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INTERNET PARSHA SHEET ON KEDOSHIM - 5763

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<http://www.koltorah.org/ravj/Limitations%20on%20Honoring%20Parents%20and%20Honoring%20Minhagim.htm>
Rabbi Jachter's Halacha Files (and other Halachic compositions)
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[from last year] LIMITATIONS ON HONORING PARENTS AND HONORING MINHAGIM
BY RABBI HOWARD JACHTER

Introduction This week we shall present an important Teshuva authored by the eminent Rav Yosef Shalom Eliashiv of Jerusalem. A man whose non-observant Sephardic parents raised him in an Ashkenazi environment approached Rav Eliashiv with the following dilemma. The parents sent him to Ashkenazi religious schools and synagogues. Despite his Sephardi background, the man fully integrated into his Ashkenazi environment and practiced Judaism following Ashkenazi tradition. When the son was approximately thirty-five years old, the father returned to his roots and became a fully observant Jew in accordance with Sephardic tradition. The father then insisted that the son return to his Sephardic roots as well, but the son found this very difficult after following Ashkenazic practice for so long. When the son was planning a wedding for his eldest child, the father insisted that the wedding be conducted in accordance with Sephardic practice. The father threatened to boycott the wedding if it was not conducted according to Sephardi practice. The son approached Rav Eliashiv with two questions. One, is he permitted to continue observing the Torah in accordance with Ashkenazi tradition. Second, does Halacha require him to obey his father's demands due to the Mitzvot of Kibud and Mora Av, honoring and revering one's father. This essay will outline Rav Eliashiv's response, which addresses many fundamental issues that we often encounter in today's socially integrated Am Yisrael. Minhagim Rav Eliashiv begins by emphasizing the importance of abiding by one's family Minhagim. For example, he writes that an Ashkenazi Jew may not change his method of pronunciation to Sephardi or modern Israeli pronunciation. He writes that one is obligated to recite his prayers with the pronunciation of his ancestors. The Gemara (Pesachim 50b) insists that one abide by his family customs even when it is difficult to do so. Not all authorities agree with Rav Eliashiv on this specific point. Rav Aharon Lichtenstein (in a shiur at Yeshivat Har Etzion in 1983) recounted that Rav Kook zt"l ruled that one may not change his family pronunciation, but that Rav Yehuda Amital reports that his wife's grandfather, the great Rav Isser Zalman

Meltzer, permits changing to modern Israeli pronunciation. Indeed, when Rav Amital serves as the Shliach Tzibbur at Yeshivat Har Etzion on the Yamim Noraim, he uses modern Israeli pronunciation (see Teshuvot Seridei Eish 2:5). Common practice among Ashkenazi students and graduates of Yeshivot Hesder is to follow Rav Isser Zalman's ruling.

Rav Eliashiv, though, cites an important Teshuva written by the Chatam Sofer (Choshen Mishpat 188). The Chatam Sofer was approached by members of a community where there used to be two Kehillot functioning, one Sephardic and one Ashkenazic. However, because of a pogrom, most of the Jews left and the two communities had to combine into one functioning synagogue, as there were insufficient people left in the town to sustain two separate Minyanim. The Chatam Sofer ruled that the remaining members of the community should choose which of the two synagogues would continue to function, and then follow the Minhagim of that synagogue. Rav Ovadia Yosef (Teshuvot Yabia Omer 6:O.C. 10) cites numerous Teshuvot that concur with the Chatam Sofer's ruling.

The Chatam Sofer explains that one may change from practicing Ashkenazi traditions to Sephardic traditions, and vice versa. He reasons that just as a non-Jew converts to Judaism and fully integrates into the Jewish community, so too an Ashkenazi may fully integrate into a Sephardic Kehilla and vice versa. Similarly, Rav Yosef Eliyahu Henkin (Edut Leyisrael p.162) rules that if an Ashkenazic Jew decides to permanently join a Sephardic community, he may change his Nusach Tefilla to the Sephardic practice. He notes that, historically, Chassidim changed from Nusach Ashkenaz to Nusach Sefard. The intentions of the Chassidim were noble; they wished to pray in accordance with the mystical direction of the Ari zt"l. See Rav Ovadia Yosef's Teshuvot Yabia Omer 6:O.C. 10 for a summary of the rich Teshuva literature regarding the legitimacy of the change the Chassidim made from Nusach Ashkenaz to Nusach Sefard. Some "Mitnagdic" Poskim wrote that the change was not legitimate and violates the obligation "not to abandon the teachings of one's mother" (see Pesachim 50b). These Poskim include Teshuvot Shoel Umeishiv (3:1:247) and Teshuvot Maharam Schick (O.C.43). Many Poskim (especially Chassidic Poskim such as Teshuvot Divrei Chaim 2:O.C.8, though, defended the change and this opinion has emerged as the accepted view as noted by Rav Henkin. Rav Henkin cautions, though, that it is forbidden to make such a change arbitrarily. One should consult with a Rav before deviating from any family practice.

This also explains the rulings of twentieth century authorities (for example, Teshuvot Igrot Moshe Orach Chaim 1:158 and Teshuvot Yabia Omer 5:O.C. 37) that a wife should follow her husband's traditional family practices. One might ask why the wife is permitted to deviate from her family tradition. The answer is that the Poskim follow the Chatam Sofer's assertion that a Jew may fully integrate into the practices of a different Jewish community. Similarly, Rav Eliashiv rules that the son may continue to practice Torah in accordance with Ashkenazi tradition, despite his Sephardic ancestry. Similarly, Rav Hershel Schachter rules (as recounted by Rabbi Michael Taubes) that if someone was raised in a "Mitnaged" environment, he need not practice Chassidic Minhagim even though his paternal grandfather was Chassidic. Indeed, many of us pronounce Hebrew differently than did our fathers or paternal grandfathers.

We emphasize that it is important to follow the practices of one's community (see, for example Mishna Berura 68:4). We also note that Rav Ovadia Yosef would likely disagree with Rav Eliashiv's ruling, especially if the son lives in Eretz Yisrael. Rav Ovadia

laments the fact that Ashkenazim in Israel have chosen to maintain their Ashkenazic practices instead of acknowledging that the Rambam and Rav Yosef Karo are the Halachic authorities of Eretz Yisrael (Teshuvot Yabia Omer 6:O.C. 10:4 and Teshuvot Yechave Daat 5:33). Rav Ovadia reluctantly yields to the practice of Ashkenazim in Israel to maintain their traditional customs. However, he probably would most likely instruct someone of Sephardic origin who lives in Israel to follow Sephardic practice. Kibud and Mora Av Rav Eliashiv proceeds to address the question whether the son must honor his father's demand that he follow Sephardic practice. This question hinges on a classic debate concerning the character and scope of the Mitzva of Kibud Av Vaeim. The Ramban (Yevamot 6a s.v. Mah Lehanach), Rashba (Yevamot 6a s.v. Mah Lehanach) and Ritva (Yevamot 6a s.v. Yachol) define the Mitzva of Kibud Av Vaeim as providing service to one's parents. These Rishonim do not define the Mitzva as obeying the will of a parent. Thus, one is not obligated to obey a parent's demand if the activity does not benefit the parent. The Vilna Gaon (Biur Hagra Yoreh Deah 240:36) notes that Tosafot (Yevamot 6a s.v. Shekein and Kiddushin 32a s.v. Rav Yehudah) agrees with this definition of the Mitzva of Kibud Av Vaeim. The Ramban, Rashba, and Ritva base their assertion on the Gemara's description of the parameters of the Mitzva of Kibud Av Vaeim. The Gemara (Kiddushin 31b) describes the Mitzva as "providing food and drink, clothing them, and helping them enter and leave a building." Accordingly, the Mitzva involves providing service to the parent.

The Vilna Gaon (op. cit.) asserts that the Shulchan Aruch and Rama accept Tosafot, Ramban, Rashba, and Ritva's definition of the Mitzva of Kibud Av Vaeim. The Shulchan Aruch codifies a ruling of the Terumat Hadeshen (number 40) that if a son wishes to study in a particular Yeshiva he does not have to honor the request of the parent that he not study at that Yeshiva because it is located in a dangerous area. The Rama codifies a ruling of the Maharik (number 167) that a son is not required to honor a parent's demand that he refrain from marrying a particular woman. The Vilna Gaon explains that these rulings are based on the Rishonim's definition of the Mitzva of honoring parents as servicing of parents and not obeying parents. Rav Eliashiv notes that according to this approach, the son is not obligated to honor the parent's demand that he practice the Sephardic tradition. The Sefer Hamakneh (Kiddushin 31b s.v. Tanu Rabbanan Eizehu) rules, however, that the Mitzva of revering parents (Morah Av) requires one to obey a parent's request even if the request is not intended to benefit the parent. The Gemara (Kiddushin 31b) states that the Mitzva of Morah Av Vaeim forbids a child to contradict his parent's words. The Sefer Hamakneh believes, unlike the Vilna Gaon, that the Rama supports this approach. The Rama presents a specific situation - when a parent demands the child not marry a specific woman - that the child is not required to abide by the parent's demand. Had the Rama agreed with the Ramban, Rashba, Ritva, and Tosafot, he would have presented a general rule that one need not obey a parent's request if it is not intended to benefit the parent. Rather, his ruling is specific to the marriage situation for the reasons that Maharik outlines in his Teshuva (such as the fact that the demand causes the child to neglect his obligation to marry and have children). According to the Sefer Hamakneh, it would seem that the son must obey his father's demand that he abide by Sephardic tradition. Rav Eliashiv notes, however, that even the Sefer Hamakneh does not require obedience in case where it causes a loss to the child. Rav Eliashiv explains that only ignoring a parent's request when no loss is involved constitutes a lack of reverence for the parent. However, ignoring the request because

of concern for loss does not constitute a lack of reverence since he is not frivolously ignoring his parent's demand. Accordingly, Rav Eliashiv rules that the son is not required to honor his father's request that he change his Halachic lifestyle. Rav Eliashiv rules that honoring this demand involves loss because it would be very disruptive to the son's family to make such a significant change. Conclusion Rav Eliashiv's ruling has important ramifications for parents and educators. We see that a child enjoys a Halachic prerogative to join a legitimate Orthodox group that differs from his parent's practice. If the child feels more comfortable living a more Chassidic lifestyle or a more "Centrist Orthodox" Halachic lifestyle than his parents, the parents do not enjoy a Halachic right to veto the change. If the child acts in accordance with Halacha (i.e. the practices of his new group are endorsed by a least one recognized Torah giant), then the child is not required to heed a parent's objections to his new Halachic and Hashkafic lifestyle. Of course, it is necessary for the child to consult with a recognized Halachic authority to determine if his actions are appropriate. Moreover, Poskim (see for example, Moed Katan 17a and Teshuvot Seridei Eish 3:95) urge parents of grown children to refrain from imposing unnecessary and burdensome demands on their children. Parents should help their children by not making it too difficult for them to fulfill the Mitzvot of Kibud and Morah Av Vaeim.

<http://www.torah.org/learning/ravfrand/5757/kedoshim.html>

RABBI FRAND ON PARSHAS KEDOSHIM

[from several years ago]

Why Is this Portion Different From All Other Portions?

"And G-d spoke to Moses saying: 'Speak to the entire Community of Israel and tell them You must be Holy, for I the L-rd your G-d am Holy.'" [Vayikra 19:1-2] The Medrash comments on this verse, that it was said "be'Hakhel," namely, it was said to all the Jewish people together. In contrast, most of the Torah was taught to Moshe, who taught it to Aharon who taught to his sons, who taught to the Elders, etc., etc. This portion, however, Moshe taught in everyone's presence.

Why is this parsha different? The Medrash answers because most of the fundamentals of Torah are dependent on this portion, called "Kedoshim Teheyu -- You shall be Holy."

The simple interpretation of this Medrash is that since there are so many important laws that are contained in this section, it was said in the presence of everyone.

Perhaps, however, the Medrash means something else. Perhaps it means that the specific command 'You shall be Holy' is so important, and has so many of the fundamentals of Torah dependent upon it, that this Mitzvah itself was given publicly.

According to the Ramba"n, this Mitzvah is that one which tells us how to live and act as Jews. As the Ramba"n explains, if it would not be for this command, a person could conceivably be a "naval b'irshus haTorah," meaning, he could be an observant Jew, and simultaneously a glutton. He could live an obscene life within the parameters of the Torah. He could eat as much as he wants; he could indulge in all the physical pleasures of life; and it might all be 'glatt kosher.'

If not for this mitzvah, such a person could be called a Tzadik [righteous person]. However, the Torah tells us, "You shall be Holy" -- you have to abstain. You have to act with abstinence, with restraint, with holiness. Don't indulge. Don't be a glutton. That is what the mitzvah of Kedoshim Teheyu is all about. It is so vital that it had to be said to the entire nation together.

The Shemen HaTov explains that a person cannot be Holy unto himself. Even though the mitzvah is a mitzvah on the individual, the individual needs society's help. If one lives in a society which is indulgent, it becomes very difficult for that individual to remain a 'Kadosh' [holy person].

In order to achieve "You shall be holy," the cooperation of one's family, of one's city and one's nation is required. The parsha had to be given to everyone together. When everyone is involved in conspicuous indulgence it becomes almost impossible for the individual to act with restraint.

We see this very clearly in the society we live in today. The rampant hedonism that we see today -- gratifying their every whim and wish instantly -- surrounds us. We live in a society that doesn't know what kedusha [holiness] is about. The only way we can personally achieve this mitzvah of "You shall be holy," is if we not only work on ourselves, but we elevate and try to live among people who also share the ideal of Kedoshim Teheyu.

But it must begin with the individual. As the Chassidic Rebbe, Reb Bunim is quoted as having said, when he was young he thought he could change the world. As he got older, he saw he could not change the entire world, but at least he could change his city. As time went on he saw that even that was beyond his grasp, but he said "I'll at least change my neighborhood." When he saw that that was not working, he said "I'll at least try to change my family." When he saw that that failed, he said, "I'll have to try to only change myself."

But once he succeeded in changing himself, then he saw that his family was different, his neighborhood was different, his city was different, and in a sense the entire world was different.

That is how it is with this mitzvah of "Kedoshim Tiheyu." We cannot go it alone. We have to work on ourselves, and then our families, and then our neighborhoods, and then our societies.

From: Shema Yisrael Torah Network
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PENINIM ON THE TORAH BY RABBI A. LEIB SCHEINBAUM
Parshas Kedoshim

You shall be holy, for holy am I, Hashem, your G-d. (19:2) The Sifri makes what seems to be an ambiguous statement in interpreting this pasuk. Hashem says Yachol kamoni, "Perhaps, you think that you can be holy like Me." Therefore, the Torah adds, Ani Hashem, "I am Hashem; My kedushah, holiness, is greater than yours." This statement begs elucidation. Can one conceive that man can even remotely aspire to a kedushah equivalent to that of Hashem? What, then, is the meaning of Yachol kamoni?

Horav Yosef Cohen, zl, cites his father-in-law, Horav Tzvi Pesach Frank, zl, who explains that this pasuk refers to a pasuk in the previous parsha, 16:16, where the Torah says that the Shechinah, Divine Presence, "dwells with them amid their contamination." The Shechinah reposes in Klal Yisrael, despite their spiritual contamination. This is why the Mishkan provides atonement for Klal Yisrael's sins, since the essence of the Shechinah's holiness never leaves the sanctuary. Rav Frank explains that perhaps the Jew might think Yachol kamoni: Just as Hashem resides among the spiritually defiled, so, too, can I remain among those who have serious spiritual shortcomings, who have contaminated their spiritual essence and distanced themselves from Judaism. If Hashem does it, why can I not do the same? Therefore, he is told "Ani Hashem": My kedushah transcends your kedushah. Only I can repose among the spiritually profaned.

Rav Cohen cites an incident that occurred concerning the Rebbe Reb Heshel, zl. He once arrived in a city where two wealthy men resided, each of whom requested that he stay with him. One was a great Torah scholar, but regrettably his erudition went to his head, rendering him very arrogant. The other was a fine person, but regrettably he was not very meticulous in his mitzvah observance. The Rebbe chose to stay with this man. When questioned regarding his choice, he explained that the sinner had the advantage of still retaining Hashem in his presence. Hashem says the Shechinah still reposes among the spiritually defiled. "If Hashem can stay with him - so could I," said the Rebbe. On the other hand, regarding haughtiness, Hashem says, "'I and he cannot live together.' If Hashem will not stay, how can I?" Rav Cohen is careful to emphasize that this story is to be viewed purely from a homiletic perspective, since halachically - as mentioned before - only Hashem continues to stay with those who have strayed spiritually - man does not. He must protect himself and reside only in a place where he is among those whose lifestyles are spiritually strong.

With righteousness shall you judge your fellow. (19:15)
We judge people all of the time. Interestingly, to become a judge, one must have training. He must have profound knowledge of the law coupled with an acute understanding of people. Yet, we sit in judgment of people - all of the time. We certainly are not qualified for this position. Chazal teach us that in addition to its simple meaning, our pasuk is teaching us to be dan l'kaf zchus, give everyone the benefit of doubt. Regrettably, this does not coincide with human nature. The average person judges people according to his proclivity towards them. Horav Yaakov Beifus, Shlita, cites the Chazon Ish in his Emunah u'Bitachon who posits that the sign of a great man is to blame himself and to always find merit in his fellow's actions. The Chafetz Chaim writes in his Shemiras Halashon that the fulfillment of the mitzvah of judging our fellow favorably is dependent upon the mitzvah of "loving your fellow as yourself." One who truly loves his friend will always find a way to advocate his actions.

In his sefer Asaprah Kevodecha, Horav Yitzchak Goldwasser, Shlita, explains the concept of judging people favorably in the following manner: Chazal teach us that one who judges others favorably will himself be judged favorably. They relate an incident that occurred concerning Rabbi Akiva, in which he demonstrated exemplary trust in someone and judged every one of his ambiguous actions favorably. In the end, the man blessed him, saying, "As you judged me favorably, so should Hashem judge you favorably." This statement begs elucidation. We do not know the real motivation for another's actions. We do not know if they are favorable or not. We are told to judge favorably - regardless of what we might think. Hashem, however, knows. He knows what goes on in someone's mind and what motivates his actions. How does the concept of judging favorably apply to Hashem? Rav Goldwasser explains that judging favorably does not mean that one looks for a far-out explanation to validate his fellow's actions. To judge favorably means to view the positive, to look for something constructive and productive in every action that our fellow does. Searching for far-out excuses is a tangent of this affirmative way of looking at things. We do not conjure up stories or scenarios; we do not make up excuses. We just look for a favorable way to view someone's actions. Think positive: look positive, and you will see the positive. Thus, Hashem will look positively at our actions. He will not look at the negative, only at that part of our actions that may be deemed worthy and admirable.

Horav Shalom Schwadron, zl, relates a story that occurred in Yerushalayim during World War I, which illustrates the tragic consequences of not judging people favorably. Furthermore, we derive from the story that it is the usually the spectator, the one who originally was not connected to the incident, who will ultimately be held accountable for his malignant view. Indeed, this story is paradigmatic of so many other instances in which we foolishly mix into situations which really do not involve us personally, in which we get carried away for no reason, and for which we will one day have to answer.

During the first World War, Eretz Yisrael was, for the most part, poor and underdeveloped, since support from Europe was completely severed. Hunger was a way of life, as people literally starved. Yet, there were some who had incredible good fortune, who were able to raise themselves out of the financial straits that were so common. This story is about one such family whose father was a mohel, ritual circumciser, and also well-to-do. In fact, he kept a gold Napoleon in his desk. A gold Napoleon was very valuable, worth enough to feed a family for six months.

One day, the father told his seven-year-old son to take a coin from the desk and buy himself some candy at the grocery store. A few hours later, when the father went to take something from the desk, he noticed to his chagrin that the gold Napoleon was missing. After questioning his son, it became apparent that the child had taken the wrong coin. Instead of taking a simple metal chirale (a cheap metal coin), he took the Napoleon.

Now the father was in a rage. How could the grocer have taken such advantage of his son? The boy claimed that he gave a coin for the candy and received no change. This was highway robbery! Yet, the father - being a distinguished person - felt he could not go to the grocer and accuse him of taking advantage of his little son. This did not prevent the mother from going to the store and heaping accusations and scorn on the grocer, who vehemently denied receiving anything more than a chirale from the boy.

As is regrettably part of the Jewish landscape, whenever there is a dispute, especially a loud one, a crowd will gather - and take sides. This incident was no different. It did not take long for a small crowd of neighbors to become the judges and jury and to find the grocer guilty of stealing. People demanded that the grocer take an oath, but the father of the boy refused to cause the grocer to swear "falsely." The grocer was humiliated beyond repair. He lost his customers; after all, he was a thief! The mohel lost his Napoleon and never believed the grocer's side of the story. The neighbors who involved themselves where they did not belong succeeded in destroying a family. Why should anybody have believed the grocer? Perhaps he was telling the truth. Whatever happened to judging people favorably? Regrettably, history has such a way of repeating itself.

The story is not over. It goes on. Three years after the tragic ending to the episode, the mohel received an anonymous letter from a young man who felt he had to finally confess to a terrible misdeed that he had committed three years previously. He had been overwhelmed with debt, with no visible means of supporting his starving family or paying off his debt. He saw a young boy playing with a gold Napoleon. Imagine, a coin that could pay off his debts and feed his family. He would "borrow" it from the child and pay it back one day. He did just that by convincing the child to exchange his Napoleon for a chirale - and the rest is history. Heartbroken, and begging forgiveness for any problems it "may have caused," he was now repenting and returning the Napoleon. It seems like a happy ending, but Rav Shalom explains that when we analyze the entire scenario, we see that in the end, the story has a bitter ending. By now, everybody had passed on to their eternal rest. Let us see how they fared when they came before

the Heavenly Tribunal. The grocer certainly went to Gan Eden. His humiliating and destroyed life earned him his entrance ticket. The mohel really did nothing wrong. Indeed, he had refused to allow the grocer to make an oath, "just in case" it would be false. His wife also simply reacted to a situation involving her and her child - personally. Even the young man who "exchanged" the gold Napoleon for a chirale can be viewed in a positive light. His family was starving; he had nothing. He was driven to a point that was beyond his control. The only ones who will be prosecuted for this episode are those who "mixed in," the neighbors who took sides, who immediately blamed the grocer and who ultimately drove his business to the ground. They had no reason whatsoever to involve themselves in this incident. Why did they not judge the grocer favorably? There will always be the spectators who involve themselves in areas that are of no concern to them - and they will ultimately pay for it.

You shall love your fellow as yourself. (19:18)

In his Nusach HoAri siddur, the Baal Hatanya writes that it is proper and correct that one say before davening, "I accept upon myself the positive commandment, "You shall love your fellow as yourself." The mitzvah of ahavas Yisrael is the entranceway to be able to stand before Hashem in prayer. Pardes Yosef interprets this idea into the pasuk in Bereishis 37:26, Mah betza ki naharog achinu, "What gain will there be if we kill our brother?" The letters of the word betza - bais, tzaddik, ayin, form an acronym for: boker, morning; tzaharaim, afternoon; erev, evening, the three Tefillos, prayers, that we recite daily. He explains Yosef's brothers' statement homiletically: "What do we gain by praying to Hashem thrice daily, if we do not care for our brethren, if we let his blood flow without caring about him?" Horav Menachem Mendel, zl, m'Varka added that when one prays to Hashem, he should also concentrate on the needs of Klal Yisrael. If he davens only for himself - it is tantamount to stealing!

You shall love your fellow as yourself. (19:18)

Toras Kohanim cites Rabbi Akiva who says that this is the fundamental rule of the Torah. The Mizrachi cites the Talmud in Shabbos 3/9 in which Hillel says, "What is hateful to you, do not do unto others." This is what Hillel told the gentile who wanted to convert to Judaism. If the Torah conveys this mitzvah in a positive light, encouraging us to love our fellow, why do Chazal seek an interpretation that emphasizes and focuses on the negative? Horav Simchah Scheps, zl, cites Horav Yerucham Levovitz, zl, who explains the Mishnah in Pirkei Avos 3:2 in the following manner:

Chazal teach us to "pray for the welfare of the government, because if people did not fear it, a person would swallow his fellow alive." Rav Yerucham wonders why this Mishnah is placed in Meseches Avos, which deals with ethics and interpersonal relationships with people. He explains that Chazal are teaching us a compelling lesson. If not for fear of reprisal from the government, man is capable of descending to the nadir of depravity to overwhelm and subdue another person who might stand in his way. He is capable of swallowing him up! Veritably, we have only to peruse world history, or even to glance around at those uncivilized countries in which anarchy reigns and fear of reprisal is something of the past, in which murder and plunder are a way of life.

With this idea in mind, Rav Sheps explains why Chazal chose a negative approach towards explaining a positive commandment. It is essential that we understand that the only way we are able to control the forces of evil within us is by understanding with absolute clarity that what we do not want for ourselves, we should not do to our fellow. This means that one can achieve ethical

behavior and form humanistic relationships only through Torah study and mitzvah observance. It is impossible to develop true ethical character without Torah. One cannot hope to observe the golden rule, "Love your fellow as yourself," unless he realizes that he must first eradicate his negative attitude towards others. This can only occur with the support and guidance of the Torah. Ahavas Yisrael is the natural consequence of an acute understanding that one may not do to others what he does not want done to him. This can only be achieved through the vehicle of Torah.

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http://www.torahweb.org/torah/2002/parsha/rtwe_kedoshim.html

[TorahWeb from last year]

RABBI MAYER TWERSKY

YOU SHALL BE HOLY

Speak to the entire assembly of the Children of Israel and say to them: You shall be holy, for holy am I, Hashem your G-d (Vayikra 19:2) Upon reflection, this verse poses, inter alia, two questions. Why is it necessary to append the final word(s) "your G-d"? After all, there is a Mitzva of imitatio dei, to emulate the ways of Hashem (1). Thus, it would have seemingly sufficed for the Torah to state, "you shall be holy, for holy am I, Hashem". Since Hashem is holy, the mitzva of imitatio dei mandates that we too be holy. Moreover, is not the entire verse superfluous? The Torah does not specifically mandate that we emulate each of Hashem's attributes. Rather the general imperative of imitatio dei encompasses all such divine attributes. And accordingly we are thereby commanded to be merciful, compassionate, etc. without a special verse specifically stating so (2). Why then does the Torah emphatically single out the quality of holiness?

The answer to this question presupposes a precise understanding of kedusha (holiness). What is kedusha? Rashi, commenting on the aforementioned verse "you shall be holy", explains, "abstain from sexual immorality ... because wherever you find abstinence from sexual immorality you find holiness". Ramban (3) interprets the directive of holiness more broadly as a charge to refrain from materialistic excess and hedonistic practices. The common denominator of Rashi and Ramban is that each one offers a phenomenological description of a life of holiness. What, however, is holiness? The answer, entirely consistent with Rashi and Ramban's phenomenology of holiness, is provided by the biblical exegete, Seforno. "You shall be holy – that is, eternal, resembling the Creator may he be blessed". (4) Seforno establishes an equation between holiness and eternity. Thus, to be holy means to be forever preoccupied with that which is true and enduring, and to resist the allure of that which is illusory and ephemeral, thereby becoming worthy of eternal life. Hence, the phenomenology of holiness described by Rashi and Ramban. Involvement with sexual immorality and even the indulgence of lust signify the ultimate preoccupation with that which is transient and ephemeral, the very antithesis of holiness.

Seforno's equation between holiness and eternity prompts a profound set of philosophical questions. Is man genuinely capable of cultivating holiness? Can this attribute of Hashem be emulated? After all, the very name Hashem signifies eternal existence. (5) Man, by contrast, is finite and corporeal. Does finite and corporeal man truly possess the capacity for holiness?

The verse we are studying presents the Torah's response. "You shall be holy, for holy am I, Hashem your G-d". Hashem who is holy is our G-d; He exercises divine providence; He established a covenant with us. He is involved with the world, with us. Hashem's

covenant with us – "for holy am I, Hashem your G-d" – attests to the fact that we are capable of cultivating holiness. Hashem who is holy would only establish a covenant and intimately associate Himself with a goy kadosh (holy nation). (6)

Thus our verse "you shall be holy, etc." encapsulates a religious philosophy of man. Lest one think that holiness is excluded from the mandate of imitatio dei, lest one think that only Hashem in His numinous transcendence can be holy, the Torah proclaims, "you shall be holy" – i.e., you can be holy and thus you must be holy, because "holy am I, Hashem your G-d" – i.e., my covenant with you attests to your capacity for holiness.

It is most remarkable how the Torah's theological principles and conceptions dictate her revolutionary philosophy of man. Our belief that Hashem is involved with us as a covenantal partner indicates that we have been given the capacity for cultivating holiness – i.e. eternity.

Moreover, Hashem's covenantal involvement with us also demonstrates how He wants us to cultivate holiness. Just as Hashem who is holy is not only transcendent but also immanent, involved with us and our this worldly existence, so too our pursuit of holiness does not imply withdrawal from this world to a monastic existence. Surely, the pursuit of holiness stresses the intrinsically spiritual activities of studying Torah and fulfilling mitzvos, but it also encompasses involvement with the seemingly mundane. The Torah challenges us to be holy within this world. The Torah bids us to sanctify ourselves not by neglecting to pursue our livelihood and attend to corporeal needs, but rather by doing so le-shem shamayim (for the sake of heaven).

Accordingly, the quest for kedusha requires penetrating self-introspection. We must ensure that our mundane involvement and the degree of such involvement are truly l'sheim shamayim, as a bridge to eternity and not entrapment within the ephemeral.

1. Vide Ramban Hil. Deos 1:5-6 based inter alia on Shabbos 132b and Sota 14a. 2. ibid. 3. ad loc. 4. Commentary to Vayikra 11:2. Vide also commentary to Vayikra 11:45. 5. Vide, e.g., Ramban and Seforno to Shemos 20:1 6. Vide Shemos 19:6 Copyright © 2002 by Rabbi Mayer Twersky. All rights reserved.

From: Ohr Somayach [ohr@ohr.edu] Sent: April 29, 2003 To: weekly@ohr.edu Subject: Torah Weekly - Parshat Kedoshim * TORAH WEEKLY * For the week ending 3 May 2003 / 1 Iyyar 5763 from Ohr Somayach | www.ohr.edu Parshat Kedoshim Eat, my Child!

"Speak to the entire assembly of the Children of Yisrael and say to them 'You shall be holy, for Holy am I, Hashem, Your G-d.'" (19:1)

I come from a generation of Jews who assumed that synagogue worship consisted of middle-aged ladies with badly-dyed blue hair standing outside the synagogue and almost-kissing each other on the cheek, whilst saying "Lovely to see you too, dear!" Concluding that this was the sum total of Judaism, and finding this particular mode of worship somewhat lacking, regrettably large numbers of my generation hi-tailed it off to the Himalayas where they are now watching their navels and waiting for something to happen. I have news for them. Nothing happens when you watch your navel - except for getting a stiff-neck. (But then we always were a stiff-necked people.)

About those blue-haired ladies, however, they made a mistake. They failed to notice that lying dormant under those blue rinses was a kind of spirituality about which we could not even guess.

"Eat! He never eats!" How many Jewish jokes are there about eating! The caricature Jewish mother complains continually that her offspring are dying of hunger in spite of the fact that their daily calorie intake would support a thoroughbred racehorse. Behind every joke lies a truth. It may be a distorted truth, but it is a truth nonetheless. Judaism is unique in that it views the body neither as an enemy nor as a bacchanalian banquet, but as a resource. The body is not only capable of spiritual elevation, but it is created for this purpose. The body's deepest satisfaction comes from being correctly used in the service of the soul. To the secular mindset, however, holiness is synonymous with abstinence. The body is incapable of spiritual elevation and must be mortified or transcended.

This week's parsha begins with G-d saying to Moshe: "Speak to the entire assembly of the Children of Yisrael and say to them 'You shall be holy, for Holy am I, Hashem, Your G-d.'" Since G-d instructed Moshe to speak to the entire assembly, we know that this commandment was to be spoken in public to all the Jewish People together. Why? What is it about the command to be holy that it needed to be communicated in this fashion?

The holiness that the Torah seeks from us is not a holiness of separation and denial, of monasticism and seclusion. Rather, it is a holiness which is to be lived in an assembly; a holiness where the body is elevated by the soul and where its greatest potential is only realized in our interaction with our fellow beings.

Based on Chatam Sofer

Written and compiled by RABBI YAAKOV ASHER SINCLAIR
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From: Yeshivat Har Etzion Office [office@etzion.org.il] Sent: April 30, 2003
 To: yhe-sichot@etzion.org.il Subject: SICHOT63 -30: Parashat Kedoshim
 Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash (Vbm) Student
 Summaries Of Sichot Of The Roshei Yeshiva
 PARASHAT KEDOSHIM

SICHA OF HARAV AHARON LICHTENSTEIN SHLIT"A
 "FOR MOST OF THE ESSENTIALS OF THE TORAH DEPEND UPON IT"
 Summarized by Matan Glidai Translated by Kaeren Fish

"Speak to all the congregation of the children of Israel" - This teaches that this parasha was uttered at 'hak'heil' (a gathering of the entire nation), for most of the essentials of the Torah depend upon it." (Rashi on Vayikra 19:1, quoting the midrash) What Rashi means to say is that this short parasha contains a relatively large number of commandments. But the uniqueness of the parasha seems to lie not only in the number of its mitzvot, but also in their great variety. The parasha contains mitzvot of every sort: interpersonal mitzvot and mitzvot between man and G-d are intertwined, for example, "Each person shall fear his mother and his father, and observe My Shabbatot" (verse 3). In between the verse teaching "You shall not steal..." and the prohibition "You shall not oppress your neighbor, nor shall you steal," we find the command relating to desecration of G-d's Name: "You shall not swear falsely by My Name" (see Rambam, Hilkhot Shevuot 12:1-2). Chukkim and mishpatim sit side by side: "You shall not take revenge, nor shall you bear a grudge... You shall love your neighbor as yourself... You shall observe My statutes - you shall not interbreed your cattle..." (verses 18-19). Alongside general mitzvot pertaining to the fundamentals of faith, such as Shabbat and idolatry, we find others that concern details of ritual actions - such as left-over meat of sacrifices (piggul and notar). Even on the linguistic level, the parasha is likewise a mixture of singular and plural.

It would appear that in bringing all these different mitzvot together in one parasha, the Torah is conveying a message: "The Torah of G-d is perfect; it restores the soul." The Torah must be treated as a single entity; it is not a collection of unrelated details. "At the time when G-d said, 'I am the Lord your G-d...' and 'You shall not have any other gods...', the nations of the world said: 'He (G-d) demands this for His own glory.' When G-d reached the fifth commandment, 'Honor your father and

your mother,' they revised their view of the first commandments. Rabba taught: 'The beginning of Your Word is truth' - Does this imply, then, that only the beginning of G-d's word is truth, but not the end? Obviously not; rather, at the end of His word it becomes clear that 'the beginning of Your Word is truth.'" (Kiddushin 31a) There is a connection between interpersonal mitzvot and mitzvot between man and G-d: each type has an influence on the other, and all are part of the same whole.

A person who does not fulfill the commandments guiding his relationships with others is defective also in his observance of the mitzvot involving religious ritual. The same applies to the spheres of singular and plural: a person must fulfill both the individual, private mitzvot and those that are communal and public; he must take care of his own individual welfare and, at the same time, also be concerned for the welfare of all of Am Yisrael, with the understanding that these concerns are intertwined. Rashi quotes the Midrash as teaching not that "Most of the essentials of the Torah are included in it," but rather that "Most of the essentials of the Torah depend upon it" - the mitzvot depend upon and influence each other.

Ramban's well-known teaching on the beginning of the parasha is that "You shall be holy" is a general command, requiring us to sanctify ourselves and refrain from gluttonous eating habits and from foul language - not to be "scoundrels within the bounds of Torah." This is, in fact, a command to attain a certain moral level, beyond the fulfillment of the details of the commandments. This, too, is related to what we have said above. On the one hand, a person must take care with the details of the mitzvot, never disregarding a single directive in the Shulchan Arukh.

On the other hand, he must also maintain the values towards which the Torah as a whole guides us, and build his personality in accordance with Torah requirements. "And you shall observe My statutes (chukkotai) and My judgments (mishpatai), which a person shall perform..." (18:5) - this is intended to teach that both observance and performance (shemira va-asiyya) are required for the statutes, and both observance and performance are required for the judgments." (Rashi, quoting the Torat Kohanim) The Rambam comments on this as follows:

"The meaning of 'performance' is known - this refers to performance of the statutes. And 'observance' means that one should take care with them, never imagining them to be of lesser value than the judgments." (Hilkhot Me'ila 8:8) Both chukkim (statutes), rituals which are not readily understood, and mishpatim (judgments), must be fulfilled in all their details. However, extra care must be taken to treat the statutes with the proper respect and to appreciate their value. At the beginning of the parasha we find the general command, "You shall be holy," and at the end we are commanded, "You shall sanctify yourselves and be holy" (20:7), which Chazal explain as follows: "You shall sanctify yourselves" - this refers to washing hands before the meal, 'and you shall be holy' - this refers to washing after the meal." (Berakhot 53b)

We may add that our parasha also addresses all spheres of life, emphasizing the fact that the Torah is connected to all stages of a person's life and to all his activities. It must therefore be treated as a whole entity, guiding us in every place and at every time as to how to mold our path and our selves. (This sicha was delivered on leil Shabbat parashat Acharei Mot-Kedoshim 5756 [1996].)

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From: National Council of Young Israel [YI_Torah@lb.bcentral.com] Sent: Monday, April 28, 2003 7:01 PM Subject: Parshat Kedoshim 1 Iyar 5763 May 3, 2003 Daf Yomi: Avodah Zara 51

Guest Author:

RABBI BOAZ TOMSKY Associate Member, YICR

The Mishna in Pirkai Avot quotes the words of Yehoshua ben Perachyah. He used to say, "Accept a teacher upon yourself, acquire for yourself a friend, and judge everyone favorably." The words, "acquire for yourself a friend" require further elaboration. I could understand the importance of having one teacher but why only one friend? Shouldn't we strive to be more popular than having just a single companion? Also the manner in which we are advised to make friends goes against the very grain of what we were taught as children. We should befriend people who like us for who we are,

not for what we can give them. That isn't a friend, but someone who uses and takes advantage of others. The fact that you need to pay someone to be your friend is a clear indication that you aren't really their friend! Why then, does Yehoshua ben Perachyah advise us to acquire a friend? Finally, what is the significance of the juxtaposition of acquiring a friend and judging everyone favorably? What do these statements have to do with one another?

In order to answer these questions, we need to examine one of the most famous verses in the Torah. Our Parsha commands Vahavta Lerayacha Kamocha - to love your neighbor as yourself. The Ramban (1194-1270) is troubled by this Mitzvah. It is a daunting task to fulfill this Mitzvah properly if one is actually required to love another person as much as they love themselves. Furthermore, in a situation where two people are dying of thirst and only have sufficient water to sustain one life, you are obligated to take care of your needs first even at the expense of your friend.

Therefore, the Ramban explains that the Torah is commanding us to rejoice when something good happens to our friends, just as one would rejoice for your own fortune. This too is a difficult task. So very often in our lives, we become jealous at the success of others. It is within our nature to only be happy for someone else when it is for our benefit.

Rabbi Yochanan Zweig, Rosh HaYeshiva of Talmudic University of Florida, says that this is the source for the custom of handing out cigars when a child is born. If you want someone to rejoice in your simcha, it is necessary to give some external stimuli so that they too will benefit from your celebration. This further explains the expression: ain simcha elah bamakom seudah-rejoicing can only occur in a place where there is food. By receiving something tangible for ourselves, we become more capable and willing to take an active role in someone else's simcha.

Most translate the Passuk as "love your neighbor". The more accurate translation of "lerayecha" is a friend or companion. The Ramban is teaching us a novel lesson about friendship. A true friend is someone who is genuinely happy for everything that happens to you, without the need of any personal gain. They are wholehearted and sincere in their rejoicing even when it surpasses their own success.

Imagine, for a moment, someone else getting the promotion you were hoping for. Imagine attending your friend's wedding while you, although older, remain unable to find a suitable shidduch. How would you feel? What emotions would you experience? If you are completely happy for him in such a scenario, you can be rest assured that you are a true friend.

This is the meaning of the Mishna. If you can find an individual person with a deep love for you to the point that they are genuinely happy for all of your successes, than you indeed have found a friend.

There are few people that can honestly say they feel this intense bond with another person. This isn't a trait you are born with. Robert J. Havighurst, a noted American author of the 1900's, once said, "the art of friendship has been little cultivated in our society." Our Mishna is teaching us that the only way of becoming a true friend is through acquiring this trait of genuineness. This requires a certain degree of selflessness, a trait that needs to be acquired and cultivated.

Alternately, the Mishna uses the word konah, commonly used with acquiring a servant. The Gemara (Bama Metziah 12A) states that any lost object your servant acquires automatically belongs to the master. Why? Since he was acquired to you as a servant, his gain becomes your gain. The Mishna could be saying konah your friend, like the laws of a servant. Anything beneficial that happens should be viewed in a positive light.

Consider yourself equally as fortunate and let his gain be your gain. At a wedding, we bless the chatan and kallah with ahavah, achvah, shalom, verayut-love, brotherhood, peace, and companionship. These expressions of devotion are seemingly not written in order of importance. Why does love proceed companionship? Shouldn't it be the other way around? We are teaching the chatan and kallah that marriage is more than just two people sharing their separate lives together. The ultimate level they should strive for is that of friendship, the feeling and sense of companionship for one another. This includes more than just being empathetic toward your spouse during their troubling times, but to sense their pain from within. A spouse should strive to do more than just act happy for each other's personal accomplishments, but to sense their joy from within. Such a relationship, chazal say, is eishto kagufo-the wife is an extension of her husband's very self. This is the goal. This is the ultimate blessing for a healthy marriage, when two become as one.

A synonymous word for friend in Hebrew is a chaver. Chaver and mechubar-attached share the same root. Friends are, metaphorically

speaking, attached to each another just as a strong rooted tree remains firmly attached to the ground. They support each other and complement each other to the point that one's success becomes the joy and pride of the other.

Someone to care about you on this level could make all the difference. Every person has the ability to reach this level, but it must constantly be refined and cultivated. Without a friend, even the great Choni Hamagil pleaded with HaShem to not continue living. Aristotle (384 BCE - 322 BCE) once said, "Without friends no one would choose to live, though he had all other goods."

But how could we reach this level of friendship? Yehoshua ben Perachyah answers this by concluding, "judge everyone favorably." If we look at people with a negative and cynical lens, we will never grow. By saying, "he didn't deserve this" or "she isn't entitled to that", in essence what you are doing is judging your fellow unfavorably. If you remain positive and find the positive qualities of each person, it is easier for you to accept their accomplishments and overall success. By judging each other favorably, you become capable of being genuinely happy for your friend's accomplishments. This is the Mishna. This is the pinnacle level for a husband and wife. This is Vahavta Lerayecha Kamocha. This is a true friend.

Good Shabbos!

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From: DR. MEIR TAMARI [mtamari@torah.org] Sent: Tuesday, April 29, 2003 To: business-ethics@torah.org Subject: Business Ethics - Kedoshim THE CHALLENGE OF WEALTH. KEDOSHIM.

The sedrahs from Terumah to Achrei Mot deal with the laws of the Mishkan, the ritual of its service, the rights and obligations of the priests and impure and pure foods, people or actions. It is important to remember that they are anchored between the social laws of Mishpatim- Judgements and Kedoshim- the Imperative to Holiness. These two sedrahs contain some 60 social laws with their message of the morality and ethical behaviour required of the Jews, that must be wedded to ritual behaviour. Our Sages saw Kedoshim as containing most of the ideas of the Torah and so we will devote two weeks to two of them which have new insights into business and wealth.

"You shall not put a Stumbling Block in the path of the Blind; you shall fear Your G-d" (Leviticus 19:14).

Fraud, theft or damages are frowned upon in all societies, but Judaism has many perspectives and definitions of these that are special and intrinsic to it. However, the concepts of lifnei iver, the stumbling block in the path of the blind, introduce ideas that are radically different and are based upon teachings that exist only in Judaism. The blind envisaged here are not necessary physically blind, but blind themselves to the results of their actions; they may even welcome the damage done. Furthermore, the damage or harm is not only financial nor physical but also be moral or spiritual. Above it all, this injunction is linked to the fear of G-d, which is only done where the acts are secret and done without human witnesses, reinforcing our insistence that G-d is always a witness notwithstanding our attempts at secrecy.

Basically, lifnei iver is seen to take one of two forms:

A. To enable another person to do something that is forbidden to them, even though one does not themselves actually do the forbidden act. Our Rabbis said, "It is not the mouse that steals, but the hole".
B. Giving advice that is detrimental to another. This is different from advice that is wrong, yet given in good faith or in ignorance.

Most of the case law consists of type A, although all the Codes forbid both of them.

A.MESAYEIA LI DEVAR AVERIAH

As Buyers.

Although buying goods is perfectly legitimate, sometimes we enable or encourage the seller to do acts which are forbidden. Then we are guilty of putting a stumbling block in the path of the blind.

"So one may not buy sheep from the shepherds [in those days the shepherds were in charge of flocks that belonged to others so that the wool, lambs or sheep being sold, has the status of being stolen.]" (Mishnah, Baba Kama.Chapter 10, mishnah 9). "It is forbidden to buy anything from a thief [or a robber]... If the thieves could not sell the goods,

they would not steal; [we in effect create their market]" (Choshen Mishpat, Section 356, subsection 1).

This does not only apply to stolen goods, but includes goods on which duties or taxes have not been paid; the theft then is of the government's share of the goods.

Originally, if Reuven bought from Shimon something that was stolen from Levi, the Torah made Reuven return them and claim compensation from Shimon. The Rabbis changed this, possibly because the markets could not function if people had to constantly check if goods were stolen or not. Halakhically, Reuven now kept the goods and Shimon had to sue Levi. However, this does not apply where the goods were bought from a known thief. If we knowingly buy goods from a thief or from suppliers who have not paid duty, tax or other levies, we alone are responsible. As Sellers.

Since one is not allowed to cause damage to oneself, physical or spiritual, other people who provide the wherewithal to do so are guilty of putting a stumbling block in the path of the blind. So one may not sell a Jew non-kosher food, pornography nor harmful drugs. All those engaged in making interest bearing loans possible between Jews, such as the witnesses, borrowers, the drafters of agreements etc. are guilty of lifnei iver. This is valid even though we know that the borrower is perfectly willing to be blind to the commandment of the Torah forbidding this interest and benefits from doing so. Now that it medically proven that cigarettes are a cause of cancer, one should not be allowed to sell or advertise them. There is a responsum by Rabbi Ovadiah Yoseph to this effect.

What about non-Jews? The same principle applies, that anything that is forbidden for a Noachide to do, one may not be a cause or a facilitator of. So, one may not sell idols or anything that is used for that purpose, to them. However, there is a trade that is far more widespread and consequential in our modern global economy, namely the arms trade, which is affected by lifnei iver. One is not permitted to sell to gentiles, weapons or wild animals or anything that is dangerous. Nor is one allowed to sell them to a Jew who is known to be a violent person (Mishnah, Avodah Zarah, chapter 1, mishnah 7. See also Mishneh Torah, Hilkhoh Rotzeach u Shmirat Hanefesh, chapter 12). The Meiri writes that this is because they are suspected of wilful bloodshed and murder (Bet Habechira, Avodah Zarah).

As the State of Israel is a major player in this trade, this injunction has great significance for it and a study of the problem will do much to highlight the issues involved in lifnei iver. It is crucial that Israel possess a highly developed and cost effective arms industry, in view of its security position and its susceptibility to arms embargoes. The export trade obviously would aid such develop and cut costs. That is halakhically in order. However, the problem of lifnei iver still remains as anything over and beyond that is not permitted. It is further complicated by the fact that much of the hi-tech industry in Israel, as in other countries, is very much dependent on the defence sector. Furthermore, not only the arms themselves are part of the trade, but it is necessary to send instructors, advisors, and to render other forms of assistance, that widens the numbers engaged in the export industry.

B. ADVICE AS A FORM OF LIFNEI IVER

There is an aspect of lifnei iver which has not seemed to receive the same extensive treatment in halachic literature as the concept of mesayeha lidvar aveirah, yet that is of great importance in the modern business world. Rashi, commenting on the biblical verse in Vayikra (19:14) writes: "One may not tell another to sell a field and to buy a donkey when one wishes to buy a field and sell a donkey". Similarly, the Rambam codifies as Halacha: "It is forbidden to give another person advice that is not fair" (Mishneh Torah, Hilkhoh Rotzeach u Shmirat Hanefesh, chapter 12, Halacha 14; see also Sifra, Kedoshim; and Sefer Hamitzvot, 299). This does not mean incorrect business advice, but advice which is not given in good faith or which masks the interests of the advisor which may conflict with the interest of the advised. Accountants, business consultants, lawyers, investment advisors, and all those guiding or advising clients, would be required by the injunction of lifnei iver to disclose any conflict of interest which they may have.

It may be forcing the concept of lifnei iver far out of its halachic context, but from a moral perspective, certain aspects of advertising also present a problem. Advertising aimed at instant gratification, or creating unrealistic or exaggerated needs among people lacking the spiritual or intellectual strength to restrain their wants to within the boundaries of their economic ability, is in effect putting a stumbling block in the path of the blind.

Business-Ethics, Copyright © 2003 by Dr. Meir Tamari and Torah.org. Dr. Meir Tamari is a renowned economist, Jewish scholar, and founder of the Center For Business Ethics (www.besr.org) in Jerusalem. He also authors an advanced weekly class based on the writings of the Shem me'Shmuel on the weekly Torah Portion. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. learn@torah.org

From: Menachem Leibtag [tsc@bezeqint.net] Sent: May 01, 2003 Subject: [Par-reg]Parshat Kedoshim & the 10 Dibrot

RABBI MENACHEM LEIBTAG

In honor of the Bar Mitzvah this shabbat of Elyashiv Efraim Leibtag, Dedicated by his Bubby, aunts, uncles, and cousins, who could not make it to Israel (because of the strike).

THE TANACH STUDY CENTER [<http://www.tanach.org>] In Memory of Rabbi Abraham Leibtag Shiurim in Chumash & Navi by Menachem Leibtag PARSHAT KEDOSHIM & THE TEN COMMANDMENTS It's not very difficult to find the Ten Commandments 'hiding' in Parshat Kedoshim, at least most of them. [See Ramban, Ibn Ezra, and Chizkuni on 19:2.]

In the following shiur, we study the nature of this parallel (and its 'missing links') in an attempt to uncover its deeper meaning.

INTRODUCTION In the first four psukim of Parshat Kedoshim, the parallels to some of the 'dibrot' [the Ten Commandments] are rather obvious [e.g. honoring one's parents, keeping Shabbat, idol worship etc.]. However, as the Parsha continues, the parallels become less obvious, and as we will see, some of the parallels to the dibrot become rather 'stretched' and others appear to be missing! Nonetheless, it would be logical to assume that there must be a deeper reason for these parallels, and the manner of their presentation. We begin our shiur by taking note of an interesting internal pattern within Parshat Kedoshim, that may help us 'crack the code'.

THE ANI HASHEM DELIMITERS As you review the first 18 psukim of Parshat Kedoshim, note how the 'refrain' ANI HASHEM is repeated EIGHT TIMES (at the end of just about every other pasuk). Note as well how this refrain appears in two different forms: ANI HASHEM ELOKEICHEM - the first four (see 19:1-10); ANI HASHEM - the next four times (see 19:11-18).

This pattern suggests that these mitzvot divide into TWO groups. The distinction between them is also rather obvious: · The ANI HASHEM ELOKEICHEM group contains primarily mitzvot 'bein adam la-Makom' (between man & G-d) and hence is parallel to the first five DIBROT; · The ANI HASHEM group contains primarily mitzvot which are 'bein adam le-chaveiro' (between man and his fellow man), and hence is parallel to the last five DIBROT.

To verify this, note how the ANI HASHEM ELOKEICHEM group contains obvious parallels to four of the five first DIBROT: I. ANOCHI (see 19:2); II. LO YIHIYEH (see 19:4); III. LO TISA - [no apparent parallel] IV. SHABBAT (see 19:3); & V. KIBBUD AV (see 19:3).

Note, however, that we have two problems. First of all, we did not find any obvious parallel for the third Commandment. But we also did not find any parallel for the laws discussed in 19:5-10 [i.e. the laws of 'pigul' and 'pe'a' etc.]. Before we return to this question, let's take a look at the second group: In the ANI HASHEM group (see 19:12,14,16,18) we find a variety of mitzvot bein adam le-chaveiro, the most obvious parallels to the last five DIBROT being: VI. LO TIRTZACH - 'lo ta'amod al dam re'echa' (19:15) VII. LO TIN'AF - the laws of 'shifcha charufa' (19:20-22) VIII. LO TIGNOV - 'lo tignovu...' (see 19:11) IX. LO TA'ANEH be-re'acha ED SHAKER - 'lo tishav'u bi-shmi la-SHAKER...' (see 19:12). X. LO TACHMOD - 'lo ta'ashok et re'acha ...' (19:18).

Even though some of these parallels are a bit stronger than others, all of the mitzvot in this section can definitely be categorized according to one of the last five DIBROT. Let's return now to our question, i.e. we are missing a parallel for the third DIBBUR - LO TISA ET SHEM HASHEM ELOKEICHA LA-SHAV - in the ANI HASHEM ELOKEICHEM group. Bothered by this question, Chizkuni (based on Vayikra Rabba 24:5) suggests that LO TISA is parallel to 'lo tishav'u bi-shmi la-shaker' (see 19:12). However, that parallel would 'violate' the pattern that we discerned above, for the parallel should be found within the ANI HASHEM ELOKEICHEM group, i.e. in the first ten psukim. Furthermore, based on the context of 19:12 - Lo tishav'u bi-shmi la-SHAKER - and noting the use of the word 'shaker' - its parallel to 'lo taaneh be-re'acha ed SHAKER'

(Commandment #9) appears to be much more convincing. [This also keeps it in the ANI HASHEM group.]

THE MISSING 'LINK' Let's return to the pattern set by the phrase "ANI HASHEM ELOKEICHEM". Using the 'process of elimination', the parallel to the third Commandment [LO TISA] must be located somewhere within the mitzvot discussed between 19:5 and 19:10. However, these psukim simply discuss primarily the laws of 'pigul', a law that contains no obvious parallel to 'not stating G-d's Name in vain'. On the other hand, the pattern that we have seen thus far 'begs' us to look for a connection; so let's give it a try. To do so, we must first explain the law of pigul. The korban SHLAMIM is a voluntary offering that can be eaten by the owner; however, its meat must be consumed on that same day or the next (see Vayikra 7:16-18). Parshat Kedoshim presents this law once again (see 19:5-8), adding the information that the punishment for eating the meat outside of this time frame is 'karet' - being 'cut-off' from the people of Israel (see 19:8!) - one of the most stringent of Biblical punishments.

Interestingly, Chazal [our Sages] interpret this prohibition in an even more stringent manner. They claim that the primary prohibition is not necessarily eating the korban on the third day, but rather simply THINKING about eating the KORBAN outside of its time frame! In other words, if at the time of offering this sacrifice, one merely thinks about eating its meat outside of its time frame - the offering is rendered PIGUL - and he who does so will be punished with KARET! [Even if the meat is never eaten at the wrong time.] This strange law raises two questions. First of all, why would someone think of doing so in the first place? Secondly, let's say he does, why is the punishment for simply 'thinking about it' so severe? And finally, what is so terrible if one eats from this korban for an extra day? Is it really better that he should let the meat 'go to waste'? 'THINKING' IS WORSE THAN EATING! To understand the logic behind the law of PIGUL, we must consider that is quite impossible for a single person to consume the meat of an entire animal in a day or two. Therefore, practically speaking, the Torah's prohibition against eating the meat of a shlamim outside its time frame forces the individual to SHARE the meat of this korban with others! [Recall as well that the korban must also be consumed within the walls of Yerushalayim. Therefore, the option of bringing the korban 'home' to share with his family is also precluded.]

Let's say that our assumption is correct that the owner of the KORBAN has no choice other than to share his korban SHLAMIM with other visitors in Yerushalayim. Consequently, we now have a logical reason for one to think of when he will eat this KORBAN at the time of its offering. The very THOUGHT of eating a korban outside its time frame implies that the owner does not want to SHARE his korban with others. In other words, this person offering the korban is being selfish, for he wants to save the meat for himself. Clearly, being selfish is a bad trait. But is it so evil that it deserves the punishment of KARET - to be totally cut off from the people of Israel?

A NECESSARY BALANCE This law of PIGUL may contain an extremely important 'mussar' (moral message) concerning the necessary balance between our relationship with G-d and our fellow man. Recall that the Korban SHLAMIM is a voluntary offering where one wishes to express his closeness to G-d, to re-affirm his commitment to the covenant of HAR SINAI (see TSC shiur on Parshat Vayikra). If at the height of one's spiritual experience, as he stands in front of G-d offering his KORBAN SHLAMIM, a selfish thought can still enter his mind - i.e. he does not want to share his korban with others - G-d becomes 'disgusted' with this person, and the korban becomes PIGUL. A person who has yet to inculcate the basic trait of sharing, has no right to stand in front of the MIZBEIACH and offer a voluntary korban to G-d! To support this understanding, note how the next pasuk in Parshat Kedoshim contains a law that stems from a similar reason. The obligation of the farmer to leave over a part of his field for the poor [pe'a, 'shichecha', and 'leket' / see 19:9-10] teaches the owner not to be so selfish as to keep all of its produce for himself. Here we find yet another mitzva that requires the sharing of prosperity, and thus supports our interpretation of the underlying reason for the law of pigul.

PIGUL & LO TISA If 'sharing' is indeed the underlying reason for PIGUL and PE'A, then the parallel between Parshat Kedoshim and the Ten Commandments, as discussed above, would suggest that these laws should be in some manner related to the third Commandment of LO TISA - not to proclaim G-d's Name in vain. To uncover that connection, we must return to our study of the meaning of G-d's Name in Sefer Breishit, and its connection to the laws of the MIZBEIACH and hence to korbanot in general.

SHEM HASHEM & THE MIZBEIACH Recall from Parshat Lech Lecha how Avraham Avinu, immediately upon his arrival in Eretz Canaan, built a MIZBEIACH and 'calls out in G-d's Name' in BET EL [lit. the HOUSE of G-d] (see Breishit 12:8 & 13:4). As we explained in our shiur on this topic, Avraham's MIZBEIACH served as a vehicle enabling him to 'call out in G-d's Name', or as Ramban on 12:8 explained, teaching mankind concerning their need to recognize G-d and His Creation. Later at Har Sinai we find a similar connection between the mizbeiach and 'shem Hashem' [G-d's Name]. Immediately upon the completion of the Ten Commandments, G-d commands Bnei Yisrael: "An earthen MIZBEIACH you shall make for Me... where ever I CALL OUT MY NAME I will come and bless you" (Shmot 20:21).

[Note that the psukim in Shmot 20:19-23 can also be understood as parallel to the first three DIBROT, while the remaining DIBROT are parallel to the mitzvot which continue in Parshat Mishpatim (very similar to what happens in Parshat Kedoshim). According to that parallel, the law of MIZBEIACH is clearly the parallel to LO TISA! (Read 20:22- 23 carefully to verify this.)]

As the above examples show, the concept of 'shem Hashem' relates directly to the MIZBEIACH. In fact, the bet ha- mikdash itself is consistently referred to in Sefer Devarim as 'ha-Makom asher yivchar Hashem leshaken SHMO sham' - the place that G-d will choose to allow His Name to dwell (see for example Devarim 12:5-12, 16:1-17, and 26:1-2).

As the very purpose of the bet ha-mikdash and the mizbeiach is to properly publicize the Name of G-d, any law relating to the proper offering of a sacrifice could be considered as parallel to LO TISA, especially the laws of pigul. If so, then our parallel between the DIBROT and opening psukim Parshat Kedoshim is complete, as pigul becomes the parallel for LO Tisa in the 'Ani Hashem Elokeichem' section! This parallel also follows the differentiation between the mitzvot bein adam la-Makom (first five) and the mitzvot bein adam le-chaveiro (last five). It should not surprise us now to find that the Torah's presentation of the law of PIGUL includes the phrase 'et kodesh HASHEM chillel' - for he has desecrated that what is holy to G-d (see 19:8). As the primary concept of the Third Commandment is not to desecrate G-d's Name, then its parallel could include any law that may cause G-d's Name (or reputation) to become tainted. An individual who comes to the bet ha-mikdash to express his special closeness to G-d - by offering a korban shlamim, yet at the same time thinks selfishly about himself, causes G-d's Name to be desecrated. SHNEI LUCHOT HA-BRIT One could suggest that this may be the underlying message of the two sections of the Ten Commandments, [i.e. the two LUCHOT of BRIT SINAI]. The mitzvot bein adam la-Makom' of the first five DIBROT come 'part and parcel' with the mitzvot bein adam le-chaveiro of the last five DIBROT. In fact, the law of pigul forms a meaningful transition between these two sections, for it is a law relating to both man & G-d, and his fellow man. This necessary blend between one's worship of G-d and his respect and care for his fellow man, so typical of the other laws of Parshat Kedoshim, should be the most prominent character of the Jewish nation. When Am Yisrael act in this manner, they become a true AM KADOSH, a holy nation that truly testifies that G-d is KADOSH and His Name is KADOSH. By doing so, they facilitate bringing 'shem Hashem' G-d's Name (and hence His reputation) to mankind.

shabbat shalom, menachem
FOR FURTHER IYUN A. Can you suggest a reason why ANI HASHEM ELOKEICHEM relates to the mitzvot bein adam la-Makom while ANI HASHEM relates to the mitzvot bein adam le-chaveiro (at least in the first 18 psukim)? [Hint: Which mitzvot are more universal, and which are more special for Am Yisrael?]

B. In Parshat Kedoshim, we find a pattern where there appears to be no or very little connection from one mitzva to the next. Do you think that this is intentional? If so, based on the above shiur, what is its significance? See Ibn Ezra in 19:3-18. Do you agree with all of his associations concerning the flow of the parsha?

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