Excluding Exclusion

A lesser-known villain appears at the end of our parshah; his crime is simple, but the text presents it as part of a larger story, with a larger message. “And the son of an Israelite woman, the son of an Egyptian man, went out among the Children of Israel. And they fought in the camp – the son of the Israelite woman, and the son of the Israelite man. And the son of the Israelite woman proclaimed the Name and cursed. And they brought him to Moshe; and his mother’s name was Shlomit, daughter of Divri, of the tribe of Dan.” (Vayikra 24:10-11)

A midrash notes the story’s emphasis on lineage and location, and reconstructs the story: A man “went out” to claim living space among his mother’s tribe of Dan. The people of Dan rejected him; his father was Egyptian, and so he did not belong to the patriarchal structure of the tribe. So he went to Moshe’s court to seek help, and lost the case – leading him to “go out” and blaspheme against G-d. (Midrash, Sifra Emor 14:18)

Read in this light, the blasphemer’s story is tragic. He is a victim of his mother’s dailiance with an Egyptian, forever linked to a sin not his own. He is turned away by his closest kin – his maternal tribe. Finally, he finds no recourse with Moshe. The tribe’s rejection is confirmed as correct, and Moshe is only implementing the law, but we are left to wonder if the blasphemer and his mother are the only people at fault in this story.

If we are meant to learn inclusion here, that may explain the purpose of a verse added after G-d’s verdict for the blasphemer. “There shall be one justice for all of you – the stranger and the native alike – for I am Hashem, your G-d.” (Vayikra 24:22) The idea of equal justice seems to be irrelevant – but if one of the story’s messages is to endorse inclusion, then this verse is apropos.

So perhaps the blasphemer’s story argues for an inclusive Judaism. But coming where it does in the Book of Vayikra, that message may be too black-and-white. The bulk of Vayikra is dedicated to havdalah, excluding particular populations from roles or activities: non-kohanim and disqualified kohanim, non-kosher and impure creatures, people with tzaraat and other forms of impurity, Egyptians and Canaanites. In each example, one population is accepted for entry or serve in a particular role, and the other is barred or rejected. A midrash on Chapter 24 cannot be honestly read as a denial of the many chapters which preceded it. It may be more accurate to suggest that the story of the blasphemer serves to introduce a moderating influence which comes next.

Vayikra 25 commands inclusion, and particularly of the vulnerable. It speaks of leaving our fields open to all in the sabbatical year, and returning land to its ancestral holders – who generally sold it due to poverty – in the Jubilee year. It prohibits using a position of strength to take advantage of those who are desperate to sell or purchase. It adjures us to redeem fields for those who are forced to sell them due to poverty, and it commands us to make funds available to the indigent, without charging interest. Finally, it requires us to take care of those who are sold as slaves due to poverty.

Due to reason or Revelation, the Torah identifies negative qualities in certain creatures, people or phenomena, and we must recognize that. However, Chapter 25 moderates this message; Judaism is not about leaving the excluded to their own devices.

This message begins with the son of an Egyptian. True, he was born from a transgression, and he owns no claim to the territory of his mother’s tribe. Nonetheless, our reaction should have been to find a way to help. Like those who have sold their land, or who are desperate in commerce, or who sell themselves, this man had a claim on our support, and we failed him. And not only did he deserve our aid, perhaps he could have helped us in return; as the Talmud pledges, the children of the indigent and unlearned may become scholars. (Nedarim 81a, Sanhedrin 96a)

This message remains relevant. Jewish society must be wise in dealing with those who lose elections, or whose ideas are defeated in the public arena. Being disenfranchised is painful and dangerous. If we are to survive as a nation, we must look out for those who have been excluded, even when the exclusion is necessary.

Vayikra 25 is followed by a passage promising a utopia if we follow Divine rules, and catastrophe if we fail to listen. May we follow the lessons of exclusion when necessary, but may we also look after those who have been excluded. As Yeshayah said: to G-d, all are worthy of being looked after. G-d calls each star by name, and “because of His great strength and power, not one will be lost.” (Yeshayah 40:26)
Journey Through Tanach: Shemuel I, Chapter 22

Our chapter continues to describe David's flight from Saul. First, David escaped to the cave of Adullam, where he was joined by members of his family, as well as approximately four hundred people who were on the margins of society, including debtors and those of "embittered spirit," who viewed him as their leader. David and his family left Adullam for Mitzpeh Moav. David travelled to the forest of Cheret, in the land of Yehudah, at the advice of the prophet Gad, and left his family in the care of the king of Moav. (22:1-5) According to Rashi (22:4, citing Bamidbar Rabbah 14:1), the king of Moav killed all of David's family, except for one brother.

Shaul's servant Doeg disclosed that he had seen David in Nov, a city of kohanim, where he had been provided with food and weaponry by a man named Achimelech. Shaul summoned Achimelech and his relatives, and accused them of conspiring against him. Achimelech defended his actions, insisting that, as far as he knew, David was a loyal son-in-law to Shaull. (22:6-15)

Nevertheless, Shaul was convinced that Achimelech and his family had committed treason, and ordered his servants to kill the kohanim of Nov. After they refused, Shaul ordered Doeg to carry out the command. Doeg single-handedly slaughtered the inhabitants of Nov, including its animals. The only survivor was Evyatar, a son of Achimelech, who fled to David. (22:16-20)

Evyatar told David about the massacre, who accepted responsibility, saying that he had known that Doeg, who witnessed the exchange between him and Achimelech, would inform on them. David invited Evyatar into his custody, offering him protection from Shaull. (22:21-23)

Insight

Shaull's reaction to Doeg's report illustrates the terrible consequences of rechilut (gossip). Rambam notes that the Torah's proscription of rechilut appears directly before the verse, "Do not stand idly by your fellow's blood" (Vayikra 19:16) to show that gossip can lead to death, as in the case of Doeg. (Hilchot Deiot 7:1) Rabbi Yisrael Meir Kagan explains that the prohibition against rechilut is violated even if a report is not inherently negative, and even if the person reporting does not intend to cause strife. (Chofetz Chaim, Hilchot Rechilut 1:2-3).

On the surface, Doeg's report may be defensible. He did not explicitly tell Shaull that Achimelech knowingly aided David's alleged treason. Doeg said, "I saw the son of Yishai come to Nov, to Achimelech son of Achituv. He inquired of Hashem for him and gave him provisions, and he gave him the sword of Goliath the Philistine." (22:9-10, Artscroll tr.) Nevertheless, Doeg's ostensibly factual report, which failed to mention that Achimelech aided David thinking that he was carrying out a mission for Shaull, was misunderstood. This had terrible consequences, not only for the inhabitants of Nov, but also for Doeg himself, who is one of the few individuals whom our Sages assert does not have a portion in the World to Come. (Mishnah Sanhedrin 10:1)

Holy Land Halachah: Re-Burial in Israel

One of the laws that highlights the uniqueness of the Land of Israel is the special permission to reinter a body in Israel, despite the general opposition to disinterment in halachah. Unfortunately, due to the current Coronavirus pandemic, this halachah has become worth revisiting. Rabbi Hershel Schachter recently summarized the law, based on Shulchan Aruch. (https://bit.ly/2VVqDug)

We will explore the background for this law.

In general, halachah forbids disinterment, unless there is a risk that the body will be damaged in the current grave; moving a body is considered degrading to it. (Shulchan Aruch, Yoreh Deah 363:1) However, it is permitted for the purpose of burying the body in Israel. (ibid.) The Pitchei Teshuvah (ibid. 2) cites Maharalbach (Responsum 63) who says this is the case even if the deceased, while alive, generally opposed bringing bodies to Israel for burial (though not if the deceased explicitly forbade moving his body to Israel).

The rationale for this is that the Talmud (Ketubot 111a) says that being buried in the Land of Israel is like being buried beneath the mizbeiach (altar) in the Beit HaMikdash, and thus atones for sins. Avot D'Rabbi Natan (26:2) adds that it is like being buried next to the throne of G-d. The aforementioned talmudic passage further indicates that a body buried in Israel will suffer less during the time of the resurrection of the dead. (See also Yerushalmi Kilayim 9:3)

However, there are Chassidic authorities who rule differently. Noting that in three places the Zohar implies that the benefit of being buried in Israel is only for those who lived there, Rabbi Yekutiel Yehudah Halberstam (the Klausenberger Rebbe) contends that one should not move a body to Israel. (Divrei Yatziv, Yoreh Deah 224) The Talmud Yerushalmi (Kilayim 9:3) similarly cites a position that harshly condemns those who only move to Israel for burial, going as far as saying that this is considering, “My heritage you rendered an abomination.” (Yirmiyahu 2:7) Rabbi Halberstam uses this to explain why there seems to have been no attempt to move the body of the Baal Shem Tov to Israel. Furthermore, he notes that in a case where the deceased bought a plot outside of Israel, there is even more reason to refrain from moving the body.

The Talmud Yerushalmi also cites Ulla as saying that being buried in Israel cannot be compared to dying there. (Kilayim 9:3; see also Rambam Hilchot Melachim 5:11)

Nevertheless, as Rabbi Schachter noted, the majority of authorities rule that being buried in Israel is indeed of added value, and thus, those who have been prevented from transporting bodies for burial to Israel due to the Coronavirus pandemic, are permitted - and perhaps encouraged - to do so.

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Rabbi Yehudah Aryeh Leib Alter was born in Warsaw, Poland in 1847, and is more commonly referred to by the name of his books: Sfat Emet. He was a Chassidic Rabbi and scholar in the Polish town of Gora Kalwaria, more commonly known as Ger. His grandfather, Rabbi Yitzchak Meir Alter (“Chiddushei HaRim”), was primarily responsible for raising Yehudah Aryeh Leib, as his parents passed away when he was young.

When the Chiddushei HaRim passed away, Rabbi Yehudah Aryeh Leib was already recognized as a child prodigy, a great scholar and a leader. However, notwithstanding his talents, he rejected the mantle of leadership, which instead passed to Rabbi Chanoch Henoch HaKohen from Alexander, under whom Rabbi Yehuda Aryeh Leib would study. After four years, Rabbi Chanoch Henoch also passed on, and the Sfat Emet became the largest Chassidic group in Poland, until most of them were murdered during the Shoah. Rabbi Yehudah Leib’s books were all strong.

Rabbi Yehudah Leib’s books were all published posthumously. The title Sfat Emet comes from Mishlei 12:19, the last verse on which he commented before passing, in his final written Torah commentary, Vayichei 5665. His commentaries stress moral and ethical lessons. His works include a compilation of his Torah teachings as delivered to his congregations on Shabbat and Chagim, as well as novel approaches to understanding many sections of the Talmud, and a commentary on the Yoreh Deah section of Shulchan Aruch.

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The Sfat Emet passed away on January 11, 1905 (5 Shevat 5665), at the age of 57.

Regarding the continuation of the biblical section which discusses the candles and the showbread after the festivals (Vayikra 23:24): It seems [the reason for this is] that also on the festivals, the blessings and influence are extended, just as they are extended through the oil and the bread.

For there were three things in the sanctuary: the table, the candelabra, and the altar of incense. They are in the spirit of the three crowns of Torah, Priesthood, and Kingship (Avot 4:13) and the three blessings of the priestly blessing. (Bamidbar 6:24-26)

- “May He bless you” is in the spirit of the table of kings, and the twelve loaves which would channel the blessings to the whole world.
- And in the candelabrum is [the blessing of] “May G-d illuminate His face” which is in the spirit of the Torah which is called light.
- And the incense is the crown of Priesthood in the spirit of the raising of hands, the spreading of a canopy of peace [and] clouds of glory, and the cloud of the incense, which is all one idea.

And so too, on the three festivals these three blessings are extended:

- For on Passover, the children of Israel began to be servants of G-d to accept the yoke of his kingship. Therefore, it is the beginning of the year for the kings of Israel and it is the blessing of wealth. Therefore, on Passover [we are judged] regarding the grain [supply], and the commandments of Passover involve eating the Pesach offering and matzah.
- The holiday of Shavuot is the acceptance of the Torah in the spirit of the candelabrum of seven branches, corresponding to the seven weeks which the holiday is named after.
- And Sukkot is the crown of Priesthood- the clouds in the merit of Aharon.

And it states (Avot ibid.), “The crown of a good name ascends over them,” that is in the spirit of Shabbat which includes and ascends over all three of these [holidays]. And it is called a “good name” because Shabbat is called “testimony”, as it written (Shemot 31:13): “Between Me and the children of Israel it is a sign...” and it contains these three blessings. Therefore, there are three meals corresponding to these three blessings...
**This Week on Zoom! (Click Underlined Lines to Open Zoom Sessions)**

**SPECIAL EVENTS**

7:00 PM - 8:30 PM EDT Monday May 11, with Shaarei Shomayim: Nusbaum Family Medical Halachah and Ethics Program

**Dental Emergencies on Shabbat**
Accredited for CME, Eligible for Category 3 Dental Credit, Laypeople Welcome

12:30 PM Wednesday May 13, with Zeifmans LLP, BAYT and Shaarei Shomayim: 
**The Ethical Challenge (eligible for CPD credit), Week 2**
**Kosher Fundraising: The Ethics of the Non-Profit Ask, R’ Mordechai Torczyner**

**DAILY**

**Adult Seder Boker, with Rabbi Moshe Yeres**
Mondays and Wednesdays: Gemara, Orot haTeshuvah
Tuesdays and Thursdays: Parshah, Tanach
Mondays-Thursdays at 10:00 AM EDT (men)

**WEEKLY**

Sunday May 10
9:15 AM EDT Contemporary Halachah: Sefirah and Corona, with Netanel Klein (not this week)

11 AM EDT Contemporary Halachah Rotation: Re-Opening Sporting Events, with Ezer Diena

7:30 PM EDT Gemara Avodah Zarah, with Rabbi Mordechai Torczyner (men) (pwd: 18)

Monday May 11
8:30 AM EDT She’arim baTefillah Chabura for university students, with Rabbi Alex Hecht

7:30 PM EDT Exploring the Book of Ruth, with Ezer Diena - Week 3

8:30 PM Gemara Shabbat, Chap. 13, with Rabbi Moshe Yeres

Tuesday May 12
1:30 PM EDT Yeshayah, with Rabbi Mordechai Torczyner (pwd: 18)

7:30 PM Shoftim, with Rabbi Mordechai Torczyner (men) (pwd: 18)

Wednesday May 13
8:30 AM EDT Mishlei for university students, with Ezer Diena

7:00 PM EDT Stories from the Talmud, with Rabbi Alex Hecht

7:40 PM EDT Ancient Texts, Modern Meanings, with Rabbi Sammy Bergman

Thursday May 14
1:30 PM EDT Shemuel, with Rabbi Mordechai Torczyner (women) (pwd: 18)

8:30 PM EDT Gemara Beitzah, with Ezer Diena (men)

Friday May 15
8:30 AM EDT Parshah for university students, with Rabbi Mordechai Torczyner

10:30 AM Bava Metzia Perek 6, with Rabbi Sammy Bergman and Rabbi Mordechai Torczyner (pwd: 18)

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