

# Toronto Torah

Beit Midrash Zichron Dov

Parshat Emor

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## A Kohen and a Levite

Hillel Horovitz

Fresh from reading Acharei Mot and Kedoshim, with their focus upon the sanctity of the Jewish people and its individuation from the rest of the family of nations, we continue to discuss matters of holiness in Parshat Emor. This portion presents laws related to the sanctity of Kohanim, and the sanctity of Time as expressed via the holidays.

The connection between the two sanctities described in our portion is profound in meaning and message. To understand it well, let us examine the Haftorah which complements Parshat Emor, a prophecy from the book of Yechezkel (44:15-31). This comforting prophecy, presented to the exiled Jewish nation approximately fourteen years after the destruction of the first Beit haMikdash, describes the return of the Kohanim to the Beit haMikdash.

The Haftorah begins (Yechezkel 44:15), "And the Kohanim the Levites, descendants of Tzaddok, who guarded My Temple when the Children of Israel wandered away from Me, will draw near to Me to serve Me." Yechezkel informs the Jewish people that the Kohanim who will serve in the Sanctuary will be those who had guarded the Beit haMikdash, meaning those who had observed Divine commands and not strayed. This excludes Kohanim described earlier in the chapter (44:10), who had not fulfilled their Divinely commanded duty, who would be consigned to serving only in the role of

guarding the Beit haMikdash rather than performing the priestly service. The Haftorah then continues to describe the demands placed upon the Kohen and the gifts he would receive from the Israelites, matters which appropriately complement the contents of our Torah portion.

Let us focus on Yechezkel's interesting turn of phrase, "the Kohanim the Levites." Are there Kohanim who are not Levites? This expression first appears in Devarim 17:9, and understanding its meaning in context may aid us in understanding what Yechezkel intends to add to the normal term, "Kohen."

Devarim 17:9 says, "And you shall come to the Kohanim the Levites, and to the judge who will be there in those days, and you will inquire, and they will tell you the verdict." This instruction is stated regarding the judicial process, and so it may be assumed that the purpose is to approach a judge for a ruling, not to approach a Kohen for a priestly service. The court ought to include Kohanim (Sifri Devarim 153), and the location is the Temple Mount, but the function is legal.

Further along, in Devarim 27:9, we find, "And Moshe and the Kohanim the Levites addressed all of Israel, saying: Listen, Israel! Today you have become a nation for HaShem your G-d." Here, too, we do not speak of the service performed in the Beit haMikdash; rather, we describe an assembly for blessings and curses. If so, why does the Torah emphasize the presence of "The Kohanim the Levites"?

As described by Moshe in his blessing to the tribe of Levi (Devarim 33:10), the Kohanim are charged with two tasks: "They will teach Your laws to Yaakov, and Your Torah to Israel; they will place incense before You and whole offerings upon Your altar." The first task, teaching Israel, is assigned to the entire tribe of Levi; the second task, service in the Beit haMikdash, is assigned to the Kohanim, sons of Aharon. The expression, "The Kohanim the Levites", emphasizes the former role of education, which stems from the dual role of serving G-d and educating the people, facilitating the spirituality of the Children of Israel.

Yechezkel teaches us why the children of Tzaddok will merit to serve in the Beit haMikdash: They have the potential to be "The Kohanim the Levites", priests as well as teachers. Regarding Kohanim who remember their duty to the nation, understanding that they serve in the Beit haMikdash as well as Beit haMidrash, G-d says, "They will bring offerings upon My table, to serve Me."

And to return to our portion and its sanctities of the Kohanim and of Time, the Haftorah teaches that we need "The Kohanim the Levites", connecting the Kohanim who serve in the Beit haMikdash and the nation who comes to celebrate the holidays. The days when the nation comes to the Temple are ideal for Kohanim to fulfill their educational role for the entire nation.

During our holidays we repeat regularly, "You selected us from all of the nations," "You sanctify Israel and the [appointed] times." These times draw us close to G-d, elevating Israel to a state of joy and national sanctity. The Haftorah teaches us that this is the true and central role of the Kohanim: To create a national educational framework which leads to sanctity, by being present in the study halls and at the occasions of spiritual elevation. The Kohanim will live in the hub of spiritual activity, and join the nation with their Father in Heaven.

[hhorovitz@torontotorah.com](mailto:hhorovitz@torontotorah.com)

**Parshah Questions are found on the back page this week**

**Walk with our team  
at the UJA Walk with Israel  
on Monday May 21<sup>st</sup>**



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**Sunday May 20  
6 to 8 PM  
12 Midvale, Clanton Park**

## Aninut on Shabbat

### R' Dovid Zirkind

After completing the distribution of tithes, one recites *vidui maaser*, declaring that he was scrupulous in following the detailed laws involved. One such law is that the owner does not eat any of his *maaser* while in a state of *aninut*. (Devarim 26:14)

What is *aninut*? The Gemara explains (Berachot 17b) that *aninut* refers to the period immediately following the death of a relative, when the family is involved in caring for the deceased and preparing for burial. At this sensitive time, a series of unique halachot apply to mourners. An *onen* (one who is in a state of *aninut*) may not eat meat or drink wine, recite berachot, say Shema or daven.

Rashi and Tosafot (commenting on the Gemara in Berachot) debate why the *onen* is excused from performing mitzvot during this period. According to Rashi, the halacha of the *onen* is reminiscent of that of a groom on the night of his wedding, who is similarly excused from reciting Shema. When a person is focused intently on a mitzvah before him he is not responsible to perform other mitzvot (*osek b'mitzvah patur min hamitzvah*). Tosafot, citing the Yerushalmi, suggests a mourning-specific explanation; the mourner is excused from performing mitzvot when confronted so intimately with death.

Rabbi Avraham Danzig (Poland 1748-1820) elaborates that the Sages demand one postpone the performance of mitzvot out of respect for the deceased (Chochmat Adam 153:1). According to Rashi, if one chooses to perform mitzvot while preparing for a relative's funeral, he may do so. However, Tosafot would view the ambition as coming at the

expense of the deceased's honour. Rabbi Danzig records the custom to follow the approach of Tosafot and not perform mitzvot, at least until all the arrangements have been completed. (See also Gesher HaChaim 163:4.)

If a death occurs on Shabbat or Friday, without time to arrange burial before Shabbat, relatives are confronted with the overlap of Shabbat and *aninut*. Halachah prohibits burial on Shabbat, and many arrangements may not be made on Shabbat. *Aninut* is therefore, to a large extent, on hold until Shabbat is over. For this reason, the relatives may eat meat and drink wine like on an ordinary Shabbat. A number of halachot related to this issue are subject to varying customs, including: wearing freshly laundered Shabbat clothes, singing Shalom Aleichem and blessing the children on Friday night. (See Nitei Gavriel, Laws of Mourning 1: Chapter 25.) The local Rabbi should be consulted regarding the community's practice.

In some respects, Shabbat during *aninut* is similar to Shabbat during *shivah*, regarding the laws of *aveilut* which are still observed in private. Marital relations are forbidden, the mourner may not wash himself and the mirrors must remain covered. Technically speaking, the *onen* is permitted to participate in Seudah Shlishit in shul, although the custom is not to do so. Nitei Gavriel suggests that this custom developed because Seudah Shlishit often extends beyond the conclusion of Shabbat, at which point the *onen* would no longer be able to participate. When Shabbat concludes, the *aninut* resumes.

May we know happy occasions.

[dzirkind@torontotorah.com](mailto:dzirkind@torontotorah.com)

## 613 Mitzvot: #152

### Drinking and Judging Don't Mix

#### R' Mordechai Torczyner

Many of our mitzvot elevate wine to a position of honour; for example, we drink wine under the chuppah at a wedding. We recognize the Torah's observation (Tehillim 104:15) that wine gladdens our hearts, and we even pour it on the mizbeiach [altar] when we bring offerings in the Beit haMikdash.

At the same time, Judaism warns us that intoxication handicaps a person and removes his ability to address issues of sanctity. Therefore, Mitzvah 152 forbids a judge from issuing legal

rulings while intoxicated, and prohibits inebriated people from entering the Beit haMikdash.

Similarly, we are instructed not to daven when we are inebriated; even one who is capable of stating the words should not daven if he would not be able to concentrate. This rule is not only stated regarding wine; all alcoholic beverages are included. (Aruch haShulchan Orach Chaim 99:6)

[torczyner@torontotorah.com](mailto:torczyner@torontotorah.com)

## Hitoriri:

### Jewish Spirituality

## Journey to Redemption

### Yair Manas

In describing the mitzvah of Sefirat HaOmer, the Chinuch (Mitzvah 306) explains why we count from Pesach to Shavuot: "The rationale for this mitzvah is that the Torah is the essence of the Jewish people... and it is the reason that they were redeemed and they left Egypt, in order for them to accept the Torah at Sinai and abide by it." Thus the Jewish people counted to the receiving of the Torah, which happened 49 days after the exodus from Egypt.

It is well known that each of us must consider himself as if he had left Egypt. The Rambam (Hilchot Chametz U'Matzah 7:6) writes: "In each generation a person must consider himself as if he himself had escaped from the subjugation of Egypt." If so, then we must also view ourselves as if we are the ones who are traveling in the desert, on our way to receive the Torah. Just like a child counting toward his birthday, so too, *lehavdil*, we must count to receiving the Torah, the "essence of the Jewish people."

Chief Rabbi Jonathan Sacks articulates: "Leaving Egypt was only the beginning of freedom. Without a moral code - the commandments heard at Sinai - the Israelites might have gained release from oppression, but they had not yet acquired liberty. The counting of the days expresses the unbreakable connection between Pesach and Shavuot as stages on a single journey from slavery to redemption. Freedom begins with exodus but it reaches its fulfillment in the acceptance of a code of conduct, the Torah, freely offered by G-d, freely accepted by the people. The counting of the Omer is thus an act of retracing the steps from individual freedom to a free society." (Rabbi Jonathan Sacks Haggadah, pg.68)

This time of the year is a time to become excited in anticipation of receiving the Torah, to confirm our commitment to studying and teaching it, and to reaffirm our faith in the everlasting word of G-d. May we all be successful in this exalted task.

[ymanas@torontotorah.com](mailto:ymanas@torontotorah.com)

**Torah in Translation  
Brit Milah for a Baby  
of a Non-Jewish Mother  
Rabbi Zvi Hirsch Kalischer**

**Responsa of R' Esriel Hildesheimer**

**Vol. 1 Yoreh Deah 129**

**Translated by R' Ezra Goldschmiedt**

Three questions were presented in the American newspapers regarding events in New Orleans, concerning men who wronged their souls, connecting with non-Jewish women and producing sons. Although they sinned, the heart of Israel rooted in their hearts the idea of having their males circumcised. The mothers did not protest circumcision, but did not allow immersion [i.e. full conversion]. The Rabbi there forbade circumcision for them... decreed that circumcising them would be considered a sin and iniquity for the mohel who would circumcise them, and disqualified the mohel who would violate this...

Concerning this, the Americans have presented three questions:

A: By religious law, is there any transgression to circumcise such children?

B: Does the Rabbi have the ability to disqualify a mohel who disobeys his order?

C: Would it be considered sinful if another Jew would give his son to this mohel?

According to my immature opinion: Concerning the first question... It seems to me that circumcising them is not a sin, but only a mitzvah... The first proof is that behold, should a non-Jew come to have his son circumcised, we would circumcise him and it would be a mitzvah. Shulchan Aruch Yoreh Deah 268:9 says, "If a non-Jew comes to us to cut off his foreskin on account of a wound, a Jew may not cut it." Therefore, if the non-Jew intends for ritual circumcision, it is a mitzvah for the Israelite to circumcise him...

I will further present... that which reason will agree with. Now, the Creator, all that inhabit the earth are his handiwork. One G-d created us, and so, when He appeared in His kindness to adorn Israel with the gift of the Torah, He desired in His mercy to give it to the whole world, as the Sages taught... and when He saw that they were of cloudy spirit, unwilling to accept it, He gave it to Israel alone. Similarly, it is written, "For mine is the entire world; you shall be to Me a kingdom of priests," (Shemot 19:5-6)... You [Israel] are like priests with respect to all who inhabit the earth; when you bring yourselves close to Me, they will also see the light. And in truth, this is what has happened, for all the believers of the nations, their foundation is from the holy Torah...

Rabbi Tzvi Hirsch Kalischer (1795-1874) was born in Lisa, Germany. Known at a young age for his brilliance and diligence in Torah study, he learned under the guidance of Rabbi Yaakov Lorberbaum (author of Chavot Daat) and Rabbi Akiva Eiger.

After his marriage, Rabbi Kalischer settled in his wife's hometown of Torun, Poland. Many communities had asked for the young Rabbi to serve as their Rav, but Rabbi Kalischer had refused; only in Torun did he accept a position, and then only on condition that he receive no compensation for his services.

While working tirelessly for his community, Rabbi Kalischer continued his studies and wrote a number of significant Torah works in both law and philosophy; these writings solidified his standing as one of German Jewry's most authoritative leaders. His work Derishat Tzion, in which Rabbi Kalischer developed his vision for bringing about the Messianic age, was unique for its time. He was convinced that the Jewish people's ultimate goal was to be realized through a natural and active process, and that the first steps in making this a reality was the settlement of a self-sustaining nation in the land of Israel. In Derishat Tzion, Rabbi Kalischer also advocated for the reinstitution of sacrificial service, despite the absence of a Beit HaMikdash. His ideas were met with controversy, with leading Torah authorities on both sides of the debate. Rabbi Kalischer spent much of his life raising funds for the realization of these ideas, particularly construction of agricultural settlements in Israel. Tirat Tzvi, a religious kibbutz in the Bet She'an Valley, is named after him.

[egoldschmiedt@torontotorah.com](mailto:egoldschmiedt@torontotorah.com)

Therefore, when a non-Jew comes to be circumcised, we should open up his free will through this. When he honestly and sincerely decides to enter the Israelite community, he will accept the immersion and mitzvot with ease. If we don't circumcise him, we are nullifying his free choice, for it will not be easy to subject himself to the pain of circumcision in his old age...

Additionally, it should be pointed out that concerning such an immersion, when the father is an Israelite, we are more obligated to prepare for him a way of free choice than for one born from a non-Jew. Legally, the child is like her regarding his lineage, but we find that he is called "holy seed." When Ezra castigated Israel for having married non-Jewish women, they told him that they had married non-Jewish women,

**Ha'Aretz**

**קלי"ה Kalia**

**R' Baruch Weintraub**

הקיבוץ קלי"ה, הממוקם בצפון ים המלח, ליד העיר יריחו, הוקם בצורתו הנוכחית בשנת 1968, מעט לאחר מלחמת ששת הימים.

האיזור בו נמצא היישוב קרוי 'מגילות', וזאת על שם מגילות ים המלח שנמצאו שם. המגילות, בנות כאלפיים שנה, נתגלו ב-1947. הן נמצאו על ידי נער בדואי, אשר הביא אותן לסנדלר על מנת להכין לעצמו סנדלים מחתיכות העור. הסנדלר, אשר זיהה כי מדובר במגילות עתיקות, קנה אותן מהנער, ולבסוף התגלגלו החתיכות לידיו של פרופסור סוקניק (אביו של הרמטכ"ל לעתיד יגאל ידין) ממש ביום פרוץ מלחמת העצמאות. במהלך השנים הבאות נתגלו עוד ועוד מגילות, בסך הכל 825-870 מגילות נפרדות.

בין החוקרים נטוש ויכוח לגבי זהות כותבי המגילות, אך הדעה המקובלת מזהה אותם עם ה'איסיים', כת יהודית מימי הבית השני, אשר דגלה בפרישות קיצונית, ואנשיה פשוו למדבר על מנת לקיים את מנהגיהם. אנשי הכת כפרו בתורה שבעל פה ובחכמי ההלכה, ובמגילות ניתן למצוא הלכות אשר מוזכרות בחז"ל כהלכות שהחזיקו בהן הצדוקים.

ראשית ההתיישבות בקלי"ה בעת המודרנית הייתה בשנות השלושים של המאה העשרים, על ידי חברת "קליה": שפת ים ומבראה בע"מ", כשכונה של פועלי כריה. חברה זו פעלה בצפון ים המלח עד למלחמת העצמאות, והפעילה מלון, מסעדה ושאר אתרים באזור. במלחמת העצמאות נכבשה השכונה ונהרסה ע"י הירדנים. כאמור, לאחר מלחמת ששת הימים הוקם היישוב מחדש כהאחוזת נח"ל, ולאחר מכן כקיבוץ.

מקור השם קלי"ה: החברה כשלעצמה, נקראה על שם האשלגן (kalium בלטינית) שבים המלח. עם השנים נשתכחה משמעות השם, ושם היישוב נדרש כראשי תיבות של המילים: "קם לתחייה ים המוות". מדרש שם זה מסמל לא רק את תחייתו של היישוב שנהרס במלחמת העצמאות, אלא גם את חידוש היישוב היהודי שהיה קיים בתקופת בית שני.

[bweintraub@torontotorah.com](mailto:bweintraub@torontotorah.com)

themselves and their sons (Ezra 9:2), and he said, "They have mixed their holy seed among the nations of the land." Because of this, if there is the possibility of removing this corrupted seed from its impurity, removing it from its prison and returning it to holiness, how good and pleasant is our lot!

**Is there significance to the “him and his son” masculine wording of the law against slaughtering an animal and its offspring on the same day? (22:28)**

**Rashi** says that the law applies only to females, despite the gender in the text.

**Ramban** quotes Rashi's interpretation but notes that the Torah's choice of words seems odd if the law speaks strictly about females. He explains that the rule is restricted to females, but males are mentioned because of the language of the surrounding context.

**Chizkuni** also cites Rashi, explaining that the prohibition only applies to animals which are bound, or attached, to each other - which excludes birds, wild animals, and fathers. He then adds that although there is no punishment for slaughtering a father and child, it is still prohibited.

**What lessons may be learned from the words “I shall be sanctified among the Children of Israel?” (22:32)**

**Rashi** claims that the phrase teaches us that we should be willing to give our lives to sanctify G-d's name.

**Ramban** makes a similar point to Rashi, but then adds that this is why we were redeemed from Egypt, in order to sanctify G-d's name by performing, and not violating, His commands.

**Ba'al HaTurim** calculates that the numerical value (Gematria) [1901] of this phrase has the same numerical value as: “ain omrim kedushah b'pachot mei'asarah- we do not recite [declaration of] sanctity with less than ten.”

**Torah Temimah**, based on Berachot 21b, connects this phrase with a verse in Korach (Bamidbar 16:21) to teach that one may not recite kedushah without a minyan.

**Why do the laws of Yom Tov begin with the laws of Shabbat? (23:3)**

**Rashi** says that it is done to compare the two: If one fulfills or desecrates the holidays, it as though he had fulfilled or desecrated Shabbat.

**Gur Aryeh** expounds on Rashi, and explains the connection between Shabbat and the holidays. Since Shabbat is the seventh day of the week, and there are seven holidays (2 days of Pesach, 1 of Shavuot, 1 of Rosh HaShanah, Yom Kippur, and two of Succot), they are equal to each other.

**Malbim** also explains Rashi's interpretation, claiming that a person may think that he need not properly observe the holidays since they are merely sanctified by the Beit Din, and not intrinsically by HaShem like Shabbat (see R' Hirsch below). The Torah compares Shabbat and holidays to teach us that they are equally important.

**Netziv** refers to **Ramban**, who explains that when a holiday occurs on Shabbat one should not violate Shabbat in order to fulfill the mitzvah of *Simchat Yom Tov*. We normally permit the slaughtering and preparing of an animal for a Yom Tov meal, but this is prohibited when the holiday is on Shabbat.

**R' S.R. Hirsch** explains that both Shabbat and the holidays are times of enhanced sanctity and closeness to HaShem, but Shabbat's sanctity was designated by HaShem, whereas the holidays are sanctified by the Jewish people. Despite this, the two celebrations go hand in hand: The Jewish people's sanctity is dependent upon the sanctity of Shabbat, and the sanctity of the times (holidays and new months) are dependent upon the sanctity of the Jewish people.

**Ner Uziel** cites the Vilna Gaon and explains that the Torah's mention of six days of work and one day of rest does not refer to Shabbat as we know it, but to the holidays themselves. On six of the holidays we may do [some] work (Pesach, Shavuot, Rosh HaShanah, and Succot) - referring to work which is necessary in food preparation - but the seventh day (Yom Kippur) is a Shabbat, and we may do no work.

*Meir.lipschitz@gmail.com*

## Schedule for May 12 - May 18 / 20 - 26 Iyyar

### Shabbat May 12

**7:45 AM** R' Baruch Weintraub, Rav Kook on the Parshah, Or Chaim, *not this week*

**10:20 AM** R' Baruch Weintraub, Parshah, Clanton Park

**5:30 PM** R' Ezra Goldschmiedt, Strictly Speaking: When are Chumrot Appropriate?, BAYT, *women*

**95 minutes before minchah** R' Baruch Weintraub, Netivot Shalom, Clanton Park

**1 hour before minchah** Yair Manas: Gemara Sukkah, Mizrachi Bayit

**45 minutes before minchah** R' Mordechai Torczyner, Daf Yomi: Tamid 27, BAYT

**After minchah** R' Mordechai Torczyner, Alone with Akum: Gemara Avodah Zarah, BAYT

### Sunday, May 13

**9:15 AM** Hillel Horovitz, Parshah, Zichron Yisroel, *Hebrew*

**11:00 AM** R' Baruch Weintraub, Hilchot Melachim, Or Chaim, *collegiates*

**6:00 PM** R' Baruch Weintraub, Halachic issues in Israel: Daat Torah, *Hebrew*, 4 Tillingham Keep, *mixed*

**40 minutes before minchah** R' Baruch Weintraub, Halachic issues in Israel: Daat Torah, *Hebrew*, Clanton Park, *men*

### Monday, May 14

**8:30 PM** Hillel Horovitz, Deep Siddur, Clanton Park, *men*

**8:30 PM** R' Mordechai Torczyner, Medical Halachah with CME: Obligations to Heal and Be Healed, Shaarei Shomayim

### Tuesday, May 15

**1:30 PM** R' Mordechai Torczyner, Zecharyah: The Final Chapter, *Mekorot*, Shaarei Shomayim

**7:15 PM** R' Ezra Goldschmiedt, Ramban, BAYT

**8:00 PM** Hillel Horovitz, The Early Prophets, Bnai Torah

**8:15 PM** Yair Manas, Minchat Chinuch, Clanton Park

### Wednesday, May 16

**10:00 AM** R' Mordechai Torczyner, Dramas of Jewish History: The Holocaust, BEBY, with Melton

**7:30 PM** Yair Manas, Responsa, Clanton Park, *men*

**8:00 PM** R' Dovid Zirkind, Gemara Beitzah, 2<sup>nd</sup> Perek, Shaarei Shomayim

**8:30 PM** R' Mordechai Torczyner, Living Midrash: Angels Among Us, BAYT, *women*

**8:30 PM** R' Baruch Weintraub, Hilchot Melachim, Shomrai Shabbos, *men*

### Thursday, May 17

**8:00 PM** R' Mordechai Torczyner, X-Files of the Talmud 3 of 4, MNJCC

### Friday, May 18

**8:00 AM** R' Dovid Zirkind, Friday Parshah Preview, Village Shul