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BS"D

## INTERNET PARSHA SHEET ON EMOR - 5782

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from: TorahWeb <[torahweb@torahweb.org](mailto:torahweb@torahweb.org)> date: May 12, 2022, 10:05 PMsubject: Rabbi Mordechai Willig - Body and Soul

**Rabbi Mordechai Willig**  
**Body and Soul**

I

Parshas Emor begins with the laws of the kohanim. The Maharal (Avos 4:14) links the three crowns of Torah, kehuna, and malchus to three parts of a person: Torah connects to the intellect (sechel), kehuna relates to the body since it stems biologically from the father, and kingdom, which, like Torah, is not inherited, corresponds to the soul (nefesh) which serves as the king (i.e. leader) of the body.

The Maharal explains that since the sanctity of the kohein is that of the body, a blemish (mum), which is a shortcoming of the body, disqualifies a kohein from the service in the Beis Hamikdash (Vayikra 21:17). The first kohein was Avraham Avinu (Nedarim 32b, Tehilim 110:4). The gematria of his name is 248 which represents the 248 limbs of the body, the part of the person sanctified by the Kehuna. Rav Yehoshua Hartman (footnote 1240) asks: elsewhere (Kiddushin 70b) the Maharal links the kohein, who is holy and pure, to the neshama, not to the body. He answers that here the kohein is linked not to the body itself but to the kedusha of the body, while there the kohein is not related to the soul itself but to the brain and the forehead ("mo'ach im hametzach") where the pure neshama is found. The sanctity of the Kehuna is the connection between, the meeting point of, the body and the soul.

In his works on Chanuka (Ner Mitzvah) and Purim (Or Chodosh) the Maharal notes that kohein in gematria is 75. Since 7 represents nature and 8 represents the supernatural, 75, the midpoint between 70 and 80, corresponds to the role of a kohein, to combine the physical and the spiritual. He sanctifies the mundane act of eating by doing so "before Hashem", in the Beis Hamikdash itself (Vayikra 6:9, Zevachim 53a).

Rashi (Bereishis 28:17) states that the midpoint of the ladder in Yaakov Avinu's dream was directly over the location of the Beis Hamikdash, where he slept. The Maharal asks, what is the significance of the midpoint? In his answer he cites the gemara (Kesubos 5a, see Maharal there at greater length) that the Beis Hamikdash is built with Hashem's two hands (Shemos 15:17), and thus is greater than the heavens and earth which Hashem made with his right and left hand, respectively (Yeshaya 48:13). Hashem created the spiritual Heaven separate from the physical earth. The deeds of tzadikim are, as it were, greater, as they combine both in the Beis Hamikdash where kohanim serve.

The midpoint of Yaakov Avinu's ladder, located above the Beis Hamikdash, parallels the numerical value of the kohein, 75, the midpoint between the natural, represented by 7, and the supernatural, represented by 8.

II

The parsha begins (Vayikra 21:1) by identifying the kohanim specifically as benei Aharon, the biological sons of Aharon, but earlier (Shemos 19:6) Hashem speaks to all of Benei Yisrael and says, "You shall be for me a kingdom of kohanim and a holy nation." The Ba'al Haturim resolves this contradiction as

follows: if Yisrael would have merited it, they would all be kohanim gedolim, and so it shall be at the end of days as it says, “You will be called the kohanim of Hashem” (Yeshaya 61:6.) The source of this is the Mechilta (Hachodesh 2), which states that all of Yisrael was worthy to eat kodshim until they made the eigel hazahav, at which point it was taken from them and given to the kohanim. The Ba'al Haturim suggests that the exalted state of Am Yisrael which existed before the eigel hazahav will be restored in the eschatological era.

The Seforno explains that the nation of kohanim is the segula (treasure) of all the nations (Shemos 19:5), there to teach all of humanity to serve Hashem. This will be our role at the end of days. As a holy nation, we achieve eternity. All the good of the eschatological era would have been given to us by Hashem at matan Torah if not for our sin of the eigel hazahav. Now it must wait until the end of days, when we will all be kohanim to teach knowledge of Hashem to all the nations.

Elsewhere (Shemos 24:18, 25:8, Vayikra 26:12) the Seforno comments that Hashem's original plan was to “come to us” wherever we serve Him (Shemos 20:21); we could've experienced the Divine Presence (Shechina) everywhere, offered sacrifices in backyard bamos, with our firstborn performing the avoda; we would need neither kohanim nor a Mishkan or Beis Hamikdash. All of this ended with the cheit Hha'eigel. Hashem's original plan, at creation and at matan Torah, will be fulfilled at the end of days - “I will walk among you” (Vayikra 26:12), not in one place such as the Mishkan and Mikdash, but wherever you are My Glory will be seen.

III

The Seforno adds that even nowadays Hashem's presence dwells wherever the righteous of the generation (tzadikim) reside. They represent Hashem's purpose in creation, as the Beis Hamikdash did in its time, and as all of Am Yisrael will in the end of days (footnote 50 in Be'ur Seforno, Oz Vehadar edition).

The ability to combine body and soul, demonstrated most prominently by the kohanim, is unique to Am Yisrael. Other nations can serve Hashem only in a purely spiritual way. As such, when a non-Jew sanctifies a shelamim, a korban which is eaten by Jews, it is offered as an olah, a korban which is totally burned (Menachos 73b). The gemara explains: his heart is to Hashem (libo lashamayim). The concept of eating before Hashem is a contradiction for the nations. Only Am Yisrael, the kingdom of kohanim, can do it. “You shall eat (ma'aser sheni) there, before Hashem (in Yerushalayim), and rejoice, you and your household” (Devarim 14:26). All Jewish families, not just kohanim, can, and must, do so, and thereby learn to fear Hashem all their days (14:23). Witnessing the avoda in the Beis Hamikdash (Rashbam) and the Sanhedrin (Seforno) would inspire pilgrims to learn more Torah (Sifrei, see Tosfos, Bava

Basra 21a). Eating before Hashem led to greater yiras Shamayim and spirituality.

This, then, is the mission of every member of Am Yisrael, to sanctify the mundane. All of our worldly actions should be sublimated in the service of Hashem. In the worlds of the Rambam (Hilchos De'os 3:3) one's business dealings and married life should be conducted to serve Hashem. Even sleep, if it is done to preserve one's health in order to serve Hashem, is included in “All your actions should be for the sake of Hashem” (Avos 2:17).

In the absence of the Beis Hamikdash, all Jews are equally charged with this holy mission. We are all members of the kingdom of kohanim, and all of us have the potential to become tzadikim, the repository of the Shechina in our times. May we all live up to this challenge and thereby merit the restoration of the service of the kohanim, sons of Aharon in the Beis Hamikdash.

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from: **Rabbi Yissocher Frand** <ryfrand@torah.org>reply-to: do-not-reply@torah.orgto: ravfrand@torah.orgdate: May 11, 2022, 5:02 PMsubject: Rav Frand - The Priest Does Not Perform 'Last Rites' in Judaism  
Rav FrandBy Rabbi Yissocher FrandTo Dedicate an Article click here  
Parshas EmorThe Priest Does Not Perform 'Last Rites' in Judaismprint

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: #1203 – Mesiras Nefesh Challenges From Biblical Times Through the twentieth century. Good Shabbos!Note: Readers in Eretz Yisroel, who are a parsha ahead, can access a shiur from a prior year by using the archives at <https://torah.org/series/ravfrand/> .

Parshas Emor begins with the admonition to the Kohanim not to come into contact—or even to be in the same room—with a dead person, with the exception of his seven immediate blood relatives. Other than that, a Kohen can have nothing to do with death or dead people. The sefer HaKesav v'HaKabbala advances an interesting theory regarding this halacha: Catholic priests (and perhaps priests or ministers from other denominations as well) play an important role in death. The priest administers the “Last Rites.” When a person is on his deathbed, or even after a person has expired, the priest will inevitably be summoned to administer these “Last Rites.” The theory behind this religious ritual is that somehow the priest can get the dying or deceased individual into Heaven. If someone has this ceremony performed upon him he is, so to speak, “guaranteed to be a son of the World-to-Come.” This

means that a person could have lived a life of sin, but as long as he receives the Last Rites, he does not need to worry about “burning in eternal damnation.”

In Judaism, there is no religious functionary who can get anyone into Gan Eden or Olam HaBah – neither a Rav nor a Kohen. The Kohen can bring a Korban for a person, and he can do other things to help a person fulfill certain aspects of Divine Service during his lifetime, but after a person dies, the Kohen has no power to get him into Olam HaBah. Therefore, says the HaKesav v’HaKabbala, the Torah insists on distancing Kohanim from any aspect of death.

In Yiddishkeit, the only person who will get you into Gan Eden or Olam HaBah is you yourself, and you need to earn it while you are alive. After death, it is too late. That is why the Torah placed this fence and obstacle between Kehunah and Tumas HaMes – in order that no one should think that when the time comes, “he’ll get me in.”

The Symbolism of Showing the Show Bread

I found the following thought in the sefer Imrei Baruch from Rabbi Baruch Simon (a rebbe in Yeshivas Rabbeinu Yitzchak Elchanon, Yeshiva University).

This week’s parsha repeats the mitzvah of the Lechem HaPanim, the twelve loaves of ‘Showbread’ that were on the Shulchan in the Mishkan and later in the Beis haMikdash. The Gemara states (Chagiga 26b) that at the end of the three Pilgrimage Festivals when Jews came from all of Eretz Yisrael to the Beis HaMikdash, when they were about to leave, the Kohanim lifted the Shulchan to show the Lechem HaPanim to those who came up for the Regalim.

When they showed the Lechem HaPanim, the Kohanim would say, “See how precious you are before the Almighty – the Lechem HaPanim is still as fresh and warm now when we’re removing it from the Shulchan, a week after being baked, as it was when it was first placed on the Shulchan.” This was a great miracle that occurred week after week with the Lechem HaPanim. It remained warm a week after it was baked!

This was the parting message that the Kohanim delivered to the Pilgrims as they were about to return home after spending the Shalosh Regalim in the proximity of the Beis HaMikdash.

Rabbi Baruch Simon comments that there were many miracles that the Ribono shel Olam performed in the Beis HaMikdash. Why was specifically this miracle pointed out and shown off to those who came up to Yerushalayim for the Regalim?

He cites an idea from the Pri Tzadik, Rav Tzadok haKohen of Lublin, that the warmth of the Lechem HaPanim was indicative of how the Ribono shel Olam loves Klal Yisrael. There were twelve Lechem HaPanim, corresponding to the twelve Tribes.

When the Almighty kept the twelve Lechem HaPanim warm, He was making the statement “I love you. Our relationship is still warm. It has not dissipated over the past week. And I love all twelve of the Tribes of Israel.”

There is a universal minhag, based in Halacha, that a Beis Knesses has twelve windows. The reason for this practice is that each Tribe has its own “pathway” to the Ribono shel Olam. Contrary to what some people may think, Klal Yisrael is not monolithic. We are not a one-size-fits-all religion where just a single approach to Divine Service is appropriate for all Jews. Every Shevet had its own path to the Almighty, and this was signified in the Beis HaMikdash, where there were twelve windows, and so too it is signified in every shul, which also has twelve windows.

The approach of Shevet Reuven is different from the approach of Shevet Shimon, and the approach of Shevet Gad is different from the approach of Shevet Dan. But, the Lechem HaPanim of all those twelve Tribes is still warm a week after having been taken out of the oven, because the Ribono shel Olam loves the approaches advanced by each of the Tribes. Of course, this is predicated on the fact that they are all done k’Das u’k’Din – based on Torah and Halacha. But there are nuances and differences. We all know that. There is Nussach Sfarad and Nussach Ashkenaz. There are Chassidim and Misnagdim. There are different approaches. Every Tribe has its own approach, and they are all dear to the Almighty.

What better message can be imparted to Klal Yisroel as they head back home to their communities where they live together with people who are different, and who may have different approaches. Their approaches are as valid as your approach. That is what will keep us together as a unified nation. When everyone has the affirmation that the approach of each Tribe – as long as it is done k’Din u’k’Das – is precious to the Almighty, then we will have greater Achdus in Klal Yisrael. This is the message that the Olei Regalim are left with as they head back home to their local communities.

This is an important message to keep in mind during the weeks of Sefirah when we observe partial laws of mourning because of the disciples of Rabbi Akiva who died during the period because they did not show proper honor and respect for their fellow Jews. No one should disparage the legitimate approach of his fellow member of Klal Yisrael just because he does things somewhat differently.

Transcribed by David Twersky; Jerusalem

[DavidATwersky@gmail.com](mailto:DavidATwersky@gmail.com) Technical Assistance by Dovid Hoffman; Baltimore, MD [dhoffman@torah.org](mailto:dhoffman@torah.org) This week’s write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand’s Commuter Chavrusah Series on the weekly Torah portion. A complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail [tapes@yadyechiel.org](mailto:tapes@yadyechiel.org) or visit <http://www.yadyechiel.org/> for further information. Rav Frand © 2020 by Torah.org. Project Genesis, Inc. 2833 Smith Ave., Suite 225 Baltimore, MD

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From: The **Rabbi Sacks Legacy Trust** <info@rabbisacks.org>

Date: May 12, 2022, 11:44 AM

Subject: Sanctifying the Name (Emor)

COVENANT & CONVERSATION

Sanctifying the Name

EMOR

With thanks to Wohl Legacy for their generous sponsorship of Covenant & Conversation. Maurice was a visionary philanthropist. Vivienne was a woman of the deepest humility. Together, they were a unique partnership of dedication and grace, for whom living was giving.

In recent years we have often felt plagued by reports of Israeli and Jewish leaders whose immoral actions had been exposed. A President guilty of sexual abuse. A Prime Minister indicted on charges of corruption and bribery. Rabbis in several countries accused of financial impropriety, sexual harassment and child abuse. That such things happen testifies to a profound malaise in contemporary Jewish life.

More is at stake than simply morality. Morality is universal. Bribery, corruption, and the misuse of power are wrong, and wrong equally, whoever is guilty of them. When, though, the guilty are leaders, something more is involved - the principles introduced in our parsha of Kiddush Hashem and Chillul Hashem:

“Do not profane My holy Name, that I may be sanctified in the midst of the Israelites. I am the Lord, who makes you holy...”(Lev. 22:32)

The concepts of Kiddush and Chillul Hashem have a history. Though they are timeless and eternal, their unfolding occurred through the course of time. In our parsha, according to Ibn Ezra, the verse has a narrow and localised sense. The chapter in which it occurs has been speaking about the special duties of the priesthood and the extreme care they must take in serving God within the Sanctuary. All of Israel is holy, but the Priests are a holy elite within the nation. It was their task to preserve the purity and glory of the Sanctuary as God’s symbolic home in the midst of the nation. So the commands are a special charge to the Priests to take exemplary care as guardians of the holy.

Another dimension was disclosed by the Prophets, who used the phrase Chillul Hashem to describe immoral conduct that brings dishonour to God’s law as a code of justice and compassion. Amos speaks of people who “trample on the heads of the poor as on the dust of the ground, and deny justice to the oppressed... and so profane My Holy Name.” (See Amos 2:7) Jeremiah invokes Chillul Hashem to describe those who circumvent the law by emancipating their slaves only to recapture and re-enslave them (Jer. 34:16). Malachi, last of the Prophets, says of the corrupt Priests of his day:

“From where the sun rises to where it sets, My Name is honoured among the nations... but you profane it.”(Mal. 1:11-12)

The Sages[1] suggested that Abraham was referring to the same idea when he challenged God on His plan to destroy Sodom and Gomorrah if this meant punishing the righteous as well as the wicked:

“Far be it from You [chalilah lecha] to do such a thing.” God, and the people of God, must be associated with justice. Failure to do so constitutes a Chillul Hashem.

A third dimension appears in the book of Ezekiel. The Jewish people, or at least a significant part of it, had been forced into exile in Babylon. The nation had suffered defeat. The Temple lay in ruins. For the exiles this was a human tragedy. They had lost their home, freedom, and independence. It was also a spiritual tragedy: “How can we sing the Lord’s song in a strange land?”[2] But Ezekiel saw it as a tragedy for God as well:

Son of man, when the people of Israel were living in their own land, they defiled it by their conduct and their actions...I dispersed them among the nations, and they were scattered through the countries; I judged them according to their conduct and their actions. And wherever they went among the nations they profaned My holy Name, for it was said of them, ‘These are the Lord’s people, and yet they had to leave His land.’(Ez. 36:17-20)

Exile was a desecration of God’s Name because the fact that He had punished His people by letting them be conquered was interpreted by the other nations as showing that God was unable to protect them. This recalls Moses’ prayer after the Golden Calf:

“Why, O Lord, unleash Your anger against Your people, whom You brought out of Egypt with such vast power and mighty force? Why should the Egyptians be able to say that You brought them out with evil intent, to kill them in the mountains and purge them from the face of the earth? Turn from Your fierce anger and relent from bringing disaster to Your people.”(Ex 32:11-12)

This is part of the Divine pathos. Having chosen to identify His Name with the people of Israel, God is, as it were, caught between the demands of justice on the one hand, and public perception on the other. What looks like retribution to the Israelites looks like weakness to the world. In the eyes of the nations, for whom national gods were identified with power, the exile of Israel could not but be interpreted as the powerlessness of Israel’s God. That, says Ezekiel, is a Chillul Hashem, a desecration of God’s Name.

A fourth sense became clear in the late Second Temple period. Israel had returned to its land and rebuilt the Temple, but they came under attack first from the Seleucid Greeks in the reign of Antiochus IV, then from the Romans, both of whom attempted

to outlaw Jewish practice. For the first time martyrdom became a significant feature in Jewish life. The question arose: under what circumstances were Jews to sacrifice their lives rather than transgress Jewish law?

The Sages understood the verse “You shall keep My decrees and laws which a person shall keep and live by them” (Lev. 18:5) to imply “and not die by them.”[3] Saving life takes precedence over most of the commands. But there are three exceptions: the prohibitions against murder, forbidden sexual relations, and idolatry, where the Sages ruled that it was necessary to die rather than transgress. They also said that “at a time of persecution” one should resist at the cost of death even a demand “to change one’s shoelaces,” that is, performing any act that could be construed as going over to the enemy, betraying and demoralising those who remained true to the faith. It was at this time that the phrase Kiddush Hashem was used to mean the willingness to die as a martyr.

One of the most poignant of all collective responses on the part of the Jewish people was to categorise all the victims of the Holocaust as “those who died al kiddush Hashem,” that is, for the sake of sanctifying God’s Name. This was not a foregone conclusion. Martyrdom in the past meant choosing to die for the sake of God. One of the demonic aspects of the Nazi genocide was that Jews were not given the choice. By calling them, in retrospect, martyrs, Jews gave the victims the dignity in death of which they were so brutally robbed in life.[4]

There is a fifth dimension. This is how Maimonides sums it up: There are other deeds which are also included in the desecration of God’s Name. When a person of great Torah stature, renowned for his piety, does deeds which, although they are not transgressions, cause people to speak disparagingly of him, this is also a desecration of God’s Name... All this depends on the stature of the Sage...[5]

People looked up to as role-models must act as role-models. Piety in relation to God must be accompanied by exemplary behaviour in relation to one’s fellow humans. When people associate religiosity with integrity, decency, humility, and compassion, God’s Name is sanctified. When they come to associate it with contempt for others and for the law, the result is a desecration of God’s Name.

Common to all five dimensions of meaning is the radical idea, central to Jewish self-definition, that God has risked His reputation in the world, His Name,” by choosing to associate it with a single and singular people. God is the God of all humanity. But God has chosen Israel to be His “witnesses,” His ambassadors, to the world. When we fail in this role, it is as if God’s standing in the eyes of the world has been damaged. For almost two thousand years the Jewish people was without a home, a land, civil rights, security, and the ability to shape its destiny and fate. It was cast in the role of what Max Weber called “a pariah people.” By definition a pariah cannot be a

positive role model. That is when Kiddush Hashem took on its tragic dimension as the willingness to die for one’s faith. That is no longer the case. Today, for the first time in history, Jews have both sovereignty and independence in Israel, and freedom and equality elsewhere. Kiddush Hashem must therefore be restored to its positive sense of exemplary decency in the moral life.

That is what led the Hittites to call Abraham “a prince of God in our midst.” It is what leads Israel to be admired when it engages in international rescue and relief. The concepts of kiddush and Chillul Hashem forge an indissoluble connection between the holy and the good. Lose that and we betray our mission as “a holy nation.”

The conviction that being a Jew involves the pursuit of justice and the practice of compassion is what led our ancestors to stay loyal to Judaism despite all the pressures to abandon it. It would be the ultimate tragedy if we lost that connection now, at the very moment that we are able to face the world on equal terms. Long ago we were called on to show the world that religion and morality go hand in hand. Never was that more needed than in an age riven by religiously-motivated violence in some countries, rampant secularity in others. To be a Jew is to be dedicated to the proposition that loving God means loving His image, humankind. There is no greater challenge, nor, in the twenty-first century, is there a more urgent one.

[1] Bereishit Rabbah 49:9.

[2] Psalm 137:4.

[3] Yoma 85b.

[4] There was a precedent. In the Av ha-Rachamim prayer (See the Authorised Daily Prayer Book, p. 426), composed after the massacre of Jews during the Crusades, the victims were described as those “who sacrificed their lives al kedushat Hashem.” Though some of the victims went to their deaths voluntarily, not all of them did.

[5] Mishneh Torah, Hilchot Yesodei HaTorah 5:11.

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From: Torah Musings <newsletter@torahmusings.com> date: May 12, 2022, : Torah Musings Daily Digest for 05/12/2022  
Why Reversal of Roe v. Wade is Welcome  
by **Rav J. David Bleich**

The brouhaha surrounding the report of a forthcoming United States Supreme Court decision reversing its seminal decision in Roe v. Wade has subsided and with it a perceived institutional need prompting issuance of ill-conceived reactive statements. The actual decision that will assuredly spark further reaction and even more intense hand-wringing has yet to be announced. Perhaps this is the time during which calm reflection upon relevant teachings of Judaism is warranted.

There are two entirely separate and unlinked sets of issues to be pondered, one constitutional and the other moral. I am not a constitutional law specialist – but neither am I entirely ignorant

of U.S. constitutional law and its history. I seldom find myself in agreement with Justice Alito – but that does not mean that he is always wrong. In my opinion, as a matter of law, *Roe v. Wade* was incorrectly decided. The right to privacy announced in *Griswold v. Connecticut* in no way compels a finding that a woman’s right to privacy entails an untrammelled right to dispose of a fetus as she may desire. That is not – and, arguably, never was – a matter solely between a woman and her physician. There is a conflicting age-old principle of at least quasi-constitutional standing, viz., that the sovereign has a compelling interest in preservation of the life of each and every one of his subjects. There are no grounds to exclude unborn subjects from that interest.

In *Roe v. Wade* the Court astutely acknowledged that it could not determine the moment at which human life begins. Of course not! Human life begins in germ plasm within the sperm and continues until decomposition in the grave. How the human organism is to be treated at any point along that continuum is a legal, moral and theological question not necessarily related to any scientific or empirical phenomenon. But instead of candidly recognizing that ignorance does not justify feticide, the Supreme Court did precisely the opposite. It found itself powerless to protect a merely possible homo sapien.

Imagine that one day intelligent, moral and peace-loving Martians land on Earth seeking to establish fraternal inter-planetary relations with earthlings. A debate might break out with regard to whether they are “persons” entitled to the protections and immunities guaranteed by the U.S. constitution. There is no cogent legal precedent that might be invoked to determine whether they are human. Since we do not know whether or not they are “persons,” can we conclude that they may be exterminated with impunity? A hunter hiking through the woods catches sight of an apparition. He cannot determine whether what he sees is a bear or a human being. He shoots and to his chagrin discovers that he has killed a man. Is he guilty of negligent manslaughter or worse?

The Gemara debates the moment of ensoulment. The question has profound ontological implications but no bearing whatsoever upon the halakhic status of the fetus. True, over a period of centuries, halakhic decisors have disagreed with regard to that matter. But Rambam, Noda bi-Yehuda, R. Chaim Soloveichik and R. Moshe Feinstein (and, at least in one pronouncement, the Israeli Chief Rabbinate as well) – and that list is far from exhaustive – unequivocally found feticide to be a non-capital form of homicide justifiable only if the fetus itself poses a threat to the mother. Rabbi Feinstein was an extremely pleasant, sweet, mild-mannered and tolerant person. Yet, when confronted by a much more permissive responsum of a respected rabbinic figure he did not hesitate to write in response, “May his Master forgive him.”

As far as non-Jews are concerned, there is not even a scintilla of controversy. Abortion is an even more grievous offense under the provisions of the Noachide Code. For non-Jews, abortion is a capital offense. Is it conceivable that Jews and Jewish organizations now criticize the Supreme Court for acknowledging that there is no right to abortion on demand? Jews are charged to serve as a beacon unto the nations, not to urge and abet transgression of the Seven Commandments of the sons of Noah. Elsewhere, I have marshalled sources demonstrating that falsification of the Sinaitic tradition is tantamount to idolatry.

Judaism owes a debt of gratitude to the Catholic church for filling a lacuna we have allowed to develop. Rambam questioned why the Holy One, blessed be He, allows Christianity to flourish. His answer was that the Church has kept alive and given wide currency to belief in the Messiah. Were Rambam alive today, I am fully confident that he would acknowledge that such a role is now being fulfilled by others and would have offered a different answer to his question. Today, he would respond that the Church deserves accolades for preserving recognition of the sanctity of human life in all of its phases as manifest in categorization of feticide as homicide. Jews were charged with promulgating that teaching by deed and by word. To our eternal shame, Divine Providence found other ways to do so.

The argument that the lives of Jewish women will be endangered by rejection of *Roe v. Wade* is specious – and fully known to be so by those who advance it. Pregnant women had no constitutional difficulties in procuring medical abortions before *Roe v. Wade* and will face no constitutional barrier after its repeal. True, it is possible, albeit unlikely, that some few states might enact a blanket prohibition against abortion; it is even more unlikely that such a prohibition would survive constitutional challenge.

Craven political correctness is no defense for the indefensible. We should not seek to curry favor with, or the approbation of, the so-called intelligentsia. I daresay that no Jewish woman died as a result of legal restraints prior to *Roe v. Wade*. No Jewish woman is likely to die in the wake of its repeal. Abortion for medical need will continue to be available in most, and probably all, jurisdictions. If any lives are lost it will be because of inability to afford the expense of travel, not because of constitutional impediment.

What should the Jewish response be? It should be two-fold. One, the establishment of a fund to defray the cost of travel to a jurisdiction in which a life-threatening pregnancy can be terminated, such a stipend to be limited to women who produce a statement signed by a recognized posek attesting to the halakhic propriety of the procedure. Two, a second, far larger fund to provide for care of pregnant women who carry their babies to term but feel compelled to surrender them for

adoption. That is the response of rachamanim bnei rachamanim.

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from: Parsha@torahinaction.comto:

Parsha@torahinaction.comdate: May 13, 2022,subject: From the Meshech Chochma - Behar - 5782 **Jacob Solomon** FROM THE MESHECH CHOCHMA - BEHAR - 5782

When you come into the Land... the land shall observe a Sabbath rest... For six years you shall sow your field, prune your vineyard, and gather in the crops, but in the seventh year the land shall completely rest, as a Sabbath for G-d. You shall not sow your field, and you shall not prune your vineyard... (25:2-4)

The Torah guarantees that the Shmitta observance, against the rhythm of nature and indeed logic, will be a faith-supporting experience:

If you say: “What shall we eat in the seventh year?” ... I will command My blessing for you in the sixth year, and it will yield a crop sufficient for the three year period. You will sow in the eighth year... but you will eat from the old crop until the ninth year. (25:20-22)

The Hatam Sofer comments that such a promise must come from G-d. (No human being would be foolhardy enough to make such a prediction.)

Indeed, Shmitta demands singular acts of emuna and bitachon, faith and trust: putting one's very livelihood on the line with the assurance of G-d's declaration that there will be His Blessing for sufficient food after a whole year's period of agricultural rest. That epitomizes the Israelites' accepting the Torah as an absolute act of emuna and bitachon; when they declared na'aseh ve-nishma “we will do and we will listen” (Ex. 24:8). Both the Meshech Chochma and the Kli Yakar develop the emuna-building nature of the mitzvah of shmitta. “For six years you shall sow your field... and gather in the crops”. That in itself is a miracle. Normally, a field is sown for two years and then left fallow in the third year to prevent soil nutrient exhaustion. But the Torah implies that the soil of Eretz Israel will continue to yield for six consecutive years. And G-d, emphasizes the Meshech Chochma, gets great pleasure in supporting Am Yisrael's efforts in farming His Own Country who follow His Teachings during those six years. He makes sure that the farming is abundantly successful. As Malachi puts it: “Won't I open the widows of the heavens and pour down even more prosperity that you can enjoy? ...And all the nations shall praise you, for you will be a desirable land” (Malachi 3:10-12). That is a miracle in itself. And it is that miracle should strengthen faith for the next miracle, that there will be enough to eat during the period of Shmitta and its aftermath. In addition, the Kli Yakar also observes that in Eretz Yisrael the field is “your field” during the first six years only. However, in the seventh year it is no longer “your field”, but it is in the

state of “Sabbath for G-d”. The land returns to G-d every seventh year, and all may access it free of charge as G-d's guests (implied in Rashi to 25:7).

A main reason is “For you are strangers and sojourners with Me” (25:23). The Kli Yakar distinguishes homiletically between a stranger and a sojourner. A stranger is a newcomer, not being there for any prolonged period of time. A sojourner is there as a fixture, as a regular.

A person's relationship with this world should be as a stranger. “A generation goes, a generation comes, but the world remains forever” (Eccl. 1:4). We are here on the planet for an extremely short time. G-d, the Creator and Owner, is there forever. We are required to make the most of our time here. Nevertheless, our relationship with our worldly possessions of real estate is only temporary. Landowners need to be duly reminded every six years through the mitzvah of shmitta, when the land returns to the Owner.

In contrast, the eternal nature of the individual's soul is permanent. It is in that realm, as sojourners, that we are constantly connected to G-d. Only in the World to Come is a person permanently with G-d, which is acquired through mitzvot rather than through worldly possessions: “Do not fear when a man becomes rich... he can't take his wealth with him when he dies” (Psalms 49:17-18).

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<https://www.jewishpress.com/judaism/parsha/counting-steps-to-greatness/2022/05/12/>

Counting Steps To Greatness

By **Rabbi Dovid Goldwasser** - 12 Iyyar 5782 – May 12, 2022  
“You shall count for yourselves from the morrow of the rest day ...” (Vayikra 23:15)

Our sages tell us that the mitzvah of sefiras ha'omer does not begin on Sunday, as the Sadducees erroneously concluded, but we begin to count the omer the day following the first day of Pesach, i.e., the second day.

The Nesivos Shalom asks: Why indeed is it written this way in the Torah, instead of stating clearly when we begin the count? Moreover, what does the expression “count for yourselves” imply? We are merely counting the days between Pesach and Shavuos.

The Sifrei Chassidus teaches us that these words indicate the essence of the mitzvah. The Sefer HaChinuch explains that the objective of leaving Mitzrayim was in order to attain the Torah. The mitzvah of sefiras ha'omer serves to bridge the gap between the tumah (impurities) of Mitzrayim and the highest level of kedusha (holiness) that we experienced at Har Sinai with Matan Torah. When we left Mitzrayim we had sunk to the 49th level of impurity and were so entrenched that Hashem had to redeem us, “taking for Himself a nation from among the nations” (Devarim 4:34), because the angels were unable to discern the difference between the Jewish nation and the

Egyptians. Thus, there is a distinct difference in the spiritual service of Pesach and Shavuos.

Pesach involves the search and complete removal of chametz. On Shavuos, not only is chametz permitted, but the offerings included the Shte HaLechem (two loaves of bread from the wheat harvest). Our Sages explain that chametz symbolizes arrogance, which the Ramban describes as the root of all negative character traits. Matzah, on the other hand, signifies modesty and humility. Thus, the service of Pesach is to annihilate the evil and negative traits from one's life. Only after we have concluded that ritual can we rise to the next level, where we sanctify even the mundane, and infuse it with spirituality, which is the service of Shavuos.

Man is a synthesis of his nefesh habahamis (the animal soul), which has physical needs, and his G-dly soul (nefesh haElokis). Man's mission is to elevate his nefesh habahamis to function in the realm of his nefesh haElokis. With our redemption from Egypt, the Jewish nation was imbued with Divine inspiration to connect with Hashem, or the nefesh haElokis. Each year, in preparation for Shavuos, we are given the opportunity once again to purify our soul during the 49 days of sefirah.

A parable: A sincere individual fell in with the wrong crowd and strayed from the path of Torah. Others were scandalized by his conduct, but the father loved his son dearly, and selflessly shadowed him to places he would never have dreamt of visiting just so that he could free him. The son was very far gone and rejected his father's help. But the father was unrelenting, and finally managed to sedate him so that he was able to bring him home to his room and his bed. The father hoped that when his son awoke in the familiar surroundings of his youth, he would be ready to abandon the deadbeats he had joined. He knew that one must first disassociate from evil before he can try to carve out a new way of life.

Spiritual Goals

As the great Gaon R' Yisroel Grossman was surrounded by his children and grandchildren at the Purim table, joy permeated the air. After the Gaon emotionally sang "K'ayal ta'arog al afikei mayim – as a hart cries longingly for rivulets of water, so does my soul cry longingly to You, Hashem," he sat back quietly, lost in thought.

Then, his face aglow and his eyes afire, the Gaon addressed his family: "My dear children, I want to give you a good piece of advice. Every individual must prepare in advance the goals that he would like to achieve as he gets older – the amount of Torah he would like to learn, the middos that he will refine, and how he will bring holiness into his life. The time to work on it is now, when you are young.

"I have been privileged to head the yeshiva for more than 60 years, and thousands of students have passed through its doors. I have observed that it is not their capabilities and talents that assure their success; at most, they are tools that help the

individual to achieve certain goals. The students who were most successful established their spiritual goals and had the determination and the desire for greatness.

One of the grandchildren spoke up and asked, "Zaidy, do you promise me that this is the way that I will be successful?"

"I give you my word that this is the secret of success. Your future is built on your desire and will to achieve good. If you will begin at this young age, you can be sure that you will see blessing and success."

R' Grossman then added (Makkos 10b), "'From the Torah, from the Prophets and from the Writings we learn that they lead a person along the path that he wishes to proceed. (Makkos 10 b).' The Maharsha asks: Obviously Hashem leads the person, so why do our Sages say 'they will lead' in the plural? The Maharsha answers that with every word, thought and action one creates an angel, good or bad. Thus, the Talmud is telling us that, indeed, if one seeks to achieve greatness it is his thoughts, desires and dreams that will lead him towards that objective in life."

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from: **Rabbi YY Jacobson** <rabiyy@theyeshiva.net> via www-theyeshiva.ccsend.com reply-to: info@theyeshiva.netto: internetparshasheet@gmail.com date: May 12, 2022, 6:33 PM subject: An Eye for An Eye? Really? - Essay by Rabbi YY An Eye for An Eye? Really? Why the Discrepancy between the Written and Oral Traditions of Judaism? By: Rabbi YY Jacobson

Dedicated by Marcia Rubin

Rabbi Avraham Yitzchak Kook Abuse of Human Rights In recent years, we have become shockingly aware of the atrocities and abuses of human rights in many Muslim countries. The beheadings, the floggings, the stoning, the burnings, crucifixions, and diverse forms of torture are practiced daily, not only by ISIS, but in scores of Muslim countries.

I saw a video of a child in Iran being punished for apparently stealing something. They laid him on the ground and a car ran over his arm, amputating it. These and similar scenes of horror taking place in the 21st century are common in many Muslim countries, while most University protests are directed against Israel.

A Harsh Religion?

One of the more popular old polemics against Judaism is that our faith is harsh; it is a religion of cold and cruel laws, devoid of love and compassion. Christians used to present Christianity as the religion of love, and Judaism as the religion of stern revenge. The founder of Christianity supposedly said, "You have heard that it was said, 'An eye for an eye and a tooth for a tooth.' But I say to you, 'If anyone strikes you on the right cheek, turn to him the other.'"

This is referring to a law in the book of Exodus and Leviticus, Mishpatim and Emor. The Torah states that if two men become engaged in a brawl and one of them shoves a pregnant woman, causing her to miscarry, the man responsible must pay compensation, the amount to be determined in court.

כב. וכי ינצו אנשים ונגפו אשה הרה ויצאו ילדיה ולא יהיה אסון עגוש יעגוש כפאשר ישית עליו בעל האשה ונתן בפללים:

22. And should men quarrel and hit a pregnant woman, and she miscarries, but there is no fatality, he shall surely be punished when the woman's husband makes demands of him, and he shall give [restitution] according to the judges' [orders].

כג. ואם אסון יהיה ונתתה נפש תחת נפש:

23. But if there is a fatality, you shall give a life for a life,

כד. עין תחת עין שן תחת שן יד תחת יד רגל תחת רגל:

24. an eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot,

כה. כויה תחת כויה פצע תחת פצע חבורה תחת חבורה:

25. a burn for a burn, a wound for a wound, a bruise for a bruise.

Clearly, it seems, the law is that if one of the men kills the woman, he dies. If he maims her, he receives in return what he did to her. "An eye for an eye... a wound for a wound." And yet, astonishingly, no Jewish court ever practiced this law, known in Latin as Lex Talionis, or the Law of Retaliation.[1]

The Proof of Maimonides

Maimonides, the 12th century sage, rabbi, physician, philosopher, leader, and the greatest codifier of Jewish law, writes:

רמב"ם הלכות חובל ומזיק א, ה: ומניין שזה שנאמר באברים "עין תחת עין . .

" (שמות כא, כד; ויקרא כד, כ), תשלומין הוא? נאמר "חבורה, תחת חבורה"

(שמות כא, כה), ובפירוש נאמר "וכי יכה איש את ריעהו, באבן או באגרוף . .

. רק שבתו ייתן, ורפוא ירפא" (ראה שמות כא, יח-יט). הא למדת ש"תחת"

שנאמר בחבורה תשלומין, והוא הדין ל"תחת" הנאמר בעין ובשאר אברים.

He offers a wonderful proof:[2]

"An eye for an eye" covers two verses (Exodus 21:24-25), concluding a context of six verses (21:18-19, 22-25). If you view the verse in context, Maimonides argues, it is obvious that the Torah cannot be explained literally.

The chapter begins with a case of intentionally inflicted injury.

It concludes with a case of accidental injury. The opening verses (18-19), on intentionally inflicted injury, read as follows:

יח. וכי יריבו אנשים והכה איש את רעהו באבן או באגרף ולא ימות ונפל למשכב:

18. And if men quarrel, and one strikes the other with a stone or with a fist, and he does not die but is confined to [his] bed,

יט. אם יקום והתהלך בחוץ על משענתו ונקה המכה רק שבתו יתן ורפוא ירפא:

19. if he gets up and walks about outside on his support, the assailant shall be cleared; he shall give only [payment] for his [enforced] idleness, and he shall provide for his cure.

The closing verses (22-25), on accidentally inflicted injury, quoted above, reads as follows: "And if men shall fight and

collide with a pregnant woman and she miscarries but does not herself die, he [the fighting man] shall surely be punished, in accord with the assessment of [the value of the fetus]... But if there is a fatality, you shall give a life for a life; an eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot; a burn for a burn, a wound for a wound..."

Asks the Rambam: We have a major contradiction. Here you tell me "a wound for a wound." If I wound the woman, I must be wounded as I wounded her. But just three verses earlier you told me that if I wound my friend with a stone or my fist all I need to do is to cover all medical expenses and pay his wage as a result of him being unable to work. There is a blatant contradiction here, which renders the text completely senseless. Thus, the rabbis conclude, that what the verse meant with the words "a wound for a wound," or "an eye for an eye," "a tooth for a tooth," etc. is monetary compensation. If a person was hired to work for you for his entire life on all possible jobs, how much would the value decrease if he was missing an eye? That must be paid up, in addition to all of his or her medical expenses, and in addition to covering his or her wage during his illness, and in addition to paying for the pain and the humiliation. [3]

And then Rambam continues:

אף על פי שדברים אלו נראים מעניין תורה שבכתב, כולן מפורשין הן מפי משה מהר סיני, וכולן הלכה למעשה הן בידינו; וכזה ראו אבותינו דגין בבית דינו של יהושע, ובבית דינו של שמואל הרמתי, ובכל בית דין ובית דין שעמדו מימות משה ועד עכשיו.

Though this is obvious from the text itself, we have also heard this from Moses, who explained the text this way. So it was practiced in every Jewish court, in the court of Joshua, the court of Samuel, and in every Jewish court from the time of Moses to this very day.[4]

More Proofs

If we delve more into the text, we can see how convincing the argument is. The text says "And if men shall fight and collide with a pregnant woman and she miscarries but does not herself die, he [the fighting man] shall surely be punished, in accord with the assessment of [the value of the fetus]... But if there is a fatality, you shall give a life for a life; an eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot; a burn for a burn, a wound for a wound..."

But what is the meaning of "life for life" if any harm follows? In this unintentional tragic mishap, can we seriously maintain that the Torah decrees the death penalty for the one who caused this accident? This is clearly an unfortunate circumstance for which the Torah set aside sites of refuge. Is the Torah contradicting itself and saying here that if you kill someone by mistake, you get killed? Obviously, then, the Torah is referring to money.[5]

What is even more convincing is when we view the context. In the case of intentionally inflicted injury, the Torah does not

introduce the punishment of “an eye for an eye.” All that the Torah requires from the perpetrator is to pay for the time and medical expenses. This is contrary to the closing verse of an accidentally inflicted injury where the Torah introduces the phrase “an eye for an eye.” Can we really assume that if I hurt you intentionally, my punishment is only monetary; and when I wound you by err, they punish me by amputation? Logically one is forced to interpret here the meaning of “eye for an eye” as the value of an eye, meaning financial compensation. Furthermore, if the Torah meant, taking the eye of the injurer for the eye of the victim, the Torah would have said so. But the Torah never says, “take an eye for an eye.” The Torah says, “and you shall give... an eye for an eye.” Were the text's intention to extract an eye from the villain, the use of the word 'give' is inappropriate. The physical punishment of an “eye for an eye” is meant to take from the guilty, not to give to the victim. Giving implies something that is meant to reach the recipient. But if they take the eye of the perpetrator, what are they giving to the victim? Only monetary compensation fits that definition.

#### An Eye Beneath an Eye

The Gaon of Vilna offers a further brilliant insight. The Torah does not say, “an eye for an eye,” It says, literally, “an eye beneath an eye.” In correct Hebrew grammar, “an eye for an eye” should have been stated in these words: “ayin bead ayin,” instead of “ayin tachat ayin,” an eye beneath an eye. Why did the Torah not use the more appropriate “ayin bead (literally, for) ayin” instead of “ayin tachat” (literally, underneath)? This hints to us that the punishment is beneath the eye. The three Hebrew letters for the Hebrew word ayin—“eye”—are ayin, yod, nun. If we take the letters that are directly “beneath” each of these letters, i.e., that follow them in the alphabet, we get the three letters pei, kaf, samech, which, when rearranged, yield the Hebrew word kesef, “money.”[6]

[Those of you who question the method of interchanging letters to get kesef from ayin might consider the classic Stanley Kubrick film 2001. The name of the computer in that film is HAL, which Kubrick derived from IBM, the letters that are immediately “beneath” the letters HAL in the English alphabet. This construct is called temurah.]

This truth is really expressed in the very word “tachat.” The word tachat connotes not identical substitution, but one item substituted for a different item. This strange phraseology of tachat is found in one other place in the Torah, in the Book of Genesis. After Abraham lifts his sword ready to sacrifice Isaac on Mount Moriah, he was suddenly told by the angel of G-d not to sacrifice Isaac, “Abraham went and took the ram and brought it up for a burnt offering instead of (tachat) his son.” We see from here that tachat does not imply a duplicate substitution (retaliation), but rather implies monetary compensation.

The Talmud dedicates two pages in which nine of the greatest sages delve into the text and deduce that the meaning of the Torah is not physical punishment but monetary compensation. How, for example, could justice be served if the person who poked out his neighbor's eyes was himself blind? Or what if one of the parties had only one functioning eye before the incident? Clearly, there are many cases in which such a punishment would be neither equitable nor just.

In addition to this, how is it even possible to exactly duplicate bodily harm? Can you ever be sure it will be exactly an “eye for an eye”? [7]

#### Say What You Mean

Granted. But why doesn't the Torah simply say what it means?

If the Torah never meant to mandate physical punishment in cases of personal injury, why wasn't the text more clearly written? A great deal of misunderstanding, misinterpretation, and trouble could have been avoided had the Torah simply stated, “The court shall levy the appropriate compensatory payment in cases of personal injury.”

Some even want to say that as society has become less barbaric, the rabbis reinterpreted the verse to mean one pays the damages for the eye, instead of actually taking out the eye of the perpetrator as it used to be done in the olden days. Yet this is simply untrue. Throughout all of Jewish history, we do not have a SINGLE RECORD of any Torah judge implementing “an eye for an eye!”

#### Two Perspectives

It is here that we come to discover the nuanced way in which Judaism has been presented. The biblical text is not a blueprint for practical law; the fact is that there is almost not a single mitzvah in the Torah that can be fully understood when reading the biblical text. Not Tefilin, not Esrog, not Matzah, not Sukkah, not Mezuzah, not Mikvah, not Shabbos, and not Shofar.[8] Thus, Moses presented an oral explanation for the biblical text so that we can appreciate its full meaning.

What then is the purpose of the biblical text? It describes not so much practical law, but rather the full meaning of a person's actions from G-d's perspective. Its words, written often in code, capture the full scope and meaning of every single action of a person, on the most spiritual, abstract level, all the way down to the most concrete plane.[9]

Maimonides, here again, comes to the rescue. In a few brief words, he shares a very profound and moving idea.

רמב"ם הלכות חובל ומזיק א, ג: זה שנאמר בתורה "כאשר יתן מום באדם, כן יינתן בו" (אמור כד, כ), אינו לחבול בזה כמו שחבל בחברו, אלא שהוא ראוי לחסרו אבר או לחבול בו כמו שעשה; ולפיכך משלם נזקו. והרי הוא אומר "ולא תקחו כופר לנפש רוצח" (במדבר לה, לא), לרוצח בלבד הוא שאין כופר; אבל לחסרון אברים או לחבלות, יש כופר.

Rambam, Laws of Personal Injuries 1:3: “The Torah's statement ‘As a man shall inflict a wound upon a person, so shall be inflicted upon him’ does not mean that we should

physically injure the perpetrator, but that the perpetrator is deserving of losing his limb and must therefore pay financial restitution.”

Apparently, the Rambam believes, as do many other scholars who echo the same sentiment, that the Torah confronts a serious dilemma as it moves to convey its deeply nuanced approach to cases of personal injury: using the tools at its disposal, how can Jewish law best reflect the discrepancy between the “deserved” and “actual” punishment?

An eye for an eye is the ultimate statement of human equality. Every person's eye is as precious as anyone else's. The eye of a prince is worth no more than the eye of a peasant. This was completely new in history, transforming the landscape of the moral language of civilization. (The Babylonian Code of Hammurabi, for example, legislated that the eye of a noble was of much greater value than the eye of a commoner.)

Had the Torah, however, mandated financial payment from the outset, the full gravity of the crime would not have been conveyed. The event would have been consigned to the realm of *dinei mamonot*, monetary crimes, and the precious nature of human life and limb would have been diminished.

The gravity of the crime is such that, on a theoretical level, on the level of “deserved punishment,” the case belongs squarely in the realm of *dinei nefashot*, capital law. The perpetrator may deserve the physical loss of a limb in return for the damage inflicted upon his victim. Torah law, however, will not consider physical mutilation as a possible punishment for a crime. The penalty must therefore be commuted into financial terms.

The Torah, therefore, proceeds to express, with delicate balance, both theory and practice within the law. First, the written text records the punishment for wounding your fellow, in terms of compensation. Then the Torah goes on to express the “deserved punishment” without any mitigation: “...an eye for an eye, a tooth for a tooth...” In this way, the severity of the crime is immediately made clear to all. The Oral Law serves as the vehicle of transmission, so we don't err in practice.

Jewish law thus finds a way to memorialize both the “deserved” and the “actual” punishments within the halachic code.

#### No Atonement

Why is this so crucial? So that you never think that maiming someone's body is merely a monetary issue, like breaking his watch. It is not! It is something you have no way of atoning for even if you pay him all the money in the world. Even if you did it by mistake, you can never compensate for it via finances alone.

It also teaches us the truth that there are no exceptions. An eye of a peasant child is no less of value than the eye of a powerful monarch. If I poke out that eye, I have done something for which there is no real way of atonement through money. Maimonides more fully developed the idea that monetary restitution alone cannot atone for physical damages:

רמב"ם הלכות חובל ומזיק ה, ט: אינו דומה מזיק חברו בגופו, למזיק ממון, שהמזיק ממון חברו, כיון ששילם מה שהוא חייב לשלם, נתכפר לו. אבל חובל בחברו, אף על פי שנתן לו חמישה דברים, אין מתכפר לו; ואפילו הקריב כל אילי נביות, אין מתכפר לו, ולא נמחל עונו, עד שיבקש מן הנחבל וימחול לו. "Causing bodily injury is not like causing monetary loss. One who causes monetary loss is exonerated as soon as he repays the damages. But if one injured his neighbor, even though he paid all five categories of monetary restitution — even if he offered to G-d all the rams of Nevayot [see Isaiah 60:7] — he is not exonerated until he has asked the injured party for forgiveness, and he agrees to forgive him." (Rambam, Personal Injuries, 5:9)

#### When Your Animal Kills

We have another fascinating example for this a few sentences further in Parshat Mishpatim, where an even more glaring example of the discrepancy between theory and practice in the realm of punishment emerges. In this case, both variables are bluntly recorded in the written text itself.

As the Torah discusses the laws of a habitually violent animal owned by a Jew, two conflicting consequences appear in the text for the very same crime.

The Torah states that, under normal circumstances, if an individual's ox gores and kills another human being, the animal is put to death but the owner receives no further penalty. If, however, the animal has shown clear violent tendencies in the past – to the extent that the owner has been warned yet has failed to take appropriate precautions – the Torah emphatically proclaims, "...The ox shall be stoned and even its owner shall die."

But in the very next verse, the text offers the condemned man an opportunity to escape his dire fate through the payment of a financial penalty assessed by the court.

כח. וכי יגח שור את איש או את אשה נמת סקול יסקל השור ולא יאכל את בשרו ובעל השור נקי:

28. And if a bull gores a man or a woman and [that one] dies, the bull shall surely be stoned, and its flesh shall not be eaten, and the owner of the bull is clear.

כט. ואם שור נגח הוא מתמל שלשם והועד בבעליו ולא ישמרנו והמית איש או אשה השור יסקל וגם בעליו יומת:

29. But if it is a [habitually] goring bull since yesterday and the day before yesterday, and its owner had been warned, but he did not guard it, and it puts to death a man or a woman, the bull shall be stoned, and also its owner shall be put to death, ל: אם פגר יישת עליו ונתן פדיו נפשו ככל אשר יישת עליו

30. Insofar as ransom shall be levied upon him, he shall give the redemption of his soul according to all that is levied upon him.

The written text itself seems bewilderingly contradictory. On the one hand, the Torah clearly states that the owner of a violent animal who killed another human being “shall also die.”

Then, however, it says that he pays money to the heirs of the victim—the full “value” of the person as it were. What is going on here? How can we take such a text seriously? Once again, our question can be answered by considering the distinction between “deserved” and “actual” punishment. The Torah wants us to understand that, on a theoretical level, the owner of the ox who killed a human deserves to die. His negligence has directly resulted in the loss of human life. On a practical level, however, this sentence cannot be carried out. Halacha only mandates capital or corporal punishment in cases of active crimes. Crimes of “un-involvement,” consisting of the failure to do something right, cannot carry such penalties in an earthly court. The owner who fails to guard his dangerous animal can only be fully punished through heavenly means. Through carefully balancing the textual flow, the Torah manages to convey a complex, multilayered message of personal responsibility in a nuanced case of “un-involvement.”

#### Azar's Question

Yet it goes one step deeper.

During the years when Rabbi Avraham Yitzchak Kook (1865-1935) served as chief rabbi of Jaffa, before he became chief rabbi of Israel (then Palestine), he met and befriended many of the Hebrew writers and intellectuals of the time. His initial contact in that circle was the 'elder' of the Hebrew writers, Alexander Ziskind Rabinowitz, better known by the abbreviation Azar. Azar was one of the leaders of Po'alei Tzion, an anti-religious, Marxist party; but over the years, Azar developed strong ties with traditional Judaism. He met with Rabbi Kook many times, and they became friends.

Azar once asked Rabbi Kook: How can the Sages interpret the verse "an eye for an eye" as referring to monetary compensation? Does this explanation not contradict the peshat, the simple meaning of the verse?

True, as we recall, the Talmud brings a number of proofs that the phrase "eye for an eye" cannot be taken literally. But what bothered Azar was the blatant discrepancy between the simple reading of the verse and the Talmudic interpretation. After all is said and done, if an "eye for an eye" in fact means monetary compensation, why does the Torah not state that explicitly?

#### The Parable

Rabbi Kook responded by way of a parable. The Kabbalists, he explained, compared the Written Torah to a father and the Oral Torah to a mother. Just as the mother absorbs the seed of the father, and develops it into an embryo, and ultimately a full fetus, so the oral tradition develops and explains the seminal, brief and cryptic text of the written Torah.[10] When parents discover their son has committed a grave offense, how do they react—at least back in the 1920s when Rabbi Kook had this conversation with Azar. (Today, we know, things have changed somewhat; yet the principle behind this remains the same).

The father immediately raises his hand to punish his son. But the mother, full of sensitivity and compassion, rushes to stop him. 'Please, not in anger!' she pleads, and she convinces the father to mete out a lighter punishment.

An onlooker might conclude that all this drama was superfluous. In the end, the boy did not receive corporal punishment. The mother was triumphant. Her husband knew he has to listen to her. Why make a big show of it?

In fact, the scene provided an important educational lesson for the errant son. Even though he was only lightly disciplined, the son was made to understand that his actions deserved a much more severe punishment.

#### A Fitting Punishment

This is exactly the case when one individual injures another.

The offender needs to understand the gravity of his actions.

That is why the written text, the “father,” declares: An eye for an eye. In practice, though, he only pays monetary restitution, as the Oral Law rules. For the Oral Law is like the mother.

But he should not think that with money alone he can repair the damage he inflicted. How will not he think so? Only if the “father”—the written Torah—states in uncompromising terms “an eye for an eye; a tooth for a tooth; a wound for a wound.”

Azar was astounded. He was impressed how one can clarify legal concepts in Jewish Law by way of Kabbalistic metaphors. Azar remarked: “I once heard the Rabbi say that the boundaries between Halacha and Kabbalah, the exoteric and the esoteric areas of Torah, are not rigid. For some people, Torah with Rashi's commentary is an esoteric study; while for others, even a chapter in the Kabbalistic work Eitz Chayim belongs to the revealed part of Torah.”[11]

Here we have one example of how one verse in Torah, far from expressing the harshness of Judaism, actually served a blueprint to teach our people the infinite dignity of the human body carved in G-d's image. This we must teach the world.

[1] It is interesting to note that The Code of Hammurabi is a well-preserved Babylonian law code of ancient Mesopotamia, dating back to about 1754 BCE. It is one of the oldest deciphered writings of significant length in the world. The sixth Babylonian king, Hammurabi, enacted the code, and partial copies exist on a human-sized stone stele and various clay tablets. The Code consists of 282 laws, one of them is: "an eye for an eye, a tooth for a tooth" (lex talionis). We do not know if the Lex Talionis of Hammurabi's Code was carried out literally in ancient times. There are scholars who believe that the Code itself was not the law code by which the society operated, but rather the fulfillment of a so-called “divine mandate” by the gods to the king: a law code to prove he was divinely ordained to rule, but not one which was operative in ancient Babylon. Regardless, in Judaism “an eye for an eye...” was never understood literally.[2] Many wondered why the Rambam came up with his own proof, not stated in the Talmud exploring this

matter. The truth is that the source of the Rambam's proof is in Mechilta Derashbi Parshas Mishpatim.[3] See the details in Rambam Hilchos Chovel Umazik ch. 1.[4] Question: How then can Rabbi Eliezer, in Talmud Bava Kama p. 83 interpret the verse literally? Many say that what Rabbi Eliezer means is that the perpetrator pays “demei mazik,” the worth of the limbs of the perpetrator, rather than the victim, thus conveying that in essence, it was his limb that had to be punished. See at length Torah Shlaimah to Mishpatim and Meluim to Mishpatim, in the chapter dedicated to this discussion.[5] We can explain that this is the case where one man intended to kill his fellow, and then killed the woman by error. See Rashi to this verse for the two opinions on the matter. According to the Halacha, if one has the intention to kill someone and kills someone else, he is not killed.[6] Gaon of Vilna in Torah Gems, volume 2, p. 151[7] Talmud Bava Kama pp. 83-84. Here is just one excerpt from there: It was taught in a baraita: Reb Shimon b. Yochai says: "Eye for eye" means pecuniary compensation. You say pecuniary compensation, but perhaps it is not so, and actual retaliation by putting out an eye is meant? What then will you say where a blind man put out the eye of another man, or where a cripple cut off the hand of another, or where a lame person broke the leg of another? How can I carry out, in this case, the principle of retaliation of "eye for eye" seeing that the Torah says, "You shall have one manner of law," implying that the manner of law should be the same in all cases? (Baba Kamma 84a).[8] See at length Tanya Igeres Hakodesh ch. 29.[9] The great 14th-century kabbalist Rabbi Menachem Rikanti in his commentary on Mishpatim explains, amazingly, the mystical meaning of this verse. A human body and all of its limbs reflect the Divine metaphysical “body,” known as “Adam Haelyon.” The body embodies the Divine attributes correlating to the various parts of one’s body. When one knocks out the tooth of another, he, so to speak, removes the spiritual “tooth” within the Divine source, and indeed loses the spiritual source of his tooth. If we can appreciate the Torah text also as a spiritual manual for the spiritual limbs of a person, then the verse actually also has a literal meaning.[10] Tanya Igeres Hakodesh ibid.

from: Rabbi Shafier <rebbe@theshmuz.com> reply-to: binny@theshmuz.com date: May 11, 2022, 2:06 PM

**Rabbi Bentzion Shafier** Emor

The Torah's System of Self Protection

“A cow or a sheep, it and its child, do not slaughter on one day.” Vayikrah 22:28

In one of the many mitzvahs that teaches us how to deal with animals, the Torah commands us not to kill a mother and its offspring on one day.

The Sefer HaChinuch explains that one of the rationales behind the mitzvah is “to train ourselves in the trait of mercy, and to

distance ourselves from the trait of cruelty. Even though we are permitted to slaughter animals to eat, we must do so in a merciful manner. Killing both the mother and the child in the same day is merciless and will train us in brutality. Therefore, the Torah forbids it.”

This Sefer Ha’Chinuch is difficult to understand. If the Torah is concerned about the good of the animal and its suffering, then the logical thing to do would be to forbid slaughtering it. If, on the other hand, the Torah is concerned about man and the damage such actions will have on him, then slaughtering another living creature to consume its flesh is about as barbaric an act as one could imagine. Surely the act of killing the animal should be forbidden altogether. Yet the Torah allows you to kill animals for any productive reason: whether for their hides, their meat, or any other use. Not only that, you may slaughter as many of them as you like. You may butcher a thousand cows in one day to make shoes to bring to the market – this won’t lead you to cruelty – but make sure that none of these animals are related. If two of those cows are mother and child, it is barbaric. Don’t do it! This mitzvah seems very difficult to understand. The answer to this question is based on understanding how our middos are shaped.

In many places the Sefer HaChinuch stresses that a person’s actions molds his very personality. If he acts with kindness and compassion, these traits become part of his inner nature. He will then feel other people’s pain, and it will become difficult for him to ignore their pleas for help. He will become a kind, compassionate person. The opposite is true as well. If a person acts with cruelty, this trait will become part of him. It will be more difficult for him to care about another person’s plight. He will have a difficult time being sensitive to the suffering of others. He will have adopted callousness into his inner essence. Dovid Ha’Melech was a mighty warrior. According to this logic, it would follow that Dovid Ha’Melech should have been one of the cruelest men in history. He was known as a mighty, merciless warrior. He killed a mountain lion with his bare hands. He won the rights to marry Shaul’s daughter by killing and disfiguring 200 Philistim and bringing back their body parts to the king. When Avshalom waged war against him, Chushi advised, “Do not think of ambushing him (Dovid) at night, for everyone knows that he fights like a bear.” And Dovid said about himself, “I will seek out my enemy and have no mercy upon them.”

Yet we know that Dovid was one of the kindest, most compassionate men who ever lived. Tehillim is not the expression of a cruel man. It is a manifestation of his pure devotion to HASHEM, the outpourings of a heart that is pure, kindly and full of compassion. How is it possible that going to war didn’t ruin him?

The formula for perfecting one’s middos

The Orchas Tzadikim in his introduction explains that perfecting one's middos is comparable to a chef preparing a meal. The right ingredients, in the right proportions, prepared in the right manner, will yield a delicious dish. However, all three have to be correct. If, for example, instead of sautéing the onions for 10 minutes, you leave them on the flame for an hour, or if instead of a teaspoon of salt you add a cup, the food will be inedible. It is the quality of the ingredients, in the proper amounts, prepared correctly, that determines the final product. So too, he explains, when working on one's character traits. It is the right amount of the right middah in the right time that is the key to perfection. Each middah has its place, time, and correct measure.

This seems to be the answer to Dovid Ha'Melech. When he went to war, it was in the manner that HASHEM directed him. HASHEM designed the human and understands the delicate balance within him: what affects him and how. HASHEM commanded us to make use of certain behaviors, in certain measures, and at certain times. The same act when done for the wrong reason will be disastrous to the person. However, when it's done for the right reasons, in the right measure, it will not harm him. Dovid remained pure and unsullied because he followed the Torah's system of self-perfection, designed by the only One who truly understands the nature of the human. The Torah: the ultimate system of perfection This seems to be the answer to the Sefer Ha'Chinuch as well. The Torah isn't concerned about the pain of the animal; it is concerned about man. Man is the reason for creation. Everything in existence was formed to serve him. However, man was fashioned in a delicate balance. If he uses this world for its intended purpose, in the right way, in the right time, then he grows and perfects himself. However, if he uses the world incorrectly, in the wrong manner, or to the wrong extent, he is damaged by that process. The act of killing a mother and child is akin to wiping out generations; it is pitiless and cruel. HASHEM, Who understands the balance and nature of man, has told us that killing an animal for good use will not lead you to a hardened nature, provided you do so within the given boundaries. Remain within the system and you are safe. Leave these guidelines and you are in grave danger.

This concept is very applicable as it helps us appreciate the wisdom of the Torah's system for growth. There is much that modern man understands about the inner workings of the human, and there is at least as much, if not more, that he doesn't understand. HASHEM has designed us and has given us the guidebook for perfection. It is our job to follow the Torah's directives in the right balance, in the right time, in the right manner, thereby actualizing our potential as the reason for all of creation.

This is an excerpt from the Shmuz on the Parsha book.

**from: Rabbi Yitzchok Adlerstein**

<ravadlerstein@torah.org>to: targumim@torah.orgdate: May 12, 2022, 1:41 PMsubject: Reb Yeruchem - You Are Important – Like It Or Not

Reb YeruchemBy Rabbi Yitzchok AdlersteinTo Dedicate an Article click here

Parshas EmorYou Are Important – Like It Or Notprint  
A baal among his people shall not become tamei to the one who desecrates him.[2]

How you translate baal generates very different readings of the pasuk. Rashi assumes that it means “husband.” A kohen is permitted and instructed to become tamei while tending to the burial of his wife. If that wife is one “who desecrates him,” i.e. she is a woman whom he was not permitted as a kohen to marry, then he may not become tamei. Onkelos, however translates baal as “important person.” The one who possesses the distinction of being a kohen is instructed not to desecrate his role and station by becoming tamei when forbidden to do so.

Now, just what is this desecration? You might argue that it is stepping out of his exalted role. When he becomes tamei, his service as kohen is halted until he becomes tahor again. In the interim, he descends from his lofty position. Ramban, however, does not take it that way. “Because they are priests to Hashem and serve our G-d, tell them to comport themselves with honor and stature, and not to become tamei.” He reads our pasuk as a demand not to desecrate and disgrace their station. But this is not readily understood. We find elsewhere that people of stature can choose to forego any honor coming to them. The kohen does not have that option. He is required to maintain his dignity, even if he would prefer to disregard it. Why should this be so?

The answer, I believe, lies in what the word “desecrate” implies. The person who ignores the rules of Shabbos does not merely violate, or transgress. The Torah calls him a desecrater of Shabbos. Ibn Ezra[3] comments on Hashem's sanctifying (i.e. the opposite of desecrating) Shabbos from among the other days of the week. “Work should not be done on it as it is done on the others.” How do we display this sanctification? We follow the words of Yeshaya. “If you proclaim Shabbos a delight...and you honor it by not engaging in your own affairs...or discussing the forbidden.”[4] We see – and we implement this in practice – that the desecration of something special lies in treating it like ordinary things. The holiness of Shabbos demands of us that we speak differently, walk differently, dress differently, eat different foods. Treating Shabbos similarly to other days of the week fully desecrates it. Kedushah, on the other hand, requires distinction, separation, and visibly flaunting its specialness.

Why is it, then, that some people are permitted to forego the honor due them? The answer is that it depends on the reason

for the honor. When the honor is due because of some relationship, its owner can excuse it. A parent can forego the honor due them by a child. That honor grows out of the debt of gratitude owed by the child. The kohen, however, is given his role and distinction by G-d. Violating its terms is a desecration not of himself, but of that role – and really a desecration of G-d's Word which created the distinction. He is a kohen not by choice, but because Hashem elevated him to that position. It is not his to forego. If he treats himself like other people, he desecrates the reality of what he is.

Similarly, there are people who willingly proclaim their denial of human specialness. They are prepared to live closer to the life styles of animals. We say to such people, "Like it or not, you are a human being! You cannot live as an animal." Bnei Torah are like this as well. Some, out of a sense of genuine modesty, do not want to seem different than anyone else. They are embarrassed when they are treated as different from commoners. They prefer to freely mix with the completely ignorant.

They, too, are mistaken. They cannot walk away from the distinction of being Bnei Torah, of being different. Bnei Torah are obligated to live according to their elevated station. They must keep to the expectations of living on a higher plane, and take steps to broadcast the difference! How? By ensuring that they distinguish themselves in love for their fellow man, in honoring their fellow man, and in always speaking gently and calmly with people.

1. Based on Daas Torah by R. Yeruchem Levovitz zt"l, Vayikra pgs. 206-209 ↑2. Vayikra 24:4 ↑3. Bereishis 2:3 ↑4. Yeshaya 58:13 ↑

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from: Torah Wellsprings <mail@torahwellsprings.com>bcc: Torah@torahwellsprings.comdate: May 11, 2022, 1:57 AMsubject: Torah Wellsprings - Emor - Behar - Lag B'omer 5782

Collected thoughts from Rabbi Elimelech Biderman Shlita Chinuch – Teaching by ExampleThe parashah begins with the words (21:1), מהילא תרמאו ורהא ינב מינהכה לא רומא, "Say to the kohanim, the sons of Aharon and say to them" The term "say" (תרמאו... רומא) is written twice in this sentence and seems redundant.Rashi explains, מינטקה לע מילודג ריהזהל, "The older kohanim should train the younger kohanim." מינהכה לא רמא, "Tell the older kohanim... מהילא תרמאו, to train the younger kohanim" to be cautious with the special laws of kehunah.This pasuk is alluding to the mitzvah of chinuch, so we can glean from this section guidance for chinuch habanim.A primary rule in chinuch is to be a role model. More than with words, parents teach by setting a good example. We can learn this principle from Avraham Avinu, as it states (Bereishis 18:7), וב חקיו מהרבא קר רקבה לאו ותוא תושעל רהמיו רענה לא נתיו,

"Avraham ran to the cattle, took a tender and good calf, and gave it to the youth who hurried to prepare it."Rashi writes that the lad was Yishmael. Avraham wanted Yishmael to prepare the meat for the guests תוצמב וכנהל ידכ, to train him to do mitzvos.But notice that Avraham himself brought the calf. He didn't send Yishmael to get the cattle. This is because the best way to educate children is by showing them. Yishmael saw his father rushing to prepare the animals for the guests, so Yishmael also prepared it quickly (as it states, ותוא תושעל רהמיו). This ideal way of teaching by example is hinted at in Rashi's words at the beginning of the parashah (21:1) מינטקה לע מילודג ריהזהל. We can translate it as follows- מילודג ריהזהל, the adults' deeds should shine and influence, לע מינטקה, the younger generation.Pirkei Avos means "Chapters of the Fathers." This holy tractate teaches yiras Shamayim, middos, proper conduct, and is called Avos. The most effective way parents can give over middos tovos, and yiras shomayim is by being a living example of this.Chazal (Bava Kama 97:) say, "What coin did Avraham Avinu possess? There was an old man and an old woman on one side and a lad and a girl on the other side." The old and the young were on opposite sides of the same coin because the young are influenced by the old. The way the parents act is how the children will become. They are on the same coin because although they are at different stages in life, they influence one another.It states (Bereishis 12:3), תחפשמ לכ, "And all families of the earth shall bless themselves by you." Rashi explains that people will want their children to be like Avraham Avinu. Rashi writes, "A father will say to his son, 'You should be like Avraham.'" It can be explained (תוחצ קרדב) that parents want to live like Terach (Avraham's father) and to do whatever their heart desires while they tell their children to be righteous. But it doesn't work that way. Parents cannot expect their children to be better than them.

Teach with WordsTeaching by example is essential, but these lessons need to be accompanied by words.Therefore, Pirkei Avos often states, היה אזה וארמ, "He would say..." We can explain, אזה, his essence, רמוא היה, is what he spoke. The combination of teaching by example and with words can educate children to go on the proper path.Reb Yaakov Galinsky zt'l told the following mashal:A poor non-Jew heard that poor Yidden go around the shuls during Shacharis, Minchah, and Maariv collecting money, and he decided to dress up like a Yid and do the same. It was a financially wise decision because he earned some money each day during the tefillos.One day, he heard one of the collectors announce, "Raboisay! I'm a ger tzedek. The Torah says forty-eight times that one must love converts." After that speech, everyone gave him some more money.The goy saw that this announcement helped the Yid earn more money, so he began making this announcement as well. In every beis medresh, he announced that he was a ger

tzedek, and people gave him generously. One day, he heard one of his fellow collectors announce, "I'm a descendant of the Baal Shem Tov zt'l. It is a great merit to support an einikel of the Baal Shem Tov." The congregant gave him very generously in honor of his illustrious grandfather.

So, the goy decided to win on both accounts. He announced, "I am an einikel of the Baal Shem Tov, and a ger tzedek." The Yidden quickly realized he was a phony and banished him from the beis medresh. He had contradicted himself. Reb Yankele Galinsky zt'l says that the same is when parents tell their children to act a certain way, but they don't act that way. As a result, their words fall flat on their children and are ineffective. **2 Education – Making our Children Aware of their Dignified Stature** The pasuk (21:1) states: תרמאו... מינהכה לא רמא וימעב אמטי אל שפנל... מהילע "Say to the kohanim... and tell them: Each of you shall not become tamei to a [dead] person." We already explained that מהילע תרמאו "Tell them" means that the older kohanim should educate the younger kohanim. What should the older kohanim teach the younger kohanim? וימעב אמטי אל שפנל "Do not become tamei." They should tell the younger kohanim to be cautious from tumah. In our generation, this means to tell them not to sully their souls with the internet (and other modern-day tumos). But how do we accomplish that? How do we influence our children that they shouldn't want all the impurities that are out there? The answer is, ויהא ינב מינהכה, לה רומא, tell them that they are kohanim, Hashem's loyal servants. Tell them that they are ויהא ינב, descendants of tzaddikim. Tell them that they are holy, exalted beings, and therefore tumah isn't good for them. If you restrict a child without explanation, the child will feel stifled. For example, if you will say, "You can't see this, you can't go there, and you can't do this or that," and you don't explain to the child how this is for his benefit, he won't understand why he can't enjoy the world as others do. But when you explain to your child how holy and special he is and how much he will gain, even in this world, by living a pure Jewish, he will despise the lifestyle of degradation and lowliness. Therefore, explain to your children that all the impure pleasures of the world ultimately lead to a lot of heartache and depression (as this is well known and documented). When this information is conveyed correctly, it facilitates the children's resolve to avoid the tumah of the world. **3** Also, make your child aware of the great privilege of being a Yid; tell him he has a beautiful soul, and it is below his dignity to lower himself to the ways of the goyim. There was a melamed who had a side job selling esrogim. The Pnei Menachem of Gur zt'l told him, "You don't only work with esrogim before succos. You work with esrogim the entire year because each student is like a precious esrog. A talented esrog merchant knows how to clean an esrog so it will appear beautiful. A reckless esrog merchant can scratch and ruin a beautiful esrog. Students are the same. Handle them with care,

and they will shine. Mishandle them, and you ruin them, r'l." **Chinuch is Essential** It states in this week's parashah (23:40), רדה קע ירפ וישארה מויב מכל מתחקלו, "You shall take for yourselves on the first day a beautiful fruit of a tree." Chazal tell us that קע ירפ refers to a species that the tree and the fruit have the same taste. (This is how we know the pasuk is referring to an esrog because an esrog and its tree taste the same.) The Imrei Chaim of Viznitz zt'l said that fruit denotes children, and the tree denotes the parents. Our goal is, הוש וירפו וצע, the tree and the fruit should be the same. The children should be as good as their parents (or better than their parents). There shouldn't be yeridas hadoros, the decline of generations. We accomplish this with chinuch comprised of being a good example combined with conversation, as we explained, and topped off with many tefillos. The four children at the Seder are the chacham, rasha, tam, and the she'eino yodeia lishol. We can explain that these children are symbolic of four generations, and it shows the yeridas hadoros, the degradation of our nation that we witness in our times. The first generation is the chacham, who is too wise for his own good. He asks too many questions; he isn't satisfied accepting the rules of the Torah with simple faith. This leads him to raise a rebellious son, the rasha. Next, the grandchild will be a tam, one who knows very little about Yiddishkeit, and then comes the she'eino yodeia lishol, a fourth generation that knows nothing at all about Yiddishkeit. It is the generation that asks no questions because they know absolutely nothing. Their parents knew a drop about Yiddishkeit, and the generation before them knew even more but rebelled. It all began with the chacham who asked too many questions. They didn't want to accept the Torah with simple faith, and the bitter results weren't long in coming. The Chasam Sofer zt'l (Toras Moshe – Hagaddah Shel Pesach, פאד ה"ד) writes, "There are parents who haven't abandoned the Torah; they keep all the mitzvos, only they do so by rote. (הדמולמ מישנא תוצמ.) They don't study Torah, and they never speak words of Torah and mussar. The children, who never heard their parents speaking Torah and mussar view their parents' adherence to the mitzvos as insanity. This results in children ultimately leaving klal Yisrael. But it isn't the children's fault. Their parents ate the unripe fruit of apikorsus, heresy [and the children ate those fruits after they ripened]." In Nisan, there's a mitzvah to say a brachah when you see fruit trees blossoming. In this brachah we praise Hashem for creating beautiful creatures and beautiful trees, תוירב תובוט תונליאו, "beautiful creatures and beautiful trees." Why do we mention תוירב תובוט, beautiful creatures in this brachah? Isn't the brachah for the beautiful trees? People say it refers to the people who water and tend to the trees. The tree wouldn't blossom so well if it weren't for them. They are the תואנ תונליא, beautiful creations that bring forth the beautiful trees. We add that it is the same with the development of good, ehrlicher children. The devoted parents – who educate

and daven for their children – are the תואנ תוירב, beautiful people who bring about the blossoming of the תואנ תונליא, the beautiful trees – their offspring. ...

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## **Rabbi Reisman – Parshas Emor 5782**

### **1 – Topic – The consequences of speaking Lashon Hora**

As we prepare for Shabbos Parshas Emor. We watch the clock tick down to Shavuos, to Kabbalas Hatorah. I have no doubt that as we come closer to Kabbalas Hatorah more and more people will be attending the Mishmar to prepare properly for our Kabbalas Hatorah. We are entering now the second half of Sefira and we feel the excitement marching towards Mattan Torah. We should feel it.

Let me share with you two thoughts at the end of the Parsha and then B'ezras Hashem a Dvar Halacha at the beginning of the Parsha. Let us start with a thought at the end of the Parsha a few Pesukim from the end. It says in 24:19 ( וְאִישׁ, כִּי-יִתֵּן מוֹם ) (בְּעַמִּיתוֹ--כְּאֲשֶׁר עָשָׂה, כֵּן יַעֲשֶׂה לוֹ שָׂבֵר, תַּחַת שָׂבֵר, עֵינָיו ) ( כֵּן יִתֵּן לוֹ שָׂבֵר, תַּחַת עֵינָיו, שֶׁן תַּחַת שֶׁן--כְּאֲשֶׁר יִתֵּן מוֹם בְּאָדָם, כֵּן יִתֵּן בוֹ ).

In the Talelai Oros he brings that from here a Remez to something that is mentioned in the Chovos Halevavos and the Chofetz Chaim brings in the Sefer Shemiras Halashon. Specifically, the Chofetz Chaim in Sefer Shemiras Halashon in the Shaar Hazechira, Perek Zayin, brings an incredible thing. That when someone talks Lashon Hora about someone else the Mitzvos of the speaker of Lashon Hora go to the one who the Lashon Hora is spoken about. So that he gets a windfall of Mitzvos. It is a mistake when people say it is “All” the Mitzvos as that is not true. It does not say all the Mitzvos, it says the Mitzvos. If you look at the source in the Chovos Halevavos ( וְאָמַר אֶחָד כֵּן הַחֲסִידִים הִרְבֵּה בְּנֵי אָדָם יְבוֹאוּ לְיוֹם הַחֲשׁוֹן וְכַשְׁמֵרָאִים לָהֶם ) מעשיהם ימצאו בספר זכיותם זכיות שלא עשו אותם ויאמרו לא עשינו אותם ויאמר להם עשה אותם אשר דבר בכם וספר בגנותכם. וכן כשיחסרו מספר זכיות המספרים בגנותם יבקשו אותו בעת ההיא ויאמר להם אבדו מכם בעת (שדברתם בפלוני ופלוני) you will see that it is some of the Mitzvos. Some of the Mitzvos of a person who speaks Lashon Hora go and switch to the recipient and that is the person who was hurt by his words. It switches over.

Somewhere else in Shemiras Halashon the Chofetz Chaim writes that this may be the reason that at the end of Elokai Netzor there is a Minhag to say a Posuk that has to do with the person's name. Why say a Posuk that has to do with a person's name? He says because there is a concept that L'asid Lavo on the Yom Hadin people will come to the Yom Hadin with a Behala and they will not remember their name. What that

means exactly is hard to understand but Balei Kabala write such an idea that people will not remember their names.

Zagt the Chofetz Chaim that on the Yom Hadin on the scales a person will see either Mitzvos that he didn't do that are suddenly on the scale or Mitzvos that he did do but are not there. There will be a Behala, there will be a question, am I the right person? Somehow that is related to the idea that a person has to stick his name into into a Mitzvah, into Shemoneh Esrei. Whatever that means, the Yesod of the Shemiras Halashon that a person who speaks Lashon Hora Rachmana Litzlon loses Mitzvos to the other person, that Yesod is Merumaz in this Posuk. ( וְאִישׁ, כִּי-יִתֵּן מוֹם בְּעַמִּיתוֹ ), if you have damaged someone else, ( כְּאֲשֶׁר ) the Mitzvos that you have done ( כֵּן יַעֲשֶׂה לוֹ ), go over to the other person. This idea is brought in the Chovos Halevavos in the Shaar Hachani'a (הכניעה), Perek Zayin and this is the idea that is brought down.

Now of course this idea needs an explanation. You suddenly get a windfall, a bonanza. It is your lucky day, someone spoke Lashon Hora about you and you get Zechusim that you don't deserve. It is very difficult to understand the concept.

In the Michtav Eliyahu he explains it as follows. He says that when Reuven speaks Lashon Hora about Shimon, how damaging is it? Well it depends. It depends on how much of a respected person Reuven is. If the person speaking the Lashon Hora is a Tzaddik, obviously he is doing something that is not Tzidkus now but he is otherwise a righteous person, a Talmid Chochom, a Chashuve person, then when he speaks bad about someone else it causes greater damage. If he is less than that, then it causes less damage. Zagt the Michtav Eliyahu, to the extent that your Mitzvos do damage to the other person that because you did Mitzvos you are respected and does damage to the other person, then it is like you are using the Mitzvos to hurt him, so Rachmana Litzlon you lose the Mitzvos and it comes to him. In other words, the damage, the hurt that he got is compensated by the cause of the damage. However, that works, it is obviously an extraordinary type of a punishment for someone who speaks Lashon Hora and hopefully it is something that will motivate us to do better.