

This Shabbat is the 241st day (of 383); the 35th Shabbat (of 55) of 5765 • We read/learn the SECOND perek of Avot

וְנִקְדְּשִׁיתִי בְּתוֹךְ בְּנֵי יִשְׂרָאֵל אֲנִי ה' מִקְדָּשְׁכֶם: ויקרא כב:לב

## Even Now? Especially Now!

Have you heard anyone say: With what's going on in this country (the PM's disengagement plan and more), I'm not going to say Hallel on Yom HaAtzmaut this year. How about - we're not going to say T'fila Lishlom HaMedina (the Prayer for the State of Israel) anymore. It's been said and it is as vexing and disturbing as it is very difficult to understand.

When more do we need to ask for G-d's protection and for Him to send His Light and His Truth to this country's leaders, ministers, and advisors? When more do we have to ask G-d to bring Jews from all over the world to our G-d given Land and to imbue in all of us - new Olim, Oldtime Olim, and native Israelis, love of G-d, unity of heart, commitment to Torah and Mitzvot? When more than now do we ask for Him to send the Mashiach and the Complete Redemption. That's what we ask for in the Prayer for the State. Why would anyone who loves this Land and its People... and, yes, the State, suggest withholding the T'fila Lishlom HaMedina?

And why would anyone who has thanked G-d for years for the establishment of a Jewish State in Eretz Yisrael after so many long years and generations of Exile and of foreign rule over this Land, think of stopping now that they are disenchanting (to say the least) with what is being planned?

The declaration of the State included the opening of the doors to Eretz Yisrael to all Jews who want to come and live in the Homeland promised to our ancestors for their descendants for all generations. For this alone, G-d should have our eternal gratitude. There is more Torah learned today in the State of Israel than anywhere else in the world at any time since we became a nation. We have so much to thank Him for and so much to ask of Him as well. And we must work hard to make things better, to hasten the Geula.

## 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...

The molad of Iyar was Sunday evening at 19h 8m 7p. That was 7:47pm on the clock, Israel Summer Time. Earliest time for Kiddush L'vana is 3 full days later, i.e. Wednesday, May 11th at 7:47pm. Sunset that evening is 7:27pm and it will be dark enough for K.L. around 7:50-ish, so it is sufficient to say that first op is Wednesday night, without qualifying that with a time. Just be careful not to jump the gun, for two reasons: until 7:47pm, 3 full days have not passed since the molad, and before that time, the moon on that night is not yet MEI'IR LA'ARETZ, illuminating the Earth.



Many people will wait until Motza'ei Shabbat to say K.L., but if you are a strict 7-days-after-the-molad person, your first op will be Sunday evening, May 15th. On another topic, Iyar is one of the few months with another name: ZIV.

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**OTHER Z'MANIM**  
Correct for Jerusalem

**CANDLE LIGHTING HAVDALA TIMES**  
regular and (earliest)  
Israel Summer Time (DST)  
Correct for TT 667 • Rabbeinu Tam (I'm) - 7:47pm

<b>6:53pm</b> (6:02)	Jerusalem	<b>8:09pm</b>
7:10pm (6:05)	Gush Katif	8:11pm
7:09pm (6:04)	Raanana	8:11pm
7:08pm (6:03)	Beit Shemesh	8:10pm
7:10pm (6:04)	Netanya	8:12pm
7:09pm (6:04)	Rehovot	8:11pm
6:50pm (6:04)	Petach Tikva	8:11pm
7:08pm (6:03)	Modi'in area	8:10pm
7:08pm (6:03)	Be'er Sheva	8:09pm
7:07pm (6:02)	Gush Etzion	8:08pm
7:08pm (6:03)	Ginot Shomron	8:10pm
6:53pm (6:02)	Maale Adumim	8:08pm
7:04pm (6:03)	Tzfat	8:11pm
7:07pm (6:02)	K4 & Hevron	8:09pm

Ranges are THU-THU 3-10 Iyar (May 12-19)

Earliest Talit & T'filin - 4:49-4:43am
Sunrise - 5:44-5:40am
Sof Z'man Sh'ma - 9:09-9:07am (8:18-8:15am)
Sof Z'man T'fila - 10:18-10:15m (9:44-9:42am)
Chatzot (halachic noon) - 12:35½-12:35½pm
Mincha Gedola (earliest Mincha) - 1:10-1:11pm
Plag Mincha - 6:02-6:05pm
Sunset - 7:32-7:37pm (7:27-7:32pm)

In the Wolinetz Family Shul  
OHHEL SHMUEL (entrance floor)  
**"Early Shabbat" Davening**  
Mincha 5:47pm (15 min. before Plag)  
Shabbat afternoon shiur, 5:00pm  
**Yaacov Peterseil & Co.**  
Mincha at 6:00pm

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22 Keren HaYesod • POB 37015 • Jerusalem 91370  
phone: (02) 566 7787 • fax: (02) 561-7432  
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## EMOR STATS

31st of 54 sedras; 8th of 10 in Vayikra  
 Written on 215 lines in a Sefer Torah (rank: 20)  
 17 parshiyot; 11 open, 6 closed (above avg.)  
 124 p'sukim, rank: 15th; 1st in Vayikra  
 Same as Sh'mot, but shorter in words & letters  
 Very very close in number of lines; but number of parshiyot affects line-count  
 1614 words, rank: 22nd; 2nd in Vayikra  
 6106 letters, rank: 23rd; 2nd in Vayikra  
 Relatively short p'sukim account for its drop in ranking in words and letters

## MITZVOT:

63 of the 613 mitzvot; 24 pos. 39 prohibitions  
 Only Ki Tetze (with 74) has more mitzvot than Emor. And only K'doshim and Ki Teitzei are more "Mitzva- dense". Emor averages more than one mitzva every two p'sukim. Emor has almost five times as many mitzvot than average for the Torah.

## 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 - 15 p'sukim - 21:1-15

This Aliya is particularly appropriate for a kohen

[P> 21:1 (9)] Following Parshat K'doshim, which focuses on the challenge to the individual Jew and the whole Jewish community to rise to higher levels of sanctification, Emor begins with the special sanctity of the kohein, and the even higher sanctity of the Kohein Gadol. These higher levels of k'dusha are concomitant with stricter rules of personal religious conduct.

A kohen is not to become ritually defiled due to contact with a dead body [263,L166 21:1], except for his seven closest relatives: wife, mother, father, son, daughter, brother, and (unmarried) sister. This is more than permission; a kohen is required to participate in the funeral and burial of his close relatives, becoming "Tamei" [264,A37 21:3].

Kohanim (and all Jews) are forbidden to afflict the body in any way as a sign of grief. [This is an example, among many, of a mitzva that appears in a particular sedra, but is counted elsewhere. In other words, Emor has even more than the "official" count of 63 mitzvot.]

## MITZVA WATCH

The Talmud teaches that from this same source, mitzva 264, comes the requirement, incumbent upon all Jews (not just kohanim), to mourn one's seven close relatives. It is important to note that this is not a case of rabbinic extension of Torah law or rabbinic legislation sanctioned by their obligation to "protect" Torah and mitzvot. This is more. This is part of the definition of the Torah's mitzva #264, as transmitted to us by the Talmud, the Oral Law. The Sages of the Talmud present us with two categories of Law - Torah Law, which includes the Written Word AND the Oral Law, and Rabbinic law. They not only teach us both, but they (most often) clearly differentiate between the two categories for us, so that we will know what is D'ORAITA and what is D'RABANAN, thereby neither adding to nor detracting from the Torah. Our commitment to G-d at Sinai includes careful adherence to Torah and Rabbinic Law (since the Torah requires us to listen to the rulings and teachings of the Sanhedrin). But it is important for us to know the difference so that we will not have a distorted view of the Torah. (There are also practical distinctions between Biblical and Rabbinic law.) Specifically, in the case of mourning, the first day is considered Torah Law, the balance of Shiva is Rabbinic. Rabbinic, but inspired by the Torah. But that's not the same as Torah law itself.

Kohanim must be holy and avoid desecrating His Name, because they perform sacred service. This mitzva for the kohein is also taken to refer to the prohibition of doing Temple service after purification in a mikve, but before the day has completely passed [265, L76 21:6]. (Such a person is known as a T'VUL YOM. His complete purification is lacking only time.)

A kohen may not marry a "zona" (a non-Jew and/or a Jewish woman who has had relations with a man who is forbidden to her) [266,L158 21:7], a "chalala" (the daughter of a kohen from a woman to whom he is forbidden because he is a kohen) [267,L159 21:7], nor a divorcee [268,L160 21:7].

Because of the sanctity invested in the kohen by HaShem,

we are commanded to honor the kohen [269,A32 21:8]. Calling him to the Torah first is one manifestation of this honor. So is having him lead Birkat HaZimun. We may not "use" a kohen to serve us.

[S> 21:10 (6)] The Kohen Gadol has even more restrictions because of his higher sanctity. He may not defile himself to any dead person (even his parents - the only exception is a body that has no one to tend to it. This is known as a MEIT MITZVA) [271,L168 21:11] nor enter under a roof with a dead body [270,L167 21:11]. The Kohen Gadol's sanctity derives from the anointing oil and/or the special garments. He is to marry a previously unmarried woman [272,A38 21:13]. He may not marry a widow [273,L161 21:14] nor any of the types of women that the regular kohen is forbidden to marry. He is further forbidden to have relations with a widow [274,L162 21:15], as this would contravene his sanctity.

The Kohen Gadol should (preferably) be smarter (better educated, wiser) than his fellow kohanim, bigger (taller) in build, and wealthier.

One of the Chassidic Masters gave a different spin to the phrase HaKohein HaGadol Mei'Echav (plain meaning is the Kohein who is greater than his brothers, viz. the Kohein Gadol). He said it is the Kohein whose greatness comes from his brothers (Mei'Echav), a Kohein respected and honored by his fellow kohanim.

## Levi - 2nd Aliya - 25 p'sukim - 21:16-22:16

[S> 21:16 (9)] A kohen with a disqualifying blemish may not serve in the Mikdash [275,L70 21:17]. The Torah next identifies many of the disqualifying blemishes. The rule applies not just to a permanent blemish or deformity, but even to temporary blemishes [276,L71 21:21]. A disqualified kohen may eat of the sacred foods (some but not all categories), but may not even enter the Mikdash [277,L69 21:23].

**Clarification:** A kohen baal mum (with a disqualifying blemish) is barred from the area of the Mikdash from the (external) Altar and inward, but may enter the outer area of the courtyard of the Mikdash, and even may perform some tasks.

[P> 22:1 (16)] Furthermore, a kohen who becomes "tamei" is temporarily barred from the Mikdash [278,L75 22:2], nor may he "approach" sacred foods. He may not eat Truma [279, L136 22:4] or other "kodoshim" while "tamei" from any of various sources. On the day of impurity (for the 1-day type) or on the last day (for the 7-day type), the kohen immerses in a mikve and, "with stars-out", he once again is allowed to eat Truma.

Not only may one not eat non-kosher meat, it also renders a kohen "tamei".

A non-kohen may not eat Truma [280, L133 22:10] (or other sacred foods specifically designated to the kohanim). Jewish servants and laborers of a kohen may not partake of Truma [281,L134 22:10]. OTOH, an "eved K'naani" who is considered part of the kohen's possessions, may eat his master's Truma. An uncircumcised male may not eat Truma (even if he has

valid medical reasons for being uncircumcised) [282,L135 22:10]. This rule is not expressly stated in the text, but is learned by "parallel texts" from korban Pesach. It is nonetheless one of the 613 mitzvot, noteworthy, in that it is a mitzva with no direct "chapter & verse" to point to.

A kohen's daughter (and any woman) who has relations with someone to whom she is forbidden, may no longer eat Truma [283,L137 22:12]. This mitzva also includes the situation of a kohen's daughter who marries a non-kohen. During her marriage, she may not eat Truma. If her husband dies or divorces her, she may return to her father's home and eat Truma - if she has not had children. With children the fear is she might feed them (her children are NOT kohanim) from the Truma. Hence, she too is barred.

A person who inadvertently eats Truma must compensate the kohen by paying the value plus an amount which equals 1/5 of the payment. Eating "tevel" (produce from which none of the required separations was taken) is forbidden for all to eat [284,L153 22:15]. Violation constitutes a disgrace of the sacred.

## Shlishi - 3rd Aliya - 17 p'sukim - 22:17-33

[P> 22:17 (9)] Animals offered as sacrifices must be blemish-free [285, A61 22:20]. It is forbidden to consecrate a blemished animal as a korban [286,L91 22:21]. It is also forbidden to make a blemish in a korban [287, L97 22:21]. Blemishes referred to are specifically defined by the Torah & Talmud. If a blemished animal is offered, it is additionally forbidden to sprinkle its blood on the Mizbei'ach [288,L93 22:22], or to slaughter (as a korban) a defective animal [289,L92 22:22] [289,L92], nor to place any of the animal's parts on the Mizbei'ach to burn [290,L94 22:22]

Castration of animals is forbidden [291,L361 22:24]. (This is a serious halachic issue related to house pets. Consult a Rav who knows these things for details.)

A defective animal may not be offered as a korban, even if received from a non-Jew [292,L96 22:25].

[S> 22:26 (8)] From this point through chapter 23, is the Torah reading for the first day of Sukkot (second day as well, outside of Israel) and the second day of Pesach (our first day of Chol HaMoed. Second day Yom Tov in Chutz LaAretz)

A new-born animal stays with its mother for 7 days and only thereafter may be used as a korban [293,A60 22:27].

It is forbidden to slaughter (as korban or for personal use) an animal and its offspring on the same day [294,L101 22:28].

The Torah, once again reminds us that korbanot to be eaten have time limits which must not be exceeded.

Until this point in the sedra, the Torah has dealt with the sacrificer (kohein) and the sacrificee (animals). It now changes gears and we find another meaning of the word

sacrifice, as in being willing to die in sanctification of G-d's Name.

We may not desecrate G-d's Name [295,L63 22:32]; we must sanctify His Name [296,A9 22:32]. These mitzvot have many facets. A Jew is required to give up his life rather than violate one of the "big three": murder, incest/adultery and idolatry. In times of "forced conversion", martyrdom is required even for the "least" violation.

## MITZVA WATCH

Our Sages have broadened the scope of this very significant mitzva-pair: Kiddush/Chilul HaShem. In addition to Martyrdom, one who violates any prohibition in a spiteful manner, esp. in public, is considered to be disgracing G-d's Name. Conversely, the special way in which a person can perform a mitzva, when esteem for mitzvot in the eyes of other people is enhanced, when respect for Torah and Torah-Jews is increased, then that person has not only performed a mitzva - he has sanctified G-d's Name. This same idea is extended to any facet of human behavior. The religious Jew (or the Jew who appears to be religious) has the constant potential of Kiddush (or Chilul) HaShem. Simple acts of common courtesy or discourtesy can have far-reaching ramifications, depending upon who is involved, who is watching, how things are perceived, etc.

### R'vi'i - Fourth Aliya - 22 p'sukim - 23:1-22

[P> 23:1 (3)] Chapter 23 in Vayikra is the "Portion of the Holidays". It begins with the statement: "These are the Festivals..." Shabbat is presented as the first of the Holidays (we designate it so in Kiddush on Friday night when we say that Shabbat is in commemoration of the Exodus and is the first of the "days called Holy").

[P> 23:4 (5)] On the 14th day of Nissan, the Korban Pesach is brought. On the 15th, begins the Matza Festival (which we call Pesach), "requiring" matza for 7 days. The first is a holy day with most forms of "melacha" forbidden [297,298;A159,L323 23:7].

(In each case of a Yom Tov, there is a positive command to abstain from "melacha", and a prohibition against doing "melacha").

Korban Musaf is to be brought on the 7 days of Pesach [299,A43 23:8]. The seventh day is Yom Tov [300,301; A160,L324 23:8].

[P> 23:9 (6)] Following the 1st day of Pesach, the Omer (barley-offering) is brought [302,A44 23:10]. Special korbanot are offered on the day of the Omer. One may not eat different forms of new grains until the bringing of the Omer [303,304,305;L189,190,191 23:14].

[S> 23:15 (8)] We are to count from the day of the bringing of the Omer a period of 7 weeks - 49 days [306, A161 23:15]. The Torah says 50 days, but we understand it to mean "up to but not including" (because it also says 7 full weeks, and 50 is not divisible by 7, but 49 is).

Following the 49th day, a special offering of two loaves from the new wheat is to be offered [307,A46 23:16] [307,A46]. This is on the holiday of Shavuot which has

"melacha" restrictions [308,309;A162,L325 23:21]. This Aliya ends with the reminder of the gifts of the field that must be left for poor people.

Why mention these mitzvot in the midst of the portion of the Holydays? Rashi quotes R' Avdimi: He who gives gifts to the poor in a proper manner is considered equal to one who builds the Beit HaMikdash and offers the Festival sacrifices therein.

### Chamishi - 5th Aliya - 10 p'sukim - 23:23-32

[P> 23:23 (3)] The 1st day of the 7th month (Tishrei) is holy (Rosh Hashana), "melacha" being forbidden [310,311; A163,L326 23:24,25]. Special Musaf sacrifices are brought [312,A47 23:25], in addition to the Rosh Chodesh Musaf. Note that Shofar is not counted here, but in Parshat Pinchas. Here Rosh HaShana is referred to as ZICHRON TRU'A, a remembrance of the Tru'a. In Pinchas, the Torah tells us to have a "Tru'a day" - that is the command to blow Shofar [405,A170].

Zichron Tru'ah is the term we associate with RH when it falls on Shabbat and we do not blow the Shofar by rabbinic decree. It fits then that Shofar should not be counted as a mitzva here in Emor. Furthermore, one commentator suggests that the silent Shofar came first because the first Rosh HaShana after Matan Torah was a Shabbat.

[P> 23:26 (7)] The 10th of Tishrei is Yom Kippur. One must fast [313,A164 23:27]. There is a Korban Musaf to be brought on Yom Kippur [314,A48 23:27], (in addition to the Yom Kippur service described in "Achrei"). Eating or drinking (without a valid excuse) is punishable by excision (death and more, from Heaven). Similarly, ALL "melacha" is forbidden [315,L329 23:28], as are to eat and drink on Yom Kippur [316,L196 23:29]. We must abstain from (Shabbat-like "melacha on Yom Kippur [317,A165 23:32].

"...On the ninth of the month in the evening, from evening to evening, observe your Shabbat." From here the Gemara teaches up the concept of Tosefot Shabbat and Yom Tov, which we partly observe by counting the time from sunset to stars-out as Kodesh on both ends of the day.

### Shishi - 6th Aliya - 12 p'sukim - 23:33-44

[P> 23:33 (12)] The 15th of Tishrei is Sukkot, a 7-day holiday. "Melacha", (referring to most of the Shabbat restrictions, with the well-known exceptions) is forbidden on its 1st day [318,319;A166,L327 23:35]. Musaf sacrifices are to be brought on each of the 7 days [320,A50 23:36]. The 8th day (sometimes Shmini Atzeret, a.k.a. Simchat Torah, is viewed as its own holiday; sometimes as the 8th day of Succot) is also a Yom Tov [321,322; A167,L328 23:36] with korban musaf of its own [323,A51 23:36].

These are the Holidays, besides the Shabbatot of the year and other offerings to the Beit HaMikdash. It is at the harvest time in the fall that Succot is to be celebrated.

On the 1st day we are required to take the 4 species (a lulav, etrog, hadasim, aravot) [324,A169 23:40].

During the holiday of Sukkot, we are to dwell in sukkot [325,A168 23:42]. This is in order to instruct all generations about the aftermath of the Exodus when we were privileged to Divine protection in the wilderness.

The standard understanding of the portion of the Holydays is that the "list" begins with Shabbat, as mentioned above. There is an interesting other way to understand the situation, attributed to the GR"A. Six days you shall work refers to the six holy days that some Melacha is permitted - 1 & 7 Pesach, Shavuot, Rosh HaShana, 1 & 8 Sukkot. But on the seventh (holy day), it is "Shabbat", i.e. Yom Kippur. In other words, Shabbat is not part of this whole chapter. This novel analysis of the wording in the p'sukim helps explain why "these are Mo'adei HaShem..." is repeated. First there is a summary, then the details. On the other hand, in Friday night kiddush, we call Shabbat the beginning of the days called Holy. T'CHILA L'MIKRA'EI KODESH. And Shabbat's description as ZEICHER LITZIYAT MITZRAYIM, com- memorative of the Exodus, also puts it on the list of the holidays.

## Sh'vi'i - 7th Aliya - 23 p'sukim - 24:1-23

[P> 24:1 (4)] G-d tells Moshe to command the people to prepare pure virgin olive oil for lighting the Menora, always. The lamps of the Menora burned through each and every night, right outside the dividing curtain (Parochet) between the Sanctuary and the Holy of Holies.

**SDT** *The juxtaposition of the Festivals and the lighting of the Menora is taken as a hint to Chanuka from the Torah. What even makes the point stronger is the Torah's stress on the concept that the lights of the Menorah are constant, eternal, always, through the generations. The Menorah of the Beit HaMikdash has not made it through the generations. The Chanuka lights have!*

[P> 24:5 (5)] We are also to take fine flour and bake 12 loaves (matza rules) which are placed on the Shulchan in the Mikdash. This too was a permanent fixture in the Beit HaMikdash. The loaves were exchanged weekly, on Shabbat (having been baked on Friday, unless it was a Yom Tov - then the baking was on Erev Yom Tov). The kohanim on duty would share the loaves that were replaced by the new ones.

[S> 24:10 (3)] The Torah next tells us of the son of a Jewess and an Egyptian who "blessed" G-d's name. He was incarcerated pending word from G-d on how to punish him. The command was to stone him to death. This is to be the punishment for "blessing G-d".

The Midrash says that the Egyptian father of the blasphemer was the one that Moshe killed and hid in the sand.

So too, murder is a capital offense. Killing an animal requires compensation to the owner. Causing injury to a person requires compensation based on factors resulting from the injury.

The execution of the "curser" was carried out, as commanded by G-d through Moshe.

The three last p'sukim are repeated for the Maftir.

## Haftara - 17 p'sukim - Yechezkeil 44:15-31

Yechezkel, himself a kohen whose early days were spent in the Beit HaMikdash, prophesies the rebuilding of the Mikdash and the restoration of the active kehuna. He reiterates many of the rules of the kohen, many of which are based in Parshat Emor. It is interesting to note that some of his rules are stricter than required by Torah law, but suited the conditions of his time. For example, Yechezkeil restates the marriages permitted and forbidden to a kohen. He says that a kohen cannot marry a divorcee (correct) nor a widow (this is not so according to the Torah; only the K.G. may not marry a widow). But he adds that a kohen may marry a widow of a kohen. Apparently, by not allowing a kohen of the time to marry a widow of a non-kohen, the community would take care of its widows (from kohanim) in a better way. To apply the halachic details to the future, on a permanent basis is problematic in light of the immutability of the Torah. They can be considered "for the moment" or possibly they could be "suggested" strict measures.

## THE JERUSALEM INSTITUTE OF JEWISH LAW - Rabbi Emanuel Quint, Dean

### Lesson # 283 • Laws Regarding Stealing

Beginning with this lesson and continuing for several more lessons we shall be discussing the laws of stealing and then the laws of robbery. There are many differences in halacha between stealing and robbery. Stealing is generally done without the victim's being aware or it at the time of the theft (that is, usually done secretly); robbery usually is done openly with the victim being aware of the robbery.

### The Prohibition Against Stealing

Maimonides in his introduction to The Laws Concerning Theft lists seven commandments regarding theft, two positive and five negative. (1) not to steal anyone's property; (2) to administer the laws of theft; (3) to maintain accurate scales and measures; (4) not to act dishonestly regarding weights and measures; (5) not to possess extra [dishonest] weights and measures, even if one does not use them for buying and selling; (6) not to move a boundary line; and (7) not to abduct human beings.

The basic commandment is found in the verse, "You shall not steal, you shall not deny falsely, and you shall not lie to one another" (Vayikra 19:11) Thus if one steals anything having value of at least a p'ruta [the smallest coin] one transgresses the commandment no to steal.

There is no flogging administered for transgressing this commandment, since the part relating to the victim may be undone by making restitution.

The prohibition against stealing applies equally against stealing from a Jew or from a Gentile, from an adult or from a minor.

It is prohibited to steal anything, however small its value. It is prohibited to steal in jest or to steal an object with the intent of restoring it to its owner, or with the intention of paying for it and for paying the victim the double penalty or to distress the victim. All these things are prohibited so that a person will not get accustomed to stealing. The Torah also provides for a thief to have to pay the double penalty if there were witnesses to the theft and certain criteria were met.

**Happy 57 State of Israel - forever!**

## The Act of Thievery

The theft commences as soon as the thief acquires the object he is stealing. An object is stolen the same way an object is acquired if purchased. If the thief lifts the object he steals it the moment he lifts the object even in the premises of the owner or in a private place. He has transgressed the prohibition not to steal. If he steals the object by drawing it to him, the theft occurs when the object is drawn into the premises of the thief or to a side street that is not frequented by many people or premises belonging to both the thief and the victim.

If the object, such as an animal, enters upon the premises of the thief and he intends to steal it, the theft occurs immediately if the premises are guarded by a fence around it, even if the thief is not present. If the object is on his premises, such as landing there by mistake, as when someone, the owner or another drops it there, the theft occurs if the thief is present and intends to steal it.

## Paying for the Theft

When the thief has to make restitution for what he stole there are differing opinions.

There is one opinion that holds that payment may be made by the thief paying in cash or in kind, or by transferring real estate of that value to the owner. These payments in kind may be made even if the thief has cash. If the payment is made by transferring real estate it must be made from the highest-quality land of the thief. There is another opinion that if the thief possesses cash or real estate, he is not permitted to pay in kind. I think that in our times the latter opinion should be followed. If the thief does not have assets to make restitution, the amount owed becomes a debt and can be collected any time without limit.

## Accomplices to the Theft

If two persons steal an object, they are jointly liable for the entire value of the stolen object. Even if one has fled or has no assets to pay for the theft, the victim may collect the entire amount of the theft from either thief.

Levi, a witness, saw Reuven enter onto Shimon's premises and steal an object. The object came into the hands of Levi. If Levi is certain that Reuven stole the object, Levi must return the object to Shimon. If Levi returns the object to Reuven, he must pay Shimon for the object. If Levi loses the object, Shimon may collect the compensation from either Reuven or Levi. However, if Levi is not certain that Reuven stole the object from Shimon, as for example, Reuven, before taking the object from Shimon's premises, informs Levi that the object is Reuven's and he is retrieving his own object. Then if Levi returns the object to Reuven, Shimon cannot sue Levi, since Levi was told by Reuven that the object was his and Levi does not know otherwise. Shimon must sue Reuven. But if Levi returns the object to Shimon, Reuven can sue Levi, since Levi had no right to return the object to Shimon once Reuven claims the object was his. Levi may not help Shimon at the expense of Reuven. Levi should have brought a lawsuit in Beth Din naming both Reuven and Shimon and let Beth Din decide who should get the object.

A reported case of the 13th century involved the following facts: Shimon sues Reuven for stealing books from Shimon's library. Reuven's defense is that the books he took belong to his cousin Shimon's daughter-in-law Sarah, and she claims the books were hers but were too heavy for her to carry them out of Shimon's house and she asked Reuven to help her. Reuven admits that he does not know who is the rightful owner of the

books, Sarah or her father-in-law Shimon. Also Reuven pleads that he did not lift the books in the first instance, but rather Sarah did and then Reuven carried them out of the house of Shimon. It was held that Shimon can collect the value of the books from either Sarah (who now has the books in her possession) or from Reuven. Reuven's defense that he does not know whose books they are, is not valid, since the books were in Shimon's house and are therefore presumed to be his. Also, although the actual stealing of the books came when Sarah picked them up, since she could not have taken the books out of the house of Shimon since they were too heavy for her to carry, Reuven was an active accomplice in the theft. However, if Sarah, once she lifted the books could have carried them out by herself, Reuven is not deemed an active accomplice although he helped her, and is not liable to Shimon for the value of the books. However, if Reuven had the books in his possession, he would have to return them to Shimon.

*The subject matter of this lesson is more fully discussed in volume IX chapters 348 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

## Counting the Omer

From the day following Pesach until the day before Shavuot, we count the 50 days of Omer. The name Omer comes from the measure of barley offered in the Mikdash on the day after Pesach. The count continues until Shavuot, when the special two loaves are brought. Both of these offerings are unusual. The Omer offering is unusual because it is made from barley, an inferior grain usually used for animal food and thus unfit for the Temple. The only other time it is brought is for the sotah, the woman suspected of the bestial act of adultery. The two loaves are unusual because they are from chametz, leavened bread, whereas almost all other offerings are from matza. (The main exception is the todah or thanksgiving offering.)

The Omer offering coincides each year with the Pesach holiday, when all leavened matter is forbidden. Historically, this period recalls the time from the Exodus from Egypt at Pesach until the giving of the Torah at Shavuot.

One common theme tying these ideas together is the idea of first overcoming and then harnessing our material urges, symbolized by leaven or yeast.

Slavery in Egypt represents subjugation to our material urges; thus the offering brought at Pesach is animal food. We first have to overcome these desires; this is symbolized by the seven days of Pesach when all leaven is forbidden. Then we slowly learn to harness our material desires in the service of holiness; this is represented by the rest of the S'firah period when leaven is permitted and ultimately by the two loaves of Shavuot, representing the ability given to us at Mount Sinai to completely subordinate our material existence to holiness through the commandments.

Rav Natan of Breslav ties these ideas together in a somewhat different and highly instructive way. In his exposition, the key

characteristic of animals is not their material nature but rather their inarticulateness - only man has the ability to speak. The progression is not from bestial involvement in the world to separation from the world and then on to sanctified involvement, but rather from bestial silence to speech and then on to sanctified silence.

At the level of the individual, the progression is as follows: the bestial silence represents a person who is so ashamed of his sinful nature that he is speechless. Afterwards a person begins to repent and overcome his shame; he obtains the gift of speech. Finally the fully righteous person reaches a level where he is able to maintain silence even in the face of insults and setbacks. This is not the silence of shame and weakness but on the contrary, the silence of perfect inner strength which is not shaken by adversity. - (Based on Likutei Halakhot Breslav, Laws of S'fira 1)

A parallel progression of lower silence-speech-higher silence, only hinted at in Rav Natan's exposition, was experienced by the nation as a whole. Chasidic literature often refers to the "exile of speech" experienced by the Jewish people in Egypt. An indication of this state in the revealed Torah is the verse, "And the children of Israel groaned from the labor, and they cried; and their plea rose to G<sup>d</sup> because of their work" (Sh'mot 2:23). The "prayer" of the slaves was not an articulate prayer addressed to G<sup>d</sup>, but rather an inarticulate and undirected groan or sigh which then spontaneously rose to Him.

With the exodus from Egypt, our power of speech was redeemed. In the revealed Torah we see this from the song of the Sea, which was sung by the entire people.

Finally, at the giving of the Torah we obtained a level of spiritual insight that is completely above speech, a higher vision that is completely ineffable. This level too is discernible in the written Torah. One manifestation is the slightly differing wordings of the two versions of the Ten Commandments, which were heard directly by the people. (Sh'mot 20, Devarim 5.) Our Sages explain that the "words" heard by the people were a kind of higher speech which encompassed varying wordings. (We refer to this in the Lecha Dodi hymn when we mention "shamor vezachor bedibur echad", "keep and remember [the Shabbat] in a single saying".) An even clearer example is the statement that the people "saw the voices" (Sh'mot 20:15), indicating that our perception of these "voices" was above the level of ordinary speech.

## TANACH

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

### Dr. Meir Tamari

#### Righteousness & Kingship [9] Why on Shavuot [3]?

There is another reason for reading Megillat Ruth on Shavuot, one that actually has nothing to do with Ruth, her personality, her Chesed, nor with the agricultural gifts to the poor nor with Bikurim. It has everything to do with the Oral Law, the Torah She'b'al Peh that we received on Shavuot from Heaven at the Revelation at Mt. Sinai, together with the Written Law of Moses. Often the term Torah She'b'al Peh that is fundamental and special to Judaism, is translated as the commentary or explanation of the Written Torah but that seems to be too limited a definition. Rather, more correctly we should see it as the means of implementing the latter; that is the purpose of

halakha. It seems only right therefore that Z'man Matan Torah should be more involved with the centrality of Torah She'b'al Peh to implementing Judaism than any other Chag. During the Mishnaic times there was much controversy concerning the validity of Torah She'b'al Peh between the Sadducees who, like the early Christians, the Karaites and their modern variations, denied the authority of the Oral Law and the Pharisees, who like us today, live according to it. A number of these controversies centered on Shavuot and on Ruth, therefore it is appropriate that this Megila should be read in the synagogue on this day.

Of all the Chagim, only Shavuot in the Torah does not have a fixed date. Rather it comes 7 full and complete weeks after the offering of the Omer; only the Torah She'b'al Peh fixed the Chag on the 6th of Sivan. "And you shall count from the day after the Shabbat, from the day you brought the Omer seven full weeks..." (Vayikra23:15). The Sadducees read this verse telling about the offering of the Omer and the counting until Shavuot as starting from the Sunday after the first day of Pesach. That meant that Shavuot, 7 weeks later, would fall every year on a different date depending on what day of the week Pesach started and not always on Vav Sivan. The Rabbis reading "the Shabbat" in the above verse according to the Oral Law understood it as referring not only to Shabbat but also in certain circumstances to the Chag, which was also a day of rest. So the Omer had to be brought on the 16 of Nissan, the day after Pesach irrespective of which day of the week that was. And then, 7 weeks later on the 6th of Sivan was Shavuot. According to the Pharisees, therefore, the Oral Law fixed the date for Shavuot every year irrespective of what day of the week Pesach fell; so we practice today.

However, there was more to this argument. According to Torah She'b'al Peh the reaping of the Omer could be on Shabbat when Pesach fell on a Friday; "Since this offering is fixed it overrides Shabbat" (Rambam 7). This being possible when the months were fixed according to witnesses and not, as today, according to a calendar which precludes such a possibility. The date of the bringing of the Omer was of paramount importance to all Israel since the grain of the new harvest only became permitted for use once the Omer was offered. In view of this it was necessary to demonstrate the validity of the Oral Law in this respect. So the Rabbis made the reaping of the Omer the occasion of a large public ceremony. "The reaper says to the crowd, "Is it dark [since the Omer has to be reaped at night even as we count Omer at night]? And the crowd answered yes. Is this a sickle? And the crowd answered yes. Is this a box [to gather the reaped barley]? And the crowd answered yes. Is it Shabbat [where appropriate]? And the crowd answered yes. Shall I reap? And the crowd answered reap" Each question was repeated 3 times and each time the crowd answered loudly 'yes'" (Rambam Hilkhos Temidim Umusafim 7:3-21).

Now this relationship between the Oral Law and Shavuot is paralleled by the teaching of Torah She'b'al Peh regarding David's ancestry and the legitimacy of Ruth's conversion and marriage. The question revolved round the possibility of accepting converts from Moav, since the Torah had written: "An Ammonite and Moabite shall not enter the congregation of Hashem, even the tenth generation shall not enter the congregation In that they did not welcome you with bread and water... And they hired Bilaam to curse you... You shall not seek their welfare nor their peace" (D'varim 23:4-7). Torah She'b'al Peh teaches that the text clearly referred only to the men and thereby this excluded the women of Moab from the restriction. In the course of the years this halakha was forgotten so that in the days of Ruth there were those like the kinsman

who refused to accept even the women from Moab; the Bet Din of Boaz clarified the Din according to the Oral Law. So Ruth's conversion and her marriage were valid. Then later in the days of David, the Bet Din of Do'eg the Edomite was confronted with the same problem. The principle of Torah She'b'al Peh that a Moabite was forbidden but a Moabitess was permitted - Moavi but not Moaviya - had to be reaffirmed so the Prophet Samuel wrote Megilat Ruth to make the halakha clear by telling of David HaMelech's kosher ancestry.

"The Avnei Nezer wrote that Sefer Devarim stood midway between the Written Torah and Torah She'b'al Peh. Simcha Bunem taught that one should devote much time to its study since it was written in the human speech of Moshe. Therefore its laws, morals and recounting of Israel's wanderings are easily grasped and followed by human beings. That is true also of the Oral Law so that its halkhot, agadot, midrashim, musar and hashkafa are more accessible and understandable to us than the hidden majesty and secrets of the Words of G-d in the Written Law" (Shem Mi Shmuel).

*This is the 82nd installment in Dr. Tamari's series on "Tanach and its messages for our times"*

## MISC section - contents:

- [1] Vebbe Rebbe
- [2] Candle by Day
- [3] From Aloh Naaleh
- [4] MicroUlpan
- [5] A Touch of Wisdom, A Touch of Wit
- [6] Parsha Points to Ponder
- [7] Pirkei Avot
- [8] G'matriya Match plus...
- [9] Torah from Nature
- [10] From the desk of the director

### [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 ז"ל, 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:** Is it permitted to put on strips that whiten the teeth on Shabbat?

**A:** Let us make sure that we are referring to the same thing. Home-use, teeth-whitening strips are adhesives similar to a band-aid with an active ingredient of peroxide or another bleaching agent. One uses each one for about half an hour per day and the treatment, lasting a couple weeks, causes the teeth to be significantly whitened.

We must investigate two melachot (categories of forbidden work on Shabbat) regarding whitening teeth. One is MELABEN, which is literally, whitening. The other is TZOVEI'A, coloring.

Classic MELABEN, as found in the Mishkan, was the whitening of wool, done by removing the impurities that got on the wool while it was on the sheep. The toladot (Torah-level extension of the melacha) apply to washing different fabrics. However, MELABEN does not apply to hard objects that do not absorb (Mishna Berura 302:41), including teeth.

TZOVEI'A applies to the coloring of even hard objects. If the color lasts for a long time, there is a Torah-level prohibition, and if for a moderate amount of time, it is forbidden only rabbinically (see Rambam, Shabbat 9:13 & "The 39 Melochos", pg. 740). In any case, the teeth whitening lasts for a relatively long time. One factor that limits the applicability of TZOVEI'A here is the fact that the colored object is the human body. R. Eliezer and Rabbanan (Shabbat 95a) argue if it is forbidden from the Torah to color the human body. We accept Rabbanan's opinion that it is not a Torah prohibition (Rambam, Shabbat 22:23- see Minchat Chinuch 32:16). However, there is still a rabbinic violation. Therefore, for example, it is forbidden for women to put on many types of makeup on Shabbat.

Is whitening teeth (which is done chemically) analogous to adding a layer of color to the surface? Acharonim assume that it does not make a difference how an action causes an object's color to change. For example, the Minchat Yitzchak (V, 32) says that one may not purposely suntan on Shabbat, because it brings about an intentional coloring of the skin. Similarly, while most poskim allow going outside with photo-gray lenses (which get darker in brighter light), they do not base themselves on the fact that the change is chemical (see Shemirat Shabbat K'hilchata 18:18). A Talmudic basis for this concept exists in Rashi's understanding of the mishna (Shabbat 94b), which is accepted as halacha by the Shulchan Aruch (OC 303:25). There it prohibits placing a type of dough on the skin that causes a red mark to develop.

One might argue that bleaching is not coloring but neutralizing "impurities" and allowing the white, which indicates the absence of elements that absorb light, to remain unhindered. However, this is apparently not a correct halachic analysis. The strips do not scrape off particles and allow a lower, white layer to be visible. Rather, they chemically alter the normal color of one's teeth to a brighter than usual shade of white. How one changes an object to any color, including white, is halachically unimportant. It is even possible that removing a layer to uncover a desired color below is TZOVEI'A (so implies "The 39 Melochos," pg. 749). Another lenient claim is that a single application may not make a noticeable difference. It is true that it takes at least a week for the full impact. However, it seems that the user has reason to expect a given application to have some effect, perhaps even a noticeable one, as he intends. Also, the pace of progress varies based on different factors. Thus, it is hard to use this as a reliable leniency.

Therefore, we believe that one should not use the teeth-whitening strips on Shabbat, which should not be an impediment to completing the treatment. (We did not deal with the issue of using adhesives that must be removed from their base. This is similar to issues regarding diapers and band-aids (see instructions in Shemirat Shabbat K'hilchata 15:81 and 35:20-28)).

*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](http://www.ou.org) or [www.erezhemdah.org](http://www.erezhemdah.org). And/or you can receive Hemdat Yamim by email weekly, by sending an email to [info@erezhemdah.org](mailto:info@erezhemdah.org) with the message: Subscribe/English (for the English version) or Subscribe/Hebrew (for the hebrew version). Please*

## [2] Candle by Day

Some abandon a project when the reason for its having been initiated no longer exists, forgetting that there may be many other good reasons for its continuance.

From A Candle by Day by Rabbi Shraga Silverstein

## [3] CHIZUK and IDUD

(for Olim & not-yet-Olim respectively)

Parshat Emor discusses the concept of MO'ED. Usually translated as "festival," mo'ed actually means both "time" and "place." That is, Jewish holidays are the time and place we "get together" with God, to relive history, to celebrate, to lament, to recharge our spiritual identities.

The opening pasuk in this section reads: "Hashem's mo'adim that you designate and proclaim as holy assemblies - these are My mo'adim." Rav S.R. Hirsch asks: Why does the verse repeat the fact that these are mo'adim? Why not simply say: "These are the Festivals of the year," and then list them? He answers that Jewish holidays are never unilaterally imposed upon us. True, Hashem ordains these days and imbues them with holiness. But they only become real when WE become God's partner and declare them holy, when WE celebrate their particular mitzvot and minhagim. Neither God nor the Jewish People alone can create a Chag! So the pasuk quotes God as saying: "These are holy days, as far as I am concerned. And if you - Israel - will also proclaim them as such, then they will really become Festivals.

If this is true of the Chagim, it is also true of Eretz Yisrael. The Land is here eternally; it's not going anywhere. But it waits for US to come and inhabit it, work it, transform it, sanctify it. So, too, Yerushalayim shel Ma'ala is already built, just waiting until we do what it takes to "bring it down" to Yerushalayim shel Mata. Without our participation, nothing happens.

For the Jewish People - who faithfully waited 2000 years for the opportunity to reclaim Israel and usher in a new Golden Age of Judaism - this is both the time AND the place to fulfill our Divine Destiny.

Rabbi Stewart Weiss, Ra'anana

*TORAH THOUGHTS as contributed by Aloh Naaleh members  
for publication in the Orthodox Union's 'Torah Insights',  
a weekly Torah publication on Parshat Ha'Shavuah*

## [4] MicroUlpan

GENERATOR, in electricity, machine used to change mechanical energy into electrical energy. And how do you say generator in Hebrew? In common usage it is GENERATOR, borrowed from English, of course, but with a hard-G (as in get) rather than the soft-G or George, and a short-A. The slang PAK-PAK is also used, taken from the sound a gasoline-generator makes at start-up.

The proper word is M'CHOLEIL

מחולל

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

R' Yitzhak Elchanan would go for a walk through his town on Shabbos afternoons, accompanied by his shamash. As they walked they saw a man approaching them with a lit cigarette in his mouth. As soon as the man saw them, he hurriedly got rid of his cigarette and began to saunter along casually toward them. As he came abreast of the rabbi, he addressed him and said: "Good Shabbos, rabbi." "And to you too," said R' Yitzhak Elchanan with warmth.

After the man had passed, the shamash became furious and said, "A public sinner! How dare he? He deserves to be whipped!"

"Leave him be," said R' Yitzhak Elchanan. "We should do everything in our power to draw him closer to us. After all he still has one tremendous attribute. He respects rabbis and is ashamed when meeting them. If we decided to alienate him from us, not only will he continue doing what he does now, but he will begin to deliberately flaunt all the laws."

*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 EMOR:

1) The Parsha begins with the seemingly redundant phrase, SPEAK TO THE KOHANIM... AND YOU SHOULD SAY TO THEM (21:1). Rashi explains that this teaches that the Kohanim should make sure that their children do not become contaminated. Why does this specific mitzva require a special warning regarding the children?

2) The Torah instructs us to count the omer on THE DAY AFTER THE SHABBAT (23:15) which, according to Chazal, refers to the first day of Pesach. Why is the first day of Pesach called SHABBAT?

3) Why does the Torah repeat the laws of Pei'ah and Leket in this Parsha (23:22), especially since it uses precisely the same words used for these commands in last week's Parsha (19:9)?

## Last week's Parsha Points to Ponder (for K'doshim)

(1) Rashi comments that the opening words of the Parsha, KEDOSHIM T'HIYU were taught at Hakhel, when the entire nation gathered together. Why was this setting necessary for this teaching?

**Nesivos Shalom answers that reaching the level of Kedusha requires G-d's assistance. We can take the first steps, but ultimately, it is a super-human quality which G-d grants as a gift. However, no individual can merit such a gift. It can only come through the power of the unity of a group. That message is symbolically captured by the mitzva being presented at Hakhel.**

(2) Why does the Torah say that ISH, man, must fear his parents (19:3)?

**The Netziv understands that the word ISH refers to a person of great stature. Even a person who has exceeded the greatness of his parents must continue to fear them and treat them with awe.**

3) Why does the Torah use the word, AMITECHA (your friend) regarding the mitzva to rebuke one who is doing something wrong (19:17)?

**Rav Hirsch explains that AMITECHA, you friend, connotes the responsibility to not project a sense of superiority over the person who is being rebuked. Despite the fact that he is being rebuked, he must feel like he is an equal who, if the situation arises, can also exercise his responsibility to rebuke back, as well.**

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

## [7] Pirkei Avot

Rabbi Tarfon's words at the end of the second perek of Avot are at the same time comforting and very frustrating. We have a lot to accomplish in life, as individuals and as part of the community. The tasks often seem overwhelming; we'd like to give up. Know that you don't have to finish the job, but you are not free to wash your hands of the job.

## [8] G'matriya Match plus...

שְׁנֵי תָמִים זָכָר בֶּן־שָׁנָה יְהִיָּה לָכֶם  
מִן־הַכֹּבְשִׁים וּמִן־הָעִזִּים תִּקְוֹזוּ: שְׁמוֹת יִבֶּה

Your lamb shall be without blemish, a male of the first year; you shall take it out from the sheep, or from the goats: (Shmot 12:5)

It started with Korban Pesach and developed into a cycle of holidays that all commemorate the Exodus

אֵלֶּה מוֹעֲדֵי ה' מִקְרָאֵי קֹדֶשׁ אֲשֶׁר־תִּקְרָא  
אֹתָם בְּמוֹעֲדָם: וִיקְרָא כֹהֵן

These are the festivals of Hashem, holy gatherings, which you shall proclaim in their seasons: (VaYikra 23:4)

These two p'sukim are G'matriya Twins (2758)



וְעַל כָּל־נִפְשׁוֹת מִת לֹא יָבֵא לְאָבִיו וּלְאִמּוֹ  
לֹא יִטְמָא: וִיקְרָא כֹהֵן

Neither shall he go to any dead body, nor defile himself for his father, or for his mother: (VaYikra 21:11)

Baal HaTurim points out the unusual pattern in the final letters of each word in this pasuk: They are paired off - LAMED-LAMED, TAV-TAV, ALEF-ALEF, VAV-VAV, ALEF-ALEF

## [9] Torah from Nature

Mammals - There are about 4260 species of mammals, new ones being occasionally discovered. Scientists will also change their minds as to exactly which animals constitute distinct species, so the number is subject to change - but not by a lot.

The largest animal in existence, and the largest animal EVER to exist (so it is said) is the blue whale. Largest specimens measure in at over 33 meters (110 ft.) long and 190 tons. The largest land animal alive is the African elephant, weighing in at over 12 tons. That means that the blue whale weighs more than 15 bull

African elephants, each of which outweighs about 150 people.

Think about what you've read so far. It boggles the mind.

Now let's go the other way. Thailand's bumblebee bat (a.k.a. Kitt's hognosed bat) might be the world's smallest mammal (or the Etruscan pygmy shrew might be)... about the size of a bumblebee, weigh about as much as a dime, and have the ability to hover like hummingbirds. Weighing about 2.3g, less than half a sheet of A4 paper), the blue whale would outweigh 82 million bumblebee bats. Their numbers are estimated to be around 150 individuals, making the smallest mammal one of the 12 rarest species in the world.

## [10] Divrei Menachem

Parshat Emor opens with Moshe being instructed to speak to the Kohanim, the "children of Aharon" (Vayikra 21:1). The command "to speak to them" is then repeated as the Kohanim are directed to avoid contamination with the dead.

According to Ibn Ezra, the repetition of the command to speak to the Kohanim indicates that the Kohanim, as the scholars and teachers among the people, were first to draw the general lessons regarding purity derived from the previous chapters. Consequently, the Kohanim could then contemplate the laws in this category applying specifically to them, as outlined in this week's parsha.

It is instructive that Moshe speaks to the "children of Aharon" rather than to Aharon himself. The implication is that although the younger Kohanim clearly derived their status from their father, it is they who have to carry on the tradition. Moreover, our rabbis note, the apparent redundancy implies that beyond taking precautions to remove themselves from contamination, the Kohanim were also to caution their children concerning contact with the dead (See Rashi; Yevamot 114a).

Noted Rabbi Moshe Feinstein: This clearly indicates that the adult Kohanim had to set an example to their children. Unquestionably, as scholars and teachers, there could be no better way for the Kohanim to actualize themselves.

**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.*

## Lower Levels of Impurity - Tum'at Midaf

The name of this minor form of impurity, Tum'at Midaf (lit. "slight" or "indirect contact impurity"), is etymologically related to the Biblical term Nidaf employed in the expression Aleh Nidaf - a "driven leaf". The use of the term Midaf illustrates this impurity's relative "weakness" (Vayikra 26:36, Nida 4b). This little known form of Tum'ah is the second category of impurity which is unique to the Zav ("Any man who will have a discharge - abnormal seminal emissions - from his flesh...", Vayikra 15:2, 3,13-15), Zava (a woman who had abnormal Nida-like bleeding after the conclusion of her normal menstrual period, Vayikra 15:25), Nida and Yoledet. Rambam defines Tum'at Midaf as the impurity conveyed by the Zav, Zava, Nida and Yoledet to vessels and other objects which are positioned above them. While Midras-impurity (see last week's TT), is

specifically ordained in the Torah, Rambam postulates that are no specific references in the written Torah to the condition of impurity which later came to be called Tum'at Midaf. It is pure Torah She'b'al Peh. Ra'avad posits that there are two discernible meanings of the term, one D'oraita, the other D'rabanan. The Gemara asks, "Where do we derive the law concerning the impurity of what is above the Zav? It is written, 'And whoever touches anything that was under him shall be impure' (Vayikra 15:10). What does 'under him' mean? Does it mean anything under the Zav is impure? No. That is derived from "whosoever touches his bed" (Vayikra 15:5). Therefore the Pasuk must mean 'whosoever touches anything that the Zav was under, i.e. that is anything above the Zav" (Nida 32b,33a). These contaminated objects do not become "fathers of impurity" and "therefore do not render people and vessels impure", but they do become Rishonim Letum'ah - a derivative impurity of the primary grade and are capable of defiling foods and liquids (Zavim 4:6, Hil. Metam'ei Mishkav Umoshav 6:3).

Consequently Midaf-impurity is a less virulent form of impurity than Midras impurity. The Kesef Mishneh explains, "In the 4th chapter of Zavim, we learn that the Zav contaminates 'chairs and saddles' (by sitting or lying on them i.e. Tum'at Midras) which can (in turn) render people and clothing impure. But only foodstuffs and liquids are rendered impure when they come into contact with 'vessels' positioned above the Zav. ...Even if there were many 'barriers'... even if there were many 'vessels' (e.g. blankets), the 'vessel' on top would still be "infected" with this minor form of impurity, a Rishon Letum'ah which is incapable of contaminating people or other vessels but still capable of rendering foodstuffs and liquids impure... There is no difference in the severity of the impurity between the clothing the Zav is wearing and clothing above the Zav lying on the top of the pile under the open sky." Therefore Rambam rules, "If one of those who render impure beds and seats - i.e. the Zav, Zava, Nida or Yoledet - was below and a stone was positioned above him/her with food, drink, vessels and a even a person above the stone, all are rendered Midaf impure. They become Rishonim Letum'ah - incapable of contaminating people or other vessels but still capable of rendering impure foodstuffs and liquids" (Hil. Metam'ei Mishkav Umoshav 6: 5). In summation, the chair and saddle upon which that the Zav sits become Avot Hatum'ah, "fathers of impurity", and therefore can ritually defile people, clothes, vessels as well as foodstuffs and liquids. Clothes, vessels and people positioned above the Zav can become only Rishonim Letum'ah and thereby in turn they can render impure only foodstuffs and liquids.

## From the Mikdash Mailbag

### "Bi'ah Reikanit" ("Empty Entering")

*Dear Catriel, I am the wife and mother of 6 Kohanim and some questions came up at Shabbat discussions. What was the status of the Kodesh HaKodashim? Was it ever cleaned? Repaired? Checked for spiders and snakes? — (signed)*

If the Heichal or Kodesh HaKodashim needed repairs or cleaning, workers entered and did the necessary work. Similarly, unclean "creeping things" were removed. The Gemara reads, "All may enter the Heichal (the Sanctuary) to build, repair or take out impurity. It is a Mitzva for Kohanim to do it. If there are no Kohanim, Leviyim may enter. If there are no Leviyim, Yisraelim may enter (Eruvin 105a). And in fact, Josephus relates that even Herod, when he refurbished Bayit Sheini, made every effort to have Kohanim repair those areas of the Mikdash which were forbidden to non-Kohanim." (Herod

chose 10,000 of the most skillful workmen, and bought 1000 sacerdotal garments for... the priests, and taught... them the art of stonecutters and carpenters, and then began to build" (Antiquities Bk.15,ch.11). But we're getting ahead of ourselves! The Torah says, "And G-d said to Moses, 'Speak to Aaron your brother - he shall not come at all times into the holy place (into the Heichal), (or) within the curtain (Kodesh HaKodashim)... so he should not die... (Vayikra 16:2). Indeed all Kohanim were warned not to enter the Heichal or Kodesh HaKodashim at any time except when they were needed to perform Avoda (Sifra, Acharei 1:6, 7). Rambam comments, "How many times does the Kohein Gadol enter Kodesh HaKodashim during Yom Kippur (for the Avoda)? Four... but if he entered a fifth time... his punishment was death at the hand of Heaven..." (Hil. Bi'at Mikdash 2:1,4). Unnecessary entrance into the Heichal was punishable only by flogging. Unnecessary entrance into the Heichal or Kodesh HaKodashim is called Bi'ah Reikanit and its prohibition is listed in Rambam's Sefer HaMitzvot, prohibition 68; so too Sefer HaChinuch. "The reason is to inculcate in the souls of those who serve (in the Mikdash) a sense of its greatness... and instill in them a feeling of awe... (S.H. Mitzva 184). Entering the Aliya, the second floor of the Bayit built directly above Kodesh HaKodashim and the Heichal, unnecessarily, was also considered Bi'ah Reikanit even though no Avodot were ever performed there. Interestingly enough, the area above Kodesh HaKodashim, and not the Kodesh HaKodashim itself, was considered the most sacred place in the entire Beit HaMikdash. The Mishna reads, "And in the upper chamber, the ends of flagstones were marked at the place of division between (the area) above the Heichal and the (area above) Kodesh HaKodashim" (Midot 4:5). Tif'eret Yisrael explains why. "Even though there were two curtains separating the area above the Heichal and the area above Kodesh HaKodashim, they made these markings (in the floor to separate these areas) because of the extreme holiness of the area above Kodesh HaKodashim, the holiness of which exceeded the Kodesh HaKodashim itself. After all, the area above Kodesh HaKodashim was entered once in seven years (while Kodesh HaKodashim itself was entered every year)(TY 47).

<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

### (כי) אֲנִי ה' אֱלֹהֵיכֶם:

ANI HASHEM ELOKEICHEM appears 34 times in Tanach, sometimes with the word KI before it. Of the 34 times, 24 are at the end of a pasuk. Invariably, when the phrase is ANI HASHEM ELOKEICHEM (without KI before it), the TROP is as follows:

אֲנִי ה' אֱלֹהֵיכֶם

Because of the TIPCHA under the word ANI, we should pause after ANI and say HASHEM ELOKEICHEM as a phrase without a pause between the two words. The meaning of the whole phrase is: I (am), HaShem your G-d. It is incorrect to break the phrase as ANI HASHEM pause ELOKEICHEM.

On the other hand, with KI before the phrase, the TROP is like this:

## כִּי אֲנִי ה' אֱלֹהֵיכֶם:

In this case, the translation based on the TROP would be, for I HaShem, am your G-d. Subtle difference, but important to follow TROP pause and no-pause rules.

# from page 3 PARSHA PIX

Kohen Gadol (upper-right). The whole first section of the sedra deals with the sanctity of the kohanim in general, and the Kohen Gadol in particular.

The broken foot is representative of the invalidating defects of a Kohen (some permanent and some transitory).

Look closely at the lamb the foot is pointing to. It's missing an ear. That's a blemish which invalidates the animal for the Mizbei'ach. Note that blemishes that disqualify an animal for the Mizbei'ach do not necessarily make the animal a TREIFA.

In the lower-left are a mother sheep (ewe) and her newborn, which may not be taken from its mother to be used as a korban until it is at least 8 days old. AND, the sheep and lamb also represent OTO V'ET B'NO, the prohibition of slaughtering an animal and its offspring on the same day.

Note that the 8th day rule is specifically for korbanot while the two-generation rule applies to holy animals and to profane animals.

Upper-left is a negation circle, indicating the prohibitions of building, sewing, writing - representative of all forbidden Melacha for Shabbat, Yom Kippur, and Yom Tov.

The counting of the Omer is a mitzva from Parshat Emor.

So too are the mitzvot of dwelling in a Sukka for the seven days of Sukkot, and the taking of the Four Species on Sukkot.

And there are the Two Loaves of Shavuot.

Next we have two items that were visual TTriddles last year, and are being explained this year. The one with the Torah Tidbits who gets to read this column of ParshaPix explanations can still challenge his parents/children/guests with these items and others.

That's the beauty of the ParshaPix - there is something for everyone, without the frustration of having to wait a week for the solutions. TTriddles are meant to frustrate.

TTriddle Winner this week is YYW, with honorable mention to the M-brothers, DM for Israel and MM/Bklyn and to EB. And a kol hakavod to CGF of Argentina for his solutions.

There is a wine bottle with Y/N on the label. Y is for YES, yes have wine on Shabbat and the holidays for Kiddush and havdala. But N is for NO. No, a kohein may not drink wine when he have service to perform in the Beit HaMikdash. No one may enter the Mikdash "under the influence". Nor, may a poseik render a halachic opinion after having drunk wine.

There is a MOOSE with an arrow pointing to his nose, which is AF in Hebrew. So this friend of Bullwinke, Tuke and Rutt represents the MUSAF of each holiday, as commanded by the Torah, partly from Parshat Emor and partly from Parshat Pinchas.

And that leaves one new visual TTriddle for this year.

And don't forget the unidentified, hidden-right- under-your-nose TTriddle. It was in last week's issue and it appears again in this week's issue. Special prize for that one.

## 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 (K'DOSHEM) TTriddles:

- [1] The plane, boss, the plane!
- [2] parent-child, child-parent mitzvot with two doubles in common
- [3] Dining on Tuesday is problematic
- [4] Bon appetit & Shishak came
- [5] Square each of the first 7 primes...
- [6] Fear before and after
- [7] plus one visual TTriddle from the Parsha Pix
- [8] and one "hidden-in-plain-sight" TTriddle

### And the envelope, please...

[1] There was a TV show in the late 70s called Fantasy Island, with a character played by a 3'11" (119cm) tall (short) actor named Hervé Villechaize. His character's name was TATTOO, thereby representing the prohibition against tattooing.

[2] All right, let's do it. This is a complicated TTriddle. The mitzva called parent-child, is the prohibition against the Molech practice of passing one's child through fire (child sacrifice?). The Torah uses the words ISH ISH, a doubling of the word ISH. The punishment is death, MOT UMAT, another double expression. The other mitzva with ISH ISH and MOT UMAT is a child-parent one, the prohibition of cursing one's parents.

[3] This refers to the eating of the meat of certain korbanot that can be eaten on the day of the offering and the following day. But on the third day (YOM SH'LISHI is also Tuesday), it may not be eaten.

[4] More food. In this case, the first three years of fruits are forbidden as ORLA, the fourth year's fruits are sacred... and the fifth year, they are to be eaten by their owners without restriction (sort of). UVASHA- NA HACHAMISHIT, and in the fifth year...There are only two other BASHANA HACHAMISHIT in Tanach, in identical contexts (in M'lachim Alef and Divrei HaYamim Bet). It refers to the fifth year of the reign of R'chav'am, that SHISHAK, king of Egypt, came to Jerusalem...

[5] First seven prime numbers are 2, 3, 5, 7, 11, 13, and 17. Their squares are 4, 9, 25, 49, 121, 169, and 289. Add up the squares of the first seven primes and you get 666, the number of last week's issue.

[6] The answer is KEEPING SHABBAT. In a pasuk early in the sedra, we find, A person shall fear his mother and father, and

My Shabbats shall be observed. Later in K'doshim, we find, My Shabbats you shall preserve and My Mikdash you shall fear. Fear before and after.

[7] The visual TTriddle is a repeat of TTriddle [1]. It is a picture of TATTOO from Fantasy Island.

[8] There was another TTriddle in last week's issue. It appears again this week -now you can look for it.

### **This week's TTriddles:**

[1] Shabbat, RH, YK, SUK, Shmini Atzeret, and what?

[2] Double him, them, and them - double

[3] 20 times until we see where

[4] Pasuk that contains a Purim self-contradiction

[5] one visual TTriddle in the Parsha Pix