

Weekly Internet Parsha Sheet Emor 5770

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SERENITY :: Rabbi Berel Wein

My daughter was visiting here in Israel and she remarked to me that she noticed that there is a certain sense of serenity that exists here in Israel in people's lives that is lacking in America. I was surprised to hear that comment for it pointed to something that I never really gave much thought to previously. Since all of my descendants are wiser and more astute than their forbearer, I have therefore considered her comment soberly and seriously.

On the surface one would think that serenity was at the bottom of the list of adjectives to describe living in Israel. Constantly threatened with extinction by our enemies and always isolated and demonized by our so-called friends, our young people in military service with almost daily fire fights occurring, terrible traffic jams and less than exemplary driving habits, and a very raucous, opinionated and divisive political system and media are hardly the factors that seemingly would encourage a feeling of serenity in one's life.

Yet upon contemplating the matter further I have come to agree with her that the Land of Israel does bring a feeling of serenity to one's sense of soul and purpose. I attribute much of this feeling to the sense, even if unexpressed and never completely described, of fulfilling an ages old dream in one's lifetime and experience. I am often struck by the number of times I have said to myself upon visiting places here in Israel "What would my ancestors have given to be here and see this site in the Land of Israel under Jewish sovereignty!" Then this feeling of serenity and accomplishment begins to overwhelm me.

Another factor in this ephemeral but unexpressed serenity is that people here are basically satisfied with their lives. Survey after survey, over the years, show that at least three quarters of the Israeli population expresses itself as being happy with their lives. This is a far higher percentage than that recorded in the polled population of the United States or Western countries generally.

The lesson of the rabbis that wealth can only truly be measured by one's satisfaction level of the life and assets that one possesses is certainly true here in our society. Again, I attribute this to the fact that people have a sense of a higher purpose – albeit again usually unexpressed but still present – in just living here.

There is a sense of history and destiny that shrouds the life of every Jew living in the Land of Israel. It gives our lives here a certain surreal and spiritual quality that compensates for any imagined material lack that one may think is present in one's life.

The Torah community in America can have very little influence on American life generally – rather the opposite is true. American life strongly impacts the Jewish community and its Torah community as well. This fact is true in all exiles and diasporas since Jews are always a small minority of the population. Here in Israel there is a large Torah community that impacts all of Israeli life in various ways and here we are always dealing with a Jewish community that is the strong majority population of the country. That contributes to an underlying sense of pride and purpose that leads to satisfaction in one's life and to this sense of serenity that permeates our country and its people.

The Torah itself states that outside the Land of Israel the Jews would always be burdened by having a *lev ragoz* – a troubled, dissatisfied, frustrated sense of spirit and life itself. The tensions of living in the exile are omnipresent. One is driven either towards assimilation into the general non-Jewish society with the accompanying feelings of subliminal alienation and regret or towards a constant struggle to retain one's Jewish identity in the face of an overwhelmingly negative cultural majority.

In any event, psychological serenity and satisfaction are rare to find between these choices of attitudes and practices. The *lev ragoz* haunts

Jewish life in the exile and is part of the life and community of Jewish existence in the exile. The Torah views this type of life in the exile as "dwelling in darkness" – the description it gives of the great Babylonian Talmud itself since it was composed in the exile of Babylonia.

Israel, the land and the people who dwell in it, experiences a Jewish life that exists nowhere else – with the special serenity of life and purpose of existence

Shabat shalom.

Weekly Parsha :: EMOR :: Rabbi Berel Wein

The dangers of establishing a priestly class are apparent to all. It can breed and lead to discrimination against others, corruption, misuse of power and position and an unwarranted sense of hubris and entitlement amongst the priests.

In the ancient world all societies had a priestly class. But these priests usually had temporal power as well and were seen as possessing magical and supernatural powers. In a world of idolatry and superstition this naturally gave them additional stature and powers.

To a great extent this situation was inherited and sanctified by the Church itself when Christianity became the dominant religion of the Western world. Because of this, the Church has suffered scandal and rebellion throughout its centuries and certainly in our day as well.

Papal infallibility has only added to the problem already existing because of a strongly entrenched priestly hierarchy that often disdains the public it is meant to serve. Yet no faith can exist without leadership and committed public servants. The Torah recognizes this in this week's parsha with the special role it assigns to the kohanim – the descendants of Aharon – in Jewish life, especially in times of the Temple.

The service of the kohanim and the existence of such a group itself were deemed essential by the Torah to assure a full Jewish life of Godly values and public worship. The kohanim served to bind the disparate tribes of Israel together in the service of God and to give direction to national life and moral goals. The kohanim were the "angels" of God to the people, the guardians of the faith and the teachers of Israel. They were also to always serve as the role models for proper moral behavior and holy probity.

Thus the special laws and standing applied to kohanim, as described in this week's parsha, came to serve as a safeguard against their potential abuse and exploitation of power and position. The kohein was not to be the king, he owned no land by right of being one of the tribes of Israel and he was subject to special familial restrictions – all meant to enhance his position of a servant of God and of the people.

In Tanach we read that in spite of all of these safeguards, the kohanim in both the First and Second Temple periods were eventually corrupted by power and avarice. The prophets became the true "priests" of Israel, the moral role models and spiritual leaders of the Jewish nation. The Hasmoneans who were kohanim, in spite of their initial great piety and heroism, violated the rules of balance of power ordained by the Torah and usurped the monarchy for themselves in spite of being kohanim.

Eventually this led to disastrous consequences for the Jews. The Second Temple saw great corruption in the ranks of the kohanim with the office of the Kohein Gadol being bought and bartered. Thus the rabbis of the Mishna and later the Talmud became the spiritual "priests" of Israel. Yet the kohanim have retained their special identity and position within the Jewish world over these many millennia. They are to be respected and we are to be grateful to receive their blessings and services.

Shabat shalom.

Ohr Somayach :: Torah Weekly Parshat Emor

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by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com

Overview

The kohanim are commanded to avoid contact with corpses in order to maintain a high standard of ritual purity. They may attend the funeral of only their seven closest relatives: father, mother, wife, son, daughter, brother, and unmarried sister. The kohen gadol (High Priest) may not attend the funeral of even his closest relatives. Certain marital restrictions are placed on the kohanim. The nation is required to honor the kohanim. The physical irregularities that invalidate a kohen from serving in the Temple are listed. Terumah, a produce tithe given to the kohanim, may be eaten only by kohanim and their household. An animal may be sacrificed in the Temple after it is eight days old and is free from any physical defects. The nation is commanded to sanctify the Name of G-d by insuring that their behavior is always exemplary, and by being prepared to surrender their lives rather than murder, engage in licentious relations or worship idols. The special characteristics of the holidays are described, and the nation is reminded not to do certain types of creative work during these holidays. New grain may not be eaten until the omer of barley is offered in the Temple. The Parsha explains the laws of preparing the oil for the menorah and baking the lechem hapanim in the Temple. A man blasphemes G-d and is executed as prescribed in the Torah.

Insights

My Son – The Rabbi

“You should sanctify him (the kohen), for he offers the food of your G-d...” (21:8)

After learning in a yeshiva for many years, a friend of mine finally decided that he would take smicha — a complex examination that would enable him to practice as a rabbi in a community.

When he passed the test and was awarded his smicha — a rather unimportant-looking document that looked more like a letter from the water company than a diploma — his rabbi suggested that he get it written out beautifully onto parchment by a scribe and present it to his parents so they would appreciate the significance of his achievement.

Outside the Torah community, the value of Torah learning is often not fully recognized. When told that a son is ‘learning Torah’ the question is often asked, “Well when is he going to finish learning and start working?” Truth be told, there is no higher calling, no more important job than the learning of Torah for its own sake. Rabbi Chaim Velozhiner writes in Nefesh HaChaim, that were there a split second where someone somewhere was not learning Torah, the entire creation would return to primordial chaos.

But it’s difficult to see that, and so Torah scholars are often looked at as Torah schnorers.

When our Holy Temple stood in Jerusalem, the Kohen Gadol, the High Priest, was supported totally by gifts from the community. Nevertheless it was forbidden to look down on him; rather “you should sanctify him” because “he is offering the food of your G-d.”

When the kohen ate from the offerings it was as though the offering was ascending from the Holy Altar to the Heavens for the benefit of the supplicant.

Similarly, “Anyone who wants to pour wine on the Holy Altar should fill the throats of Torah scholars with wine.” (Yoma, 71a)

Funding Torah scholarship is the same as an offering to the Holy Temple. It brings forgiveness and holiness to its patron.

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Peninim on the Torah by Rabbi A. Leib Scheinbaum

Parshas Emor

He may not contaminate himself to a (dead) person among his people... except for the relative who is closest to him... the Kohen who is exalted above his brethren upon whose head the anointment oil has been poured... He shall not come near any dead person. (21:1, 2, 10, 11)

The Kohen hedyot, common kohen, is prohibited from becoming tamei, ritually contaminated, to a corpse other than that of his seven closest relatives. The Kohen Gadol, High Priest, had a higher level of kedushah, sanctity. Thus, he was prohibited from coming in contact with any dead body - even that of his own father or mother. The commentators note that the laws of tumah which apply to the Nazir are similar to those of the Kohen Gadol. The Nazir is also forbidden from becoming tamei to anyone, including his parents. They wonder why the Nazir's kedushah transcends even that of a Kohen hedyot. Which characteristic of the Nazir places him on an even keel with the Kohen Gadol?

Horav Eliyahu Schlesinger, Shlita, quotes the Avnei Nezer who explains why a Kohen hedyot may contaminate himself to the seven close relatives. A person is born a kohen. In other words, one does not earn Kehunah; he does not take a test and, after demonstrating proficiency, become a kohen. All it requires is to be born to a father who is a kohen. He expends no effort. Therefore, since the privilege of being a kohen is a birthright, the kohen is permitted to become tamei to his closest family members. Family begets kehunah. Therefore, a Kohen hedyot is permitted to contaminate himself to family.

The Nazir, however, becomes a Nazir of his own volition. One is neither born a Nazir, nor must he be related to a Nazir. One accepts the rite of nezirus upon himself. It is not a familial obligation or trait. It is a personal obligation. One seeks to elevate himself, to raise his level of kedushah. He takes a vow of nezirus. Since nezirus does not result from family ties, the Torah does not allow a dispensation for the Nazir to contaminate himself to family. It is not that the Nazir's sanctity is greater than that of the Kohen hedyot. It is just that he does not have the dispensation of family.

Likewise, the Kohen Gadol might attribute his initial entry in the Priesthood to his pedigree, but becoming Kohen Gadol is a position which he earned on his own. He just fit the part. Thus, he was chosen to play the role. Since his status is not family-derived, he does not warrant the family dispensation. He must maintain his elevated level of kedushah, unable to defile himself to anyone.

Not being able to rely on pedigree is a reality with which the baal-teshuvah, recent returnee/penitent, must contend. Indeed, the baal teshuvah comes to religious observance very much like a person without parents. He has neither inherited a heritage, nor does he have family traditions that have been handed down to him through the generations. He has commenced a journey that he is starting at the very beginning. He has to establish traditions for himself which many of us take for granted. Nothing in the life of the baal teshuvah is "for granted." Every step of the way is a grueling climb upward, without the support of family and friends. He now has new friends and new family whom he must learn to trust and from whom he must learn a new way of life.

A connection to the past, even if one's pedigree is simple, is in itself a critical factor in religious observance. The knowledge that the custom or tradition that one performs has been transmitted to him from an ancestor makes it compelling and vibrant. Indeed, such awareness strengthens one's bond with his religious observance. It adds an element of warmth and intimacy in what otherwise can be a cold and mechanical act. Often, the baal teshuvah does not have this connection, magnifying the intensity of his uphill climb.

We see now why the Nazir is treated with such esteem, similar to the Kohen Gadol. They both achieved their position as a result of their own actions. They could have been like everyone else, but, they aspired for a greater, loftier plateau. They did not fear the added obligations. On the contrary, they welcomed them. It is difficult to be a trailblazer, especially when the status quo is less demanding and quite acceptable. It takes great commitment and strength of character. This is why these individuals - who stand alone in many ways - are able to achieve the pinnacle of service to Hashem.

He shall not leave the Sanctuary. (21:12)

In Hilchos Klei HaMikdash 5:6, the Rambam writes: "The Kohen Gadol should have for himself a house/room in the Mikdash. It is called the lishkas Kohen Gadol, room set aside for the High Priest. It is his glory and

splendor to remain in this room the entire day, until the night, when he goes home... This should be his home in Yerushalayim from where he does not leave." The Kohen Gadol was provided with an office in the Sanctuary where he would spend his day engrossed in spiritual endeavor, in an environment of the utmost sanctity. As Klal Yisrael's spiritual leader, he belonged in the center of holiness. This defined his life.

On the surface, this sounds utopian, an idyllic way to spend one's life, surrounded by holiness and purity. The Kohen Gadol was free to delve into the esoteric meanings and workings of Hashem's world, but we wonder if this may not be some sort of spiritual incarceration. Prison is a punishment. Being locked up and having one's freedom severely restricted - relegated to remain in a given place without freedom to leave-- does not produce a happy person. Veritably, many people live in one place, one community, one home for years on end, and they are completely satisfied. The choice, however, is their own; it has not been imposed upon them. They are free to leave at their heart's desire. They remain by choice, not by imposition.

Horav Chaim Shmuelevitz, zl, cites such an instance, providing us with a penetrating insight into the true meaning of freedom. Shimi ben Geira vilified and cursed David Hamelech prior to the king's death. On his deathbed, David Hamelech spoke to his son and successor, Shlomo: "Now, therefore, do not hold him guiltless, for you are a wise man, and you will know what you should do to him, and you shall bring him to the grave with blood" (Melachim I 2:9). Shimi's insolence warranted punishment, which David wanted his son to execute, utilizing his extraordinary wisdom.

In compliance with his father's instructions, Shlomo Hamelech called Shimi over to him and warned him: "Build for yourself a house in Yerushalayim and dwell therein, and do not leave it neither to here or to there. For on the day that you will leave and cross the valley of Kidron, know that you will die; your blood is on your head" (Melachim I 2:36, 37). Shlomo gave strict instructions which he reaffirmed with a stern vow. How was Shlomo's unparalleled wisdom manifest here? It does not seem like he was making any great demands of Shimi. Rav Chaim explains that herein lays his legendary chochmah, wisdom. Many men had successfully and happily lived their entire lives in Yerushalayim, never feeling the external imperative or internal desire to leave. Shimi could easily have spent the rest of his mortal life happily ensconced in the pristine spiritual environment that Yerushalayim offered. In addition, the knowledge that, upon leaving, he was forfeiting his life should have been a motivating factor in his remaining there. What compelled him to leave?

The Rosh Yeshivah explains that it is certainly possible to live in Yerushalayim, the joy of the entire earth, without ever leaving. Once a person is forced to stay, however, Yerushalayim suddenly becomes an unbearable prison. He will do whatever he can to free himself from this incarceration - even risk his life. With his profound wisdom, Shlomo Hamelech was aware of this, and he prepared this gambit which would ensnare Shimi. He knew that by compelling Shimi to stay in Yerushalayim and by reinforcing this with a solemn vow, Shimi would have to break the bonds that shackled him and leave Yerushalayim. No one wants to be restricted. "No" is a difficult pill to swallow and some of us actually choke on it.

Why is this? What makes man's nature so intolerant of compulsion? Why could Shimi not remain in Yerushalayim? If it is so different, how does the Kohen Gadol deal with his "restricted environment" within the Sanctuary? Horav Shimshon Pincus, zl, cites a debate in the Talmud Chagigah 12a concerning the creation of Adam HaRishon. Rabbi Elazar posits that originally Adam reached from the earth until the sky, meaning that Adam stood on the earth and was able to reach up to the heavens. After he sinned, Hashem placed His hand upon him and diminished him. Rav Yehudah disputes this, contending that, at creation, Adam had reached from one end of the world to the other. This means that when he lay down, his head reached to the eastern extremity and his legs to the western extremity. After his sin, he was diminished by Hashem. While these teachings are analogies, the surface meanings have a certain logic to them, which the commentators address.

For our purposes, we are presented with two approaches towards understanding the "nature" of Adam HaRishon prior to and following, his sin. Rav Pincus explains that the diminution of Adam does not mean that he was "cut down," but rather, that the entire width of the world from east to west was constricted into one space: Adam. Thus, after the diminution, Adam still maintained a natural desire to "stretch out" and be a part of the vast world which at one time he had encompassed. We now understand why any externally imposed inhibition of man, which restricts him to a specific place, goes against his natural tendency, causing him great pain.

Man enjoys traveling; visiting new and far away places intrigues him. He is fascinated by what he has not discovered, and he waits with great anticipation until his next trip. Children can sit quietly in a car for hours as they gaze out the window, thrilled with the new sights. Why? Man used to envelop the entire breadth of the world until it was all constricted within the small place he occupied. Thus, seeing something new, discovering a place to which he has not yet been is an adventure which returns him to his pre-sin status, when it was all subjugated to him.

Rav Pincus feels that an important point is hidden within Chazal's words. The Talmud reconciles the divergent opinions concerning Adam's pre-sin size: vertically tall from earth to heaven; horizontally wide from the eastern extremity of the world to its western extremity. In other words, chad shiura hu, "It is all one size." - the distance from one end of the world to the other parallels the distance from earth to heaven. One thing is certain: man does not encompass both directions. He is either horizontal or vertical.

Hashem grants a person the ability to fulfill all of his natural needs. Thus, if he has a natural proclivity to encase and enjoy the world from one end to the other, he is given the ability to visit with his mind, to dream, imagine, study about every area in the world. Today, man can embrace an entire world electronically - by phone, by air. In seconds he can be aware of what is occurring on the other side of the globe. Man truly covers the entire breadth of the world.

This is what Hashem has done for our contemporary generation. Today it is difficult for most of us to be circumscribed to a small four-by-four area. We thrive on open spaces; we need room to stretch out our bodies and minds. Restriction inhibits us, but life has not always been like this. In previous generations, the Jew's mind soared - vertically. His feet were planted on terra firma, while his mind was aloft in the heavens. His thoughts were about spirituality and wisdom, intellectual development and spiritual enhancement - not about where to spend Pesach or where to visit in the summer. Even the non-Jewish world was more interested in accumulating wisdom, precisely because man was vertical. With time, we changed. No longer do we stand on our two legs, our head straight up towards heaven; we are bent over, our face to the ground, our thoughts horizontally focused.

This is the meaning behind the Torah's enjoinder to the Kohen Gadol, "He shall not leave the Sanctuary." At first glance, it seems restrictive, almost a form of incarceration. The "poor" Kohen Gadol is stuck in Yerushalayim, relegated to a life of restraint, his movements limited, his circle of activity impeded. This is how it may appear. The Rambam, however, does not take this approach. He considers the Kohen Gadol's "confinement" to be his glory and splendor. When man stands erect, upright, his head facing the heavens - not laying down stretched out on the ground - he is in his most glorious state.

Those of us who, regrettably, live for the here and now, who thrive on every bit of news from all four corners of the world, have a choice: we can continue as we have in the past, with the news spewed forth electronically, regardless of its "yeshivish" origin, as our oracle. Alternatively, we can look up to heaven, living vertically, listening for the "sounds of silence" provided by a life of holiness and purity.

Hashem's appointed festivals that you are to designate... for six days, work may be done. (23:2, 3)

One, who does not learn, has a difficult time comprehending the symbolic message of a particular mitzvah. With this in mind, I attempt to come to grips with those who do not observe Shabbos kodesh in one way or

another. Some individuals never begin to accept Shabbos as a holy day of rest, and others who observe the "rest" part, have a limited perception of its sanctity. Many wonderful people simply do not know or do not understand. Surely, if they would know the message of Shabbos, their reaction might be different. Let me explain.

Rashi comments on the connection between Shabbos and the Moadim, festivals. The Torah is teaching us that desecrating the festivals is tantamount to the desecration of Shabbos, whereas one who fulfills his obligations on the festivals is considered as if he has kept the Shabbos. How are we to understand this statement? Horav Moshe Feinstein, zl, elucidates this as follows: The goal of Shabbos kodesh is the belief in Creation. Hashem created the world in six days. On the seventh day, He rested. Thus, Shabbos commemorates and affirms the Divine act of Creation. Therefore, one who desecrates Shabbos is viewed as if he denied Creation. Clearly, those who do not observe Shabbos never consider this idea. For the most part, they do not observe Shabbos, because they either do not know better or are accustomed to justifying their lack of observance with a variety of self-serving excuses. Denying Hashem's part in Creation, however, never crosses their minds.

The festivals represent Hashem's continued direction of the world and the forces of nature, thus protecting Klal Yisrael. Hashem redeemed us from Egypt, but He did not leave it at that. He continued to guide our safe passage through the wilderness. Through His control of nature, He performed the various miracles that accompanied us during our forty-year sojourn: the Clouds of Glory enveloped us; He miraculously supported and sustained an entire nation, providing for their every need; and He bestowed upon us Torah and mitzvos to guide us through life. In other words, the festivals embody our belief that Hashem did not just create the world and leave the rest to the forces of nature. We believe that Hashem controls and guides every aspect of the world, including our lives.

Half of a faith is meaningless. To believe that Hashem created the world and then neglected it or delegated it to angels - or to whatever forces one conjures in his limited mind - indicates a lack of belief in the fundamentals of Creation. One who believes that the world is controlled by any force other than Hashem Himself also does not see any need to observe the Torah, which is Hashem's communication to us. Partial belief is no belief.

We see this from the generation of Enosh, as explained by the Rambam in the beginning of Hilchos Avodah Zarah. That generation believed that after Hashem created the world, He delegated its continued control to the heavenly bodies. Thus, we should worship them as agents of Hashem. The consequence of such erroneous belief is that the individual altogether forgets about Hashem. Therefore, when one desecrates the festivals which are a testament to Hashem's direction and guidance of the world, it is as if he had desecrated the Shabbos. Likewise, if one maintains the conviction that Hashem does control the world - after the fact disputing Hashem's role in Creation - or if he rejects the date given us by the Torah concerning when the world was created, his belief in Divine Providence is compromised. For this reason the mitzvah of Shabbos is juxtaposed upon the Moadim: because the fundamentals of these two institutions of faith are interdependent. Likewise, belief in the Divine origin of the Torah - both the Written and Oral Law - is an essential prerequisite for belief in Hashem, without which, the belief in Creation is of no value. This is the underlying message of Shabbos and the Moadim. Hopefully, understanding their significance and the message they impart will induce greater observance of the positive and prohibitive halachos entailed therein.

Seven weeks - they shall be complete. (23:15)

We are instructed to count seven-weeks/forty-nine days between Pesach and Shavuos. The Midrash makes an intriguing statement: "When are they (the seven-weeks) complete? When Klal Yisrael performs the will of Hashem." What does carrying out Hashem's will have to do with the completeness of the weeks? Horav Avraham Schorr, Shlita, cites Horav Bunim, zl, m'Peshischa, who makes a fascinating observation concerning the concept of time.

In Tehillim 39:6, David Hamelech says: "Behold, like handbreadths have You made my days." What is the Psalmist teaching us? The Peshischa explains that when one is measuring seventy feet of cord by hand, all he really has in his hand is one tefach, handbreadth, at a time. When these handbreadths are added up, he has completed measuring the rope. Each tefach is exclusive of the other. The one which he counted is past, and the one which he is about to count is not yet in his hand. All he has is the handbreadth of rope which he is holding. Time is similar to counting rope. We only have the present. The past is gone; the future is not yet here. We have the "moment" - the handbreadth of time.

David Hamelech is exhorting us to seize the moment, not to worry about the past: it is gone. Do not worry about the future: it is not yet here. When a person is admonished to make good use of his time, to transform his status quo into a more acceptable lifestyle, his response often is twofold. As a young man, he claims that the future appears foreboding: too much work; too much responsibility; "too much" everything. When he has already reached middle-age, he reminds himself of the past, his life's habits, which are "so difficult" to change. Now he claims that it is "too late." Why should he bother going through the demanding process of change? Between the tendencies of the past and the ambiguities concerning the future, one is given little hope of altering his present way of life. This is how the Chassidic masters understand the meaning of the verse which we recite in Tefillas Maariv: V'haseir satan milfaneinu u'mei'achareinu. "And remove spiritual impediment from before us and behind us." There is a satan/impediment which deters us from growing spiritually. It comes "before us," painting a bleak picture of the future, demonstrating how difficult it is for us to undertake to change our present way of life. If that does not work, there is the satan "behind us," recounting our past practices and predilections that are adverse to changes. So why bother? The response is: "Forget about the past; ignore the future; deal with the present; seize the moment and change your life!"

Rav Schorr takes this idea a bit deeper. He quotes his father Horav Gedalyah Schorr, zl, who expounds on the pasuk in Bereishis 24:1, "And Avraham was old, well on in his years." Ba'ayamim is translated literally as "he came in his days." The Zohar HaKadosh comments, "He came with all his days." The Rosh Yeshivah explains that he was able to connect all of the days of his life. How? When we think about it, a person states his given age as twenty years old or sixty years old. What does this mean? All we really possess; all that is present before us, is "today." What relationship does one have with the past? It is gone. The sum total of his life does not really matter in stating his age, because the past is gone. His age is "one" day - today!

A person who studies Torah and performs mitzvos does something special with his time: he eternalizes it. Every moment which he devotes to spiritual pursuit is not lost. It achieves eternal merit and accompanies him forever. Avraham Avinu came with all of his days, because nary a minute of his life had not been spent actively serving Hashem.

David Hamelech asserts that time is but a handbreadth, meaning that one only possesses what he has at the moment, because nothing appears to amalgamate the days of his life. One form of adhesive, however, can bond together the days of one's life. He perpetuates his days when he performs acts of infiniteness, when he performs mitzvos and good deeds, studies Torah, giving meaning to his life. Suddenly, the days become one continuum of time sanctioned to Hashem.

We now understand how the forty-nine individual days become temimos, complete. When we carry out the will of Hashem, we are able to connect the days into one complete forty-nine day block of time that is wholly dedicated to Hashem. Time is the most significant gift that we receive from Hashem. Every moment of life is precious, a treasure that many of us squander. A moment wasted is a moment lost forever, a gift from G-d that we have allowed to slip through our fingers. Rav Schorr quotes the Chidushei HaRim who applies this idea to the often-quoted Mishnah in Avos 1:4, Im lo achshav eimasai, "If not now - when?" The achshav, "now," which presents itself to man has never been here before and will never be here again. It is now or never! If he does not make use of this

achshav, he will never ever have another opportunity to act, because this achshav will be gone. If not now - when?

You shall count for yourselves from the morrow of the rest day... until the morrow of the seventh week you shall count fifty days... You shall convoke on this very day, a holy convocation. (23:15, 16, 21)

The season separating Pesach and Shavuot-- or the period devoted to counting the Omer-- is one of ambiguity. This is because no date is attached to it. The Omer is brought "the day after Shabbos" and continues on until Shavuot, which is referred to as the "fiftieth day." For some reason the Torah refrains from identifying the starting and finishing points of the Omer on the calendar. Why? The Nesivos Shalom explains that the season between Pesach and Shavuot is about completion; it completes what had begun on Pesach and hangs in midair waiting for the process to continue to fruition on Shavuot. In other words, Pesach, Shavuot and the span of time between them, during which we bring the Omer and proceed counting seven-weeks until Shavuot, all correspond to one conceptual event: freedom.

Freedom does not just happen. It is a process that progresses and matures. Pesach freed us from the Egyptian bondage, from the oppression and persecution, from the pain and deprivation. We did not fully earn our freedom, however, when we passed through the gates of Egypt. Only when we received and accepted the Torah did we truly achieve freedom. During the Sefirah, period of counting of the Omer from Pesach until Shavuot, we proceed in distancing ourselves from the impurity of Egypt. When we left, we were one/fiftieth of the way there. This is how the Nesivos Shalom understands the concept of Va'chamushim alu Bnei Yisrael me'erez Mitrayim, "Bnei Yisrael were 'armed' when they went up from Egypt" (Shemos 13:18). The word chamushim is related to "five," intimating that leaving Egypt was the first step in the process that continued on for fifty days.

The second aspect of the process was purifying our middos, character traits, in preparation for receiving the Torah. Our inner shortcomings short-circuit our ability to have Torah properly entrenched within us. The gimatria, numerical equivalent, of forty-nine, the number of days between Pesach and Shavuot, is lev tov, good heart, which according to the Mishnah in Pirkei Avos 2:13, is the most important aspect of self-development. Indeed, the heart is the seat of all the middos.

The Torah provides no date because it is all one conceptual festival commemorating the Jew's freedom. The "seven-week festival" is a progression evolution towards total freedom, from jettisoning the shackles of their Egyptian oppressors to becoming devoted servants of Hashem. Each year, as we celebrate this prolonged festival, we become an active part of the experience called freedom.

Va'ani Tefillah

Kol Haneshamah tehallel Ka/ All souls shall praise Hashem, or/The totality of the soul shall praise Hashem.

Horav Avigdor Miller, zl, observes that David Hamelech writes Kol Haneshamah, using the hay ha'yediah, demonstrative hay, rather than simply stating kol neshamah, every soul. This teaches us that while all souls should participate in praising Hashem, it is also essential that all of the soul - including all of its potential qualities - should be enlisted in offering praise to the Almighty. The soul is endowed with many different qualities. It can meditate, be melancholy, be humbled, or be elated; and all of these qualities can - and should - be activated and developed to serve Hashem. There is a specific time and place when each trait should be roused and put to use. In addition, the pasuk summons all kinds of souls, the various personalities of man who have tendencies towards different attitudes, those who: often meditate; are always filled with joy; are humble and obsequious; marvel at Hashem's wonders; and are chilled out, calculated, who takes things slow. Just as each individual is urged to incorporate his divergent qualities into one harmonious blend, so, too, is each individual, regardless of his personal proclivity, to unite with others, so that all contribute their qualities together to praise Hashem. "All" of one and all "ones" should focus on offering their combined gratitude to the Almighty.

I'zechar nishmas R' Moshe Yehuda Leib ben Asher Alter Chaim z"l By his family

Rabbi Yissocher Frand on Parshas Emor The Smell of the Esrog Is Equated With The "Smell of Torah"

Parshas Emor includes the Torah section relating to the Jewish holidays. Regarding the mitzvah to take the Four Species [Vayikra 23:40], the Baalei HaTosfos write that one of these four species, the esrog, has both a pleasant taste and a pleasant aroma. This fruit represents righteous Jews who have the aroma of Torah and the taste of good deeds. The palm tree, on which the lulav grows, has pleasant taste but no aroma. This symbolizes the average Jew who has the pleasant taste of doing mitzvos but does not necessarily possess the aroma of Torah scholarship. The hadas [myrtle], with aroma but no taste, symbolizes Jews who have Torah scholarship but do not possess the pleasant taste of having done good deeds. The arava [willow], with neither taste nor flavor, symbolizes the Amei Ha'Aratz [peasants] who have neither the aroma of Torah nor the taste of good deeds. The Baalei HaTosfos conclude with the well known homiletic teaching: We bind all four species together to symbolize that G-d is not pleased with the Jewish people until they bind themselves together as one unit.

Let us analyze the symbolism of the Baalei HaTosfos in equating the aroma of the esrog and hadas with the aroma of Torah. What does it mean to say that a Talmid Chochom has the "smell of Torah"? Rav Simcha Zissel makes a very interesting comment: The Moshiach is described in Yeshaya [11:1-2] as "an offspring from the great plant of Yishai upon whom will rest the Spirit of G-d, the spirit of wisdom and discernment, the spirit of counsel and strength, the spirit of knowledge and Fear of G-d." After all these accolades describing the Moshiach, the pasuk says [11:3] "and G-d will cause him to have an aroma (v'heericho) of Fear of Hashem, such that he will not need to judge by the vision of his eyes nor argue based on that which he hears with his ears."

This aroma that he will possess will give him the uncanny ability to rule not only based on his eyes and ears but even with that special quality of aroma that G-d will grant him. What is this idea of "V'heericho"?

The Ramban in his Torah commentary on the pasuk "And you shall do that which is straight and proper in the Eyes of Hashem" [Devorim 6:18] explains this mitzvah as attempting to ascertain the true Will of the Almighty behind each of the 613 mitzvos. Even regarding the things which we are not explicitly commanded, we should try our hardest to do that which we feel is right and proper in His Eyes, for He Loves that which is good and straight.

Even if something does not appear in the list of mitzvos and does not appear in the Shulchan Aruch [Code of Jewish Law], we have an obligation as Jews to try to understand what the Almighty really wants from us. The Moshiach is going to be gifted with this intuitive knowledge of what the Almighty really wants. G-d will infuse him with this innate - almost instinctive knowledge of what He really wants. Therefore, there will be cases appearing before him that do not appear in Shulchan Aruch and yet he will know what to do despite the lack of any legal precedent. He will have the "aroma of the Almighty" about him. He is so permeated by the Spirit of Hashem that he will be able to smell what is right and what is wrong.

Why is smell the metaphor for knowledge?

When one walks into a room and his wife is making chicken soup for Shabbos, he does not need to taste the chicken soup to know what's cooking. He knows what's cooking. He smells the chicken soup. When there is aroma, one does not need taste to understand what is there. This is the quality that Moshiach will have.

This is what the Baalei HaTosfos mean when they speak about the aroma of Torah (in comparison to the aroma of the esrog and hadas). They mean a person who has the "sense of smell" of Torah. He can smell what is right and what is wrong. This is the concept of "Da'as Torah". One who possesses true "Da'as Torah" has the aroma of Torah such that he can intuit what is right and what is wrong, even in the absence of clear precedent. He

can perceive what the Torah wants and want the Almighty wants by instinct, as if by smell.

The Indictment Of Rabbi Akiva's Students

During the period of Sefiras HaOmer, 24,000 students of Rabbi Akiva died. Our sages say it was because they did not show proper respect for one another [Yevamos 62b]. This seems to be a rather serious punishment for such a light offense. Why were they deserving of such harsh judgment? The Talmud [Kesubos 62b] relates the story of an ignorant shepherd named Akiva, who Rochel the daughter of the wealthy Kalba Savua wished to marry. She fell in love with him according to the Gemara, because he was "modest and a good person". She knew that if he would apply himself to Torah studies, he would become a great scholar. Her father threatened that he would disown and disinherit her if she married such an ignoramus. She married him anyway. They were paupers for 24 years. We know the rest of the story.

Tosfos in Kesubos ask how it could be that the Gemara there describes Rabbi Akiva as a "good person" when the Talmud elsewhere [Pessachim 49b] says that Rabbi Akiva (when he was an ignoramus) used to hate Torah scholars and would (if he could) bite into them like a donkey. Tosfos answers that Rabbi Akiva expressed this attitude not out of hatred for Torah scholars per se, but out of resentment that they kept themselves aloof from the masses. He perceived (perhaps erroneously) haughtiness on their part and therefore could not stand such perceived arrogance.

Tosfos means that Akiva was, in fact, a good person - so good that he could not tolerate it when others put on airs and looked down on the masses. He felt that this was an affront to other (simpler) people and - good person that he was - felt an urgency to defend the honor of even simple people who were ignoramuses.

Given the fact that Rabbi Akiva was such a righteous and pious individual when it came to defending the rights of even simple ignoramuses, the critique of his students was all that much greater for not following in their master's footsteps regarding showing honor for their fellow students. For that harsh critique, they unfortunately died during the days of Sefiras haOmer.

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD
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Parshas Emor: Mitzvah Vigilante

By Rabbi Mordechai Kamenetzky (Matzav.com)

The Torah tells us in this week's parsha, "u'shmartem es mitzvotai, v'aseesem osum — watch the mitzvot and do them" (Vayikra 22:31). What does watch mitzvot mean. If one does a mitzvah he is surely doing more than watching them. Watching mitzvot seems quite passive. Observant Jew is a term used for those who actually perform the and adhere to the laws, and the curious word observant, perhaps, indeed comes from the Hebrew word u'shmartem. But doesn't Hashem want us to be more than just watchers. If He tells us to do mitzvot, then surely we watch them! Why the double, if not redundant, expression? This past Thursday evening I went to be Menachem Avel (in the vernacular — pay a shiva call) a friend, Rabbi Zissel Zelman, who was sitting shiva for his father. He is a Chicago native whose father, Rabbi Zelman, grew up in Chicago way before Torah Judaism had flourished there. Reb Zissel related that as a young man, his father would pass the newsstand every Saturday night after shul to pick up a paper. As he did not carry money with him, he had made an arrangement with the vendors to return on Sunday morning to pay the vendor.

Rabbi Zelman was not interested in the sports pages nor was he interested in the headlines. In fact he was not interested in the paper altogether. Rabbi Zelman bought the paper for his mother. She also was not interested in the sports or the news. She was interested in the dead. Every Saturday night she would comb the paper looking for announcements of tombstone unveilings that were to take place on Sunday at the Jewish Cemeteries. An unveiling is a time when people are charitable, and the elderly Mrs.

Zelman would go to the cemeteries and raise funds from the gathered for Yeshivos in Europe in Israel. She would eventually turn the coins into bills and send the money overseas. A plaque hangs today in the Slobodka Yeshiva in Israel commemorating her efforts.

Perhaps the Torah is telling us more than just doing mitzvot. It is telling us to watch for mitzvot. Be on guard. There are hundreds of opportunities to find mitzvot and to do them. But we must be observant and vigilant. There are hundreds of mitzvot that pass by our very eyes. Scores of Good Mornings.

Hundreds of packages we can help lift, as well as spirits. There are hundreds of hearts we can help heal as well as small acts of charity we can fulfill. Perhaps the Torah is telling us more than watch the mitzvot that come our way. Perhaps it may be telling us to be on the lookout for those that are out there waiting for us to observe them!

Matzav.com

The Omer: Grateful Beyond Measure

Rabbi Benjamin Yudin (The TorahWeb Foundation)

We find ourselves in the period of the Omer. In Parshas Emor (23:15) we are taught "You shall count for yourselves, from the morrow of the rest day when you bring the omer of the waving, seven weeks they shall be complete". A few basic questions are in order.

We know that an omer is a dry measure. We first encounter the term in conjunction with the manna, Shemos (16:16): "This is the thing that Hashem has commanded, gather from it for every man according to what he eats, an omer per person." Why then is the korban brought on the second day of Pesach known as the Korban Omer? Yes, an omer's worth of barley was brought as a korban, but it seems strange that it should be called "the dry measure korban". Moreover, in the bracha instituted prior to the counting why not say, "V'Tzivanu al sfiras shavuot - and He commanded us to count weeks", for indeed we are counting the weeks to the holiday of Shavuot; why do we instead say "al sfiras haomer - to count the omer"?

Rav Yaakov Tzvi Mecklenburg zt"l in his Haksav V'Hakabalah offers a novel fresh interpretation. He says that we should not focus on the omer as a dry measure but rather as it is used in Devorim (24:7) "If a man is found kidnapping a person of his brethren, among the Children of Israel 'V'Hishamer Bo - and he enslaves him or subjugates him' and sells him, that kidnapper shall die and you shall remove the evil from your midst".

The word omer means to subjugate and that is the application and understanding in relation to this time, korban, and mitzvah of counting. The Torah refers to the Korban Omer in Vayikra (2:14) as a "Minchas Bikurim - a meal offering of the first grain to Hashem". When one is blessed with prosperity, represented by the first grain, there is always the possibility of erroneously attributing the success of their labor to themselves, as the Torah cautions in Devorim (8:17) "and you may say in your heart, my strength and the might of my hand brought me all this wealth". Therefore, the Torah mandates that the kohein take the omer of barley and wave it in all directions to indicate that this produce and bounty came from Hashem.

In addition, the designation of this time as "omer", as for example the title of chapter 493 of Shulchan Aruch Orach Chaim is "the laws applicable in the days of the omer", may be interpreted in light of the above as days of subjugation, or our willingness to yield to a Higher Authority. Thus, for each individual, starting with the second day of Pesach, a psychological and intellectual commitment is being reinforced by their personal counting of the omer. In a sense one is declaring, "count me in". This also sheds light on the minhag Yisrael to study Pirkei Avos during this time of omer, providing concrete formulae of true omer - subjugation to Hashem.

The Gemorah Shabbos (31A) explains the verse from Isaiah (33:6) "V'Haya emunas eatecha..." as referring to the six sections of the mishnah. "Emunas" refers to the section of the Zeraim, which deals almost exclusively with the agricultural laws of Eretz Yisrael. It is called

“emunas- faith”, explains the Yerushalmi, because the farmer who sows his seeds places his faith in Hashem. The subsequent teaching by Rava is that when each individual is brought before the heavenly tribunal for judgment, they will be asked (a) did you conduct your business honestly, or, more precisely, with faith? (b) did you set aside fixed times for Torah study?, for if one believes that his business success or livelihood is from Hashem, then it follows that he was afforded this blessing to enable him to set fixed times for Torah study. (This is the one form of the subjugation of the omer period).

In Parshas Emor, each holiday is presented and its specific laws taught in a paragraph dedicated exclusively to that holiday. The paragraph of Shavuot, however, concludes (23:22) with a description of seemingly irrelevant agricultural gifts to the poor such as leaving the corner of the field (pe’ah) for the poor to harvest themselves and leaving the fallen gleanings of the harvest (leket) for the poor. The paragraph of Shavuot concludes this way because these laws embody the message of the omer. If the produce is mine, the result of my knowledge, expertise, and farming acumen, then why should I necessarily share my produce with the less fortunate? However, if I recognize and acknowledge that it all comes from On High, I subjugate myself to His Higher Authority, and His requiring the dispensing of my assets to the poor and needy is very much in place. A greater commitment to needs of others and of the community is an implementation of the true character and essence of the omer.

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Rav Kook on the Torah Portion Emor: Eating before Yom Kippur The Ninth of Tishrei

While there are several rabbinically-ordained fasts throughout the year, only one day of fasting is mentioned in the Torah:

"It is a sabbath of sabbaths to you, when you must fast. You must observe this sabbath on the ninth of the month in the evening, from evening until [the next] evening." (Lev. 23:32)

This refers to the fast of Yom Kippur. The verse, however, appears to contain a rather blatant 'mistake': Yom Kippur falls out on the tenth of Tishrei, not the ninth!

The Talmud in Berachot 8b explains that the day before Yom Kippur is also part of the atonement process, even though there is no fasting: "This teaches that one who eats and drinks on the ninth is credited as if he fasted on both the ninth and tenth."

Still, we need to understand: Why is there a mitzvah to eat on the day before Yom Kippur? In what way does this eating count as a day of fasting?

Two Forms of Teshuvah

The theme of Yom Kippur is, of course, teshuvah - repentance, the soul's return to its natural purity. There are two major aspects to teshuvah. The first is the need to restore the spiritual sensitivity of the soul, dulled by over-indulgence in physical pleasures. This refinement is achieved by temporarily rejecting physical enjoyment, and substituting life's hectic pace with prayer and reflection. The Torah gave us one day a year, the fast of Yom Kippur, to concentrate exclusively on refining our spirits and redefining our goals.

However, the aim of Judaism is not asceticism. As Maimonides wrote (Mishneh Torah, Hilchot Dei'ot 3:1):

"One might say, since jealousy, lust and arrogance are bad traits, driving a person out of the world, I shall go to the opposite extreme. I will not eat meat, drink wine, marry, live in a pleasant house, or wear nice clothing... like the idolatrous monks. This is wrong, and it is forbidden to do so. One who follows this path is called a sinner.... Therefore, the Sages instructed that we should only restrict ourselves from that which the Torah forbids.... It is improper to constantly fast. "

The second aspect of teshuvah is more practical and down-to-earth. We need to become accustomed to acting properly and avoid the pitfalls of material desires that violate the Torah's teachings. This type of teshuvah is not attained by fasts and prayer, but by preserving our spiritual integrity while we are involved in worldly matters.

The true goal of Yom Kippur is achieved when we can remain faithful to our spiritual essence while remaining active participants in the physical world. When do we accomplish this aspect of teshuvah? When we eat on the ninth of Tishrei. Then we demonstrate that, despite our occupation with mundane activities, we can remain faithful to the Torah's values and ideals. Thus, our eating on the day before Yom Kippur is connected to our fasting on Yom Kippur itself. Together, these two days correspond to the two corrective aspects of the teshuvah process.

By preceding the fast with eating and drinking, we ensure that the reflection and spiritual refinement of Yom Kippur are not isolated to that one day, but have an influence on the entire year's involvement in worldly activities. The inner, meditative teshuvah of the tenth of Tishrei is thus complemented by the practical teshuvah of the ninth.

(Gold from the Land of Israel pp. 210-212. Adapted from Ein Eyah vol. I, p. 42.)

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Weekly Halachah

Rabbi Doniel Neustadt (dneustadt@cordetroit.com)

Yoshev Rosh - Vaad HaRabanim of Detroit

The Internet: Halachic Guidelines

One of the great issues facing Orthodox Jews today is the Internet dilemma. On the one hand, Internet use has taken over our society as no other medium has. It is everywhere – to the degree that it is extremely difficult to live without it. And if present trends continue, in just a few short years all of our business activities, government interaction and general communication will be solely through the Internet. There just does not seem to be a way to avoid its use, certainly not altogether, and certainly not for the vast majority of people.

On the other hand, it is a tremendous danger, both spiritually and physically. The Internet is filled with immoral and decadent sites which have the capability of destroying one's yiraas shomayim and tzenius rapidly, before one even realizes how entrapped he is in their tentacles. It exerts a powerful force over many people that - if left unregulated - has the potential to destroy the fabric of the Jewish home. There are countless horror stories about young people falling prey to online seducers and the tragic consequences of their encounters. There is no need to repeat here that which is well known and documented.

So, in a perfect world, the Internet should be banned altogether. At this point, there are still many people who are able to do that, and hopefully they will be able to continue doing so. Unfortunately, many people are unable to live their lives without some type of Internet connection, and it is those people who must follow the guidelines established here so that they may protect themselves and their families from inevitable harm.

Question: Is there a halachic obligation to install a filter on a computer with Internet access?

Discussion: It is a strict Torah prohibition for a man to gaze – even glance - at a woman who is immodestly dressed,¹ and one is required to do whatever is humanly possible in order to avoid this prohibition. The Talmud says that it is even forbidden for a man to go about his daily affairs in a setting where peritzus is present if there is “an alternative route” available.² A man who chooses a “peritzus route” when he has a kosher alternative, is described by the Talmud as a rasha, even if he does not intend to glance at the peritzus violations, and even if he closes his eyes during the entire encounter.³

Since it is well known that the Internet is – to say the least – a medium beset by horrible peritzus, one who uses the Internet to go about his

business must take every precaution to avoid peritzus. Even a person who has no intention of viewing immodest or indecent material is subject to such sight as a result of an accidental click or a surprise popup advertisement. Therefore, installing an effective filter that could block such peritzus on each and every computer one uses, at home, office, notebook or laptop, is mandatory, and in keeping with the Talmud’s requirement of choosing “an alternative route” to go about one’s business. Thus it is an halachic obligation to install a filter on any and all computers that one uses for his needs. One who fails to do so has chosen to reach his destination via “the peritzus route,” and to incur the Talmud’s epithet for a person who makes that choice.

There are many different filters - some of them free of charge - that can be installed, and one should do research to find the most effective one for his computer.⁴ Regardless of the filter being used, however, it is highly recommended to have someone else install the filter in the computer, protect the filter with a password, and keep the password hidden from the user. This way, the user can not be tempted to uninstall the filter in a moment of weakness.⁵

Question: Are women obligated to install a filter in computers used exclusively by them?

Discussion: Women, too, are obligated to install a filter on the computers that they use. While most poskim are of the opinion that there is no specific prohibition for women to gaze at men, all poskim agree that it is forbidden for a woman to gaze or glance at pictures or stories of immoral conduct.⁶ Since there is no lack of such sites on the Internet, women are required to protect themselves by installing a filter on their personal computers. Failure to do so means that they have chosen to go about their business via “the peritzus route.”

In addition to all of the above, there is another reason why all computer users – men and women - are required to install computer filters: We are commanded by the Torah to not only refrain from sin, but also to make sure that our fellow Jews, and especially our own family members, do so as well. Any computer with unrestricted Internet access is an open invitation for others to use it. One’s children or grandchildren, the children’s or grandchildren’s friends, the babysitter, the occasional guest, are just some of the people who may be using your computer without your knowledge or consent. Having an unfiltered Internet available to all is similar to placing a stumbling block before the blind,⁷ which the Talmud expands to include those who cause others to sin.⁸

People also need to be made aware that an unsecured Internet connection (DSL line) can be tapped into by others in the vicinity, and is another potential stumbling block which can be easily avoided by securing one’s Internet access.

Question: Secure servers such as YeshivaNet and Jnet cost significantly more than the standard providers. Is one obligated to spend more money on these security upgrades?

Discussion: As mentioned earlier, every computer must be guarded with a filter and a password. If set up properly, those filters will be enough to fulfill the requirement of pursuing the “alternative route” discussed previously and one is not required to spend money on additional security upgrades for protection.

There are, however, some situations when a password and a filter are not sufficient. Primarily, this would apply when one’s computer is used by other people, e.g., one’s children or their friends. Some people, especially young people who may be more computer savvy than the computer’s owner, are adept at deciphering even the most advanced passwords and breaking through some of the best filters available. It is also important to know that even a computer which is filtered and password protected can be bypassed by plugging the Internet access directly into a laptop. If this is a possibility, one may have no choice but to switch to a more expensive provider which has the ability to block indecent sites from ever reaching the computer and which is much more difficult to bypass.

Question: A highly effective tool to protect users from Internet dangers is a computer monitoring system [such as WebChaver] which alerts an appointed monitor of any inappropriate sites visited by the user, thus creating a strong deterrent. If, in fact, the monitor receives reports of consistent inappropriate activity by the user, may he inform the user’s rav of his findings?

Discussion: At the time that the user and the monitor make their arrangements, they must decide what will take place if the monitor discovers that the user has visited forbidden sites: Does the monitor have permission to share this information with the user’s wife, husband, rav/rosh yeshivah, etc., or not?

If, according to the terms agreed upon, the monitor does not have permission to divulge any information, it is questionable whether or not he may do so. Although speaking lashon ha-ra for a worthwhile purpose is permitted, and discussing the matter with a third party who may help the user overcome his addiction could certainly be beneficial and therefore permitted (and indeed a mitzvah),⁹ in our case it might be more harmful than beneficial to divulge the information; for if the monitor were to break his word and divulge his secret information, the user will likely be angered by the breach of trust and be unwilling to accept rebuke or help.

However, since not all cases are alike, a rav should be consulted. Certainly, if the monitor discovers that the user is placing himself in physical danger through his Internet use, he may do whatever is necessary to protect him from harm.

Question: Is an employer required to notify his employees that he is planning to install a monitoring system on their personal computers so that he will be able to track their activities?

Discussion: This will depend on the common practice in the specific industry or business. If it is common practice to install a monitoring system on employees’ computers, then the employer need not notify his employees that he is doing so. If, however, this practice is generally not followed and the employer is doing something unexpected by the employees, then he must notify his employees before monitoring them.

Question: Are parents halachically required to follow school rules which forbid or restrict Internet use in their home?

Discussion: When parents register their child at a school of their choice, they obligate themselves to adhere to the school’s rules. Parents who deceive the administration by deliberately defying those rules are transgressing the prohibition against gneivas da’as, which is a form of stealing via deception, and is forbidden min ha-Torah.¹⁰ Possibly, they are guilty of monetary theft as well, since the school’s administration is empowered by its donors to run the school as they see fit;¹¹ parents who benefit from the school while violating the school’s rules, are misusing the donors’ money, a possible violation of the prohibition against stealing.

It is important to add that parents are obligated to know what their children are doing in their free time. If they suspect that a child may be visiting a neighbor who has unrestricted Internet use, the parents must put an immediate stop to it – even if doing so will cause a strain in the relationship with their neighbors. The important concept of darchei shalom, which includes maintaining a friendly relationship with one’s neighbors, should not be a factor when it comes to protecting one’s children from spiritual and physical dangers.

Question: Is it permitted to visit the so-called frum news websites or blogs which often contain lashon ha-ra and rechilus, or offensive material about Torah ideals or Torah scholars?

Discussion: Obviously, it is forbidden for one to read forbidden material such as those enumerated above. Certainly, if one did come across such material, he is not allowed to accept the information at face value. Still, not all frum websites are created equal: some are more careful than others in the halachos of lashon ha-ra, etc. Sometimes, too, there may be some benefit to the information being published. It is imperative, therefore, that each frum website employ a rav who will be available to rule on

questionable material – whether it may, or should, be published. A frum website that does not engage a rav to rule on these questions is, by definition, not frum, and therefore should not be patronized by frum people. Certainly, anyone who advertises or supports frum websites that do not follow Halachah is guilty of aiding and abetting transgressors - clearly forbidden by the Shulchan Aruch.¹²

It is important to add another point: A cursory review of the popular frum websites reveals that most of the forbidden material is found not in the presentation of the news itself, but rather in the readers’ comments attached to the news item. The comments, which are written anonymously and without acceptable restriction or censorship, range from sheer, blatant kefirah to outright lashon ha-ra and degradation of all that is holy in yiddishkeit. Any site which allows comments such as these to appear on its website is not worthy of being allowed into a Jewish home.

Question: Is there a problem with utilizing a neighbor’s Wi-Fi (wireless network) without his express permission?

Discussion: Accessing another person’s wireless network without his permission may be forbidden on both halachic and legal grounds. Private individuals with an Internet connection pay monthly for a subscription to an Internet Service Provider (ISP), entitling them to a limited amount of access (“bandwidth”) to the Internet. The speed of the access and the strength of the data signal will depend on the amount of available bandwidth; the wider the bandwidth the faster and better the service. When someone else shares that bandwidth space, even if he is merely checking his E-mail, he diminishes the available bandwidth albeit slightly. If he is downloading a large (multi-media) file, then the reduction in available bandwidth can be quite substantial. Either way, the subscriber is being denied total and full access to the bandwidth he is paying for and thus suffers a financial loss. This is considered stealing¹³ and is forbidden on halachic grounds.¹⁴

On legal grounds, too, this may be forbidden, at least in some states. The Florida Statute known as the “Florida Computer Crimes Act”¹⁵ reads: “Whoever willfully, knowingly, and without authorization: Accesses or causes to be accessed any computer, computer system, or computer network; commits an offense against computer users.” A similar law exists in Pennsylvania and in others states. Wherever an activity is illegal, engaging in it may also be a transgression of dina demalchusa dina.¹⁶ If there is a possibility of causing a chilul Hashem, then the prohibition is magnified many times over.¹⁷

Question: Is it permitted to read Email intended for others which mistakenly ended up in your inbox?

Discussion: It is well known that R. Gershom along with his colleagues in the tenth century instituted a number of “takanos” (Halachic rulings), enforcing some of them with a cherem, a strict ban which is a form of excommunication.¹⁸ One of the bans was directed at protecting the privacy of communication between individuals, forbidding one from reading private mail intended for another person.¹⁹ There does not seem to be any justification for differentiating between a letter sealed in an envelope and intended for the eyes of the recipient only, and an electronic communication intended for the recipient only; in both cases it is forbidden for one to read another person’s mail.²⁰

There are, however, situations where it may be permitted – or even required - to open another person’s E mail. A parent or principal who suspects his child/student of communicating with undesirable persons, or an employer who suspects an employee of theft, are just some examples of people who may be permitted to search through personal Emails in order to either confirm their suspicions or to exonerate the innocent. Still, the decision to violate a cherem – even for a compelling reason - is a serious issue which should not be undertaken without consulting da’as Torah.²¹

1 “Immodestly dressed” means that that her legs from the knee and above, her sleeves from the elbows and up, or her neckline from the collarbone and down are not completely covered.

- 2 A modern-day example would be shopping in a store where the checkout lanes are staffed by clerks who are immodestly dressed. If a kosher alternative exists, one is required to avoid the “peritzus route.”
- 3 Bava Basra 57b, as explained by Rashbam. See explanation in Shemiras ha-Lashon 6:5, Be’er Mayim Chayim 14, Igros Moshe, E.H. 1:56 and Chut Shani, E.H. 21:5.
- 4 For more information on the various filters available, call The Technology Awareness Group: 267-295-1954.
- 5 An even greater deterrent is having a monitoring system set up where reports of inappropriate sites visited are sent to another person (whom one appoints as his monitor).
- 6 See Igros Moshe, E.H. 1:69 and Chut Shani, E.H. 21:3.
- 7 Vayikra 19:14.
- 8 Pesachim 22b.
- 9 See Shemiras ha-Lashon 10:2 for the details involved in this halchah.
- 10 Ritva, Chullin 94a. Some Rishonim maintain that gnevias da’as is mi-derabanan.
- 11 In Halachic terms, the school’s administration is the equivalent of a gizbar of hekdesch who has the authority to administer hekdesch as he sees fit; see Ketzos ha-Choshen 276:2.
- 12 See Shach, Y.D. 151:6.
- 13 Even if the amount being stolen may be less than a shaveh perutah, it is still forbidden to do so min ha-Torah; C.M. 348:1 and Sma 1. In reality, however, the theft in our case could be much more than a shaveh perutah.
- 14 It makes no difference if the individual with the Internet connection is a Jew or a non-Jew; either way, stealing from him is forbidden min ha-Torah; C.M. 348:1, Shach 2 and Aruch ha-Shulchan 1.
- 15 Chapter 815.06 (1) (a).
- 16 See Igros Moshe, C.M. 2:62.
- 17 See Tosefta, Bava Kama 10:8.
- 18 The laws concerning a person who is in cherem are discussed in Y.D. 334.
- 19 This ban, among others, is mentioned by Be’er ha-Golah, Y.D. 334:48. He adds that once the letter has been discarded, the ban is no longer applicable.
- 20 See Aruch ha-Shulchan, Y.D. 334:21 who questions whether or not it is permitted to read a postcard addressed to someone else, since the writer made no effort to hide the contents of the postcard. But even if we rule that it is permitted to read a postcard, it would not permit the reading of Email which is supposed to be a secure way of communicating.
- 21 See Maharik, Shoresch 184: Whoever violates a cherem is as one who violates a law in the Torah.

The Mitzvah of ViKidashto – To Treat a Kohen with Respect Rabbi Yirmiyohu Kaganoff

Question: I know the Torah teaches that we are to treat a kohen with honor, yet I always see people asking kohanim to do favors. Am I permitted to ask a kohen to do me a favor?

Answer:

You are asking a very excellent and interesting question. It is correct that a look at the early poskim implies that one should not ask a kohen to do him a favor, yet the prevalent custom is to be lenient. Let us explore the subject to see whether this practice is correct.

In Parshas Emor, after listing many specific mitzvohs that apply uniquely to the Kohen, the Torah states: “And you shall make him (the kohen) holy, because he offers the bread of your G-d. He shall be holy to you because I Hashem, who makes you holy, am Holy” (VaYikra 21:8). We are commanded by the Torah to treat a kohen differently since he is charged with bringing the offerings in the Beis HaMikdash (Gittin 59b; Rambam, Hilchos Klei HaMikdash 4:2).

There are both positive and negative aspects to this mitzvah. A kohen who violates his kedushah by marrying a divorcee or other woman prohibited to him should be separated from his prohibited wife. The Gemara states that “you shall make him holy,” even against the kohen’s will. Thus, when the Jewish community and its besdin have control over Jewish affairs, they bear the responsibility to force a kohen to divorce his wife under these circumstances (Yevamos 82b).

There is also the positive aspect of this mitzvah, which is to treat the kohen with honor. According to the Rambam, this responsibility is considered a mitzvah min hatorah (Sefer HaMitzvos Aseh 32; Hilchos Klei HaMikdash 4:2), whereas other rishonim contend that this aspect of the mitzvah is only midarabanan (Tosafos, Chullin 87a end of s.v. vichiyiv; Tur, Yoreh Deah 28; Bach ad loc.). Later poskim rule that the mitzvah to treat a kohen with respect is indeed min hatorah (see Magen Avraham 201:4 and Mishnah Berurah op. cit.).

How Should the Kohen be Honored?

The Gemara explains that this respect manifests itself in several ways: “The kohen should open first (liftoach rishon), he should bless first, and he should take a nice portion first” (Gittin 59b, Moed Katan 28b). Similarly, the Talmud Yerushalmi (Berachos 5:4) teaches that when a yisrael walks alongside a kohen, the kohen should be given the more honorary place, which is on the right.

What is intended by the Gemara when it states that “the kohen should open first”? Some commentaries explain that this means that the kohen should be the first

speaker, whether in divrei torah or at a meeting (Rashi, Gittin 59b). Others explain it to mean that the kohen should receive the first aliyah when the Torah is read (Rambam, Hilchos Klei HaMikdash 4:2 and Rashi in Moed Katan 28b).

The kohen should make the brocha on the meal first (Rashi, Gittin 59b), make kiddush for everyone (Mishnah Berurah 201:12), and lead the benching (Rashi, Moed Katan 28b; Ran and other Rishonim, Nedarim 62b). If he is poor, he is entitled to choose the best portion of tzedokoh available or of the maaser given to the poor (Tosafos, Gittin 59b). According to some opinions, when dissolving a partnership, after dividing the item into two similar portions, the kohen should be offered the choice between the two portions (Rashi, Gittin 59b). However, the accepted approach is that this is not included in the mitzvah, and it is also not in the kohen's best interest (Tosafos ad loc.). However, when a group of friends are together, they should offer the kohen to take the best portion.

Similarly, poskim rule that a kohen should be chosen ahead of a levi or a yisrael to be chazan (Pri Megadim, Eishel Avraham 53:14). Presumably, he should also be given preference for a position to be a Rav, Rosh Yeshiva, or Magid Shiur in a yeshiva if he is qualified for the position.

It should be noted that the kohen deserves special respect only when he is at least a peer of the yisrael in learning. However, if the yisrael is a Torah scholar and the kohen is not, the Torah scholar receives the greater honor.

There is one exception to this ruling. In order to establish peace and harmony in the Jewish community, the first aliyah to the Torah is always given to a kohen, even when there is a Torah scholar in attendance (Shulchan Aruch Orach Chayim 135:4). As far as other honors go, the Torah scholar should always be given honor ahead of the kohen. (It is interesting to note that, at the time of the Gemara, the gadol hador was given the first aliyah even if he was not a kohen.)

If the yisrael is a greater talmid chochom than the kohen, but the kohen is also a talmid chochom, some rule that one is required to give the kohen the greater honor (Shach, Yoreh Deah 246:14). Others rule that it is preferred to give the kohen the greater honor but it is not required (Rema, Orach Chayim 167:14 and Mishnah Berurah 201:12).

According to the Gemara, the kohen should be seated in a place of honor at the head of the table. The Gemara that teaches us this halacha is very instructive. “Rav Chama bar Chanina said: ‘How do we know that a choson sits at the head of the table, because the verse states: ‘kichoson yechahen pe’er, like a choson receives the glory of a kohen (Yeshaya 61:10)’. Just like the kohen sits at the head of the table, so to the choson sits at the head of the table” (Moed Katan 28b). Contemporary poskim contemplate why we do not follow this halacha in contemporary practice (Rav Sholom Shvadron in his footnotes to Daas Torah of Maharsham 201:2). Although our custom is to seat the choson in the most important place at the wedding and sheva berachos, we do not place the kohanim in seats that demonstrate their importance!

From the above discussion we see that one is required to treat a kohen with honor and respect, yet we have not discussed whether I can ask a kohen to do me a favor. Perhaps I can treat the kohen with honor and respect, and yet ask him to do things for me. However, the Talmud Yerushalmi states that it is forbidden to receive personal benefit from a kohen, just as it is forbidden to have personal benefit from the vessels of the Beis HaMikdash (Berachos 8:5). This Yerushalmi is quoted as halacha (Rema, Orach Chayim 128:44). Thus, it would seem that one may not use a kohen for any personal benefit just as one may not use the vessels of the Beis HaMikdash.

Nevertheless, this conclusion is not obvious. Many commentaries point out that there appears to be conflicting evidence to this Yerushalmi. Specifically, the Gemara Bavli refers to a Hebrew slave (eved ivri) who is a kohen. How could a kohen become a Hebrew slave if one is not permitted to have personal benefit from a kohen (Hagahos Maimonis, Hilchos Avadim 3:8)?

Several approaches are presented to resolve this difficulty. Some early poskim contend that there is no prohibition in having personal benefit from a kohen if he does not mind. In their opinion, a kohen may be mocheil on his honor (Mordechai, Gittin #461). However, many authorities rule explicitly that it is forbidden to use a kohen even if he is mocheil (Rambam, Sefer HaMitzvos Aseh #32; Smag, Mitzvas Aseh #83).

Other poskim explain that although it is forbidden to use a kohen without paying him, one is permitted to hire a kohen to work for you (Smag, Mitzvas Aseh # 83). According to this approach, it is prohibited to use a kohen only when the kohen receives no benefit from his work. In a situation where the kohen gains from his work, one may benefit from a kohen. Thus, the kohen is even permitted to sell himself as a slave since he gains material benefit from the arrangement.

This dispute, whether a kohen has the ability to be mocheil on his kovod, is further discussed by later poskim. Rema (128:44), Magen Avraham (ad loc.), and Pri Chodosh (in his commentary Mayim Chayim on Gemara Gittin 59b) rule that a kohen can be mocheil on his honor, whereas Taz (Orach Chayim 128:39) disagrees.

However, Taz also accepts that the kohen can be mocheil when he has benefit from the arrangement, as in the case of the Hebrew servant.

Thus, as a practical halacha, according to the majority opinion, I am permitted to have a kohen do me a favor provided he is mocheil on his honor. According to the minority opinion it is permitted only if I pay him for his work.

There is another line of reasoning that can be used to permit using a kohen for a favor today. The reason why the Torah required giving a kohen honor is because he does the service in the Beis HaMikdash. Thus, he is considered like the vessels of the Beis HaMikdash, which also have sanctity. However, only a kohen who can prove the pedigree of his lineage may perform the service in the Beis HaMikdash. Such kohanim are called kohanim meychasim. Kohanim who cannot prove their lineage are called kohanei chazakah, kohanim because of traditional practice. These kohanim fulfill the roles of kohanim because they have a tradition and family practice to act and perform mitzvahs like a kohen does. However, they cannot prove that they are kohanim.

Since today's kohanim are not meychasim, they would not be permitted to perform the service in the Beis HaMikdash. Thus, they do not have sanctity similar to the vessels of the Beis HaMikdash. Therefore, some poskim contend that one may have personal benefit from today's kohanim (Mishneh LaMelech, Hilchos Avadim 3:8, quoting Yafeh Mareh).

Based on our discussion, we should raise the question why don't we honor the kohen all the time? This question is raised by the Magen Avraham (201:4) who explains that the custom to be lenient is because our kohanim are not meychasim. However, he is clearly not comfortable with relying on this heter. Similarly, Mishneh Berurah (201:13) rules that one should not rely on this heter. On the contrary, one should go out of one's way to show honor to a kohen.

In this context, the Mordechai records an interesting story (Gittin #461). Once a kohen washed Rabbeinu Tam's hands. A student of Rabbeinu Tam asked him how could he benefit from the kohen, when the Yerushalmi states that it is prohibited? Rabbeinu Tam responded that a kohen has kedushah only when he is wearing the vestments that the kohen wears in the Beis HaMikdash. The students present then asked Rabbeinu Tam, if his answer is accurate, why do we give the kohen the first aliyah even when he is not wearing the kohen's vestments? Unfortunately, the Mordechai does not report what Rabbeinu Tam himself answered. The Mordechai does cite R' Peter as explaining that a kohen can be moichel on his kovod.

A kohen who is blemished (A Baal Mum)

Does the mitzvah of treating a kohen with kedushah apply to a kohen who is blemished (a baal mum) and thus cannot perform the avodah in the Beis HaMikdash? One would think that only a kohen who can offer the “bread of Hashem” has this status. Nonetheless, we derive that the laws do apply to a kohen who is blemished (Toras Kohanim to VaYikra 21:8). Apparently, the other unique halachos of being a kohen are sufficient reason that he should be accorded honor.

Is There any Mitzvah to Give Honor to a kohen who is a Minor?

This matter is disputed by early poskim. Some poskim feel that since a child is not obligated to observe mitzvos and furthermore cannot perform the service in the Beis HaMikdash, that there is no requirement to give him honor. On the other hand, there are poskim who contend that the Torah wanted all of Aaron's descendants to be treated with special honor, even a minor.

This dispute has very interesting and common ramifications. What happens if there is no adult kohen in shul, but there is a kohen who is a minor? If the mitzvah of vikidashto applies to a minor, then the kohen who is under bar mitzvah should be called to the Torah for the first aliyah! This is indeed the opinion of an early posek (Shu”t Maharit #145). However, the prevalent practice is that there is no mitzvah of vikidashto on a kohen who is under bar mitzvah since he cannot bring the korbanos in the Beis HaMikdash (Magen Avraham 282:6)

A Very Interesting Minhag and a Machlokes

A fascinating discussion about the mitzvah of calling the kohen for the first aliyah is found in the responsa of the Maharik (#9). Apparently, there was a custom in his day (the fifteenth century) in many shullen in France and Germany that on Shabbos Breishis they would auction off the first aliyah in order to pay for certain community needs. This was considered a major demonstration of kovod hatorah to demonstrate that people value the first aliyah of the year by paying a large sum of money for it. Maharik compares this practice to a custom we are more familiar with: The selling of Choson Torah on Simchas Torah for a large sum of money.

If a non-kohen bought the first aliyah of the year, the custom was that the kohanim would either daven in a different shul or they would walk outside the shul so that the donor could be called to the Torah for the aliyah.

In one congregation with this custom, one kohen refused to leave the shul and also refused to bid on the donation. Instead, he insisted that he be given the aliyah gratis. The members of the shul called upon the city government authorities to remove the

recalcitrant kohen from the premises so that they could call up the donor for the aliyah.

The issue was referred to the Maharik, as one of the greatest poskim of his generation. The Maharik ruled that the congregation is permitted to continue their practice of auctioning off this aliyah and calling the donor to the Torah, and they may ignore the presence of the recalcitrant kohen. Since this is their well-established minhag, and it was established to demonstrate kovod hatorah, in a case like this we rule that a minhag can override the halacha, specifically the requirement to call the kohen to the Torah as the first aliyah.

In the same tshuvah, Maharik mentions another related minhag that was well-accepted in his day. Apparently, during this period and place, most people fasted on bahav, the three days of fasting and saying selichos that take place during the

months of MarCheshvan and Iyar. In addition, the custom on these fast days was to call up for an aliyah only people who were fasting, similar to the practice we have on our fast days. Maharik reports that if all the kohanim who were in shul were not fasting, the kohanim would exit the shul to allow them to call a non-kohen to the Torah who was fasting. He rules that this custom is halachically acceptable since it is a kovod hatorah that on a community-accepted fast to call to the Torah only people who are fasting.

Thus, we see from the Maharik’s responsum that although it is a mitzvah to honor the kohen, there is a greater mitzvah to safeguard the community’s minhag. In regard to the honor of the kohen, the conclusion of the Mishneh Berurah and other late poskim is that one should try to honor the kohen, following the literal interpretation of the statement of chazal.