chag or Mo'ed". The Torah Temimah however, rejects this proof, because "the day after Pesach" would imply the day after the fourteenth of Nisan, when they brought the Korban Pesach, whereas "the day after Chag or Mo'ed" would imply the day after the seventh day of Yom-tov (rather than after the first day), leaving the Torah with no other alternative.

Nevertheless, the real reason that Chazal rejected the Baytusim's argument, explains the Torah Temimah, was on the grounds that it would then mean whenever Pesach fell on Sunday, they would not be able to bring (or to count) the Omer for a full week after the harvesting season had arrived, and it is not logical to say that they should wait so long for no real reason. This is the genuine rationale behind Chazal's rejection of the Baytusim's argument, and all the other reasons are cited to play a supportive role to the main one, he explains.

When Yom-tov is Called Shabbos

The Bn'nei Yisoschor points out that the Torah could well have written "the day after the first day", but deliberately chose to write "the day after Shabbos" for the following reason: The basic difference, he writes, between Shabbos and Yom-tov, is the fact that the sanctity of Shabbos descends from above ('it'aruso di'le'eilo') whereas that of Yom-tov generally emanates from below. In other words, it is G-d who provides the sanctity of Shabbos, whereas it is Klal Yisroel who must provide the sanctity of Yom-tov by virtue of their own sanctity. This is a Kabbalistic concept, which is not easily understood, though it will help to explain a number of distinctions between Shabbos and Yom-tov, among them, why Shabbos is fixed, whereas the day on which Yom-tov falls has a certain (limited) flexibility, allowing Beis-din to determine the actual day.

The one exception to this rule is the first day of Pesach, due to the fact that, when Yisrael left Egypt, they were not on the level to provide the necessary sanctity (which the B'nei Yisoschor refers to as 'lights'). As Chazal have taught, Yisroel had sunk to the lowest of levels in Egypt, and G-d had to provide them with the means to earn the redemption. Consequently, the Kedushah of Yom-tov began from above.

That being the case, the first day of Pesach was, in a sense, another Shabbos, where Klal Yisroel reaped the benefits of Yom-tov, but without having earned them. That is why G-d gave them the mitzvah of counting the Omer immediately after the first day of Pesach, in order to make up for the deficiency, to provide the missing lights that G-d had 'lent' them.

Consequently, the Torah writes "And you shall count (the word 's'firah' also has connotations of a bright light) the day after Shabbos" (the first day of Pesach, as we just explained). Other Yomim-tovim are referred to as "Shabboson", but not as "Shabbos".

Seven Complete Weeks

The Gemoro in Menochos (ibid.) learns from a combination of "seven complete weeks" and "from the day when you bring the Omer" that, even though one counts the Omer at night-time (immediately after the barley for the Korban Omer has been cut on the night of the sixteenth of Nisan), the bringing of the Omer takes place only on the following day. Tosfos cites the opinion of the Be'hag, who rules that someone who failed to count one entire day of the Omer, stops counting, because the mitzvah requires "seven complete weeks".

Tosfos rejects the Be'hag's ruling, though they do not explain why. The Torah Temimah suggests that it is because 'temimos' pertains to the completeness of the day, not of the seven weeks.

Bearing in mind however, that the Torah writes the words "temimos" in connection with the posuk that speaks about the 'seven weeks', and not with that of 'fifty days', the Be'hag's interpretation makes perfect sense. The Torah is not instructing us to ensure that each day should be complete (i.e. to count by night and not by day - as the other Rishonim explain. What the Torah is saying, he maintains, is that we should make

sure that we count seven complete weeks, without leaving out the first twelve-hour period (by co-ordinating the counting with the bringing of the Omer). And by the same token, he extrapolates, should one omit one entire day of the seven-week period, the seven weeks will not be complete either.

Had the Torah written "temimos" by the posuk of "fifty days", then the implication might well have been that each day must be complete, but not now that it is written in the posuk of "seven weeks".

Tosfos and the other Rishonim, on the other hand, maintain that missing a day does not contravene "temimos", as long as the weeks are complete (or as long as one makes up for the omission by counting two days on the following night - see Bi'ur Halochoh 489:4 - though, as we just explained, it is unclear how they also extrapolate from "temimos" that each day should be complete [i.e. to count already at night]).

From: RABBI MORDECHAI KAMENETZKY
[SMTP:rmk@torah.org] Subject: Drasha - Parshas Emor --
Mitzvah-Watch

Join our yeshiva in writing a sefer torah in memory of a dear friend Leonard goldstien of blessed memory logon to www.torahcampaign.com and join with people all over the world to purchase a letter, a pasuk, or even an entire portion!

Observation does not necessarily mean participation at least in an etymological or grammatical sense. My dealings with Jews who do not keep Torah law have led me to hear one quip, "of course Rabbi, I am an observant Jew." If someone performs a mitzvah in my presence, I observe a mitzvah!"

Of course, in our vernacular, when one is called an observant Jew, he does much more than watch! He or she participates in mitzvah performance watching is not enough.

So that is why I was troubled this week, when I noticed a particularly expressive exhortation to mitzvah performance u'shmartem es mitzvotai, v'aseesem osum -- watch the mitzvos and do them" (Leviticus 22:31).

What does watch mitzvos mean. If one does a mitzvah he is surely doing more than watching them. Why then does the Torah tell us to watch the mitzvos in addition to performing them?

This past winter, in honor of 7 Adar, a day designated to honor the yahrzeit of Moshe Rabbeinu and give recognition to the community

Chevra Kadish (burial society), Rabbi Paysach Krohn addressed a large gathering at Brooklyn's Bais HaChaim Chapel. His inspiring talk, (which I highly recommend) concerned the delicate issues of death, dignity, and decorum. He related the following story: (I may have skewed some details and invite my Dutch readers to correct my embellishments!)

Rabbi Yehuda Laib Lewis is the Rav of a beautiful kehilla in Amsterdam. As in every kehilla the community has a Chevra Kadisha which tends to the needs of the dead and dying, insuring a dignified burial for the deceased, and helping the mourners through the process of bereavement.

Membership is a privilege and only outstanding members of the kehilla are selected. There is one group of people who, no matter how outstanding they are considered in the community, are never asked to serve as part of the Chevra. You see, kohanim, (priests) are not allowed to come in contact with a dead body, and burying the dead is one mitzvah that they rarely perform!

It so happened that Rabbi Lewis's community purchased a plot of land to consecrate a new cemetery for the kehilla. The kohanim, as well as other members of the community participated in this great mitzvah and designated the first plot that was to be used. Not long after the purchase, a member of the kehilla passed away. He would be the first to be buried in the new cemetery. The next day the friends and mourners arrived with the deceased at the cemetery. Shovels in hand, they

approached the grave to begin burying the inaugural plot for the deceased.

They were shocked to see that the plot had been dug!

After burying the man, they found out the true story. Moshe Cohen, a member of the community and a kohen, wanted to participate in the great mitzvah of burying the dead, all his life. However, there are very few limits to the restriction of a kohen coming in contact with a dead person. But when Mr. Cohen heard that there was a new cemetery being consecrated and that there was no one interred in it, he saw the opportunity that he had watched and waited for. And the first one buried in the new cemetery had his grave ready and waiting dug by none other than Moshe Cohen!

The Chasam Sofer reminds us of another time the Torah uses the word watch. The Torah tells us of Yosef's dreams of glory and that his father Yaakov, "watched the incident" Rashi explains that watched means waited in anticipation of fulfillment.

The Chasam Sofer explains that the Torah in this week's parsha tells us to do more than perform mitzvos. It tells us to watch for them. It exhorts us to anticipate their fulfillment it teaches us to wait for the opportunities that arise, ready and able to perform when opportunity knocks!

Rabbi Akiva, his body raked by burning iron combs, told his students, "all my life I waited for the mitzvah to give one's soul for the Almighty. I wondered, 'when would it come to my hands so that I may fulfill it?'"

The Torah tells us this week, Watch for the mitzvos and then observe them! It is not enough to be a Jewish observer, rather one must be a Jewish anticipator as well! Good Shabbos! 1 2000 Rabbi Mordechai Kamenetzky

Dedicated in honor of the Bar Mitzvah of Elazar Gershon Kessler the son of our dear friends, Dr. Martin and Shaynee Kessler

Mordechai Kamenetzky Yeshiva of South Shore The Dr. Manfred & Jamie Lehmann Campus 1170 William Street Hewlett, NY 11557
<http://www.yoss.org/> - rmk@torah.org 516-374-7363 x114 Fax 516-374-2024
<http://www.torah.org/learning/drasha> Project Genesis: Torah on the Information Superhighway learn@torah.org 17 Warren Road, Suite 2B <http://www.torah.org/> Baltimore, MD 21208

From: TORAH AND SCIENCE

[SMTP:torahandscience@avoda.jct.ac.il] To: pr@mail.jct.ac.il Subject: Parashat Emor

Dedicated to the blessed memory of Charles H. Bendheim (Chaim HaCohen Bendheim), President Emeritus of the US Friends of JCT, Member of the board of Governors and PresidentEs Council of JCT.

Halakhic Issues relating to Priestly Purity

And Hashem said to Moshe: Δ Say unto the priests, the sons of Aharon, and you shall say to them: Φ You may not defile yourself by the dead amongst your people.E <(Leviticus 21:1)

The law forbidding a Cohen from ritually defiling himself by contact with a corpse, or part of one, or being in the same room with one, applies only to males but not to females. The law applies even to a newly born baby, obligating his parents to prevent him from becoming ritually impure. This rule applies equally to a newborn baby who will become ritually impure for the first time or an adult who, in the course of time, has already become ritually impure.

Magen Avraham (1)< and Mishnah Berurah (2) quote Rokeach (3) concerning the pregnant wife of a Cohen. They write that she may enter a room containing a corpse even though she is close to term. They explain that even if it were certain that she would give birth there and perhaps to a baby boy there is still a double doubt involved. The first, that the baby may be a girl and the second, even if it were a boy, it might be a stillbirth. This is also the ruling of Shach. (4) On the other hand

YaEavetz (5) rules that she may not enter such a room since when the babyEs head becomes visible he already becomes defiled, and at that point the second probability of a stillbirth no longer applies. Since this leaves us with only the first doubt, in a question of Torah law, this is forbidden. (6)

At first sight this discussion is no longer applicable today since most pregnant women have routine sonography (ultra-sound) examinations during their pregnancy and the sex of the fetus can be clearly determined in most cases. It would appear that in such a situation a Cohen Es wife who is at full-term and who knows that the fetus is a boy should not enter a building containing a corpse. Thus, for instance she may not enter a hospital to visit someone if the pathology room is not completely separate from where she will be. Similarly, she may not enter a hospital where the rules preventing defilement from a corpse are not strictly observed. The question is whether she is obligated to undergo sonography in order to determine the sex of the fetus, since nowadays this option is available. This is even more so since the possibility of a stillbirth at term is very small. Maharam Chalawa (7)< writes that every doubt that can be resolved cannot be considered so when deciding a halachic question. Mishneh LeMelech (8) writes that the general rule that one rules leniently when there is a doubt in rabbinic law, is only true if the doubt cannot be resolved. This is also the ruling of Shach. (9)

Rav Neuwirth shlita told me that if a CohenEs wife wishes to deliver in a particular hospital because she has a greater trust in the medical staff or in her own obstetrician who works there, she may deliver there. This is so even if the hospital is not particular about the rules concerning the defilement of a Cohen and she knows that the fetus is a boy. Rav Eliashiv shlita (10) told me that it is appropriate for a Cohen Es wife to find out the sex of the fetus, close to her delivery date. If it is a male, she should preferably choose to give birth in a hospital that is not problematic for a Cohen, for instance, a maternity hospital. If she has to go to a general hospital, she should preferably choose one which is particular about these laws, a hospital that removes a corpse immediately from within the building, as opposed to one where the mortuary is part of the main building. (11)

Is it permissible to keep a newborn Cohen in the hospital when there is no medical indication? It would seem that this would depend on the following two views: Rema (12) rules that it is not necessary to tell a completely undressed adult Cohen who is sleeping that there is a corpse in the same room. Since Torah law forbids him to be in the same room as a corpse, every minute that he knowingly remains in the room is considered a separate sin. Thus, says Rema, he should merely be awakened and called to come out, so as to give him the opportunity to first get dressed. Shach (13)< explains that this is only so if he is in the same room, but if he is in an adjoining room the defilement is only at a Rabbinic level. Although Magen Avraham, (14) Chochmat Adam (15) and Chatam Sofer (16) all disagree with Shach, many poskim (17) support his ruling.

Mishnah Berurah (18) rules that although it is not necessary to take a baby out of a room containing a corpse, it is forbidden to take him into one. Thus in a hospital where a corpse or part of one is present the baby does not become ritually impure, so long as the door of the nursery is closed. However every time this door is opened the baby becomes impure again, and halacha views this as if he had been taken there each time. (19) Therefore, rules Rav Auerbach ztz $\bar{\Delta}$ (20) although the baby and the corpse are not in the same room (but are under the same roof) most poskim rule that he becomes ritually impure by Torah law and he is considered to have been actively Δ defiled $\bar{\Delta}$ each time the door is opened. This being so in a hospital where most of the patients are Jewish, the baby should be taken out 24 hours after his birth, provided the physician affirms that this will not entail any danger. See, however, Chelkat Yakov (21) who rules leniently.

Although, as stated above, a Cohen is forbidden by Torah law to

either come into contact with a corpse or part of one, or to be in the same room as one, this only applies to a Jewish corpse. With regard to a non-Jewish corpse, contact with it or part of it is also forbidden by Torah law. However, to be in the same room, is only forbidden by Rabbinic law. Dagul Mervava (22) and Aruch HaShulchan (23) both rule like Rambam (24) that the corpse of a non-Jew does not defile unless touched. (25) Mechaber and the Rema write (26) לִּית is best to be careful and לִּית is best to be stringent respectively, implying that this is a Rabbinic prohibition only. Thus, in a hospital where the majority of patients are non-Jewish, one can rule leniently, since a rabbinically prohibited defilement from a corpse may be set aside for a mitzvah, (27) and this is surely more so for a baby who is considered to be non-seriously ill. (28)

PROF. ABRAHAM S. ABRAHAM M.D., Head, Dept. of Internal Medicine B ShaEarey Zedek Medical Center, Jerusalem

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From: RABBI JONATHAN SCHWARTZ jschwrtz@ymail.yu.edu
Subject: Internet Chaburah -- Parshas Emor

Prologue: Judaism has many great leaders. We are taught to look up to them and to attempt to emulate their ways. In many segments of the community, true Tzaddikim are almost infallible and one must be very careful before second-guessing any of their actions.

At the same time, we are aware that Judaism is a fair religion. Deracheha Darchei Noam. The Torah does not place demands on a Jew when those demands are not Noam. If, so, it would behoove us to ask why the Kohein Gadol "Hagadol MeiEchav" was told not to marry a divorcee or a widow, but rather was only to marry a Besulah. Granted that the awkwardness of marrying a divorcee for the spiritual leader of the nation is clear. However, a Kohein Gadol who is a true Gadol, should be allowed to marry a widow if the love between them should exist? Why is he limited to women who are Besulos?

The Daas Zekanim Al Hatorah points out that the reason we limit the marriage of the Kohein Gadol is because of the dangerous weapons his office provides. His mouth is the one that pronounces the Shem HaMeforash on Yom Kippur. If he were to lift his eyes and see another man's wife and desire to marry her, he might keep the husband's name in mind during the Avoda of Yom Kippur and bring on the man's death. The Torah, in an act of mercy, removed the obstacle from the Kohein Gadol by not allowing him to be tempted by another's wife. Hence the Mitzva to marry only a Besulah.

Rav Meir Tzvi Bergman (Shaarei Zion) was amazed with the comment of the Daas Zekanim. Can it be, the Kohein Gadol, holy enough to recite the Shem HaMeforash, would be a target for his Yetzer and covet another person's wife and actually cause her husband's death? How could that possibly be a Chashash? Rav Bergman learns an important life lesson from this Mitzva and its underpinnings. Whether

one is ordinary or holy, temptations in life exist and people are prone to making mistakes. Not only are regular people occasionally open to erring for personal gain, but even the Kedoshim, like a Kohein Gadol, could possibly fall prey to a Yetzer and bring about unfortunate circumstances.

Similarly, Talmidei Rabbi Akiva, about whom we are told were there to return the crown of Torah scholarship to its glory days, are marked with an observance of Aveilus because they did not achieve that which they could have and died instead, having fallen prey to their Yetzer for Kavod. Torah is acquired in 48 Kinyanim (Avos, 6) and it is during the period of the Omer that we attempt to undertake these 48 kinyanim and to bring ourselves closer to Torah. All of us are obligated to undertake spiritual and moral betterment. This week's Chaburah, analyzes another practical aspect to those obligated in the counting of the Omer. It is entitled:

When Timing is of Essence: Women and Sefirah

It seems apparent that women should be Patur from the Mitzva of counting the Omer based upon the principles of Mitzvas Aseh She'Hazman Gramma (see Internet Chaburah Parshas Kedoshim 5760). Yet, the Mogen Avraham (End of Siman 489) notes that women have accepted this Mitzva upon themselves as a Chovah. The Minchas Chinuch (Mitzva 303) has a grave difficulty with the Psak of the Mogen Avraham. After all, if they were completely exempt, the only way that women can be held responsible to accept a Mitzva upon themselves is if there were a specific reason to have them accept the Mitzva. What was the logic here that made the women decide to accept this Mitzva upon themselves? (see also Orchos Chaim Spinka who asks a similar question).

Now the Be'er Yehuda tries to explain the opinion of the Mogen Avraham by trying to attach it to the opinion of the Ramban. The Ramban (Kiddushin 34a) counts the Mitzva of Sefirah among the list of Mitzvos that are not time-bound. If that is the case, that which the women accepted upon themselves was the opinion of the Ramban obligating them to count Sefirah.

The difficulty with this answer is that many achronim challenge the Ramban's listing and many imply that the labeling of Sefira as a non-time based Mitzva is actually a mistake (See shut Avnei Nezer O.C. 384; Chasam Sofer Kiddushin 34a). How then is one to understand the position of the Ramban?

Perhaps one can suggest an answer based upon the position of the Birkas Yitzchak (cited in the internet Chaburah Voeira, 5760) as to whether Kiddush Levanna is considered a Mitzvas Aseh She'zman Gramma. There, the Machlokes of the Mogen Avraham and the Shibbolei haleket were discussed, and Rabbi Genack's suggestion that kiddush Levanna is not a time-based Mitzva, Rather a Cheftza-based one of seeing the moon in its renewed state. That Cheftza happens to present itself once a month. However, if it were to happen more often, the Mitzva would not be limited.

Similarly, Rav Alter Rubenstein (Kuntres MiBeis Levi, Nissan 5756) suggests that the same thing can be said about Sefirah. The counting commences following the bringing of the Korban HaOmer. It happens to be that this particular Korban is brought but once a year. If it were to be brought any other time, conceptually, counting would begin then too. Since the Sefira is attached to the Korban and not to the time, it can be considered, at least according to the Ramban, as not time-based.

However, a different problem of time-boundaries arises when one considers that Sefira must be counted at night. However, since the counting can be done during the day, it is possible that the Hakpada on nighttime is based upon the concept of the first opportunity, that sefirah should be counted at the start of the day.

This is in respect to explaining the position of the Mogen Avraham. The Halacha does not follow his viewpoint however. L'Halacha we Paskin that women do not have a Minhag to count Sefirah 9mishnah

Berurah (489:3). Parameters of Beracha etc. should be decided by a Moreh Horaah.

Battala news Mazal Tov to David Leiberman upon his engagement to Lauren Spivak.

From: Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash [SMTP:yhe@vbm-torah.org] To: yhe-holiday@vbm-torah.org Subject: Special Yom Ha'Atzmaut Package

Please join us today in honoring the memory of Israel's fallen soldiers and terror victims, including nineteen students from Yeshivat Har Etzion. Yehi zikhram barukh. Please also join us in praying for the safe and speedy return of Israel's soldiers missing in action, including Yeshivat Har Etzion student Zachary Baumel. Ha-Makom yishmerem ve-yachzirem le-cheik mishpechoteihem be-karov.

THE DOMINION OF JUSTICE AND TRUTH
BY HARAV YEHUDA AMITAL

Translated by Yoseif Bloch and Ronnie Ziegler

TWO PRAYERS

On Yom Kippur, the High Priest would pray twice for the continuity of monarchy in Israel: 1) in the fifth of seven blessings he recited after reading the Torah before the entire congregation in the Women's Courtyard, and 2) in the "short prayer" he recited alone in the Sanctuary after emerging safely from the Holy of Holies. The fact that he had to recite two different prayers for "malkhut Yisrael" indicates that there are two different aspects to Israelite monarchy, or two different reasons why Jewish sovereignty is significant. Let us examine these two prayers and see what they can tell us about "malkhut Yisrael."

The Rambam describes the first of these prayers as follows (Hilkhot Avodat Yom Ha-kippurim 3:11): At the time that [the High Priest] reads [the Torah], he blesses before it and after the way we bless in the synagogue. Afterwards, he adds the following seven blessings: ... 5) He recites an independent blessing for [the People of] Israel, its topic being that God should save Israel AND THEIR KING NOT DEPART FROM THEM, and he concludes it, "Blessed are You, Lord, Who chooses Israel."

Note that in this blessing, the High Priest is praying for the salvation of Israel on a national level; in the seventh blessing, by contrast, he prays for the salvation of each and every Jew according to his or her needs. What is most interesting about the Rambam's formulation here is the fact that his source in the mishna (Yoma 68b) merely states that the High Priest recites a blessing "on Israel," without specifying its content. The subsequent gemara (70a) merely adds that the blessing refers to "the Nation of Israel, which is in need of salvation [from enemies]." The Rambam, however, introduces into this blessing the theme of the constancy of the monarchy. The simple meaning of this is that there is a link between the salvation of Israel and the constancy of kingship in Israel. Therefore, though the original topic of the blessing is the salvation of Israel, it is impossible to speak of the salvation of the nation without the emphasis on sovereignty. The second time the High Priest prays on Yom Kippur for the monarchy of Israel, no one else is present; he is alone in the Temple. This time the text of the prayer is different (Yoma 53b): What did he pray? ... Rav Acha, son of Rava, concluded it, in the name of Rav Yehuda, "May dominion not depart from the House of Yehuda, and may your nation Israel not need to be sustained one from another, and may the prayers of the wayfarers [against rain] not enter before You."

Unlike the rest of the prayer, which is in Hebrew, the request that "dominion not depart from the House of Yehuda" appears in Aramaic. It is Onkelos's translation of the verse (Bereishit 49:10), "The staff will not depart from Yehuda," and indeed the Rambam (4:1) quotes the verse in its original Hebrew form. The obvious question is: Why is the entire prayer in the Holy Tongue except for this clause? Even more confounding is that in the days of the Second Temple there were no kings of the tribe of Yehuda, so why would the High Priest mention the verse, instead of simply praying as before, "[May] their king not depart from them"? It thus appears that the High Priest's second prayer addressed a different aspect of kingship than the first. In the first, he prayed for the constancy of the monarchy, as a guarantee of Israel's salvation through God. In the second, he prayed about the CHARACTER of Jewish monarchy, and therefore he used the verse, "The staff will not depart from Yehuda," to hint at the type of monarchy of which Ya'akov Avinu had dreamed. (However, since at that time, during the Second Commonwealth, there was no king from the tribe of Yehuda, the gemara makes use of Onkelos's translation, which renders "from Yehuda" as "from the house of Yehuda," a broader expression which can be understood as referring to the Jewish people as a whole.) In his Commentary to the

Mishna, the Rambam makes clear that this second prayer was indeed concerned not with the salvation or protection of Israel but rather with the character of the ideal leadership or polity (Yoma 5:1, R. Kapach transl.): "After this, he would pray for the dominion of justice and truth, as this is the purpose of everything." TIME TO SHIFT FOCUS Israel's political independence expresses "malkhut Yisrael." From the High Priest's two prayers, we see that this has two connotations. The first is tied to the salvation of the nation of Israel and its security, while the second is tied to the possibility of a "dominion of justice and truth." During the first fifty years of the State of Israel, we internalized the concept of "Jewish sovereignty" in its first sense. To those who survived the Holocaust, political independence provided a sense of liberty; but to those born in the State, "Jewish sovereignty" meant primarily the ability both to defend ourselves and absorb masses of immigrants. However, we have yet to internalize the second meaning of "Jewish sovereignty," namely, the establishment of a "dominion of justice and truth," which is "the purpose of everything." In fact, we have not internalized appropriately the very concept of "Jewish sovereignty," for if we had, we would be forced to ask ourselves: Why is it meaningful and valuable to us? They tell of the Chafetz Chayim, z.t.l., that he asked one of his visitors who had come from a great distance, "How are you?" Now, in Yiddish, "How are you?" is "Vos makhst du," literally, "What do you do?" So in answer to this inquiry, the visitor replied, "Thank God, I have a thriving business, and I have no financial problems." The Chafetz Chayim repeated, "Vos makhst du?" and the visitor replied that his family was well. The Chafetz Chayim said to him, "You are telling me what GOD is doing, but I asked you, 'What are YOU doing?' I therefore repeat: 'Vos makhst du?'" Fifty years after the establishment of the state, we thank God for what He has done for us. However, after fifty years, we have a responsibility to listen to the penetrating questions that we should be asking OURSELVES: Do we truly see the "dominion of justice and truth" as "the purpose of everything?" Is the State of Israel the realization of the dominion of justice and truth? Have we even reached that which the more enlightened of the nations of the world have achieved? Let us speak in more concrete terms. Do we have a truly egalitarian society? Is everyone equal, or are some people "more equal"? Is opportunity in business, government, and education indeed available to all, or perhaps only to those who are closer, for whatever reason, to the pie? Does the concern for the weak, the ill, the downtrodden, the poor, the unfortunate, truly match Jewish standards? Are we narrowing the gaps between those in different income brackets or are we widening them? These claims confront every one of us, religious and non-religious, for the basic principles of justice and morality are accepted by all. The religious community, to our pain and shame, has no right to be proud in this area. If there were a city ruled solely by the religious, would the situation there, in terms of justice and truth, be any better than in other places? We speak a great deal about a halakhic state, about Shabbat observance, but we have spoken very little about the dominion of justice and truth.

The Meshekh Chokhma expresses this idea very powerfully (Shemot 14:24): [I]f a community is corrupt in their character traits, this is worse than if they are corrupt in their observance of ritual B Therefore, for the Shabbat violation that has, due to our great sins, spread, [divine retribution] will be delayed for them because they constitute [the majority of] the congregation, and even about idolatry the Sages said in the Sifrei: "The person is cut off (Bemidbar 15:30) - but the community is not cut off." But once they have transgressed the common principles of decency, going forth with swords and arrows to do violence and to steal, and they corrupt themselves with character traits that are like those of predatory animals, then God will decidedly avenge, and will not delay." THE EFFECTS OF POWER We must stress something else: there is a revolutionary historical change here, which we have not yet begun to digest. For two millennia we were the victim, the oppressed, the ruled, and suddenly we have changed from being the victim to being the ruler.

Now, as we come to deal with those over whom we rule (even if they are hostile to us), it is incumbent upon us to apply practically all of the lofty concepts of morality and humanity that we developed when we were ruled over by others. Do we stand this test as we hope to? There is one paragraph in the Kuzari, at the end of the first section (par. 113), that, whenever I read it, causes me great frustration. The Chaver (Jewish sage) says to the Kuzari king: "I see that you deride us for our poverty and our bad situation - but do not the great men of the various religions pride themselves for [enduring suffering] such as this?" He brings examples from Christianity that specifically those who suffer and do not respond are to be admired, not the kings whose power is expressed through domination and glory. To this the Kuzari responds (par. 114): "So indeed would the matter be, if your humble state were something you had freely chosen, but it is rather a matter of compulsion; when you have the

ability, you too will slaughter your enemies." Responds the Chaver (par. 115): "You have found the place of my pain, king of the Khazars!" Although the Chaver's pain does not apply directly to us, I am deeply chagrined by the fact that Rabbi Yehuda Ha-levi puts in the mouth of the Kuzari the claim that we are likely to behave differently when we are in power than when we were powerless.

APPRECIATING OUR INDEPENDENCE AND ITS POTENTIAL For fifty years we prayed with the text of the High Priest's prayer in the Women's Courtyard. We prayed for continued sovereignty as a means to attain God's salvation from the dangers that confronted us. After fifty years, the time has come to pray with the text of the High Priest's prayer in the Sanctuary. We must pray for a dominion of justice and truth, which is "the purpose of everything," or in the words of the old translation of the Rambam's Commentary to the Mishna: "After that he would pray for the continuity of the sovereignty of integrity and honesty, as this is what is most needed." We all know that

that we live in an independent state, but we have yet to internalize in our consciousness that we have JEWISH sovereignty. We are still insufficiently concerned with the question of the nature of our Jewish state, in terms of justice and integrity. We religious Jews have a problem with the concepts of political independence and Jewish sovereignty. When we wish to assign value to a certain phenomenon, we attempt to integrate it into some halakhic framework.

However, it is difficult to place the concepts of political independence and Jewish self-rule in a halakhic context. Some people assign the state halakhic importance solely as a means to fulfill the commandment to settle the land of Israel (Bemidbar 33:53), and therefore prefer to see Yom Ha-atzma'ut as the holiday of the land of Israel rather than as the holiday of our emancipation. In addition, we Jews have always had a problem with the very concept of monarchy, as the prophet said, "But the Lord is your King!" (I Shemuel 12:13) - however, this is not the place to review these issues. It is interesting that neither the generation of the founders, the "Generation of 1948," nor the generation born after the establishment of the state, succeeded in internalizing the historical sense of political independence and the revolutionary historical fact that instead of being dominated, we now have Jewish dominion. These two generations did not internalize this concept for different reasons. The Generation of 1948, which consisted in large part of Holocaust survivors, refugees from Europe and other lands where they had been accustomed to degradation, suddenly won freedom and emancipation. This sense of freedom was so overwhelming that it blinded them, preventing them from seeing the historical implications of this great revolution, which brought about the establishment of the state. As for the young generation, they were born into freedom, and therefore the concept of freedom held no emotional charge for them. They took political independence for granted, and never stopped to consider its revolutionary significance in Jewish history, nor did they ask themselves what is its purpose.

Regarding these two generations, we encounter the opposite of the situation described by Ezra (3:11-13) at the time of the rebuilding of the Temple: They responded in praise and thanks "to the Lord, for He is good, for His kindness lasts forever," and the entire nation shouted a great shout in thanks to Lord on the founding of House of Lord. But many of the elder priests and Levites and chieftains, who had seen the First Temple on its foundation, wept with a great noise when they beheld this [Second] Temple, though many were shouting in joy, to raise their voices. The people could not distinguish the sound of the shout of the joy from the sound of the people's crying, for the people were shouting a great shout, and the noise was heard to a great distance.

In our time, the situation is reversed: the elders, who were witness to destruction and degradation, raise a noise of a joyous shout, while the youths, who did not witness the great fall which preceded the rise, are the ones who display apathy before the renewal of our independence. The commonality between these two generations is that they lack the historical sense that after two thousand years we are living in the kingdom of Israel under Jewish dominion. Certainly, it is not meaningful to them to the extent that they ask themselves: How, beyond the Law of Return and the absorption of immigrants, must Jewish political independence and sovereignty be expressed? The Rambam calls the dominion of justice and truth "the purpose of everything," for he sees in this a great principle of our Torah, a fundamental based on the commandment, "And you shall do what is upright and good" (Devarim 6:18), and on the commandment of following God and emulating His ways (Devarim 8:6). In this, the Rambam sees the very purpose of the Jewish nation, as God says of our patriarch Avraham (Bereishit 18:19): For I have known him, for that he will command his children and his house after him, and they will guard the way of Lord, to do righteousness and justice, so that Lord will bring on Avraham that which He spoke concerning him. The Rambam expresses his yearning for and anticipation of the return of the faithful kings of Israel, whose agenda will be

to fill not only their country, but the entire world, with justice, and to uplift the true religion, that is, to disseminate the Unity of God (Hilkhot Melakhim 4:10): [The king's] actions must always be for the sake of Heaven. His agenda and his thought should always be to uplift the true religion, to fill the entire world with justice, to break the power of evil, and to fight the wars of God. For we do not crown a king in the first place except to do justice and wage war, as it says (I Shemuel 8:20): "Our king will judge us, and he will go out before us, and he will wage our wars." (Origidelivered on Yom Ha-atzmaut 5759 [1999].)

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