

This Shabbat is the 213th day (of 383); the 31st Shabbat (of 55) of 5765

וה' יתקן את בני ישראל מ'מאתם... ויקרא טו"ל

Lessons from the M'tzora Phenomenon

There was a time when a person would discover a certain type of rash, spot, burn on his body and he would have an expert kohein look at it to determine the person's "spiritual" status - TAHOR (ritually clean), TAMEI (ritually defiled), or one week's quarantine, followed by another inspection. If and when a person was declared TAMEI, a period of TUM'A followed by a purification process resulted. During the waiting periods, the afflicted individual was to reflect on his behavior and undergo a T'shuva process that paralleled his observance of the M'tzora rules and procedures. Very often, the physical manifestations were identified with lapses in areas of behavior such as sexual conduct and misuse of one's power of speech. Other areas of sin could be involved as well.

Today, we don't have TZORAAT and NEGA'IM per se. One technical reason is the lack of kohein-experts in determining and identifying the signs of TUM'A. That lack can be factual or purposely created to avoid the continuance of the formal process of M'TZORA. The absence of a Beit HaMikdash might or might not contribute to the suspension of the laws and practices of M'TZORA. Under what conditions will it be restored is an open question. But what does remain - what should remain - is the spirit of the concept of the M'tzora.

Without actual NEGA'IM, we still maintain their message: Physical afflictions are not to be considered chance occurrences with no connection to the personal behavior of the afflicted individual. We don't show a strange mark on our bodies to a kohein; we show it to our doctor and he treats it physically.

But even though a kohein does not declare the person TAMEI, nor does the person acknowledge that verbally to people he meets in the street, there is still a mental, spiritual, religious process which we must undergo. It is the sin of stubbornness to deny that what happens to us has nothing to do with how we behave. It is proper that afflictions,

Word of the Month



A weekly feature of Torah Tidbits to help clarify practical and conceptual aspects of the Jewish Calendar, thereby better fulfilling the mitzva of HaChodesh HaZeh Lachem...

With Nissan's announced molad being this past Shabbat morning, first op for Kiddush L'vana according to Minhag Yerushalayim was this past Tuesday. For those who wait 7 full days from the molad, the first op is Motza"ei Shabbat, April 16th. Of course, those who say K.L. on Motza"Sh only (or almost only), this Motza"Sh is perfect.



The 8th of Nissan is the 50th yahrzeit of R' Yechiel Michel Tuchichinsky, author of Gesher HaChayim, a highly respected work on Aveilut (mourning), Luach Eretz Yisrael, and other significant works.

9 Nissan, 36th yahrzeit of the "Tzaddik in our time", Rabbi Aryeh Levin.

10 Nissan, 3277th yahrzeit of Miriam the Prophetess, sister of Moshe and Aharon.

11 Nissan, 735th yahrzeit of the Ramban b. Gerona, Spain (Catalonia); d. Akko

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OTHER Z'MANIM
Correct for Jerusalem

Ranges are THU-THU 5-12 Nissan (April 14-21)
Earliest Talit & T'filin - 5:20-5:12am
Sunrise - 6:12-6:04am
Sof Z'man Sh'ma - 9:25-9:20am (8:38-8:32am)
Sof Z'man T'fila - 10:30-10:26m (9:58-9:54am)
Chatzot (halachic noon) - 12:39-12:38pm
Mincha Gedola (earliest Mincha) - 1:12-1:11pm
Plag Mincha - 5:46½-5:50pm
Sunset - 7:12-7:17pm (7:07½-7:12pm)

regular and (earliest)
CANDLE LIGHTING HAVDALA TIMES
Israel Summer Time (DST)
Correct for TT 664 • Rabbeinu Tam (I'm) - 8:25pm

6:33pm (5:47)	Jerusalem	7:47pm
6:51pm (5:51)	Gush Katif	7:50pm
6:50pm (5:49)	Raanana	7:49pm
6:49pm (5:48)	Beit Shemesh	7:48pm
6:50pm (5:49)	Netanya	7:49pm
6:49pm (5:49)	Rehovot	7:48pm
6:30pm (5:49)	Petach Tikva	7:48pm
6:49pm (5:49)	Modi'in area	7:48pm
6:49pm (5:49)	Be'er Sheva	7:48pm
6:48pm (5:47)	Gush Etzion	7:46pm
6:49pm (5:48)	Ginot Shomron	7:48pm
6:33pm (5:47)	Maale Adumim	7:46pm
6:43pm (5:47)	Tzfat	7:47pm
6:48pm (5:48)	K4 & Hevron	7:47pm

In the Wolinetz Family Shul
OHEL SHMUEL (entrance floor)
"Early Shabbat" Davening
Mincha 5:32pm (15 min. before Plag)
Shabbat Pre-HaGadol Drasha
Rabbi Yaakov Moshe Poupko
5:00pm, Mincha at 6:00pm

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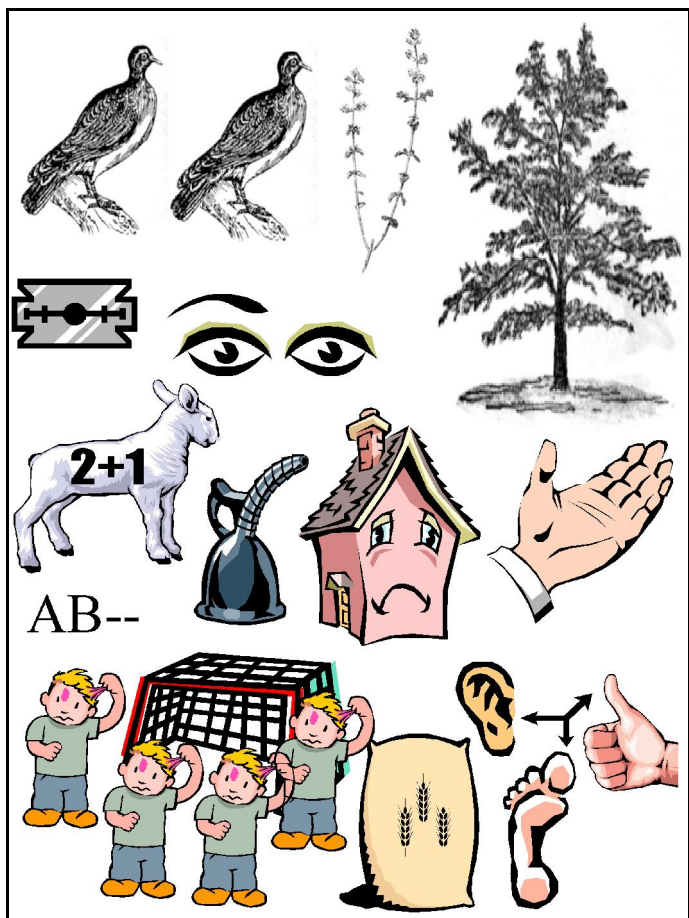
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injuries, illness, and the like should trigger introspection, T'shuva, and an improvement in some area of mitzva observance and/or moral behavior. Trials and tribulations in our lives are often a virtual analog of the NEGA'IM of old. Let us be wise and honest enough to not need the formal status of M'TZORA to be motivated to T'shuva and self-improvement. Let us learn the lessons of the M'tzora phenomenon.



M'TZORA STATS

28th of 54 sedras; 5th of 10 in Vayikra
 Written on 159 lines in a Sefer Torah, ranks: 40
 6 Parshiyot, 3 open & 3 closed
 90 p'sukim, ranks 42nd (5th in Vayikra)
 1274 words, ranks 39th (4th in Vayikra)
 4697 letters, ranks 39th (4th in Vayikra)
 M'tzora's p'sukim are longer than average,
 hence its rise in ranking for words & letters

MITZVOT:

11 mitzvot - all positive (no sedra has as many positive mitzvot without any prohibitions)

Aliya-by-Aliya Sedra Summary

Numbers in [square brackets] are the Mitzva-count of Sefer HaChinuch AND Rambam's Sefer HaMitzvot. A=ASEI (positive mitzva); L=LAV (prohibition). X:Y is the perek and pasuk from which the mitzva comes.

[P> X:Y (Z)] and [S> X:Y (Z)] indicate start of a parsha p'tucha or s'tuma respectively. X:Y is Perek:Pasuk of the beginning of the parsha; (Z) is the number of p'sukim in the parsha.

Kohen - First Aliya - 12 p'sukim - 14:1-12

[P> 14:1 (20)] The afflictions dealt with in Tazria are

immediately dealt with by the procedures described in M'tzora.

The main theme of M'tzora is the "ritual purification" of the one afflicted with Tzora'at. These procedures constitute a positive mitzva [173,A110 14:2]. Two birds are to be taken, a ceremony is performed with them, one bird is offered as a sacrifice, and the other is set free. The person immerses in a mikve, he cleans his garments, and he shaves all the hair on his body [174, A111 14:9]. The rules of ritual immersion in general, come from this context [175,A109 14:9].

A longish SDT... The 12th and final chapter of Mishna Chulin deals with the mitzva of Shilu'ach HaKen (the sending away of the mother bird). The final mishna in that chapter deals with the situation when that mitzva might clash with the purification of the M'tzora. What if the only bird available to the M'tzora for his atoning offerings is a mother dove hovering over her nest? Do we say the positive mitzva of Taharat HaM'tzora overrides the prohibition of taking the mother bird? This would seem to fit a general rule: a positive commandment overrides a prohibition (Asei docheh lo taasei). Yet this is not the case. Even for a mitzva, and even when the bird will be released alive(!), as is the case of the second of the M'tzora's two birds, one may not violate the Shilu'ach HaKen rules. There are technical reasons based on the wording in the text of the Torah for this. And, Shilu'ach HaKen is not a "simple" prohibition, but involves an attached positive command.

But there might be another concept here. Shilu'ach HaKen is a "showcase" mitzva. It is one of the rare mitzvot for which a reward is specified - Arichat Yamim (lengthening of life, the exact meaning of this is not clear, but the reward is expressed). The mitzva defies common logic and reasoning. It contains enigmatic qualities of a CHOK - a Divine imperative, not readily explainable. And its reward is implied for many other mitzvot by reasoning of a Kal VaChomer - if this mitzva is rewarded thusly, then certainly the more difficult mitzvot must carry with them great reward. (Although we are cautioned not to act in order to receive reward, and although we cannot compare one mitzva to another since we "don't know how G-d keeps score", we do have a sense of the truth of the logic expressed by the mishna.) Be that as it may, we can possibly learn that the pursuit of personal improvement may not be at the expense of others, be they human or animal. [Note: this is only food for thought, which might not even "correct" for this issue. Certainly, one should not generalize to other areas of mitzva.]

Levi - Second Aliya - 8 p'sukim - 14:13-20

The purification process is completed after bringing various korbanot, following a seven day period and the other procedures, as mentioned above [176, A77 14:10].

In fond memory of Yehudit Brandt ע"ה on her second yahrzeit

SDT Notice how the M'tzora is isolated from others during the time he is ritually unclean. That gives him time to examine himself, his deeds, his thoughts. But as part of the process of purification, as part of the process of having a second chance in the world, he is ministered to by a kohen who becomes the first contact in his renewal procedure. There is a significant psychological factor at work in the area of NEGA'IM.

Note the use of the blood of the korbanot as well as the oil that the purifying M'tzora brings. Many of the same things are done to both - sprinkling, dabbing the earlobe, thumb and big toe.

Shlishi - 3rd Aliya - 12 p'sukim - 14:21-32

[S> 14:21 (12)] A person who cannot afford the animals for the sacrifices, is to bring one sheep and two birds as his offering. The Torah describes the rituals involved in these offerings.

It is not important how much the sacrifice is worth on a dollars and cents basis (shekels and agorot), but what is relative to the means of the atoner.

Thus ends the section of the Torah dealing with afflictions to the individual. ZOT TORAT... this is the body of law of one afflicted who cannot afford the full set of korbanot.

R'vi'i - 4th Aliya - 21 p'sukim - 14:33-53

[P> 14:33 (25)] The Torah next discusses Tzora'at that can afflict a person's house. This can only be in the Land of Israel, in a house made of specific materials, and under specific conditions **[177, A103 14:35]**. Once again, it is the kohen who makes the determination as to whether Tzora'at does exist, or a professional house painter should be consulted. In the case of a "house plague", there are procedures to be followed and purification processes, including korbanot to be brought.

SDT Not only does a person's body contain elements of spirituality, but even his home - specifically in Eretz Yisrael. Although we do not "practice" this whole topic today, the lessons of the bridge and connection between the physical world and the spiritual one cannot be overlooked. A person whose home is a meeting place for Torah scholars, a launching pad for acts of charity and kindness, a training ground for a new generation of sensitive, feeling, enthusiastic Jews, such a home cannot be infected by spiritual plague. A home devoid of spirituality is a prime target for Nig'ei HaBayit. In this case, it is not the anti-rust and anti-mold paint that makes the difference. It is the values that a Jew lives by and their effect on the next generation.

It's worthwhile to point out that the manifestation of a NEGA and some kind of rot, mold, fungus, or whatever can be EXACTLY the same. If a kohen sees it and declares ritual impurity, then it is a NEGA HABAYIT. And if he doesn't see it, then it isn't. Even if a non-kohen expert in the field identifies it as a NEGA. And it is possible that a kohen was about to declare a house TAMEI and he finds out the the home-owner is a CHATAN in his first week of marriage, then he won't make the declaration and there is no TUM'A. It is all "the way a kohen sees it". There's a lot to ponder here.

G'MATRIYA based on L'ORA SHEL TORA by R. Yaakov Auerbach z"l

Our sources clearly state that the (main) cause of Tzora'at is Lashon HaRa. This idea is reflected beautifully in the following G'matriya. The numeric value of NEGA TZORA'AT is 883. The prohibition of gossip and "evil tongue" is LO TEILEICH RACHIL B'AMECHA, "do not be a talebearer". Its numeric value is 883. Punishment for violating the 883-prohibition of Lashon HaRa is the 883-affliction of Tzora'at.

The proper way to avoid both the violation and its punishment is with MIDOT TOVOT (good personality traits) = 883. And if we all can avoid Lashon HaRa and its punishment by developing those good traits, then TIZKU L'GEULA SHLEIMA (you shall merit the Complete Redemption) = 883.

Chamishi - Fifth Aliya - 19 p'sukim - 14:54-15:15

This portion begins with a summary of different types of NEGA'IM.

The smallest p'sukim in the Torah have 3 words each. There are only 13 (maybe 14 if you consider a parsha break to actually split a pasuk into two p'sukim) in the whole Torah. Here in M'tzora are two 3-word p'sukim back-to-back. Is there anything special about these 3-word p'sukim? Perhaps - in some Sidurim there is the list of the 3-word p'sukim (plus some "special" p'sukim from elsewhere in Tanach) in the Motza'ei Shabbat readings (after Z'mirot). It is probably Kabbalistic.

[P> 15:1 (15)] Next the Torah speaks of the status of a man with an "unnatural discharge" (probably a form of venereal disease). In such cases, the Torah view matters as a combination of physical symptoms with spiritual causes - in the case of "Zav" and "Zava", most probably attributable to sexual misconduct. (As such, there is a close relationship between the different themes of the sedra. Interesting, is it not, that there are doctors and clinics today that specialize in dermatology and venereal diseases.) The one afflicted is himself "Tamei" as well as causing other people and objects to become "ritually impure" through contact, both direct and indirect **[178,A104 15:2]**. The one afflicted, must bring special korbanot after a purification process **[179,A74 15:13]**.

Shishi - 6th Aliya - 13 p'sukim - 15:16-28

[S> 15:16 (3)] There is also a "ritual impurity" (of a lesser degree - one-day type) in cases of normal seminal emissions **[180,A105 15:17]**. A woman who has relations with a man also contracts this one-day Tum'a.

A menstruating woman is "ritually unclean". This is counted as a positive mitzva **[181,A99 15:19]**; its negative counterpart is in the next sedra.

[P> 15:19 (6)] A woman with an unnatural discharge has a specific set of rules. In the case of a Zava, there are differences in her status depending upon how many sightings of blood there are, and how frequent. These rules and procedures constitute a mitzva **[182,A106 15:19]**.

[S> 15:25 (9)] The longer-term Zava is presented in its own parsha, a S'TUMA that can be seen as a sub-parsha of the previous P'TUCHA that introduced the topic of ZAVA. These rules and procedures constitute a mitzva [182,A106 15:19].

Sh'vi'i - 7th Aliya - 5 p'sukim - 15:29-33

The requirement of the korbanot at the conclusion of the period of impurity constitutes a positive commandment [183,A75 15:29]. The people of Israel have a great potential for attaining spiritual heights. They have an equally great potential for descending to low levels of spiritual impurity.

Generally, when there is a rich man's korban and a poor man's korban for the same situation, if a rich man brings the less expensive version of the korban, he fulfills his obligation, after the fact. Tzora'at is an exception. If a rich man brought a poor man's offering, he has not fulfilled his obligation. The son of the Nodeh B'Yehuda beautifully explained why this is so. One of the causes of Tzora'at is stinginess. Even the term in our Vidui can be seen as a play on words - TZAROT AYIN. If a rich man brings a poor person's korban, in this case it is an indication that he hasn't healed. The korban cannot bring atonement.

The last 3 p'sukim of the sedra (which are reread for Maftir) serve as a summary to the topics of ritual purity and impurity and present the challenge to the Jewish People to rise above mundane physical existence by scrupulously avoiding "impurity".

[SDT] Commentaries note that the laws pertaining to human beings (the sedras of Tazria and M'tzora) follow the laws pertaining to animals (Vayikra, Tzav, Shmini). This corresponds to the sequence of creation - animals were created before humans. If a person behaves in an improper manner, he is lower than an animal. And is reminded that "the mosquito preceded him". If however, he behaves properly, keeps the Torah and mitzvot, rises to the challenge of being holy, then he is worthy of having been created in the image of G-d.

Haftara - 18 p'sukim - M'lachim Bet 7:3-20

The Haftara tells the story of four M'TZORA'IM (lepers, not the greatest translation) who decided to enter a Syrian camp to find food. They found that the Syrians had fled. They reported the status of the enemy camp to the guards of the Jewish city.

As Elisha had prophesied, the famine ended on the following day and grain and food was found.

Rabbi Jacobs in A Haftara Companion says that aside from the obvious, but seemingly shallow connection between sedra and Haftara - both mention TZA'RA'AT - there is a deeper lesson to be learned from the haftara. Four people who were outcasts, no one would touch them, they were isolated from their society, they were on their own during very difficult times, nonetheless embarked on the path of spiritual improvement by being concerned with their fellow Jews and reporting the

condition of the enemy camp so that others would be able to obtain food and be saved. If, as mentioned earlier in the previous SDT, one of the causes of TZA'RA'AT is stinginess, then the intrepid four of the Haftara are indeed on the mend.

The Gemara tells us that the four M'tzo- ra'im were Geichazi and his three sons.

THE JERUSALEM INSTITUTE OF JEWISH LAW

Rabbi Emanuel Quint, Dean

Lesson # 280 (part three) • **BORROWING**

The Borrower fails to return the object

Assume that the borrower is not able to return the object that he borrowed. The liabilities of the borrower are stricter than that of the lessee.

The animal is struck by lightning, force majeure, and dies. If the animal died while Shimon was a lessee, he is not liable for not returning the animal alive to Reuven; if he is a borrower, he is liable.

Stipulations regarding liability

Although the borrower has specific liabilities, the parties may stipulate among themselves to vary the terms of the usual liabilities, if the variation does not violate a Torah command. Thus, borrower and lender may agree that the borrower will not be liable in any event even if he is negligent with the borrowed object. All such stipulations will be binding upon the parties, whether or not there were witnesses present when the stipulations were made. Assume that the object that the borrower borrowed cannot be returned to the owner because it was damaged or destroyed. The borrower pleads that it was so damaged or destroyed while he was using the object for the purpose for which it was borrowed without deviating from the manner of such use, and therefore there is no liability on his part. The borrower has two alternatives. If there were witnesses present when the object was so lost, damaged, or destroyed, he must produce the witnesses, who will testify that the object was damaged or destroyed while the borrower was using the object for the purpose for which it was borrowed and without deviating from the manner in which it could be used. Failure to produce the witnesses will result in the borrower becoming liable to pay for the damage or the destruction of the object.

If there were no witnesses present when the loss occurred, and the borrower wishes to be relieved of liability for the loss or damage while he was using the object in the manner for which he borrowed it, he takes an oath and is free of liability. He must return to the owner any parts of the borrowed object still in his possession.

The Borrower Must Pay for the Object

The object was lost, damaged, or destroyed while the borrower was not using it for its intended use. He is liable for the object. If the object is one that is of the type readily available and may be purchased easily by the borrower, and is uniform in quality, the borrower pays and is free of any oaths. If one of these two criteria is lacking, the borrower takes an oath that the object is not in his possession. The oath includes a statement as to how the object was lost. Then the borrower makes the payment to the owner as provided for below.

Valuing and Paying for the Lost Object

Assume that the object is damaged while in the custody of the borrower. It was worth \$100 when the damage occurred. It is now worth \$30. The borrower makes payment for the value of the object at the time when the loss occurs, in this case the time when he was either negligent, or the object was lost or stolen, damaged, or destroyed through force majeure, which resulted in the loss of the object. The borrower must return the object and add \$70. The borrower is not liable for an amount of money greater than that which he was told the object is worth. If the owner understates the value of the object or the type of object it is, the liability of the borrower is limited to that value. The difference in value between the time of the loss and the time that the lawsuit is heard and decided by the Beth Din is borne by the owner. Conversely, if the value of the remains of the object goes up, such gain accrues to the owner.

If the owner knows the value of the object, he takes an oath as to how much it was worth when the loss occurred, and the borrower pays such sum. If the owner does not know, and the borrower pleads that he knows and admits that he owes such sum, and the owner has no evidence to counter the plea of the borrower, the borrower pays such amount and is relieved of liability. Assume that neither the borrower nor the owner knows the value of the object when the damage or destruction to it occurred. What valuation should it receive? Beth Din will have to determine the value at the time that it was borrowed by the borrower and what use was made of the object until the loss occurred, as well as determining any other issues by any method that Beth Din can devise to ascertain the amount to be paid.

Both a Borrower and a Lessee

Assume that Shimon borrowed the object for half a day and leased it for the other half of the day; or he borrowed it for Sunday and hired it for Monday; or he borrowed one object such as an animal and leased another animal. In all of these situations assume that the animal is dead (force majeure), not having died while being used in furtherance of the borrowing. Although there are three situations listed above, we shall discuss the case of the two animals, but the results are the same for this situation with one animal borrowed part of the time and leased for part of the time. If it died while Shimon was a borrower, he is liable for force majeure losses; if it died while he was a lessee, then there is no liability on his part, since a lessee is not liable for loss that comes about from force majeure.

The owner pleads that the animal that died is the one that Shimon borrowed. If the owner can produce proof to Beth Din that what he pleads is true, then he will win the case. Absent such proof, the following laws apply:

The owner pleads that he thinks that the animal that died is the one Shimon borrowed and Shimon either pleads with certainty that the dead animal is the one he leased or he does not know which animal died. Shimon must take an oath that the dead animal is the one he leased or he too does not know when which animal died. Shimon will win the case if he takes such an oath.

Shimon borrowed two animals for the first half of the day and leased them for the other half of the day and now both animals are dead. The owner pleads that they both died during the first half of the day when they were borrowed, and Shimon pleads one of them died during the first half of the day when it was borrowed and he does not know when the other animal died. Since Shimon cannot take an oath for both of them, he must pay for both animals.

Assume that the owner delivered three animals to Shimon - two that Shimon borrowed and the third that he leased - and two

died. The owner pleads that the two that died were the borrowed animals and Shimon pleads that one of the dead ones was a borrowed animal and he does not know about the other animal. Shimon must pay for two animals.

The subject matter of this lesson is more fully discussed in volume IX chapters 344 of A Restatement of Rabbinic Civil Law by E. Quint. Copies of all volumes can be purchased via email: orders@gefenpublishing.com and via website: www.israelbooks.com and at local Judaica bookstores. Questions to quint@inter.net.il

Meaning in Mitzvot

Each week we discuss one familiar halakhic practice and try to show its beauty and meaning. The columns are based on Rabbi Meir's Meaning in Mitzvot on Kitzur Shulchan Arukh by

Rabbi Asher Meir

Making a Zimun before the Afikoman

In general, making a zimun (invitation to grace after meals) is considered a decisive declaration that the meal is over. Therefore, after saying "Let us make a blessing" he is not allowed to eat more of the meal unless he makes a new blessing on the food. (SA OC 179:1.)

What happens if someone makes such a zimun before eating the afikoman on Pesach? The Avi HaEzri writes that the ruling is unchanged: on the one hand, he must eat the afikoman; on the other hand, he cannot do so without making a new blessing. Therefore, he is required to wash again and make a new hamotzi blessing on the afikoman.

The Itur agrees that it is forbidden to eat any more matza without washing and saying a new blessing, but he writes that this is unnecessary. The last matza that a person ate during the meal can be considered his afikoman (assuming it was shmurah matza).

However, the Shulchan Arukh rules like Rabbeinu Peretz who explained that even after making an invitation to grace, a person does not have to make a new blessing. He can go ahead and eat the afikoman and make grace afterwards as usual. (SA OC 477:2. All opinions are cited in Tur OC 477.)

The surprising basis for this ruling is a seemingly unrelated rule relating to a guest. Although a householder puts an end to his meal by making a zimun, a guest does not. The reason is that a guest is not in control of the meal; only the householder knows what courses were planned and when they will be served. He, not the guest, decides when the meal begins and when it ends. (SA OC 179:2. We learned this ruling in the daf yomi this past week, Berakhot 42a. Rabbeinu Peretz's ruling is brought down in the Tosafot there.)

This rule reflects the guest's honor, but also his dependence. It is the responsibility, but also the prerogative, of the host to decide what to feed the guest; the guest cannot take care of himself, since nothing in the house belongs to him. The Talmud urges the guest to recognize the honor he receives and acknowledge that the host exerted himself solely for the guest's comfort. (Berakhot 58a.) But they also indicate that the guest should follow the instructions of the host. (Tractate Kalla chapter 9.)

Rabbeinu Peretz explains that all of us are merely guests in this world, eating from the table of Hashem. Since He decided that the seder meal has an additional course - the matza of the afikoman - our zimun is of no relevance, and the meal has not ended.

The world does not belong to us but rather to its Creator, and we are only visiting here for a short time. We are completely dependent on HaShem, and He in turn gives us a dignified livelihood. However, we should not make the mistake of thinking that we are the masters and the world merely serves us. Our decisions, while significant, are not decisive, for "Man proposes and God disposes". It is our responsibility to acknowledge the wonders of creation which HaShem makes available to us, and to follow His instructions to the best of our ability.

TANACH

Spiritual and Ethical Issues in the Historical Books of Tanach; JOSHUA, JUDGES, SAMUEL, KINGS (Nevi'im Rishonim) by

Dr. Meir Tamari

Righteousness & Kingship [6] YIBUM

(D'varim 25:5-10)

"If brothers dwell together, and one of them die and have no child, the wife of the dead shall not marry a stranger but her husband's brother... that his name not be wiped out in Israel" (25:5-6). These verses that refer to the mitzva of Yibum, follow after the laws of the Torah [D'varim 24:17-25:4] that tell of our duties to the widows, orphans, the strangers, criminals and animals; now the Torah describes the same duties that have to be performed even to a dead man (Rabbi S. R. Hirsch). "Adam Harishon said of Chava his wife, 'This is bone of my bones and flesh of my flesh... she was taken out of Adam... a man cleaves to his wife and they become one flesh' (B'reishit 2:21-24) Since man and wife are a unity, it is a great Chesed that Hashem provided through Yibum so that when that unity is broken by the death of the husband, it should be continued through the levirate marriage" (Sefer HaChinuch, Mitzva 598).

The purpose of Yibum may erroneously be seen as a vehicle for safeguarding the welfare and interest of the widow. However, it is clear from the halakha that this is not so. There is no Yibum if the man had children, sons or daughters, from another wife; there is Yibum even if the wife has other children. The brother referred to had to be born before his death and of the same father. There is the option of Chalitzah should the brother decline; such an option would leave the widow unprovided for. Rather it is Chesed to the dead by ensuring the continuation of his possessions, children and the home that he wanted to create in accordance with the Divine blessing, "Be fruitful and multiply and replenish the earth and subdue it" (B'reishit 1:28). "It is a Chesed to marry a young Jew but it is a greater Chesed to marry an older man when the sole purpose of the marriage is to raise a memorial to the dead husband" (Malbim); even as Boaz tells Ruth (Ruth, 3:10).

This Chesed of Yibum is the pinnacle and finale of the book of Ruth.

Boaz made it clear to the kinsman that with the redemption of the land that also came to perpetuate the dead man's name, came the obligation to marry Ruth and so continue the name of Machlon. Not that the firstborn child of the new marriage would necessarily carry the same name as our very text shows but that he would inherit his father's possessions. Now, unlike the question of redemption that fell to the nearest relative, neither the kinsman nor Boaz had the obligation to marry the dead man's wife as neither of them was his brother. Ramban in Bereishit explains that this extended chesed, was a pre-Torah tradition.

The kinsman cannot accept the marriage to Ruth the Moabitess, because of his ignorance about the halakhic decision that differentiated between the men and women of Moav, permitting marriage with the women. However, there was another reason for his refusal, one that goes to the heart of Yibum, namely the succession of the child to the dead man's inheritance, a Chesed that would mean a reduction in the property of the kinsman (4:6). The same negation of Chesed we find in Onan's refusal to marry Tamar, since the first fruit of that marriage would belong solely to his dead brother (Chizkuni, Ber. 38:8).

The ceremony of the removal of the shoe that followed the refusal by the kinsman seems akin to the Chalitzah that follows a decision not to grant Yibum. However, the two are not connected except perhaps as a literary aid. The first was merely an example of a kinyan sudar, confirmation of a transaction whereas the removal of the shoe specially made for Chalitzah (Shulchan Arukh, Even HaEzer), has completely different significance. This removal of the shoe is meant to humiliate him (Moreh Nevuchim), or as a sign that he is like a mourner or as one who is in Herem; all signs of disapproval of his lack of Chesed, as is the spitting by the widow before him.

The Yibum in Megilat Ruth recalls the story of Tamar and Yehuda and the two stories both signify the roots of righteousness, majesty and kingship that are the hallmarks of Jewish Royalty. Both women make strenuous efforts to convince those obligated to Yibum, if not by law then at least by custom, and to thereby continue the family succession; efforts that placed them in severe physical and moral dangers. Both were rewarded with being the Mothers of Jewish Kingship and Royalty.

"For she [Tamar] saw that Shela was grown and she was not given to him to wife" (B'reishit 38:14). Yehuda feared that Shela would die from that marriage as had his two brothers before him, so he kept Shela from Yibum. Tamar tricked Yehuda into thinking she was a harlot and thus became pregnant. Judging her to death for adultery, since she was considered as married until Chalitzah or Yibum, Yehuda openly admitted his parentage saying, "She has been more righteous than I" (B'reishit 38:26). This openness of the spirit and the ready admission of faults and shortcomings are characteristic of Yehuda and his descendants, in contrast to the hidden worship of the sons of Rachel; Yosef and the dreams and mystery of his ministry, Shaul who hid among the baggage, and Purim of Mordechai and Esther where the story of redemption is masked in feasts, clothing and the hidden presence of Hashem (Shem Mi Shmuel). Yet kingship belongs to Yehuda; Shaul did not found a dynasty because his modesty did not allow him to admit his errors, whereas David, who readily acknowledged his sins and so repented, established the Dynasty of Israel.

When Boaz hesitated, Ruth came at night to the threshing ground and lay at his feet thus exposing herself to charges of immorality. She said to Boaz, "Spread your skirt over me [chupa - Rashi]"; even though Yibum could be performed through intimacy, nevertheless, she insisted on the public sanctification through chupa and Kiddushin.

"Now these are the generations of Peretz [son of Yehuda and Tamar]: Hetzron, Ram, Aminadav, Nachshon [who was the first to jump into the Red Sea], Salma, Salmon, Boaz, Oved, Jesse and David" (Ruth 4:18-22)

This is the 79th installment in Dr. Tamari's series on "Tanach and its messages for our times"

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[1] From the virtual desk of the OU **VEBBE REBBE**

The Orthodox Union – via its website – fields questions of all types in areas of kashrut, Jewish law and values. Some of them are answered by Eretz Hemdah, the Institute for Advanced Jewish Studies, Jerusalem, headed by Rav Yosef Carmel and Rav Moshe Ehrenreich, founded by HaRav Shaul Yisraeli zt"l, to prepare rabbanim and dayanim to serve the National Religious community in Israel and abroad. Ask the Rabbi is a joint venture of the OU, Yerushalayim Network, Eretz Hemdah... and the Israel Center. The following is a Q&A from Eretz Hemdah...

Q: When do we burn or otherwise get rid of the chametz before Pesach this year, when Erev Pesach falls on Shabbat? How does this situation affect mechirat (sale of) chametz?

A: The Shulchan Aruch (Orach Chayim 444:2) writes: "It is good to eliminate [chametz] on Erev Shabbat before midday [apparently an hour before midday- Mishna Berura 444:9] so that people do not come to make a mistake in other years to eliminate the chametz after midday." Despite this, one may leave the amount of chametz that he plans to eat through the [early] Shabbat morning meal (Shulchan Aruch, *ibid.*:1). This "halachic request" is not an absolute halacha and should not create a situation whereby, due to haste, one might miss some chametz.

The question of mechirat chametz is more complicated, and there are different possibilities and practices. The individual follows the system the local rabbinate is using. However, it is worth- while to understand the issue, not only for the sake of Limud Torah, but also to act appropriately in accordance with the local practice's particulars.

Acharonim discuss whether the desire to follow the time frame of regular years applies also to mechirat chametz. Is selling the chametz an accepted form of eliminating it, in which case it should be done at the regular time? Or is it a use of the chametz (as if one did so for profit), which one can continue to do as long as he can benefit from it? (See Maharam Shick, OC 205.) According to the stringent approach, the rabbi should carry out the sale to the non-Jew on behalf of his congregation during the latter part of Friday morning. However, stringency sometimes causes more halachic problems than it solves. Those who continue during the afternoon to deal with their chametz (e.g. stores) and those who decide to add chametz to that which is to be sold, which they had previously not expected to sell, will unknowingly miss the sale for those chametz products. Therefore, most rabbanim will not rely on only an early sale,

and, if they want to be machmir, will add a later one to cover last minute issues that the first one missed.

There is a further question as to how late is late. Some say that when doing the sale on Friday, the rav can stipulate with the seller, orally and in the document, that the sale will take effect soon before the time that chametz becomes forbidden in benefit - namely, on Shabbat. This can conceivably be done in one of two ways. The sale can take effect on delay to Shabbat morning. It may also be possible to have it take effect at the time of the transaction on Erev Shabbat, but the items to be included in the sale will be determined retroactively according to what remains in the seller's possession on Shabbat. Either way, one cannot include chametz that he did not own when the acts of transactions took place [see P'ninat Mishpat]. The prospect that the transaction will take hold on Shabbat is controversial, even if he is inactive on Shabbat, because R. Akiva Eiger (Shut 159) and others say that it is a violation of the prohibition of commerce on Shabbat.

Rabbanim who do not want the sale to be completed on Shabbat can have it take effect soon before Shabbat. This can be done in one of two ways. It can be done on a time delay, in which case the rabbi can pick a time that is very close to Shabbat. If he is concerned that this type of sale might not be able to be done on a delay, he can actually do the transaction as close to Shabbat as feasible. In these cases, the chametz owner must be aware by what time he must decide whether he is selling a chametz food or keeping it for Shabbat, as he cannot add it in later.

Let us reiterate that the local rabbinate will be the one to choose, based on halachic and/or practical considerations, which system to use. [We hope our readers will understand and implement the basic nuances of the system used in their location. See also P'ninat Mishpat.]

Ed. note: TACHLIS - Burn chameitz by 11:14 on Friday morning (S'faradim: 10:43am). Deadline for eating chameitz on Shabbat morning 9:54am. Bitul (nullification) on Shabbat morning by 11:14am. The 9:54am deadline for eating chameitz should be used for egg matza as well.

Ask the Rabbi Q&A is part of Hemdat Yamim, the weekly parsha sheet published by Eretz Hemdah. You can read this section or the entire Hemdat Yamim at www.ou.org or www.erezhemdah.org. And/or you can receive Hemdat Yamim by email weekly, by sending an email to info@erezhemdah.org with the message: Subscribe/English (for the English version) or Subscribe/Hebrew (for the Hebrew version). Please leave the subject blank. Ask the Vebbe Rebbe is partially funded by the Jewish Agency for Israel

[2] **Candle by Day**

Our minds must mediate between our eyes and our souls.

From A Candle by Day by Rabbi Shraga Silverstein

[3] **CHIZUK and IDUD**

(for Olim & not-yet-Olim respectively)

The houses of Jerusalem do not become defiled through nega'im" (Baba Kama 82b).

The Talmud explains that the houses in Jerusalem were not subject to the leprous spots described in this week's parsha because, as the Torah says (14:34), "And I will bring the plague

of leprosy in the house of the land of your possession." Only a house on land parceled out to one of the tribes is subject to this affliction. But since Jerusalem was not divided among the tribes, its houses were impervious to this form of punishment.

What difference does it make whether Jerusalem belonged to an individual tribe or to all the tribes of Israel? If its inhabitants deserved tzara'at on their houses, they should have been afflicted with it.

Perhaps the Torah is telling us something about the power of unity. It is not that Jerusalem did not belong to any individual tribe, but that it belonged to all the tribes. It was everyone's capital and everyone had a right to it - and an obligation. The obligation was to preserve the unity of Jerusalem; to keep it whole, undivided; to buttress the achdut, the oneness and spiritual focus upon which the rest of the nation could build.

An individual might have deserved the terrible affliction of tzara'at, but the power of the Klal, the fact that all of the tribes gave a part of themselves to this city, was sufficient merit to counter personal sin, even something as serious as speaking evil.

If only we could all give a little of ourselves to Jerusalem, then no affliction in heaven or on earth would be able to taint its glory or disturb the "peace of Jerusalem."

Yaacov Peterseil, Jerusalem

[4] **MicroUlpan**

What do you call a strip of cloth that is tied over one's eyes, as in Pin-the-Tail on the Donkey? Blindfold! And in Hebrew? **אַפֵּיר** Hint: Same word for a mask worn over the eyes in a costume. A'FEIR



[5] **A Touch of Wisdom, A Touch of Wit**

Just before Pesach a man came to R' Yoshe Ber of Brisk with a question: "Rebbe, is it permitted to use four cups of milk instead of the customary four cups of wine for the Pesach seder?"

"Are you, Heaven forbid, sick?" asked the Rav.

"No, I'm fine, thank G-d," said the man, "but," and here his voice dropped, "wine is very expensive this year."

Calling in his wife, R' Yoshe Ber told her to give the man 25 rubles.

"Rebbe," the man protested, "I came to ask you a question of law, not to ask for a donation."

"This money," said R' Yoshe Ber persuasively, "is a loan until such a time as you can afford to repay me." Eventually the man took the money and left.

After the man had gone, his wife asked, "Why did you give him 25 rubles? Even the best wine doesn't cost more than two or three rubles."

"I assume you heard his question, didn't you?" said R' Yoshe Ber to his wife. "He wanted to know if he could use four cups of milk instead of wine. If he had been able to buy what he needed for Pesach, he would have had fish and meat at his table, and then he wouldn't have been able to have milk at all. I understood that he had none of the necessities, and had him take 25 rubles to buy whatever he lacked."

Shmuel Himmelstein has written a wonderful series for ArtScroll: Words of Wisdom, Words of Wit; A Touch of Wisdom, A Touch of Wit; and Wisdom and Wit" — available at your local Jewish bookstore (or should be). Excerpted with the permission of the copyright holder

[6] **Parsha Points to Ponder**

for Parshat M'TZORA:

1) Why does the Torah seemingly contradict itself by first stating that the metzora is brought to the Kohein (14:2) and then relating that the Kohein goes out to the metzora (14:3)?

2) Why must the metzora shave his hair, beard and eyebrows as part of his cleansing process?

3) Following the laws of tzara'as, the Torah introduces the laws of the impurity of the "zav." It does so with the words "Speak to the Children of Israel and say to them." (15:2) Why weren't the laws of tzara'as - in both this week's Parsha and Parshat Tazria - introduced with a specific command to tell the Jewish people as well?

Last week's Parsha Points to Ponder

(1) A first born son is redeemed after 30 days because at this point it is established that the child is a viable being. Why, then, do we wait only eight days before circumcising a child as described in the beginning of this week's Parsha (12:3)?

Tosefes Bracha answers that it is assumed that most children are viable beings and for a mitzva like circumcision we follow the majority. However, redeeming the first born entails a financial obligation for the father and the halacha teaches that in situations that require monetary expenditures we do not follow the majority. Thus, we must wait 30 days.

(2) Why does the Torah first call the children that are born "male" and "female" (12:3 and 12:5) and then switch to the terms "son" and "daughter" (12:6)?

Meshech Chachma states that the child has not been established as a viable being prior to the 30th day and cannot be called a "son" or a "daughter" until then. Thus, it is simply labeled as "male" or "female". However, once 30 days pass, the term "son" and "daughter" is used.

3) Why do we no longer experience the skin afflictions like tzara'at which is described in this week's Parsha?

Alshich teaches that these afflictions occurred because the holiness in their bodies could not tolerate the sins and the body pushed them out. This manifested itself in growths on the skin. Nowadays, we lack this high level of holiness and, therefore, our bodies do not have the same adverse reaction.

Parsha Points to Ponder is prepared by Rabbi Dov Lipman of Beit Shemesh • ppp@israelcenter.co.il Answers will appear next week

[7] **Treasures in the Sand**

Ed. note: Based on the phrase from V'ZOT HAB'RACHA, US'FUNEI T'MUNEI CHOL, I have usually applied the description "Treasures in the Sand" to the many interesting G'matriya Twins or G'matriya Matches I have stumbled upon while "playing" with one computer search program or another. It is like walking along the beach and your toe, absent-mindedly probing in the sand, happens upon a pretty shell or some other object of interest or curiosity. Many times, I will

search for different words, phrases, or p'sukim, without a specific goal in mind, and happen upon something interesting.

The word KOHEIN (with or without prefixes) shows up in Tanach over 400 times. By far, the place where more KOHEIN occur than any other place is the book of Vayikra. That is to be expected. 186 times, to be specific. (Not counting KOHANIM, of which there are only 10 in Vayikra - surprisingly few.) Of the 186, 41 are in the sedra of Vayikra, an amazing 57 in Tazri'a (it is only 67 p'sukim long), and 45 in M'tzora's 90 p'sukim. Shmini and B'har have none, K'doshim only one, and Acharei has 4. Again, 102 in Tazri'a-M'tzora, very high number. Aharon is mentioned 80 times in Vayikra; Moshe Rabeinu 79. What do you think of that?

[8] G'matriya Match

The search for g'matriya matches is mostly done with TES's Torah Codes 2000 program. It starts with "blocking" a pasuk from the sedra and pasting it into the G'matriya Lookup feature of the program. Then comes a request to find whole p'sukim in Tanach that have the same g'matriya as the pasuk (or word/phrase) pasted in. Sometimes the results lead to something to say - most times not. Take, for example, Vayikra 14:26 (from M'tzora):

וּבְיַמֵּי הַשְּׁמִינִי יִצָּק הַכֹּהֵן עַל־כִּפּוֹת הַשְּׂמֵאלִית:

It is one of the details of the purification of the Metzora. One detail of many. But look what pasuk it matches:

זְכוּר אֶת־יְוָם הַשַּׁבָּת לְקַדְשׁוֹ:

Little detail and major concept. For us there is an equality. Maybe. And T'hilim 115:15 also matches. Keep the concepts and the details, and you are worthy of 115:15. Take a look.

[9] Divrei Menachem

Parshat Metzora discusses the various maladies that, in Biblical times, could affect a person's house, garment or skin. Metzora is not the physical ailment leprosy; rather it was a sign of contamination that reflected spiritual degradation. Metzora was the negative consequence that befell an individual who was remiss in the areas of worldliness, pride and slander.

The rabbis tell us that Metzora is an acronym for "Motzi Shem Ra", one who speaks evil about others. As indicated, this usually stems from haughtiness that in turn may result from the self-satisfied stance of one who takes his material well-being for granted. Consequently, the stages of purification reflected the need to temporarily isolate the person from society and symbolized the contrast between the individual's supposed high ground and the desired new level of humility.

For the "Akeida", what is primarily at stake is the degree to which we value speech. As beings in whom G-d breathed His spirit, we could well reflect on Yeshayahu's proclamation that, "The grass withers, the flower fades/But the word of our G-d shall stand forever" (Yeshayahu 40:8). Our external selves are but temporary. The "Word of G-d", however, is our divinely bestowed power of speech that is everlasting. Thus, to abuse speech is to distort Creation's purpose; to venerate speech is to further Hashem's will in this world.

Shabbat Shalom, Menachem Persoff

SHEYIBANEH BEIT HAMIKDASH...

A series of articles on Beit HaMikdash-related topics by Catriel Sugarman intended to increase the knowledge, interest, and anticipation of the reader, thereby hastening the realization of our hopes and prayers for the rebuilding of Jerusalem and the Beit HaMikdash.

More on Tum'ah and Tahora

In Last weeks TT, we noted that the most virulent form of Tum'ah, ritual impurity, is Tum'at Meit, corpse impurity. The corpse is the apex, the Avi Avot HaTum'ah - the "father of the fathers" of impurity - and is acquired by a Yisrael coming into contact with a corpse, part of a corpse, a grave, etc. (Strictly speaking, the corpse itself is not impure; it merely "radiates" impurity or causes impurity to those who come into contact with it, "overshadow" it, etc. This Halachic phenomenon is based on Bamidbar 19:11 where it is written, "Whoever touches the corpse of any human being shall be impure for seven days..." As the Yalkut Shimoni quoting the Sifri Zuta, puts it, "The person who touches the corpse is impure; the corpse itself is not impure." What does this mean Halacha Lema'aseh, practically speaking? The Zayit Ra'anani remarks that at the time of Techit HaMeitim, revival of the dead, the newly revived will not have to undergo a purification process because when they were dead, they were not impure. However the Gemara is more ambiguous. See Nida 70b.) A Yisra'el can become Tum'at Meit simply by being in an enclosed space with, or under the same roof as, a corpse of a Yisra'el; the remains of a non-Jew do not have this special contaminating power.

Aside from Tum'at Meit, there are eleven lower forms of Tum'ah; six are emitted by a living Israelite human being.

- Zav - "Any man who will have a discharge (abnormal seminal emissions) from his flesh..." (Vayikra 15:2, 3, 13-15, discussed in last weeks TT)
- Nida - a woman who experiences her normal monthly flow (Vayikra 15:19).
- Zava - a woman who had abnormal Nida-like bleeding after the conclusion of her normal menstrual period (Vayikra 15:25).
- Yoledet - the parturient, the woman after childbirth (Vayikra 12:2)
- Metzora - the "leper" (Vayikra 13:1 et seq. TT #616)
- Shichvat Zera - semen virile (Vayikra 15:16)

There are two kinds of Tum'ah (aside from the human corpse) which cause impurity through contact when dead.

- Neveilah - carrion (Vayikra 11:8 et seq.)
- Sheretz - the eight unclean "creeping things" specified in Vayikra 11:29-38

There are three acts associated with rites of the Beit HaMikdash which cause impurity.

- The burning of the Para Aduma - the red heifer (Bamidbar 19:7), gathering its ashes (19:10) and contact with the Mei Nida - the ashes mixed with spring water - when it is not being used for purifying purposes (19:21).
- The burning "of the bullocks and he-goats which must be burnt" (Vayikra 4:12,21,26 and Vayikra 16:27,28)
- The act of leading away of the Sa'ir Hamishtalei'ach (Sa'ir La'azazel, scapegoat) during the Yom Kippur service (Vayikra 16:26)

These are primary sources of impurity and therefore are called Avot HaTum'ah (sing. Av HaTum'ah, "father of impurity") Not all Avot HaTum'ah are of the same virulence which means there is a substantial difference in some of the purification rites and the time required. The following are susceptible to ritual impurity:

- Yisra'el - the male or female Israelite/ Kohein can be rendered impure.
- Vessels, utensils, man-made artifacts, clothing etc. - One must differentiate between porous Klei Cheres - earthenware vessels which cannot be purified by immersion, and Klei Shetef - non-porous washable vessels which can be purified by immersion (e.g. silver). Only an Av HaTum'ah renders vessels impure. Susceptibility of vessels to impurity depends on what they are made of, the details of their construction and whether they are firmly attached to the ground or not. A vessel is susceptible to impurity only when it is completed but there is a difference between wooden and metal vessels as to what Halachically constitutes completion.
- Food - All food may be rendered susceptible to impurity if intentionally moistened by one of seven liquids: water, dew, wine, oil, blood, milk and honey. Strangely enough, bee honey renders food susceptible to impurity, wasp honey does not (Vayikra 11:38, Machshirin 6:4). The application of the liquid cannot be accidental. If a glass of water was inadvertently knocked over and as a result dry food was moistened, the spilt liquid did not cause impurity. The essential element of intention was absent.
- Drinks - all drinks are susceptible to impurity.

There are four levels of impurity which are classified as Veladot HaTum'ah, "children of impurity". Whatever receives impurity directly from an Av HaTum'ah - a "father of impurity" becomes a Rishon LeTum'ah - a derivative impurity of the first degree or "first degree impurity". First degree impurity is the most severe form of "children of impurity" and can render impure Chulin (ordinary non-sacred food), Terumah ("priests-due") and Kodashim (sacrificial meat). Whatever received impurity from a Rishon LeTum'ah becomes a Sheini LeTum'ah - "second degree impurity". A Sheini LeTum'ah can defile Terumah and Kodashim; these then become Shelishi LeTum'ah - or third degree impurity. A Sheini Letum'ah cannot defile Chulin. Only Mei Nida can be contaminated by Revi'i LeTum'ah - "fourth degree impurity". Though there are exceptions, the general rule is that when impurity is transferred from one person or vessel etc. to another, the resultant "new" impurity is of a lower level.

There is frequent confusion between which animals cause impurity, which animals are forbidden to be eaten and which animals are simply "abominable" (Sheketz). All animals which the Torah calls "abominations" are not Kosher but not all non-Kosher animals are necessarily "abominable". Birds and dead creatures of the sea, even when they are forbidden to be eaten or are called "abominable", are never sources of impurity. "Everything (in the water) that does not have fins and scales (the signs of Kashrut) ... is to be abominated" (Vayikra 11:10-12). A dead octopus might be "abominable", nevertheless because it is a sea creature, it does not cause ritual impurity. And even though the Torah calls "creeping things" impure and abominable - Vayikra 11:43,44 - nevertheless, dead insects, spiders, worms, snakes, etc. do not contaminate. The Torah specifies eight "creeping things" (e.g. lizards, mice) whose remains cause impurity (Vayikra 11:29-31). Contact with any larger dead quadruped (e.g. cat, bear) causes ritual impurity but

a Kosher animal slaughtered according to Halacha does not. A Yisrael/Kohein never becomes Tamei by touching a live animal even if the animal is not Kosher and even if the Torah calls it "abominable". to be continued

Catriel's book in progress: The Temple of Jerusalem, A Pilgrims Prospective; A Guided Tour through the Temple and the Divine Service

Towards Better Davening and Torah Reading

The MITAHEIR is the person who was TAMEI and is in the process of becoming TAHOR by following various procedures. The word appears 12 times in Parshat M'tzora. One additional time, another similar word appears, referring to the KOHEIN who is helping to "purify" the MITAHEIR. He is called HAKOHEIN HAM'- TAHEIR. This onetime, the MEM under a SH'VA under it. The other 12 times, there is a CHIRIK under the MEM. Since there is a difference in the meaning of the two words, HAMITAHEIR and HAM'TAHEIR, a Baal Korei should be careful to pronounce the words correctly and clearly.

This next reminder, we've had before. HA'Y'MANIT meaning the right, as in ear, hand, and foot, occurs 14 times in Parshat M'tzora. (16 more times in the rest of Tanach.) In all cases, there is no DAGESH in the YUD and there is a SH'VA NACH Under it. There- fore, the word is NOT HA-Y'-MANIT with a Y sound for the YUD, but rather HAI (as in HI, HOW ARE YOU? or HAIKU poetry, or HIBACHI as in mangal) and then MANIT. It's a small point, but that's what this column is sometimes for.

NEGA, SHEMEN, HASHEMEN, HA'EREV. ZERA

Each of these words appears in the sedra many times, sometimes as above, and sometimes like this:

NA'GA, SHA'MEN, HA'SHA'MEN, HA'AREV, ZA'RA

The KAMATZ replaces the SEGOL (on the accented letter) when the word is a SOF-PASUK or an ETNACHTA. Meanings are not changed here, but a good Baal Korei is supposed to prepare well and make these distinctions. This is the same issue as MASHIV HARU'ACH UMORID HAGESHEM or HAGASHEM. Is the word at an ETNACHTA-type stop, ora shorter pause that would keep HAGESHEM? Take your pick.



The two birds are part of the purification process of a M'TZORA. Also included in the procedure are EIZOV (hyssop) and EITZ EREZ (cedar). Both are pictured on line with the the doves.

The M'tzora is required to shave the hair of his body (razor), including, as is mentioned in the Torah, the eyebrows. In the picture, one eyebrow has already been shaved.

The 2+1 on the lamb are for 2 male sheep and 1 female - part of the procedure of purification. So too the sack of flour and the oil can.

The house in the picture is frowning. It is sad that it is afflicted with N'GA'IM.

In the lower right are the three recipients of the blood and oil of the purification process - the earlobe (one opinion - others hold

the top of the outer ear, or the middle ridge of cartilage), thumb, and big toe - of the right ear, the right hand, and the right foot.

Above that is a left palm, mentioned many times in the sedra as where the kohein put the blood and then the oil from which he took on his right index finger in order to apply to the MITAHEIR.

What remains are two visual TTriddles, in the lower left-hand area of the ParshaPix.

TTRIDDLES...

are Torah Tidbits-style riddles on Parshat HaShavua (sometimes on the calendar). They are found in the hard-copy of TT scattered throughout, usually at the bottom of different columns. In the electronic versions of TT, they are found all together at the end of the ParshaPix-TTriddles section. The best solution set submitted each week (there isn't always a best) wins a double prize a CD from Noam Productions and/or a gift (game, puzzle, book, etc.) from Big Deal

Last issue's (TAZRI'A-HACHODESH) TTriddles:

- [1] Matza and this day
- [2] Haftara reminder of Purim
- [3] Some give them honorable mention this Shabbat
- [4] If ZELIG is the boy, what's the girl's name?
- [5] Each can get them. Together they are what?
- [6] plus two elements from the Parsha Pix

And the envelope, please...

[1] USH-MARTEM, and you shall guard...appears twice in Sh'mot 12:17, which is part of Maftir for HaChodesh. The two objects of the commands of SH'MIRA are MATZOT and THIS DAY (the day of the Exodus).

[2] HECHATZEIR HAP'NIMIT, the inner courtyard, is a phrase occurring 9 times in Tanach. Perhaps the most well-known occurrence is in Megilat Esther. We can get a flavor of Achashveirosh's arrogance when we realize that the other 8 times the phrase appears (once in Melachim Alef and 7 times in Yechezkel - including twice in the haftara for HaChodesh) it refers to the Beit HaMikdash.

[3] This refers to David and Yehonatan who are the topic of the haftara for Machar Chodesh which was preempted by the haftara for HaChodesh. S'fardi minhag (and those Ashkenazim who were influenced by the minhag or who adopted the minhag) is to read the first and last pasuk of the preempted haftara, be it Machar Chodesh or Rosh Chodesh, both of which can be on Shabbat HaChodesh. Minhag Yerushalayim is to read just the haftara of HaChodesh. But some definitely give honorable mention to David and Yonatan.

[4] Solvers are doing well with this week's TTriddle set, even at this early point in the week (Sunday night). Each TTriddle was well-solved by more than one solver so far, with veteran ace TTriddler EB doing them all perfectly. This one works if you spell ZELIG ZAYIN-LAMED-GIMEL, which is how it was spelled in the hard copy of TT (in contrast to the electronic versions which used the transliteration). ZAYIN (7) and LAMED-GIMEL (33) were the number of days of TUM'AH and TAHARA after the birth of a boy. A boy named ZELIG.

The girl would therefore be named YADSU, spelled YUD-DALET (14) and SAMACH-VAV (66). And no, YADSU is not a real name... except in TTriddland.

[5] Garments made of wool or linen are susceptible to "affliction of garments" (leather too). Each of wool and linen can get a NEGA. Together they are SHAATNEZ.

[6] The big camel, gamal, is the big GIMEL of V'HITGALACH. # is SH'TI & EIREV, warp & woof.

This week's TTriddles:

- [1] Two dots = -er; one dot = -ee
- [2] Israel's borders and Egypt's sin
- [3] A unique 6 in 2 sequence
- [4] 2 elements from the Parsha Pix

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Pesach...

Fast of the Firstborns

usually on Erev Pesach, is pulled back to Thursday (12 Nissan, April 21st, rather than Friday). It can be argued that a B'chor should fast rather than use a Siyum to permit eating, since the major basis on which the common practice of Siyum - No Fast is that for most people, fasting will in some way hamper the proper observance of the mitzvot of the Seder. Such an excuse hardly applies when the fast is on Thursday. On the other hand, since the fast is not on its "proper" day, it is qualitatively weaker and most allow (and even recommend) a Siyum all the more so. Some question whether a Siyum would also be required to avoid having to fast on Friday if one hadn't fasted on Thursday. Standard practice is for B'chorim to go to a Siyum on Thursday, thereby permitting eating that day, with no problem for FRI.

Erev Pesach M'shulash • Triple Erev Pesach

It's not really called that, but Rabbi Sholom Gold astutely gave the name to the three different days in which some Erev Pesach functions take place in years like this when Erev Pesach falls on Shabbat. This happens, by the way, exactly when Purim in Jerusalem falls on Shabbat, so the new name for Erev Pesach is perfect.

Fast of the Firstborns is pulled back to Thursday, as is mentioned elsewhere in this TT. So fasting or the Siyum alternative, which usually takes place on Erev Pesach, is done on Thursday, that is, on the 12th of Nissan.

B'dikat Chametz, searching for chametz is done on Thursday night, the eve of the 13th of Nissan, rather than the eve of the 14th, as is done on all other types of years. So too, burning of chametz is on Friday morning, rather than on Erev Pesach itself. We do not make the second Nullification of Chametz Declaration as the chametz burns - as is usually done, but we hold the declaration for Shabbat morning. Burning of chametz could technically be done anytime on Friday, since we will not have yet reached the time when chametz is prohibited. But standard procedure (which we should all follow) is to burn the chametz by the same time chametz would be forbidden, had the day been Erev Pesach.

Sale of chametz is also taken care of on Friday, and not on Shabbat Erev Pesach.

Shabbat is the 14th of Nissan, the real day of Erev Pesach. In the time of the Beit HaMikdash, Korban Pesach would be brought on this Shabbat. Today, those who recite the Seder Amirat Korban Pesach (or Amirat Seder Korban Pesach) would do so on Shabbat afternoon. (The appropriate texts will IY"H be part of next week's TT). The prohibition of eating matza on Erev Pesach applies to the Shabbat in question, etc. Bitul is said.

So just as the observances of Purim in Yerushalayim this year were distributed among three days, so too are the practices of Erev Pesach distributed among Thursday, Friday, and Shabbat, justifying the name of Erev Pesach M'shulash. And it is not just in J'lem!

YAKNEHAZ

It will be presented more fully in next week's issue, but just as a preview... with the Seder on Motza'ei Shabbat, we have the not so common issue of the special combination Kiddush for Yom Tov (which is also the first of the four cups of wine) and Havdala for Shabbat. This combination is known as YAKNEHAZ, an acronym for the order of the five brachot that are recited at the very start of the Seder. The order is the subject of an elaborate dispute. YAKNEHAZ is the opinion (one of at least 8 opinions) that we follow. YAYIN (borei pri hagafen), KIDDUSH (m'kadeish yisrael v'chag hamatzot) NER (the bracha for fire, but we do not use a regular havdala candle, but rather the Yom Tov candles), HAVDALA (hamavdil bein kodesh l'kodesh) and ZMAN (shehecheyanu). More IY"H next week.

Torah Tidbits Matza Guide

This guide has appeared as a Pre-Pesach feature for several years. An attempt has been made to clarify several issues which people are not always aware of. As clear and thorough as we have tried to be, there will probably be confusion in some readers' minds. When in doubt about any of the points concerned, please consult a Rav for further clarification. We pray to HaShem, that we should only help educate and inspire our fellow Jews to better observance and appreciation of Torah and mitzvot, and not G-d forbid, inadvertently trip anyone into transgression. Read carefully, and ask questions when you are not sure.

Matza P'shuta a.k.a. Regular Matza:

The recipe for matza is simple - flour and water. The flour requires special preparation and supervision as Pesach flour. The chametz process accelerates with the addition of any other ingredient. Therefore, our Sages insist on flour and water only. They calculated that flour and water (at room temperature and other controlled conditions) can become chametz if not baked within 18 minutes. Therefore, the baking process is geared towards this timing. Each 18 minutes (a little less), equipment and surfaces that come into contact with dough are cleaned. Matza that is baked from flour and water without specific intention "for the sake of the mitzva" and without the extra-special supervision (see below) is certified chametz-free and usable on Pesach, but because it is not "sh'mura", it should not be used to fulfill the mitzva on the first night.

Matza Sh'mura a.k.a. Shmura Matza:

The Torah prohibits the eating and possession of chametz on Pesach. Because of this, flour is milled and stored with exacting standards to assure a chametz-free product. But this is not the whole story. The Torah requires that we "guard the matzot"/ This is explained as an additional requirement above and beyond the procedures for non-chametz matza. There are two aspects of the preparation of matza that give it this higher status of Shmura. (1) Regular matza is baked from flour that is supervised from the time that the wheat is ground into flour. This is the minimum requirement of matza to guarantee that it is not chametz. Shmura requires supervision from the time the wheat was cut from the ground. Think of "from grinding" as police protection, and "from reaping" as an honor guard and/or a high alert situation. This is part of what matza shmura is. (2) Matza for the mitzva must be baked specifically for that purpose. Thus, SHMURA MATZA is MORE than minimum in

these two significant ways. This is the matza which we should use for the mitzva at the Seder. Some use Shmura matza exclusively throughout Pesach; some for the first day; some only for the Seder. Some use shmura only for the ceremonial matzot. As a minimum, each person should have shmura matza for the mitzvot of Matza, Koreich, and Afikomen. One more variation: For all of Pesach, shmura for making HaMotzi, even though regular matzot are also eaten during the meal and/or in recipes. Although the obligation to eat matza exists only on Seder night, there is a fulfillable mitzva to eat matza all seven days of Pesach. Keep in mind that all matza is sh'mura, but the sh'mira of sh'mura is on a higher level, as mentioned earlier.

First Oven a.k.a. First 18 minutes:

Periodically (once a day, usually at night) matza-making equipment receives a very thorough cleaning. This is above and beyond the cleaning done every 18 minutes. There are people who insist on using only matza that is baked during the first 18 minutes following intensive cleaning. First 18 minute matza is more expensive than regular, but... First Oven Matzot can be 'regular' or sh'mura, as the case may be.

Hand vs. Machine:

Shmura matza is available in two forms: square machine-made matzot and large round hand-made matzot. Many people prefer hand matzot especially for the mitzvot at the Seder. They feel more confident with the personal touch and supervision of the different stages in the matza baking. Some also feel that "baking for the sake of the mitzva" intention is more direct and "real" when the matza is prepared and baked by hand, rather than the impersonal flicking of switches and operation of levers, etc. that constitute the human actions in the machine-baking process.

Others feel that the machine matzot can also have the full KAVANA for the mitzva and will choose their shmura based on taste and price, considering the "religious standards" of hand and machine to be comparable.

And then there are those people who feel that there is a greater likelihood of human error when matzot are hand-produced. They consider today's machines to be capable of kneading dough, rolling to a uniform thinness, etc. far more efficiently than humans. These people insist on machine matzot and will not use hand matzot at all.

There are definitely two ways (at least) of looking at the issue of hand vs. machine.

Matza Ashira a.k.a. Egg Matza:

The Shulchan Aruch says that flour kneaded with liquids other than water - e.g. wine, apple cider, honey, egg - cannot become chametz... ever. Water is a necessary ingredient in chametz, just as it is a necessary ingredient of matza. No water, no chametz. (The wine and other liquids mentioned above have to be pure and undiluted - not reconstituted with water.) Based upon this statement in the Shulchan Aruch, we would be allowed to bake water-free matzot and cookies for Pesach. Care would have to be taken not to allow any water into the mixture, since this WILL produce chametz - and at an accelerated, uncontrollable rate. This warning is stated in the Shulchan Aruch. Based on the above, there is a Kosher for Pesach product known as EGG MATZA or MATZA ASHIRA, which is completely non-chametz. Egg matza cannot be used for the mitzva of matza for at least two reasons. (1) The mitzva is performed with that which would have become chametz if given enough time. This is not the case with egg matza, as mentioned earlier. (2) Egg

matza is also called MATZA ASHIRA, rich matza. Because of the tastier ingredients and softer consistency, egg matza does not qualify as LECHEM ONI - bread of affliction, poor person's bread. All of what has been said so far about MATZA ASHIRA is based on the author of the Shulchan Aruch, R' Yosef Karo, and is accepted as halachic by S'fardim (Eidot Mizrach).

However, the RAMA, Rabbi Moshe Isserles, the foremost "addender" of the Shulchan Aruch and binding authority for the Ashkenazi community, states that "we" have the practice not to eat matza ashira during Pesach. Built into the Ashkenazi ban on egg matza, is an exemption for infants and the elderly (and/or infirm, who would have digestion problems with regular matza). This clearly means that egg matza is definitely not chametz. One may possess egg matza during Pesach, and provide it for those who are allowed to eat it. But, we (meaning "healthy" Ashkenazim) don't eat egg matza (nor any product that is halachically equivalent to egg matza) on Pesach. Most consider the ban on egg matza to begin at the same time actual Chametz is forbidden on Erev Pesach.

BUYER BEWARE: In Israel, there are many, many Pesach cookies on the market, both packaged and sold in bulk, that are made with Pesach flour and other ingredients, but no water. These cookies don't look like the egg matza that we might have seen, but they are exactly the same. They are cookies that are Kosher for Pesach; S'fardim can eat them; Ashkenazim cannot (except as mentioned above). These cookies are often labeled MATZA ASHIRA and/or UGIYOT YAYIN (wine cookies), but sometimes not. Read labels carefully to avoid the pitfall of eating something labeled (and correctly so, for S'faradim) KOSHER L'PESACH but that may not be eaten by Ashkenazim. When in doubt - ASK.

Also note the difference between PESACH FLOUR, a.k.a. FLOUR FOR MATZA, i.e. Kosher for Pesach wheat flour that is used in the baking of matzot (and the various Matza Ashira products on the market), as opposed to MATZA FLOUR. In Hebrew, KEMACH L'MATZOT as opposed to KEMACH MATZOT. The latter is what we call matza meal or cake meal. It is made from matza that has been ground into a flour-substitute used by many (but not all - see below) for Pesach cooking and baking. When flour is used in a food product, the result is either real matza, real chametz, or egg matza (which, to repeat and stress, is not chametz, but... - see above).

BTW, the "egg-matza" cookies are a great idea for pre-Pesach snacks, especially for toddlers and crawlers who might be in the habit of stashing their food between the couch cushions and in the ribs of radiators. These cookies are not chametz, and neither are their crumbs. And you can have them around for right after Pesach - again, with no problems.

The Ashkenazi practice is based on a fear that some water might get into the mixtures at the wrong time, combined with paying token heed to the opinion - that is not accepted as halacha, but nevertheless exists - that it IS possible to produce chametz, even without water. We don't accept that opinion as halacha, but it does influence our practice of not eating matza ashira on Pesach.

Matza Sh'ruya a.k.a. Gebruchts:

Mix flour with water, knead it into a dough, roll it thin, perforate it to prevent rising, and bake it, and if you've done things carefully and quickly, you now have matza. Take this matza and crush it up, grind it, and mix it with water without

worry because once the matza has been baked it can never become chametz. This is the reasoning behind matza meal and cake meal. They are flour substitutes in a host of recipes. No risk of chametz.

However, what if in the haste of kneading the dough for matza, some flour remains dry and unmixed with water. Then it doesn't become matza upon baking. It remains flour. And flour is potential chametz. Not chametz, but potential chametz. This minute amount of raw, dry flour is trapped inside a sheet of matza. Eat the matza and you are actually eating matza plus a bit of flour. No problem. But, take the matza and crush it up into a bowl of hot chicken soup, cold egg & water, or room-temperature borscht, and the flour now mixes with water (and other ingredients) and can produce chametz, even in less than 18 minutes.) Does this actually happen? Do we have to worry about this possibility? Halachically, we do not have to worry about it. Machines and people who knead the dough for matza do a thorough job and we may assume that there is no raw flour trapped inside our matza. That is the halacha.

But there are many communities and families that have taken upon themselves - somewhere along their family trees, back some generations - the minhag of NOT soaking matza. The extent to which this minhag of NO GEBRUCHTS goes, varies from family to family. Today, it is mostly a matter of continuing the practices of one's family tradition. This is so, even if one is sure that the matza dough was kneaded very well. Not eating Gebruchts does not mean that a person is more religious than those who do. It is a matter of custom. Those with the custom though, are duty-bound to keep it. A mixed marriage between a kneidel person and a potato starch only person create interesting situations with in-laws, etc. A Rav should be consulted for guidance in these (and other) matters.

Oat Matza:

What about people with allergies or intolerance towards wheat? There is a shmura matza available made from oat flour. (This will help SOME, but not all people with the gluten-intolerance.) There is a debate among botanists as to whether oats as we identify it today is the same as the SHIBOLET SHU'AL mentioned in the Mishna and halachic literature. If they are the same, then oat matza is an important substitute for wheat matza for people with these medical conditions. A rav should be consulted in case of need. Wheat is the preferred grain for matza, because it is first-mentioned on the list of the five grains. But the health factor definitely must factor in. There is also a matza from spelt, usable as a substitute for wheat matza.

Note: Anyone with a gluten intolerance should consult his/her doctor and then a rav to sort out their matza issue.

Matza Baked on Erev Pesach after Noon:

There are some individuals who are particular about baking their mitzva matzot on the afternoon of Erev Pesach (not this year), a mere few hours before the Seder. Since the baking is done at the same time that the Korban Pesach was brought in the Beit HaMikdash, those who bake then, sing Hallel while they work, to commemorate the Hallel that accompanied the K.P. Some sources indicate that this is the ONLY matza that one can really fulfill the mitzva with. Others maintain that earlier matza is acceptable, but that this is better. Still others hold that one should NOT bake matzot on the afternoon of Erev Pesach, because any chametz that is accidentally produced means a violation of possession. Needless to say (almost), most people use matza that was baked before Erev Pesach in the afternoon.

Chocolate covered Matza & chocolate Matza:

There are 3 different chocolate-matza snacks on the market. Chocolate covered matzot use real wheat & water only matzot. There's no problem with this product (for people who eat regular matza on Pesach), except that the bracha for it remains HaMotzi. Coating matza with chocolate does not remove the obligation to wash, say HAMOTZI and bench afterwards.

Chocolate covered egg matza has the same rules as egg matza. The bracha is M'ZONOT and Ashkenazim cannot eat this product on Pesach (except as mentioned in the Matza Ashira section). Then there is chocolate matzot, which are pure chocolate in the form of matza. This, of course, is not really matza, and does not really belong in this Guide to Matza, but is included anyway. It gets a SHEHAKOL.

Chametzdik Matza:

Be careful of matza which is chametz, from the rest of the year. It looks like matza, tastes similar, etc. but is as chametz as any bread. Some of this "round the year" matza is still on supermarket shelves when the Pesach matzotz and other products come out. Be careful.

And now you (hopefully) know...