

PSHUTO SHEL MIKRA

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PARSHAT ACHAREI MOT

Pshuto Shel Mikra Teaches Halachah LeSha'ah

Introduction

We have seen that whenever the *pshat* appears to give us an interpretation that differs from the halachah as we know it, we proceed to ask, “What *is* it that the pshat is teaching us, if it is not teaching us halachah?” The answer to that question will reveal a message that is part of the *shleimut* of Torah, even if it is not the halachah itself. In this chapter we will see that sometimes the *pshat* differs from the halachah, yet still it reflects halachah! How can this be? This brings us to the discussion of *halachah lesha'ah* — a halachah that was stated regarding a specific time.¹

Avodat Yom HaKippurim — The “Order” Written Out of Order!

The first topic dealt with in *Parshat Acharei-Mot* is the *Avodah* of the *Kohen Gadol* on Yom Kippur. And yet, as we will see, specifically in this *perek* — which is meant to tell us the *sequence* of the *Avodah* — Chazal inform us that there are *pesukim* that are written out of order!

¹ In contrast to *halachah ledorot* — halachah that applies to all future generations, which will be discussed in the following chapter.

וְכָא אֶהְרֵן אֶל אֹהֶל מוֹעֵד וּפָשַׁט אֶת בְּגָדֵי הַבַּד אֲשֶׁר לְבַשׁ בְּבָאוּ אֶל הַקֹּדֶשׁ וְהִנִּיחֵם שָׁם

Aharon shall come to the Ohel Moed (Mishkan), he shall remove the linen garments that he wore when he entered the Sanctuary, and he shall leave them there (Vayikra 16:23).

Chazal (Yoma 32a) ask why the *Kohen Gadol* is returning to the *Ohel Moed* at this point in the *Avodah*, and explain that it is to remove the ladle and shovel with which he had brought *ketoret* into the *Kodesh HaKodashim* earlier (as referred to in *pesukim* 12–13). Regarding this, Chazal comment, “for the entire *parsha* is written in order, except for this *pasuk*.”

Before we try and clarify what we are meant to learn from this “incorrect” order of *pesukim*, since, after all, “*ain mikra yotzei midei pshuto*,” and *pshuto shel mikra* requires us to read the *pesukim* in the order in which they are written, we must first understand the basis upon which Chazal determined that this *pasuk* describing the second visit of Aharon to the *Kodesh HaKodashim* is written out of order. At the root of the matter lies **Kabbalat Chazal**, an oral tradition received by Chazal, which states that during the *Avodah* on Yom Kippur, the *Kohen Gadol* immersed himself in the *mikveh* five times and washed his hands and feet (*kiddush yadayim veraglayim*) ten times. The matter that requires each *tevilah* (and, additionally, washing the hands and feet both before and after) is when the *Kohen Gadol* changes into *bigdei zahav* (lit. golden garments — his regular garments, which contain gold threads) or into *bigdei lavan* (lit. white garments — the special garments for Yom Kippur made entirely of white linen). Were the order of the *Avodah* to follow the order of the *pesukim*, there would only be three such changes (gold, white, and gold), and hence only three immersions in the *mikveh* and six washings of the hands and feet. In order to arrive at a total of five changes of garments, we must “detach” *pasuk* 23 from where it was written and place it at the end of the *parsha*, after *pasuk* 28. In this way there will be two more changes of clothing (from white to gold and from gold to white), which will then give us two more immersions and four more washings of the hands and feet.

Rashi’s Words of Clarification

Rashi, in his comments on our *pesukim*, explains the matter in his characteristic clear manner (*pasuk* 23, s.v. *u’pashat*):

The entire parsha is written in order except for this [second] entrance [to the Kodesh HaKodashim], which actually took place after Aharon brought his olah and the olah of the people, and offered the sacrificial parts of the bull and goat, all of those things being done while wearing the bigdei Zahav. Then he immerses in the mikveh, washes his hands and feet, removes those garments, and wears the bigdei lavan in order to remove the ladle and shovel with which he had offered ketoret in the Kodesh HaKodashim. He then removes the bigdei lavan and wears bigdei Zahav for the afternoon korban tamid. Here is the Seder Ha’Avodah:

- ▷ The morning *tamid* — wearing **gold**.
- ▷ The *avodot* of the bull and goat inside the *Kodesh HaKodashim*, as well as offering the *ketoret* there — wearing **white**.

- ▷ Offering the Kohen's ram and the ram of the people, plus offering some of the *mussafim* — wearing **gold**.
- ▷ Removing the ladle and the shovel from the *Kodesh HaKodashim* — wearing **white**.
- ▷ Offering the rest of the *mussafim* and the afternoon *tamid*, plus the *ketoret* of the *Heichal* on the *Inner Mizbei'ach* — wearing **gold**.

In terms of the order of the Avodah, the order of the *pesukim* would be as follows:

- ▷ Sending away the goat to the wilderness (*pasuk 22*).
- ▷ Immersing in the *mikveh* (*pasuk 24*).
- ▷ Offering his *olah*, the *olah* of the people, and all the items mentioned in the subsequent four *pesukim* (*pesukim 24–28*).
- ▷ And then returning to remove the ladle and the shovel (*pasuk 23*).

The Vilna Gaon — The Seder Ha'Avodah According to Pshat

Now let us return to our question. If in fact the *Kohen Gadol* actually requires five *tevilot*, why does the Torah write it as if he only needs three, which then requires us to move a *pasuk* from its “incorrect” place, when we do not understand what it was doing there in the first place! Or, to put it in the words of the *Chochmat Adam*, “Is the Torah not able to order the *pesukim* as Rashi did?” This is in essence a very extreme way of phrasing the question, “*Madua* — Why?” As we have explained on a number of occasions, the question of “*madua*” follows the question of “*keytzad* — how?” When the Midrash of Chazal differs from *pshuto shel mikra*, we first ask [Chazal], “*Keytzad* — How did you know to expound the *pasuk* in the way that you did?” and then we ask [Hashem, so to speak], “*Madua* — Why did You dictate to Moshe a *pasuk* whose *pshat* differs from the way in which You explained the halachah to him?”

The *Chochmat Adam*, the *Gaon Rav Avraham Danzig*,² gives the following answer:

It appears to me, based on what I heard from the Gaon and Chassid Moreinu HaRav Eliyahu of Vilna ... based on a statement of the Midrash Rabbah in our parsha (21:7), “Said Rav Yudan bar Simon, Moshe suffered great distress when he was told regarding Aharon “וְאֵל יָבֹא בְכָל עֵת אֶל הַקֹּדֶשׁ” — he shall not enter the Kodesh [HaKodashim] at all times” (pasuk 2). A “time” (עֵת) might mean an hour, a day, a year, twelve years, seventy years, forever! Said Hashem to Moshe, ‘It is not as you think ... rather, whenever he wants he may enter, provided he enters with the following order (of korbanot).’”

We see from here that it is specifically later Kohanim Gedolim who are restricted from entering the Kodesh HaKodashim aside from on Yom Kippur. Aharon, however, was able to enter at any time, provided he did so accompanied by the korbanot mentioned

² [Author of *Chayei Adam*. This discussion quoted here is found in the section at the end of the sefer *Chochmat Adam* entitled *Matzevet Moshe*].

in the parsha. According to this, we see that the Torah was most precise with the order of the pesukim, for the reason the Gemara said that pasuk 23 is written “out of order” is as a result of the kabbalah that the Kohen Gadol needs five tevilot on Yom Kippur, whereas in the pesukim as they are written we find only three. However, this is only in regard to Yom Kippur, when we have this tradition handed down to Moshe at Sinai that he needs five tevilot. However, with regards to Aharon being able to enter on other days of the year, there is no such requirement. This being the case, he only needed to immerse three times, as per the order that the pesukim are written in the parsha. And if this is the case, then the pasuk of “Aharon shall enter” (pasuk 23) is written in order, in regard to Aharon on any other day of the year!

Resolving Questions in Pshuto Shel Mikra

Having quoted the interpretation of the Vilna Gaon, the **Chochmat Adam** then shows how this approach will not only explain how the *pesukim* may be read in order, but will also resolve some very basic questions that relate to *pshuto shel mikra* in our *perek*:

1. Based on the above distinction between Aharon and subsequent *Kohanim Gedolim*, we can understand why there is no mention at all of Yom Kippur at the beginning of the *parsha*; rather, it is only mentioned at the end! Every *parsha* of the *korbanot* for a *Moed* begins first by mentioning the date of the *Moed* and then saying which *korbanot* are to be brought on that day. Why is *Avodat Yom Kippur* different? The answer is, since *left pshuto* this *parsha* reflects the *sefer* of Aharon on any day of the year, Yom Kippur is not mentioned. It is only at the end of the *parsha* that the Torah states that this *Seder Ha'Avodah* is required for all subsequent generations on Yom Kippur.
2. We can further understand why it is that throughout this *perek* the Torah refers to “Aharon,” whereas in the final *pesukim* it no longer mentions his name, but rather “the Kohen who shall be anointed [*Kohen Gadol*].” This is because these final *pesukim* are no longer dealing with the *Avodah* in the *Mishkan* that could be done by Aharon on any day, but rather with *Yom HaKippurim LeDorot*, which is done by the *Kohen Gadol*.
3. The final words of the *perek* (pasuk 34) read, “וַיַּעַשׂ כְּאֲשֶׁר צִוָּה ה' אֶת מֹשֶׁה — and [*Aharon*] did as Hashem commanded Moshe.”³ These words seem superfluous, for is it not obvious that Aharon would do as Hashem commanded Moshe?³ According to the Vilna Gaon, these words can be understood *left pshuto* — namely, that although Yom Kippur was yet months away, Aharon immediately began to enter the *Kodesh HaKodashim*, as he was entitled to, provided he followed the *Seder Ha'Avodah* as mentioned in the *parsha*.

We thus have before us two distinct categories regarding entering the *Kodesh HaKodashim*.

1. Aharon, who may enter at any time during the course of the year, provided he

3 [See Rashi's comment there.].

brings the *korbanot* mentioned in the *parsha*.

2. The *Kohen Gadol* on *Yom Kippur LeDorot* (including Aharon on *Yom Kippur* in the *Midbar*), accompanied by the special *Seder Ha'Avodah* received by Chazal (five *tevilot*).⁴

The approach of the Vilna Gaon is also found in the *peirush Haamek Davar* of the Netziv, as if it is practically selfunderstood from the *pesukim* themselves (*pasuk* 23, s.v. u'va):

According to the pshat, the pasuk is referring specifically to Aharon, that is, if he wants to enter the Ohel Moed, it must be after all these preparations. However, all this is only true regarding Aharon, but for subsequent generations, the pasuk must be understood as referring to "removing the ladle and the shovel," as the Gemara explains.

Why Was the Halachah Different in Aharon's Time?

We have seen regarding the opening section of *Acharei-Mot* that *halachah leshe'ah* is expressed by *pshuto shel mikra*, whereas *halachah ledorot* is derived through *Torah SheBaal Peh*. However, we still need to explain why, when it comes to the *Avodah* of *Yom Kippur*, would Aharon's status in the *Midbar* be any different than that of the *Kohen Gadol LeDorot*?

In answering this question, the **Meshech Chochmah** (*Vayikra* 16:3) refers to us a comment of the *Seforno* at the end of *Parshat Emor* (ibid., 24:3, s.v. *ya'aroch oto Aharon*). There, the *Seforno* addresses the fact that although the lighting of the Menorah does not need to be done by a *Kohen Gadol* specifically, nonetheless, the *pasuk* makes specific reference to Aharon when it describes the lighting:

Even though kindling the lights of the Menorah can be done by a regular Kohen (hedyot) in subsequent generations, nonetheless, the pasuk refers to Aharon. For indeed, the entire time that B'nei Yisrael were in the Midbar, the level of the Mishkan was that which would be achieved in subsequent generations [only] on Yom Kippur. Therefore, it was fitting that the kindling of the lights be done by the Kohen Gadol, as is the case LeDorot on Yom Kippur.

Based on the *Seforno*, the *Meshech Chochmah* explains how it was possible for Aharon to enter the *Kodesh HaKodashim* at any time, not just on *Yom Kippur*, for during the time of the *Midbar*, the *Mishkan* was on the *madreigah* of *Yom Kippur* on an ongoing basis!

The *Meshech Chochmah* then goes further and explains not only how it was possible for Aharon to enter at any time, but also why it was necessary. After all, if the Torah indicates that Aharon could enter at any time, it seems as if there was in fact a need for him to do so:

As long as Yisrael were in the Midbar, it was forbidden for them to eat basar taavah (ordinary meat that was not a korban), which means that they were constantly eating meat that was Kodesh. This meant that tumah of the Mikdash and Kodesh items was

⁴ There is in fact a third category, as discussed in the *Torat Kohanim* (*Parshat Acharei-Mot* 1:6), namely, Moshe, who is able to enter the *Kodesh HaKodashim* whenever he wants without any *Seder Ha'Avodah*, for "Aharon may not enter at any time [without *korbanot*], but Moshe may enter at any time" (*Torat Kohanim* ibid.).

much more prevalent, and thus required kaparah more frequently. This is why Aharon would enter “בְּכֹל יֵת” — at any time” with the Avodah prescribed for the day, in order to atone for tumah of the Mikdash and Kodesh items.

We should note that although the *Meshech Chochmah* has provided a potential source for the approach of the Vilna Gaon, the two might not be exactly the same. The Vilna Gaon seems to be saying that the possibility of Aharon entering the *Kodesh HaKodashim* is a function of the unique status of **Aharon**. The *Meshech Chochmah*, on the other hand, explained that it is a function of the unique status of **the Mishkan** in the *Midbar*. In case we think that these are two ways of saying the same thing, we should remind ourselves that for the final eight months of our time in the *Midbar*, it was Aharon's son, Elazar, who was *Kohen Gadol*. What was Elazar's status? Was he also able to enter at any time? Here it would appear that the two approaches part ways. If it was Aharon who was unique, as the words of the *Gaon* seem to indicate, then Elazar would be like any subsequent *Kohen Gadol*, and could only enter on Yom Kippur. However, according to the *Meshech Chochmah*, the determining factor is the *madreigah* of the *Mishkan* in the *Midbar*, and this *madreigah* continued to exist during those final eight months, when Elazar was *Kohen Gadol*.

A Source in the Gemara for Halachah LeSha'ah

Following the approach of the Vilna Gaon, Rav Yaakov Kamenetzky writes in his *peirush Emet L'Yaakov* (*Vayikra* 16:2, s.v. v'al):

It is possible that he [the Gaon] derived this from the fact that the Gemara (Gittin 60a) states that eight parshiyot were given over on the day the Mishkan was erected and lists one of them as the parsha of Avodat Yom HaKippurim. Rashi there senses a difficulty with this and comments, “Even though this parsha applies to Yom Kippur,⁵ nonetheless it was said on that day.” However, according to the explanation of the Vilna Gaon, it is well understood, for in reality the parsha did not apply only to Yom Kippur; rather, whenever Aharon wished to enter the Kodesh HaKodashim he would need to perform the Seder Ha'Avodah that was required on Yom Kippur, therefore it was said on that (first) day.

In the Future

Let us take this discussion one stage further and ask a most interesting question: Is it possible that the ability to enter the *Kodesh HaKodashim* on a day other than Yom Kippur will ever return?

Rav Meir Don Plotzki, the author of *Kli Chemdah* on the Torah, writes (beginning of *Parshat Acharei-Mot*):

It seems to me that even though this special level existed only in connection with Aharon, whereas any other Kohen Gadol was not allowed to enter the Kodesh HaKodashim except on Yom Kippur, nonetheless, since we see that Aharon was

5 [Whereas the *Mishkan* was set up on the first day of Nissan, six months before Yom Kippur].

able to enter whenever he wanted if accompanied by this *Avodah*, and similarly in the future [at the time of *Techiyat HaMeitim*] when Moshe and Aharon will return, Aharon will [once again] be allowed to enter accompanied by this *Seder Ha'Avodah*. It is with regards to other *Kohanim*, whose level is not as great, that the Torah writes that they “may not enter at any time” except for on *Yom Kippur*. If so, it appears that these *korbanot* are not to be classified as “*chovat hayom*” — obligations of the day of *Yom Kippur per se*; rather, they are the *korbanot* that are a necessary accompaniment for anyone who is eligible to enter the *Kodesh HaKodashim*.

In other words, *pshuto shel mikra* (“With this Aharon shall enter the *Kodesh*”) teaches us that this special *Seder Ha'Avodah* (*korbanot*, *tevilot*, washing of the hands and feet) is in essence a requirement of entering the *Kodesh HaKodashim* and not a requirement of *Yom Kippur*; it is just that it is an *Avodah* that must be performed once a year — on *Yom Kippur*. If so, then instead of referring to the “*Seder Ha'Avodah of Yom Kippur*,” it may be more correct to refer to the “*Seder Ha'Avodah of entering the Kodesh HaKodashim*.”

During the time B'nei Yisrael were in the *Midbar*, the level of *kedushah* was so great throughout the course of the year that a *Kohen Gadol* who was on the level of Aharon (and perhaps Elazar)⁶ could enter the *Kodesh HaKodashim* whenever he wanted, accompanied by the *Seder Ha'Avodah* as set forth according to *pshuto shel mikra*. From that point onward (after B'nei Yisrael entered the Land), in the absence of that special level of *kedushah* on the one hand, and the absence of a *Kohen Gadol* as holy as Aharon on the other, entering the *Kodesh HaKodashim* became restricted to once a year, on the unique day of *Yom Kippur*, while the *Seder Ha'Avodah* changed to five *tevilot* instead of three.

Nevertheless, the *Kli Chemdah* states that in the future it will once again be possible for Aharon to enter at any time. Moreover, according to the approach of the *Meshech Chochmah* based on the *Seforno*, we see that the level of *kedushah* in the *Mishkan* on a normal weekday was equal to the *kedushah* that existed in the *Beit Hamikdash* on *Yom Kippur*. If so, then this level will certainly exist in the Third *Beit Hamikdash*, whose level of *kedushah*, the *Seforno* (*Parshat Pekudei*) tells us, will be greatest of all, and the *Kohen Gadol* will enjoy the same status of Aharon HaKohen, with all that that implies.

Thus we have before us a unique situation where *pshuto shel mikra* reflects the halachah as it applied *lesha'ah* (in the *Midbar*), but not *ledorot* (after entering the Land); nonetheless, it may also reflect a possible expression of *halachah lemaaseh* in the future, with the rebuilding of the *Beit Hamikdash*.

6 [The *Kli Chemdah* quoted above made specific reference to Aharon; however, the Rav is leaving open the possibility that the determining factor was the time in the *Midbar*, which would then also include Elazar.].