



## Rabbi Reisman – Parshas Acharei Mos - Kedoshim 5785

### 1 – Topic – The idea of (קדושים תהיו).

As we prepare for Shabbos Parshas Acharei Mos Kedoshim. As we hit halfway through the sefira, the preparation for Shavuot, we didn't even begin to prepare Shavuot, and already we are halfway through sefira, we better get going. A very appropriate way of getting going is the parsha (קדושים תהיו). It's talking about being kadosh. A lot written, a lot of different definitions of kedusha, Rashi and the Ramban, certainly it's something that needs a proper study. For today though, I'd like to be very, very practical. And that is to have a Havana, an understanding really of ourselves as follows.

The kochos ha'nefesh of every human being, of every member of Klal Yisrael, there are two struggles that take place. There are two milchamos hanefesh that you and I have. One we call tov versus ra. Good versus evil. The classic milchamos hanefesh of cheit and mitzva of doing things correctly. We have to understand that separate from that, there's a second set of battles, a milchamos hanefesh. And we call that kodesh v'chol. (קדושים תהיו) doesn't mean you should do mitzvos. Of course, if you don't do mitzvos, you're not kadosh. But that's not what it's talking about.

The idea that there are two sets of milchamos hanefesh are very often lost on a person. And I'll explain. What is the milchama of tov v'ra? What is the milchama? You walk out of your house, where are you headed? Going to a place that will bring a person to cheit, to aveiros. That's a milchamos tov v'ra. Going to eat in a place that has food that's not kosher. To sit in a room where there are shows that are assur. Going into a place where they speak lashon hara. That's the milchama of tov v'ra. Baruch Hashem, I would hope that most of us listening here today, for the most part, clearly understand that it's a milchama, it's the yetzer hara and it's a battle.

There's a second battle, the battle of kodesh v'chol. And that is a person who walks out of his house in the evening and could go and be pulled towards d'varim she'hu chol. Chol means weekday. Weekday is not an aveira. It lacks kedusha, but it's not an aveira. A person who is going to learn and on the way meets a friend and talks to him about their plans for the summer, or shmusses to him about memories of a simcha they attended together. There's no tov v'ra in that conversation. However, if he's heading to his chavrusa, he's heading to the Daf Yomi, and he's stopping to talk about dvarim she'ma b'kach, that's chol. He's taking zman that's set aside for kedusha and becomes chol.

If you want to understand it, go to any shul that has a Daf Yomi shiur in the evening. And see people coming into the shiur. There are people who walk in late. Anybody could be late. Anybody could be finished late doing homework with his child, or getting out of work. I'm not talking about that. I'm talking about the fellow who's sauntering in and the Daf Yomi is going on downstairs, or whatever shiur. And he's upstairs, whiling away his time, looking at a poster on the wall in the shul about some very important opportunity for someone to daven for you at a kever, or the silliness that goes on. He is throwing away kedusha. What the yetzer hara is doing with him is saying, don't do aveiros, don't talk lashon hara, you're in shul, you're in a good place. But doesn't let him be pulled to kedusha.

The battle of kodesh v'chol, it's a fundamental battle for the neshama of a person. Because the difference between a person who pursues kedusha when it has the opportunity to be a part of your life, and a person who lets it be chol, who lets it be nothingness and emptiness, is great.

Yaakov Avinu said im Lavan garti, v'taryag mitzvos shamarti, v'lo lamadeti mimaasav haraim. Rav Ruderman once said, perhaps was fond of saying because I've heard this, that Baruch Hashem in America we have a battle against the taryag mitzvos shamarti, to be able to keep the taryag mitzvos. But the lo lamadeti mimaasav haraim, the emptiness that goes on all around, is very challenging.

To help you understand the idea of these two milchamos of kochos hanefesh, we go back to the story of the original cheit of Adam Harishon. We're told by baalei machshava that before Adam's cheit, the yetzer hara was chutza lo. The yetzer hara was outside of him. And after the cheit, it became part of him. What does that mean? Well, of course there's a lot to be explained in a deep manner that many explain. But on the simplest level, the inside yetzer hara of Adam before the cheit was a battle of kodesh v'chol. How much kedusha? Tov v'ra was chutza lo. The battle of being pulled towards something bad was very distant.

If I had to explain it, imagine seeing the Steipler, seeing Rav Moshe. What was their bechira? What was their nisayon? They're in this world, they had nisyonos. I doubt the nisayon of tov v'ra, good and evil, was anything that we could understand. Their nisyonos was totally kedusha v'chol, or maybe kedusha and greater kedusha. That's Adam koidem ha'chet.

In practical terms, you go into a store, you go shopping. There's assur and mutar. That's tov versus ra. You're not going to buy treif. But there's also lifnim mishuras hadin. There's also being makpid on pas Yisrael. Where does that come from? It's kedusha v'chol. It's not assur to rely on the heter of pas palter. But it's chol. Where does it originate? Daniel, when he was in Nevuchadnetzar's palace, (וַיֵּשֶׁם דְּנִיָּאל עַל-לִבּוֹ, אֲשֶׁר לֹא-יִתְגַּדֵּל בְּפֶת-בַּיִת בַּגְּמֻלָּה וּבְיָגִין (מִשְׁתֵּי)). The pasuk says in Perek Aleph Posuk Ches of Daniel. He decided that he's going to distance himself from pas akum. His situation was harder than ours. And l'maaseh, it's all a question of tosefes kedusha. It's all a question of the kedusha that a person is able to have in his life.

I would say sinning, Amalek, that's ra. Assimilation, Yavan, Chanukah, that's kodesh v'chol. And therefore, it behooves us to take a moment, to just pause, and to think, and to understand that there are two milchamos hayetzer that we have that are both very, very real. They're both very, very serious. And Baruch Hashem, if the tov v'ra is behind us, the idea of lifnim mishuras hadin should be in front of us. The idea that something is good enough for hanhagas ha'adam should not be part of our speech, part of our discussion. We should be looking to be better and to do more.

And so, in a nutshell, this is a chiuiv of (קדושים תהיו). This is the idea of (קדושים תהיו), the idea of being a besserer mensch. Somebody who feels and senses kedusha and understands kedusha. That's the idea, that's the nusach that we're talking about. And so, we head towards the Shabbos of (קדושים תהיו), heading towards Matan Torah. What were the three days of preparation? To be poresh from issur? It was to be poresh from chol. And let's see if we could do that a little more and a little better.

## 2 – Topic – A thought from the Michtav M'Eliyahu

I'd like to move on to a second thought. This thought comes from the Michtav M'Eliyahu. It's a thought that comes to mind because I have the great zechus to travel for the yeshiva. And the last 24 hours, I traveled from New York to LA and from LA back to New York. 2 o'clock yesterday, I was on a plane to LA. What I did was very simple. I went there for a Tzorech of the yeshiva, met with wonderful people and came right back. That's not the point.

Kayin was cursed as it says in Beraishis 4:12 with (וְנָע וְנָד, תִּהְיֶה בָאָרֶץ). He killed somebody. And the curse was that you would be running around, you'd be traveling a lot. The Michtav M'Eliyahu in Chelek Daled, page 171, the piece na v'nad, talks about the modern times when we can run, we can be all over the place. The possibilities are endless. We go, we come, we think about where to go, and when to come. That's a curse. It's a curse of (וְנָע וְנָד, תִּהְיֶה בָאָרֶץ). It could be used for good things. The yesod is the behala that it brings. The tumuling that it brings, the confusion that it brings. When so many things are possible.

It is something on my mind, because in the Michtav M'Eliyahu he says something incredible. He says galus is the punishment for someone who kills b'shogeig. Kayin killed and he had a galus, a (גלות, תהיה בְּאֶרֶץ), an eternal galus. It comes for killing somebody. Bizmaneinu, in our rushed world, Baruch Hashem, we don't kill people. But very often, to our sorrow, we're flippant in our interaction with other people. Maybe embarrassing people, or neglecting the significance of their lives and their needs and their tzrachim. Zagt the Michtav M'Eliyahu, it goes hand in hand. The curse of (גלות, תהיה בְּאֶרֶץ). The curse of having eyes to run all over the place. It's a behala. It brings a tumult to a person's mind. When a person has possibilities, it's hard to have kavana in davening. It's hard to focus on the learning. A person is exhausted. It's hard to be patient with other people. That's the curse of (גלות, תהיה בְּאֶרֶץ). Na, like shana, moves, and nad, and moving, tihyeh ba'aretz. Originally, by Kayin. And very much so, something in our generation. We need to be calm, we need to be patient.

Rav Pam would relate the following. Thomas Alva Edison was an incredible inventor. That doesn't mean he was a man of honor, but an inventor. Once, someone told him to go on a vacation. He said, 'What's a vacation?' 'A vacation, you just think of the place you'd most want to be and you just go there.' He stopped a moment, he thought, and he headed back to his laboratory.

Rav Pam said, a vacation? A vacation is three hours to go and learn what you want, and be able to go and be osek in any sugya you wish. Things that are easier, things that are harder, things that are neglected. That it means running all over the world, all over the place. We have to recognize that these opportunities, and I don't regret going, it's part of our world, but it comes from that type of a behavior, it causes that type of behavior. The behala behavior and it comes from it. And therefore, catch your breath. Stop for a moment. Don't run so much. Try, let's all try to be better people. With that, we'll become closer to kedusha, further from chol, and certainly closer to Har Sinai, to Matan Torah.

And with these thoughts I'd like to wish one and all an absolutely wonderful Shabbos Kodesh, an approach, getting closer, we should feel we're getting closer to Matan Torah and behave accordingly. A Good Shabbos!

## **Rabbi Reisman – Parshas Kedoshim 5784**

### **1 – Topic – Where does Korbanos come in to Parshas Kedoshim?**

As we prepare for Shabbos Parshas Kedoshim and our concern for Acheinu Bnei Yisrael in Eretz Yisrael grows. We Daven for Shalom, for peace in Eretz Yisrael. Parshas Kedoshim – it seems that whenever I learn the Parsha there is always something new. Could it be, a few Pesukim in when they Lain, they come to a description as is found in 19:5 (וְכִי תִזְבְּחוּ זֶבַח שְׁלָמִים, לִירֵר) in middle of Kedoshim. The Parsha has nothing to do with Korbanos at all. It is talking about different Mitzvos, so many Mitzvos here, and in middle it says (וְכִי תִזְבְּחוּ זֶבַח שְׁלָמִים) and it doesn't say any other Korbanos. It tells us the rules of Piggul, Nosar. What is it doing here? Very surprising that not everybody seems to comment on it.

The new Mikraos Gedolos from Artscroll has Rabbeinu Bachya on the page, and there I saw in Posuk Hei he explains why (וְכִי תִזְבְּחוּ זֶבַח שְׁלָמִים) is here. Interesting. In Posuk Daled the previous Posuk, there was a Hazhara against Avoda Zora (אֶל-תִּפְנוּ, אֶל-הָעֲלִילִים). There was a Hazhara against Avoda Zora. Zagt Rabbeinu Bachya, Posuk Hei is telling us (כשתרצו לעבדו עבודה) if you have a desire to do Avoda (לֹא תַעֲשׂוּ כֵן לְאִילָנִים) don't do it to Avoda Zora (אלא לשם המיוחד) do it to HKB"Y.

In other words, what he is saying is that the reason it is here is because people are going to have an urge to be Oved Avoda Zora, so the Torah tells you if you have an urge to do some type of Korban do it (וְכִי תִזְבְּחוּ זֶבַח ) (שְׁלָמִים) to HKB"Y. Amazing. Rabbeinu Bachya's explanation of these Pesukim is exactly Shittas H Rambam.

The Rambam's Shittah in Mor'e Nevuchim which the Ramban brings in Vayikra, is that the reason there is a Mitzvah of Korbanos in the Torah, is as a Geder against Avoda Zora. People would have a desire to be Oved

There is a Klal that in Mitzvos Hatorah everything fits in all directions. It is like a puzzle piece, it fits on one side and it fits on the other side. So the Klal in Mitzvos Hatorah is that it fits in all directions. It is not so difficult to say that really Korbanos have their own Taam Ha'etzem, they really have their own reason (ריע-גיחוס לירנר). It also fits in the way Rabbeinu Bachya or the Rambam explain it as a Geder against Avoda Zora. There is no Kasha on this. It just is that the Nekuda, the point, the idea of the reason it is brought here is for this reason. The takeaway I guess is that we have no inkling of what the Yeitzer Hora to Avoda Zora once was, and therefore, I guess we don't have an appreciation of this entire message of what we are talking about today.

Let's move on to a second topic as this week's Parsha has in 19:11 (לֹא, תִּגְנוֹבוּ) the Aveira of stealing and cheating people. Let's be Dan a Choshen Mishpat Shaila. Two friends are walking and Rachmana Litzlon, G-d forbid it should happen but it happened, and a thief with a gun comes upon them and says give me your money. So there are two friends Reuven and Shimon, Reuven quickly takes out a \$100 bill and says Shimon I borrowed \$100 from you yesterday here it is and he sticks it into Shimon's pocket. Now of course the thief with the gun quickly takes away the \$100. The question is if in Halacha was Reuven Mekayeim his obligation of paying back the Chov or not? What is the Din?

On this there is a Kasha in the Ketzos Hachoshen. It is in Siman Shin Pei Vav, S'if Kotton Yud, and the Ketzos asks a contradiction a Stira between two Gemaras which are probably familiar to you. The Gemara in Bava Kamma 11a talks about an animal that fell into a Bor (pit) and died there. The carcass of the animal has a certain value. The Gemara says (דבכירה שויה זוזא ואגודה שויה ארבע). When the carcass of the animal was on the bottom of the Bor and you needed to get someone to pull it out, you got to get a machine to pull it out because it is heavy, then it is worth one Zuz. Once it is pulled out if it is on ground level it is worth four Zuz.

Freight the Ketzos Hachoshen, in Bava Kamma 98a that there is a Mechudash'dika Gemara. The Gemara says (הזורק מטבע של חברו לים הגדול פטור). If somebody takes someone else's coin and he throws it into the sea, and you can see it on the bottom of the sea, the Gemara says you need a diver to go and get it, so the Halacha is that he is Patur. He says Harei Shel'cha Lefanecha, your coin there it is. The water is still and you can see that it is sitting there in the bottom.

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In the Igros Moshe in Yor'e Dai'a Cheilek Beis, Teshuva Kuf Yud Daled, answers the question of the Ketzos with an essential Yesod in all laws of Choshen Mishpat. Rav Moshe is applying it to cases. I will share with you the Yesod. Rav Moshe's Yesod is the following. He says if you have a society in which you have goods that fluctuate in value, how do you determine the value?

For example, someone stole someone's bushel of apples in 1962. A bushel of apples then costed \$1. He is coming now in 2024 to pay for what he took 62 years ago, he says I owe you \$1 as that was the value of the bushel of apples. He says what? You owe me a bushel of apples. Today a bushel of apples is much more than \$1. The Gemara in Perek Hazav says, society has something called Kiba. Kiba is currency. All value is pegged to currency. It is fair, it is not fair, it doesn't matter. Society works with a stable currency. Everything else fluctuates. It could be that apples went from \$1 to \$100 that would be 100 times as much.

What about an electric calculator which was \$20 in 1962? Today it is worthless. You broke his calculator or you stole his calculator in 1962. What does he owe him? He owes him \$20. This is because everything is pegged to Kiba. Kiba is currency and Peira is merchandise, is goods. It is a law in Choshen Mishpat that everything is pegged to the constant. The constant is Kiba.

Therefore, says Rav Moshe, when a coin is in the bottom of the Bor it doesn't matter where it is. A coin is Kiba, it always has a constant value. With the carcass of an animal, it is goods and goods fluctuates depending on circumstances. This is the rule for all Choshen Mishpat. All of Choshen Mishpat is pegged to Kiba. If you borrowed \$100 from someone, you tell him I will pay you back in 10 years but I will pay you, no Ribbis just the inflation rate the amount that it goes up. Nothing doing, that is Ribbis. Kiba is constant. Currency is constant in the eyes of Halacha and that is the rule.

Now we come back to our original Shaila. A thief is standing there pointing a gun. Reuven owes Shimon \$100. It depends, if Reuven tells Shimon I owe you \$100. Here is a gold bracelet that is worth \$100. I am paying you back and he puts it in his pocket. He hasn't paid him back anything. He gave him a gold bracelet that is worth \$0 because there is a Ganaf standing right here. However, if he gives him \$100 bill that is Kiba. \$100 bill is always worth \$100. So then he has paid him back. He is Yotzei paying him back and Sholom Al Yisrael. This would seem to be the Halacha. I know there is room to Mefakfeik for other reasons perhaps, but the Pashtus this seems to be the rule. So it would come out that technically he got away with it as he paid him \$100. He gave it to him and he put it in his pocket. He was Kon'e it. Of course when I said two friends were walking in the street they were friends in the beginning and at the end they won't be friends. He used a loophole. He found a loophole in Halacha and he got away with it he gave \$100. Is it the right thing to do? No. it is not the right thing to do. Nobody would say that it is the right thing to do, however, we deal with Choshen Mishpat and this is the way it would come out.

Besides telling you the rule of Kiba and Peiri, I want to tell you something else. Not every time is a Heter in Halacha do you have to use it. Rav Belsky told me in regards to a certain Shaila that Rav Moshe told him, Nisht Aleh Heteirim Darf Mir Nuttin. Not every Heter has to be used. Now you have to know, you can't abolish Choshen Mishpat in Shulchan Aruch, there are Heteirim in Chazal. There are Heteirim in the Torah. But people who live a life of trying to keep the Torah and using every loophole no. It is not the way it is supposed to be. A person has to deal in the Torah with a proper Yir'as Shamayim, a proper attitude, a proper sense. That Rabbosai is the second lesson that comes from a Choshen Mishpat deal that we are talking about. (קדשים תהיה) keep the Torah the way it is supposed to be kept. That is the lesson of the Parsha.

I want to wish one and all an absolutely wonderful, fantastic, extraordinary Shabbos where no doubt you are all going to look up the Ketzos which of course you want to see in Shin Pei Vav, S'if Kotton Yud. The Igros Moshe which you want to see in Yor'e Dai'a, Cheilek Beis, Kuf Yud Daled. Agav you will see a tremendous Chiddush, a Kula in Hilchos Maisros. You will have a very Geshmake Shabbos because you will be Tumuling and everybody will tell me why the fellow who paid \$100 at the point of a gun still owes him the money. Maybe for other reasons. A Gutten Shabbos to one and all!

## **Rabbi Reisman – Parshas Acharei Mos 5784**

### **1 – Topic – Rav Moshe on the beginning of the Parsha**

As we prepare for Shabbos Parshas Acharei Mos, the last Shabbos of this Chodesh Hageula, Chodesh Nissan for the current year Taf Shin Pei Daled. This week's Parsha has numerous parts to it. Of course the first part is the Avodah of Yom Hakippurim. In the Avodah of Yom Hakippurim, the most famous and unusual of the Korbanos are the pair of S'irim. The S'ir LaHashem and the S'ir La'azazel. The two goats, one of which is brought as a Korban LaHashem on the holiest day of the year, in the holiest place, by the holiest human being the Kohen Gadol, and the other which is sent out to a barren place, the S'ir La'azazel which is sent B'yad Ish Iti who was a nondescript person. Out to a place that was barren where it was unceremoniously killed. Two very different Korbanos.

What is absolutely shocking is the following. You may not have known. The S'ir LaHashem which is brought in the Beis Hamikdash by the Kohen Gadol is Mechapeir on Tumas Mikdash V'kodoshov, it is Mechapeir on somebody who in the Beis Hamikdash was involved in Tumas Mikdash V'kodoshov, something involving Tumah in the Beis Hamikdash. Certainly something of very great significance. The S'ir La'azazel was Mechapeir on everything else. Halo Davar Hu! Isn't it a strange thing? You would think that the main S'ir that was brought B'kedusha with the Gorel LaHashem in the Beis Hamikdash by the Kohen Gadol on Yom Kippur. That should be more of a Kapparah than the one that is brought out La'azazel. Halo Davar Hu it is not even balanced! This S'ir is Mechapeir on almost everything and this S'ir is Mechapeir on Tumas Mikdash V'kodoshov. Halo Davar Hu! It is a Gezairas Hakasuv, what should we say Halacha L'Moshe M'sinai.

Rav Moshe gives us an interesting insight and as I understand it is a Yesod which he spoke about very often. Many Aveiros that people do, most Aveiros that Frum Yidden fall prey to are Aveiros of Taiva. Aveiros where a person has a weakness. He oversleeps in the morning and misses Zman Krias Shema, Rachmana Litzlon it shouldn't happen to anybody. Or a person says Lashon Hora without thinking. He feels feelings of dislike for someone and talks ill about him. Or other similar Aveiros. A person doesn't Bentch properly because he is rushing. These are all Aveiros of physical Taiva. A person is a human being and he has weaknesses. For that the S'ir La'azazel is Mechapeir. It doesn't need a Kapparah which is in the holiest place, it needs a Kapparah even of the S'ir La'azazel. They are mundane physical Taivos and so to speak a mundane S'ir La'azazel is also a Kapparah.

There are people who do Aveiros and make a Shittah out of it. They want to decide that somehow this is the right thing. They make a Shittas Hachaim K'ilu this is the right thing to do. That is symbolized by Tumas Mikdash V'kodoshov. He says I am in the Mikdash and these are Kodshim. I am holy and everything is holy all around me. This is the right thing to do. That is a far more insidious Aveira. It is an Aveira that is not easily walked back. People convince themselves that what they are doing is not only okay but that it becomes a Gantza Mitzvah. That needs a tremendous Kapparah. That is an Aveira that leads a person down a path of destruction. That needs a Kohen Gadol on Yom Kippur with a S'ir LaHashem. Because that danger is a much greater danger.

We live in a certain period of time and it is important for a person to have a sense of history. The times that we live in are times where the western culture has developed so that everything is okay. Things that were considered perverted actions, behavior that was considered perverted behavior by humanity for thousands of years are suddenly okay. A Shittah is made out of it. Legitimization is made out of it. It is one thing to say I have a Taiva, I have a desire, I do something that I shouldn't do. It is another thing to make it into a mainstream cause and give it some type of a holy sense of righteousness. It is a different level of Aveira. That is the western society we live in. this is our generation. Decades long, it has just gotten worse. It is a different sense of Aveira. So there are Aveiros of Taiva and there are Aveiros that become a B'shittah and that is worse. That is how Rav Moshe sees this Biur, this explanation of the S'ir LaHashem and the S'ir La'azazel.



I would add, we live in very stressful times, it is a very stressful society. Probably the Behab that we need to do for Yomim Tovim is a Teshuva of Bein Adam L'chaveiro. Because of all of the stresses and difficulties and the pressure it puts on families. Part of Behab is to look back at Yom Tov and express to our wives an appreciation, the incredible work the women put in especially on a Yom Tov such as this which had so many days of Erev Shabbos and Erev Yom Tov. Touch base with a Teshuva of a Behab Teshuva on the excesses in behavior of Bein Adam L'chaveiro, Bein Adam L'ishto, Bein Adam L'mishpachto is very appropriate.

And so, with these thoughts we prepare for a preparation for Chag Hashavuos. Of course so prepare for Chag Hashavuos you decide to go to Mishmar on Thursday night and you stay up all night, or most of the night and you practice for Shavuos by night and it could be meaningful. Looking forward to greeting one and all tonight at our Mishmar B'ezras Hashem or wherever you may be making it a Leil Shimurim, Leil Mishmar for our preparation for Mattan Torah. A Gutten Shabbos to one and all!

## **Rabbi Reisman – Parshas Acharei Mos – Kedoshim 5783**

### **1 – Topic – A Question on the Parsha**

As we prepare for Shabbos Kodesh Parshas Acharei Mos – Kedoshim. A little bit of a Pele, I was listening to the Laining today and the first part of the Parsha describes the Avodah on Yom Kippur. A Davar Pele, it doesn't mention a word about Yom Kippur. 16:3 (בְּזֹאת יָבֵא אֶהְרֹן, אֶל-הֶקֶל). Starting from Posuk Aleph, I don't think that Yom Kippur is mentioned until Posuk Chaf Tes. Halo Davar Hu! Isn't it strange? That is something which needs an explanation and I am not sure I have one now. What it sounds like is (בְּזֹאת יָבֵא אֶהְרֹן, אֶל-הֶקֶדֶשׁ), when Klal Yisrael is deserving Aharon Hakohen will coֹשֶׁהֶקֶדֶשׁ). So now it is only on Yom Kippur, however, at least in theory it could happen some other time. That is what it sounds like from the Posuk. Tzorech Bi'ur

### **2 – Topic – A General Topic in Shas that probably comes from a Posuk in the Parsha**

As you know, those who learn Gemara are aware that the Gemara talks about Jews who are Ochlei Chullin B'tahara. We find many times there were Yidden who ate Chullin B'tahara even though they weren't obligated to.

As a matter of fact, you find a second thing, you find sometimes in Shas Jews who ate Chullin B'taharos Hakodesh. They ate Chullin with the rules of Tahara that apply to Hekdesh. The food was not Hekdesh, but they ate it as if it was Hekdesh. What is the difference between Ochlei Chullin B'tahara and those who eat it B'taharos Hakodesh? There are many differences.

One of them is a T'vul Yom. Somebody who went to the Mikva that day, afterwards, he is Tahor and he is not Metamei Chullin. If he touches Chullin it remains Tahor. However, if he touches Kodshim it becomes Tamei. Therefore, that would be a Nafka Mina. Be that as it may, my point is that there were Jews who ate Chullin B'tahara even though there was no Halachik reason for them to do so. It was a behavior.

There is a Machlokes Rishonim on this. The Rambam in (Sefer Tahara), Hilchos Tumas Ochlin Perek Tes Zayin, Halacha Ches – Yud Bais discusses the idea, and he says very clearly. All Dinai Tumah V'tahara exist only for the Halachos of Terumah, Kodshim, the Bais Hamikdash and Kohanim. There is no need for Hilchos Tumah V'tahara except as it regards them.

Kodshim and Terumah - certain types of food, the Bais Hamikdash – a certain place, and Kohanim are not allowed to be Tamei Meis. For a Hedyot, there is no Halachik reason to be Makpid on not eating Tumah. The Rambam does write that the Middas Chassidus, the Chassidim and Anshei Maisch would be careful because at the end of the day Taharah affects a person in a positive way.



Tosafos in Chullin 2b disagrees. Tosafos holds that it is a Chiyuv Gamur. If there is no reason to eat Tumah, sometimes there is a reason. A person could be Tamei for many reasons, maybe a Niddah or Baal Keri, if one goes to a Levaya, but if there is no need to eat Tumah then even Chullin should be eaten B'tahara. So there is a certain amount of disagreement. There are two places where the Magen Avraham brings this, the Magen Avraham as you know is the Shulchan Aruch. He brings it twice, fascinating.

In Siman Reish Pei in Hilchos Shabbos, he talks about people who ate Chullin B'tahara presumably on Shabbos, and he says why would it be Al Taharas Hakodesh. Eating B'tahara I understand, but why Al Taharas Hakodesh? He says in the name of the Ran and Rashba in Maseches Niddah Daf Vav, that the reason is to be ready for when Moshiach will come and we will be Zoche to eat Kodshim, that we should be accustomed to eating it B'tahara, we should know the Halachos. That is the reason L'hargil B'kodshim.

In the Magen Avraham in Siman Taf Reish Gimmel which is the Halachos of the Aseres Yemai Teshuva he says a bigger Chiddush. He says that the Arizal was Makpid on the Aseres Yemai Teshuva only not to eat anything that is Tamei. Eat nothing that is Tamei. You will say hold on a minute, how is that possible? Everybody today is a Tamei Meis, the Arizal himself was a Tamei Meis. How could he possibly eat only Tahor food?

The answer says the Magen Avraham, is that he ate fruits and vegetables that were not Muchshal L'kabeil Tumah. He used wheat to bake bread that was not Muchshal L'kabeil Tumah, meaning it was never made wet with one of the seven Mashkin, and therefore, even though a Tamei person touches it, it is Tahor. So Mimeila, Zagt the Magen Avraham the Arizal was Makpid to eat Chullin B'tahara by eating only food that had never become wet and drinking only Mei B'air, only water from a spring (spring water). The Beis Meir says he must have put his mouth to the water and drank straight from the water, otherwise it would be Tamei when removed. This was the Chumra, the Kephaid of the Arizal to eat only Chullin B'tahara.

Here we have a concept in the Gemara and we have two Magen Avraham's. Where does this come from? It comes from the Posuk 20:7 (וְהִתְקַדְּשְׁתֶּם--וְהִיִּיתֶם, קְדָשִׁים). A Posuk in the Torah in Parshas Kedoshim we find this Posuk. I do have to tell you that we find the identical Posuk in Shemini 11 (כִּי קְדוֹשׁ אֲנִי, וְהִתְקַדְּשְׁתֶּם וְהִיִּיתֶם קְדָשִׁים, כִּי קְדוֹשׁ אֲנִי) so I am unsure which one of the two Pesukim that Tosafos is referring to when he brings down this Posuk. However, this is an Inyan of eating Chullin B

There is a Nafka Mina L'halacha from this Magen Avraham even for all of us who are not on the Madreiga of the Arizal. Onah of a Talmid Chochom is from Leil Shabbos to Leil Shabbos. It is the custom of a Talmid Chochom to be Mekayeim the Mitzvah of Onah with his wife on Shabbos. So how can a person do what the Magen Avraham says which is to eat Kodshim B'tahara if on Shabbos the person himself is a T'vul Yom? Even if he will go to the Mikvah before he eats, but he is a T'vul Yom and the Magen Avraham says that the Minhag was to eat Kodshim B'taharas Hakodesh and that is certainly a problem.

Now on a weekday I would understand because you can eat fruit and vegetables that are not Muchshar L'kabeil Tumah. No problem. But on Shabbos you have to eat bread and bread is made with water. If bread is made with water how does that work, how does a Talmid Chochom get away with being Yotzei Sholosh Seudos? Not only that, how did the Arizal eat Sholosh Seudos on Shabbos? If he didn't eat any flour that came from a kernel that was Muchshar L'kabeil Tumah, so that means that he would have had to take the food and not mix it with water. He would have to mix it with fruit juice, or something else that is not Mekabeil Tumah (like date honey as honey from a bee is one of the 7 Mashkin that is Huchshar L'kabeil Tumah). (Ed. Note: the 7 Mashkin are taught to us in Maseches Machshirin 6:4 (שבעה משקין הן--הטל, והמים, והיין, והשמן, והדם, והחלב, ודבש דבורים)).

To clarify, the question is this, it says that the Arizal was Makpid during the Aseres Yemai Teshuvah which presumably includes the Shabbos of Aseres Yemai Teshuvah and the Magen Avraham in Reish Pei says that for everybody it is a benefit to eat on Shabbos only foods that were never Muchshar L'kabeil Tumah, how is it possible? You need to eat. How are you going to eat anything? As soon as you touch bread which is flour mixed with water it is going to become Tamei?

The Pri Megadim in Siman Reish Pei answers and says that it means that he ate Pas that was kneaded with fruit juice, and therefore, it still remained not Muchshar L'kabeil Tumah. No water touched it.

Zagt the Steipler in Berachos, we see from here a big Chiddush that you can be Yotzei a Seudas Shabbos with Pas Haba B'kisinin, with cake. With flour made into Mezonos. Okay, so we learned a Halacha. Says the Steipler, it causes a Chiddush. Let's say you have a man who forgets R'tzai on Shabbos in Bentching. What is the Halacha?

The Halacha is that for the first two meals you have to repeat Bentching, because you have to eat bread. Mashe'ain'kain the third meal where because you don't have to eat bread for the third meal you don't repeat Bentching. Freigt the Steipler, let's say you have a man who went to a Kiddush after Davening and he ate some cake there and then he gets home and eats the day Seuda and forgets R'tzai. In his mind this is the second Seuda and he has to Bentch over. But in the eyes of the Pri Megadim it is not, because when he ate at the Kiddush he was Yotzei a Seuda and since he was Yotzei eating at the Kiddush, the Seuda in his house which he is calling his lunch time Seuda is actually the third Seuda of the day. He had one at night, one at the Kiddush and one now. Says the Steipler, if you are Yotzei with Pas Haba B'kisinin you cause a big issue in cases of people who eat at a Kiddush and then go home and eat a Shabbos meal and forget R'tzai that they think you have to Bentch over and that is not correct. Be that as it may, this is the Ha'ara of the Steipler and he says maybe it is that way.

### **3 – Topic – Haneslama Lach V'haguf Pa'alach**

Haneslama Lach V'haguf Pa'alach. We say Hashem, the soul is Yours and the body is your handiwork. What is the difference between Lach and Pa'alach? I once saw the following. Haguf Pa'alach, means Your handiwork. The work of your hands. It is past tense. Haguf Pa'alach, You made the Guf in the past. That is the idea of Haguf Pa'alach. You're the source of the Guf. However, Haneslama Lach that is current tense, that is right now.

The idea of Lashon Ho've, now, is to recognize that even this moment the Guf is HKB"H's. That recognition is Haneslama Lach. So, we say Haneslama Lach currently, V'haguf Pa'alach, He made the Guf in the past. Zechus Al Hamalach. Haneslama Lach V'haguf She'lach Asei L'maan Shemecha. Then we tell HKB"H we recognize that it all comes from You and it is ongoing. It is Yours Kavayochel, Asei L'maan Shemecha, do to help Klal Yisrael, L'maan Shemecha – because of Your holy name, because of K'vod Shamayim.

The Nekuda of course is the V'haguf She'lach, Haneslama Lach, that it is Yours currently, it is Yours presently and that recognition that HKB"H's Neshama is with us all the time, what a Mechaye. Gevaldig! With that extraordinary thought I would like to wish everybody an absolutely wonderful and meaningful Shabbos Kodesh. Kol Tuv!

## **Rabbi Reisman - Parshas Acharei Mos 5782**

### **1 – Topic – A Lesson from Hashem Zokeif Kefufim and Standing up with Shtoltz for what is right**

As we count the days of Sefira heading towards Shavuot and of course prepare for Shabbos Parshas Acharei Mos which is primarily the Avodas Yom Hakippurim. Let's talk a little about the Avodas Yom Hakippurim and some ideas that we can take away for the Yemai HaSefira.

One of the primary ideas that we could gain from learning the Avodas Yom Hakippurim has to do with the Avoda of the Kohen Gadol. The Kohen Gadol has a certain Shtoltz, a certain pride. He carries Klal Yisrael on his back. We find that in the Avodas Yom Hakippurim one of the most emotional parts, one of the parts that people remember best, is the (בְּקִדְשָׁהּ וּבְטָהֳרָהּ). That when the Kohen Gadol said HKB"H's name (not the Adnus name as we do with an Aleph Daled), as it was said in the Beis Hamikdash, the people who heard it (הָיוּ כּוֹרְעִים וּמִשְׁתַּחֲוִּים וּמוֹדִים וְנוֹפְלִים עַל פְּנֵיהֶם). It elicited a response by the people of falling, bowing and praising HKB"H's name.

The Kasha on this is that usually HKB”H’s name is just the opposite. Hashem Zokeif Kefufim. It says in Shulchan Aruch that when you Daven Shemoneh Esrei that by Baruch you kneel, Ata you bow and by Hashem you stand. When you say HKB”H’s name you are supposed to be standing straight. So it seems to be a contradiction that in the Beis Hamikdash when they heard HKB”H’s name they bowed and fell on their faces. It needs an explanation.

The answer is an important Yesod. There is a difference between the person who hears the Kohen Gadol saying Hashem’s name and the person who he himself is saying Hashem’s name. What I mean to say is this. Hearing the Sheim Hashem in the Beis Hamikdash (בְּקִדְשָׁהּ וּבְטְהָרָהּ) is supposed to elicit a response of bowing, of falling, of subjugation, of feeling the great Kavod and Nora of HKB”H’s name compared to us mortal people, and we bow and fall on our faces and praise Hashem. But the one who is saying the Sheim, the Kohen Gadol himself, he didn’t bow. Hashem Zokeif Kefufim. He stands with a Shtoltz, he stands with a pride, he stands with a Gaiva D’kedusha, with a sense of holiness. It is his job to say HKB”H’s name (בְּקִדְשָׁהּ וּבְטְהָרָהּ). For him it is supposed to be with a pride.

The Shulchan Aruch says that when you are Davening Shemoneh Esrei you say Baruch Ata and you say Hashem, Hashem Zokeif Kefufim. You are the one saying it, stand with a strength, stand with a pride. The one who hears it he bows. That is more than a technical Teretz.

Every Talmid who is learning from his Rebbi, he is Meshameish his Rebbi, he is Kafuf to his Rebbi, he bows to his Rebbi, he bends to his Rebbi. His sense of a job in this world, of purpose in this world is all subjugated to the Mesorah that we have which comes from Rebbi to Talmid. If the Rebbi tells him don’t do that or do that with your life, he follows.

A few minutes later they are learning a Tosafos and the Rebbi says Pshat. The Talmid argues with him. He argues with a pride, he argues with a strength, he argues with a Shtoltz. Suddenly he is someone else, he is not Kafuf. He is standing proudly. Why so? It is a fundamental difference. A person is Kafuf, a person bows to Kedusha, to Tahara. A person bows to the Ratzon Hashem. Yet, as it says in Devarim 4:10 (יִוֹם, אֲשֶׁר עָמַדְתָּ לְפָנַי) (יְרֹד אֶלְרִיד בְּחָרֵב). Remember at Har Sinai that you stood. What is the Chiddush that you stood? The Chiddush is that we find Neviim in Nach who get Nevua who don’t stand, and fall to the ground when they get Nevua. Yet at Har Sinai Klal Yisrael stood?

The answer is that when you have a job to do, when you have a responsibility, stand proudly. When a Navi gets his Nevua, he bows and he falls to the ground. When he goes and does his job and gives over his Nevua he is standing proudly. There has to be a Shtoltz. (יִוֹם, אֲשֶׁר עָמַדְתָּ לְפָנַי יְרֹד אֶלְרִיד בְּחָרֵב). It is a job and it is an Achrayos to stand tall and pick yourself up and rise to an occasion when there is a challenge. It is a very important life lesson.

Klal Yisrael today finds itself here in NYS once again under attack by the state. The particulars are not for the phone call. But it is an insidious and purposeful attack against Yeshivos. The idea is to drive Yeshivos away from their purpose. It is not about teaching English, Math, Social Studies and Science. It is about teaching the cultural values of the society around us. It is really about the state imposing its will on the Yeshivos. We have to stand tall, we have to stand with a Shtoltz. We have to do what we could do.

In the coming weeks there will be a call for people to give a public comment. We are entitled by law to comment. We are invited by law to comment on these regulations. By law it is not limited to NY residents. Those who are in Lakewood or in other parts of NJ or wherever you may be, stand tall for what we believe in. We believe in the Derech Hatorah. We believe in the Yeshivos. The newspapers and I am sure the internet will tell you how to make a comment. Make your comment properly. Tell the state that the Yeshivos work just fine. Yeshiva graduates are doing perfectly well in the world. Much better than the public school graduates. Say it! Stand up with a Shtoltz for Klal Yisrael. This is a lesson from Hashem Zokeif Kefufim.

## **2 – Topic – Why was the Kohen Gadol “Sas” when he mixed the bloods of the two Korbanos**

Let me turn to a second part of the Avoda of the Kohen Gadol and that is he Shechted the Par Shel Yom Hakippurim and the S'ir of Yom Hakippurim and then mixed the blood together. The language that we say on Yom Kippur in the Avodah is Sas V'ira Dam Haparah L'toch Hamizrak Shebo Dam Hasair. With great joy he poured the blood of the Par into the basin that had the blood of the Sa'ir, V'nasan Malei B'raikan. Then to mix it well he poured the full basin which now had both bloods back into the empty one K'dei She'yisaru Yafa Yafa Zeh B'zeh. So that they should mix properly. Afterwards he would Shpritz the Dam of the two together. The question obviously is Sas, why over here was he especially joyful and happy?

I once heard the following. In the Gemara we find a Machlokes between Rav Yehuda and the Chachamim. Rav Yehuda holds that Min B'mino Lo Batul. Rav Yehuda holds that if you take a small amount of non-Kosher chicken soup and put it into a large amount of Kosher chicken soup, Min B'mino if they are both chicken soup Lo Batul. Even a small amount Assurs a larger amount.

The Chachamim say that Min B'mino is Batul. If a small amount falls into a large amount then there is a Din of Bitul B'rov Min Hatorah and Bateil B'shishim Mid'rabbanan. There is a Halacha that is Batul. Rav Yehuda brings as his source in Menachos 22 the mixing of the Dam Hapar which is the large animal with the Dam Hasa'ir which is a small animal and you mix the two bloods together. He says Min B'mino is Batul. So then the Dam Ha'sair has disappeared. It is Batul in the Dam Hapar. How are you allowed to mix them together? Must be that Min B'mino is not Batul.

We Pasken like the Chachamim and we say it is Batul. We say Olin Shani. We say here the Torah said Af Al Pi Kein, even though Min B'mino normally is Batul here we do it anyway and we mix the two together.

Now turn to the Kohen Gadol. Here he is he knows that there are opposing opinions about mixing it. Sas, he had a joy. He says the Halacha is this way with a Shtoltz, with a pride. Sas V'ira, not only did he mix it but he mixed it a second time so that it can be completely mixed. He said this is the Din, this is the way we Pasken and he does it with pride.

I remember once that I was in the country and I had gone to Daven with a Minyan with Rav Shaul Brus Zatzal who was a well-known Maggid Shiur here in Brooklyn in Beis Hatalmid. An extraordinary Talmid Chochom. The Sefer Torah had become Pasul in middle and they had only been 6 Aliyahs. This is in a bungalow colony that we had walked to to be able to Daven early. We came back to our bungalow colony and Rav Brus said we are missing one Aliyah. After Mincha we should take out a Sefer Torah and do one more Aliyah for Shacharis. It seemed strange to everybody but we did it. There were 7 of us and we took 3 more to make a Minyan. We took out the Sefer Torah and said who is going to get the Aliyah? It is after Mincha and someone is going to go up to the Torah, make a Beracha and have an Aliyah? It is such a strange thing to do. We said we will give it to Rav Brus.

We called him up and with such a Geshmak and such a pride he got up and with the Shtoltz that we are talking about and he made the Beracha loud and clear to get this Aliyah which is a 7<sup>th</sup> Aliyah from Shacharis in a different place and in a different Sefer Torah. This is because that is the Halacha. If you establish that this is the Halacha then you do what the Halacha is. You do it with a pride and you do it with a Shtoltz. That is Klal Yisrael. Sas V'ira. The fact that we take it as a responsibility, we do it with a great joy. The Kohen Gadol mixed it amidst the Tumul if he should or should not mix it. He came with a Psak Halacha that you mix it and he did it with Sas, with great joy. A certain Shtoltz, a certain pride for a Kiyum of Halacha. So two parts of Yom Kippur with similar messages.

## **3 – Topic – A Question of the week**

The Kohen Gadol on Yom Kippur went into the Kodosh Hakadashim twice. The first time he goes into the Kodosh Hakadashim holding in one hand a shovel of coals and in the other hand a spoon with the Ketores. He

puts the shovel with coals on the floor, pours the Ketores into it and waits until the room is full of smoke and then he leaves. Later in the end of the day, at the end of the Avodah he has to go in again after he changes again into Bigdei Lavan and go in to take out the spoon and the shovel. I got an Aliyah this morning and I was looking at the Chumash. Where does it say that he has to go in two times, it doesn't say any such thing.

It says that he goes in to bring in the coals and the shovel with the Ketores and he burns it. Why didn't he just put the coals on the ground, put the Ketores on top of it and leave once and for all. Take his shovel and his spoon with him?

There must be an explanation in one of the Meforshim that I did not see. I didn't see it in the Mishnayos either. Not only that, you will tell me maybe it is a Halacha that the burning has to be on the shovel. Maybe! But why is he leaving the spoon in the Kodesh Hakadashim. He poured the Ketores from the spoon onto the coals, why didn't he take the spoon out with him, why did he just leave something laying around on the floor. Would you do that in a Makom Kadosh?

Obviously there is some sort of Halacha, a requirement that he do it. The fact that he did it needs a Biyur, a deep understanding of why. He goes into the Kodesh Hakadashim twice. Once to do this extraordinary Avodah of Ketores in the Kodesh Hakadashim and a second time to clean up after himself, to take out the shovel and to take out the spoon. We have to find a Mar Makom that teaches us the significance of the second time that he goes in. We have something to look for as Shabbos approaches. Wishing everybody an extraordinary wonderful Shabbos Kodesh!

## **Rabbi Reisman - Parshas Acharei Mos - Kedoshim 5781**

### **1 – Topic – A Mussar Vort of a Message of Faith and Bitachon**

As we prepare for Shabbos Parshas Acharei Mos – Kedoshim. We are halfway through the Sefira and on our way B'ezras Hashem to Kabbalas Hatorah. As you know, Parshas Acharei Mos begins with the Avoda of Yom Kippur. It has the famous Posuk as is found in 16:30 (כִּי-בַיּוֹם הַזֶּה יִכַּפֵּר עֲלֵיכֶם, לְטָהֳרָתְכֶם). It has the Posuk which says on this day HKB"Y purifies Klal Yisrael (תִּטְהָרֵנוּ, לִפְנֵי יְיָ, מִכָּל חַטֹּאתֵינוּ). We understand that the Gmar Din of what is going to happen in the coming year is on Yom Kippur. As the Gemara says in Rosh Hashana 16a (21 lines from the bottom) (וְגִזְרֵי דִין שְׁלוֹ נִחְתָּם בַּיּוֹם הַזֶּה).

One of the items with which Chazal struggle is to understand if Yom Kippur is the Gmar Din, if everything for the coming year is already decided on Yom Kippur, what is it that we do every day when we Daven? When we Daven for Refainu, Bareich Aleinu and any time he has a need and he says a Kappital Tehillim. How does that work, as I thought the Chasima of the Din is on Yom Kippur?

This is something that is addressed and the Gemara does say in Rosh Hashana that (יָפָה צַעֲקָה לְאָדָם בֵּין קוֹדֶם גִּזְרֵי ) (דִּין בֵּין לְאַחֵר גִּזְרֵי דִין) Yafa Tze'aka Afilu Achar G'mar Din, that Tze'aka works even after the Gmar Din and it needs an explanation.

Tosafos there talks about if someone is decreed an illness on Yom Kippur (דַּמְתִּי יָחֳלוֹ נִגְזַר). When he will be sick was Nigzar, (מִתִּי יִתְרַפֵּא לֹא נִגְזַר). When he will get better that depends on Tefilla. So definitely I am not questioning that Tefilla certainly helps, but I would like to give a possible insight into our Tefillos based on that everything is Paskened on Yom Kippur.

To do so I want to step back and share with you something that the Chofetz Chaim says in his Sefer Sheim Olam, Cheilek Beis and I believe that it is Perek Ches. The Chofetz Chaim there brings the issue of whether Bitachon, having faith in HKB"Y that Hashem will help you, makes sense only if you have Zechusim, you have merit, or can Bitachon somehow be Po'el if you have no Zechusim at all? In other words, what is Bitachon? Is it something

blind that if a person has Bitachon it is going to help him or it depends on the merits, of whether a person has to have some sort of Zechusim for it to work.

The Chofetz Chaim there brings B'sheim the Vilna Gaon, the GR"A who says Af Adam She'aino Hagan Ubotei'ach Ba'shem Koach Habitachon Maigen Alav U'mischaseid Imo Hashem Yisborach. Even if a person is not deserving, a person really should not be getting whatever it is, but the Koach Habitachon, the Bitachon itself is Maigen Alav U'mischaseid Imo. The Koach Habitachon works for itself. On that the Chofetz Chaim says Kain Kasuv HaGR"A D'lo K'Chovos Halevavos.

The Shittah of the Chovos Halevavos is that it doesn't make any sense to have Bitachon. You have faith that Hashem will help you. If you have Zechusim, if you have merits you could have faith that you will be helped. But if you have no merits then what does it help to have Bitachon. Zagt the Chofetz Chaim, the GR"A disagrees and holds that it is not that way.

The same Machlokes is mentioned in the Krai'na D'igrasa, the Steipler's letters in Cheilek Gimmel, Igeres Hei where he calls it not the GR"A's Shittah but the Ramban's Shittah. He calls it a Machlokes between the Ramban and the Chovos Halevavos. The Ramban is in his Emunah U'bitachon in the first Perek. He says Af Al Pi Sh'ain B'yadam Maisim, even if a person has no merits and if a person knows about himself that he is not worthy, Al Kol Zeh B'tach Ba'shem Ki Hu Baal HaRachamim V'yiracheim Alecha. Still have Bitachon. There are no guarantees, but having Bitachon helps. That is the Shitta of the Ramban K'negged as the Steipler calls it the Ramban against the Chovos Halevavos.

The Chofetz Chaim writes they are arguing in Pshat in a Posuk in Tehillim 33:18. The Posuk says (הִנֵּה עֵין יְרֹנָה, לְהַצִּיל מִמָּוֶת נַפְשָׁם; וּלְחַיֹּתָם, בְּרָעָב) and 33:19 (הִנֵּה עֵין יְרֹנָה, אֶל-יִרְאַיוֹ; לְמַיְחֲלֵים לְחַסְדּוֹ). Hashem's eyes are to those who fear him, those who have Bitachon, to save them from death (בְּרָעָב) and to give them life in time of hunger. What is the Teitch of the Posuk? The Chovos Halevavos learns (אֶל-יִרְאַיוֹ; לְמַיְחֲלֵים לְחַסְדּוֹ). It is one person. Hashem helps those who fear him and have Bitachon and look to his Chesed. The GR"A says no. It doesn't say Yerai'i'm Hame'yachalim L'chasdo, it says (אֶל-יִרְאַיוֹ; לְמַיְחֲלֵים לְחַסְדּוֹ). So the GR"A says Ela Trei Devarim Heim (אֶל-יִרְאַיוֹ) and (לְמַיְחֲלֵים לְחַסְדּוֹ).

In other words, it says that the GR"A is Teitching that Dovid Hamelech is telling us that if you are (יִרְאַיוֹ) you deserve and if you are (לְמַיְחֲלֵים לְחַסְדּוֹ), your eyes are to the Chesed Hashem that helps you as well. What comes out is that we have here a Chalukai Dai'os. The Chovos Halevavos takes a very strict stance, however, the Ramban and the GR"A after him say and the understanding of both the Chofetz Chaim and the Krai'na D'igrasa is that we understand that to be the Ikkur, that if a person puts his faith in HKB"H and he looks to HKB"H with a whole heart to help him. If he says Hashem I am not worthy but I want to be Zoche to your Chesed, that that itself is something that can help a person.

L'fi Zeh we can come back and understand the Gemara in Rosh Hashana (יִפָּה צַעֲקָה לְאָדָם בֵּין קוֹדֶם גִּזְרֵי דִין בֵּין (לְאַחֵר גִּזְרֵי דִין). The Yom Kippur Din is Din, it is something based on a person's merits, based on a person's Tefillos. It is Din. That is Yom Hakippurim. That is Nechtam. What you are worthy of, the calculation that is Nechtam. However, Tefilla that comes from Bitachon, Tefilla that comes from a faith in HKB"H's kindness, that has nothing to do with Yom Hakippurim. If Bitachon itself is a merit then that works. That would explain our Tefillos and that would explain why it is an Avoda Sheb'leiv. In order for Tefilla to work you got to put your heart into it, you got to put your mind into it. It doesn't have to be intense, it just has to be simple thought. HKB"H help me despite the fact that I am not worthy. Af Al Pi She'aini K'dai. Help me anyway.

In the Shulchan Aruch it says that you shouldn't say Hashem I am not worthy. But he says you should say Hashem I am not worthy but help me either Biz'chus Avosai or Biz'chus Rachamecha Harabim. If you say it that way then HKB"H will answer. A message of faith and Bitachon.

## 2 – Topic – A Geshmake Technical Vort Regarding Kisui Hadam.

This is a technical Vort and this is a Geshmake technical question. We have in our Parsha, in Acharei Mos the Mitzvah of Kisui Hadam. The Posuk refers to an Oif and Chaya in 17:13 (אֶשֶׁר יֹאכֵל). To birds or wild animals that are eaten. That on these animals there is a Mitzvah of Kisui Hadam, covering the blood that spilled during the Shechita. Chazal say (אֶשֶׁר יֹאכֵל) is only if they are eaten. If you have an animal or a bird that was slaughtered Shelo K'din, that is Nevaila and there is no Mitzvah of Kisui Hadam. If you have a bird or an animal that is slaughtered and is found to be a Treifa there is no Mitzvah because Kisai Hadam is only (אֶשֶׁר יֹאכֵל).

The Gemara in Chullin 86a (top of the Amud) says what about it you have a bird that was Shechted and according to the Mitzvah D'oraissa, according to the Torah you are allowed to eat it. But there is an Issur D'rabbanan whatever it may be that prevents you from eating it. Is there a Mitzvah of Kisui Hadam?

Do we say Min Hatorah it is edible, and therefore, Min Hatorah there is a Mitzvah of Kisui Hadam, or do we say in practice you can't eat it so there is no Mitzvah of Kisui Hadam? The Gemara over there says that there is a Mitzvah of Kisui Hadam and we go according to the D'oraissa which is logical. For that is all fine and well.

The question that I have is the following. There is a Mishna L'melech in the Halachos called Hilchos Naarah, Perek Beis Halacha Hei and it is a long Mishna L'melech but it is Dibbur Hamaschil V'hinai. The Mishna L'melech establishes a rule that is contrary to what I just told you. It can't be contrary to a Gemara but it seems to be. The Mishna L'melech there says that when the Torah says something it takes into account the D'rabbanan.

I will give you an example. He mentions four examples and I will mention two of them, the easier ones. It says in Parshas Shoftim 20:8 by war that the Kohen Gadol would announce (מִי־הָאִישׁ הַזֶּה נִרְאָה וְנִלָּכָב) who is afraid, go home. Rav Yosi Hag'lili in the Gemara (Ed. Note: Sotah 43a, bottom line) says it means (רַבִּי יוֹסִי הַגִּלְלִי הָאֵם אָמַר) (וְרַחֵם הַלֵּב זֶה הַמַּתִּירָא מֵעֲבִירוֹת). Who is afraid of an Aveira, go home. There it is very clear in the Sugya that it is talking about even an Aveira D'rabbanan and the Gemara gives examples.

Zagt the Mishna L'melech even an Aveira D'rabbanan you go. Why? Because the Rambam holds that every D'rabbanan is really a D'oraissa of Lo Saser. Since the Torah commands to go after the D'rabbanan so it is included in the Torah. When the Torah says you are afraid of a sin, we Teitch it even a D'rabbanan type of sin.

Another example. A Kohen is not allowed to be Metamei except for the seven relatives. One of the seven relatives is his wife. What if he married his wife B'issur? It was someone that he was not allowed to marry. He is a Kohen and he married a divorced woman. He is not allowed to go to the Levaya. He is a Kohen and this marriage is an affront to the Kehuna. He is not allowed to go to the Levaya of someone he married Shelo K'din.

What happens if he married someone who is an Issur D'rabbanan, a Chalutzah is an example. A woman had Chalutzah. He married a woman who is an Issur D'rabbanan. Is there an Issur D'oraissa for him to go to such a Levaya?

The Mishna L'melech brings that yes that there is and he explains it based on our Yesod that when the Torah talks it includes D'rabbanan in its discussion. Since the Torah itself commands us to follow the Halachos of the Rabbanan, so the Rabbanan are included in the D'oraissa discussion.

A very Geshmake Yesod certainly based on the Rambam's Shitta that every D'rabbanan is really a Kiyum of a D'oraissa since the Torah says follow the Rabbanan. So the Mishna L'melech has a rule that when the Torah speaks it includes a discussion of the Rabbanan.

My Ho'ara to you is that this does not fit with the Din of Kisui Hadam. The Din of Kisui Hadam that I mentioned earlier says that when the Torah says (אֶשֶׁר יֹאכֵל) it means anything that you are allowed to eat Min Hatorah there is a Mitzvah of Kisui Hadam. It doesn't say that anything that you are allowed to eat even Mi'D'rabbanan because if the Rabbanan prohibited you from eating it there is still a Mitzvah of Kisui Hadam. Why don't we



say that (אָפּער יאָכל) means that you are allowed to eat even Mi'D'rabbanan. We don't say such a thing. Tzorech Bi'ur. It certainly needs an explanation.

I will sneak in that in Sukkah 23a (23 lines from the top) it says that a Sukkah has to be Rau'i L'shiva. A Sukkah on Sukkos has to be Rau'i L'shiva (סוכה הראויה לשבעה שמה סוכה). It doesn't have to stand for seven days as you are allowed to take it apart. But the Sukkah has to be Rau'i L'shiva, it has to be capable of standing for seven days.

The Gemara has a discussion with a Machlokes of Rav Yehuda and Rav Meir, what happens if I have a Sukkah and this Sukkah is on a tree so it is not Rau'i L'shiva because I am not allowed to climb a tree on Shabbos and Yom Tov. Can I use it on Chol Hamoed? It is a dispute between Rav Yehuda and Rav Meir.

Rav Yehuda holds that it is not Rau'i L'shiva so you can't climb up on the tree and it is a Pasul Sukkah. Rav Meir says that is an Issur D'rabbani and Min Hatorah it is Kosher because it is Rau'i L'shiva. Are they arguing in our issue?

According to the Mishna L'melech Rav Meir should say the Torah includes D'rabbanan. Anyway, this is more of a complicated topic for a call on a Thursday afternoon, however, I am sure that you are all capable of taking this concept and running with it IY"H because it has connections to many aspects of Torah. Wishing one and all an absolutely wonderful Shabbos Kodesh and a preparation for Kabbalas Hatorah B'karov. Good Shabbos!

## **Rabbi Reisman - Parshas Acharei Mos - Kedoshim 5780**

### **1 - Topic - A thought on Parshas Kedoshim.**

As we prepare for Shabbos Parshas Acharei Mos - Kedoshim. Parshios that have many Halachos in them and we come to a time where we hope we are stepping out of this time of great Sakana IY"H. We still have to be vigilant, but the great Refuah, it is almost appropriate the name Acharei Mos - Kedoshim for this coming Shabbos.

I would like to share with you a thought on the Parsha and then a thought in general. In Parshas Kedoshim the Posuk says in 19:3 (אִישׁ אָמוּ וְאָבִיו תִּירָאוּ, וְאֶת-שִׁבְתֹּתָי תִּשְׁמְרוּ). In the same Posuk it repeats the Mitzvah of Shabbos which is mentioned many times together with the Mitzvah of Yir'as Imo V'aviv. Because they are both in the same Posuk, the Gemara in Yevamos (bottom of) 5b says (יכול יהא כבוד אב ואם דוחה שבת). I would think that Kibbud Av V'aim overrides Shabbos. That if your father says cook a meal for me, or Shecht an animal for me, or drive me somewhere, I would think that Kibbud Av V'aim is Do'che Shabbos, (ת"ל) the Torah teaches us (איש אמו ואביו תיראו ואת שבתותי תשמורו כולכם חייבין בכבודי Shabbos there is no Mitzvah of Kibbud or Yir'a in order to listen to him).

What is the Hava Amina that you should listen to him? There are three Shut'fim in a person, a father, a mother and the Ribbono Shel Olam. That is what the Gemara says that there are three Shut'fim in a human being. It turns out that if you take the Gemara literally, that the father is a 33% Baal Habas, the mother is 33% and G-d is 33%. If so, then father and mother have a majority say. It would seem to make sense that if your father and your mother say do something and G-d says do something else, that you should go by the majority which is 66.67% is two thirds and 33.33% is one third, the majority should override. What is wrong with that logic?

So an accountant will tell you right away that the logic is faulty. Why is that so? There are three Shut'fim in your birth, your father 1/3, your mother 1/3 and G-d 1/3. However, your father himself was created through three Shut'fim. His father, his mother and the Ribbono Shel Olam. So of the 33% that is your father, 11% is still G-d. Of the 33% that is your mother 11% is still the Ribbono Shel Olam.  $11 + 11 = 22\%$ . Add it to G-d's inherent 33%  $= 55\%$ . So G-d is so to speak the majority.



The Gemara says (יכול יהא כבוד אב ואם דוחה שבת ת"ל איש אמו ואביו תיראו ואת שבתותי תשמורו כולכם חייבין בכבודי). Your father and mother also have an obligation to G-d. Therefore, the total is 55% which means G-d is your main creator. It is a Vort of Charifus which doesn't add to the Mussar of the Gezairas Hakasuv, but it is a Charifus that is said in the name of different Gedolei Yisrael.

I should mention that there is a Kasha, I believe that it is a Lechem Mishna's Kasha or maybe it is a Mishna L'melech, I remember that it is under the Rambam. The Lechem Mishna asks if your father tells you to be Mechaleil Shabbos what is the Hava Amina to listen to him? The Halacha is that Aviv Rasha, if your father is a Rasha then you are not obligated to listen to him. There is no Kibbud Av V'aim. If so, what is the Hava Amina that if your father says to be Mechaleil Shabbos that you would listen? It is a Gevaldige Kasha. There are different Pilpulim that are said to try to resolve the Kasha.

When I was learning Yevamos, I couldn't understand this Kasha because of the following Cheshbon. Your father says cook for me on Shabbos. He is a Rasha. Hold on a minute. If the Halacha would be that Kibbud Av V'aim is Do'che Shabbos, if that would be the Din, if that would be the Halacha, the Gemara says (יכול יהא כבוד אב ואם), then your father is not a Rasha. He is telling you to do something that you are allowed to do. So I Takeh don't understand the whole Lechem Mishnah's Kasha in the first place. What do you mean the father is a Rasha why do I need a Posuk? He is not a Rasha!

If the Halacha is that Kibbud Av V'aim is Do'che Shabbos, so then he is telling you to do something that you are entitled to do. It sounds like a good Kasha to me. Obviously it is not. I remember learning Yevamos and I could not find anybody who asked the Kasha. So I leave it for you IY"H at your Shabbos table, or if you are sharing Divrei Torah with your Kinderlach Erev Shabbos, then whenever you come up with a Teretz I will be happy to hear it.

## 2 - Topic - A general thought regarding the study of Mussar.

The Chazon Ish has a Sefer Emunah U'bitachon. I would like to share with you a thought in Perek Daled primarily Os Zayin, Ches and Tes and you may want to see it. To explain this I have to give you a little bit of history which you probably haven't heard. As you know, Rabbi Yisrael Salanter started a Mussar movement to study the Heilege Mussar Seforim and to make them a primary focus in Avodas Hashem.

What is not so well-known is that the Mussar movement was not popular in all circles of the Yehsiva world even among Gedolei Yisrael. Rav Yisrael Salanter's Talmidim who opened Slabodka and Kelm, followed. Most of our Roshei Yeshivos that established Torah in America were Talmidim of the Slabodka line of Yeshivos. A Mussar Seder was part of those Yeshivos.

You should know that there were other Yeshivos that disagreed. That felt the primary learning should be the learning of Gemara and Halacha and from that to come to a world of Mussar. Not to say that Mesilas Yesharim that there is G-d forbid anything wrong with it, but to say that the primary aspect that Rav Yisrael Salanter put was a subject of great disagreement. Rav Boruch Ber was one in that camp, in that group. We don't live in a generation where people care so strongly about it to make a Shittah out of it but L'mayseh that is what happened.

Someone once showed me the Derech Sicha, Rav Chaim Kanievsky's Divrei Torah in the first volume in Parshas Eikev (page Taf Kuf Lamed Beis). Rav Chaim Kanievsky is quoted as saying that Aba Zatzal, the Steipler, used to learn Mussar every night, however, he didn't want anyone to know about this. Later on that page it says, I saw the Chazon Ish Zatzal one time with a Sefer Sharei Teshuva and it wasn't even during the period of the Yomim Noraim.

Someone showed it to me and said what is the Chiddush in this? The Chiddush in this is that there were Gedolei Yisrael who held that Avada the Sharei Teshuva and Mesilas Yeshorim are Heilege Seforim but the primary Mussar Sefer is the Shulchan Aruch. Is the guide to how we behave all of the time.

Getting back to the Sefer Emunah and Bitachon, in Perek Daled Os Zayin, the Chazon Ish writes what is the path to have good Middos? Shemiras Halacha, being careful and being disciplined to keep what Halacha tells you to keep. It is a tremendous discipline.

In the next paragraph it says Dikduk Hadin, Ush'miras HaShulchan Aruch, being careful to follow the Halacha, those are the best ways to fix Middos. In the next paragraph in Os Tes he says, it is almost certain, that being careful and following Halacha is the only path to Tikkun Hamiddos.

What does that mean? That means that somebody who is careful to do everything Al Pi Halacha is constantly doing things and thinking about what is says in Shulchan Aruch and that is the greatest discipline.

One of my memories, and I have so many fond memories of Ohr Sameiach in Eretz Yisrael in Yerushalayim, where I go in the summer and I am inspired. A young man from England and his first name was Ryan his Hebrew name was Rachamim but somehow to me the name Ryan hit his personality better. He was a fireball, full of energy. Somehow Ryan fit. Maybe because I remembered a fastball pitcher by that name. Ryan was a person who had learned Aleph Beis a little over two years earlier. He was there in what they called the center program and he Bein Haz'manim was learning Shulchan Aruch. You could go into the Ezras Nashim which was quiet at the time, and he would learn B'kol, with a loud voice the Shulchan Aruch with all of the Likut Seforim around him and Shteiging. With such a beautiful Geshmak to understand the Halacha. I would sit near him just to hear him. Of course since he was new to a lot of this he would come to me with Shailos very often. I enjoyed his company and I wonder where he is today.

Once I was learning in the Beis Medrash in the evening, and Ryan came running in. He had in his hand one of the large forks which you use when you grill a steak or in Ohr Sameiach it was probably chicken cutlet, I don't know if they have steaks. He had a Shaila.

He said that they were roasting the meat using olive oil and he just learned the Halachos of washing your hands before you eat any food Shetibulo B'mashka. Halacha requires that if you eat an apple or grape which are wet from being washed and it is still wet, and Laf Dafka an apple or grapes. If you take a cookie and you dip it into milk, and therefore, it is wet from one of the seven Mashkim, one of the seven liquids, Halacha requires that you have to wash your hands without a Beracha beforehand.

So Ryan came to ask me whether this meat being roasted using olive oil fell into that category or maybe since it is normal to eat it with a fork and knife you don't have to wash or maybe you do. So he came to ask me the question.

I said to him Ryan, you are standing there ready to go eat, so you came from the dorm building to look for me in the Bais Medrash to ask me this Shaila. Isn't it just easier for you to just go to the sink, wash your hands, eat dinner and ask me the next day or when we meet again?

This Bochor from who I was amazed in general, he was in the Mussar Yeshiva of Sifrei Halacha. By him, his behavior was guided by Halacha. He turned to me and he said, I learn Halacha. Am I going to move forward without knowing the Din? Am I going to behave going forward without knowing the Halacha? He was right. I thought the Chazon Ish would love this fellow.

It reminded me of a Shlah Hakadosh. The Shlah Hakadosh says on a Gemara in Berachos 8a (8 lines from the bottom) (גדול הנהנה מיגיעו יותר מירא שמים). Someone who has Hana'a from his hard work more than someone who fears G-d. Teitches the Shlah, if someone has a Shaila, he has a food and in the kitchen he doesn't know if he made it Treif. (גדול הנהנה מיגיעו) you have one person who goes and pulls out the Chochmas Adam or the Shulchan Aruch and figures out the Din. He looks up the Din. What do you know it is Muttar and he goes and eats it.

You have another person who has the same Shaila and he is a Yir'ai Shamayim and says oh no this is a Shaila and I am just throwing it out. So you would think that the Yir'ai Shamayim is on a higher level, Zagt the Shlah

(גדול הנהגה מיגיעו) somebody who learns the Halacha and establishes the right thing to do is greater than the Yir'ai Shamayim who throws it out.

During this time period we all have unique Shailos, unique questions. Things that we never had to look up before. The Shulchan Aruch is Klal Yisrael's Mussar Sefer. It is a guide. I don't mean to knock those who have Mussar Sedorim in other Mussar Seferim. But the Shulchan Aruch and the Mishna Brura that is our Mussar Seder. You should do it. You are at home and Shailos come up and you are just Machmir. Don't just be Machmir. Look it up. Find out what the Din is. As the Chazon Ish says, for Tikkun Hamiddos it is in Shulchan Aruch.

With that thought I want to wish everybody a Good Shabbos, a Gevaldige Shabbos a meaningful Shabbos. A Shabbos based on Torah, Tefillah and Avodas Hashem. IY"H we look forward to the day that we will be able to come back to our Shuls with a greater new found respect for the Batei Medrashim. A greater love for the Beis Medrash. A Kabbalah to be more careful in the Bais Medrash. Can't wait to see that day B'karov Mamash. A Gutten Shabbos to one and all!

## **Rabbi Reisman - Parshas Acharei Mos 5779**

### **1a - Topic - A Pshat from the Apiryon on the difference between Chukim and Mishpatim.**

As we prepare for Shabbos Parshas Acharei Mos, our first post Pesach week as we prepare for Kabbalas Hatorah. Today, I would like to begin by discussing five Pesukim in the Parsha that is Perek 18 Posuk 1 - 5 which don't seem at first glance to have a clear message. It says 18:1 (וידבר ירור, אל-משה לאמר) 18:2 (דבר אל-בני ישראל, ואמרת) 18:3 (לא תעשו; ) 18:4 (ואת-משפטי תעשו ואת-חקתי תשמרו, ללכת בהם: אני, ירור אלריכם) 18:5 (ואת-משפטי, אשר יעשה אתם האדם וחי בהם). Don't follow the ways of the Goyim. (18:3) (ואת-משפטי תעשו ואת-חקתי תשמרו, ללכת בהם: אני, ירור אלריכם) (18:4) (ואת-משפטי, אשר יעשה אתם האדם וחי בהם). Do what I command you. (18:5) (ואת-משפטי, אשר יעשה אתם האדם וחי בהם). Keep the Torah. The Pesukim themselves are a bit ambiguous and not really clear as to what the message of the Torah is. There is some general message of keeping the Torah, however, it doesn't say clearly at all what the message might be.

I would like to share with you at least one explanation which comes from the Sefer Apiryon which is written by the Kitzur Shulchan Aruch on Chumash and he explains the message of the theme of part of this little Parsha.

The Rambam in the 6<sup>th</sup> Perek of Shemoneh Perakim, the Shemoneh Perakim is the Rambam's introduction to Pirkei Avos, and there in the 6<sup>th</sup> Perek he says that sometimes you have a person who has a desire to do an Aveira and you have someone else who has no desire to do an Aveira. It is a mistake to think that the one who has a desire to do the Aveira is any less of a Baal Madreiga then the one who doesn't. He says this is a Greek idea and it is wrong.

A person who has a desire to do an Aveira is perfectly okay. There is no Chisaron in his Neshama. On the contrary, the Rambam brings that a person who is faced with a situation where he is offered for example to eat non-Kosher food, he should say Rotzeh Ani, I would love to eat it. Uma E'ese Aval Avinu She'ba'Shamayim Gozeir Olai. But what can I do Hashem said don't eat it. There is nothing wrong with saying that. On the contrary, the Rambam brings that a person should say Rotzeh Ani that I want it. Uma E'ese Aval Avinu She'ba'Shamayim Gozeir Olai but what should I do Hashem said don't.

The Rambam goes on and says that that only applies to the Chukim of the Torah like not eating non-Kosher food. However, when it comes to Mitzvos Sichlios, to Mitzvos that a human being should understand on his own, there a person should not say Rotzeh Ani. There a person has to train himself not to want.

Genaiva, is a Mitzvah Sichli, it is a logical Mitzvah not to steal. A person shouldn't say I want to steal but what can I do. No! You have to train yourself to not desire to steal. This is the Rambam's Yesod and the Apiryon says that is what it is saying here in Posuk 4. (ואת-משפטי תעשו) The Mishpatim that are logical, (תעשו) it should be the

way you act, it should be what you do, it should be a manner of action of a person. Not like Mitzrayim and Canaan. But (וְאֵת-הַקְּלָמִי) the things that are Chukim, which are Mitzvos whose reasons are not known, (תִּשְׁמְרוּ, לִלְכֹּת בָּהֶם). Be careful to walk that way. It is not the natural Asiya, it is something that you have to guard to go in that way. (אֶת-מִשְׁפָּטֵי תַעֲשׂוּ). It should be the natural action. (וְאֵת-הַקְּלָמִי תִשְׁמְרוּ, לִלְכֹּת בָּהֶם) it goes against your nature. (תִּשְׁמְרוּ) be guarded (לִלְכֹּת בָּהֶם) to go in them. This is the way the Apiryon Teitches up these Pesukim.

It is a big Mussar Haskeil. The nature of many Frum people is that when you say eat Chazer they say who wants to eat Chazer and when you say steal they say Rotzeh Ani I would love to steal but what can I do Hashem says it is Assur I don't do it.

Wrong! Chazer you can say I would want to eat Chazer but what can I do Hashem says not to do it. But (מִשְׁפָּטֵי תַעֲשׂוּ) the Mishpatim should be the natural way, a person should be repulsed by taking someone else's money and hurting somebody else. A tremendous message.

### 1b - Topic - A Pshat from the Netziv on the difference between Chukim and Mishpatim.

After that Posuk is the next Posuk of 18:5 (וְשִׁמְרֵתֶם אֶת-הַקְּלָמִי וְאֶת-מִשְׁפָּטֵי). Again it mentions Chukim and Mishpatim but in the opposite order. It says keep the Chukim and keep the Mishpatim. On this in Posuk Hei (הַקְּלָמִי) Rashi says (לרבות שאר דקדוקי הפרשה). To be Marbeh the other Dikdukim of the Parsha which is unclear as to what exactly Rashi means.

The Netziv tells us a Klal Gadol for all of the Torah. The word Chok does not always mean a Mitzvah whose reason is not known. It depends. When it says in the Torah first the word Mishpat and then the word Chok in the same Posuk, then as in the Posuk that I just mentioned in Posuk Daled, then we say that Mishpatim are Mitzvos whose reasons are known and Chukim are those whose reasons are not known. But that is only when it is in that order. Mishpatim first and Chukim second. The style of the Torah is to speak in Lo Zu Af Zu, not only this but even that. Not only logical Mitzvos but even Chukim.

However, in any Posuk where it says Chukim first and Mishpatim second such as in Posuk Hei, the word Chukim does not mean Mitzvos whose reason is not known, it means something else. Then Chukim means the Mitzvos that are Darshuned from the Torah. Mishpatim meaning those that are written out clearly and Chukim are those that we learn from a Derasha.

The Netziv says that it is a Gemara in Maseches Kerisos 13b (7 lines from the bottom) (את כל החוקים אלו מדרשות). All the Chukim are the Medrash which doesn't mean Medrash it means Derasha. Anything that is deduced from the Torah. Umishpatim Eilu Hadinim. The Mishpatim are the laws that Shenechkiru Al Hadinim, the laws that are deduced from the Chukim.

In other words, and this is a Chiddush to most. When it says Mishpatim and then Chukim it is the way we were taught as we grew up, that Chok is a Mitzvah whose reason is not known. When a Posuk says Chukim and then Mishpatim, then the word Chok is being used differently, it is being used as a reference to the Mitzvos from which we Darshun.

Once you hear this rule there are numerous examples. Let me mention some. At the beginning of Parshas Bechukosai 18:3 (אִם-בְּהִקְלָמִי, תִּלְכוּ; וְאִם-מִצְוֹתֵי תִשְׁמְרוּ) does it mean Chukim? It says (אִם-בְּהִקְלָמִי, תִּלְכוּ) - Rashi says (שתהיו עמלים בתורה). You should Hurava over your learning. How do you see that? Because Chukos are Halachos, or Mitzvos or Dinim that we learn out of the Torah through Derasha. Zu Lomdus. (אִם-בְּהִקְלָמִי, תִּלְכוּ) is a reference to that. It says Chukim there first.

Another example is found in Parshas Va'eschanan in 4:6 (כִּי הוּא חֲכַמְתְּכֶם וּבִינַתְכֶם, לְעֵינֵי הָעַמִּים). This is your wisdom in the eyes of the nations (אֲשֶׁר יִשְׁמְעוּן) who will hear (וְאָמְרוּ) they will hear these Chukim and say (כִּי עַם-חָכָם וְנָבוֹן, הִגִּיד הַגְּדוֹל הַזֶּה). How right, how wise is this people. A Pele!

I would add a third example. We are learning Yechezkel at the Mishmar (you knew that Mishmar would make its way into today's Shiur), and in Perek 40 - 42 it describes the Bayis Hashlishi. Perek Mem describes the outside courtyard. Perek Mem Aleph describes the building itself. Perek Mem Beis describes the Lishchos, the side buildings or rooms. After that description, we have in 44:5, after the description of the Bais Hamikdash, Hashem says to Yechezkel (בן-אדם שִׁים לְפָנַי וְרָאֵה בְּעֵינַיִךְ וּבְאָזְנוֹיֶיךָ שְׁמַע אֶת-כָּל-אֲשֶׁר אֲנִי מְדַבֵּר אִתְּךָ). He says, Yechezkel listen to what I have just told you. (לְכָל-חֻקֹּת בַּיִת-יְרֵנּוּ, וּלְכָל-תּוֹרָתוֹ). To all the Chukos of Bais Hashem. What are the Chukos Bais Hashem?

## 2 - Topic - A Pshat from the Haksav V'hakabalah on S'ir La'azazel.

The Mishnah says in Yoma in the 6<sup>th</sup> Perek, where it says that the S'ir La'azazeil was thrown down the cliff, it uses a Lashon that when they threw the S'ir down the cliff, (עד שהוא נעשה אברים אברים). By the time that it went halfway down the mountain the S'ir was broken into many pieces. It disturbed me learning this with my child and I was thinking to myself that it doesn't work that way. If you were to throw a goat off of a cliff it wouldn't break into small pieces, it doesn't become dismembered. It would have broken bones and be bleeding, what does it mean (אברים אברים)?

Just like we say when you bring a Korban Chatas that you bring the Chatas and you imagine that it was you being sacrificed and your blood being Shpritzed and it is supposed to be a Mussar. The same thing with this S'ir, the S'ir is removed from Klal Yisrael and it represents Avodah Zora, it is thrown down the mountain and in the language of the Hak'sav V'hakabalah (ר'רוח עזה יוצא מלפני ד') an angry spirit comes out from G-d (ומפרק עצמות) and it breaks up the bones of the S'ir (ולא ישער עצם אל עצם). It is a very violent fall and nothing stays together.

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most extreme example of that where K'ilu what happened to the S'ir happens to people who do Aveiros and that is the idea of La'azazeil a Lashon of Aza.

The S'ir La'azazeil was Mechapeir on Klal Yisrael. We should learn the Halachos of the S'ir La'azazeil and we will have the same Kapparah because V'neshalma Parim Sefaseinu.

We should be Zoche to a wonderful almost 5 weeks left towards Kabbalas Hatorah. Everybody do something don't let it just be a regular day. It is 5 weeks of preparation. Be Mechazeik the Sedarim that you have. Take on new Sedarim. I look forward to see you all tonight whichever location you happen to be at Mishmar. A Guttan Shabbos to one and all!

### **Rabbi Reisman - Parshas Acharei Mos - Kedoshim 5778**

As we prepare for Shabbos Parshas Acharei Mos - Kedoshim and we have come past the halfway point of Sefiras Ha'omer and we feel the excitement building towards the renewal of our Shevua at Har Sinai.

#### **1 - Topic - Further Discussion into Last Week's Question of the Kaddish at a Siyum.**

Last week I asked a question which engendered a lot of response. The question was, at the Siyum Kaddish we make a long Nusach. Lately, the new Gemaras that have come out add the words Vayatzmach Pirkunai V'kareiv Mishichai. The Gemaras and Mishnayos, many of them that were printed before the year 2000 or certainly before the year 1990, none have the words Vayatzmach Pirkunai V'kareiv Mishichai. It was added at least in parenthesis in the newer Shas'in and I always assumed that the old Gemaras came from Vilna and were Nussach Ashkenaz and it was correct to add Nusach Sfarad.

However, it makes zero sense. It really doesn't make any sense. If you think about the meaning of the words of this Kaddish is what I asked last week that it makes no sense at all to say Yisgadeil V'yiskadeish Sh'mei Rabba and talk about B'alma D'hu Asid L'ischdasa Mai'saya Ul'asaka L'chayei Alma Ul'mivnei Karta D'rushaleim Ul'shachleil Heichlei B'gava. Talking about Techias Hameisim and the rebuilding of the Bais Hamikdash. Ul'me'ekar Pulchana Nuch'ra Mai'ar'a, Ul'asava Pulchana Dish'maya L'asrei. Having the Jewish kingdom of Malchus Bais Dovid come back. And then say Vikarai Mishichei that Moshiach should soon come. The order just doesn't make any sense. So I asked that I am not right and everybody is wrong and there must be an explanation. So I asked for an explanation which I did not receive.

However, I did receive two items of great consequence. A) That the Adas Hamizrach, the Syrian community, the real Nusach Sfarad Yidden do not have Vayatzmach Pirkunai V'kareiv Mishichai in their Kaddish. B) I was told that the Rambam in his Siddur does have Vayatzmach Pirkunai V'kareiv Mishichai which makes it all very interesting.

Where is the Rambam's Siddur? At the end of the Cheilek Ahava in his Yad Hachazakah and I ran to look it up. Listen to what I found. When the Rambam has this Kaddish which he calls Kaddish D'rabbanan which is the Kaddish that we say at Siyumim, the Rambam says after we say Ul'asava Pulchana Dish'maya L'asrei, V'yamlich Kudsha Brich Hu B'malchusai he adds Vayatzmach Pirkunai V'yiva Mishichai. He doesn't say V'kareiv Mishichai which wouldn't make any sense. Yiva Mishichai like the Lashon Yabi'a Omer. It is a Lashon of Moshiach spreading, being known throughout the world.

You might say what is the Raya as the Rambam never has Vayatzmach Pirkunai V'kareiv Mishichai as he always has V'yiva Mishichai. No! I looked in the Rambam's Siddur by the regular Nusach of Kaddish he has Vayatzmach Pirkunai V'kareiv Mishichai which makes sense. By this Kaddish it is Vayatzmach Pirkunai V'yiva Mishichai which means not V'kareiv Mishichai which doesn't make sense but Yabi'a Mishichai.

It sounds like after all is said and done my Ha'ara is right and everybody else is wrong. I may be wrong but Tzorech Iyun. Of course it is not an Aveira to say Vayatzmach Pirkunai V'kareiv Mishichai but it is a question of what is the correct way to do it.

Probably my biggest Ha'ara is that people say a Kaddish without having any clue of what it means and we are talking about people who are capable to know what it means. If you are capable of knowing what it means at least know and think. If you do, I think that you will find greater meaning in general to the whole Kaddish.

## 2 - Topic - An insight into Kedoshim Ti'yu (קדושים תהיו).

Let's turn to Achacharei Mos - Kedoshim, to the Parsha. We find in 20:7 ( וְהִתְקַדְּשְׁתֶּם--וְהִיִּיתֶם, קְדוֹשִׁים: כִּי אֲנִי יְרֹנָה, ) the Mitzvah of Klal Yisrael being Kadosh. (קדושים תהיו) is the Mitzvah to be Kadosh.

Freigt Rav Hutner in one of the letters of Pachad Yitzchok (Toch Devarav) in letter 76 a Gevaldige Kasha. Why do you need the Mitzvah of (וְהִתְקַדְּשְׁתֶּם--וְהִיִּיתֶם, קְדוֹשִׁים) and (קדושים תהיו) we already have the Mitzvah of (וְהִלַּכְתֶּם, בְּדֶרֶכָיו) which is Mitzvah Taf Reish Yud Aleph, a Mitzvah to go in the ways of Hashem which is mentioned multiple times in the Torah. So that should include (קדושים תהיו), that should include that you should be Kedoshim. So why do I need (וְהִלַּכְתֶּם, בְּדֶרֶכָיו). This is the Kasha.

Rav Hutner answers briefly but it is something which he himself discusses in numerous places in the Pachad Yitzchok, one of them in Rosh Hashana, Maimar Lamed Aleph Os Daled. The question (וְהִלַּכְתֶּם, בְּדֶרֶכָיו) you are supposed to be like Hashem. What about as it says in Tehillim 94:1 (קל-נְקָמוֹת יְרֹנָה)? What about as it says in Nachum 1:2 (קל קְנוֹא וְנָקָם)? What about Hanhagos of HKB"H that are obviously not to be emulated. What are we to do with that? A Gevaldige Kasha.

Rav Hutner brings from the Maharal who says that (וְהִלַּכְתֶּם, בְּדֶרֶכָיו). The Din of (וְהִלַּכְתֶּם, בְּדֶרֶכָיו) only has a connection to HKB"H's Middas Hachessed. Meaning, you should go in Hashem's ways, Ma Hu Rachum Af Ata Rachum. Ma Hu Chanun etc. the things that have to do with the unique characteristics of Hashem that are related to Chesed.

Now, therefore, that answers that (קל-נְקָמוֹת יְרֹנָה) that Hashem was Kano V'nokeim has no Shaychus of course. Coming back to us, one might think to answer that (וְהִלַּכְתֶּם, בְּדֶרֶכָיו) has nothing to do with Kedusha. Kedusha is not Chesed. Kedusha is not part of Chesed. No! The Vort is that I would have a Hava Amina that Kedusha is not part of Chesed, that Kedusha is not Shayich to Chesed and I would think that (וְהִלַּכְתֶּם, בְּדֶרֶכָיו) doesn't refer to it. So the Torah says (וְהִתְקַדְּשְׁתֶּם--וְהִיִּיתֶם, קְדוֹשִׁים: כִּי אֲנִי יְרֹנָה, אֶלְרִיקָם). It is part of (וְהִלַּכְתֶּם, בְּדֶרֶכָיו) to be a Kadosh. It is part of Kedusha, part of holiness is to be a Baal Chesed. Is not to be into yourself, it is to be giving to others.

The whole concept of Kedusha that the Rambam brings is the idea of a person doing more than is absolutely demanded of him. That is the idea of being Kedoshim, of being Kadosh. Doing something more. Isn't that something? That is not only in Avodas Hashem. But it relates. When you do something more in Avodas Hashem you become a Baal Chesed. You do more for others as well. An insight into (קדושים תהיו).

## 3 - Topic - The Mitzvah of Orlah.

Let's move on to one of the Taryag Mitzvos that is mentioned in this week's Parsha the Mitzvah of Orlah. Orlah of course is a Mitzvah that if you have a tree, the first three years the fruits are forbidden. It is completely Assur even B'hana'a. The Mitzvah of Orlah even though it is a Mitzvah that is connected to the ground Af Al Pi Kein, nevertheless it doesn't change anything. It applies in Chutz L'aretz as well as in Eretz Yisrael and people are not aware of it. People have trees in their backyards and they don't realize it and they ask me okay I can't take the fruit but can I give it to my non Jewish neighbor? The answer is no. It is Assur not only B'achila but B'hana'a as well. Kach Heim Hadevarim. That is the Mitzvah of Orlah.



The Yesod of Orlah, Zagt a beautiful Maimar in the Sichos Mussar titled Misinus, patience Taf Shin Lamed Gimmel. Misinus is patience, an incredible concept that the next generation doesn't have.

The Gemara in Beitzah 25b (7 lines from the top) says (נטיעה מקטע רגליהון דקצביא). Farmers who plant and keep the rules of Orlah they cut the legs of butchers. Which butchers are they cutting the legs of? Rashi says (נטיעת ערלה שאמרה תורה להמתין שלש שנים מלאכול פירות מקטע רגלי הקצבים הממהרין לאכול קודם הפשט ונתוח ופעמים שנמצאת טרפה) that they are butchers who Shecht their animals and don't have the patience to wait. They cut out the meat and quickly sell it or roast it and then later they check for Treifos. They are allowed to do that because the animal is assumed to be Kosher. Occasionally, after having eaten it or even having sold it they will find that the animal is Treif. Nu what they were Over they were Over B'shogeig and they relied on Rov. It is Muttar to rely on Chezkas Heter.

Zagt the Gemara, people who plant and wait with Orlah teach us that Mesinus, patience is an extraordinary attribute. That attribute is something that the (דקצביא) Katzvaya should learn about

The Gemara in Berachos on 20a (22 lines from the top) says (מתון מתון ארבע מאה זוזי שויא) patience patience is worth 400 Zuz. It tells the story of somebody who lost 400 Zuz because of impatience.

The first Mishna in Pirkei Avos says (היו מתונים בדין) be patient in a Din Torah. Of course a Dayan in a Din Torah has to listen to all of the sides patiently and think before he Paskens. The Gemara in Sanhedrin 7b (15 lines from the bottom) says how do you know to be patient? It says in Shemos 20:22 (ולא-תעלה במעלות, על-מזבחי) and it says that next to 21:1 (ואלֵה, המשפטים). So we learn out that in Mishpatim you also have to be patient. What? Going up a ramp and not steps to the Mizbaiach is a measure of Tzniyus. What does Tzniyus have anything to do with (היו מתונים בדין)?

The answer that the Sichos Mussar gives is really the Kohen was wearing pants. There was no Gilui Eruvah, there was no improper exposure if he would walk up the steps, but the Kedusha of the Makom obligates an extra level of Zehirus. The Kedushas Hamakom of going on the Mizbaiach requires an extra level of Tzniyus and patience.

The same thing is true when you are dealing with others, when you are in a Din and you are dealing with a Din Torah between two sides. They are not fighting, they are honest people. They are coming and are asking you what is the Din. You should know, that you have to be patient when it comes to other people. (היו מתונים בדין). Be patient when you are dealing with others. If you are in a time, if you are in a place, in a situation which requires Zehirus Yisaira, if that Zehirus Yisaira requires patience. We are in a rushed, stressed country and within the country those of us who live in NYC are probably in the most stressed and rushed city of this extraordinary country and Klal Yisrael who need more hours in the day than others. L'havdil, we Daven and we learn, we are the most stressed. (היו מתונים בדין) What do you learn from Gedolei Yisrael, how they are Tarid and busy and each thing they do they are focused on properly and do it right. We have to learn from that. (היו מתונים בדין) to be patient not only when it comes to a Din Torah but any time that you are dealing with things that have to do with other people.

And so, we will be bigger and better people having taken in Parshas Acharei - Mos & Kedoshim and preparing for our upcoming Mattan Torah. Please, Shavuot is coming, put it to mind as you count the days of the Sefira. An absolutely wonderful Shabbos to one and all!



## **Rabbi Reisman - Parshas Acharei Mos - Kedoshim 5777**

As we prepare for Shabbos Acharei Mos - Kedoshim and we note that we are reaching the halfway mark in Sefiras Ha'omer as we count towards Kabbalas Hatorah. It should be something that we note. Counting Sefira is supposed to make a Roshom on a person and it should be a reminder that we are preparing for Kabbalas Hatorah.

### **1 - Topic - Rav Druk - Why did Aharon Hakohen need another warning**

Parshas Acharei Mos - Kedoshim begins with the very first Rashi where Rashi tells us (אֶל-מִשְׁכֵּה, אֶחָד) (מִזֶּה, שְׁנֵי בָנֵי אֶהֱרֹן--בְּקִרְבָּתָם לְפָנֵי-יְרֵד, וַיָּמָתוּ). That Moshe Rabbeinu was told to command Aharon Hakohen the different Tzavaos that have to do with the Mishkan and Acharei Mos says Rashi why does it say after they died as we know that it is after they died (הִיָּה רַבִּי אֱלֶעָזָר בֶּן עֲזַרְיָה מוֹשְׁלוֹ מִשָּׁל לַחֲוִלָּה שֶׁנִּכְנַס אֲצִלוֹ רֹפֵא). Like someone who goes to a doctor and the doctor says don't do that, he may or may not listen. If the doctor says that don't do that because Ploni did it and he died it is an extra warning. The same thing here, Aharon Hakohen is being told be careful, look what happened to your children, you don't want it to happen to you. It is an extra warning. That is what Rashi says.

Rav Druk (in Sefer Darash Mordechai page # 176) brings that the Baalei Mussar (he quotes specifically Rav Leib Chasman) is Matmia. Does Aharon Hakohen need to have that type of a level of warning? Does he need to be warned that you are going to die if you don't do it? Aharon Hakohen was the Gadol Hador. He needs to be warned of the punishment? He certainly served Hashem with great love. Zaggin the Baalei Mussar, says Rav Leib Chasman, yes. No matter who you are, you need extra warnings, extra care.

I once heard from Rav Avigdor Miller, he said that people think that Avodah Mai'Yir'as Ha'onesh, serving HKB"H from fear of punishment is a very low Madreiga of serving Hashem. He said that everyone needs it. You see that even Aharon Hakohen needed it.

Zagt Rav Druk, come on. Aharon Hakohen, if you want to warn him not to learn Torah on Tisha B'av, I understand that he needs an extra careful warning. But to warn him not to drink wine when he goes into the Bais Hamikdash, Aharon Hakohen needs such a warning? Aharon Hakohen who was Shomer all Mitzvos needs a warning for such a thing? It doesn't make sense.

Therefore, Rav Druk gives an explanation of the Teretz. This explanation fits perfectly with what I spoke out two weeks ago Parshas Shemini regarding the death of the Bnei Aharon.

What I spoke out then was that the Bnei Aharon died from an Aveira, whatever the explanation of the Aveira might be. From an Aveira that involved a tremendous Ahavas Hashem, a tremendous closeness and Ahava to Hashem. An unbridled Ahavah, and it went so far that they couldn't control themselves. They brought a new Aish to Hashem. It was a tremendous Mesiras Nefesh that they had and that brought them down.

Zagt Rav Druk, of course Aharon Hakohen doesn't have to be warned about punishments for simple Aveiros. But an Aveira that involves letting loose with a tremendous Ahavah. Aharon Hakohen was Nis'aveh for such a Kiruv to HKB"H. Through this Ahavah to have such a tremendous Hiskarvus. Moshe Rabbeinu after all said, look they were greater than us in the area of Ahavah. You see when you understand the Cheit of the Bnei Aharon in the way that we are explaining, in the way that Rav Schwab explains that it came from a tremendous Hiskarvus, then you can understand that Aharon Hakohen had to be warned.

Zagt Rav Druk, look, in Parshas Ki Sisa, Moshe Rabbeinu said to the Ribbono Shel Olam as it says in 33:18 (הֲרָאֵנִי נָא, אֶת-כְּבוֹדְךָ). Show me your honor, show me a vision of yourself, of the Ribbono Shel Olam. The HKB"H says 33:20 (לֹא-יֵרָאֵנִי הָאָדָם, וַחַי). No one can see me and continue to live.

Zagt Rav Druk, Moshe Rabbeinu knew that, he knew that to see HKB"H Kavayochel, to see Kavod Hashem means to leave this world. It was worth it for him, it was Kedai for him. Moshe Rabbeinu said I want to serve

Hashem with a tremendous Ahava. As it says in Tehillim 84:3 (פֶּלְתָּהּ, נִפְשִׁי -- לְחַצְרוֹת יְרוּרָה), I have a tremendous Ahavah. That tremendous Ahavah should be Ad Kedai Kach, should go to the degree that Ahavah that I am even willing to die for it. That is a different type of Cheit. That is a Cheit of Hiskarvus to HKB"H to such an extraordinary degree. Now we can see that the warning had to be a strong warning.

Misas Tzadikim is Mechapeir like Misas Nadav and Avihu. Is it a wonder that Aharon might have a Taiva to reach that type of a level? Therefore, he needed the warning. It is a whole different picture in the Kavana of Rashi, in the Cheit etc. Ad Kan our Vort this week on the Parsha.

## 2 - Topic - A thought on the Haftorah - Why is it Sukkas Dovid and not Sukkas Shlomo

The next thought has to do with the incredible extraordinary Haftorah in Sefer Amos 9 (הָלוֹא כִּבְנֵי בָשָׂרִים אַתֶּם לִי (בְּנֵי יִשְׂרָאֵל)). The Haftorah that we are going to Lain this week that refers to Klal Yisrael with an extraordinary language of love. In this Haftorah we find the Posuk (בַּיּוֹם הַהוּא, אָקִים אֶת-סֵכֶת דָּוִיד הַנִּבֵּלָה). When Moshiach will come HKB"H will rebuild the fallen Sukkah of Dovid, the Bais Hamikdash. Sukkas Dovid? Is the Bais Hamikdash Dovid's building? Don't you remember from Nach that Shlomo Hamelech built it? It is not Dovid's building. Why do we call it Sukkas Dovid Hanofales? Dovid wanted to build it and he asked for permission to build it but the Ribbono Shel Olam said no. Harbei Dam Shofacto, you can't build it. Shlomo will build it. L'mayseh, why is it called Sukkas Dovid Hanofales. It is true that Dovid had tremendous Teshukah and desire to build it and he said (פֶּלְתָּהּ, נִפְשִׁי -- לְחַצְרוֹת יְרוּרָה). But he didn't build it, it is a building of Shlomo.

We seem to learn from here that having the desire and the Teshuka to build, coming up with the idea and talking about it, is also a level that creates Sukkas Dovid. But wait, it is still Sukkas Shlomo. Dovid had a hand in it because he had a Teshuka and desire for it. It may well be true. But still the question is that it is still Sukkas Shlomo.

The answer is no. Shlomo built a building of stones, wood and valuables. It is destroyed and it doesn't exist anymore. Dovid Hamelech built a Beis Hamikdash which had no physical entity. Dovid built and created the desire, the Teshuka, the Ratzon to build a Bais Hamikdash. That Ratzon was not destroyed with the Churban. That Ratzon still exists to this very day. We still have that Ratzon that Teshuka to build that Dovid had.

When the Bais Hamikdash is rebuilt it is not Shlomo's Bais Hamikdash that is rebuilt because that was destroyed. It is Dovid's Bais Hamikdash that was rebuilt. Dovid's Bais Hamikdash was never destroyed. It is a Bais Hamikdash of Ratzon, of desire to be close to Hashem. When the Bais Hamikdash stands in one form or another, we have a tremendous desire, a Teshuka to be close to Hashem and that doesn't disappear. That stays with Klal Yisrael forever and ever.

This Yesod answers the following Kasha. Every year around Tisha B'av time we hear the following thought. A Meis is Nishtakach Min Haleiv. It is a Gezaira that something dead is forgotten. The fact that we mourn the Bais Hamikdash for all of these years is a proof that the Bais Hamikdash is not Meis, that the Bais Hamikdash still exists.

I have a Kasha. It is not true. The Bais Hamikdash does not exist. The Bais Hamikdash was destroyed. What is it a proof that it exists, it doesn't exist. It is gone. You will answer me that it is gone temporarily and it is coming back when Moshiach will come it will come back. So it is not gone.

But I have a Kasha. Gezaira Min Hameis She'Nishtakach Min Haleiv. The Meis is also not gone forever, there will be a Techias Hameisim. We believe when Moshiach comes that Maisim will come back. The Gezaira on a Meis that it is Nishtakach Min Haleiv is when he disappears from this world even though he is going to come back in Moshiach's time. So the Bais Hamikdash too, the Bais Hamikdash it should be Nishtakach Min Haleiv. The fact that it will come back in Moshiach's times why does that change anything?

The answer is that the Meis is not here. By Techias Hamaisim there will once again be this person who is alive. But right now the human being is gone. Nishtakach Min Haleiv.

The Bais Hamikdash of Shlomo Hamelech is Takeh gone, it is Nishtakach Min Haleiv. Do we remember what it looked like? But the Bais Hamidash of Dovid (הַבַּיִת הַזֶּה הָיָה לְנוֹ אֶת סֵכֶת דָּוִד הַנּוֹפֵלָה). We Daven for a return to the Bais Hamikdash of Dovid. The Bais Hamikdash of Dovid is not gone, it is very much alive in the hearts of Jews everywhere. Klal Yisrael in all of our Doros dream of the rebuilding of the Bais Hamikdash. That Teshuka, that image, that desire of the Bais Hamikdash, the Sukkas Dovid, that always exists.

This connects well to what I said last year or maybe two years ago. I said to you on this Thursday afternoon why is it called Sukkos Dovid it should be called Bayis Dovid and I told you that a Bayis that is destroyed is gone forever. You can build a new house but the house is gone. A Sukkah by definition is something that is taken apart and put back. It is something the same that comes back. Sukkas Dovid, the Sukkah that exists in the heart of Dovid is always there. It comes back. When it comes back it is the same Sukkah that I had last year. That is why when the Mishkan is taken apart and put back together, the Kerashim were put in exactly the same shape, in the same order, they were numbered as the year before. They were identical, they could have physically been switched but we wanted to go back to the old one, a Hemshich. (הַבַּיִת הַזֶּה הָיָה לְנוֹ אֶת סֵכֶת דָּוִד הַנּוֹפֵלָה). You want to have a rebuilding of the Sukkah of Dovid. The Sukkah which is rebuilt and comes back, which does not come to an end. And so, one thought on the Parsha and one thought on the Haftarah.

### 3 - Topic - A thought on Sefiras Ha'omer - Hakkaras Hatov

You may have noticed that we were just counting 1, 2, 3, 4... we are already counting 21, 22, 23, 24. Before you know it, we will be at 41, 42, 43, 44. One at a time the time goes. That is life. (כִּי הֵם חַיֵּינוּ וְאֵרֶךְ יָמֵינוּ). The counting of Sefira is an example of life. We go from one year to the next. We are Bar Mitzvah Bochorim, we are Zoche to get a little older, Zoche to get married, Zoche to have a family. HKB"H gives us the opportunity that we are Zoche to have homes and a few dollars in the bank. The years follow one from the other. Before you know it, you are at the end of the Sefiras Ha'omer. Oy, what a Mussar!

A) We have to realize where we are headed but B) we should realize a Hakara, a recognition of what HKB"H has given us. We go day to day and we take things for granted. Even during Sefira, you can make a Shehechyanu, however, not during the three weeks. You can make a Shehechyanu as it is a reawakening of the Beracha of Shehechyanu which for many of us is something that we don't do.

The Rama is 223:1 says that people don't make Shehechyanu every time they should. The Magen Avraham in S'if Kotton Aleph says that people don't do it but it is wrong. You should say it. You see Shehechyanu depends on Simchas Haleiv, on appreciating the things that you have. Appreciating the things that HKB"H gives you. If you have more and you can afford more, does that mean that you should appreciate it less?

A piece of furniture that you buy needs a Beracha of Hatov V'hamaitiv. A vehicle that you buy needs a Beracha as well. Hatov V'hamaitiv is the plural of a Shehechyanu. A Shehechyanu is for a suit (i.e. something used by one person) and Hatov V'hamaitiv is the same Beracha but made on something like a couch or a car which is something used by many. The point is an appreciation of the things that HKB"H gives us.

The years go by and we take for granted. May HKB"H give us the Zechus that we have so much that we do take it for granted. But let's not! Let the Yeitzer Hora take it for granted. We should appreciate the things that we have. May HKB"H shower us with Beracha and more importantly may he shower us with the wisdom to appreciate the things that we have. A Gutten Shabbos, a Gutten Hachana for Kabbalas Hatorah to one and all.

## Rabbi Reisman - Parshas Acharei Mos 5776

1. This week instead of talking about Parshas Acharei Mos I would like to discuss the Haftorah which is the Machar Chodesh Haftorah. Since Rosh Chodesh is Sunday and Monday, on Shabbos we will be Laining the Haftorah of Machar Chodesh and I would like to discuss it as today's Shiur.

There is a misunderstanding. We understand that this Haftorah is read because it starts with the words that can be found in Shmuel I 20:18 (וַיֵּאמֶר-לּוֹ יְהוֹנָתָן, מָחָר חֹדֶשׁ). Yehonasan said to Dovid that tomorrow is Rosh Chodesh. Well Sunday is Rosh Chodesh it is a very appropriate Haftorah. It would seem that it is just a coincidence. Since that story took place then, it is appropriate. If some other story would have taken place then that would be appropriate.

In fact, we need to understand that big Yesodos, a central idea, basic ideas of Torah She'baal Peh regarding Rosh Chodesh are connected to these Pesukim. Therefore, although there is so much to discuss in this Haftorah, I would like to discuss at least at the outset, the Yesodos regarding Rosh Chodesh which are connected to this Haftorah. Vayomer Lo Yehonasan Machar Chodesh. Yehonasan tells Dovid Hamelech that tomorrow is Rosh Chodesh. This immediately begs a question. As you know, in the time of the Bais Hamikdash they were Mekadeish the Chodesh Al Pi R'ya. Witnesses who saw the new moon came to Bais Din and said testimony and if they withstood the test of Bais Din then Bais Din would declare Rosh Chodesh. All of Klal Yisrael would wait, not knowing what would happen until Bais Din declared Mekudash Mekudash. Therefore, it was not possible for Yonasan to know Machar Chodesh that tomorrow is Rosh Chodesh. Maybe it would be cloudy, maybe there would be no sighting of the new moon. How could Yehonasan say Machar Chodesh, that I know tomorrow is going to be Rosh Chodesh.

You might answer that Yehonasan was perhaps standing on the 30th day of the Hebrew month and as you know, Rosh Chodesh is either the 30th or 31st. If it was already the 30th day of the Hebrew month he could say with certainty Machar Chodesh that tomorrow will be Rosh Chodesh. That would seem like a good Teretz. Except it is not true.

When you read the Haftorah you see that Yehonasan was standing on the 29th day of the month. Tomorrow the 30th would be Rosh Chodesh. How do I know this? This is because when you read the Haftorah you see that there were two days of Rosh Chodesh. The next day was Rosh Chodesh and then as the Posuk says in Posuk Chaf Zayin (וַיְהִי, מִמָּחֳרַת הַחֹדֶשׁ הַשְּׁנִי) there were two days of Rosh Chodesh. Therefore, Lamed Aleph became the first day of the next month. If Yehonasan was standing on the 29th how could he know Machar Chodesh that tomorrow would be Rosh Chodesh? This Kasha begs an answer.

The Gedolei Rishonim have Chalukai Dai'os on how to explain this and the Chosheish is really what is the Torah She'baal Peh of Rosh Chodesh is based on this Posuk. First is the Shittah of Rabbeinu Chananel. This is quoted by Rabbeinu Bachya in Parshas Bo at the beginning of Perek 12. The Rambam in the Peirush Hamishnayos in Maseches Rosh Hashono quotes this B'sheim Gadol Echad. He doesn't call Rabbeinu Chananel by name because he argues with him. Rabbeinu Bachya brings the Shittah of Rabbeinu Chananel and it is an incredibly Mechudashdika Shittah.

Rabbeinu Chananel holds that it is not Emes, it is not true that Rosh Chodesh was declared Al Pi R'ya. It is not so. The sighting of the new moon had nothing to do with declaring Rosh Chodesh. Rosh Chodesh was declared Al Pi Cheshban. Bais Din knew Sod Ha'ibur, Bais Din knew the secrets of the astronomical calculations of the new moon and they declared Rosh Chodesh based solely on their calculations and therefore, you can know if tomorrow was going to be Rosh Chodesh.

The Mishnayos in Maseches Rosh Hashono talk at length about Kiddush Al Pi R'ya? About the fact that Rosh Chodesh is declared from the testimony of witnesses? Says Rabbeinu Chananel, no that is a whole different story! Rosh Chodesh was declared Al Pi Cheshbon. At the time of the Tzedukim, of Tzadok and Baisos when the first mass organized Apikursus took place in Klal Yisrael, the Tzedukim. At that time, they berated the

Chachmei Yisroel. One of things they said was that the Chachmei Yisrael don't know what they are talking about. They don't know the astronomical calculations. The calculations are too complex. Ancient man believed that the exact sighting of the moon was not predictable. When they were Motzi Laz against the Sanhedrin, the Sanhedrin declared that there would be Kiddush Al Pi R'ya. That people would come and say that they saw the new moon and in that way verify the calculations of the Sanhedrin. So that the Sanhedrin did it Al Pi calculations but they waited until witnesses came. It was all D'rabanan. According to this, when Moshiach comes we will not go back to Mekadesih Al Pi R'ya. We will be Mekadesih Al Pi Cheshbon.

Rabbeinu Chananel brings three Rayos to this and one is from Machar Chodesh. How could Yonason know that tomorrow is Rosh Chodesh? He knew because he knew Al Pi calculation, as this was before Tzadok U'baysus. He knew when Rosh Chodesh would be. This is Rabbeinu Chananel's Shittah.

There are numerous difficulties with this Shittah. Not the least of which is the fact that it is not true, that although Machar Chodesh, there were two days Rosh Chodesh and the Aleph of the Chodesh was actually two days later and therefore, it could be that it was Al Pi R'ya. If for some reason Yonason knew that tomorrow would be Rosh Chodesh as well. An additional Kasha which the Rishonim ask on Rabbeinu Chananel is that the Mishnah says that they were Mechaleil Shabbos to be Mekadeish Al Pi R'ya. Bishlama if it is a D'oraissa we understand, if it is a D'rabbanan against the Tzedukim why be Mechaleil Shabbos? Therefore, we move to a second Pshat.

That is the Shittas Harambam in Hilchos Kiddush Hachodesh. First I should mention that the Rambam in Perek Bais Mishnah Daled quotes Rabbeinu Chananel and is Mad'che him. The Rambam Shittah in Perek Ches Halacha Daled is a new Shittah in Rosh Chodesh. The Rambam there says and I might add that there is a very fine if not the finest English Sefer that ever was published by Artscroll entitled Pathways of the Prophets, and in there you will find an explanation of the two days of Rosh Chodesh that I am about to share with you briefly. The Rambam says that Rosh Chodesh is always the day of the Molad. Whatever day is the Molad that is always the day that we call Rosh Chodesh and we say Yaaleh V'yavo. Sometimes though for various reasons Bais Din has to declare the first day of the next month as a day later. In other words, the Molad can be on Sunday, but for reasons of calculation Monday can be Aleph of the next month.

Says the Rambam, Aleph of the next month is always Rosh Chodesh. In addition, the day of the Molad is also Rosh Chodesh. Therefore, some months have 30 days and some months have 31. The day of the Molad however, is always Rosh Chodesh. Therefore, Yonason knew Machar Chodesh, tomorrow Al Pi calculation is definitely Rosh Chodesh. Whether it will be Aleph of the Chodesh or not Aleph of the Chodesh we will have to see. Witnesses may come or may not come. But certainly Machar Chodesh. As it turned out, there was another day, either because witnesses didn't come on that day or because there was a reason that Bais Din saw fit to make Aleph L'chodesh a day later.

So this is the Rambam's Yesod that there are two days Rosh Chodesh even at the time of Shaul and Yonason there were two days Rosh Chodesh. That was based on this idea that the day of the Molad is always Rosh Chodesh and Aleph L'chodesh is always Rosh Chodesh. When they come to be one and the same it is one day Rosh Chodesh and otherwise there are two. And so, with this I have given you a tremendous insight into the way that Kiddush Hachodesh worked, why there are two days Rosh Chodesh, and two Shittas, Rabbeinu Chananel and the Rambam in Pshat in Machar Chodesh.

2. Let me move on to another very important question regarding the Haftorah. If you listen carefully to the Haftorah and you pay attention, there are a few open issues and clear questions that should bother anybody who is paying attention. The question that I have been asked most often is the following. In the narrative of this Haftorah, Yonason will find out if Shaul is indeed out to kill Dovid. Yonason finds it hard to believe. He tells Dovid to hide and during these Rosh Chodesh Seudos he will establish Shaul's feelings towards Dovid. As you know, Yonason tells Dovid I will come back to this location, the place where you are hiding, and I will make a Siman by shooting arrows. I will have my attendant, a boy, come to these meetings and go and retrieve these arrows. The Siman is this. If I shoot these arrows past this man and I have to say to him go further to find the arrows that is a sign that you Dovid have to get away. Go further away. On the other hand, if I shoot the arrows

closer and I tell the boy come closer to get the arrows, then that is a message to you to come closer. Dovid there is nothing to be afraid of. This was a Siman and they did this. The question everyone asks is why make a Siman, why couldn't Yonason just tell Dovid. After all, at the end of the story, and he does the Siman of the Chitzim, Yonason does speak to Dovid as is clear in the Pesukim, why make these Simanim, for what reason?

This is something that the Rishonim struggle with. So much so that some Rishonim hold that the shooting of the arrows was not a Siman, it was a test from Shamayim that Yonason would just shoot the arrows blindly and from Shamayim they should make the Siman come true. Something similar to Eliezer at the B'air with Rivkah asking for a sign from heaven. Certainly that is not Poshut Pshat in the Pesukim. Therefore, it begs an answer.

There is a beautiful Teretz which is brought in a number of places, the Mari Karo one of the Perushim on the page in the Mikraos Gedolos discusses it. The Meom Loez at length. They say the following. We know as a rule that in Shemiras Halashon, in watching what you say, there are occasions where a person is permitted to say Lashon Hora, a person is permitted to lie, a person is permitted to say things which would otherwise be Assur. Still, even when a person does that, he should try to limit the damage. As Yaakov did when he had to lie to tell Yitzchok that I am Eisav, he said it in a way Ani Bincha, Bechorcha Eisav. I am your son, your Bechor is Eisav. He didn't say it that way to Yitzchok. He didn't say I am your son, your Bechor is Eisav. He said Beraishis 27:32 (אָנִי בִנְךָ בְּכֹרְךָ עִשָּׂו). But he said it in a way that at least in his heart he could be saying the truth.

The Chofetz Chaim in Sefer Chofetz Chaim explains, that even when there is a Heter, a person should be Meshaneh, a person should try to do it in a way that leaves him open to not being a blatant type of an Issur.

Here too, Yonason had a Heter to say Lashon Hora to Dovid. He had a Heter to say to him my father is out to kill you. He didn't want to say it. He didn't want to taint his tongue, it is an Issur whether it be Lashon Hora or as the Mari Karo brings on Shmuel I 20:38 Holech Rachil Megaleh Sod, whatever it may be. Even though he had a Heter, certainly Lo Samod Al Dam Rei'echa, he had to tell Dovid. He chose to do it with Simanim rather than to say it carefully. The Hanhaga of the Gedolei Yisrael to be super careful in the way that they speak, in the way that they communicate, not to G-d forbid train their tongue to say Lashon Hora.

There is a story about the Chofetz Chaim. The story goes that a person came to Radin and this is before photographs were prevalent. He got off the train in Radin and he went over to a man and he said where does the Chofetz Chaim live I want to visit him. The man he went over to was the Chofetz Chaim himself but he didn't realize that. The Chofetz Chaim said why do you want to go visit him? The man said what do you mean he is a great Tzaddik, a Kadosh, a Gadol Hador, a Talmid Chochom, I want to visit him. The Chofetz Chaim said I know him, he is not such a big Talmid Chochom, he is not such a big Tzaddik. The man hearing this hit the Chofetz Chaim and knocked him down. He didn't know that he was talking to the Chofetz Chaim, he thought he was talking to Stam a Yid. This Yid was besmirching the Chofetz Chaim saying he is not a Talmid Chochom, he is not a Tzaddik, and he knocked him down.

Later when he heard what happened, he felt terrible and he went to apologize. The Chofetz Chaim said to him I deserved it. A person should not even speak Lashon Hora about himself. Ad Kan the story. The story bothered me because it is not true. There is no Issur to speak Lashon Hora about yourself. I traced this story back to the earliest source which is the Sefer Atara L'melech which is a Sefer which was printed well after the Chofetz Chaim's Petira and it may or may not be a true story.

I asked Rav Pam what is with this story as a person is allowed to say Lashon Hora about himself. Rav Pam said that it bothered him too. Perhaps, the Chofetz Chaim was saying that a person should watch his tongue. A person shouldn't say Lashon Hora about himself, there is no Issur Lashon Hora. But as we are saying now even when you have a Heter to say Lashon Hora, don't train your tongue to say Lashon Hora. Rav Pam mentioned then that even about a non-Jew who the Issur of Lashon Hora doesn't apply to as you are allowed to say Lashon about a non-Jew, but a person shouldn't allow his mouth, his tongue to say a Dibbur of Lashon Hora even when there is a Heter. And so, this is an extraordinary lesson from the Haftorah.

And so, today we learned something a little different, a Machar Chodesh Shiur, a Haftorah in which we learned first two Yesodos regarding Rosh Chodesh from the first Posuk and secondly the Yesod regarding Shemiras Halashon from the whole episode of what takes place. With this I wish everyone an absolutely wonderful Shabbos in preparation for Rosh Chodesh. A new Zman. A time to buckle down once again in our Avodas Hashem. A new Zman for Mishmar which of course begins this evening. We hope to see one and all at the Mishmar tonight as we prepare for Kabbalas Hatorah for this 5 and a half week period until Shavuos the membership in the Mishmar will be free. No charge. You can join at no cost for the 5 week trial period. Please do so. Hoping to see you this evening. An absolutely wonderful Shabbos to one and all.

## **Rabbi Reisman - Parshas Acharei Mos 5774**

1. Let me tell you a Vort on Parshas Acharei Mos which can have a connection to Pesach depending on you. In Parshas Acharei Mos we discuss after the death of Nadav and Avihu. As you know, the Cheit of Nadav and Avihu is somewhat hidden. There are many Peshatim in the Cheit of Nadav and Avihu. What I would like to discuss today is not what their Aveira was, there are numerous Peshatim in what their Aveira was. But the question of why their Aveira is Mechusa, why it is hidden, why the Torah doesn't say what their Aveira was. I would like to share with you an idea from Rav Schwab in the beginning of this week's Parsha (on page # 267 of Mayan Bais Hashoeva).

Rav Schwab makes the point that there are numerous Peshatim in the Aveira of Nadav and Avihu, either they were Moreh Halacha Lifnei Rabom, or they had drunk some wine, or Lo Nasu Nashim, various Peshatim. But all of them don't seem to take into account the fact that the Posuk says in 16:1 (בְּקִרְבָּתָם לִפְנֵי-יְרֹנָה, וַיָּמָתוּ). The Torah says a reason, the reason may need an explanation, but the Torah gives a reason and why is everyone going off to different reasons. This needs a Hesber.

Rav Schwab answers this by prefacing his explanation with the following observation. We know that HKB"H gives a person a chance. The Ribbono Shel Olam doesn't give a punishment right away. He gives a person an ability, a chance, an opportunity to make a mistake and attempt to correct things by himself. As a matter of fact Rav Schwab says, the Yesod, the basic idea is that HKB"H gives three opportunities, three chances as it says in Amos 2:6 (עַל-שְׁלֹשָׁה פְּשָׁעֵי יִשְׂרָאֵל, וְעַל-אַרְבָּעָה לֹא אֶשְׁכַּח). Three sins I can overlook but the fourth I will not overlook says the Ribbono Shel Olam. The Baalei Tosafos in Parshas Netzavim says that the source for this idea is the vision of Eliyahu Hanavi. Eliyahu Hanavi after the story of Har Hacarmel has a vision. In that vision there is a wind, a storm, and a fire. The Posuk says in Melachim I 19:11 (וְאַחֵר הָרוּחַ רָעַשׁ, לֹא בָרַעַשׁ יְרֹנָה) and then in Posuk 12 continues (וְאַחֵר הָרַעַשׁ אֵשׁ, לֹא בָאֵשׁ יְרֹנָה). But after the Ruach, the Rash, and the Aish pass there is a Kol Demama Dakah a soft voice and that is Kavayochel the presence of HKB"H, of the Shechina (וְאַחֵר הָאֵשׁ, קוֹל דְּמָמָה דָּקָה). The idea being that there are three Mechitzos before HKB"H, the Ruach, the Rash, the Aish and after three Mechitzos are passed Kavayochel a person stands before Hashem. So that, the first three Aveiros sort of pierce or break the first three Mechitzos and then the 4th the person is Lifnei Hashem. In the vision of Yechezkel 1:4 which we Lain as the Haftorah on the first day of Shevuos, similarly there are three Mechitzos before the Chashmal, the vision of Kavayochel of HKB"H (וַיֵּרָא וְהִנֵּה רוּחַ סְעָרָה בָּאָה מִן-הַצָּפוֹן, עָנָן גָּדוֹל וְאֵשׁ מִתְּלַקְחָת, וְנִגְהָ לּוֹ, סָבִיב; וּמִתּוֹכָהּ--כְּעֵין הַחֹשֶׁמֶל, מִתּוֹךְ הָאֵשׁ). So the idea is that the first Aveiros are like a person not sinning Lifnei Hashem and then a person sins Lifnei Hashem the 4th time and for that there is a punishment. The Yesod that Rav Schwab is saying is that when a person sins Lifnei Hashem, the presence Kavayochel of Hashem, there there is serious retribution.

If we look into Rav Schwab, with this he explains the first Rashi in this week's Parsha in a beautiful way. But I would like to make the point of the Yesod. His Yesod is that there is a difference between an Aveira under normal conditions and an Aveira which is Kavayochel Lifnei Hashem, in front of HKB"H. This of course would explain numerous things. For example, why in the Kodosh Hakadashim the Kohen Gadol would die if he was less than perfect. Meaning to say that in the Kodosh Hakadashim which is the place which is Lifnei Hashem at all times, there even a first Aveira is something which is very serious. Similarly, Adam in Gan Eden on the first Aveira is punished because again you are Lifnei Hashem there is a first punishment.

Yetzias Mitzrayim, the night that we remember Yetzias Mitzrayim, our job is to picture ourselves, to imagine ourselves, to actually be standing Lifnei Hashem, in front of HKB"H. That idea that we are standing in front of HKB"H is the essence of the Seder a feeling of the presence of the Ribbono Shel Olam. That explains why on Pesach a Mashehu is Assur. We are Noheig to Assur even a Mashahu of Chometz. This is because when you are Lifnei Hashem, you are in front of the Ribbono Shel Olam every small amount of what a person does is Assur. That understanding is crucial because if you picture yourself standing Lifnei Hashem then the Bain Adam L'chaveiro is better, the Bain Adam L'ishto is better, it is more perfect. The Seder has to be a time of perfection in Bain Adam L'chaveiro, Bain Adam Lamakom, in a way a person behaves at the Seder and in preparation for Pesach. Lifnei Hashem. So that is the lesson.

We asked a Kasha. There are so many punishments for the sin but the Torah says (בְּקִרְבָּתָם לִפְנֵי-יְיָ). Says Rav Schwab, whatever the sin was it was a first sin and it should have deserved to be passed over so to speak. (בְּקִרְבָּתָם לִפְנֵי-יְיָ, וַיִּמְחוּ) Whatever the sin was since it was (לִפְנֵי-יְיָ) therefore, (וַיִּמְחוּ). The lesson is to take those moments where we are Lifnei Hashem where we have an elevated feeling of serving Hashem and making them as perfect as possible.

2. With this thought I would like to go on to another point. The Shulchan Aruch says that L'chatchila a person should swallow his first K'zayis of Matzah in one swallow. As Poskim bring, there is an idea to try to chew the Matzah in your mouth and sort of store the chewed up Matzah on the side of your mouth as you chew up additional Matzah and then in one swallow try to swallow a complete K'zayis as your first swallow of Matzah. Many people when they are young and Bnei Torah, they take these things seriously, they try to do things L'chatchila, they attempt to do it. You see Bnei Torah concentrating on it and doing it. The same people very often by middle age already reach the point where they are American Jews, American Jews do things to be Yotzeh and you are Yotzeh without it. Of course you are Yotze without it. Therefore, it becomes unimportant to do things in a Mehudar way, in a proper way, people lose it. But we have to understand why the Shulchan Aruch says swallow it all at once which is barely possible, it is extremely difficult. Why is there such an idea? Maybe if we appreciate it we can see what we are missing in losing that young idealism. The Yesod it says in Mikraei Kodesh, Rav Tzvi Pesach Frank, comes from a Ritva in Yevamos. The Ritva in Yevamos is talking about Yibum. When it comes to Yibum the Torah says in Devarim 25:9 (וְהִלָּצָה נָעֻלָּה מֵעַל רַגְלָו) that the woman takes the shoe off of her brother in law's foot. (נָעֻלָּה) means his shoe which would mean that he has to own it. The Gemara in the last Perek of Yevamos says I would think he has to own it so we understand (נָעֻלָּה מֵעַל רַגְלָו) no (נָעֻלָּה) means that it has to fit his foot but not that he has to own the shoe. That is what it says in the Gemara. Nevertheless says the Ritva, the Minhag is that the Yavam does own the shoe. We give him the shoe and he is Koneh it and the Mitzvah is done. Of course you are Yotze even if it is not his. Nevertheless, Mitzvah L'kayeim Pashtei Dikra. It is a Mayla to be Mekayeim the Posuk as it says in Poshut Pshat. That defines a Lomdishe reasons, correct reasons, it is part of Torah She'bal Peh. But you know something, if a person feels close to Torah, close to the Ribbono Shel Olam he says your right I am Yotze the other way. I don't want to just be Yotze I want to do it in a Mehudar way.

We find a similar idea by Shiluach Hakein. It is a Mitzvah to send away the mother bird. Is it an obligation to take the eggs? No! The Aruch Hashulchan says nevertheless Mitzvah L'kayeim Pashtei Dikra. It is proper to be Mekayeim the Kra according to its Poshut Pshat and to take the eggs.

The same thing says Rav Tzvi Pesach Frank for example Torah She'bal Peh says Rubo K'kulo, Rov is good. If one Shechts most of the Simanim of the bird or the animal you are Yotze. Nevertheless Shulchan Aruch says do the entire thing. The same thing is true about Hadasim you are Yotze if the Hadas is Rov Meshulash nevertheless try to do the whole thing. It is an idea of doing Kiyum Rotza Hashem.

The same thing is true about the Matzah. Of course we have a Halacha L'moshe M'sinai of K'dei Achilas Pras and certainly Torah She'bal Peh says you don't have to swallow it all at once. Nevertheless when there is a Yididus, a Chaveiros, a closeness to Torah then a person tries to be Mekayeim a Mitzvah B'chol Hidureha, as best as possible. Therefore, for one who has the ability, a person should try as much as he can when he has opportunities to do Mitzvos to do them in the most Mehudar, L'chatchila, the beautiful way. HKB"H took us out



of Mitzrayim in the most beautiful way with amazing Nissim, he didn't do it to be Yotzeh, he did it B'ahava, B'chiba and that is the way we should be doing Mitzvos.

3. A last thought about Yetzias Mitzrayim. Klal Yisrael went out of Mitzrayim B'amimus with trickery. Shemos 5:3 (וַלֵּךְ נָא נָרָד שְׁלֹשֶׁת יָמִים בְּמִדְבָּר) Why did they do that? It says in the beginning of Parshas Beshalach that Paroh saw that they were not coming back so he chased them. Why did Klal Yisrael do that? They went out as it says in Shemos 14:8 (וַיֵּצְאוּ בְּיָד רָמָה) they went out with a strong uplifted arm. It was after 10 Makkos. They could have said goodbye Charlie we are not going to see you again. Yet they went out with this pretension of going out for three days.

Rav Hutner in Mamarei Pachad Yitzchok explains that this is based on an idea in the Rabbeinu Yonah in Sharei Teshuvah in Shar Aleph Os 15 who says that there is an idea of Teshuvah Hamishkal and that is that the Tikkun for a Cheit should be a M'ain should be related to the Cheit itself. For example, he brings from the Vilna Gaon that Yaakov Avinu got the Berachos with trickery. Why? Because Eisav used trickery to get the Berachos. He fooled his father and in that way he got the Berachos. Since the Tzad Hatumah went with Mirmah, went with trickery, so therefore, the Tzad Hakedusha responded with Mirmah using tricks in order to get his way. The same thing is true with an Ehrliche Yid every time. The Yeitzer Hora tries to get a person with trickery. What we have to do is to know how to respond B'mirma. Klal Yisrael were Mishubad in Mitzrayim B'mirma, Paroh fooled them in order to get them to work and therefore, Klal Yisrael went out with Mirma, went out with trickery. This is the lesson from Yetzias Mitzrayim but it is in the Parsha as well. In this week's Parsha we have the Sa'ir L'azazel the Korban which is brought so to speak to Azazel to some Koach Hatumah. The Ramban explains that it is an idea of Shochad Hasatan. That sometimes you have to deal with the Satan in his own tricky ways. So that, the Yeitzer Hora says tonight you are going to go to learn you are tired. When you are learning the Yeitzer Hora says to get up you have to take care of something. The trick is to say not now, give me five minutes. The Yeitzer Hora says you are going to go to learn on the Thursday night before Pesach, are you kidding? You are busy now, you are busy with cleaning, you are busy with preparations. You tell the Yeitzer Hora, you have to use trickery and say to the Yeitzer Hora I have to get some Chometzdika cake I have to Chap A Rein, I enjoy it. You tell the Yeitzer Hora let me go for a few minutes, 10 minutes that is it. Once you get there tell the Yeitzer Hora a few more minutes.

I heard from a Mikurav to Rav Elyashiv that at one point Rav Elyashiv had problems walking in his later years and the doctor told him if he doesn't start walking more he will never be able to walk again. The family was very concerned because Rav Elyashiv sat and learned. He walked to a Bais Medrash and back and that was it. So they prepared a whole Drasha and they chose the right person to say it to him and Ah they are going to get him to walk. So the person sat down gave his rehearsed speech, Rav Elyashiv listened and responded yes (Shpeiter), yes but later and he went back to his learning. He didn't say no, he said yes but later. I am not in Rav Elyashiv's Madreiga, if I am told I have to do something I will do it. But when the Yeitzer Hora tells me something I have to rehearse, yes Shpeiter. I have to get up from my learning and do something else, yes I will do it later. It could wait five minutes. Yes, Shpeiter. A lesson to tell the Yeitzer Hora. The Sair L'azazel and the Amimus of Yetzias Mitzrayim.

And so, with these three thoughts of the day, I wish everybody a Freiliche Chag Kosher V'sameach and an absolutely wonderful Zman Chairusainu to feel a Chairus from the Yeitzer Hora and IY"H next Thursday, Chol Hamoed I hope to be speaking to you again B'ezras Hashem. A Gutten Shabbos A Gutten Yom Tov to one and all.

Today I would like to share with you one Vort on the weekly Parsha and one Vort on Pesach Sheini which is coming up on Sunday. Both come from the Satmar Rebbe, one a Dvar Mussar and one a Dvar Halacha, both really beautiful.

The Klei Yakar asks that it is a Pele. Rashi is saying that the Posuk is telling us not to do the Issurim that the Mitzri'im do. The Mai'sim M'kulkalim that the Mitzri'im do and they are the worst of the nations. The reverse should be in the Posuk. It should pick the best of the nations and say even the best ones don't have actions to be emulated. It doesn't make sense that the Torah would pick the most Mikulkal, the worst of the nations the Mitzrim and Cannanim and say don't do the Aveiros that they do. Because you shouldn't do the Aveiros even that the best of the nations do. This is the Kasha of the Klei Yakar.

The Satmar Rebbe answers by pointing to a Ramban in Parshas Re'ey. The Ramban in Parshas Re'ey where we find a very similar Azhara in 12:29 & 12:30. There the Posuk says that when you come to the land of Canaan and Hashem will give you the land (וַיִּשְׁכַּת אֹתָם, וַיִּשְׁכַּת בְּאַרְצָם) & (וְכָל-הָעָם, הַשְׂמֵדָם מִפְּנֵי; וְכָל-) (תִּדְרֹשׁ לְאַהֲלֵיהֶם, לְאֹמֶר, אֵיכָה יַעֲבֹדוּ הַגּוֹיִם הָאֵלֶּה אֶת-אֱלֹהֵיהֶם, וְאֶעֱשֶׂה-כֵן, גַּם-אֲנִי). Be careful after you destroy them you may follow in their ways and say let's see how they serve their Avoda Zora and I will do that to. 12:31 (לֹא-תַעֲשֶׂה כֵן).

Says the Ramban, the Posuk is not coming to tell you that you should not serve their Avoda Zora. It is telling you that even if you see good things that they do and you would like to emulate it. Things that they do for their Avoda Zora which look attractive, which look pleasant, which look nice. They have a very nice way of dressing up their house of worship, they have a very pleasant way of serving their Avoda Zora. So it is bad because they are serving stone and wood, however, I will take the same type of an action and use it for the good. I will use that action to serve Hashem, that is not Assur. Says the Posuk, it is Assur and that is the Chiddush of the Posuk says the Ramban. The Chiddush of the Posuk is that that too you should not do. ( אבל פירוש הפרשה, כי עד הנה ציוה ) פעמים רבות כי בבואנו אל הארץ נקטר ע"ז ומשמשיה ונאבד את שמם, וציוה שנעשה זה מיד כאשר אנחנו יורשים אותם מיד, ועתה אמר כי כאשר יכרית ר' הגויים ההם מפנינו וישתקע שם ע"ז מן הארץ ונשב בארצם לבטח, לא נחשב בלבנו הנה הכרית השם מפנינו עובדי אלוהים אחרים בעבור שהיו עושים כבוד בעבודה שלמה למעשה ידי אדם עץ ואבן, ואין ראוי לתת כבודו לאחר ותהילתו לפסילים כי כן אסר זבוח וקטור ונסוך והשתחואה בלתי להשם לבדו, והנהוג במלכים כי המתהדר בכבודם לתת עטרה בראשו או ללבוש לבוש מלכות כהם אחת דתו להמית. אם כן אעשה אני לשם הנכבד כאשר היו עושים הגויים לאלוהיהם ויטב לפני

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The Satmar Rebbe says, the same thing here where the Posuk says (כְּמַעֲשֵׂה אֶרֶץ-מִצְרַיִם). Of course the Aveiros of the Mitzrim are not things that you will emulate. But you live in a country for so many years and you may have seen some nice things that they do, some good things that they do, some attractive things that they do. You might want to emulate those things. So we are saying don't do it. Because they are Mikulkalim Shebaumos, because they are a nation that is so warped you should not emulate them at all, you might come to emulate them in other ways. The Satmar Rebbe says, there are times that a person can emulate what a Goy does, a person can learn from what a Goy does if what he is doing is good. He brings for example that the Rambam quoted Aristotle. Because when you have a moral ethical lesson to be learned from a non-Jew it is ok to learn from him. The problem is when you follow the actions of immoral people even if they do good things if you see someone who is a movie star, who in life is full of Znus and actions that are unworthy of any human being and you see that that movie star does something good, a good Chesed. Don't emulate them because you are bringing into focus the actions of someone whose actions are unworthy to be emulated. If you see a moral ethical person even among the nations, he says that a person could learn from.

Therefore, it is a new translation of the Posuk, (כְּמַעֲשֵׂה אֶרֶץ-מִצְרַיִם אֲשֶׁר לִשְׁבָתָם-בָּהּ, לֹא תַעֲשִׂוּ; וְכַמַּעֲשֵׂה אֶרֶץ-כְּנָעַן אֲשֶׁר אָנִי ) (מְבִיא אֶתְכֶם שָׁמָּה, לֹא תַעֲשִׂוּ, וּבְחַקְתֶּיהֶם, לֹא תִלְכוּ). Watch out when you are among the nations watch out who you emulate even for good things. This is his Dvar Mussar.

Turning now to Pesach Sheini is an absolutely beautiful Vort which is in the Divrei Yoel in Parshas Emor regarding Pesach Sheini. Pesach Sheini has of course as its origin later in Chumash Bamidbar Parshas Behaloscha. There we find after Shlishi 9:6 (וַיָּהִי אֲנָשִׁים, אֲשֶׁר הָיוּ טְמֵאִים לְנֶפֶשׁ אָדָם, וְלֹא-יָכְלוּ לַעֲשֹׂת-הַפֶּסַח, בַּיּוֹם הַהוּא; ) (וַיִּקְרְבוּ לִפְנֵי מֹשֶׁה, וּלְפָנֵי אֶהֱרֹן--בַּיּוֹם הַהוּא) There were people who were Tamei and they could not bring the Korban Pesach on the 14th day of Nissan. So they come to Moshe Rabbeinu and they say (לָמָּה נִגְרַע) why should we be worse?

The Gemara in Maseches Succah 25a (4 lines from the bottom) says (וְהַעוֹסֵק בַּמִּצּוֹת פְּטוּר מִן הַמִּצּוֹת מֵהֵכָא נִפְקָא מֵהֵתָם ) (בַּמִּדְבָּר ט) וַיְהִי אֲנָשִׁים אֲשֶׁר הָיוּ טְמֵאִים לְנֶפֶשׁ אָדָם וְגו' אוֹתָם אֲנָשִׁים מִי הָיוּ נוֹשְׂאֵי אֲרוֹנוֹ שֶׁל יוֹסֵף הָיוּ דְּבָרֵי ר' יוֹסִי הַגִּלְלִידִף כֹּה, בַּגְּמָרָא ר"ע אוֹמֵר מִישָׁאֵל וְאַלְצַפֵּן הָיוּ שֶׁהָיוּ עוֹסְקִין בְּגִדְבָּ וְאִבִּיהוּא ר' יִצְחָק אוֹמֵר אִם נוֹשְׂאֵי אֲרוֹנוֹ שֶׁל יוֹסֵף הָיוּ כֹּהֵר הָיוּ יוֹכְלִין לִישְׁתֹּר אִם מִישָׁאֵל וְאַלְצַפֵּן הָיוּ יוֹכְלִין לִישְׁתֹּר אִלָּא עוֹסְקִין בְּמַת מִצּוֹת הָיוּ שְׁחַל שְׁבִיעִי שֶׁלָּהוּן לִהְיוֹת בְּעֶרֶב פֶּסַח שְׁנָאֵמֵר (בַּמִּדְבָּר ט) וְלֹא יִכְלוּ (לַעֲשׂוֹת הַפֶּסַח בַּיּוֹם הַהוּא בַּיּוֹם הַהוּא אֵין יוֹכְלִין לַעֲשׂוֹת הָאֵל לִמְחַר יוֹכְלִין לַעֲשׂוֹת) who are these people that are Tamei? The Gemara says that they were the Nosei Arono Shel Yosef, the ones who carried the bones of Yosef Hatzaddik in the Midbar. Or a second opinion, they were those that became Tamei in burying Nadav and Avihu. There are two difficulties here.

First of all the question of who were these people and why were they Tamei doesn't seem to make sense. Jews died in the Midbar in the natural way just like they died all along. The Leviim who were not punished for the Cheit Ha'eigel also died. They died after they lived their natural life. There was no suspension of natural death in the generation of the Midbar. Therefore, there were plenty of people that were Tamei. In a group of millions of Jews there were people whose time on this earth had come to an end and passed away. It did not have to be those who carried the Aron of Yosef. Therefore, this is very difficult to understand why the Gemara says who are these Timay'im.

Secondly, they say (לָמָּה נִגְרַע) why should we be worse, why shouldn't we bring a Korban Pesach. Here there is an obvious problem. What does it mean why should we be worse, they were worse because they were Tamei. A Jew who is Tamei cannot separate Challah, cannot separate Terumah, there are many things that a Tamei person cannot do. A Tamei person has no right to say (לָמָּה נִגְרַע) why should we be worse. There is a reason and it is not a punishment, it is just a fact of life that a Tamei person doesn't bring a Korban.

To answer this question the Satmar Rebbe brings a beautiful thought. There is a Tosafos in Maseches Bava Metzia 114a (מהו שיסדרו בבעל חוב) (Ed. Note The Tosafos is very long so I have not quoted it here) who wonders if the concept of Tzaddikim Aino Metamin, Kivrei Tzaddikim Aino Metamin, a Medrash concept that the graves of even the bones of a Tzaddik does not bring Tumah upon a person. Whether this Aggadata thought has any basis in Halacha and Tosafos Maskana is that it does not. Every human being who passes away is Mitamei

someone who touches him or comes into contact with him is Tamei and a Kohen is prohibited from being Mitamei. That the idea that Kivrei Tzaddikim Aino Metamin that the bones of a Tzaddik are not Metamei is nothing more than an Aggadata thought and even that the Tosafos explains the way in which it is brought.

The Satmar Rebbe offers an innovative explanation. He says that really B'etzem a Tzaddik does not bring Tumah upon a person. However, Halacha doesn't work that way. Halacha does not establish rules that are based upon the Penimius Haleiv, the depths of the heart of a person. How do you know if someone is a Tzaddik, you can't know. Therefore, Halacha can't work with that, Halacha says that everyone is Tamei. This is somewhat comparable to a Jew who eats Nivaila and is ordered to suffer Malkus in Bais Din. Let's say that this Jew does a full Teshuva, he really does Teshuva for having eaten that Nivaila. He still will receive the Malkus. Why?

We know that if someone did a full Teshuva in heaven the sin no longer exists. The answer is that Bais Din can't work with that. Bais Din has to work with things that it can see. Bais Din cannot know in a person's heart if he is truly doing Teshuva. Therefore, the laws of the Torah are never dependent on what is going on in the Penimius Haleiv in the depths of a person's heart. Therefore, says the Satmar Rebbe, as a matter of Halacha Kivrei Tzaddikim are Metamei. The bones of a Tzaddik do cause a person to become Tamei. However, in heaven it is known if someone is truly a Tzaddik he does not bring Tumah (ritual defilement) upon a person.

With this, the Sugya of Pesach Sheini is absolutely beautiful. As a matter of Halacha the ones that carried the bones of Yosef were Tamei. They came and said (לָמָּה נִגָּרַע). They said to Moshe Rabbeinu you and I know that Yosef was a true Tzaddik. You and I know that Nadav and Avihu were true Tzaddikim. Why should we be disqualified from bringing a Korban Pesach. After all you and I know that in heaven we are not Tamei. This explanation answers both Kashas.

Why didn't others come and say (לָמָּה נִגָּרַע)? There were other people who died naturally in the Midbar. Why weren't those who became Tamei to them coming with a complaint? The answer is that those other people who had died were not known Tzaddikim. It was only those that became Tamei to the bones of Yosef Hatzaddik, they were the ones who could come with a complaint.

It also answers (לָמָּה נִגָּרַע) why are we worse. The question is not based on the idea that Tamei people can't bring a Korban. That is just saying that they are not truly people who are Tamei.

The Satmar Rebbe says that this is also the reason that the Posuk says (אֲנַחְנוּ טְמֵאִים, לְנֶפֶשׁ אֶדָם). They didn't say Anachnu Timaihem L'meis. They said (אֲנַחְנוּ טְמֵאִים, לְנֶפֶשׁ אֶדָם) which is an expression that conveys a sense of Chashivus of importance. Adam is a sign of Chashivus, importance, of significance. Therefore, this explanation I find absolutely beautiful in explaining what is otherwise something of a difficult Parsha.

The question of the week is: this is a question based on something I saw in the first volume of Derech Sicha. We in Yeshiva are learning Maseches Bava Kamma and our Shiur is learning the Sugya of Zeh Nehena V'zeh Lo Chasur a rather famous Sugya in Gemara. Yesterday I opened the Derech Sicha and found in Parshas Kedoshim the following Shaila. It was Yom Kippur and someone purchased Maftir Yona which is the last Aliyah at Mincha on Yom Kippur. Between Mussaf and Mincha there was a break and the individual who had purchased Maftir Yona went home to take a nap. Unfortunately he overslept the reading of the Torah at Mincha. When they came to Maftir Yona he was not there. He had purchased this Aliyah for \$1,000 and since he wasn't there the people of the Shul were not sure who to give the Aliyah to. Someone else had bid \$900 for that Aliyah and the decision was to give it to him. So he got the Aliyah and now it is after Yom Kippur and it is time to pay up and the question is who pays?

This question was brought to Rav Chaim Kanievsky who said that the person who bid \$1,000 and purchased it has to pay for it. He purchased the right to the Aliyah and he got it. The fact that he didn't use it is not relevant. It doesn't matter. If you purchased the right to something whether you use it or not it doesn't absolve you from paying. So there is no question that he has to pay. The person who got the Aliyah pays Ma Shenehena which is a concept in our Gemara. That when you get a benefit you pay what the benefit is worth to you. That is what it

says in the Sefer. Of course whatever he pays for the benefit gets deducted from the \$1,000 that the other person has to pay because in total the Tzedaka is not entitled to more than \$1,000.

Here we would seem to have a Kasha. It is Zeh Nehena V'zeh Lo Chasur. When this person got the Aliyah nobody else lost, he benefitted and the other person lost nothing, why does he have to pay at all? The answer would seem to be what Tosafos says on Daf 20b in Maseches Bava Kamma (טעמא דניקף הא מקיף פטור. ואפילו רבנן) לא פליגי אלא משום דא"ל את גרמת לי הקיפא יתירא וא"ת ואי זה נהנה וזה לא חסר פטור אפילו עמד ניקף נמי וי"ל שאני עמד ניקף דגלי (אדעתיה דניחא ליה בהוצאה ולא דמי לדר בחצר חבירו דלא גלי אדעתיה אלא בחנם) and that is if someone showed (he was Migaleh Daas) that he was willing to pay he pays even in a case of Zeh Nehena V'zeh Lo Chasur. This is brought in Shulchan Aruch. However, if that is the case then he should pay a full \$900. After all he is paying based on the fact that he was Migaleh Daas that he showed his intent. He should be paying the full \$900. As is brought in the Derech Sicha it seems as if he does not pay the full \$900. The Shoel had asked if he pays \$900. Rav Chaim is quoted as saying no he only pays Mah Shenehenis. However, based on this Tosafos and it is in Shulchan Aruch in (Choshen Mishpat) 363:8 that a person pays whatever he was Migaleh Daas. So he should be paying the full \$900 leaving only a \$100 bill to the other fellow.

### **Rabbi Reisman - Parshas Acharei Mos - Shabbos Hagadol 5771**

The entire first section of the Parsha is about the Avodas Yom Hakippurim that was done in preparation of Yom Kippur. As you have heard on Monday and Thursday, the Kohen Gadol is told 16:6 (וְכָפַר בְּעֵדוֹ, וּבְעֵד בֵּיתוֹ). The Kohen Gadol has to bring a Kapparah for himself and for his family.

The Gemara in the beginning of Maseches Yoma Darshuns from here that the Kohen Gadol must be married, he must have a family for which to ask forgiveness. (ויקרא). ר' יהודה אומר אף אשה אחרת מתקנין לו שמא תמות אשתו שנאמר (ויקרא). He is only allowed to have one wife because (ביתו זו אשתו) is in the singular. The Gemara therefore explains what would be done if the Kohen Gadol's wife were to die on Yom HaKippurim. The Mishna explains that they would prepare for him another wife in case his original wife would pass away on Yom Kippur because if she would die, then he would be ineligible to do the Avoda on Yom Kippur and a Kohen Hedyot would not be allowed to do the Avoda either.

So how does it work that they prepare for him another wife? It is a Machlokes in the Gemara. If one looks in the Rambam, he says that they would prepare for him a woman who would be willing to marry him and he would be willing to marry her. If his wife were to die on Yom Kippur then the Kohen Gadol would marry her on Yom Kippur. They would need Kiddushin and Nisuin because she has to be fully married to him. Therefore the Rambam says that he would do that on Yom Hakippurim.

Many of you will remember from when we learned Maseches Kesuvos and Maseches Kiddushin that we discussed the different Shittas of what Chuppah is. Kiddushin, the Mishnah says in Kiddushin the first Mishnah (האשה נקנית בשלש דרכים וקונה את עצמה בשתי דרכים נקנית בכסף בשטר ובביאה). Chuppah however, is not something that is explained in the Mishnah. So there are different Rishonim who have different opinions of what constitutes a Chuppah. Some of them are: 1) the canopy that we use for the Chuppah, 2) the veil that the Kallah wears, Or the Rambam's Shitta 3) that it has to be a private room that there is possible to have intimacy there in order for the Nisuin to be Chal. In other words, the Yichud room.

The Ran asks a Kasha on the Rambam. The Rambam says that the Kohen Gadol will get married on Yom Kippur. How can that be? Yom Kippur is a day on which there is an Issur of Tashmish Hamitah and the Rambam's Shitta is that the Kohen Gadol would get married on Yom Kippur. The Rambam's Shitta is also that there has to be a Yichud Harai L'biya and how can this be if Tashmish Hamitah is Assur on Yom Kippur?

I want to remind you briefly of the Shitta of Rav Naftali Trop (1871-September 24, 1928) in his Chiddushei Ha Granat that there are 2 levels of Yichud, one that is a Yichud Harai L'biya (that is a complete Nisuin) and one that is not a Yichud Harai L'biya (which is a Nisuin for certain things). It answers numerous problems of the

Rambam. We discussed it in Shiur in Maseches Kesuvos on 2a on the bottom, so pull out your notes and review them and I hope you will have a Geshmak from it. This is one aspect of the Avoda of Yom Hakippurim.

In the Avoda of the day there is a word that is striking. It is striking because it does not belong. During the Avodah of the Kohen Gadol on Yom Kippur we say Sas V'ira Dam Haparah L'toch Hamizrak Shebo Dam Hasair. We say and different versions of the Avoda have it phrased one way or the other, however, essentially we say the Kohen Gadol poured the Dam of the Par into the blood of the Sa'ir so that the Kohen Gadol can mix it well. This was part of the Avodah. The blood was mixed in order to be sprayed on the Mizbaich, Bain Habadim, Paroches, and the Mizbach Hazav. This is found in Rashi to the Posuk in 16:18 ( וַלִקַּח מִדָּם הַפָּר, וּמִדָּם הַשְּׂעִיר, וְנָתַן ) (על-קרנות המזבח, סביב) (וכפר עליי: ומה היא כפרתו, ולקח מדם הפר ומדם השעיר, מעורבין זה לתוך זה) that Sas that he rejoiced, was there a special joy in mixing the blood?

The (previous) Belzer Rebbe says that the Par is the Korban that the Kohen Gadol brings and says Viduy for himself or the second Par that is for his family. The Sa'ir on the other hand is Mechapeir for all of Klal Yisrael. When it comes to Yom Kippurim we are afraid to be judged alone, we want to be judged with the Klal of Klal Yisrael. As it says in Melachim II 4:13 (בְּתוֹךְ עַמִּי אֲנִכִּי יִשָּׁרָת) B'soch Ami Anochi Yosheves. So the Kohen Gadol when he only has the Dam Hapar, it is only Mechapeir for him and his family and there is a Pachad. However, Sas V'ira Dam Haparah L'toch Hamizrak Shebo Dam Hasair, the Kohen Gadol rejoices when he mixed the Dam of the Par with the Sa'ir of Klal Yisrael so that when the Dam is sprayed as a Kaparah for Klal Yisrael that he is not judged by himself and he is part of the Kaparah with Klal Yisrael.

This is the message here. The Maharal regarding the Seder Shel Pesach mentions a similar idea. Many of the Halachos specifically regarding the Korban Pesach are meant to give a Chizuk to the concept of the idea of a Tzibbur of Klal Yisrael. The Korban Pesach was eaten in a Chaburah (a group of people). That was done so that they should not be individuals but that they should be together as a group. As a group they had to be B'yachad as one. They had to be previously designated to be part of that group. That Achdus of Klal Yisrael was symbolized in the roasting of the Korban Pesach. When you roast meat it comes together as opposed to cooking when it falls apart. It symbolizes the prohibition of not breaking the bones. Everything had to stay as one rather than being taken apart. It was symbolized by the fact that the whole Chabura had to sit together for the entire Seder. You couldn't hop around from one Seder to another Seder or from one Rebbe to the next for a Tisch. You had to sit together. This is the idea that he says regarding the concept or the idea of the Seder Shel Pesach.

The question of the week is: In the Avoda the Mishna in Yoma says and we say in the Machzor that part of the job of preparing the Kohen Gadol for the Avoda is that they made him swear that he wouldn't do things differently than required. This is because the Tzedukim attempted to do things differently. They had different Shittas about how the Ketores was to be offered. Therefore the Kohen Gadol was made to swear that he wouldn't do anything different. After that Shevua the Kohen Gadol would step away and weep because they had accused him of being a Tzeduki and the Sanhedrin that made him swear would weep because there is a terrible punishment for one who is Choshed Bich'shairim.

A difficulty with this is if it had been a spontaneous action when the people were Choshed him then it makes sense that he was weeping and they were weeping. However, it is not so because it is setup in the Mishna that one is required to make the Kohen Gadol swear. Once someone is required to do it, it is just part of the Seder Hadevorim and they are not being Choshed Bich'shairim. They were just doing what the Mishna says that they are obligated to do when they prepared the Kohen Gadol. The fact that the Sanhedrin & the Kohen Gadol turned aside to weep is something that is Tzorech Iyun Gadol.

## **Rabbi Reisman - Parshas Acharei Mos - Kedoshim 5775**

1. Let me start with a Yesod that comes from a Radak in Sefer Shmuel I 9:6 and it is a very Geshmak Yesod and I think that if we remember it we will find that it answers various difficulties in different places. We have in this week's Parsha, in Parshas Kedoshim, as we have in many Parshios of the Torah, Lavim against different types

of magic. The prohibition of a person being involved in Ov and Yidoni and magic that involves Maisim, Lo Sioninu, that involves different times etc. This is something which we are warned about repeatedly in the Torah.

As many of you know, the Rishonim already argued if the Kishuf ever had any reality to it. The Rambam and the Ibn Ezra held that it is Kulo Sheker and the Ramban and the Rashba strongly disagreed and the GR"A strongly endorsed them. That there at least was such a thing as Kishuf that really worked and Lulo She'yeish Lo Emes Lo Haya Tzava'ah Al Zeh. They say had it not been true there would be no commandment prohibiting it.

It happens to be that I am currently learning the Kuzari and the Kuzari in Maimar Daled Os Chaf Gimmel he follows the Ramban and the Rashba. There is a long note in the Kol Yehuda underneath with a very nice, lengthy explanation of this Machlokes. So there was such a thing as Kishuf.

The Radak writes that the Siman to tell the difference between someone who is doing something Al Pi Kishuf (he is using magical ways to know the future) or doing something Al Pi Navi (something is happening because he is a Navi), the difference is that in the case of a Navi every single bit of what he says will come true. On the other hand, one who is using Kishuf even if they can predict the truth nevertheless, it will not be a complete truth.

The truth is that the Rambam in his Hakdama to Mishnayos already wrote this point, he didn't write it L'gabei magic which he held wasn't real, but what he calls "Chotzei Shamayaim" those who can predict the future but a Navi "Siman Hanivi'im, Yitzdak Hakol Ahd Milah Acharonah" every single word that he says will be correct.

Why is this important? This explains some difficulties. For example, the Gemara says in Maseches Berachos on 4a (13 lines from the top) says that Moshe Rabbeinu by Makkas Bechoros predicted that Makkas Bechoros would happen K'chatzos Halayla, approximately at Chatzos. The Gemara asks why didn't he say at precisely Chatzos? So that they shouldn't say that Moshe is a liar (בדאי הוא).

The Pnei Yehoshua there in Berachos says I don't understand. Moshe Rabbeinu foretold ten Makkos and if it is not going to be exactly Chatzos that makes him a liar? A very difficult Gemara. But according to the Radak's Yesod it is very beautiful. Of course Moshe Rabbeinu accurately foretold what would happen in each of the Makkos. They will say that Moshe Rabbeinu is an excellent magician and that is the reason that he is able to predict. Therefore, Moshe Rabbeinu wanted that every single thing should come true.

Similarly, by Makkas Dever it says as can be found in Shemos 9:7 (וַיִּשְׁלַח פָּרְעֹה--וְהִנֵּה לֹא-מָת מִמִּקְנֵה יִשְׂרָאֵל, עַד-אַחַד). The Dever came and all the animals of the Egyptians died. Was Pharoh such a fool, did he have nothing better to do than to see if one Jew's animal died? Mai Nafka Mina? The Makka was a horrible Makka and all the non-Jewish animals were killed.

The answer is the same thing. Pharoh realized that what Moshe said came true. Is it from Kishuf or is it from Nevuah? So he went and sat down to see if it was that every single word came true. So this is a nice insight and understanding into this particular idea.

2. I would like to move on to a second concept in Parshas Kedoshim and that is the general concept of honesty, the idea of 19:35 (לֹא-תַעֲשֶׂוּ עָוֹל, בְּמִשְׁפָּט) not doing things that are crooked which is very much the theme of many of the Mitzvos in Parshas Kedoshim. Not to steal, we heard that before. Lo Ti'oninu, not to cheat. 19:11 (לֹא-תִשָּׁק אֶת-בְּרֵעֲךָ), (לֹא-תִלְוֶה פְּעֻלַּת שְׂכִיר, אִתְּךָ--עַד-בֹּקֶר) (תִּשְׁקֹר, אִישׁ בְּעֵמִיתוֹ). There are many Mitzvos which call for a higher degree of honesty for a member of Klal Yisrael.

I would like to share with you a beautiful Yesod of Rabbeinu Yonah which Rav Hutner brings in a number of places in the Pachad Yitzchok. We find many times throughout Tanach that there are a Krisos Bris, there are covenants made between people. We find by Noach, by Avimelech, by Lavan, that two sides come to an agreement and make a Bris. The question is what obligates keeping a Bris? The Bnei Noach are obligated in 7

Mitzvos, none of the 7 Mitzvos prohibits them from being untruthful and in what way is Krisos Bris, making a Bris something that is binding and makes an obligation?

The Yesod of Rabbeinu Yonah in Shar Gimmel Os Kuf Pei Daled (184) is as he explains "Ha'emes Hu M'yisodai Hanefesh", that being truthful and honest to people who depend on you, the people who have taken your word, people who trust you. Following through on that is from the Yesodai Hanefesh, has to do with the essence of being a human being. It doesn't have to be part of the Mitzvos Hamaisios, part of the Mitzvos regarding which we are specifically commanded. The whole Koach Haddibur, the ability to speak is unique in man and it is holy. While we should always be truthful in every way and certainly when there is a Haftacha, when there is a promise, when something is guaranteed from one person to another in the making of a Bris that is M'yisodei Hanefesh, part of the essence of the person and actually is a Hakdama to Mitzvos.

With this, numerous Kasha of Tosafos in Shas are answered. For example, Tosafos in Maseches Shavuot 29 asks that the Gemara says that Jews are commanded from Har Sinai regarding certain things (Mushba V'omeid). The question is what does a Shevua at Har Sinai accomplish? If a person is willing to agree that whatever he was commanded at Har Sinai is obligatory there is no need to swear that you are going to keep those Mitzvos. You have to keep them because of the obligation of Mattan Torah. If a person feels that Mattan Torah is not enough of an obligation, then even following through with a Shevua is not an obligation. What is the Shevua adding to the Mitzvah? This is Tosafos'Kasha.

According to Rabbeinu Yonah says Rav Hutner, it is not Shver, because a person has to follow through on his word as something that needs a Hakdama to Sinai "Ha'emes Hu M'yisodai Hanefesh" it is something B'etzem that a person should understand that he should want to do and understand that he has to do.

There is another Tosafos. In Maseches Bava Metzia in the Sugya of Mi Shepara on 48b. There we say that if someone gives cash to purchase merchandise but he did no other Kinyan, the Halacha is that it is not Koneh. There is no financial obligation. The items that he paid for are not his. Yet the Gemara says, if a person is going to back out of such a deal he is cursed with a Mi Shepara. Tosafos asks I don't understand, Halacha does not obligate him to follow through on this Kinyan. Cash was given, a real Kinyan was not made. He is permitted to back out. Why should he receive a Klala for that?

Again, Rav Hutner says that according to Rabbeinu Yonah it is good. This is because following through on one's word when someone depends on you, someone who already paid cash for something is really dependent on your honesty. Following through on that "Ha'emes Hu M'yisodai Hanefesh". Someone who doesn't follow through is missing something more important and deserves a Mi Sheparah.

Similarly, we find in Halacha that a handshake has the effect of a Kinyan, obligates a person. Strictly speaking there is no reason that it should be so. Again Rav Hutner says, it is showing that my word is my word. Shaking a hand is an obligation. "Ha'emes Hu M'yisodai Hanefesh".

We find by Avraham Avinu (וּמִצָּאתָ אֶת לְבָבוֹ נֶאֱמָן לְפָנָיו). Hashem found Avraham's heart to be trustworthy. (וְכָרִית עִמּוֹ הַבְּרִית). How does one follow the other? This is because a Bris, a covenant, is only worth as much as the trustworthiness of the partners to the Bris. (וּמִצָּאתָ אֶת לְבָבוֹ נֶאֱמָן לְפָנָיו). If you meet someone and you find his integrity to be impeccable, to be (נֶאֱמָן לְפָנָיו). Then (וְכָרִית עִמּוֹ הַבְּרִית). Then you can make a Bris with him, then you can trust him. Ad Kan, these are the words in the Pachad Yitzchok in Rosh Hashono Maimar 15 Os 5.

I should add that in the Pachad Yitzchok on Sukkos, on Mamarei Sukkos, the second volume on Sukkos, Maimar 75, Rav Hutner elaborates on this some more.

In learning Nach I found an extremely useful Yedia. For example, we find a number of extreme examples of behavior on the part of Klal Yisrael in observing a Bris. Avraham Avinu made a Bris with Avimelech in Beraishis 21:23 (לִי, וּלְנִינִי וּלְנִכְדֵּי) a Bris that had a time in which after it would lapse. We find in Nach, that Klal Yisrael did not attack the descendants of Avimelech despite the fact that the required number of generations had easily



passed. But because there were specific individuals who lived long enough that we count that generation, it is still obligatory. So still in the time of Shimshon they were observing such a Bris. Later by Dovid Hamelech, hundreds of years later, they were still observing the Avimelech Bris because maybe perhaps it could be interpreted that it is still binding and the Pelishtim had broken the Bris on their end. Ha'emes Hu M'Yisodai Hanefesh. When you make a deal with somebody, you want to be truthful not just to him, but to yourself. You want to be truthful because Emes Hu M'Yisodai Hanefesh.

There is an even more incredible quote. In Sefer Yehoshua 15:63 (בְּנֵי-יְהוּדָה (יָכְלוּ) לֹא-יִוָּכְלוּ, לֹא-יִוָּכְלוּ יְרוּשָׁלַיִם, לֹא-יִוָּכְלוּ). There were certain members of Yevus, not from the Sheva Amimim, not the Yevusim that are counted in the Sheva Amimim, others who were living in Yerushalyim. (בְּנֵי-יְהוּדָה לֹא-יִוָּכְלוּ). Klal Yisrael could not chase them out of Eretz Yisrael. Why not? In the Sifri it says Rabbi Yehoshua Ben Korcha Omer, Yecholim Hayu that they had the military power, they were able to do it. However, "Elah Shelo Hayu Resha'im" they were not able to, "Machmas Hashevua Shenishba Avrohom L'Avimelech they were not able to because of the Shevua that they had made to Avimelech and these were the descendants of Avimelech. So many years later? Says the Radak even though the promise was for (לִי, וּלְבָנַי וּלְבָנֵי בָנָי) three generations, there was one grandson still alive. (יְהוּדָה לֹא-יִוָּכְלוּ לִירוּשָׁלַיִם). Klal Yisrael could not chase them out of the land. It is incredible, Lo Yachlu, they couldn't do it. Keeping to one's word is a Yesod Hanefesh. Lo Yachlu, they couldn't.

The Sifri says physically they were capable but they couldn't violate the trust, they couldn't violate their word. What an incredible insight. What an obligation on us to really have such an attitude towards the value of our word in general but more so, to people who rely on us. To Bnei Bris, to someone who we marry who relies on us and depends on us. What an obligation.

And so, with these two thoughts, both built on Radak's, I wish one and all an absolutely wonderful Shabbos Parshas Acharei Mos - Kedoshim. The sun has come out and the weather has finally turned beautiful here in NY. It brings out in a person a sense of renewal, a sense of Hishchadshus, a sense of enjoying Toras Hashem. Being faithful and honest to Toras Hashem and to our obligations. A wonderful Shabbos and continue in your preparation for Kabbalas Hatorah.

### **Rabbi Reisman - Parshas Acharei Mos - Kedoshim 5773**

1. This week's Parsha and Parshas Kedoshim particularly there are many Mitzvos that are Noge'a L'dina and I would like to begin with what I think is the world's most difficult Mitzva. That is the Aveira of (וְלֹא תִטָּר) as it says in 19:18. The Torah forbids us to take Nekama but more so (וְלֹא תִטָּר) which is an Issur as Rashi says if you ask someone to lend you an item and he refuses and tomorrow he asks you to lend him an item and you say yes I will lend it to you. I am not like you who didn't lend me. I am willing to lend to you. (זוֹ הִיא נִטְיָרָה). That is an Aveira. Now that is very difficult. Here where someone refused to do me a favor I am agreeing to do him a favor and I am saying see I am not like you. All right, that is hard. But wait. At least 5 Rishonim say that this Aveira is not only if you say I am not like you and I am lending, but even to think that. That is as Rashi says here 19:18 (שְׁנוּטֵר הָאֵיבָה בְּלִבּוֹ). If in your heart you have this Taina, this complaint, that is the Aveira. The Rashbam on the Posuk says (אֲפִילוּ בְּלִבְבְּךָ). The Ramban says (וְלֹא תִטָּר בְּלִבְבְּךָ מִה שַׁעֲשָׂה לְךָ). In your heart don't hold onto what he did to you. In the Chinuch Mitzvah 242 Shelo Lintar, K'lomar She'nimnanu Milintor Bil'veveinu Mah She'heira Lanu. The Sharei Teshuvah Rabbeinu Yonah Maimar 3 Os 38 Aino Onesh Bazeh Al Hadibur Ela Al Bidira B'leiv. Now this is the tough one. This is saying that if someone for example didn't invite me to his wedding and now I am making a wedding. If I don't invite him when I otherwise would have that is Nekamah. If I do invite him and I think in my heart well he didn't invite me but I will invite him, that is also an Aveira of Lo Sitor. This is an extremely difficult Mitzvah. It is very very hard and I would like to at least make it a little better with one suggestion. What we said until now is what you should do to work on Lo Sitor not having complaints to people at all.

I would suggest though an exception to this. This is based on a letter of Rav Yisrael Salanter in the Ohr Yisrael page 58 in the traditional print. There, Rav Yisrael Salanter talks about the fact that Chazal sometimes say an

expression Ein Lo Alav Ela Tarumos. Chazal sometimes have an expression that you could have complaints to another person. Tarumos seems to be complaints a person has orally or in his heart. It seems from what Rav Yisrael Salanter is saying and I should add that Rav Hutner in the Pachad Yitzchok on Yom Kippur Maimar 20. It would seem that the Issur is only when someone committed a sin of omission to you. That is, he did not invite you to his wedding. He did not lend you something that you asked him to lend. He committed a sin of omission then there is an Aveira of Lo Sitor. If however, he did something to you that is an Avla, he actually embarrassed you or he did something to you actively, now I don't suggest Nekama but the Issur of Lo Sitor it would appear does not apply in such a case. That is what it seems from this letter from Rav Yisrael Salanter.

If you look at the Yad Ketana on the Ramban Hilchos Dai'os 7:10 he seems to have this type of an approach and therefore, the bottom line of what we are trying to accomplish is this. If someone refuses to do you a favor, he refuses to give you a lift, he refuses to help you with something. It is important to have an attitude that he is not obligated to do this. This is not something that he has to do. If he does an Avla to me, if he does something he is not allowed to do to me then the Torah doesn't forbid Lo Sitor but there needs to be an understanding he just didn't do me a favor and didn't lend me something. A person should not have an attitude that the other person has to do me a favor. Lo Sitor. This way this Issur of Lo Sitor becomes somehow more manageable in practical terms.

2. I would like to open up the Derech Sichah and Rav Chaim Kanievsky's comments on Parshas Kedoshim. Here on the Pesukim 19:17 (הוֹכֵחַ תּוֹכִיחַ אֶת-עַמִּיתְךָ) and the Pesukim that follow we have three very interesting Shailos posed to Rav Chaim Kanievsky and I would like to share them and perhaps if I may have a comment on each. On (הוֹכֵחַ תּוֹכִיחַ אֶת-עַמִּיתְךָ) the question posed to Rav Chaim Kanievsky is as follows. Someone is giving classes to Baalei Teshuva and he knows that one of the Baalei Teshuvah is a Kohen and is currently living with a Girusha (divorcee) which is someone who he is forbidden to and the question was asked what should the person giving the Shiur say to this person. If he challenges him at this stage in his life telling him that it is Assur he is afraid that he will alienate the person entirely and the person won't have any connection to being a Baal Teshuvah at all.

Rav Shach is quoted in the Sefer and he was asked a similar question about dealing with Baalei Teshuvah. When you have a Baal Teshuva who you know doesn't observe the Dinim of Taharas Hamishpacha. Do you have to tell him? Rav Shach responded that you don't have to tell him. Let him be Mikabeil the Torah as things go and if you are afraid that if you tell him you will alienate him you don't have to tell him.

I had a similar experience and the Shaila that I asked was to Rav Moshe. There were two brothers that I knew from my camp days and at that stage I was still a Bochor and one of them was becoming Bar Mitzvah. I was very close with them and they were actually in one of the Yeshivos here in Flatbush. The Shaila was the following. They lived at home with parents who did not keep Kosher at home. Shabbasim they came to us but during the week they were at home eating Treif. This boy was turning Bar Mitzvah. If I was going to tell him that he can't eat Treifos anymore I was certain that his mother would pull him from Yeshiva and put him back into public school. Am I obligated to tell him or not. Rav Pam suggested that I ask Rav Moshe and I did. Rav Moshe replied as was his style very concisely and brilliantly with the following sentence. He said to me only a Ger has to be Mikabeil the whole Torah at one time. A Jew doesn't have to be Mikabeil the whole Torah at one time. That message was a message of be Mikareiv him as it goes. That message is important for us as well. Very often people are frustrated that they are not reaching high Madreigos. They want to achieve in learning, they want to achieve in Avodas Hashem and it frustrates them. Nor a Ger Muz Mikabeil Zayn Kol Hatorah Kula B'vas Achas. Only a Ger has to take the whole Torah at one shot. For the rest of us, we can do it patiently one step at a time. What is surprising is that Rav Chaim Kanievsky says regarding the case with this Gerusha that you should tell him that he has to separate from this Gerusha and if he doesn't don't let him come to class. This seems to be different than the advice of Rav Shach and Rav Moshe. In the Derech Sichah a distinction is made which I don't fully understand and I invite you to look at it. This is issue # 1.

Issue # 2 is on the Posuk that is found in 19:32 (מִכֶּנֶי שְׂיָבָה תִּקְרָם). Rav Chaim Kanievsky is asked a question. Can someone who is over 70 years old be permitted to walk into a room if he knows that the people will not stand

up. Or is he Over on the Lav as is brought in 19:14 (ולפני עזר, לא תתן מקשל) as he is putting a Michshal in front of them because they will not stand up? Interestingly, this too is a Shaila that was once asked of me. I was at a wedding and I was called out of the Chuppa room before the Chuppah to help resolve a dispute. What was the dispute? The family wanted the grandparents to walk down the aisle. The grandfather refused because he said I am over 70 years old and people are obligated to stand up and when I am going to walk down the aisle people are not going to stand up. For the Kallah they stand up and for the Chosson they stand up, they are not obligated to. For me they are obligated to. I am not looking for the Kavod. But how can I walk in and I will walk down the aisle and everyone will see a Zakein walk in and not stand up?

What does Rav Chaim Kanievsky answer to this? Rav Chaim Kanievsky responds there is an Eitza. The Eitzah is that he should be Mochel. The Kavod of a Zikna is something that is able to be Mochel and therefore, let him be Mochel.

I would like to add a Ha'ara to this Psak as well. Rav Shlomo Zalman Auerbach has in his Sefer Minchas Shlomo has a Shaila. If someone is collecting Tzedaka and you know that he is not an Oni, he is not eligible for Tzedaka and he is going around Shul. Are you allowed to give him money? Why you would want to is a separate question. Are you allowed to? L'chora, you are Over (ולפני עזר, לא תתן מקשל). He is posing as a poor man. Rav Shlomo Zalman Auerbach says you have an Eitza in that you can be Mochel him the money and give it to him as a gift. Then Rav Shlomo Zalman says this is not a good Eitza because Tosafos in Masseches Kiddushin on 39b (Ed. Note - I couldn't find the Mar Makom) says that you are Over (ולפני עזר, לא תתן מקשל) if you give somebody something which would be an Aveira and in his mind it is an Aveira and he does the Aveira and really you are Mochel. Tosafos says that you are still Over (ולפני עזר, לא תתן מקשל). Therefore, Rav Shlomo Zalman says that if you give the Oni the money and you say that it is a gift it is ok. If he thinks that it is Tzedaka he thinks it is an Aveira it is still (ולפני עזר, לא תתן מקשל).

Getting back to Rav Chaim Kanievsky's Eitza which was to be Mochel. According to this Psak of Rav Shlomo Zalman he would have to notify them that he is Mochel. I mention this as well for the Mussar Shebo. We have to be more Zahir in this Mitzvah. To stand up when a Zakein or Talmid Chochom walks into the room. To stand up as Halacha requires. People are lazy and are negligent. If in Shul an elderly person walks in of course you should be standing up.

The third Psak Halacha from Rav Chaim Kanievsky is the most incredible. On the Posuk in 19:17 (הוכח תוכיח) a Shaila was asked. Somebody suffered from robberies. Somebody was climbing up the windows of his apartment, coming in, and stealing from him. He realized that this person was utilizing ropes there that was part of the building and this person was pulling himself up by these ropes and getting in the window which was on a high floor. This person asked the following Shaila. Can I will replace those ropes with ones that can't hold the weight of a person. So that when he climbs up the rope will snap and he will fall. He may be killed because he may climb up one or two stories and then fall. Am I allowed to do it?

A second similar Shaila. Somebody is stealing my food so am I permitted to put poison into the food and in that way I will catch the person who is stealing it and then eating it. Someway to catch him. Privately Rav Chaim Kanievsky says that it is Muttar. He says that it is a Braissa in Masseches Derech Eretz where it says that Rav Yehoshua had a guest who he thought might be a thief and at night when the guest was asleep in the attic Rav Yehoshua removed the ladder by the staircase. During the night the thief stole Rav Yehoshua's items, swung it over his shoulder, and left. There was no staircase so he fell to the bottom floor and broke his neck. Rav Chaim Kanievsky says you see that this type of behavior is Muttar. Wow! That is a Chiddush. Somehow, I can't imagine Rav Pam giving an Eitza such as that. Tzorech Limud.

3. The Kasha of the week takes us to the beginning of Parshas Kedoshim. In 19:3 we find (איש אָמון וְאָביו תִּירָאוּ, ) Rashi says (אֵת-שִׁבְתִּי תִשְׁמְרוּ). Rashi says (אם יאמר לך חלל את השבת) (אֵת-שִׁבְתִּי תִשְׁמְרוּ). If your father commands you to be Michaleil Shabbos you should not listen to him. That is what the Posuk is telling us.

ומפני כבוד אביהם חייבין להחזיר אקרי כאן ( In the Gemara Maseches Bava Kamma 94b (13 lines from the bottom) says there is no Chiyuv of Kibbud Av V'aim if your father is Oseh Maiseh Amcha, meaning he is a Rasha. If the father is a Rasha there is no Mitzvah of Kibbud Av V'aim. If the father is instructing the son to be Michaleil Shabbos doesn't that mean that he is a Rasha? This is a Kasha that I believe that is asked by Rav Akiva Eiger. Mitzvah L'yasheiv!

## Rabbi Reisman - Parshas Acharei-Mos/Kedoshim 5772

Today I would like to share with you one Vort on the weekly Parsha and one Vort on Pesach Sheini which is coming up on Sunday. Both come from the Satmar Rebbe, one a Dvar Mussar and one a Dvar Halacha, both really beautiful.

Let's begin with the Parsha. In Parshas Acharei-Mos we have in 18:2 & 18:3 ( ב דבר אל-בני ישראל, ואמרת אליהם: ) & ( לא תעשו; וכמעשה ארץ-כנען אשר אני מביא אתכם שמה, לא תעשו, ) & ( אני, ירנר אלריכם ג כמעשה ארץ-מצרים אשר ישבתם-בה, לא תעשו; ) ( ובחוקתיהם, לא תלכו ). You should not do those actions which you saw done in Egypt. Similarly, the actions of the Cannani people the land to which you are going are not actions which you should emulate. A very general Hazhora. Rashi says ( מגיד שמעשיהם של מצריים ושל כנעניים מקולקלים מכל האומות, ואותו מקום שישבו ) ( בו ישראל מקולקל מן הכל ) ( אשר אני מביא אתכם שמה: מגיד שאותן עממין שכבשו ישראל מקולקלים יותר מכולם ) & ( כו ישראל מקולקל מן הכל ) it is telling you don't be like the Mitzrim and Cannanim who are so terrible. Don't do the terrible things that they do. There are 2 difficulties with this Rashi.

The Klei Yakar asks that it is a Pele. Rashi is saying that the Posuk is telling us not to do the Issurim that the Mitzri'im do. The Mai'sim M'kulkalim that the Mitzri'im do and they are the worst of the nations. The reverse should be in the Posuk. It should pick the best of the nations and say even the best ones don't have actions to be emulated. It doesn't make sense that the Torah would pick the most Mikulkal, the worst of the nations the Mitzrim and Cannanim and say don't do the Aveiros that they do. Because you shouldn't do the Aveiros even that the best of the nations do. This is the Kasha of the Klei Yakar.

Besides that, there is an additional Kasha. That is that this Posuk does not seem to be breaking any new ground. What is it telling us that we didn't know until now? Issurim are Issurim. It's telling us that because the Mitzrim do it it is not a reason for you to do it. What is the Chiddush in that?

The Satmar Rebbe answers by pointing to a Ramban in Parshas Re'ey. The Ramban in Parshas Re'ey where we find a very similar Azhara in 12:29 & 12:30. There the Posuk says that when you come to the land of Canaan and Hashem will give you the land ( וְיִשְׁכַּתְּ אֹתָם, וְיִשְׁכַּתְּ בְּאֶרְצָם ) ( וְפָן- ) & ( הַשְׁמָדָם מִפְּנֵי; וְפָן- ) ( הַשְׁמָדָם לָךְ, פֶּן-תִּתְּנָקֶשׁ אַחֲרֵיהֶם, אַחֲרֵי, הַשְׁמָדָם מִפְּנֵי; וְפָן- ) ( תִּדְרֹשׁ לְאַלְהֵיהֶם לֵאמֹר, אֵיכָה יַעֲבֹדוּ הַגּוֹיִם הָאֵלֶּה אֶת-אֱלֹהֵיהֶם, וְאֶעֱשֶׂה-כֵן, גַּם-אֲנִי ) ( לֹא-תַעֲשֶׂה כֵן ) 12:31. Be careful after you destroy them you may follow in their ways and say let's see how they serve their Avoda Zora and I will do that to. 12:31.

What is going on here? What is the Hazhara in the Posuk? It is telling you that there is an Issur of being Oved Avodah Zora? Of course there is an Issur of being Oved Avodah Zora there is nothing new? In addition, it is not logical that after these nations are destroyed that anybody would chose to follow their Avoda Zora.

Says the Ramban, the Posuk is not coming to tell you that you should not serve their Avoda Zora. It is telling you that even if you see good things that they do and you would like to emulate it. Things that they do for their Avoda Zora which look attractive, which look pleasant, which look nice. They have a very nice way of dressing up their house of worship, they have a very pleasant way of serving their Avoda Zora. So it is bad because they are serving stone and wood, however, I will take the same type of an action and use it for the good. I will use that action to serve Hashem, that is not Assur. Says the Posuk, it is Assur and that is the Chiddush of the Posuk אבל פירוש הפרשה, כי עד הנה ציוה ) ( אכל פירות הרבה כי בבואנו אל הארץ נעקור ע"ז ומשמשיה ונאבד את שמם, וציוה שנעשה זה מיד כאשר אנחנו יורשים אותם מיד, ועתה אמר פעמים רבות כי בבואנו אל הארץ נעקור ע"ז מן הארץ ונשב בארצם לבטח, לא נחשב בלבנו הנה הכרית השם מפנינו עובדי כי כאשר יכרית ר' הגויים ההם מפנינו וישתקע שם ע"ז מן הארץ ונשב בארצם לבטח, לא נחשב בלבנו הנה הכרית השם מפנינו עובדי אלוהים אחרים בעבור שהיו עושים כבוד בעבודה שלמה למעשה ידי אדם עץ ואבן, ואין ראוי לתת כבודו לאחר ותהילתו לפסילים כי כן

אסר זבוח וקטור ונסוך והשתחואה בלתי להשם לבדו, והנהוג במלכים כי המתהדר בכבודם לתת עטרה בראשו או ללבוש לבוש מלכות כהם אחת דתו להמית, אם כן אעשה אני לשם הנכבד כאשר היו עושים הגויים לאלוהיהם וייתב לפניו.

לכן הזהיר, לא תעשה כן כי הדברים המתועבים לפניו היו עושים לאלוהיהם, ולא אסרם מפני המעשה שהיה נכבד וראוי לעשותו לפני (השם לבדו רק מפני הכוונה שהייתה בהם לעבוד אלוהות).

The Satmar Rebbe says, the same thing here where the Posuk says (כְּמַעֲשֵׂה אֲרָץ-מִצְרַיִם). Of course the Aveiros of the Mitzrim are not things that you will emulate. But you live in a country for so many years and you may have seen some nice things that they do, some good things that they do, some attractive things that they do. You might want to emulate those things. So we are saying don't do it. Because they are Mikulkalim Shebaumos, because they are a nation that is so warped you should not emulate them at all, you might come to emulate them in other ways. The Satmar Rebbe says, there are times that a person can emulate what a Goy does, a person can learn from what a Goy does if what he is doing is good. He brings for example that the Rambam quoted Aristotle. Because when you have a moral ethical lesson to be learned from a non-Jew it is ok to learn from him. The problem is when you follow the actions of immoral people even if they do good things if you see someone who is a movie star, who in life is full of Znus and actions that are unworthy of any human being and you see that that movie star does something good, a good Chesed. Don't emulate them because you are bringing into focus the actions of someone whose actions are unworthy to be emulated. If you see a moral ethical person even among the nations, he says that a person could learn from.

Therefore, it is a new translation of the Posuk, (כְּמַעֲשֵׂה אֲרָץ-מִצְרַיִם אֲשֶׁר יִשְׁכַּתֶּם-בָּהּ, לֹא תַעֲשׂוּ; וְכַמַּעֲשֵׂה אֲרָץ-כְּנָעַן אֲשֶׁר אָנִי ) (מביא אתכם שמה, לא תעשו, ויחקקתיכם, לא תלכו Watch out when you are among the nations watch out who you emulate even for good things. This is his Dvar Mussar.

Turning now to Pesach Sheini is an absolutely beautiful Vort which is in the Divrei Yoel in Parshas Emor regarding Pesach Sheini. Pesach Sheini has of course as its origin later in Chumash Bamidbar Parshas Behaloscha. There we find after Shlishi 9:6 (וַיָּהִי אֲנָשִׁים, אֲשֶׁר הָיוּ טְמֵאִים לִנְפֹשׁ אָדָם, וְלֹא-יָכְלוּ לַעֲשֹׂת-הַפֶּסַח, בַּיּוֹם הַהוּא; ) (ויקרבו לפני משה, ולפני אהרן--ביום ההוא Pesach on the 14th day of Nissan. So they come to Moshe Rabbeinu and they say (לָמָּה נִגָּרַע) why should we be worse?

The Gemara in Maseches Succah 25a (4 lines from the bottom) says (והעוסק במצוה פטור מן המצוה מהכא נפקא מהתם ) נפקא דתניא (במדבר ט) ויהי אנשים אשר היו טמאים לנפש אדם וגו' אותם אנשים מי היו נושאי ארונו של יוסף היו דברי ר' יוסי הגלילידיף כה, ב גמרא ר"ע אומר מישאל ואלצפן היו שהיו עוסקין בנדב ואביהוא ר' יצחק אומר אם נושאי ארונו של יוסף היו כבר היו יכולין ליטור אם מישאל ואלצפן היו יכולין היו ליטור אלא עוסקין במת מצוה היו שחל שביעי שלהן להיות בערב פסח שנאמר (במדבר ט) ולא יכלו (לעשות הפסח ביום ההוא ביום ההוא אין יכולין לעשות הא למחר יכולין לעשות) who are these people that are Tamei? The Gemara says that they were the Nosei Arono Shel Yosef, the ones who carried the bones of Yosef Hatzaddik in the Midbar. Or a second opinion, they were those that became Tamei in burying Nadav and Avihu. There are two difficulties here.

First of all the question of who were these people and why were they Tamei doesn't seem to make sense. Jews died in the Midbar in the natural way just like they died all along. The Leviim who were not punished for the Cheit Ha'eigel also died. They died after they lived their natural life. There was no suspension of natural death in the generation of the Midbar. Therefore, there were plenty of people that were Tamei. In a group of millions of Jews there were people whose time on this earth had come to an end and passed away. It did not have to be those who carried the Aron of Yosef. Therefore, this is very difficult to understand why the Gemara says who are these Timay'im.

Secondly, they say (לָמָּה נִגָּרַע) why should we be worse, why shouldn't we bring a Korban Pesach. Here there is an obvious problem. What does it mean why should we be worse, they were worse because they were Tamei. A Jew who is Tamei cannot separate Challah, cannot separate Terumah, there are many things that a Tamei person cannot do. A Tamei person has no right to say (לָמָּה נִגָּרַע) why should we be worse. There is a reason and it is not a punishment, it is just a fact of life that a Tamei person doesn't bring a Korban.

To answer this question the Satmar Rebbe brings a beautiful thought. There is a Tosafos in Masseches Bava Metzia 114a (מהו שיסדרו בבעל חוב) (Ed. Note The Tosafos is very long so I have not quoted it here) who wonders if the concept of Tzaddikim Aino Metamin, Kivrei Tzaddikim Aino Metamin, a Medrash concept that the graves of even the bones of a Tzaddik does not bring Tumah upon a person. Whether this Aggadata thought has any basis in Halacha and Tosafos Maskana is that it does not. Every human being who passes away is Mitamei someone who touches him or comes into contact with him is Tamei and a Kohen is prohibited from being Mitamei. That the idea that Kivrei Tzaddikim Aino Metamin that the bones of a Tzaddik are not Metamei is nothing more than an Aggadata thought and even that the Tosafos explains the way in which it is brought.

The Satmar Rebbe offers an innovative explanation. He says that really B'etzem a Tzaddik does not bring Tumah upon a person. However, Halacha doesn't work that way. Halacha does not establish rules that are based upon the Penimius Haleiv, the depths of the heart of a person. How do you know if someone is a Tzaddik, you can't know. Therefore, Halacha can't work with that, Halacha says that everyone is Tamei. This is somewhat comparable to a Jew who eats Nivaila and is ordered to suffer Malkus in Bais Din. Let's say that this Jew does a full Teshuva, he really does Teshuva for having eaten that Nivaila. He still will receive the Malkus. Why?

We know that if someone did a full Teshuva in heaven the sin no longer exists. The answer is that Bais Din can't work with that. Bais Din has to work with things that it can see. Bais Din cannot know in a person's heart if he is truly doing Teshuva. Therefore, the laws of the Torah are never dependent on what is going on in the Penimius Haleiv in the depths of a person's heart. Therefore, says the Satmar Rebbe, as a matter of Halacha Kivrei Tzaddikim are Metamei. The bones of a Tzaddik do cause a person to become Tamei. However, in heaven it is known if someone is truly a Tzaddik he does not bring Tumah (ritual defilement) upon a person.

With this, the Sugya of Pesach Sheini is absolutely beautiful. As a matter of Halacha the ones that carried the bones of Yosef were Tamei. They came and said (לָמָּה נִגָּרַע). They said to Moshe Rabbeinu you and I know that Yosef was a true Tzaddik. You and I know that Nadav and Avihu were true Tzaddikim. Why should we be disqualified from bringing a Korban Pesach. After all you and I know that in heaven we are not Tamei. This explanation answers both Kashas.

Why didn't others come and say (לָמָּה נִגָּרַע)? There were other people who died naturally in the Midbar. Why weren't those who became Tamei to them coming with a complaint? The answer is that those other people who had died were not known Tzaddikim. It was only those that became Tamei to the bones of Yosef Hatzaddik, they were the ones who could come with a complaint.

It also answers (לָמָּה נִגָּרַע) why are we worse. The question is not based on the idea that Tamei people can't bring a Korban. That is just saying that they are not truly people who are Tamei.

The Satmar Rebbe says that this is also the reason that the Posuk says (אֲנַחְנוּ טְמֵאִים, לְנֶפֶשׁ אָדָם). They didn't say Anachnu Timaihem L'meis. They said (אֲנַחְנוּ טְמֵאִים, לְנֶפֶשׁ אָדָם) which is an expression that conveys a sense of Chashivus of importance. Adam is a sign of Chashivus, importance, of significance. Therefore, this explanation I find absolutely beautiful in explaining what is otherwise something of a difficult Parsha.

The question of the week is: this is a question based on something I saw in the first volume of Derech Sichah. We in Yeshiva are learning Masseches Bava Kamma and our Shiur is learning the Sugya of Zeh Nehena V'zeh Lo Chasur a rather famous Sugya in Gemara. Yesterday I opened the Derech Sichah and found in Parshas Kedoshim the following Shaila. It was Yom Kippur and someone purchased Maftir Yona which is the last Aliyah at Mincha on Yom Kippur. Between Mussaf and Mincha there was a break and the individual who had purchased Maftir Yona went home to take a nap. Unfortunately he overslept the reading of the Torah at Mincha. When they came to Maftir Yona he was not there. He had purchased this Aliyah for \$1,000 and since he wasn't there the people of the Shul were not sure who to give the Aliyah to. Someone else had bid \$900 for that Aliyah and the decision was to give it to him. So he got the Aliyah and now it is after Yom Kippur and it is time to pay up and the question is who pays?

Here we would seem to have a Kasha. It is Zeh Nehena V'zeh Lo Chasur. When this person got the Aliyah nobody else lost, he benefitted and the other person lost nothing, why does he have to pay at all? The answer would seem to be what Tosafos says on Daf 20b in Maseches Bava Kamma (טעמא דניקף הא מקיף פטור. ואפילו רבנן לא פליגי אלא משום דא"ל את גרמת לי הקיפא יתירא וא"ת ואי זה נהנה וזה לא חסר פטור אפילו עמד ניקף נמי וי"ל שאני עמד ניקף דגלי (אדעתיה דניחא ליה בהוצאה ולא דמי לדר בחצר חבירו דלא גלי אדעתיה אלא בחנם and that is if someone showed (he was Migaleh Daas) that he was willing to pay he pays even in a case of Zeh Nehena V'zeh Lo Chasur. This is brought in Shulchan Aruch. However, if that is the case then he should pay a full \$900. After all he is paying based on the fact that he was Migaleh Daas that he showed his intent. He should be paying the full \$900. As is brought in the Derech Sicha it seems as if he does not pay the full \$900. The Shoel had asked if he pays \$900. Rav Chaim is quoted as saying no he only pays Mah Shenehenis. However, based on this Tosafos and it is in Shulchan Aruch in (Choshen Mishpat) 363:8 that a person pays whatever he was Migaleh Daas. So he should be paying the full \$900 leaving only a \$100 bill to the other fellow.

19:32 It says in the Posuk, וְהִדַּרְתָּ פָנֶיךָ לֵב. This means when a 70 year old person walks in the room, you must stand up. This is a Mitzvah D'Oiraisa. Al Pi Arizal the age is 60 years old. In Derech Sichah, Rav Chaim Kanievsky says that he asked the Chazoin Ish if a person during the first Posuk of Kriyas Shema must also stand for an elderly person when he walks in and the response was yes he does have to stand up. This is even though greeting someone is not an obligation in middle of Kriyas Shema, however, a Mitzvah D'Oiraisa is an obligation. Obviously, this is not talking about someone who has his hand covering his eyes during the first Posuk.

If so, you might ask why does the Hechsheirim in Eretz Yisrael always say Naki Bichshash Orloḥ and in Chutz L'aretz we never see Orloḥ mentioned on the Hechseirim? The Posuk that is quoted above says וְכִי-תֵבְאוּ אֶל-הָאָרֶץ which is discussing Eretz Yisrael, the fact that Chutz L'aretz is obligated as well is a Halacha L'Moishe Misinai. Since Eretz Yisrael is mentioned in the Torah and Chutz L'aretz is a Halacha L'Moishe Misinai, the Halacha L'Moishe Misinai tells us that Safeik Orloḥ is Muttar and in Eretz Yisrael Safeik Orloḥ is Assur. That is the reason for the distinction between the two.

47

Rav Chaim Kanievsky has a Sefer on the Halachos of tattoos. He writes that there is an Issur of a Tattoo even in the mouth as is brought down in the Gemara, because it can be seen when someone opens their mouth. From here we can make a Diyuk that in a Chalal Haguf, in a place that can't be seen, there isn't an Issur of tattooing. So this physician is not being Oiver the Issur of tattooing.

יו ואיש אשר יקה את אחותו בת אביו או בת אמו וראה את ערנותה והיא תראה את ערנותו, חסד הוא--ונכרתו, לעיני בני עמם; 20:17 The Posuk uses the word Chesed which usually means kindness and here it is used in a relationship to an Aveira that has to do with Znus. Certainly this needs explanation. Rashi says it is another language mixed in. This is not such a satisfying Teretz, however, it must be correct Al Pi Pshat.

There are seven Middos during the seven weeks of Sefira. Chesed, Gevura, Tiferes, Netzach, Hoid, Yesoid, Malchus. Chesed is translated as loving kindness. Gevurah is translated as discipline. Tiferes is translated as a balance between the two. Avrohom Avinu had the Middah of Chessed which is kindness. There is a Chesed that gives someone else pleasure and there is a warped Chesed where a person takes a desire for pleasure and instead of turning it outward he turns it inward. He wants to give himself pleasure. Chesed is an outward Middah. When a Chesed is used inward it is a warped Middah. So Avraham had 2 children, Yitzchok and Yishmael. Yitzchok took the Chesed Kedusha and Yishmael took the warped Chesed. The Bnei Yishmael Ad Hayoim are very involved with things that have to do with Znus.

The Middah of Gevura is Yitzchok's Middah. This is a Middah of discipline which is an inward Middah. This is when a person has the discipline to control himself and desires and to do things right. The warped Gevura is when someone takes this Middah of discipline and looks to control others. He looks to impose his will on other people, to control what other people do. Just like Chesed which is an outward Middah that when used inwards is warped, Gevurah is an inward Middah that when used outward is warped. Yitzchok had Yaakov and Eisav. Yaakov took the Gevurah of Kedusha and Eisav took the warped Gevurah. That is the Middah of Eisav Ad Hayoim Hazeh by trying to control others as much as possible.

Yaakov Avinu is Tiferes which is the balance between the two. Yaakov didn't have to divide his Middah because it was pure.

The point of this thought which is a very basic thought in the Oilam Hamachshava is that Chesed is not absolutely good as it can be used improperly. Here in the Parsha of Znus we have that Remez. Chesed Hu, it is the Middah of Chesed in a warped way. It is being used inwardly which is the inappropriate way.

19:4 There are two words in Hebrew for "don't " Al and Loi. Isn't it interesting that in this Posuk we find Al and Loi? The Meshech Chochmo in Parshas Boi 12:9 explains the difference between Al and Loi. Loi means you better not, it is prohibited. It is a command, don't do it. Like for example, Loi Sirtzach, Loi Signoiv, and Loi Sachmoid. Most Lavin in the Torah are Loi, absolute prohibitions. Al on the other hand is generally used as "please don't". Al is usually used with Na which means please. Like for example in Beraishis 18:3 (אל נא תעבר, מעל עבדך) Al Na Savar Mei'al Avdecha and in Bamidbar 12:11 (אל נא תשט עלינו חטאת) Al Na Tasheis Aleinu Chatas. You will never find Loi Na it is always Al Na.

This Meshech Chochmo is illustrated wonderfully in Sefer Melachim Aleph 3:26 - 27 כו ותאמר האשה אשר בנה כי-ונכמרו רחמיה על-בנה, ותאמר בי אדני תנו-לה את-הילוד הסי, וקמת אל-תמיתהו; וזאת אמרת, גם-לי גם-לך לא יהיה-הסי אל-המלך, כי-ונכמרו רחמיה על-בנה, ותאמר בי אדני תנו-לה את-הילוד הסי, וקמת, לא תמיתהו: היא, אמו זהו. This is the Pesukim that deal with the incident of the two women fighting over the one baby that takes place in front of Shlomo Hamelech. Each mother claims that this is their baby and Shlomo Hamelech says to split the baby between the two women. The true mother says וקמת, לא תמיתהו and Shlomo Hamelech turns to the guard holding the baby in Posuk 27 and says, תמיתהו: the Al changed to a Loi. It fits beautifully. The mother is saying to the King, please don't kill the baby. Shlomo Hamelech turns to the guard holding the baby and says Loi Samisuhu, you shall absolutely not kill the baby. So that Al means please not and Loi means you better not, it is prohibited.



Agav, it is nice that Al and Loi are opposite letters. In a way they bring out the opposite effect in someone. If you tell someone you better not do it, the person may not do it, however, it doesn't really have the effect of getting the person not to want to do it. When you say Al and you talk gently, it sometimes has the effect of getting the person not to want to do it.

Now we have a problem. In 19:30 the Posuk says, וּמִקְדָּשִׁי תִירָאוּ, לְאֹת-שַׁבָּתוֹתַי תִּשְׁמְרוּ. Keep the Shabbos and fear the Bais Hamikdash. Why are these two here in the same Posuk? Rashi explains that the building of the Bais Hamikdash is not Doiche Shabbos. Here it is the reverse, that the first Mitzvah takes precedence over the second Mitzvah. The question is why is this Posuk giving precedence to the first Mitzvah over the second Mitzvah while the previous Posuk brought gives precedence to the second Mitzvah over the first Mitzvah? How do we apply this to other cases of two Mitzvois in one Posuk which Mitzvah takes precedence?

There is a Chakira brought by Reb Elchonon in Koivetz Shiurim and by Reb Moshe in the Igros Moshe on Maseches Shabbos Daf Gimmel Amud Aleph. This Dvar Torah is regarding Lifnei Iver Loi Sitein Michshoil as is brought down in 19:14 (ולפני עור, לא תתן מכשול). When someone gives over to someone else an Aveira to do, is it a Bein Adom L'chaveiroi (because you get an Aveira for causing someone else to do an Aveirah) or is it a Bein Adom Lamokoim (because you are causing an Aveira to be done in this world). Rav Moshe says it is both Aveiros. There are three Nikudois that we will discuss regarding this. The first Nikudah is found in the Tosafos in Maseches Avodah Zarah 22a, Dibbur Hamaschil Teipuk Lei Mishum Lifnei Iveir. (תיפוק ליה משום לפני )  
עור. אליבא דרשב"א פריך דאית ליה כותים גרי אמת הן בפ"ק דחולין (דף ו.) גבי ההיא דר"ש שדשריה לר"מ למזון חמר מבי כותאי ומכאן יש להביא ראיה למה שפירש ר"ת דשייך למימר לפני עור אף במידי דלית ביה איסורא אלא דרבנן דהא מלאכה דח"ה אינה אסורה אלא מדרבנן כדפירש ר"ת (במו"ק (דף ב )) וראיה נמי מדלעיל (דף טו:) דאסור למכור לישראל החשוך למכור לעובד כוכבים אע"ג דליכא איסורא אלא דרבנן אבל הר"ר אלחנן הקשה לפר"ט שפירש דמלאכה דח"ה אינה אסורה מן התורה מדאמר בפ"מי שהפך (מ"ק דף יא:) פתח באבל וסיים בחול המועד לא מיבעיא קאמר לא מיבעיא ימי אבלו דאסור דרבנן אלא אפילו ח"ה דאסור דאורייתא כלומר ומפר"ט דקרי ליה דאורייתא לפי שיש לה אסמכתא מן התורה בפ"ק דחגיגה (דף יח.) לאפוקי אבל שאין לו אסמכתא אלא מדברי קבלה דכתיב והפכתי את האבנים לחם ואכלו וכו'. Rabbeinu Tam says if you give someone an Issur D'rabbanon to do, that person is Oiver a D'rabbonon, you however, are Oiver a D'oiraia of Loi Sitein Michshoil.  
How could the Aveira be a D'rabbonon vet Lifnei Iver is a D'oiraia?

49

The second Nikudah is a Reb Elchonon in the second Perek of Maseches Pesachim. The Gemara says, if you give Eiver Min Hachai to a Ben Noiach you are Oiver on Lifnei Iver. The Chinuch says if you trip a yid with your foot, you are Oiver Lifnei iver. The Minchas Chinuch asks, why just a Yid, Lifnei Iver applies to Goyim as well?

Reb Elchonon answers very Geshmak. There is a rule, Bein Adom L'chaveiroi Mitzvois do not apply to Goyim while on the other hand, Bein Adom Lamakoim Mitzvois do apply to Goyim. That said, tripping a Goy wouldn't pose a problem, because that is Bein Adom L'chaveiroi. However, Eiver Min Hachai is a Bein Adom Lamakoim so you would be Oiver, if given to a Goy. So now we have two Nafka Minas based on what was just said about Bein Adom Lamakoim and Bein Adom L'chaveiroi. If you give an Issur D'rabbanon to someone, the Bein Adom L'chaveiroi you are Oiver and the Bein Adom Lamakoim you are not Oiver. By a Goy it is the reverse. If you give the Goy an Aveira to do, you are Oiver on the Bein Adom Lamakoim part, however, you are not Oiver on the Bein Adom L'chaveiroi part.

The third Nikudah is there is a Tosafos in Maseches Chagigah that asks a Kasha. The Gemara asks how do you know that you don't teach Torah to a Goy? It says in Tehillim 147:20 (וּמִשְׁפָּטִים בֶּל-יְדָעוּם) Umishpatim Bal Yadaum, that Hashem only teaches Klal Yisrael the Torah. So Tosafos asks, why does it say that we know that teaching Torah to a Goy is Ossur because of (וּמִשְׁפָּטִים בֶּל-יְדָעוּם) Umishpatim Bal Yadaum, it should be an Issur because of Lifnei Iver, that a Goy who learns Torah is Mechayeiv Missah?

The Rambam says that a Goy learning Torah is an Issur D'rabbanon. If you give a Goy an Issur D'rabanon, we already established that you are not Oiver Lifnei Iver because Bein Adom L'chaveiroi does not apply.

It says in 19:32 (מִפְּנֵי שֵׂיבָה תִּקּוּם) Mipnei Seiva Takum. This means when a 70 year old person walks in the room, you must stand up. This is a Mitzvah D'oiraisa. Al Pi Arizal the age is 60 years old.

It says in 19:27 (לֹא תִקְפוּ, פֶּאת רֹאשְׁכֶם; וְלֹא תִשְׁחִית, אֶת פֶּאת זָקְנְךָ) Loi Sakifu P'as Roishchem V'loi Sashchis Es P'as Zikanecha. There is a difference between the Payos of the head and the Peyos of the face. Reb Moshe allows shaving, however, the leniency does not apply to the Peyos of the head. Where does the Peyos of the head extend to? Under the ear, this is why many Bnei Torah extend the sideburns to the bottom of the ear. The Halacha is that the Peyos of the head extend to the bottom of the inner ear, which is where the jaw bone protrudes until. The sideburns may not be shaved above this point.

It says in 19:3 (אִישׁ אִמּוֹ וְאָבִיו תִּירָאוּ) Ish Imoi V'aviv Tira'u. What is Pshat in Ish a man? Since a man is out of the house, he can properly fulfill this Mitzvah. A woman who is in the home taking care of the children doesn't have the same opportunities. The Hamakneh and Yerayim ask, this Posuk is talking about Yira not Kibbud, what is the explanation about a woman being in the home have to do with fearing her parents. Yira are things that are Shev V'al Ta'aseh, like not sitting in a parent's seat. Something that you don't do, a man and a woman can perform the same exact way, it is a Pliya? The Hamakneh says, if your parents tell you do something, and you don't do it, that is contradicting them. You would be Oiver on (אִישׁ אִמּוֹ וְאָבִיו תִּירָאוּ) Ish Imoi V'aviv Tira'u. The Mitzvah is B'kum V'asei. If your Mother tells you to eat the vegetables, you must, or else you are Oiver. Rav Moshe in Kiddushin says we don't find that Yira carries with it a Kum V'asei and he argues with the Shittah of the Hamakneh. You don't have to eat the vegetables. It is a Mitzvah D'oiraisa, so we should be Machmir, however, the Velt is Maikil.