

RABBI BERNIE FOX

The Kohen is Restricted in Caring for the Departed as an Expression of his Status

And Hashem said to Moshe: Declare to the Kohanim, the children of Ahron, and say to them, "Let him not become defiled (continued on next page)

construct of the Bais Hamikdash. At the end of Parshas Emor (Vayikra 24:1-9), the Torah

nightly) routine. A debate between

the Rashbam and Rambam helps

illuminate (figuratively, of course)

how the Menorah fit into the

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Temple. As the spiritual elite of Israel they were required to adhere to a higher

level of holiness. This is primarily expressed through the prohibition of coming

in contact with a corpse. A Kohen may not attend a funeral or enter a building

in which there might be a dead body. There are, however, exceptions to the

general rule. The "ordinary Kohen" must defile himself for the seven close

relatives for whom one is obligated to mourn. The Kohen Gadol (chief Kohen)

must observe an even higher level of kedusha. He cannot become tamei



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(Emor cont. from pg. 1)

Weekly Parsha

through contact with the dead from among his nation." (VaYikra 21:1)

1. The Kohen is prohibited from becoming defiled

The Kohen may not become defiled through contact with a dead body. This prohibition restricts the Kohen's role and responsibilities in caring for the departed. Only should he lose a close relative, may the Kohen personally care for the body of the departed.

Superficially, the reason for this prohibition is that the ritually unclean Kohen is unfit to serve in the Temple. The Kohen may not render himself unfit for service. This restricts his contact with a dead body. However, this interpretation of the command presents difficulties. There are other

conditions that disqualify the Kohen from service. А Kohen who is intoxicated is unfit. If he is unkempt, he may not serve. Nonetheless, when not serving in the Mikdash – the Temple – it is not prohibited for a Kohen to drink wine or become intoxicated. He is not required to be constantly diligent in his personal appearance. He must only restrict himself when serving in the Temple. Why is ritual defilement treated more severely and prohibited at all times?

2. The Kohen's status as a prince

Rabbaynu Ovadia Sforno explains that the Kohen is a

prince among the people. This status is not merely a privilege; it is the duty of the Kohen to protect this status. In other words, his status as a prince is derived from his office – from his role as Kohen. He must conduct himself in a manner consistent with his status. Proper conduct reinforces the office and status assigned to him. Improper conduct diminishes the office and role.

The Kohen's elevated status is expressed through the commandments in this parasha. How does the prohibition against defilement elevate the status of the Kohen? Sforno explains that there are two premises underlying this prohibition. First, the princely status of the Kohen is expressed through his separation from ritual defilement. In other words, because he has priestly status, he may not defile himself. Second, the requirement to care for the body of the departed is an act of respect for the departed. If a Kohen engages in caring for the departed, he becomes defiled. Thereby, he prioritizes his concern for and commitment to the departed above his priestly sanctify of the Kohen. This is inappropriate for a prince.[1]

3. The difference between the prohibition against defilement and the prohibition against intoxication

In contrast, intoxication is not prohibited by the Torah as an expression of the Kohen's princely status. Similarly, he is not required to maintain immaculate personal appearance because he is a prince. These behaviors result from the sanctity of the service. When performing service in the Mikdash, the sanctity of the service demands an

appropriate appearance and state of mind. Therefore, when the Kohen is not in the process of performing the service, he is not restricted in these behaviors.

The Sacrifices of Shavuot are Central to its Sanctity

Until the day following the seventh week, you should count fifty days. And you should present an offering of new grain to Hashem. (VaYikra 23:16)

1. The purpose of the listing of Festivals

The parasha reviews the various days on which melachah – work – cannot be performed and upon which special sacrifices are offered in the Mikdash. The Chumash begins this list with Shabbat. The Chumash continues and identifies each of the Festivals. In almost every case, the Torah explains that melachah is prohibited on the occasion and sacrifices are offered. The Chumash also mentions special mitzvot related to the Chag – the Festival. For example, we are commanded to eat matzah on Pesach. On Yom Kippur, the Torah requires us to fast.

The specific sacrifices that are required for each Chag are generally not enumerated or described. This seems slightly odd. After all, much of Sefer VaYikra is devoted to discussing sacrifices. The commentators offer a number of explanations.

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(**Emor** continued from page 2)

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Nachmanides suggests that the Festival sacrifices were not offered in the wilderness but only once the nation entered the Land of Israel. Therefore, a description of the specific sacrifices was postponed until the people were poised to enter the Land. This detailed description of the sacrifices is included in Sefer Of course, this raises the BeMidbar.[2] question: What is the purpose of this list? Rabbaynu Ovadia Sforno responds that this list identifies the occasions upon which melachah is prohibited.[3] The requirement to offer sacrifices is mentioned without elaboration as the main purpose of the list is to identify occasions restricted in melachah. This explains an odd deviation within the list. The list begins with Shabbat. In listing Shabbat, the Torah describes it as an occasion restricted in melachah. However, no mention is made of the additional sacrifices offered on Shabbat. Only much later in the chapter is any reference made to the Shabbat sacrifices (Sefer VaYikra 23:38). However, Sforno's comments explain this deviation. The list begins with Shabbat in order to identify the list's purpose and nature. Shabbat is the most fundamental and primary occasion of restriction from melachah. Any list of occasion restricted in melachah must begin with Shabbat. Because this list is an enumeration of such occasions, it first identifies Shabbat and then proceeds to the Festivals.

There are exceptions in the listing to the manner in which sacrifices are treated. The Omer sacrifice, offered on the second day of Pesach, is described. The special offerings of Shavuot are also outlined. The Torah describes the two loaves - the Shetai HaLechem and the accompanying offerings brought on this Chag. Why is a discussion of these sacrifices included in this section?

2. The definition of sanctity and the sanctity of the Land of Israel

Our section is introduced by an important pasuk. Hashem tells Moshe, "Speak to Bnai Yisrael and say to them, 'These are the special times of Hashem. You should declare them as sacred occasions. The following are my special times.""[4] In other words, this section provides a list of sacred occasions. As explained above, the Torah then provides a list of occasions on which melachah is restricted. What does this reveal regarding the concept of sanctity - kedushah?

The term kedushah or sanctity has a specific meaning in halachah. Kedushah means that the object or entity is differentiated through

halachah. Let us consider an example. The Land of Israel has kedushah. From the perspective of halachah, this means that the Land is different from all other lands. This distinction is created by the special mitzvot that apply only to the Land of Israel. In other words, the special mitzvot of the Land of Israel are not a result of its kedushah. They are the source and basis of its kedushah. It is these mitzvot that differentiate the Land from other lands, make it special, and endow it with sanctity.

3. The source of the sanctity of Shabbat and the festivals

Now, let us return to our section. The Torah is providing a list of days that have kedushah. These days are different from the other days of the year. What is the fundamental element that creates this kedushah? The characteristic that is the focus of the list is the prohibition against melachah. This restriction is this unique mitzvah that defines these days as sacred occasions.

However, the list also notes that special sacrifices are associated with each Chag. This suggests an interesting question. The sacrifices also distinguish these days from all others. Our section implies that these offerings do not, by themselves, create the sanctity of the day. However, do the offerings add an additional aspect of kedushah?

4. The role of the Shabbat and festival sacrifices

The answer seems to be provided by the liturgy accompanying these occasions. On each, a Musaf Amidah is recited. The Musaf Amidah makes reference to the special offerings of the occasion. The Amidah is a series of blessings. It is notable that the reference to the sacrifices is not formulated as a separate blessing. The reference is included in the blessing that discusses the kedushah of the occasion. The message of this formulation is clear. Although, the sacrifices do not create the kedushah of these days, they do add to this sanctity. In other words, the essential element differentiating these occasions from other days is the prohibition of melachah. The sacrifices create a secondary kedushah or distinction.

5. The unique sanctity of Shavuot

This analysis suggests that Shavuot is different from other holidays. As explained above, in discussing Shavuot, the Torah does delineate the special offerings for the Chag. However, there is another deviation in the manner in which the Torah discusses Shavuot. In enumerating the other Festivals, the Torah first states that melachah is restricted on the occasion and then notes the requirement to offer special sacrifices. In its description of Shavuot, only after describing the sacrifices is the prohibition of melachah mentioned. The implication is that the relationship between the sacrifices and the prohibition of melachah is reversed. These offerings are not a mere secondary source of kedushah. On Shavuot, these sacrifices create the kedushah of the Chag.

In summary, the section demonstrates that the fundamental element that endows Shabbat and Festivals with sanctity is the restriction from performing melachah. Sacrifices further contribute to the occasion's sanctity but are not an independent source of kedushah. In other words, the characteristic that distinguishes Succot from the days that precede it and follow it - that endow it with sanctity - is the restriction of melachah. Succot has many special sacrifices - more than any other Festival. However, these sacrifices are not the distinction that is most fundamental to the occasion's kedushah. The sacrifices only enhance and contribute to the sanctity. This role of the melachah restriction is the same for most other Festivals. It is the fundamental source of their sanctity. However, Shavuot is an exception. The sacrifices of Shavuot are its fundamental distinguishing characteristic. It is these sacrifices that give the occasion its identity and sanctity. In this instance, it is the melachah prohibition that is secondary. Rather than endowing the occasion with sanctity, the melachah restriction is a response to and enhances the Festival's sanctity.

[1] Rabbaynu Ovadia Sforno, Commentary on Sefer VaYikra, 21:4.

[2] Rabbaynu Moshe ben Nachman (Ramban / Nachmanides), Commentary on Sefer VaYikra 23:2.

[3] Rabbaynu Ovadia Sforno, Commentary on Sefer VaYikra 23:2.

[4] Sefer VaYikra 23:2.

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describes the commandments concerning the oil for the Menorah, as well as the ingredients and baking of the lechem hapanim (showbread).

The Rashbam (ibid 2) offers an interesting explanation as to the mention of both the Menorah and Shulchan (Table) one after the other. It happens to be that these two vessels were placed in close proximity to one another in the Bais HaMikdash. As he explains, this was not a coincidence:

"This section is being reviewed because the Menorah was next to the Shulchan, to provide light to it, where the lechem hapanim was placed, as explained here; all this is from the rectification of the Shulchan and its order, the oil to light and the bread to be arranged [on it]."

What is intriguing about this commentary is that according to the Rashbam, the primary function of the Menorah was to provide light for the Shulchan. This implies that the Menorah really had no independent role. Was the Menorah really so secondary? Furthermore, since the candles were lit at the end of the day, when the avodah was completed, one could safely assume that the kohanim were never actually using this light when dealing with the Shulchan. What, then, was its purpose?

The Rambam offers his own rationale for the Menorah's function, found in the Moreh Nevuchim (3:45):

"A candlestick was then out in front of the curtain (paroches), as a sign of honor and distinction for the Temple. For a chamber in which a continual light burns, hidden behind a curtain, makes a great impression on man, and the Law lays great stress on our holding the Santuary in great estimation and regard, and that at the sight of it we should be filled with humility, mercy, and soft-heartedness."

It is quite evident that the Rambam is ascribing an independent function to the Menorah, explaining how the Menorah served a unique role. This seems to be at odds with the Rashbam's understanding, where the Menorah was merely an extension of the Shulchan, serving to bring light to this vessel. This is a significant debate that needs to be understood.

In general, every vessel had a clearly defined practical role in the daily operation of the Bais Hamikdash. The kohen used the altar for korbanos, washed his hands with the kiyor, or used a kli-sharase to carry blood. In a sense, there was no vessel that was merely decorative or ornamental. How would the Menorah fit into this equation? No



doubt, the primary role of the Menorah was to provide light, and the purpose of light is to illuminate. To merely light the Menorah without making use of the light would negate its definition as a klimikdash. Therefore, according to the Rashbam, there had to be a practical utility to the Menorah, just as with the other vessels. Based on this premise, the fact that the two vessels were in close proximity in the Bais Hamikdash was not a coincidence. The Menorah, as he understood it, existed to illuminate the Shulchan, providing light for it. Functioning in this manner, the Menorah fits into the same category as all other vessels. With this said, there is still the question about the fact that this light was never actually used by the kohanim. The Torah indicates that the lecham hapanim (showbread) remained on the Shulchan from Shabbos to Shabbos - once in place, the loaves were not removed until the following Shabbos. As a result, one could deduce that the bread resting on the Shulchan indicated it was in use. If this is the case, one could offer the same assessment of the light from the Menorah. Rather than provide light for those using the Shulchan, its function instead was to indicate that the Shulchan was in a state of operation. We see this in the language of the Rashbam, where he writes "the oil to light and the bread to be arranged" - the presence of these two demonstrated that the Shulchan was in a state of being used.

The Rambam would have to agree that each vessel of the Bais Hamikdash served a distinct practical role, yet he offers a different assessment of the role of the Menorah. One troubling part of the Rambam's interpretation is the effect the Menorah was supposed to have on the individual, ultimately bringing him to hold the Bais Hamikdash in high regard and produce a sense of humility. The problem is, one could argue that the Bais Hamikdash itself, along with all of the vessels, was set up for this purpose. What was the Menorah adding to the picture? Let's first understand the overall formulation of the Rambam. This vessel seems to go against the mold, lacking any particular role in the Bais Hamikdash. As mentioned above, light functions to illuminate. However, we see another instance in halacha, by the ner Chanukah, where this function is "removed" from light so that it may serve as a vehicle to a specific idea. The halacha is clear that we are not allowed to benefit from the Chanukah light whatsoever. Instead, the lit candle draws us into thinking about the miracles of Chanukah and the important ideas that emerge from it. The same could then be said about the Menorah and its candles. The lights of the Menorah were structured to function as a vehicle for the ideas listed above by the Rambam, and were not meant to illuminate.

While this may provide insight into the overall difference in the potential functions of the Menorah, there is still the issue of how this fits into the general idea of klei-mikdash, the Temple's vessels. Without a practical function, how would it still retain its status as a vessel? It could be the Rambam is basing his assessment of the Menorah on a different understanding of its status as a vessel. As we know, the purpose of the Bais Hamikdash was to serve as a vehicle in understanding God, opening a pathway to significant and distinctive ideas. The vessels themselves reflected the wisdom of Hashem, both in their construction as well as in their use. One might think, then, that it would be through their practical usage that one would have access to this area of knowledge. In other words, the study of the vessels of the Bais Hamikdash would take place through their handling. If this were the case, then those removed from their usage (i.e. - everyone but kohanim) would think they were closed off from these ideas. The Menorah serves to refute this notion. It is the one vessel that, by definition, has no utilitarian value - and that is its very function. It demonstrates that access to the system of knowledge was not dependent solely on the use of the vessels. To have a vessel that existed for no practical purpose served to remind the individual that the method of analysis of the vessels was not dependent on their daily usage and was therefore available to everyone.

May we merit to see the building of the Bais Hamikdash in our lifetimes. ■

Volume X, No. 21...May 6, 2011

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(impure), even for his closest relatives. The lone exception is the case of the "meit mitzvah" i.e. one who has died with no relatives to bury him. If the Kohen Gadol should chance upon such a corpse he is obligated to become personally involved in the burial.

At first glance, the prohibition of tumat meit and its association with holiness is difficult to comprehend. Judaism regards honoring of the dead through participation in the funeral as a great mitzvah which it characterizes as "compassion of truth." In addition, providing for the needs of a meit has a humbling effect on a person, arousing thoughts of his own mortality which can stimulate him to improve his ways. In what way does the encounter with death compromise the kedusha of the Kohen?

Many reasons have been offered for this most complicated question. In my opinion, we need to understand the mission of the Kohen in its broadest sense.

The pasuk in Malachi [2:7] says "Sifsei Kohen vishmaru daat v'Torah vivakshu mipiyhu" (The lips of the Kohen preserve wisdom and they will seek Torah from his mouth). The most essential function of the Kohen was spelled out by Moshe Rabbenu, who said "they shall teach your laws to Jacob and your Torah to Israel. They shall place incense before you and burnt offerings upon your altar." The pasuk makes clear that their qualification to perform the Temple service on behalf of Klal Yisrael stemmed from their absolute commitment to studying Torah and teaching it to the nation. The kedusha of Shevet Levi is derived from its absolute dedication to Torah study. This "occupation" requires that a person put all his energy into learning and removal from all distractions. The Kohen had to keep himself in the best possible state, physically and emotionally for the mission at hand. He did not learn Torah only for himself but for the wellbeing of the entire nation. Because of this, he was enjoined from going to funerals and visiting cemeteries. He had to protect himself from being affected by the powerful emotions of grief and sorrow which could distract his focus and hamper his concentration. Exception was only made for the seven close relatives because of the significance of honoring parents and other members of one's family. The Kohen Gadol who was always "in the presence of HaShem" could not interrupt his service even for his closest relatives. Only for the "abandoned corpse" who had no one to bury him did the Kohen Gadol become impure in order to demonstrate the supreme significance of man who was "created in His image." To leave this body unattended would constitute desecration of the "divine soul" and indirectly of the Creator, Himself.

Jewishlimes Weekly Parsha

In his commentary to Parshat Emor, Rav Yosef Dov Soloveitchik Z''tl (as cited in Divrei Harav by Rav Hershel Schachter) asks why the Parsha of festivals is juxtaposed to the special prohibitions that pertain to Kohanim. He answers that the primary task of the Kohen was not to minister in the Temple but to serve as a Rabbi and teacher for Klal Yisroel. The most fundamental time which was designated to publicly expound the Torah before the entire community was Shabbos and the festivals. Since the principal task of the Kohen was fulfilled on the moadim it was only natural to transition from the subject of kedushat kehuna to that of the holidays.

This idea is fully elucidated by the Rambam at the conclusion of the Laws of Shmitta and Yovel. In explaining why the tribe of Levi was separated from the nation, in terms of not inheriting a portion of the land and being excused from war and other responsibilities, he says "they were set aside to serve HaShem and minister before Him to teach His correct ways and righteous ordinances to the people as it says 'they will teach your laws to Jacob and your Torah to Israel." The Rambam concludes on a most inspiring note saying that this special status is not limited to members of the tribe of Levi. Any Jew who is motivated to detach himself from those who are preoccupied with mundane earthly pursuits and devotes himself exclusively to the study and teaching of Torah attains a special status. "He is sanctified as holy of holies. HaShem will be his portion and provide what is sufficient for him in this world as He provides for the priests and Levites."

Every Jew can aspire to partake of the kedusha of the Kohen. In Hilchot Talmud Torah 3:1 Rambam says that three crowns were conferred upon the Jews, that of Torah, priesthood and kingship. Priesthood was limited to the descendants of Aaron and kingship to those of King David. However, the greatest crown of all, that of Torah is not restricted to any elite but is available to all Jews. One of the first verses taught to Jewish children expresses this idea: "Torah tziva lanu Moshe morasha kehilat Yaakov" (The Torah which Moshe commanded to us is the inheritance of the congregation of Jacob.) In the words of Rambam, "whoever desires it may come and take it."

May HaShem grant us the wisdom to appreciate our inheritance and the inspiration to elevate our holiness by immersing ourselves in the study of His Torah, performance of His mitzvot and emulation of His ways of kindness and compassion.

Shabbat Shalom.



JewishTimes Writings

a Lesson on PROVERBS



RABBI MOSHE BEN-CHAIM

"Like water – face to face; so also is the heart man to man." (Proverbs 27:19)

King Solomon equates water's reflective qualities to the human heart, or rather, to human attitude. Just as my smile or frown [my face] is duplicated in the water's surface, so too, my attitude is reflected in another person's expressions: the other person embodies the reflective quality of water. If, for example, I am generous to another, he too will be compelled to be generous to me. The question is, how does this dynamic work? I understand the physical laws that generate reflections, but when it comes to human nature, why are attitudes also "reflective"?

What is a reflective attitude? I believe there are a few components. First, humans must draw inspiration from others: we are designed that we empathize, naturally. If you are generous to me, it is natural that I reflect this feeling of generosity. But getting passed the "feeling", I also display or reflect this generosity back towards you.

I think this second step is born out of a need for companionship...we reciprocate to sustain this good relationship. Juts like everything else we do is inescapably selfish[1], here too, we enjoy the good others perform for us, and wish it to continue. We are recognized, validated, and naturally enjoy others that make us feel this way.

However, reciprocating the good we receive can be elevated beyond simple insurance that others continue to favor us. We can recognize and follow God's will that others exist; for God created them too. Assisting that person to live happily, by reciprocating his or her good, is the higher form of reflecting good will. And an even higher form, would be initiating good will towards others, not merely responding. For in this case, we are not performing good due to a received benefit, but due to a recognition that kindness is God's will, regardless of our personal interests. This explains why the Torah commands us to assist even those who have wronged us, if their animal's load is overburdening it. (Exod. 23:5)

Thank you to Zlata for citing this verse

[1] By selfish, I mean to say that in all human actions, we act for the self. Even when giving charity, we do so for our own good, or a self image, or we wish to follow God's laws. We are doing so as we see this is a good for ourselves somewhow. Selfish does not have to mean that we are not giving. Just as boyish refers to the qualities of a boy, "selfish" is meant here to refer to qualities or interests of the self.



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