**S.A.L.T. – PARASHAT EMOR**

**By Rav David Silverberg**

Motzaei Shabbat

The Torah in Parashat Emor (21:8) introduces the command of “*ve-kidashto*,” which requires according special honor and distinction to *kohanim*. As Rashi cites from the Gemara in Masekhet Gittin (59b), this means that a *kohen* is given precedence when it comes to performing a public *mitzva*, and for this reason specifically a *kohen* is called for the first *aliya* when the Torah is read in the synagogue.

The *Magen Avraham* (282:6) asserts that the obligation of “*ve-kidashto*” is not applicable to *kohanim* below the age of bar-mitzva. Therefore, if no adult *kohen* is present in the synagogue, but there is a child who is a *kohen*,the congregation is not required to call the child for the first *aliya*. Strictly speaking, a child below the age of bar-mitzva may be called for an *aliya* to the Torah – though in practice this is not done – but nevertheless, since the command of “*ve-kidashto*” does not apply to minors, there is no requirement to call a child *kohen* for the first *aliya* if no adult *kohen* is present. The *Magen Avraham* bases his position on the fact that the Torah explains the obligation to show honor to a *kohen* by stating, “for he offers the bread of his God” – meaning, the *kohen* has the distinction of performing the special rituals in the Temple, and should therefore be given special respect. Since *kohanim* are not eligible to perform the rituals in the *Mikdash* before reaching halakhic adulthood, minors are not included in the obligation of “*ve-kidashto*.”

A number of later writers, including Rabbi Akiva Eiger (in his notes to the *Shulchan Arukh*) and *Minchat Chinukh* (269), disputed this position. *Torat Kohanim* states explicitly that even *ba’alei mum* – *kohanim* with a physical defect that disqualifies them from performing the service in the *Mikdash* – are included in this command, since they receive portions of the sacrifices to eat just like other *kohanim*. This would seem to prove that the obligation of “*ve-kidashto*” is linked not to eligibility to perform the service in the *Mikdash*, but rather to the eligibility to eat the sacrifices. Child *kohanim* are allowed to eat the sacrifices, as the Rambam writes in *Hilkhot Ma’aseh Ha-korbanot* (10:17), and it therefore follows that the requirement to show honor to *kohanim* applies even to minors.

Rav Tzvi Pesach Frank (cited in the annotation in the Makhon Yerushalayim edition of *Minchat Chinukh*) defends the *Magen Avraham*’s position by distinguishing between *ba’alei mum* and minors. A minor is permitted to eat the sacrifices, but does not fulfill a *mitzva* by doing so. This is in contrast to adult *kohanim* – including *ba’alei mum* – who fulfill a *mitzva* through the consumption of sacrifices (see Rambam, *Hilkhot Ma’aseh Ha-korbanot* 10:1). Therefore, the fact that the requirement of “*ve-kidashto*” applies to *ba’alei mum* does not necessarily mean that it applies also to children, and thus the *Magen Avraham* maintained that *kohanim* who are minors, and thus do not fulfill a *mitzva* by eating the sacrifices, do not need to be given special honor like adult *kohanim*.

Sunday

Parashat Emor begins with the prohibition against *kohanim* coming in contact with a human corpse, which would render them *tamei* (impure), except for the sake of burying an immediate family member.

*Tosafot* in Masekhet Bava Metzia (114b) address the famous story told in Sefer Melakhim I (17) of the prophet Eliyahu, who resurrected the child of the widow who had fed him during the drought that struck the Land of Israel. Different views exist as to Eliyahu’s pedigree, but according to one view, he was a *kohen*, and was thus forbidden to come in contact with a human corpse. *Tosafot* explain that Eliyahu nevertheless was permitted to come in contact with the corpse of this child because Eliyahu was, in *Tosafot*’s words, certain that he would succeed in resuscitating him. Since protecting human life overrides Torah, Eliyahu was permitted to expose himself to *tum’at meit* (the impurity contracted through contact with a human corpse) for the sake of restoring life to the child.

Some noted the seeming implication of *Tosafot*’s comments that a *kohen* is not permitted to run the risk of becoming *tamei* even for the sake of saving a life, unless he is certain that he will succeed in his life-saving mission. Thus, for example, it would appear that according to *Tosafot*, a *kohen* would not be allowed to help or treat a critically injured or ill patient if there is a chance that the patient would die under his care, and thus bring *tum’a* upon the *kohen*. Needless to say, this is a very difficult conclusion to accept, given the well-established halakhic principle that Torah laws are suspended even for the possibility of protecting lives, and not only when the suspension of Torah law is certain to save human life.

Rav Avraham Tzvi Eisenstadt (author of *Pitchei Teshuva*), in his *Nachalat Tzevi* commentary to the *Shulchan Arukh* (Y.D. 370:1), answers this question by noting that Eliyahu’s situation was, quite obviously, unique, as the patient had already died. The child required miraculous resurrection, not merely medical treatment. In order for such an attempt to justify the violation of Torah law, Eliyahu needed to be certain of its success. Standard medical treatment, however, certainly overrides Torah law regardless of the chances that it will succeed and save the patient’s life.

The halakhic authorities address the question of whether a *kohen* would be permitted to treat a critically ill patient who could die under his care if an equally competent non-*kohen* is available to perform the treatment. Intuitively, we would naturally assume that the non-*kohen* should tend to the patient in such a case, since there is no necessity for the *kohen* to risk becoming *tamei*, and this is, indeed, the position of the *Chatam Sofer* (Y.D. 338). Some, however, questioned this view in light of the *Shulchan Arukh*’s ruling (Y.D. 221:4) that if a person had taken a vow not to derive benefit from a certain individual, and then falls dangerously ill, that individual is permitted to provide treatment, even if another competent physician is available. When it comes to medical treatment for a dangerously ill patient, it seems, we allow suspending Torah law even if the treatment could be provided permissibly by somebody else. Therefore, we might assume that in the case of a *kohen*, too, he should not run the risk of violating the priestly code by treating a gravely ill patient if a non-*kohen* is available.

Rav Shmuel Wosner (*Sheivet Ha-levi*, 3:164), however, distinguished between the two cases. In the case of the patient who had vowed not to receive benefit from the physician, such a vow from the outset does not include benefit which is provided as a *mitzva*, and therefore, given the *mitzva* to save the life of somebody in danger, treating the patient does not suspend Torah law at all. Hence, there is no preference to having somebody else treat the patient. Generally, however, we would certainly require having somebody treat a patient permissibly rather than permit a physician to violate Torah law to provide treatment, assuming the former is no less competent.

Monday

The Torah in Parashat Emor introduces the prohibition against offering a *ba’al mum* – an animal with a physical blemish – as a sacrifice, and the Torah here lists the various defects that disqualify an animal for use as a sacrifice. However, the Torah adds 22:23) that although such animals may not be offered as a “*neder*,” they may be offered as a “*nedava*.” Rashi, based on *Torat Kohanim*, explains that these terms refer, respectively, to what *Chazal* call “*kodshei mizbei’ach*” and “*kodshei bedek ha-bayit*” – that is, animals consecrated as sacrifices, and animals donated to the Temple treasury. The former are slaughtered and offered on the altar, whereas the latter are sold by the treasury to obtain funds with which to pay for the *Beit Ha-mikdash*’svarious maintenance expenses. Animals with a disqualifying physical defect may not be offered as sacrifices, but they may be donated to the Temple treasury.

Seforno offers an explanation for why the Torah found it necessary to emphasize that such animals may be donated to the treasury. He writes: “Although the blemishes are very visible, and one would think that they are not worthy even for *bedek ha-bayit*, [the verse] stated that they are worthy of being donated for *bedek ha-bayit*….” One might have assumed that an animal with obvious blemishes is unfit for the *Beit Ha-mikdash* altogether, even as a purely monetary – as opposed to ritual – function. If such an animal is unsuitable as a sacrifice, one could have reasoned, then it has no place at all in the Temple. The Torah therefore dispels this notion and emphasizes, “*nedava ta’aseh oto*” – a blemished an animal may be brought as a financial donation to the *Beit Ha-mikdash*, despite its unsuitability as a sacrifice.

We all have “blemishes” that render us “unfit” for certain roles. Every person, in one way or another, is a “*ba’al mum*” – a defective creature. No human being is perfect, and thus no human being is eligible for any position he or she desires. We are all restricted in some sense, due to our flaws and limited capabilities. The Torah reminds us, however, that “*nedava ta’aseh oto*” – we all nevertheless have a place, and a significant place, within the “*Beit Ha-mikdash*,” in the service of the Almighty. Even if we are unfit for “*kodshei mizbei’ach*,” we must strive for the privilege of “*kodshei bedek ha-bayit*,” of contributing to the sanctity of *Am Yisrael* in any way we can. We are all capable of, and worthy of, making an impact, each in accordance with his or her own unique set of talents and opportunities. Our “blemishes” should not discourage us, but rather direct our focus onto those areas where we are eligible to enter and where we are invited and urged to make the most significant contribution that we can make.

Tuesday

The Torah commands in Parashat Emor (22:29) that when one offers a *toda* – thanksgiving offering, “*li-rtzonekhem tizbachuhu*” – literally, “you shall sacrifice it for your will.” Rashi explains this command to mean that the sacrifice must be slaughtered in a manner in which it will find favor (“*ratzon*”)in God’s eyes. Specifically, this verse refers to the law of *pigul*, which disqualifies a sacrifice if it was slaughtered with the intention of eating its meat beyond the time-frame designated for its consumption. According to this reading, this verse introduces the next verse, which requires eating the meat of a *toda* only the day the sacrifice is offered and that night. The *toda* differs from other *kodashei kalim* (low-level sacrifices) in that the others may also be eaten the following day, whereas the *toda* may be eaten only the day of the offering and through the night. According to Rashi, the Torah here begins by warning that already at the time the sacrifice is slaughtered, one must be committed to obeying this restriction.

Rashi then cites a second interpretation, explaining “*li-rtzonekhem*” to mean that the slaughtering must be performed as a willed action. If one somehow executes an otherwise valid slaughtering without the intention to slaughter – such as if he was swinging a knife and it happened to sever the animal’s neck as required – the sacrifice is invalid. The Torah commands that the slaughtering must be performed “*li-rtzonekhem*,” as a result of one’s desire and intent, and not coincidentally.

A number of later commentators suggested reading this verse as instructing one who brings a *toda* how to properly approach the happy event he is celebrating. As Rashi writes earlier (7:12), a *toda* sacrifice would normally be offered by somebody who had been rescued from a dangerous condition, such as recovering from a serious illness or being released from captivity. Accordingly, Rav Raphael Yom Tov Lipman Halperin, in his *Oneg Yom Tov*, suggests explaining the command “*li-rtzonekhem tizbachuhu*” as urging such an individual to relate to his experience in the proper manner. He is to reflect upon the fact that he was rescued not so he can have more opportunities to enjoy fleeting earthly pleasures, but rather to continue serving God. The Torah commands the celebrant to approach his festivity “*li-rtzonekhem*” – with an eye toward making the right choices, committing to utilizing the opportunities he has been granted the right way.

*Ketav Sofer* explains that after a person is rescued from danger, he should celebrate his salvation without feeling anguished over the period of crisis that he had gone through. Rather than feel resentful over having had to endure the difficult situation from which he was delivered, he must try to celebrate “*li-rtzonekhem*,” wholeheartedly, with genuine joy. He should trust that even life’s travails are, somehow, to our benefit, that we grow and learn from our difficulties and hardships, and with this mindset he will celebrate “*li-rtzonekhem*,” with unbridled gratitude and joy, without any feelings of resentment and angst over having had to endure the period of hardship from which he was rescued.

Wednesday

Parashat Emor begins by presenting several laws relevant to the *kohanim*, and commands in this section, “*Ve-kidashto ki et lechem Elokekha hu makriv*” – “You shall sanctify him [the *kohen*], for he offers the bread of his God” (21:8).

We find in the Gemara two different explanations of what the command of “*ve-kidashto*” – to “sanctify” the *kohanim* – requires. In Masekhet Yevamot (88b), the Gemara explains that the Torah here calls upon the nation’s leadership to enforce the restrictions that apply to *kohanim*. If a *kohen* marries one of the women whom *kohanim* are forbidden from marrying, then the authorities are to use their power to force the *kohen* to divorce his wife. Elsewhere, however, in Masekhet Gittin (59b), the Gemara offers a more famous interpretation of the command of “*ve-kidashto*,” explaining that it requires showing special honor to *kohanim*, such as by calling them up first to the Torah when the Torah is read in the synagogue.

Rav Baruch Epstein, in his *Torah Temima*, cites the *Be’er Sheva* commentary to Masekhet Horiyot (13) as asking how the Sages could derive two entirely different commands from the same word. Rav Epstein suggests that this question is perhaps what led *Tosafot* in Masekhet Chulin (87a) to assert that the second requirement, to show honor to *kohanim*, was actually enacted by the Sages. According to *Tosafot*, the Gemara offered this interpretation of “*ve-kidashto*” only as an *asmakhta* (a subtle allusion in the Biblical text to a law introduced later), and this does not represent the actual meaning of the command. This is also the view taken by the Rosh (Chulin 6:8), and the *Bach* (Y.D. 37) contended that the Rambam followed this position, as well. The *Bach* noted that the Rambam speaks of a *mitzvat asei* (“affirmative command”) to “distinguish the *kohanim*, sanctify them and designate them for sacrificing,” and the Rambam then adds, “And every person in Israel must treat them with great respect…” (*Hilkhot Kelei Ha-mikdash* 4:1-2). According to the *Bach*’s understanding, the “*mitzvat asei*” is restricted to enforcing the *kohanim*’s special status by ensuring their compliance with the special priestly code, whereas the Sages later added a further requirement to treat them with respect. (Rav Asher Weiss, in his *Minchat Asher*, Vayikra, 48, notes that in *Sefer Ha-mitzvot*, *asei* 32, the Rambam clearly includes both obligations under this command.) In any event, Rav Epstein posited that this conclusion was reached to avoid the question of how *Chazal* could arrive at two different obligations from the single command of “*ve-kidashto*.”

A different approach, however, was taken by Rashi. In his Torah commentary, Rashi explains the command of “*ve-kidashto*” as referring to the leaders’ responsibility to enforce the *kohanim*’s compliance with their special laws, and then writes that the phrase later in this verse – “*kadosh yiheyeh lakh*” (“he shall be sacred to you”) – introduces the requirement to treat *kohanim* with special respect. According to Rashi’s understanding, then, the command of “*ve-kidashto*” requires ensuring that the *kohanim* abide by their special restrictions, and the separate command of “*kadosh yiheyeh lakh*” requires treating the *kohanim* with special respect. A number of *Acharonim* noted that Rashi appears to take this view in his Talmud commentary, as well. In Masekhet Gittin, where the Gemara, as mentioned, infers from “*ve-kidashto*” the command to give honor to the *kohanim*, Rashi cites the word “*ve-kidashto*” and then references the continuation of the verse, writing, “*ki et,* and so on.” The Vilna Gaon, in his commentary to *Torat Kohanim* (Emor 8:1), as well as the *Derisha* (O.C. 135:1), understood that Rashi referenced the rest of the verse to indicate that the law established here by the Gemara is inferred not from the word “*ve-kidashto*,” but rather from the phrase later in the verse – “*kadosh yiheyeh lakh*.” Consistent with his remarks in his Torah commentary, Rashi sought to convey – albeit subtly – that when the Gemara appears to infer the command to respect the *kohanim* from the term “*ve-kidashto*,” it actually infers this requirement from the continuation of the verse, and not from the word “*ve-kidashto*.”

Thursday

Yesterday, we noted the command in Parashat Emor (21:8), “*Ve-kidashto*” – to treat the *kohanim* with special sanctity. The Gemara in Masekhet Gittin (59b) interprets this command to mean that *kohanim* must be granted honor “for all matters of sanctity, to begin [the Torah reading] first, to recite the *berakha* first, and to choose a desirable portion first.” This definition of the requirement specifies three examples – the honor of reading the Torah first (in contemporary terms, receiving the first *aliya*), the honor of reciting a *berakha* (such as leading *birkat ha-mazon* after a meal), and the honor of choosing first when items are distributed among a group. Rashi explains that this refers to any sort of distribution; *kohanim* are to be granted the privilege of choosing first whenever different items are being selected.

As a number of *Acharonim* (see, for example, Maharsha, Nedarim 62b) noted, it is unclear why the Gemara specified that *kohanim* must be honored with regard to “*kol davar she-bi-kdusha*” – “all matters of sanctity.” As we have seen, at least according to Rashi, *kohanim* are to be given precedence with regard to all matters, any time different items are distributed among a *kohen* and others, and not only with regard to *mitzva* opportunities. It thus seems difficult to understand why the Gemara mentioned “*kol davar she-bi-kdusha*” in this context. Apparently, the Gemara speaks of two categories – matters of sanctity and general matters – and it introduced the category of *mitzva* opportunities, named several examples, and then mentioned the privilege to choose first even in matters that do not involve a *mitzva*.

This *halakha* appears in the Gemara also in Masekhet Nedarim (62b), and the

commentary to Masekhet Nedarim mistakenly attributed to Rashi explains the passage differently. When the Gemara speaks of a *kohen*’s right to “choose a portion” first, according to this commentary, it refers to the selection of a portion of hallowed food in the *Beit Ha-mikdash*. Sensitive to the Gemara’s mention of “*davar she-bi-kdusha*,” this commentary found it necessary to limit even the final example – choosing a portion – to contexts of “*kedusha*” (“sanctity”), and so it explained that the Gemara speaks of the selection of a portion of sacrificial food in the *Beit Ha-mikdash*. This explanation was offered also by the *Nimukei Yosef* in Masekhet Moed Katan (18b in the Rif).

Of course, this gives rise to the obvious question of how a *kohen* is given precedence over others in a process involving only *kohanim*. The food in the *Beit Ha-mikdash* was distributed only among the *kohanim*, and there thus seems to be no sense in granting a *kohen* precedence over non-*kohanim* in regard to this distribution.

Different suggestions have been offered to explain this view. The Maharsha (in Masekhet Nedarim) proposed that the command of “*ve-kidashto*” includes a requirement to grant special honor to *kohanim* who are Torah scholars, beyond the standard requirement to show honor to *kohanim* generally. Thus, when the sacrificial food was distributed in the *Beit Ha-mikdash*, scholarly *kohanim* were given precedence. The Ran in Masekhet Megilla (14 in the Rif) explains that this refers to the *kohen gadol*, who is to be shown special honor by the other *kohanim*, and is thus invited to choose first when the sacrificial food is distributed. Many later writers, including the *Minchat Chinukh* (269:1), questioned this theory, noting that the command of “*ve-kidashto*” was said in reference to ordinary *kohanim*, and not to the *kohen gadol*, about whom the Torah speaks later (21:10-15).

A different possibility is suggested by *Peri Megadim* (*Mishbetzot Zahav*, 135), in explaining *Tosafot*’s comments to this passage in Masekhet Gittin. *Tosafot* understood the phrase “to choose a portion first” as referring to “the tithe to the poor, charity, or peers sitting together at a meal.” The fact that *Tosafot* made a point of specifying the distribution of charity would seem to indicate that they sought to limit the requirement of “*ve-kidashto*” to *mitzva* contexts. If so, *Peri Megadim* suggests, we might assume that when *Tosafot* then mention “peers sitting at a meal,” they refer to a meal involving a *mitzva* (such as at a *berit mila*, wedding, or *siyum* celebration). According to this view, then, the obligation to grant *kohanim* precedence as an expression of honor applies only in contexts involving *mitzvot*, and this includes the distribution of charity and a *mitzva* meal. This is the view accepted by Rav Yehonatan Eibshutz (*Tumim*, 15:3).

(See Rav Asher Strassberg, [*Asher Le-Yehuda*, Parashat Emor, 5774](http://beinenu.com/sites/default/files/alonim/145_31_74.pdf))

Friday

The Torah in Parashat Emor warns the *kohanim* against partaking of hallowed food – sacrifices or the *teruma* portions received from the rest of the nation – in a state of *tum’a* (impurity). After presenting the basic laws relevant to this prohibition, the Torah commands, “They shall protect My charge and not bear iniquity on its account…” (22:9). The simple meaning of this verse is that the *kohanim* are warned to protect “My charge” – the *Mikdash* and all its components, with which they have been entrusted – by preserving the sanctity and purity of everything associated with the Temple, including the hallowed food.

Rav Yisrael of Modzhitz, in *Divrei Yisrael*, offers an additional insight into this exhortation. The word “*mishmarti*” (“My charge”), he writes, could be understood as referring to that which God must protect. Meaning, God here commands the *kohanim*, His helpers and emissaries, to do their share to protect that which God Himself is responsible for protecting. And the famous verse in Tehillim (121:4) describes God as “*shomer Yisrael*” – “the guardian of Israel.” Thus, when God commands the *kohanim* to protect “*mishmarti*,” the *Divrei Yisrael* writes, He instructs them to protect His people, *Am Yisrael*. He then explains, “*ve-lo yis’u alav cheit*,” which the *Divrei Yisrael* understands to mean, “you shall not bring sin upon it” – that the *kohanim* must not look to find fault in the people. As the people’s religious figures, the *kohanim* should be modeling positivity, noticing all that is good and noble about the people, rather than viewing them harshly and critically. They are to “protect” *Am Yisrael* in the sense of protecting the nation’s honor and dignity, looking favorably upon their fellow Jews instead of finding reasons to criticize them.

The Torah here urges the *kohanim* to maintain rigorous standards of purity as part of their responsibilities as stewards of the *Mikdash*. Often, the more focused we are on growth and self-improvement, we also become less forgiving and more critical towards others. Our concentrated efforts to identify and address our own failings can easily lead us to scrutinize other people, as well. The *Divrei Yisrael* here teaches that as we strive for high spiritual standards, we should judge others more favorably, not less. Our process of self-scrutiny should make us less scrutinizing of the people around us. The more we think about ways we can improve, the less we should be thinking about ways other people need to improve. We ought to aspire to “protect” God’s “*mishmeret*” – His beloved nation, by recognizing our nation’s unique qualities and potential, instead of condemning our fellowmen for their failings. And we are to uplift our fellow Jews not through harsh criticism, but by improving ourselves so we become models for them to follow.

**THE FIRST DECADE OF SALT ARCHIVES CAN BE FOUND AT:**

[www.etzion.org.il/en/salt-archives.html](http://etzion.org.il/en/salt-surf-little-torah-archives)

**MORE RECENT INSTALLMENTS OF SALT DIVREI TORAH CAN BE FOUND AT:**

[www.etzion.org.il/en/topics/salt-surf-little-torah-weekly-files](http://www.etzion.org.il/en/topics/salt-surf-little-torah-weekly-files)