

BS"D



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INTERNET PARSHA SHEET
ON ACHREI KEDOSHIM - 5764

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From: Don't Forget [sefira@torah.org]

Subject: [Sefira/Omer] Day 25 / 3 weeks and 4 days

Tonight, the evening of Friday, April 30, will be day 25, which is 3 weeks and 4 days of the omer.

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From: RABBI YISSOCHER FRAND
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"RavFrand" List - Rabbi Frand on Parshas Acharei Mos-Kedoshim -

The Prosperity of Egypt and Canaan Contributed To Their Moral Decline

The end of Parshas Achrei Mos contains the section of the Parsha that deals with

forbidden relationships (Arayos). This Torah portion, which is also read during the Mincha service of Yom Kippur, is introduced with the exhortation "Like the deeds of the land of Egypt wherein you have dwelt, you shall not do; and like deeds of the land of Canaan where I am bringing you thereto, you shall not do. You shall not walk in the ways of their practices." [Vayikra 18:3]

The Jews were going "from the frying pan into the fire" in terms of the moral depravity of the surrounding population. Both the land of Egypt and the land of Canaan were known for their despicable and nauseating forms of immorality. G-d therefore warned the Jewish people not to mimic the activities or mores of the societies that they have witnessed or will be witnessing. The Torah then listed the different forbidden relationships.

Rav Dovid Feinstein notes an apparent anomaly in the Torah's language. The Torah does not warn against mimicking the deeds of the Egyptians or the Canaanites. It rather warns against mimicking the deeds of the LAND of Egypt and the LAND of Canaan. Rav Dovid Feinstein deduces that the activities of the people of Egypt and the people of Canaan must have had something to do with the LAND of Egypt and the LAND of Canaan. The land added some facet that enabled the people to be engaged in such moral depravity. What facet did the land add to the moral depravity?

We know from several sources that these two lands were exceptionally fertile and affluent. For thousands of years, Egypt prospered by virtue of the fact that the Nile would overflow every year, flooding its banks, causing the surrounding land to be extremely fertile. Egypt was an extremely prosperous country.

We learn from the spies' visit to the Land of Canaan that the fruits of the land were so huge that it took eight people just to carry back a cluster of grapes [Sotah 34a]. The land of Canaan was blessed with tremendous agricultural success, and that brought affluence to the entire country.

This is the reason why the people were so disgustingly immoral. There is an inverse connection, unfortunately, between prosperity and the level of a nation's morals. One does not have to be a social scientist to come to the conclusion that western society in general and America in particular is very prosperous and very affluent. But at the same time, we are witness to a society that has lost its moral compass.

We are experiencing a replay of "the actions of the LAND of Egypt." When things are so abundant and society has it so well, people tend to lose their moral standing. Unfortunately, we, the inhabitants of such a society, get caught up in this. It has been said that Jews over the centuries have learned to cope with the trials and tribulations ("nisoyonos") of poverty. But we have not learned to deal with the "nisoyon" of affluence. The morals of society rub off on us. The Torah is hinting at this idea through the unique formulation of its warning concerning the actions of the LAND of Egypt and the LAND of Canaan.

Rabbi Safeguard Against Assimilation, As It Leads To Inter-marriage
The last pasuk [verse] of Parshas Achrei Mos states: "You shall safeguard My charge that these abominable traditions that were done before you not be done, and not make yourselves impure through them. I am Hashem, your G-d." [Vayikra 18:30]. The Talmud derives the idea of making a fence around the Torah from this exhortation to "safeguard" the commandments (Mishmeres l'mishmarti) [Moed Katan 5a; Yevamos 21a].

If people would only observe the strict Biblical commandments and not observe the Rabbinical safeguards that were added later, we would not recognize what we now call "observant" Judaism. Shabbos observance is a totally different experience because of the Rabbinical enactments that "safeguard" the basic prohibitions of labor. The scope of virtually every area of halachic restriction that we practice has been greatly expanded by virtue of the principle of "make a safeguard for My charge."

Sometimes one could question the extent of "Rabbinical fences" and wonder whether the rabbis didn't go "too far." We look at some "D'Rabanans" and say, "this is a little too far fetched; we'd never make a mistake over here." But we need to understand that the Rabbis were extremely wise, and knew exactly what they were doing. Their basic intent many times was not so much concern with stopping a specific violation, as with creating a certain atmosphere. They were interested in establishing a pervasive attitude.

I recently taught my Yeshiva class about the laws of consuming food prepared by non-Jews, which are in the Talmud, in Tractate Avodah Zarah. There are prohibitions against eating food prepared (under certain circumstances) by a non-Jew; of drinking wine that is so much as touched (under certain circumstances) by a non-Jew. The rationale behind all of these Rabbinic prohibitions is "lest we come to intermarry with them" (mi'shum chasnus).

One can ask, if the food only contains Kosher ingredients and I take it into the confines of my own home, why should the fact that it happened to have been cooked by a non-Jew be any cause for concern that I might come to marry a non-Jewish woman? Isn't that far-fetched?

The Rabbis were not worried that if someone ate something cooked by a non-Jew, they would immediately go out and marry that person. Rather, they were interested in creating an atmosphere that shouts to us "we've got to remain separate." Once we start breaking down the little things and start tampering with the atmosphere, we are quickly left with what we have today in the United States of America: over fifty percent intermarriage. We no longer have an atmosphere of separation.

The following is excerpted from a column by the rabbi of a Reform congregation in Miami, Florida:

"We think that intermarriage leads to assimilation, but it is the other way around. We marry people like ourselves. The average middle-class Jew is as different from the average middle class Gentile as your average Hutu is different from your average Tutsi. I know Rabbis aren't supposed to say things like this. We are supposed to fight assimilation tooth and nail. But to be honest I am about as assimilated as you can get. Put me in a lineup of the average middle class goy [sic] and the only way you could tell us apart is to play a Jackie Mason tape and see who laughs. The truth is our kids don't intermarry. They marry people just like themselves. People who eat stone crabs marry people who eat stone crabs."

The rabbi has it exactly right. People are not intermarrying. They are marrying people exactly like themselves. The reason why a strictly religious person would not contemplate marrying a non-Jew (or vice-versa) is because they are so different. Those who follow the Rabbi's safeguards live in an environment nearly as different from that of the average middle class American non-Jew, as either of those environments are different from that of the average Tutsi. The cross-cultural divide is too great. The groups are too different from each other, so they do not intermarry. It would be like marrying someone from a different planet. But if someone eats like them and talks like them and dresses like them, then it is not intermarriage at all. It is marrying within one's own kind.

He wrote further: "As far as religion goes they both have the same fake sense of spirituality. They both believe in a G-d without being able to define either belief or G-d. They both hold goodness above theology and righteousness above tradition. Religion does not matter to most of our kids. We tried to make it matter and we failed. They don't intermarry. They marry the same kind."

This all started because of an attitude that said, "so what if I go ahead and eat food cooked by non-Jews? So what if I drink a cup of wine with them? It's kosher food! It's kosher wine!" Once one breaks down the "safeguard of My charge" then anything can happen.

Therefore, when we see Rabbinic decrees that sometimes strike us as being far-fetched or even absurd -- we need to step back and acknowledge that the Rabbis knew exactly what they were talking about.

They wished to create an attitude and an atmosphere, as the Torah instructs: "Make a safeguard for My charge."

Those who mock the concept of making a safeguard for the Biblical laws should go out and look at what is happening in the world. The alternative is all too readily present for us to painfully witness. People who eat stone crabs marry people who eat stone crabs.

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These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape #414 -- Giving An Injection to one's father. Tapes or 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 or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright © 2004 by Rabbi Yissocher Frand and Torah.org. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. learn@torah.org 122 Slade Avenue, Suite 250 Baltimore, MD 21208



From: torahweb@torahweb.org Apr. 28, 2004 To: weekly24@torahweb.org
Subject: Rabbi Benjamin Yudin - The Torah Gives "Allot" to Every Jew

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RABBI BENJAMIN YUDIN

THE TORAH GIVES "ALLOT" TO EVERY JEW

We find throughout the Book of Yehoshua that B'nai Yisroel captured Eretz Yisroel with relative ease. Their first conquest was that of Yericho, and because of the miraculous way in which the city fell to

them, it was understood that they would not take of the spoils. They, the people, were not the real victors, but rather Hashem was. It is thus perplexing that we find (Yehoshua 15:16) Kalev making the following declaration, "Whoever will conquer D'vir, which was formerly known as Qiryat Sefer, I will give my daughter Achsha as a wife". We are then told that Osneal ben Knaz conquers it and is given Achsha as a wife. Why was this particular section of the land more difficult to conquer? The Book of Yehoshua does not inform us, but the Gemara (Temurah 16a) gives us a significant clue.

The above cited Gemara teaches that when Moshe died, 300 halachos were forgotten by the people. Osneal restored them using his understanding and erudition of the oral law. The text that the Gemara uses to prove that he restored these laws is the verse from Yehoshua that teaches that he conquered Qiryat Sefer. What might be the connection between these two subjects?

Harav Dovid Shlomo Eibshitz z"l, the author of the L'vush on Yoreh Deah and Orach Chaim, writes a most fascinating idea in his sefer Arvei Nachal (Parshas Shelach, Drush 2). The reason that the Jewish nation conquered Eretz Yisroel with relative ease is because the Torah is the blueprint of the world. "Histakel b'Oraysa u'bara alma" - Hashem looked in the Torah and created the world. Eretz Yisroel is inextricably metaphysically bound with the Torah, and indeed the Torah provides the very life and vitality to the land. Each part of Torah maintains a particular piece of land in Eretz Yisroel. Thus it is understandable that their primary preparation for the conquest of the land was not a military academy. Rather their training at Har Sinai, where their acceptance of Torah and their commitment to its perpetuation enabled them to conquer the land. When Moshe died and they forgot 300 Torah laws, they were lacking the spiritual munitions to conquer D'vir. Osneal conquered not only with the sword, but more importantly with the restoration of the sefer, by his Torah, as alluded to in the name Qiryat Sefer.

What is true regarding Osneal is true regarding each and every Jew. The Zohar teaches that the very name Yisroel is an acronym for 600,000 letters of Torah corresponding to 600,000 Jewish souls ("yesh shishim rivo osiyos laTorah"). Each Jew has his own individual portion of Torah. It is for this reason, suggests the Arvei Nachal, that the land of Israel was divided by lottery, under Divine supervision. Not only did this prevent any quarrel and jealousy among the people regarding their particular part, in addition it precisely matched every individual's "portion", his mastery of - and commitment to - Torah, with his parcel of land. Each settler provided unique nourishment to the soil.

The Jew prays (at least thrice daily) regularly, "v'sain chelkainu b'sorasecha" - may we actualize our unique potential in your Torah. Each person, given his intellect, desire, and circumstances, acquires his portion of Torah. In the Shabbos Mussaf we beseech Hashem, return us to Eretz Yisroel, "v'sitoeainu b'gvulainu" - implant us in our "boundary". With the insight of the Arvei Nachal we now have a deeper and more personally relevant understanding of these prayers.

Finally, in Parshas Kedoshim (19:23) we read, "when you shall come to the land and you shall plant any food tree..". The Ohr HaChaim Hakadosh reminds us that often beyond the literal explanation, a much deeper thought is being presented. He reminds us that often the word eitz (tree) refers to a tzadik. In Parshas Shlach when Moshe instructs the meraglim (spies) as to what to note, he asks them (Bamidbar 13:20) "are there trees in it?" Of course Moshe knew there were trees, rather he was asking in keeping with the Talmud (Bava Basra 15a) "is there among them a righteous man who can protect them through his merit - as a tree protects." R. Yose (Shabbos 118b) refers to his five sons - all of whom were prominent men - as five cedars within the Jewish people. Similarly (Devarim 20:19) "do not destroy its trees" is understood by the Zohar to mean its educated men. Thus, our verse which teaches us the importance of planting trees in Israel is referring not only to the earthly ecology, but also to a higher one as well, namely when you come into the land,

educate your children in Torah, as the land itself yearns for its Torah, and assist the student to acquire more of it.
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From: Yeshivat Har Etzion Office [office@etzion.org.il] Subject: SICHOT64 -25: Parashat Acharei Mot - Kedoshim

Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash (Vbm) Student Summaries Of Sichot Of The Roshei Yeshiva Parashot Acharei Mot – Kedoshim Please pray for a refuah sheleimah for Eytan Yaakov ben Miriam Esther for Elka bat Shoshana. Mazal tov to Yitzchak and Noa and to the entire Blau-Jesselson Family upon the birth of a baby girl. May they be zocheh to raise her le-Torah, le-chuppa u-le-ma'asim tovim!

SICHA OF HARAV YEHUDA AMITAL SHLIT"A

"You Shall Be Holy"

Adapted by Dov Karoll

G-d spoke to Moshe, telling him to speak the following to the entire community of Israel, saying to them: "Kedoshim tihyu, You shall be holy, for I, the Lord your G-d, am holy." (Vayikra 19:1-2) Rashi (19:2, s.v. dabber), based on a midrash (Torat Kohanim, Kedoshim 1:1), explains that this parasha was taught in front of the entire community, "since most essentials of the Torah are dependent on it." The Ramban (19:4, s.v. ve-amar ve-elohi masekha) cites a midrash (Vayikra Rabba 24:5) that this parasha is crucial because it contains details fleshing out the Ten Commandments. What is the basic message delivered in this parasha? Kedoshim tihyu, you shall be holy. What does the word "kedoshim" mean? Rashi (19:2, s.v. kedoshim) explains that it means separated from forbidden relations. He is building off the connection to the end of last week's parasha (chapter 18), which discusses the forbidden relations. That parasha warns the children of Israel not to "follow the practices of the land of Egypt" as well as "the practices of the land of Canaan," and then details the list of prohibited relations (18:1-6). According to this approach, the background against which this parasha comes is that the Jewish people need to separate themselves from Egyptian and Canaanite culture, particularly by avoiding their corrupt sexual practices. In its conclusion, our verse explains why the Jewish people are to be holy: "For I, the Lord your G-d, am holy." How is this comparison to be understood? G-d is totally removed from the world, entirely separate. Are we to understand the imperative, "You shall be separated," in this all-encompassing sense? It is impossible for human beings to be so totally separate from the physical world. Therefore, the Ramban (introduction to Sefer Ha-mitzvot, shresh 4) explains that this means, "You shall separate yourself from all negative things from which I have told you to separate."

While we are not meant to isolate ourselves from the world, there would seem to be a need for a certain amount of isolation when learning Torah. The Gemara in Shabbat (88a) tells of an apostate who saw Rava so engrossed in his studies that his hands were under his feet, and he ground his hands, and did not even notice that they were bleeding. This is a form of detachment from the world deriving from involvement in learning.

If one is to be detached from the world, it must certainly be within the context of learning Torah and performing mitzvot, but there is no value to detachment in itself. Some people think that they can do whatever they want, as long as it is motivated by spiritual goals. I was at a wedding recently where I noticed someone off to the side, dancing all by himself. Dancing in order to celebrate together with the bride and groom is certainly a proper thing to do. But this person was not dancing with the groom; he was in a world all to himself. This is not what is meant by the command to be holy, and this is not Jewish spirituality. Judaism is meant to be lived in a community, and the Torah and Chazal consistently emphasize the importance of community to Jewish life. G-d wants us to be involved with our fellow Jews and our fellow humans, and not to isolate ourselves in a little self-

contained world. [This sicha was delivered on leil Shabbat, Parashat Kedoshim, 5763 (2003).]

If you have any questions, please write to office@etzion.org.il Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash is on the world wide web at <http://www.vbm-torah.org> Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash Alon Shevut, Gush Etzion 90433 E-Mail: Yhe@Etzion.Org.II Or Office@Etzion.Org.II

From: Kol Torah [koltorah@koltorah.org] Sent: April 23, 2004 7:08 PM Subject: Kol Torah Parshat Tazria-Metzora Celebrating Thirteen Years of Kol Torah KOL TORAH A Student Publication of the Torah Academy of Bergen County Parshat Tazria-Metzora 3 Iyar 5764 April 24, 2004 Vol.13 No.29

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RABI AKIVA – THE INSPIRATION FOR RELIGIOUS ZIONISM BY RABBI CHAIM JACHTER

Introduction The Y4 Shiur of TABC this year had the privilege of hearing a very special Shiur from Rav Yoel Bin Nun, the Rosh Yeshiva of Yeshivat Kibbutz Hadati, and an individual who is regarded by many to be the Gadol Hador in the area of Tanach. In honor of Yom Haatzmaut, we will present this beautiful Shiur as well as a number of additions to Rav Yoel's core thesis. I am aware of the awesome responsibility of presenting Rav Yoel's Torah and I assume responsibility for any error in transmission. I also wish to thank the audiences to whom I have presented this Shiur who have shared their insights, some of which are incorporated into this essay.

The Last Time to Eat Korban Pesach – Rabi Akiva vs. Rabi Elazar ben Azariah The Gemara in a number of places (Berachot 9a, Pesachim 120b, and Megillah 21a) records a celebrated dispute between Rabi Akiva and Rabi Elazar ben Azariah regarding the latest time one is permitted to eat the Korban Pesach. Rabi Akiva permits the Korban Pesach to be eaten until dawn and Rabi Elazar ben Azariah believes that one may eat the Korban Pesach only until Chatzot (midnight). Rava (Pesachim 120b) states that this dispute applies to the latest time one is permitted to eat the Afikoman during an era that unfortunately does not merit having a functioning Beit HaMikdash. Interestingly, the Rishonim (see the opinions summarized in the Biur Halacha 477:1 s.v. Viyihe) debate which opinion is normative and the Shulchan Aruch does not resolve this dispute. The Shulchan Aruch (Orach Chaim 477:1) recommends finishing the Afikoman before Chatzot in order to accommodate Rabi Elazar ben Azariah's opinion (also see Biur Halacha ad. loc. s.v. Viyihe). This dispute might hinge upon when Bnei Yisrael left Mitzrayim (see Ramban Shemot 12:31 and the Ritva's commentary to the Haggadah page 37 in the Mossad HaRav Kook Torat Chaim edition). Rabi Akiva believes that we left at dawn and Rav Elazar ben Azariah might believe that we left sometime after midnight. A straightforward reading of Shemot 12:29-39 seems to indicate that we did leave some time after midnight. It also explains why we were unable to bake bread before we left. If we did not leave until dawn, then there would have been ample opportunity to bake bread before we left. On the other hand, Hashem's unambiguous command not to leave our homes until dawn (Shemot 12:22) seems to support Rabi Akiva's view.

Rav Yoel explained that according to Rabi Akiva we did not have the opportunity to bake bread before dawn because we were "on-call" that great night and we sat waiting to receive word to leave Mitzrayim at a moment's notice and thus we were unable to bake bread at all that night. Rav Yoel reminisced about how often times in his service in the Israeli army, his unit would be put on alert and had to be ready to spring into action at a moment's notice. In such a situation one had to simply sit and wait and could do nothing else. Rav Yoel, on the other hand, asserts that according to Rav Elazar ben Azariah we

indeed did not leave our homes before dawn because according to Rabi Elazar ben Azariah it became “dawn” sometime after midnight on the fifteenth of Nissan. In other words, Rav Elazar ben Azariah believes that our leaving Mitzraim occurred in a miraculous fashion – it became dawn in the middle of the night. Incidentally, this might be a way to explain Teshuvot Avnei Neizer (O. C. 381) who believes that according to Rabi Elazar ben Azariah the prohibition to eat after consuming the Afikoman expires after Chatzot. The reason is because after Chatzot on the night of the fifteenth is considered to be morning according to Rabi Elazar ben Azariah regarding the Mitzvot of that night. In this way we may defend the Avnei Neizer from Rav Yosef Dov Soloveitchik’s criticism that is presented in *Harerei Kedem* (2:196-197).

The Philosophical Basis for the Dispute between Rabi Akiva and Rabi Elazar ben Azariah Rav Yoel asserts that the philosophical basis for the dispute between Rabi Akiva and Rabi Elazar ben Azariah is how Geulah (redemption) operates from a Torah perspective. According to Rabi Elazar ben Azariah, Geulah is a purely miraculous process. We define an event as an authentic Geulah experience according to this view only if a miracle such as night being transformed into day occurs. Rabi Akiva, on the other hand, believes that the process of Geulah can also be a natural one and night does not have to turn into day in order to define a process as being Geulah.

Ramifications of this Dispute This fundamental philosophical dispute has ramifications for many profoundly important issues. One ramification is how to assess the Bar Kochva rebellion. Rabi Akiva asserted that Bar Kochva had the potential to be the Mashiach. Other Tannaim vehemently disagreed. Rav Yoel argues that this dispute hinges on our issue. Rabi Akiva’s disputants believed that Geulah cannot occur without an overt miracle. Thus, they felt that we should wait for an overt miracle before joining Bar Kochva’s rebellion against the Roman Empire. On the other hand, Rabi Akiva believed that an overt miracle is not a prerequisite for Geulah and thus Bar Kochva had the potential to become Mashiach even if an overt miracle had not occurred.

Rav Yoel added that Rabi Akiva is consistent in his approach when Rabi Akiva asserts that all of the books of Tanach are holy and Shir Hashirim is Holy of Holies. Rav Yoel argues that this is a quintessential expression of Rabi Akiva’s philosophy because Shir Hashirim describes our relationship with Hashem in natural terms, such as the love between husband and wife.

I wish to add to this insight in light of the explanation of Professor Aviezer Ravitzsky’s (a noted Jewish philosopher at Hebrew University who spoke at Congregation Rinat Yisrael a number of weeks ago) concerning Rabi Akiva’s evaluation of Shir Hashirim. Dr. Ravitzsky suggested that it is self-evident that all books of the Bible are holy. However, Shir Hashirim has the potential to be misread as a secular love poem. The choice to forego the secular reading of Shir Hashirim and instead read it as an allegorical expression of our deep connection to Hashem is Holy of Holies. This approach is also consistent with Rabi Akiva’s attitude regarding Geulah.

Evaluating Medinat Yisrael A most important ramification of the Rabi Akiva - Rabi Elazar ben Azariah dispute is how one evaluates Medinat Yisrael as it currently functions. Rabi Elazar ben Azariah would not consider it a manifestation of Geulah since no overt miracles have occurred. Rabi Akiva, though, would likely see it as having potential to develop into Yemot Hamashiach even though no open miracles have occurred.

I find it interesting to note that just as the Halachic dispute regarding the last time to finish the Afikoman has not been resolved, so too, today Orthodox Jews have not reached a consensus view regarding how to evaluate Medinat Yisrael. A Talmid posed an interesting question regarding this matter. He wanted to know whether we are permitted to eat the Afikoman until dawn seeing that we are committed to religious Zionism, which adopts Rabi Akiva’s outlook (hence the name of the religious Zionist youth movement – Bnei Akiva).

I responded that Halachic matters are not resolved by this type of analysis (see Teshuvot Heichal Yitzchak Even Haezer 2:43 and my Gray Matter p. 227) and that even we, religious Zionists, should do our best to complete the Afikoman (and Hallel, see Rama O.C. 477:1) before Chatzot. I also find it interesting that these two approaches can be found in the Maharsha’s comments to Sanhedrin 98a. The Gemara there cites Rabi Abba who asserts that the ultimate sign that the Geulah has arrived is if the trees in Eretz Yisrael are once again productive. The Maharsha presents two approaches to this passage in the Gemara. One approach is that the Gemara is speaking of natural fruits and his second approach is that it is speaking of supernatural fruits. It seems that these two approaches reflect the dispute between Rabi Akiva and Rabi Elazar ben Azariah regarding the nature of the process of Geulah. I wish to add that Rav Yoel’s approach can serve as an important insight regarding a passage in the Rambam (Hilchot Chanukah 3:1). The Rambam lists the restoration of Jewish sovereignty over Eretz Yisrael for more than two hundred years among the reasons for celebrating Chanukah. Many of my Rebbeim (including Rav Yehuda Amital, Rav Aharon Lichtenstein, Rav Hershel Schachter, and Rav Menachem Genack) cite this Rambam as a source for our support of Medinat Yisrael despite the spiritual flaws of many of its leaders and institutions. They note that the Rambam believes it worthwhile to celebrate Jewish sovereignty over Eretz Yisrael from 165 B.C.E. to 70 C.E. despite the serious spiritual flaws of most of the Jewish leaders of the time. Herod and Yannai killed Talmidei Chachamim and Chazal felt compelled to refrain from exercising Halachic authority over the Jewish monarchy of that time (see Sanhedrin 18a-19b) due to their refusal to accede to Torah authority.

I have often wondered what would be a sound Chareidi response to this proof. I have posed this question to a number of Chareidi Talmidei Chachamim and have yet to hear a satisfactory response. I believe, though, that Rav Yoel’s approach allows for an adequate response. One could argue that the Rambam represents only the approach of Rabi Akiva. Indeed, the Rambam consistently codifies Rabi Akiva’s opinions that we have discussed above - the latest time to eat the Korban Pesach (Hilchot Korban Pesach 8:15 and the evaluation of Bar Kochva (Hilchot Melachim 11:3). Rashi, on the other hand, might reject the Rambam’s approach to Chanukah. The Gemara (Shabbat 21b) asks, “What is Chanukah?” and responds by presenting the miracle of the oil lasting for eight days. Rashi (s.v. Mai) explains the Gemara’s question “What is Chanukah?” to mean, “Which event spurred Chazal to establish the holiday of Chanukah?” Accordingly, it seems that according to Rashi we celebrate Chanukah only because of the overt miracle of the oil lasting eight days and not because of the military victory of the Chashmonaim and not because of the reestablishment of Jewish sovereignty over Eretz Yisrael. Indeed, the Maharetz Chiyut (Shabbat 21b) comments that this Gemara and Rashi teach that Hallel would not be recited on Chanukah had an overt miracle not occurred.

Thus, Rashi seems to adopt the view of Rabi Elazar ben Azariah unlike the Rambam who follows the view of Rabi Akiva. Thus while the Rambam seems to support the Religious Zionist outlook on Medinat Yisrael and Yom Haatzmaut, Rashi’s evaluation of Chanukah could be cited in support of the Chareidi evaluation of Medinat Yisrael and Yom Haatzmaut.

Other Ramifications of the Rabi Akiva-Rabi Elazar ben Azariah Dispute

I suggest that this dispute between the Rambam and Rashi might also be reflected in their dispute regarding how the third Beit Hamikdash will be rebuilt. Rashi and Tosafot (who rule in accordance with Rabi Elazar ben Azariah in most of their commentaries, see Megillah 21a Tosafot s.v. Liatuyei and Zevachim 57b Tosafot s.v. V’eba’it Eima) rule that the third Beit Hamikdash will miraculously descend from the heavens (Sukkah 41a Rashi and Tosafot s.v. Ei Nami). The Rambam (Hilchot Melachim 11:1) believes that the third Beit Hamikdash will be built by human hands. This dispute also seems to

reflect the Rabi Akiva – Rabi Elazar ben Azariah dispute regarding the nature of the process of Geulah. A twentieth century dispute between Rav Yosef Dov Soloveitchik and Rav Moshe Feinstein regarding attending college seems also to somewhat reflect the Rabi Akiva - Rabi Elazar ben Azariah dispute. Rav Moshe Feinstein writes (Teshuvot Igrot Moshe Yoreh Deah 4:36, the posthumous volume) that a boy should not attend college as it will interfere with his attaining maximum achievement in his Torah studies. Rav Moshe argues that attending college in order to improve one's future ability to earn a living is inappropriate. He argues that one should be concerned with earning a living only when it becomes a relevant issue. Rav Aharon Rakefet, on the other hand, relates (Torah U'Madda Journal Volume 2 page 134) that when he and his friends were debating whether they should attend college, Rav Soloveitchik advised them that in "our times" one must attend college. The Rav argued that Chazal urge us to combine Torah with Derech Eretz and that college attendance is the contemporary application of Derech Eretz. One might argue that the Rav follows the model of Rabi Akiva (Pesachim 112a) and the Rambam (Hilchot Matanot Anayim 10:18) who assert that "Aseh Shabatcha Chol Vial Yitztareich El Habriyot," better that one eat ordinary meals on Shabbat rather than be dependent on charity. Rabi Akiva and the Rambam advise acting in "natural" ways to earn a living even if it involves diminishing somewhat the spiritual quality of one's life. Similarly, we in the Modern Orthodox world believe in giving our children a proper secular education even if it involves some spiritual sacrifice (i.e. fewer hours studying Torah during the school year), in order that they should eventually be able to earn a proper living and not be dependent on charity or government support. I also find it interesting that it is Rabi Akiva who asserts (Sukkah 11b) that the Sukkot that we lived in the Sinai desert were "natural" or actual Sukkot unlike the view that asserts that we were enveloped by divine clouds that constituted our homes at that time. Once again we find Rabi Akiva adopts the "natural" interpretation of a Biblical event. Rav Yoel's Explanation of Rabi Elazar ben Azariah and Rabi Akiva's Sharing a Seder in Bnei Brak Rav Yoel raises the question (that others have already posed) how Rabi Elazar ben Azariah participated in the Mitzva of Sippur Yetziat Mitzrayim until dawn along with Rabi Akiva in Bnei Brak if according to Rabi Elazar ben Azariah it is no longer considered "night" after Chatzot on the fifteenth of Nissan. Rav Yoel responds that Bnei Brak was the home of Rabi Akiva (see Sanhedrin 32b) and Rabi Elazar ben Azariah acted in accordance with Rabi Akiva's view since he was at the home of Rabi Akiva (see Shulchan Aruch O.C. 170:5). Rav Yoel notes that this is particularly noteworthy because of the profound Hashkafic ramifications of this dispute between Rabi Akiva and Rabi Elazar ben Azariah. Nevertheless, Rabi Elazar ben Azariah was sufficiently open-minded to be able to participate in a Seder with Rabi Akiva that followed Rabi Akiva's Halachic and Hashkafic views. Rav Yoel wished that the same would occur today. Rav Yoel creatively explained that it was the students of Rabi Elazar ben Azariah who entered the Seder and announced that it was morning and time to recite the morning time Shema. Rav Yoel surmises that since Talmidim tend to be less flexible than their Rebbeim, that the Talmidim of Rabi Elazar ben Azariah left the Seder in Bnei Brak after Chatzot in accordance with their Rebbe's view. They remained outside Rabi Akiva's home and were upset with their Rebbe's "caving" into Rabi Akiva's view, especially in light of the great Hashkafic implications of his view. However, once dawn came the Talmidim could not tolerate the situation any longer and marched into the Seder to put on end to what they perceived as an impropriety.

Conclusion According to Rav Yoel's beautiful Shiur, the dispute that rages today among Orthodox Jews regarding the State of Israel is a reflection of the ancient dispute between Rabi Akiva and Rabi Elazar ben Azariah. We, contemporary disputants, should learn a lesson from

the respect that Rabi Akiva and Rabi Elazar ben Azariah showed each other. Modern Orthodox Bnei Torah can be confident that they are following the "Derech" of Rabi Akiva and we can be respectful of Chareidi Bnei Torah who follow the "Derech" of Rabi Elazar ben Azariah.

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From: Jeffrey Gross [jgross@torah.org] Sent: Apr. 27, 2004 To: weekly-halacha@torah.org Subject: Weekly Halacha - Parshas Acharei Mos-Kedoshim

WEEKLY-HALACHA FOR 5764

By RABBI DONIEL NEUSTADT Rav of Young Israel in Cleveland Heights

A discussion of Halachic topics. For final rulings, consult your Rav
AN EARLY START TO SHABBOS: HOW AND WHEN

During the summer months, when the sun sets late in the evening, it is common practice in many communities to daven Ma'ariv and begin Shabbos early, long before sunset. There are a number of halachic issues associated with this practice that require review and clarification.

IS IT "PROPER" TO BEGIN SHABBOS EARLY? The idea of extending the Shabbos by ushering it in earlier than required has its roots in the Biblical mitzvah of tosefes Shabbos.(1) Indeed, as far back as the Rishonim Shabbos was ushered in early,(2) and the custom persisted in many European communities for centuries.(3) As we will explain, the poskim even permitted davening Ma'ariv before its proper time in order to begin Shabbos earlier. Many people feel that an early Shabbos enhances their oneg Shabbos and shalom bayis as it allows the family to enjoy the Shabbos meal at a reasonable hour and thus be imbued with the spirit of Shabbos.(4)

Nowadays, early Shabbos begins when the congregation recites mizmor shir l'yom ha-Shabbos in shul. Once that psalm is recited, it is considered as if Shabbos in all its aspects has begun even though it is still bright daylight outside.(5) Thus one may no longer daven the Friday Minchah,(6) but instead, he may daven Shabbos Ma'ariv, recite Kiddush and eat the Shabbos meal.(7) Obviously, he may no longer transgress any of the forbidden Shabbos Labors, neither Biblical nor Rabbinic.(8) It is permitted, however, to instruct a non-Jew - or even another Jew who has not yet begun Shabbos - to do a forbidden Shabbos Labor on his behalf.(9)

Women accept Shabbos when they light the Shabbos candles at home. L'chatchilah, they should daven the Friday Minchah before lighting candles,(10) but b'diavad they may rely on the poskim who permit women to daven Minchah even after lighting candles.(11) Note: Starting Shabbos early means that one accepts upon himself the sanctity and all of the halachos of Shabbos; it does not necessarily mean that it is no longer Friday and the calendar day of Shabbos has begun. Therefore:

1. The Friday evening Kerias Shema, which was recited during Ma'ariv, must be repeated at home after tzeis ha-kochavim, since the evening Kerias Shema is invalid if recited before nightfall.(12)
2. The Shabbos Sefiras ha-Omer should not be counted until night falls,(13) so one should count the omer at home after tzeis ha-kochavim. B'diavad, though, some poskim hold that if the omer was counted before nightfall, it is a valid count, and the counting may continue on the following days with a blessing.(14)
3. B'diavad, Friday's Sefiras ha-Omer may be counted [without a blessing] after davening Ma'ariv on Friday night, if it is not yet sunset.(15)
4. A woman who failed to make her hefsek taharah

before ushering in the Shabbos may, b'diavad, do so until sunset.(16) 5. A baby born on Friday evening before sunset but after the parents began Shabbos, will still have his bris the following Friday morning. His bar mitzvah, and a girl's bas mitzvah, will be based on their Friday birth date. 6. The yahrtzeit of a parent who died on Friday before sunset but after Shabbos was begun, will be held on the Hebrew date of that Friday.(17)

HOW EARLY MAY SHABBOS BEGIN?

Early Shabbos may begin at any time after plag ha-minchah. Shabbos candles which were mistakenly lit before plag ha-minchah are not valid even b'diavad;(18)they must be extinguished and rekindled, and the proper blessing repeated.(19)One who davened Ma'ariv before plag ha-minchah must repeat his Ma'ariv.(20)

WHEN IS PLAG HA-MINCHAH?

While it is agreed upon that plag ha-minchah takes place one and a quarter seasonal - a seasonal hour is one twelfth of the day - hours before the end of the day, there is disagreement as to what exactly is considered "day." Some poskim(21)maintain that the day begins at alos ha-shachar and ends at tzeis ha-kochavim. Plag ha-minchah, then, is an hour and a quarter before tzeis ha-kochavim.(22)But others(23)hold that "day" begins at sunrise and ends at sunset, which makes plag ha-minchah an hour and a quarter before sunset. Most calendars and luchos have adopted the second opinion as basic halachah,(24)and this is the custom today in many communities.(25)

HOW MAY ONE DAVEN MA'ARIV BEFORE SUNSET? ISN'T THIS THE TIME FOR MINCHAH?

On weekday nights, one should not daven Ma'ariv before sunset since this is the time designated for davening Minchah. Since each of the tefillos has its own time slot, davening Minchah and Ma'ariv during the same time period in the day is considered a "contradiction" which should be avoided. Still, on Friday night, most poskim permit davening Ma'ariv even before sunset, since by doing so we are gaining the benefit of extending the Shabbos.(26)But in order to avoid a direct contradiction with Minchah, the poskim suggest that Minchah be davened before plag ha-minchah and Ma'ariv after plag ha-minchah, thus retaining for each of the tefillos an exclusive time period. L'chatchilah, one should make every effort to follow this ruling.(27)For technical reasons, however, congregations sometimes find this time-frame difficult to adhere to, and they daven both Minchah and Ma'ariv after plag ha-minchah on Friday night. Some poskim have found grounds to justify this practice.(28)

IF A COMMUNITY OBSERVES THE EARLY SHABBOS MUST EACH INDIVIDUAL COMPLY WITH THE EARLIER ONSET OF SHABBOS?

Yes. In a small community, e.g., a Yeshiva, camp, hotel or bungalow colony that has only one congregation which ushers the Shabbos in early, all members of the community are obligated to begin Shabbos at that time. (29)But in communities which feature several congregations, some of which accept Shabbos early and others which do so on time, each household may join the congregation of its choice with the following provisions: * An individual must accept the Shabbos at the time "his" congregation does. "His" congregation means the shul where he is planning to daven this Friday night.(30)An individual may rotate from week to week, sometimes beginning Shabbos early and sometimes on time.(31) * Although an individual must refrain from transgressing any forbidden Shabbos labors once the community Shabbos begins, he may still privately(32) daven the Friday Minchah.(33) * A temporary or a permanent minyan which meets in a private home is not considered a separate congregation. Therefore, a private minyan may not make Shabbos on time if the rest of the community accepts Shabbos early. (34) * Many poskim hold that if a husband accepts Shabbos early, his wife and children must do so as well.(35)Others hold that a wife and children may accept Shabbos whenever they wish regardless of when the husband or father began the Shabbos.(36) * Poskim debate the status of a shul where the majority of the congregants wants to accept the Shabbos early

and a minority wants to make a second minyan in the same shul which will begin Shabbos on time. Some authorities do not allow for such an arrangement,(37) while others are more lenient. (38)

WHAT IS THE RATIONALE FOR NOT BEGINNING SHABBOS EARLY?

Many communities, especially in Eretz Yisrael and in Chasidic circles, do not begin Shabbos early under any circumstances.(39)There are several halachic reasons for their stance. To name but a few: The opinion of the Gaon of Vilna(40)and other poskim, that even on Friday night Ma'ariv should be davened only(41)after tzeis ha-kochavim.(42) As stated earlier, there is a difference of opinion as to the exact time of plag ha-minchah. According to the first opinion quoted, plag ha-minchah is actually much later than the one which is published in most calendars. Thus a woman who lights candles after the earlier plag but before the later one, and men who daven Ma'ariv and recite Kiddush at that time, subject themselves to a possible brachah l'vatalah.(43)Some opinions hold that the Shabbos meal must be eaten on Shabbos proper, not on the extended part of Shabbos.(44)

In addition to the basic rationale for starting Shabbos on time, there are a number of specific situations where some poskim recommend - as an extra stringency - that Shabbos not begin early. Among them: * When Rosh Chodesh falls on Friday night, it is questionable whether or not yaaleh v'yavo can be said before Shabbos proper begins.(45) * One who is commemorating a Shabbos yahrtzeit by reciting Kaddish and serving as the sheliach tzipbur, should do so on Shabbos proper and not on the extended period of Shabbos.(46) * A bar-mitzvah boy who is turning thirteen on Shabbos should wait until he becomes a certified adult - which does not take place until Shabbos proper sets in - before reciting Kerias Shema and davening Ma'ariv.(47) Rabbi Neustadt is Rav of Young Israel in Cleveland Heights, Ohio. He may be reached at 216-321-4635 or at jsrgross@core.com

FOOTNOTES: 1 See O.C. 261:2 and Beur Halachah (s.v. yesh). [Although not all Rishonim require tosefes Shabbos, all would agree that one may begin Shabbos early; see explanation in Meishiv Davar 1:18.] 2 See Terumas ha-Deshen 1. See also Tosfos, Berachos 2a (s.v. m'eimosai). 3 As is reported by Beur Halachah 60:5 (s.v. v'chein) and Aruch ha-Shulchan 235:8 and 267:8. 4 See Chayei Adam 6:1. 5 The poskim debate whether an early Shabbos is considered Shabbos min ha-Torah or only mi-derabanan; see Rav Akiva Eiger's commentary to Magen Avraham 253:26 and Beur Halachah 261:2 (s.v. miplag). 6 O.C. 263:15. 7 O.C. 267:2. 8 O.C. 261:4. Once Shabbos was accepted [by reciting mimzor shir] it cannot be retracted in any way; see Minchas Shabbos (Minchah Chadashah 76:1); Aruch ha-Shulchan 263:28 and Kaf ha-Chayim 263:22. 9 O.C. 261:1 and 263:17. 10 Mishnah Berurah 263:43. 11 See Minchas Yitzchak 9:20 and Shemiras Shabbos K'hilchasah 43, note 128. 12 Mishnah Berurah 267:6. 13 See O.C. 489:3 and Beur Halachah (s.v. v'yevarech) and Aruch ha-Shulchan 489:7. 14 See Beur Halachah 489:3 (s.v. mi-beod yom). See Shraga ha-Meir 6:41 who quotes some Rishonim who did so even l'chatchilah. 15 Igros Moshe O.C. 4:99-3. 16 Chochmas Adam 117:5; Aruch ha-Shulchan Y.D. 196:21. 17 Pischei Teshuvah Y.D. 375:6. Concerning sitting shivah, however, the halachah is that a mourner who found out about the death of a relative after davening Ma'ariv, does not start sitting shivah until the following morning; Y.D. 375:11 and Shach 14. 18 Mishnah Berurah 261:25 and 263:18. 19 Beur Halachah 263:4 (s.v. kodem). 20 Mishnah Berurah 267:4. See Aruch ha-Shulchan 263:19 for a dissenting opinion. 21 O.C. 263:4 as explained by Mishnah Berurah 19. 22 According to this opinion, the day beginning with alos ha-shachar and ending with tzeis ha-kochavim is divided into twelve parts, and one and a quarter parts before tzeis ha-kochavim is plag ha-minchah. But the exact moment of plag ha-minchah will depend on two more unresolved factors: 1) When, exactly, is alos ha-shachar - is it always 72 minutes before sunrise, or is it when the center of the sun is 16.1 degrees below the horizon-2) When, exactly, is tzeis ha-kochavim, is it 42, 50, 60 or 72 minutes after sunset? 23 This is the view of the Levush and strongly endorsed by Beur ha-Gra O.C. 459. 24 While Chayei Adam 33:1 and Mishnah Berurah 233:4, 261:25, 263:19 and 443:8 quote both views without rendering a clear decision, Shulchan Aruch ha-Rav 443:4, Kitzur Shulchan Aruch 69:2 and Aruch ha-Shulchan 233:14, 267:3; and 443:5 rule in accordance with the second opinion. 25 Harav M. Feinstein (oral ruling, quoted in Sefer Hilchos Chanukah, pg.21). See Minchas Yitzchak 4:53. 26 O.C. 267:2. See Magen Avraham for an additional reason to distinguish between Friday night and weekday nights. 27 See

Mishnah Berurah 267:3. Note, however, that Kitzur Shulchan Aruch does not mention this preference altogether, which explains why many communities are lax about davening Minchah before plag. 28 See Mishnah Berurah 233:11, Kaf ha-Chayim 233:12 and Ketzos ha-Shulchan 77:3. But only congregations are entitled to do so; individuals who davened Minchah after plag may not daven Ma'ariv until after sunset. 29 O.C. 263:12-13. See Igros Moshe O.C. 3:38 who questions - and remains undecided - whether or not this ruling applies nowadays, when accepting early Shabbos is made for the sake of convenience, and not for the sake of extending the sanctity of Shabbos. But other poskim, including Harav S.Z. Auerbach (addendum to Shulchan Shelomo O.C. 263, pg. 22), Harav Y.S. Elyashiv (oral ruling, quoted in Shevus Yitzchak vol. 8, pg. 234) and Shevet ha-Levi 7:35, reject this distinction. 30 Sha'ar ha-Tziyun 551:56. 31 Shulchan Aruch ha-Rav 263:19. See, however, Machatzis ha-Shekel 263:24 who holds that one is obligated to accept Shabbos at the time designated by the congregation where he regularly davens [even if he davens elsewhere that particular week]. Harav Y.S. Elyashiv is quoted (Shevus Yitzchak, vol. 8, pg. 237) as ruling that an individual who regularly davens with the early minyan in his shul must accept early Shabbos even if he is planning to daven in a later minyan which will meet in the same shul. 32 In his home or in the shul hallway. 33 O.C. 263:15 and Beir Halachah (s.v. shel). See explanation in Chayei Adam 33:4. 34 Mishnah Berurah 263:51. For a definition of a congregation, see Beir Halachah 468:4 (s.v. v'chumrei). 35 Mekor Chayim 263:17; Pri Megadim Mishbetzos Zahav 263:1; Aruch ha-Shulchan 263:22; Ketzos ha-Shulchan 76 (Badei ha-Shulchan 5); Shevet ha-Levi 7:35. 36 See Teshuvos R' Yonasan Shteif 42; Igros Moshe O.C. 3:38; Be'er Moshe 2:16. 37 Minchas Yitzchak 1:24; 10:20-2. See also Igros Moshe O.C. 5:15 and She'arim Metzuyanim B'halachah 75:1. 38 Be'er Moshe 2:19; Harav Y.S. Elyashiv (oral ruling, quoted in Shevus Yitzchak, vol. 8, pg. 237). 39 Indeed, Harav Y.S. Elyashiv (Koveitz Teshuvos 23) writes that he advises against making Shabbos in Eretz Yisrael early except in special cases. This also seems to be the view of Harav S.Z. Auerbach; see Shemiras Shabbos K'hilchasa 43, note 63. 40 Ma'asei Rav 15, quoted in Beir Halachah 235:1 (s.v. v'im). 41 Even if it menas davening with no minyan. 42 Still, in order to satisfy this opinion, one can begin Shabbos early and daven Ma'ariv after Kiddush and the Shabbos meal; Mishnah Berurah 271:11. See Ma'asei Rav 117 and Peulos Sachir. 43 See Mishnah Berurah 261:25 who seems to rule like the second opinion only l'chumrah but not l'kulah. 44 Mishnah Berurah 267:5. 45 Eretz Tzvi 1:25 quoting the Imrei Emes. See also Teshuvos v'Hanahagos 1:87. 46 Chelkas Yaakov 3:149. 47 Minchas Yitzchak 10:17. Weekly-Halacha, Copyright © 2004 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. The author, Rabbi Neustadt, is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos. The Weekly-Halacha Series is distributed L'zchus Doniel Meir ben Hinda. Weekly sponsorships are available - please mail to jgross@torah.org . Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. learn@torah.org 122 Slade Avenue, Suite 250 (410) 602-1350 Baltimore, MD 21208

From: RabbiWein@jewishdestiny.com Sent: April 29, 2004
Subject: RABBI WEIN'S WEEKLY COLUMNS

Parsha Archive April 30, 2004 ACHAREI MOT - KEDOSHIM The combination of Acharei Mot and Kedoshim as a double Torah reading for this coming Shabat has particular meaning even in the juxtaposition of the two parshiyot itself. Acharei Mot, as the name indicates, deals with personal and national tragedy - in this instance the death of the two sons of Aharon, Nadav and Avihu, on the day of their induction into the service of the priesthood. The situation caused by this terrible event demanded some sort of response from the Jewish people. The choices were many - abandonment of the priestly service altogether, rebellion against Aharon and Moshe, a decline of faith in G-d and the Jewish future or even in retaining a heart of bitterness and eternal sadness within the nation of Israel. However, the Jewish people avoided eschewing any of these paths. Instead they intensified their commitment to Torah and to Moshe and Aharon and were determined to continue on their path of nation building - to become a kingdom of priests and a sacred people. Thus the parsha of Kedoshim, which follows, attaches itself to the parsha of Acharei Mot and became the Jewish response to the very tragedy of the death of the sons of Aharon.

Parshat Kedoshim contains numerically more mitzvot than any other parsha in the cycle of Torah readings. Its mitzvot run the entire gamut of Torah commandments, attitudes and behavior, ranging from ritual to societal and national behavior. The Torah in Kedoshim (and the end of Acharei Mot) set the moral norms for business activities, for sexual matters, for human relationships and for the parameters of sacred behavior and values. It points the way to a realization of the aforementioned goal of being a kingdom of priests and a sacred people. By so doing, it is able to lift the Jewish people from the depression of tragedies suffered and inspire them to positive and productive goals and behavior. Overly dwelling on tragedy becomes an emotional burden that oftentimes stunts any further growth in life and future. The Torah does not explain the tragedy of Acharei Mot or its causes and neither does it apologize for its occurrence. Rather, what it does do is to give Israel a blueprint of detailed behavior that should be followed in order that it is not diverted from its holy and godly mission in life and the world.

In our time, we Jews have known much sadness and tragedy. We really have no explanations for what has befallen us in the past century. Many Jews continue to wallow in the tragedies and their aftermath. Many others unfortunately have simply given up on their Jewishness or on the hope of achieving a better world for Jews and humankind generally. But the parsha of Kedoshim comes to remind us that such responses are unhealthy and wrong. The rabbis teach us that "G-d wanted to purify and give merit to Israel and therefore He provided us with so much Torah and mitzvot." Acharei Mot must be followed by Kedoshim in order for the tragedy itself, so to speak, to have lasting meaning and memory, to become a positive force instead of a negative one in our lives. Our task is to rise from the ashes of sadness and woe and to face the future, to rise to the challenge of becoming a kingdom of priests and a sacred people. Then we will have lived up to the Torah commandment - Kedoshim tihiyu - be unto Me a sacred and noble people.

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From: ohr@ohr.edu Sent: Thursday, April 29, 2004 1:30 AM To: weekly@ohr.edu
Subject: Torah Weekly - Parshat Achrei Mot - Kedoshim
TORAH WEEKLY - For the week ending 1 May 2004 / 10 Iyyar 5764 - from Ohr Somayach | www.ohr.edu -- Parshat Achrei Mot - Kedoshim
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G-d's Waiting Room "When you shall come to the Land and you shall plant any food tree, you shall treat its fruit as forbidden; for three years it will be forbidden to you." (19:23)

With macabre humor, Miami Beach is called "G-d's waiting room" because it abounds with retirement homes and hotels for the elderly.

Retirement is a western concept, and one that has come under criticism from doctors in recent years. Studies have found that people who don't retire but stay involved in their work (albeit at a level that befits their age) have longer life expectancies than those who retire and relax into their "golden years".

My father, olov hashalom, who passed away a little over a year ago well into his ninety-third year, was a person who worked hard throughout his life and never retired. Every morning he would still go into the office and do his work. He went in later and came back earlier, but he still kept his life's routine.

Our Sages teach that G-d conceals our time of death from us so that we should remain active to the last.

The Roman Emperor Hadrian was once passing through the city of Tiberias in Eretz Yisrael. He noticed an elderly man exerting himself, tilling the soil around his fig trees.

"Saba! (Grandfather) Saba!" called out Hadrian, "Why are you working so hard? When you were young you had to toil to make a living, but now it's time to relax. Anyway, you will never live to enjoy the fruits of your labors."

The old man replied, "My task is to try and accomplish whatever my age allows. The Almighty will do as He sees fit."

"Tell me, please, Saba, how old are you?"

"I am a hundred years old."

"A hundred years old! And you actually expect to reap what you sow?"
"I if merit to eat the fruit of my labors, well and good; and if not, my efforts will benefit my children just as I have benefited from the toil of my forbears."

Said Hadrian, "Hear me Saba! If you ever eat these figs that you are planting you must surely come and let me know."

In due course, the figs ripened and abounded with fruits. The old man thought to himself, "I must go and tell the emperor."

He filled a basket with figs and traveled to the palace.

"The Emperor wishes to see me," he announced to the guards and they led him before the Hadrian's throne.

"Who are you?" asked Hadrian.

"Does the emperor remember years ago in Tiberias passing by an old man tending his figs? G-d has granted me to eat of those figs that I planted. I have brought the emperor a basketful as a gift."

Hadrian turned to his servants. "Take the figs from this elderly man and refill his basket with gold coins."

His courtiers questioned the emperor's generosity, "Why such an lavish gift for an old Jew?" Hadrian replied to them, "His Creator honored him with longevity; is it not proper that I too should accord him honor?"

The Creator does not want us to sit and read the newspapers in G-d's waiting room.

- Source: Vayikra Rabba 25:5

Written and compiled by Rabbi Yaakov Asher Sinclair

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From: Shema Yisrael Torah Network [shemalist@shemayisrael.com] Sent: Thursday, April 29, 2004 5:44 AM To: Peninim Parsha Subject: Peninim on the Torah by Rabbi A. Leib Scheinbaum - Parshas Achrei Mos/Kedoshim

PARSHAS ACHAREI MOS To bring atonement upon Bnei Yisrael for all their sins once a year. (16:34) Yom Kippur is not the only Festival that occurs once a year. Yet, the Torah emphasizes its singular annual occurrence. Why? Horav Eliyahu Lopian, zl, the venerable Mashgiach of Kfar Chasidim, asked this question in his shmuess, ethical discourse, on Yom Kippur 1960 shortly before Neilah, the Final Prayer of the day. In his reply, he cited the Talmud in Moed Katan 28 in which Chazal explain the juxtaposition of the death of Miriam upon the Parah Adumah, Red Heifer. Just as the Parah Adumah atones, so, too, does missas tzaddikim, the passing of the righteous, achieve atonement for Klal Yisrael.

By implication, Chazal are teaching us that it is possible to have more than one Yom Kippur during the course of the year. The passing of a tzaddik atones for his immediate family. If he is a great tzaddik, the effect of the atonement will be more widespread, and even his community will achieve atonement. If the gadol hador, preeminent Torah leader of the generation, passes away, it atones for the sins of the entire generation. This is the explanation of the words, "once a year." The Torah implies to us that Yom Kippur, with its concomitant atonement effect, should only occur once a year. In other words, we should not need the additional effect of a tzaddik's passing to remove the taint caused by our sins.

It occurred that shortly after Kol Nidrei, the opening prayer of Yom Kippur, was chanted, the gadol hador, the Brisker Rav, zl, passed away in Yerushalayim. No one outside of Yerushalayim knew of his passing until after Yom Kippur. How Rav Elya Lopian knew remains a puzzle. Furthermore, the Brisker Rav's son, Horav Yosef Dov, related that shortly before his father's passing, the Brisker Rav had said, "This year we will have two Yom Kippurim; one will go, and the other will come." You shall observe My decrees and My laws, which man shall carry out and by which he shall live. (18:5)

In his later years, The Brisker Rav, zl, was weak and infirm. Indeed, his close disciples sensed that every moment of his life was a struggle to fulfill the mitzvah of V'chai bohem, "And by which he shall live." When he took his various medicines, he would do so as if he was performing the greatest mitzvah. Every breath that he took was a mitzvah of "staying alive," simply to live as a Jew, because Hashem has given us this mitzvah. Horav Ezriel Tauber, Shlita, recollects that when his father became old, he was relegated to spending his days in a wheelchair. He could do nothing for himself. Everything was done for him. This was in stark contrast to his younger days, when - as a vibrant powerhouse of energy - he was able to raise kavod Shomayim, the honor of Heaven, by reaching out to thousands of Jews. Obviously, his present, sorry state catalyzed much depression. His children were always seeking ways to comfort and encourage him.

Once Rav Ezriel said to his father, "You know Hashem really did a great justice for you." His father looked back at him incredulously. "Let me explain," Rav Ezriel

continued. "Tell me, Father, which mitzvah in the Torah have you never fulfilled lishmah, for the sake of the mitzvah?" His father's shock became even greater. Was there a mitzvah that had eluded his appropriate performance? He had tried to perform each and every mitzvah meticulously, to the fine letter of the law. To what was his son alluding?

"Yes, Father, there is one mitzvah that you did not perform for the sake of the mitzvah: the mitzvah of V'chai bohem, "And by which he shall live." The Torah admonishes us to live as Jews, just for that purpose - to live as Jews. You, Father, have always lived to fulfill mitzvos, to perform acts of loving-kindness. Every breath that you have taken was to do something to elevate kavod Shomayim. You have never lived, however, just for the purpose of living. Have you ever taken a breath and said, "I am breathing solely for the purpose of fulfilling the mitzvah of V'chai bohem, so that there will be another living Jew in the world?"

"What did Hashem do for you? He provided you with the opportunity to serve Him fully. Seeing that every minute of your day was devoted to carrying out mitzvos, He saw to it that you could no longer do anything else but live for Him."

What a beautiful and powerful thought! Whoever would think that when Hashem removes our faculties, He is simultaneously providing us with an opportunity to live for Him and not for any other reason? Unquestionably, one must be on a very elevated plateau of spiritual conviction to understand what it means to live - just for the purpose of living as a Jew.

It happened that this past week, as I was reading this thought concerning the Brisker Rav, I also came across a poignant article about another Jewish hero, one who has recently passed away. He literally inspired thousands with his awesome faith and conviction. He exemplified living for the purpose of living as a Jew, since his physical condition did not allow him to carry out many activities. His name was Mikey Butler, zl, a giant of middos and emunah who spent more than half of his twenty-four years of life in hospitals.

I never met Mikey, but when he passed away, a friend of his called me just to talk. Mikey was sick all of his life, yet he lived every minute fully, for the purpose of living. He lived on the threshold of death with a powerful belief in the meaning and value of life. His life story is a tale of courage, faith and triumph. Every minute of life that Hashem granted him was used to live as a Jew should live. He never complained. Two months before Mikey passed away - at a time when he could no longer see, hear, breathe, walk or talk - Mikey said, "G-d is good." Indeed, Mikey coined a phrase, a motto by which we should all live: "Day by glorious day." He sought every opportunity to perform acts of chesed and to inspire others, which he successfully accomplished. He wanted so badly to live one day as a healthy person, without the multitudes of medicine that had become his daily staple. He never got his wish. He did, however, live his life to its fullest potential, using every minute that was allotted to him just to continue living as a Jew. His life was a source of inspiration to thousands. His story will continue on to serve as a blessing for him and a source of encouragement and hope to the many who will look to Mikey as the symbol of V'chai bohem.

PARSHAS KEDOSHIM Every man, your father and mother shall you revere. (19:3)

The Torah enjoins us to accord the proper reverence to our parents. While this mitzvah is imposed upon the child, it does not give a parent license to take unnecessary advantage of his child's mitzvah. Horav Yitzchak Zilberstein, Shlita, cites numerous instances in which parents take advantage of their children, asking them to perform menial tasks and errands that for the most part can and should be done themselves. "Bring me, take for me, do for me" are common requests that parents make of their children that impose needless obligations upon a child. Surely, it does not enhance a relationship, especially if the parent does this out of laziness or an overactive ego. Rav Zilberstein writes that in the home of his father-in-law, Horav Yosef Eliyashov, Shlita, such words were not heard. Never did he ask his children to do for him something that he could do for himself. Children are not slaves. They are people who also have to rest.

One must give respect if he wants to receive respect. Parents also have to respect their children. Taking unnecessary advantage is not a way to earn respect. Some parents feel that by asking their children to serve them, they are giving them the opportunity to perform the mitzvah of Kibbud av v'em, "Honor your father and mother." The proper way to do so is for the father to ask the child to "bring a glass of water/tea for your mother." When parents direct their request to the child, so that he serves the other parent, they encourage the aspect of honor without taking personal advantage for themselves.

You shall not steal. (19:11)

Horav Chaim Soloveitchik, zl, was wont to say that a thief is not only a rasha, a wicked man, but he is also a shoteh, fool. Hashem decrees at the beginning of each year the amount of money one will earn during the course of that year. He will not

have more - or less - than what is apportioned for him. If he is going to have the same amount regardless of what he does, why should he attempt to procure that money through avenues that are illegal and dangerous, if he can have it legitimately?

In the bais hamedresh of Novordok, the following analogy was told to emphasize this point. There was a villager who lived in abject poverty all year. Every year, before Pesach, he would receive a check in the mail from a wealthy relative overseas. He waited for this envelope like a fish needs water. In fact, waiting daily for the mailman to make his delivery became an obsession with him. He would go down the road and follow the mailman from house to house until he realized that he was not stopping at his house. He would then become depressed until the next day when his hopes for mail began anew. It was becoming increasingly difficult to control his impatience. He was in dire need of funds for Pesach, as well as the rest of the year.

One day, he saw the mailman coming from afar and began his usual ritual of following him. This time, however, he noted a large manila envelope sticking out of the mailbag. Surely, this envelope contained a large sum of money, enough to sustain his family for the entire year. He could no longer contain himself, and he grabbed the envelope from the mailbag and ran away to a secluded corner in the forest. He opened the envelope and was pleasantly surprised to see that it was addressed to him. Regrettably, he could not enjoy the "stolen" money, which was rightfully his, because the constable had just caught up with him. No explaining would deter the police officer. The man was a thief and must be taken to jail to pay for his crime. Nothing the poor man said made a difference. He was a criminal.

>From here the Baalei Mussar, ethicists, derive that even a thief will >not "earn" more than what is decreed for him. Therefore, he might as >well earn it in a legal and honorable manner. ...

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The Connection Between Acharei Mos and Kedoshim

Editor's Note: The following is based upon a shiur given by Rebbe u'Mori HaGaon HaRav Shlomo Elimelech Drillman, zt"l on 8 Iyar 5753 (4/29/93) as well as private conversations with the editor, based upon the teachings of his rebbe, Rabbeinu u'Moreinu HaGaon HaRav Yosef Dov HaLevi Soloveitchik, zt"l.

HaRav Drillman, zt"l explained that whenever Chazal established that two parshios would, under certain circumstances, be read together as a "double parsha" there must be a connection between the two. That being the case, what is the connection between the parshios of Acharei Mos and Kedoshim?

It is quite interesting that Sefer Vayikra is called Toras Kohanim because though the first few parshios deal with the halachos of the Avodas HaKohanim ending with the prohibition of Kohanim being intoxicated while performing the Avodah, in the middle of Parshas Shemini the Torah begins to discuss the halachos of Ma'achalos Assuros, forbidden foods. From here the Torah moves on to the halachos of Tumah and Taharah. Within this section the Torah tells us about those types of Tumah, such as metzorah, and a woman who has just given birth, which require the involvement of a Kohein. Then, in the first of the parshios at hand, Acharei Mos, the Torah discusses the Avodas Yom HaKippurim and the prohibition of bringing korbanos outside the of the Mishkan. This is followed with a discussion of various types of illicit sexual relationships.

HaRav Drillman said that The Rav, zt"l pointed out to a symmetry in how the above mentioned topics are presented by the Torah. The issur for a Kohein to perform the Avodah while intoxicated means that wine is considered a Ma'acholah Assurah, a forbidden food, for a Kohein who is about to, or in the middle of, performing the Avodah. Once on the topic of forbidden foods, the Torah then continues the same theme and describes those types of food that are forbidden to all Jews to eat. In other words the common denominator is that the Torah wants to stress that the concept of Ma'achalos Assuros applies to everyone, though in some cases there are halachos that are more restrictive such as a Kohein drinking wine during the Avodah.

When the Torah begins to teach us the laws of Tumah and Taharah we again find that the Torah is stressing that while there are aspects of Tumah that pertain specifically to the Kohein, such as Tzara'as, there are other types of Tumah that apply to all Klal Yisroel.

HaRav Drillman then presented the following two questions: Why does the Torah repeat the parsha of the Araiyois in both Acharei Mos and Kedoshim and what is the connection between the Avodas Yom HaKippurim and the Araiyois?

HaRav Drillman, citing The Rav, explained that the Torah presents the Azhorah, prohibition, of the Arayos in Acharei Mos, and presents the punishment, which is most often Kareis, in Kedoshim. The Rav commented that one must take careful note of the use of language in the two parshios as the difference in phraseology from one to the other is very important.

According to the Rambam not only are those specific relationships that are mentioned in the Torah forbidden, but Chibbuk v'Nishuk are also prohibited M'Doraisa. The Rav explained that the Rambam derived this halacha by the Torah's use of the words "Lo sikrivu l'galos ervah..."

If one carefully examines both parshios one will find that the concept of punishment is only mentioned in Kedoshim vis a vis the forbidden relationship itself and that it is mentioned only where the Torah uses the term "Shechiva". Therefore we see that the topic of Arayos discussed in Acharei Mos and Kedoshim is clearly linked together as one section.

Vayikra 19:1-2 -

Hashem spoke to Moshe, saying: Speak to the entire congregation [of] Bnei Yisroel and say to them: You shall be holy, for I, Hashem, your G-d, am holy.

Rashi: You shall be holy.

Separate yourselves from sexual crimes, and from transgression, for wherever you find a fence against sexual crime, you find holiness [mentioned]: "A harlot or a profaned woman [they shall not marry]... for I, Hashem, am Holy, [the One] Who makes you holy," "He shall not profane his offspring [among his people], for I am Hashem, [the One] Who makes him holy," "They shall be holy... a harlot or a profaned woman [they shall not marry]."

Based on this passuk Rashi points out that wherever we find a "Geder Ervah", precautions from refrain from illicit sexual relationships, we also find Kedushah. The concept of "Kedoshim tihiyu" means that in order for a person to attain the level of being a "kaddosh", holy, we must stay away from those areas which will bring us down in holiness. Examples of these are the concepts of Ma'achalos Assuros, Araiyois and Avodah Zara . (The concept of Avodah Zara being one of those areas which can bring us down in kedushah is found gleaned from the Torah mentioning that we are forbidden from imitating the idolatrous practices of the both Egypt and the seven Canaanite nations.) In fact, if one looks at the passukim one will notice that all of the topics that follow the prohibition of a Kohein to perform the Avodah while intoxicated fit neatly into the concept of maintaining Kedushah especially as the Torah mentions the concept of Kedushah in all these topics.

The Rav explained that it appears that the Rambam agreed with the statement of Rashi regarding the connection between the idea "Geder Ervah" and Kedushah. The Rav said that the idea that Kedushah requires that abstaining from certain activities explains why the Rambam included Ma'achalos Assuros and Biyos Assuros in Sefer Kedushah of the Yad Chazakah.

HaRav Drillman commented that he had asked The Rav, who concurred with the former's question, why the Rambam did not include the laws of Avodah Zara in Sefer Kedushah, since based upon the analysis laid forth above, Hilchos Avodah Zara would also belong in Sefer Kedushah. The connection between Avodah Zara and the Gidrei Zenus is the fact that the Torah uses the term "zenus" when discussing both topics.

HaRav Drillman asked why is it that we read the parsha of Araiyois at Mincha of Yom HaKippurim? Based upon the reasoning of The Rav, the answer would seem to be straightforward. The section of Acharei Mos that details the Avodas Yom HaKippurim, which we read in the morning of Yom HaKippurim describes the process through which Kedushah is restored to Klal Yisroel on Yom HaKippurim via the Avodah of the Kohein Gadol. The section that is read at Mincha of Yom HaKippurim relates to the Kedushah of Klal Yisroel that can be impacted by each and every Jew by refraining from forbidden sexual relationships. The parshios of Acharei Mos and Kedoshim is continuing the format of the previous Parshios by first discussing the types of Kedushah that are influenced by the Kohein Gadol and by then describing the Kedushah that is influenced by Knesses Yisroel. Therefore we see that both parshios have a shared theme - that of the Kedushah of Klal Yisroel. It is for this reason that we read this section at Mincha of Yom HaKippurim.