

This Shabbat is the 264th day (of 354); the 38th Shabbat (of 50) of 5766 • We read/learn the FOURTH perek of Avot  
(Chu"l: Parshat Sh'lach; 3rd perek) • שמואל א' יב:כב ... **כִּי לֹא-יָטַשׁ ה' אֶת-עַמּוֹ בְּעֵבֹר שִׁמּוֹ הַגָּדוֹל...**

# What he didn't take was a lesson

The Abudarham (1340-ish) in his Seder Ha-Ibur on the Jewish calendar, indicates that it was Sh'lach and Korach (which he calls VAYIKACH; perhaps a nicer name for the sedra, that doesn't give honor to that person) were combined outside Israel in years when Shavuot was Friday (and Shabbat), rather than the Chukat and Balak we use today. Anytime we have a double sedra, it is fair to look at why "davka" they are paired. In most cases (of the 7 pairs that are sometimes read together), the connection between each part of the double is strong, and obvious. So, 650 years ago (in the time of the Abudarham), Sh'lach and Korach were combined. They aren't in our time, but actually they are! This week, for instance. We, the Jewish People, read Sh'lach and Korach this Shabbat. Each Jew usually will hear just one of the two sedras, but collectively, Sh'lach and Korach are combined.

Whereas commentaries comment on the connection of Korach to the last parsha of Sh'lach, the portion of Tzitzit, let us look at the connection between Korach's rebellion and the Sin of the Spies. Cheit HaMeraglim took up 2/3 of Parshat Sh'lach and the remaining 3rd had a lot to do with the first two thirds. 2/3 of Korach deals with Korach's rebellion and its aftermath. The other third contains mitzvot that can be seen to flow from the episode of Korach. Sh'lach is Cheit HaMeraglim; Korach is his rebellion. The sin of the spies led to an immediate death toll of 10 people and a degree of death within the next 38½ years of approx. 600,000. Korach's fiasco resulted in more than 250 deaths followed by another 14,700. Numbers aside, the alarming thing about Korach is that it followed so soon after Cheit HaMeraglim. And this time, the people were not resigned to their fate, but made things worse by their bitter complaints. Not a nice picture, but we need to ponder events and learn from them.

## 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...

**This Shabbat, we bench Rosh Chodesh Tamuz, which will be on MON and TUE. Two days, because Sivan has 30 days. Tamuz itself has only 29 in our fixed calendar. So Rosh Chodesh Av is one day.**



ראש חדש תמוז יהיה  
ביום שני וביום שלישי  
הבא עלינו ועל כל ישראל למוכה:

**The molad as announced:**  
המולד יהיה ביום שני, עשרים וחמש דקות  
ושלושה חלקים אחרי המש בבוקר.

**That's MON 5h 25m 3p**  
which is 6:04am Israel Summer time

**The actual (astronomical) molad**  
a.k.a. "New Moon" is Sunday, June 25th,  
7:05pm (11 hours earlier!)

**TORAH Tidbits AUDIO**  
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**OTHER Z'MANIM**  
Correct for Jerusalem

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Regular and (earliest)

**CANDLE LIGHTING & Havdala times**  
Israel Summer Time

Correct for TT 720 • Rabbeinu Tam (I'm) - 9:16pm

<b>7:13pm</b> (6:20)	Jerusalem	<b>8:31pm</b>
7:30pm (6:22)	Raanana	8:34pm
7:28pm (6:21)	Beit Shemesh	8:32pm
7:30pm (6:22)	Netanya	8:34pm
7:30pm (6:22)	Rehovot	8:33pm
7:10pm (6:22)	Petach Tikva	8:33pm
7:29pm (6:21)	Modi'in	8:32pm
7:28pm (6:20)	Be'er Sheva	8:31pm
7:27pm (6:19)	Gush Etzion	8:31pm
7:29pm (6:21)	Ginot Shomron	8:33pm
7:13pm (6:19)	Maale Adumim	8:31pm
7:27pm (6:20)	K4 & Hevron	8:31pm
7:20pm (6:21)	Tzfat	8:34pm
7:30pm (6:22)	Tel Mond	8:34pm

Ranges are FRI-FRI • 27 Sivan - 4 Tamuz • (Jun 23-30)

Earliest Talit & T'filin - 4:35-4:38am  
Sunrise - 5:34½-5:37am  
Sof Z'man K' Sh'ma - 9:07-9:09 am (8:12-8:14am)  
Sof Z'man T'fila - 10:18-10:20am (9:41-9:43am)  
Chatzot (halachic noon) - 12:41-12:43pm  
Mincha Gedola (earliest Mincha) - 1:17-1:19pm  
Plag Mincha - 6:20-6:20pm  
Sunset - 7:53½-7:54pm (7:48-7:49pm)

In the Wolinetz Family Shul  
OHEL SHMUEL (entrance floor)

Early Shabbat Minyan  
**Mincha 6:05pm** (before PLAG)

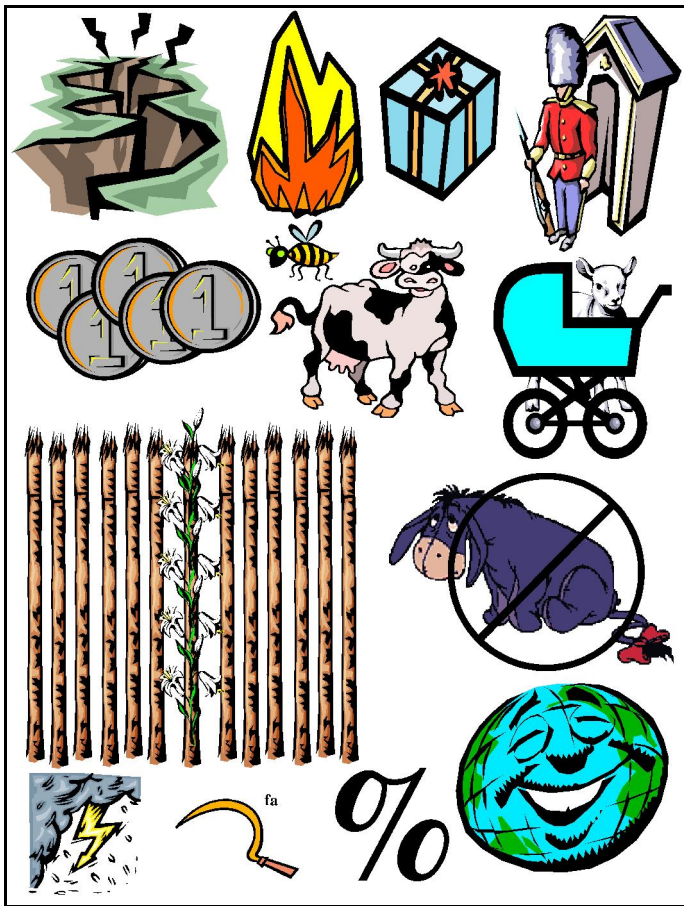
Shabbat Shiur 5:00pm Mincha 6  
**Rabbi Yaakov Moshe Poupko**

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Sandy Kestenbaum, Vaad member  
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Harvey Wolinetz, Vaad member  
Menachem Persoff, Director of Programs, Israel Center  
Phil Chernofsky, Educational Director and TT editor

22 Keren HaYesod • POB 37015 • Jerusalem 91370  
phone: (02) 566 7787 • fax: (02) 561-7432  
email: tt@ou.org • website: www.ou.org/torah/tt

Orthodox Union • National Conference of Synagogue Youth  
This publication and many of the programs of the Israel Center and NCSY in Israel are assisted by grants from The Jewish Agency for Israel  
Produced and printed "in house" at the Israel Center



Note to TTreaders who live in Chutz LaAretz: For the next few weeks, you can find your Parshat HaShavua in the previous issue of TT.

## Kohen - First Aliya - 13 p'sukim - 16:1-13

[P> 16:1 (19)] "And Korach took". Commentators suggest different meanings for this phrase:

Korach took himself away from Moshe and the mainstream population, to challenge Moshe's authority;

Korach took some of his fellow Leviyim and some Reuvenites with him in his rebellion against Moshe;

Korach "took with words" (i.e. persuaded) others to join his rebellion;

Korach "took apart" - split the people between himself and Moshe.

Korach is identified as the son of Yitzhar, grandson of K'hat, great grandson of Levi. It is quite unusual to identify biblical personalities that way. Rashi points out that the lineage mentioned in the pasuk stops before reaching Yaakov Avinu who foresaw Korach's wickedness and pleaded with G-d not to be included in the Torah's account of Korach's deeds. On the other hand, it reached back to Levi because Korach's being from Levi was the major factor involved in the whole episode.

Korach, Datan & Aviram and On b. Pelet (who backed out in time) challenge Moshe's authority. Korach enlists 250 men to publicize his/their "cause".

**Ponder this...** Korach was a first cousin of Moshe and Aharon. He felt slighted by the fact that both top positions - the leadership and Kohen Gadol-ship - went to two of his uncle Amram's sons (Moshe & Aharon) and the leadership of the K'hat family went to another cousin, the son of Korach's father's younger brother - Elitzafan b. Uziel. Korach found sympathy for his cause within the tribe of Reuven because Reuven himself was passed over for the leadership (which went to Yehuda), the birthright (Yosef received the double portion of the firstborn in the form of the tribes of Efrayim and Menashe) and the Kehuna/Leviya went to Levi. This is not to whitewash Korach's actions, but to show some of his motivation.

Moshe proposes a test - both Aharon and Korach's people will offer incense before G-d and G-d will indicate whom He chooses. Moshe tries to talk Korach out of his fight by telling him that being a Levi is special - why show dissatisfaction and ingratitude by seeking more?

Moshe then calls for Datan & Aviram, but they arrogantly refuse Moshe's summons.

**SDT** Sources tell us that Korach taunted Moshe Rabeinu with two mocking questions - A talit made completely of T'cheilet, does it require Tzitzit (with the T'cheilet strand)? A house filled with Torah scrolls, does it require a mezuza? Both questions pointed to the same argument: A Nation of holy people, people who heard G-d's Voice at Sinai, do they require

## KORACH STATS

38th of the 54 sedras; 5th of 10 in Bamidbar  
Written on 184 lines in a Sefer Torah (ranks 32)  
13 Parshiyot; 7 open and 6 closed  
95 p'sukim - ranks 39th (9th of 10 in Bamidbar)  
1409 words - ranks 36th (9th of 10)  
5325 letters - ranks 35th (9th of 10)

Above average in words & letters per pasuk.

Korach is a short sedra (in a Book with many long sedras, a Book which the longest sedra on average) with fairly long p'sukim (in a Book with lots of short-pasuk sedras, a Book with the shortest p'sukim on average)

## MITZVOT:

9 mitzvot of 613; 5 positive and 4 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.

*holy leaders? The basis of suggesting the talit question is the juxtaposition of the Korach episode to the portion of Tzitzit at the end of last week's sedra. The Kli Yakar suggests that the mezuzah question is alluded to by the description of Datan & Aviram arrogantly standing at the doorway of their tent and mocking G-d's commandments and Moshe's leadership.*

*The answer, by the way (or maybe not just "by the way"), is that Tzitzit with T'cheilet is required of every four-cornered garment, even one made totally of T'cheilet wool. And a dwelling (and many other types of rooms) requires a Mezuzah, regardless of how many Sifrei Torah are in the room.*

A homiletical "explanation" of the significance of a Mezuzah on the doorpost of a room filled with Sifrei Torah and other holy books, is that the holiness represented by the content of the room (and the Torah study done there) are, by definition, internal. It remains within the "four walls of the Beit Midrash". The Mezuzah placed on the doorpost represents the spread of the Torah and its holiness to the outside world. This extension of the domain of sanctity to the "outside world" is an important challenge for the Torah community. (Heard from Rabbi Asaf Bednarsh at the mezuzah-affixing ceremony at the YU center.)

## **Levi - Second Aliya - 6 p'sukim - 16:14-19**

Datan & Aviram, two people with a long record of evil behavior, compounded their wickedness with the unpardonable affront to the Land of Israel by referring to Egypt as "the land flowing with milk and honey" that Moshe took us out of, to "kill us in the wilderness".

Moshe angrily asks G-d not to accept the incense offerings of Korach's group. Moshe then reiterates the challenge to Korach. Korach gathers the People to witness the "showdown"; the 250 people and Aharon will each have the special vessel onto which they will place a glowing coal, onto which they will put the incense and they will all be standing at the entrance to the Ohel Mo'ed. G-d's "glory" was revealed to the People.

**SDI** *The Gemara tells us that when Korach challenged Moshe's authority, it was the Sun and the Moon that appeared before G-d and said: If you side with the son of Amram (i.e. Moshe), then we will continue to shine; if not, we stop shining. What is the significance of this statement from the Gemara? One commentator points out that the Sun and the Moon were originally of equal greatness, and the Moon was diminished because "two kings cannot rule with one crown". This was exactly one of the problems with Korach's arguments, so the Sun and Moon were particularly appropriate participants in this issue. Notice that not only must the sun acknowledge the situation, but so must the moon. Korach's downfall was his lack of acceptance of a moon-like role.*

*(Side point: The Sun shines during the day only, but the Moon is also visible at times during the day. The Moon alone is in the sky at night; but, of course, it only reflects the light of the Sun.)*

Most Aliya breaks happen at Parsha breaks. This is reasonable to expect. When an Aliya break occurs in the middle of a parsha, and more so, in the middle of a small number of p'sukim that are telling us one episode - then we can pause for a moment and try to see if our

attention is being called to something specific.

The Aliya-break between Kohein and Levi comes right in the middle of the confrontation between Moshe and Datan & Aviram. Rabbi Sholom Gold points out that the break separates a reference to Egypt as a land flowing with milk and honey with a reference to Eretz Yisrael with the same description. These need be separated, just as one would say L'HAVDIL.

Or maybe... When an Aliya break occurs, it gives us - the people who are listening to Torah Reading - pause to reflect on what just "happened". Our attention is drawn to the last pasuk or so, and we can focus on it while the gabbai is calling the next person to the Torah (and blessing the previous Oleh).

Datan and Aviram had just called Egypt a land flowing with milk and honey. They mocked G-d (Who uses that term for Eretz Yisrael), they mocked Moshe, and they mocked Eretz Yisrael. As terrible as the Meraglim were with their report and recommendation about Eretz Yisrael, at least they acknowledged the beauty and specialness of the Land. They said that the Land was truly flowing with milk and honey. One has time during the Aliya break to be justly enraged by the behavior of Datan and Aviram... and perhaps by those Jews today who unfortunately, echo their sentiments.

## **Shlishi - Third Aliya - 24 p'sukim - 16:20-17:8**

**[S> 16:20 (3)]** G-d tells Moshe and Aharon to separate themselves from the rest of the People so that He will destroy them. Moshe - even while being upset in the extreme with the challenge to his own integrity - pleads on behalf of the People before G-d, asking Him not to punish the multitude because of the sins of an individual.

**[S> 16:23 (13)]** Moshe warns the People to separate themselves (physically and psychologically) from Korach and his followers lest they be included in the punishment to come. Moshe declares that all will know that G-d has sent him to do all that he does. If these wicked people shall die in a way that others have died, then G-d has not sent Moshe. But if G-d will "provide" a new creation and the earth will open its mouth and swallow Korach and company and all that belongs to them, then all will know that these people have truly rebelled against G-d. As Moshe finished these words, the earth beneath them split, opened and swallowed all with Korach. (Implication from the p'sukim is that the People did not actually die but left this world in this unusual and miraculous manner.) The People shouted in panic when they witnessed what was happening. A Divine fire consumed the 250 incense offerers.

**[S> 17:1 (5)]** G-d tells Moshe to tell Elazar b. Aharon to collect the fire-pans and scatter the burning coals. The copper from the pans was to be used to plate the Mizbei'ach as a reminder that a non-Kohen must not attempt to usurp the Kohen's authority. In general, the Torah warns us not to be like Korach and his gang, and not to suffer their fate.

**[P> 17:6 (3)]** The next day, the People, fearing retribution, complained against Moshe for killing (part of) G-d's Nation. G-d's Cloud descended upon the Ohel Mo'ed and Moshe and Aharon went there for instructions.

**SDI** *The earth not only swallowed Korach's gang, but their possessions as well. The message, says IMREI SHEFER, is that one's wealth often causes a person to be arrogant. This, in turn, leads sometimes to challenging authority. The people's possessions were not innocent bystanders, so to speak, to Korach's rebellion, they were the instigators.*

Note that in Korach's rebellion we see not only two punishments, but two very different kinds of punishments, which, in turn, reflect the types of sin. Datan and Aviram and their ilk were plunged down into the bowels of the Earth. But the 250 K'toret-offerers were honorable people. They were godly. The Torah testifies to that when we are first introduced to them. They honestly believed that they were making proper offerings to G-d. Otherwise, they would not have risked their lives. They must have been surprised to have failed! Their sin was reaching TOO high towards the Divine. And their punishment was to be struck down by Divine fire (as had been Nadav and Avihu).

Here's another thought... Moshe was chosen by G-d to lead the people. True. And he will always be on a higher level than the rest of us. We, not G-d, elevated Moshe even higher. We decided that we did not want to hear the "Voice of G-d" anymore and we requested that Moshe tell us what G-d wants of us, and we would comply. Originally, G-d spoke to all of Israel. That was the plan. And that put all of Israel on the level of prophecy. With Moshe as the chief prophet. We forfeited our direct communication with G-d, and we made Moshe the ONLY prophet. (Let's not complicate the issue with the 70 elders who shared Moshe's prophecy, like candles that are lit from a single burning candle.)

The Gemara says that the "deal" that the People of Israel made at Sinai concerning not having direct communication from G-d, was an irrevocable, forever deal. Korach wanted to change his mind. Perhaps he was no longer confident that Moshe could actually bring the People into Eretz Yisra'el, after the whole Meraglim fiasco. The merit of this theory is that it balances the motivations of Korach's gang. Datan and Aviram were BAD. The K'toret bringers probably weren't evil.

## **R'vi'i - Fourth Aliya - 7 p'sukim - 17:9-15**

**[S> 17:9 (7)]** Once again G-d "suggests" that He destroy the People. This time Moshe does not plead with G-d on their behalf but immediately instructs Aharon to burn incense on coals from the Altar and that he should pass among the People to stop the plague that had already begun. This quick action stopped the plague which had already claimed 14,700 lives, not counting those who perished in the Korach incident.

Sometimes, in times of trouble, Moshe prays to G-d extensively. His prayer after the Sin of the Golden Calf is an example of long prayer. We can even say that it was a prayer that lasted 40 days and nights. When

Miriam was stricken with Tzora'at, Moshe uttered a short 5-word (11 letter) prayer for her wellbeing - KEIL NA R'FA NA LAH. And at this point in Parshat Korach, Moshe senses that prayer will not work - swift action is called for.

On another note, let's take a look at the three "big" sins of the Wandering period: Golden Calf, Spies, Korach.

Combining different ideas in the commentaries, we can suggest the following: The Sin of the Golden Calf represents sins against G-d. He can be, and often is, most forgiving for that kind of sin. The sin of the spies was an affront to Eretz Yisrael. This, so to speak, G-d considered a graver sin, and was less forgiving. Korach's rebellion was directed against Moshe. It was a BEIN ADAM L'CHAVEIRO issue. These are the kinds of sins that G-d is least willing to forgive.

The same observation has been made in comparing the Flood, which came as a result of a breakdown in society, with the Tower of Babel, where people united to rebel against G-d. The punishments were not comparable.

## **Chamishi - Fifth Aliya - 9 p'sukim - 17:16-24**

**[P> 17:16 (9)]** G-d tells Moshe to speak to the People and take a staff from each of the tribal leaders, the staff to be inscribed with the leader's (or tribe's - dispute) name. Aharon's name was to be inscribed on the staff of Levi. The staffs were to be placed in the Ohel Mo'ed. The person whom G-d shall choose, his staff shall blossom; this manifestation of G-d's choice shall hopefully put an end to the complaints and confusion of the People. The People did as instructed and the staffs were placed in the "Tent of Testimony" overnight. On the following day, Aharon's staff had blossomed. Moshe showed the staffs to the People and each tribe took its staff back.

## **Shishi - Sixth Aliya - 24 p'sukim - 17:25-18:20**

**[P> 17:25 (2)]** G-d tells Moshe to return Aharon's staff to the Mishkan as a reminder to the People not to rebel or complain. Moshe does as instructed.

**[P> 17:27 (2)]** The People express their feelings of despondency and fear of Divine punishment for their various lapses.

**[S> 18:1 (7)]** G-d reiterates that the Kohanim and Leviyim hold special positions and have the responsibility to avoid risking their lives by overstepping their bounds.

Leviyim are required to guard the Mikdash **[388,A22 18:4]** (Honor guard). [There were 24 watchposts, 21 of which were manned by Leviyim; three were within the Beit HaMikdash and were manned by Kohanim.] Kohanim and Leviyim are forbidden to perform each others sacred tasks **[389,L72 18:3]**. A non-Kohen/Levi may not work in the Beit HaMikdash **[390,L74 18:4]**. It is forbidden to disregard the obligations of the Beit

HaMikdash honor-guard [**391,L67** 18:5].

**[P>** 18:8 (13)] The Torah next lists several gifts that are given to the Kohen - the meat of certain korbanot, t'ruma, bikurim, consecrated objects, the firstborn of kosher farm animals and the redemption/exchange for a firstborn donkey. Firstborn humans are to be redeemed for 5 silver shekels [**392,A80** 18:15].

Firstborn cow/goat/sheep may not be redeemed [**393,L108** 18:17], but must be given to a kohein who must bring it as a korban within a year (if unfit for the Altar, the b'chor is the possession of the kohen without restrictions). All gifts of the kehuna (24 in number) are for Aharon and his descendants in perpetuity. However, the Kohen does not receive a portion of land in Israel. (This is the basis of the complex intertwined relationship between kohen and non-kohen.)

## **Sh'vi'i - Seventh Aliya - 12 p'sukim - 18:21-32**

**[S>** 18:21 (4)] The Levi is to receive tithe (a tenth of produce) from all Israelites. (The 10% is to be taken AFTER the Truma was taken off for the Kohen, which is about 2%.) This is his due in exchange for his work in the Mikdash. Leviyim also do not receive land (except for 48 cities around the country); their role is that of spiritual functionaries. They receive Ma'aser in lieu of a portion of land.

The service of the Leviyim in the Mikdash constitutes a positive mitzva [**394,A23** 18:23]. So too it is a mitzva to give Ma'aser Rishon to a Levi [**395,A127** 18:24].

**[P>** 18:25 (8)] In turn, the Levi is commanded to give a tenth of his tenth to a kohen [**396,A129** 18:26]. This is known as Trumat Ma'aser or Ma'aser Min HaMa'aser. This mitzva is performed in a technical way nowadays in Eretz Yisrael to permit the balance of the produce to us.

Note the very sobering end of the sedra. The Korach story is depressing enough, but as a once-upon-a-time, a long time ago, we can keep our distance. Not so the mitzva-content of the sedra. There's no fooling around. We don't do these mitzvot, we die. Keep the mitzvot and we will live. Very strongly put. It partially means, learn the Korach lesson, because it isn't just a story - it applies to each of us.

## **Haftara - 24 p'sukim - Shmuel Alef 11:14-12:22**

Shmuel HaNavi renews the kingship of Shaul HaMelech, but he reminds the people that it is a bad idea to have a human king in the first place. He also recounts some of the backsliding and punishments of the people from the time of Moshe (this is a major connection to the sedra), and challenges the people to impugn his behavior over the years. This too has a parallel to Moshe's being upset that the people would rebel against him after all he did for them. Striking among the common points between

sedra and Haftara is the invoking of a miracle to "back up" his credentials. The unexpected violent storm, then, parallels in a way, the flowering stick and the Earth opening to swallow Korach's gang. And, Shmuel was a descendant of Korach - another connection.

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

Lesson 336 (part one)

### **Emergency Jurisdiction of the Beth Din**

In many of these lessons we have discussed in detail the ordinary jurisdiction (powers to act) of the Beth Din. The broad general jurisdiction depended upon the judges being ordained. Accordingly, with the lapse of ordination around 350C.E. Jewish communities both in the Land of Israel and in the Diaspora were faced with problems resulting from a severely limited judiciary. Originally the jurisdiction of non-ordained judges was limited to certain types of commercial matters and related matters. Although circumscribed, the jurisdiction of the non-ordained judges was sufficient to enable the smooth flow of commerce and business to continue. But those courts were not authorized to act in cases involving criminal type conduct or transgressions of religious laws and practices. Situations therefore arose where anti-social or irreligious conduct threatened the fabric and quality of communal life, or even the safety of the community in its relationship with the rulings of non-Jewish authorities. Yet, under traditional halachic principles, the ordinary jurisdiction of the Jewish courts, and the legal authority of elected communal representatives did not extend to penalizing such conduct or to enacting appropriate remedies. Moreover, even during the period of ordination, there occasionally were extraordinary circumstances that defied traditional legal solutions and which compelled the courts to assume extralegal jurisdiction over parties and remedies. Not only were the Jewish courts of non-ordained judges similarly restricted from dealing with such matters in a traditional way, but they had to cope with the additional problems arising from limited jurisdiction. Their response was to expand the doctrine of extra judicial authority. These lessons deal with the development and expansion of such extra judicial powers which permitted the development, adaption and implementation in autonomous Jewish communities around the world.

Exigency situations and extra judicial remedies existed even before the lapse of ordination. Indeed, commentaries have used this fact to explain numerous instances in the Bible where extralegal sanctions were employed. According to tradition, the patriarchs and their children observed all aspects of Jewish Law even prior to the giving of the Law to Moses on Sinai. Accordingly, incidents in which their judgments appeared to deviate from accepted Judaic practice have been explained as an exercise of exigency jurisdiction, i.e., as extra judicial remedies required by the situation and the times. Thus in B'reishit, Jacob's son Judah sentences his daughter-in-law Tamar, the widow of his deceased sons to death by burning when her pregnancy is discovered. Since at

the time she was neither married nor betrothed, she was not guilty of any capital offense. As described in the Yalkut Shimoni (B'reishit 38:98) a court as convened consisted of Judah, his father, Jacob, and his grandfather Isaac. This court in condemning her to death was not validly constituted for many reasons. The death penalty requires a court of 23 judges; it is invalid to have relatives sit on the court; there was a lack of admissible evidence since requisite warnings were not given to her. And what is most important, she did nothing for which the death penalty could be given. She had committed no capital crime. Siftei Chachmim comments that the trial was held and the punishment decided upon in order to instill fear in the hearts of all to prevent the community from becoming wanton. Baalei haTosafot similarly concludes that the generation was generally dissolute and the punishment, although not warranted, was meted out as a social deterrent. Additionally, Baalei haTosafot indicates that Joshua was similarly motivated when he sentenced Achan to death for transgressing the CHEIREM, the prohibition against taking any booty from Jericho. Since the matter was determined by the casting of lots to identify the guilty person, there was no competent testimony that Achan had taken the booty. Achan's subsequent confession would have been excluded in a traditional trial.

Ramban, in commenting on the story of Lot offering his daughters to the Sodomites in order to save his guests, compares it to the incident of a "concubine in Gibeah" in the Book of Judges (chapter 19). An elderly man residing in Gibeah, in the tribe of Benjamin, extended hospitality to a visitor and his concubine. When the citizens of the town demanded that the old man surrender his visitor to them so that they could commit unnatural acts upon him, the visitor thrust his concubine into their midst. The inhabitants of the city ravished her, and she was found dead on the old man's doorstep the next morning. The incident precipitated a civil war, the other tribes deciding to punish (and indeed decimating) the Benjaminites for their conduct. Yet there was no direct evidence as to the cause of her death. It may, for example, have been caused by her overnight exposure to the cold. As explained by Ramban, the punishment inflicted on the tribe was an extra judicial remedy to eradicate such conduct from the nation. While these illustrative incidents so demonstrate a desire to attribute exigency jurisdiction to even the earliest Biblical period, the actual Rabbinic source for exigency jurisdiction is developed in a series of cases in the Talmud.

The Talmudic source for extra judicial authority is based on a Baraita in which the Tanna Eliezer b. Jacob states that he heard from his teachers that a court may mete out lashes or capital punishment even in cases where the law does not prescribe such severe punishment, the purpose being not to undermine the law but to preserve the law by building a fence around it. The Baraita goes on to relate that it once happened during the period of Greek rule in Israel that a man rode a horse on Shabbat; he was brought before the court and stoned to death. It was once happened that a man had relations with his wife in a semipublic place, he was brought before the court and was flogged. In both cases the penalty imposed was not the prescribed penalty. The times, however, required it. The man who rode his horse on the Sabbath

violated only a Rabbinic prohibition, and the death penalty is not prescribed for such a violation. The purpose of this Rabbinic prohibition is to prevent a rider from tearing a twig from a tree, such an act constituting a Sabbath violation of Torah law. Thus, the Rabbinic prohibition was enacted merely to erect a safeguard of a Torah law. Similarly, in the husband-wife sexual conduct case, although there is no express Torah prohibition against their specific conduct, there was concern about norms of public morality. The court in both cases acted extra-judicially to combat attitudes of assimilation and immorality that prevailed during the Hellenistic period. (to be cont.)

*The subject matter of this lesson is more fully discussed in volume I chapter 2 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*

## TANACH

### SPIRITUAL AND ETHICAL ISSUES IN THE BEREISHIT STORIES by Dr. Meir Tamari

#### "Creating Beit Yaakov" [2]

"Lavan had two daughters, the name of the elder was Leah and the younger Rachel" (Ber. 29:16); the two sisters who are the last of the matriarchs and the mothers of the 12 Tribes of Israel. Yet they were not an admixture of purity and tum'ah like the 2 sons of Avraham - Ishmael and Yitschak, nor that of Eisav and Yaakov, necessitating purification and refinement to purge the pesolet, the spiritual waste. Rather they complemented one another, each one a different facet or perspective of spirituality and divine worship. "Like two pillars that support the world. From one came kings - the Davidic dynasty and some kings of the Northern Kingdom from Leah, and from Rachel - Shaul, Mefiboshet, Yeravam ben Nevat and the house of Yehu. This one had prophets - from Leah - Elisha, Yeshayahu, Yirmiyahu, Yechezkiel, and from Rachel - Amos, Hoshea. The wars and the sacrifice of both supersedes Shabbat - Milchemet Mitzva that is obligatory on Israel irrespective of which tribes, and Pesach that is independent of the tribal association of the person offering it" (B'reishit Rabba 70:15).

"From the Zohar we learn that Rachel is the revealed world while Leah represents the world of inner spirituality. The sons of Leah are the embodiment of the inner sanctity of Israel; Levi, ancestor of the Kohanim and Leviyim who served in the Bet Hamikdash, Issachar from whom came the scribes and spiritual teachers, and Yehuda the ancestor of Israel's leaders and kings, even of the Mashiach. Rachel, of whom it is written that the descendants of Eisav will only be overcome by her sons; Amalek first by Yehoshua of Efrayim, then by Shaul and Mordechai of Binyamin, provides the protection for that inner sanctity; Mashiach ben Yosef preparing the way for the Son of David" (Harav Frank, Mei Marom). Perhaps that is why Yosef is the protector of Israel in its very first galut, that of Egypt.

"There are 2 ways of worshiping Hashem, one that is silent,

hidden in mystery and secret while the other is public, visible and clear. The former is the way of Rachel, one that she transmitted to her descendants, while the latter is the ways of the sons of Leah" (Shem Mi Shmuel). Rachel steals the terafim of Lavan and conceals them. Yosef, clothed in the coat of many colors, with his dreams, conceals himself from his brothers. Binyamin who knows of the sale of Yosef yet does not reveal it to Yaakov. Shaul, who hides amongst the baggage and who does not tell his uncle about his being anointed king of Israel. Mordechai, who clothes himself in sackcloth and Esther who sends him clothes to hide the sackcloth and who does not reveal her nation as Mordechai tells her; indeed Purim the salvation brought about by the children of Rachel, is the story of hidden things even of God's Name, of sub-plots and mystery and is observed by masks, costumes and turn- about. The sons of Leah are different. Yehuda who publicly admits the truth of Tamar's claim and takes responsibility for Binyamin's return, Nachshon whose leap into the Red Sea paves the way for Israel's passage, the flag of the tribe of Yehuda which leads the camp through the desert and David, who although he sins, confesses them and repents thus justifying a dynasty, and his descendent Melech HaMashiach who will openly redeem Israel and the world.

"The eyes of Leah were soft but Rachel was beautiful of form and beautiful to look at" (Ber. 29:17). Rabbi S. R. Hirsch, noting the Torah's repetitive mention of by Yaakov of 'being her father's sister's son' at his meeting Rachel and Lavan, remarks that it was the characteristics of Rivka that he saw in Rachel; like Yitschak had seen in his wife the beauty of Sarah. "Leah was beautiful but was marred by her eyes which were soft and tender while the beauty of Rachel was without blemish" (Radak). "The Torah, that used additional words to avoid insulting animals, saying the 'animals that are not ritually pure instead of impure ones', surely would not insult tzadikim in this way? Answered Rava: "Leah heard people talking about the 2 sons of Rivka and the 2 daughters of Lavan, and that the eldest son was destined to marry the older daughter and the youngest to marry the younger daughter. She therefore asked after the spiritual character of the two sons and was told that the elder was evil and robbed people while the other one was a complete man and a dweller of tents. Hearing of her fate, she wept until her very eyelashes were wasted, so that her tender and soft eyes were signs of her righteousness" (Bava Kama 123a).

"Rabbi Huna taught: See the power of prayer; Leah's set aside even the decrees of Heaven and she thereby merited preceding her sister in marriage to Yaakov and bearing sons" (Ber. Rabba 70:16). "Eisav was the basheret of Leah, so how could she imagine that her prayers could avoid this? Whenever one part of the divided male-female soul distorts and falsifies their intrinsic spirituality then it loses the status of basheret [AriZ"l]. So Leah felt her prayers may set aside her predestined basheret" (Shem MiShmuel).

Actually Leah could have simply refused to marry Eisav as we know that a woman cannot be forced to marry against her will. Midrash Rabba (76) tells that Yaakov hid Dinah in a box so that she could be safe from Eisav. God then said: "You withheld her from a circumcised man, verily, an

uncircumcised one [Shechem] will take her". To avoid this Leah could have felt that perhaps it would be preferable to marry Eisav than to marry somebody else. "Rather than doing this, she was prepared to storm Heaven with her prayers and by virtue of that she merited being buried with the tzadik in Ma'arat HaMachpela together with the saintly pairs. Had shenot prayed till her very eyes were damaged she would not have merited this and Rachel would have been buried there instead; then there would not have been anybody to plead for Israel. Now, because Leah's eyes were soft from her prayers, Rachel was not buried in Ma'arat HaMachpela but in Bet Lechem. There she could intercede for us on our way to exile; "Rachel is weeping for her children because they are not. Refrain thy voice from tears for they shall come back" (Yirmiyahu 31:15-16)." (Divrei Yonatan, Rabbi Yonatan Eyschutz, 1690-1764, Germany).

*This is installment #133 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...*



Why do we recite the same special Kaddish both after a burial and at a siyum? After all, one is happy and one is sad.



First we need to understand the basic idea of Kaddish. Then we can see where this special Kaddish (sometimes called Kaddish Hagadol) fits into the picture.

To capsulize the idea of Kaddish in a sentence we would say as follows: We pray that Hashem's prominence in the world should increase for our sake and, k'viyachol, for His. In so doing, we show our connection to Him and our commitment to sanctify His Name. Chazal instituted saying the various Kaddeishim primarily in the context of tefila and the public recitation of p'sukim, especially during tefila (see Mishna

Berura 55:2). At the end of some Kaddeishim, we insert requests that our prayers will be accepted and that we will be blessed with peace. Kaddish is also appropriate after Torah study (one reading of Masechet Sofrim 19:12; see also Sota 49a), at which time we pray for those who teach and study Torah (Kaddish D'rabbanan).

Hashem's presence in the world will reach its height at the End of Days when Mashiach will help fix the world. The opening words of Kaddish appear in fact to be taken from Yechezkel's (38:23) description of milchemet Gog U'Magog (the Apocalypse). Let us translate the beginning of Kaddish Hagadol. "Let Hashem's great Name be exalted and sanctified in the world that He is destined to renew and to give life to the dead and raise them to eternal life, to build the city of Yerushalayim and complete its Temple in its midst, and uproot idol worship from the Land, return the service of the Heaven to its place, and the Holy One Blessed Be He shall rule in his majesty and splendor in our lives ..." The themes of the End of Days: resurrection of the dead, the rebuilding of Yerushalayim and the Beit Hamikdash, and a world that will serve only Hashem are all added to the opening of Kaddish Hagadol.

Where does this text come from, and when should it be said? Masechet Sofrim (ibid.) refers to it in discussing the Kaddish said by mourners as people consoled them after davening on Shabbat. It says not to insert the special opening, which was reserved, according to one version, for after the study of Torah. However, the Shulchan Aruch (Yoreh Deah 376:4) says that we do recite it after a burial, near the grave. This seems to follow the Ramban's (Torat Ha'adam, Hatchalat Aveilut) version of Masechet Sofrim (ibid.) that Kaddish Hagadol is indeed for mourners but ideally only when the deceased had acted in a way that shows that he belongs to those who will take part in the World to Come. Besides the prominence of the Kaddish at the end of the burial, the reference to the resurrection of the dead, which should certainly be on the minds and lips of those at a funeral, is appropriate. Kaddish's place in the context of a funeral is not to express sorrow but to sanctify Hashem's Name even in difficult times, which brings merit to the deceased, and to pray for the grand days of the future.

What does Kaddish Hagadol have to do with a siyum? Fascinatingly, the Rambam (Seder Tefilot Kol HaShana) uses Kaddish Hagadol's text as the everyday Kaddish D'rabbanan, the Kaddish recited after learning and parts of the tefila which contain rabbinical exegesis. This was apparently his reading of Masechet Sofrim (ibid.), but it is not our minhag. The gemara (Nida 73a) says that whoever learns halacha every day will take part in the World to Come. One who makes a siyum shows his accomplishments in this regard. Thus, Kaddish Hagadol's content is appropriate at that time, as the learning will help facilitate his participation in the World to Come.

Irrespective of any homiletic connections between burial and a siyum, the simplest explanation is that both happen to have elements that make the topics of the World to Come, included in Kaddish Hagadol, appropriate. In neither case does it have to do with happiness or sadness.

*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 leave the*

*subject blank. Ask the Vebbe Rebbe is partially funded by the Jewish Agency for Israel*

## [2] **Candle by Day**

**Most people say without going.**

From "A Candle by Day" by Rabbi Shraga Silverstein

A Candle by Day • The Antidote • The World Of Chazal by Rabbi Shraga Silverstein • Now available at 054-209-9200

## [3] **CHIZUK and IDUD**

for Olim & not-yet-Olim respectively

In the course of Datan and Aviram's dispute with Moshe, they challenge him saying: "Is it a small thing that you have brought us out of a land that flows with milk and honey, to kill us in the wilderness, that you also make yourself a prince over us?" (Bamidbar 16:13). Egypt becomes the land of milk and honey, and Moshe is held responsible for the nation's not entering the Promised Land.

Commenting on this verse, Rabbi Ovadia Seforno (Italy, 1475-1550) writes that according to Datan and Aviram, Moshe's teaching of the laws pertaining to the Land while the people were still in the desert, was itself a mockery. Moshe acted as if they had already entered the Land even though they had not. It was for this reason that they so emphatically stated that Moshe had not fulfilled his mission.

Seforno may have been triggered by the reference to Egypt as the land of milk and honey. To Datan and Aviram, the purpose of the nation's Aliya is material enhancement. If the people escape bondage and reach a land flowing with milk and honey, the mission is successful. If the people's physical well being does not improve, then Egypt becomes the land of milk and honey and the mission is deemed a failure. If material enhancement is the key, then any talk of future mitzvot related to the Land of Israel, while still in the desert, is out of place.

According to the Torah, however, the purpose of the nation's Aliya is spiritual enhancement. The study of the mitzvot is therefore relevant at all times: in the desert no less than after entering the Land. Milk and honey, rather than being the objective of Aliya, are the just reward for a people spiritually fulfilled.

**Rabbi Avi Weiss, Neve Aliza**

*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] A Touch of Wisdom, A Touch of Wit

R' Chaiml of Zinkov would recite the kiddush on Friday night in a loud voice and with great emotion.

Once, when he was at a spa for his health on Shabbat, at which many non-believers were also staying, he recited the kiddush as always, loudly and with great intensity.

"Rebbe", some of his friends said to him, "you are not in your own home, and it is not polite to recite the kiddush so loudly."

"On the contrary", R. Chaiml told them, "where those who deny the Shabbat are present, one must do everything possible to testify that the world was created by Hashem."

R' Chaim of Brisk used to say:

"The true Gaon (Torah genius) is not the one who always offers good Torah explanations, but one who never offers bad ones..."

*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*

## [5] Parsha Points to Ponder - KORACH

1) Why does the Torah emphasize that Korach, the 250 men, and Aharon should each take HIS OWN frying pan for their incense offerings? (See 16:17)

2) Why does G-D say AND THERE WILL NOT BE LIKE KORACH AND LIKE HIS CONGREGATION (17:5) instead of simply saying LIKE KORACH AND HIS CONGREGATION?

3) G-D promises the tribe of Levi that they will consider the teruma they receive from the nation to be as significant as if it was crops from their own fields (see 18:27). Why did Levi need this blessing? After all, the Leviyim received 1/10 of the nation's collective crops through ma'aser rishon, while every other tribe received one twelfth of the land, so the Leviyim actually received more than everyone else?

## THESE ARE THE ANSWERS

Ponder the questions first, then read here

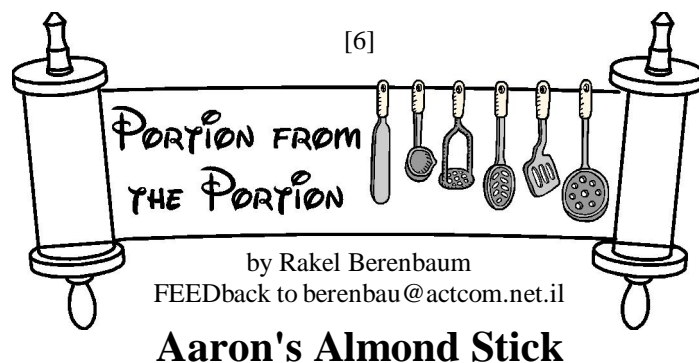
1) The Meshech Chochma explains that this was really directed to Aharon since he could have chosen to use a frying pan belonging to the Mishkan. Has he done so, the rebels would have said that the fact that it was an anointed and holy frying pan enabled his offering to be accepted and not the fact that Aharon was chosen. Thus, they were instructed to make sure that all of the frying pans were personally owned.

2) The Netziv teaches that there are two types of intents one can have in a dispute. There are those intentionally damage to accomplish a specific selfish goal for themselves. Others want to damage no one and see what they are doing as only for the good. Korach was in the first category. His congregation, which the Torah testifies included very good people, were swayed into believing that what they were doing was simply the right thing. The words AND LIKE refer to the intentions behind the dispute

and indicate that G-D wants to insure that there will be a way of deterring both types of disputes in the future.

3) The Chasam Sofer answers that this blessing did not relate to the quantity of their crops which was, in fact, greater than the rest of the nation. Rather, it related to the fact that the Leviyim did not have to work for their crops which leads to less satisfaction and happiness with the crops. Thus, G-D blessed the tribe of Levi that they would feel as satisfied with what was donated to them as the rest of the nation felt with the results of their physical labor.

*Parsha Points to Ponder is prepared by Rabbi Dov Lipman Mashgiach Ruchani, Yeshivat Yesodei HaTorah in Bet Shemesh, author of "DISCOVER: Answers for Teenagers (and adults) to Questions about the Jewish Faith", soon to be republished by Feldheim - ppp@israelcenter.co.il*



Korach and his lot were swallowed up by the ground. This punishment wasn't enough to stamp out the disputes amongst the people. They still weren't satisfied with the fact that the Levites in general and Aaron in particular had been given a special role by G-d. Therefore G-d had to bring another sign to bring the message home to the people that this was the will of G-d and they should not complain any more.

Each tribe was asked to bring a stick (staff) and the name of the leader was written on the stick. Aaron's name was written on the stick for the tribe of Levi. All the sticks were placed in front of the Ark. The next day, Aaron's stick had leaves, was blossoming and almonds were ripening on it.

Why did Aaron's stick grow almond's and not some other type of fruit? What lesson can we learn from G-d's choice of fruit?

We can learn an answer to this question from Rabbi Shlomo Zalman HaKohen Kook. He was once traveling and came to a place where there was a big dispute between the community and the gabbai of the shul. Rabbi Kook, of course, was asked to give a drasha and he chose to speak about the verses that we are discussing from this parasha. He asked the same question that we asked - Why almonds?

He said this is a hint to what happens in any dispute. There are two types of almonds. One kind is sweet at first and then it turns bitter. The other type is bitter at the beginning and then turns sweet. The same with any fight. A dispute at first seems sweet - we get really involved in the fight, all worked up about it. We want to keep it going and find it hard to stop it - and yet, the end is usually very bitter.

Peace is the opposite. It is so difficult (and bitter) to give

in to one's "enemy". But in the end when a person's Yetzer HaTov comes in and takes charge and the person gives in to create a peaceful relationship, then it is sweet for everyone involved.

This lesson to prevent disputes is so important that Aaron's stick was kept by the Ark as a keepsake.

## Almond Bark

Ingredients:

16 oz. semi-sweet chocolate

1-1½ cups toasted almonds (slivered, chopped or whole)

Directions:

Line a baking sheet with waxed paper.

Heat chocolate in double boiler over low heat stirring constantly, until melted. (You can do this in a microwave as well).

Add the almonds and pour the mixture immediately onto baking sheet, spreading out evenly.

Let the almond bark cool and break it into pieces. Store in airtight container lined with wax paper, separating the layers with wax paper.

For a fancy effect, replace 8 ounces of chocolate with 8 ounces of white chocolate.

Stir half of the almond mixture into the semisweet dark chocolate. On a large cookie sheet, spread semisweet chocolate mixture to about 1/4" thickness. Drop the white chocolate by tablespoons onto the semisweet chocolate mixture. With the tip of your knife, swirl chocolates together for a marbles look. Sprinkle with the remaining almond mixture. Continue as above.

## [7] Divrei Menachem

Parshat Korach constantly calls to mind the question of leadership and who is entitled to take that role among the Jewish people. Moreover, the parsha portrays a people who find it consistently hard to accept the Divine authority with which their leaders are invested. For even after the demise of Korach and his rebellious band, there is a need for Hashem to demonstrate the authority of the Kohanim.

It seems that the label we have as a "stiff necked people" is well deserved. Even in the face of empirical proofs we desist. We are so sure that what we think and believe in terms of our liberal sensitivities is correct. We trust our own judgment; like Korach we claim that we all have equal rights, that we are an equal opportunity operation.

And even when we entered Eretz Yisrael and Hashem provided us with prophets whose authority was guided by the word of G-d, the people cried to have a king, "like all the other nations." In this week's haftara, we see that with Hashem's consent, Shmuel accedes to the popular demand. Again and again, however, Shmuel emphasizes the need for the King of Israel to safeguard the righteousness of the nation and to be subservient to G-d's rulings.

The people are equally exhorted not to follow after the, "futility that cannot avail" (Shmuel alef 12:21). This futility applies to idols - but surely also to false prophets and self-serving leaders.

**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.*

## B'nei No'ach and Korbanot

Dear Catriel, I read your column every week on the internet and I was wondering if you can answer a question. We are a group of B'nei Noach who worship the G-d of Israel. Is it true that B'nei Noach can still offer sacrifices and if so, how would we go about doing it? We pray for the peace of Jerusalem --Steven.

There is a Talmudic discourse which reads, "The master said, 'Non-Jews (unlike Jews) are permitted [to offer sacrifice] these days [i.e. after the destruction of the Temple]. How do we know this? Because our rabbis taught, [When introducing the prohibition of offering sacrifices outside the central sanctuary, the Torah says], 'Speak unto the Children of Israel' (Vayikra 17:2). The Children of Israel - Jews - are enjoined against offering sacrifices outside [the Temple], but non-Jews are not enjoined against offering sacrifices outside [the Temple]. Therefore, every [non-Jew] may build a Bama [a private altar, lit. a "high place"] and sacrifice on it whatever he wishes.'" However, "R Ya'akov b. Aha said in the name of Rav Assi, 'It is forbidden [for an Israelite] to assist them [physically, in building the altar or offering the sacrifice] or to act as their agent. [However], Rabba said, 'We may instruct them' [how to sacrifice]. Then Rabba cited an incident that proved his point. "[This happened with] Ifra Hormiz, mother of King Shabur (a Sassanid Shah of Persia) who sent an offering to Rava with the request, 'Offer up [a sacrifice] for the sake of Heaven.' Rava said to R. Safra and R. Aha b. Huna, 'Go fetch two young men - non-Jews - of similar age, find a spot where the sea has thrown up alluvial mud. (The mud, when dry, would be utilized to construct the altar. This would guarantee that the building material had not previously been used for mundane purposes) [Furthermore], take new [unused] twigs; light a fire with a new flint, and offer [the sacrifice] in honor of heaven.'" Upon hearing this, Abaye asked Rava on whose authority did he permit this highly unusual action. Rava answered that he ruled "in accordance [with the view] of R. Eleazar b. Shammua... who said, 'As the altar must not have been used by a layman [for mundane purposes], so the wood also must not have been used by a layman..." (Zevachim 116b). That non-Jews could legitimately sacrifice was not even a question! Rashi, the great medieval commentator on Bible and Talmud, adds that the choice "of two young men of like age was to add beauty to the service".

The concluding Halacha - legal ruling - in Ma'asei Hakorbanot, Rambam's "handbook" on sacrificial procedure reads, "Today, a Nochri, i.e. a Ben Noach, is permitted to offer Olot - burnt offerings - to G-d anywhere he chooses". Quoting Zevachim 116a, the Rambam continues, "Therefore every Ben Noach may build himself an altar and offer upon it whatever he wishes." However the altar itself must be artificially constructed as it is said, "And Noah built an altar..." (Bereishit 8:20). Consequently, using a large flat rock found in nature as an altar would not be acceptable. The Rambam continues, "It is forbidden for a Yisrael - a Jew - to help them (physically) ... because we are not permitted to offer sacrifice outside of the Mikdash. We are, however, permitted to teach them [B'nei

Noach] how to offer sacrifice to G-d." The Mishneh Lemelech, one of the classic commentaries on Rambam, notes that the Ben Noach's sacrifice may consist of "cattle and other animals or birds, perfect or blemished. The sacrificial animals must be pure (i.e. Kosher) ..." In full cognizance of what they are doing and why, there are non-Jews today who do offer sacrifice to the G-d of Israel "for the sake of Heaven". However, this practice is exceedingly rare. I personally see the issue of a Ben Noach offering sacrifice in the present, more as a Halacha Lo Lema'aseh; an act theoretically permitted, but practically speaking in today's world, inadvisable. The Psalmist sang, "I will praise the name of G-d with a song, and will magnify Him with thanksgiving. And it shall please the Lord more than a bullock" (69:31, 32). The prophet Hosea said, "So we will render for bullocks the offering of our lips" (14: 3).

Upon receiving Steven's email, I conferred with Rav Yehoshua Friedman of Kochav Hashachar, longtime mentor and teacher of B'nei Noach, and this was his reply. "Before the Temple was built, there were periods in which people of Israel were permitted to bring sacrifices on a private altar, called a "Bama". From the time of the dedication of the Temple, there was never again an option to bring sacrifices in a private venue, only in the "place which the L-rd shall choose", i.e. the Temple in Jerusalem. The prohibition of Bamot continued even after the destruction of the Temple, since its sanctity continued forever. These restrictions never applied to anyone except the people of Israel, since they are not part of the Seven Laws of Noah. A non-Jew, or Ben Noach, could, in the time of the Temple, bring a burnt offering to the Temple. The Kohanim would sacrifice it according to the laws of the Temple sacrifices and spiritual benefit would accrue to the person who brought it, just as is the case with a Jew. The prophets (Isaiah Ch. 1 and others) stated their displeasure in general with the person who put his spiritual energy into bringing voluntary sacrifices as opposed to correcting moral deficiencies, especially between oneself and one's fellow human being. Anyone who brought a voluntary sacrifice was within his rights but was wise to make this inner spiritual consideration."

"After the destruction of the Temple, a non-Jew has the theoretical option to perform a sacrifice according to the laws of the Torah concerning non-Jews. I discussed the subject with Rav Yoel Schwartz, a distinguished Jerusalem rabbi who has been involved with the subject of Bnei Noach for many years. He is now the head of a special Beit Din (court) for Bnei Noach established by the developing Sanhedrin group. Rav Schwartz's response was that he did not believe that people were in the spiritual state that would warrant bringing sacrifices and therefore did not advise it. He also pointed out that there were opinions that animal sacrifices would not take place in the Third Temple because the people would not need that vehicle for spiritual development. He refers us to Rav Avraham Yitzhak HaKohen Kook for the explanation of this idea. Rav Kook (1865-1935) was the first Ashkenazi Chief Rabbi of Eretz Yisrael from 1919 until his passing. In a series of articles called Afikim Banegev (Streams in the Desert), he discusses a number of educational issues including whether one should eat meat. He points out that human beings were originally created as vegetarians and only after the Flood were allowed to eat meat as part of the moral distinction between the life of a human being and that of an animal. The eating of meat is a part of man's baser nature which is necessary to channel the lower human desires away from the shedding of human blood. He also discusses the animal sacrifices and determines that only the meal offerings will be actually brought in the future Temple. In

fact the Temple service will primarily consist of prayer."

[Ed. notes. [1] On the last point, there are many authorities who hold that all sacrifices will be restored. [2] We have an interesting video clip of a Ben No'ach offering korbanot.]

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

## from page 3 PARSHA PIX

- ✧ Split-ground earthquake scene.
- ✧ Fire.
- ✧ Korach and his gang meet their end in one or the other (some say Korach got both)
- ✧ Guard at his post - Leviyim
- ✧ Gift, representing the gifts of the Kohen and Levi as found in the sedra
- ✧ 5 coins are for Pidyon HaBen
- ✧ Largest part of the ParshaPix are the barren staffs of the tribes surrounding the flowering staff of Aharon
- ✧ Lamb in a baby carriage, B'CHOR B'HEIMA T'HORA
- ✧ Earth with a mouth - PI HA'ARETZ
- ✧ Percent sign stands for the tenth of a tenth the Levi gives to a kohein
- ✧ Cow and bee are for the Land flowing with milk & honey
- ✧ Negated Eeyore (donkey) is from Moshe's and Shmuel's statements
- ✧ Sickle and storm cloud are from the haftara. Shmuel invoked a severe storm; at the time of the cutting of the wheat, no less!

### 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 (SH'LACH) TTriddles:

[1] TTriddle double holdover: We're still looking for a Biblical personality who would call Shavuot something slightly different. Hint: His name is one of the books of Tanach

Okay, enough holding onto this one. We were looking for Daniel. If you look through the book (actually or by computer search) you will not find the word Shavuot, meaning weeks. Yet the word weeks appears six times in an English translation. Interestingly, the plural of SHAVU'A (meaning week) in the book of Daniel is SHAVU'IM, all 6 times, rather than SHAVU'OT. Nowhere else in Tanach do we find the word SHAVU'IM. Note that most masculine nouns are pluralized

with a YUD-MEM ending and most feminine words with a CHOLAM-TAV, but by no means is the plural ending of a word a reliable indicator of its gender. There are so many exceptions, that it barely would qualify as a rule. SHULCHANOT, CHALONOT, SHANIM, MILIM are some examples of the crossed-plural ending. So is SHAVU'A. except for Daniel.

[2] Head of Yissachar and its spy

The head of Yissachar refers to the word's first letter. The head of Yissachar is the letter YUD. Its spy was Yig'al b. Yosef. His initials are YUD b. YUD. Same initial as his tribe. Shafat b. Chori has the same initial as his shevet, but his father doesn't. So too with Nachbi b. Vafsi from Naftali, and G'u'el b. Machifrom Gad. But only Yissachar has both initials match.

[3] for two, theirs have the same ratio; for the other, its is what?

Let's fill out the wording of the TTriddle with the words that will make the question less difficult to understand (which, of course, makes it less of a TTriddle and more of a plain, ordinary question. For two of the kinds of animals offered as korbanot in the Beit HaMikdash, their Mehachot have the same ratio of flour to oil; for the third animal, its ratio is looser. A bull (PAR) gets 3 TENTHS of an EIFA of flour to half a HIN (with is 6 LOGIM) of oil. Ratio is 6 LOG : 3 ESRONIM or 2:1. A ram (AYIL) gets 2 TENTHS with a third of a HIN. That's 4 LOG to 2 ESRONIM, also 2:1. But the lamb (KEVES) gets one ISARON flour with a quarter of a HIN oil. That's a ratio of 3 LOG to 1 ISARON, producing a looser, more liquidy mixture than the other two animals.

[4] This time 3 same letters; usually a 3-letter word

This time, Parshat Shlach, the last five p'sukim are followed by a PEI-PEI-PEI in a Chumash, indicating the end of a sedra (with the following sedra beginning with a Parsha P'tucha). Usually, twice daily, every day, those same five p'sukim, which are the third passage of the SHMA, are followed by a 3-letter word, namely EMET.

[5] Where do we find the inverse ratio of the Cheit HaMeragim Decree?

The CHEIT HAMERAGLIM (sorry for the typos in the original presentation of this TTriddle) DECREE was one year per day. Forty years of wandering for 40 days of the our of the Land. YOM L'SHANA YOM L'SHANA, a day for a year, a day for a year. This phrase occurs in only one other place in Tanach - in Yechezkeil 4:6. G-d tells Yechezkeil to lie on his right side for 40 days, a day for each year of the iniquity of the people of Yehuda. (This followed 390 days on his left side, for the 390 years of iniquities of the people of Yisrael.) This is the same ratio of sin to punishment (sort of), but they are inverse of each other. Day to year and year to day.

[6] does the water army fear the copper vessels on land?

M'OD M'OD, very much (or something like that). The word-pair occurs 6 times in Tanach. In Sh'lach, Kalev called the Land of Israel very, very good. Back in Parshat No'ach, it was the water that great very, very high. In Melachim Alef, we find a description of the very, very many copper vessels that Shlomo HaMelech had made for the Beit HaMikdash. In Melachim Bet it is used to describe being very, very afraid. Yechezkeil describes with it a very, very large army. The other time M'OD M'OD appears is in the description of Yaakov's wealth when he was ready to leave Lavan's house. That is not represented by this TTriddle.

[7] He's just a huge mixed up marble

This was the easiest - and gotten by more solvers - of the bunch. Marble is SHAYISH, SHIN-YUD-SHIN. Mixed up, you get the name of one of the giants mentioned in the description of what and who the meraglim found in K'na'an. SHEISHAI.

## NachKwestion of the Week

This week's NachKwestion really belongs to a couple of weeks ago, but it will be a long time until it is next an actual question, so we're going for it now, while Shavuot is still in the recent past.

On the Friday evening following our one day of Shavuot, and being the eve of the second day of Yom Tov for outside Israel, we had the following situation. Jews all over the world davened an abridged Kabbalat Shabbat and then Maariv. The Amida of Maariv was different one from the other, but the rest of the davening was very much the same. Let's leave out the differences in Nigun, melody of the davening, let's leave out the p'sukim right before the Amida, since Minhag Yerushalayim is not to say them, and let's not consider a difference between Adon Olam and Yigdal which might exist. What this NachKwestion is looking for is a QUALITATIVE difference to some part of the davening on that Friday night between Israel & Chu"l.

We have, so far, received two correct solutions (acknowledged elsewhere in this issue). More might still come in.

After the Amida of Friday night davening, we say VAICHULU HASHAMAYIM... together, as a TZIBUR. Have you ever wondered why we say it again if we just said it in the silent Amida and will be saying it a third time in Kiddush. The answer is Yom Tov that falls on Shabbat. The Amida for Shabbat-Yom Tov contains references to Shabbat, but its main theme is Yom Tov and the specific passage of VAICHULU is not said. Therefore, we all say it once in shul (and once more at the table) after the Amida. In a strange disproportionate LO PLUG (not to make a distinction) we say it after the Amida every Friday night, even when it isn't Yom Tov. (Sort of like the tail wagging the dog.) A couple of weeks ago, Chutz Laaretz people said that VAICHULU "for real" and we in Eretz Yisrael said it by extension of the Yom Tov rule to the rest of the Leili Shabbat of the year. There was a qualitative difference, therefore, in that specific passage. (Next scheduled for three years hence.)

Winners of the NachKwestion prize this week: ZR/RBS, EB (so far)

### This week's TTriddles:

[1] choice of representation is a good play on words in Hebrew (works in English too)

[2] Named 39+13 times in one book. Second name appears once in A and in "cleaned up" version in B

[3] Home of (Mork &) Mindy

[4] could also connect with Shavuot or Vayeitzei

[5] At least maybe he had nachas from his father's cousin's namesake

[6] This time, they send and we take

[7] She didn't want him to follow one side or the other, but to be his \_\_\_\_ person