



פרשת אמור
אייר תשע"ט

CHASSIDUS BEIS MEDRASH

In honour of Pesach Sheni and Lag Baomer, all Anash men and Bochorim are invited to join in a community Chassidus Beis Medrash learning evening **this Sunday night.**

We will try as a community to learn all of the Rebbe's Maamarim on Lag Baomer and Sefiras Haomer.

Delicious sushi and hot wedges will be served. **7:30-8:30pm** in the Glicks Cafeteria, followed by a Pesach Sheni farbrengen in the lunchroom.

DOR LEDOR

Dor Ledor learning program is on this Motzai Shabbos.

7:20-8:05pm in the Yeshivah lunchroom.

To sponsor a week of learning and support this fantastic program please contact Rabbi Shlomo Barber.

SHAALOS UTESHUVOS

The Shaalos Uteshuvos shiur held each Sunday morning in Kollel is going strong.

Join us this week to explore some of the Teshuvos of the contemporary Poskim on issue of Kohanim and Tumas Meis.

Can a Kohen work in or visit a hospital? Can they sight-see in the mountains of Tzfas? What about travelling on airplanes with a body in the cargo?

9:30am in Kollel.

A collection of Torah thoughts produced by Kollel Menachem

אין בית המדרש בלא **חידוש** Chiddush



Rabbi Yankel Raskin leads the retirees morning Shulchan Aruch shiur

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The Avodah of Sefiras Haomer

Sefiras Haomer is the bridge between Pesach - the Exodus from Egypt, and Shavuot - the Giving of the Torah. It is not just a bridge, but a time of spiritual preparation and inner Avodah.

Chassidus explains that these 3 phases; Yetzias Mitzrayim, Sefiras Haomer and Matan Torah, are alluded to in the Posuk in Shir Hashirim 1:4;

מִשְׁכְּנֵי אַחֲרֶיךָ נְרוּצָה הִבִּיאֵנִי הַמֶּלֶךְ חֲדָרָיו נְגִילָה וְנִשְׁמַחְהוּ בְךָ

משכני - meaning *draw me*, refers to Yetzias Mitzrayim when Hashem drew the Jewish people towards Him. One of the Halachic forms of acquisition (Kinyan), is *Meshicha*, whereby the acquirer draws the item being acquired from its former domain into their own domain and possession.

On Pesach, Hashem acquired the Jewish people, taking them out of the domain of the impurity of Egypt to become His people.

But the Exodus was a top-down experience. In Egypt, the Jewish people were on a lowly spiritual level. They had sunken to the depths of the 49th gate of impurity and were not deserving of redemption. Hashem Himself descended into Egypt to redeem them, showering and overwhelming them with the Divine revelation.

This word משכני is written in singular form, draw me. Because the revelation of the Exodus was top-down, it only affected the G-dly soul of the Jewish people which could appreciate Holiness. Whilst their G-dly side was liberated, their animalistic side remained coarse and unchanged.

This is why the Jewish people had to flee Mitzrayim. Not because Pharaoh was a threat anymore, but because their animalistic side was still in its full strength.

And so, after the Exodus, the Jewish people had to embark on process of inner change, to refine their animalistic side, so that it too could become sensitive and receptive to the G-dly revelation that would take place at the Giving of the Torah.

This is the process of Sefiras Haomer. Our Parsha contains the Mitzvah of counting the Omer;

וּסְפַרְתֶּם לָכֶם מִמַּחֲרַת הַשַּׁבָּת מִיּוֹם הַבִּיאָכֶם אֶת־עֹמֶר הַתְּנוּפָה שִׁבְעָה שָׁבוּעוֹת תְּמִימֹת תִּהְיֶינָה:

And you shall count for yourselves from the day... of bringing the waved Omer offering, seven weeks, they must be complete.

וספרתם, meaning to count, can be related to the word ספיר, to shine. The 7 weeks refers to the 7 emotive drives of the Animalistic soul. We have to make these 'weeks' shine.

Kabbalah describes how each of the 7 emotions comprises elements of each of the other emotions. This means that there are 49 nuanced aspects of our Animalistic personality and negative character traits that we need to work on. Each day of the 49 days of the Omer, we focus on 1 of these 49 aspects.

This Avodah of Sefiras Haomer is alluded to in the next words of the Posuk נרוצה אחרריך, meaning *after You we will run*.

Unlike the Exodus which was a revelation from above, Sefiras Haomer is a bottom-up process of growth. It is not about Hashem drawing us to Him, but of us moving our whole selves towards Him.

נרוצה is in plural form, because the Avodah of Sefiras Haomer engages both sides of our spiritual make-up; our G-dly soul and our Animalistic soul which is now being refined.

The G-dly soul, which is likened to a man, is intellectually driven. The Animalistic soul, like an animal, is emotive and instinctive. In contrast to rationality which is measured and restrained, emotion is powerful. When harnessed and refined, these strong emotions and desires of the Animalistic soul run, with strength and urgency, towards Hashem.

After 49 days of inner work during Sefirah, we come to the fulfilment of the next words of the Posuk הביאני המלך חדריו נגילה ונשמחה בך *the King brought me into His chambers and their we will rejoice in You.*

At the Giving of the Torah on Shavuot, our full being, our G-dly soul and our Animalistic soul will unite with Hashem on the deepest and most intimate of levels and we will experience the purest form of joy and delight.

Kohanim visiting Kivrei Tzaddikim

Rabbi Yonason Johnson

Parshas Parah begins opens with a series of Mitzvos that apply to Kohanim. One of these Mitzvos is that a male Kohen may not become Tamei by coming into contact with the dead, with the exception of his closest relatives.

Impurity can be contracted from contact with a *Meis*, carrying a *Meis*, walking over graves or being in an Ohel (under the same roof) with a *Meis*. Additionally a Kohen is required to remain at least 4 Amos (approx. 2 metres) away from a grave or dead body.

One of the Halachic questions discussed is whether *Tumas Meis* applies to the bodies and graves of Tzaddikim or not. The practical application is whether Kohanim are able to visit sites such as Maaras Hamachpeilah, Kever Rochel, the gravesite of Rabbi Shimon Bar Yochai in Meiron or other Kivrei Tzaddikim.

The Midrash¹ relates that when Rabbi Akiva was murdered by the Romans, Eliyahu Hanovi took care of his burial, carrying him on his shoulder. Rabbi Yehoshua Hagarsi (a Talmid or Rabbi Akiva) saw Eliyahu carrying Rabbi Akiva's body and asked how he was able to be involved in the burial if he was a Kohen? Eliyahu Hanovi replied "there is no *Tumah* with Talmidei Chachamim or their disciples".

But there are sections of the Gemora which suggest otherwise.

Pesach Sheini (which falls out this Sunday) came about because a group of individuals who were impure from contact with the dead, would miss out on bringing the Korban Pesach. The Gemora² reveals that these individuals were those who carried the body of Yosef Hatzaddik. We see clearly from this, that the bodies of Tzaddikim convey *Tumah*.

Elsewhere the Gemora³ teaches that Rabbi Benaah would mark the graves of the Avos. Rashbam and Tosfos⁴ explain that he did so in order that the Kohanim would know to stay away from them on account of *Tumah*.

(Rabbi Yaakov Emden - Yaavetz⁵, who rules that *Kivrei Tzaddikim* do not convey *Tumah*, explains that Rabbi Benaah marked the graves so that people would know where they are so that they would be able to daven there in a time of need).

Usually, we do not derive Halachic rulings from Midrashim, especially when they are contradicted by the Gemara⁶. Nonetheless the Rishonim offer various explanations to resolve the contradiction with the Midrash.

Tosfos⁷ (Rabbeinu Tam) explains that the reason

Eliyahu Hanovi took part in the burial of Rabbi Akiva was because it had the status of a *Meis Mitzvah*. Since those executed by the government were not allowed to be buried, no one else was able to take care of the *Kevurah*. A Kohen is allowed to become impure for a *Meis Mitzvah*. His answer to Rabbi Yehoshua "there is no *Tumah* with Talmidei Chachamim" was only a *Dechiya*, a throw-away answer to push him off.

Ritva⁸ resolves the Midrash in a similar manner, that Rabbi Akiva had the status of a *Meis Mitzvah*. Unlike Tosfos, Ritva explains that this would be true even if there were relatives who could take care of the burial. This is because it is considered as the honour of a *Nosi* or other Torah giant that everyone participate in the burial, even Kohanim.

But not all of the Rishonim take this view.

Ramban⁹ indicates that we cannot say that Eliyahu's response was just a *Dechiya*. Were it not actually the Halacha, he would be issuing rulings which are not according to Torah. Further this would be a violation of *Lifnei Iver* (placing a stumbling block in front of the blind) as those who heard his ruling would believe that this is the Halacha and would act accordingly.

Rashba¹⁰ likewise attacks the position of Rabbeinu Tam that Eliyahu was merely pushing away Rabbi Yehoshua's question. This is also the position of Sefer Hachinuch¹¹.

In his commentary on Parshas Chukas Ramban writes that the bodies of Tzaddikim do not cause *Tumah*. He explains that *Tumas Meis* only applies to those who died on account of the "seduction of the snake". Those who pass away with *Neshikah* (Divine kiss) do not cause impurity¹².

The Poskim however suggest that even Ramban's lenient position may be limited only to the actual burial of Tzaddikim and not to their Kevarim.

The Gemora¹³ teaches that on the day Rebbi (Rabbi Yehuda Hanosi) passed away the *Kedusha* of the Kohanim was nullified and Kohanim were allowed to become defiled. The Gemora indicates that it was only on the day of passing. This fits Ritva's explanation that a *Nosi* has the status of a *Meis Mitzvah*, an allowance which only applies to the actual burial itself. Therefore even according to this view, one would not be able to rely on it to permit visiting Kivrei Tzaddikim.

Based on this Gemora, Rabbeinu Chaim Kohen (one of the Baalei Tosfos) said that were he present when Rabbeinu Tam passed away, he would have become defiled for his burial¹⁴. Beis Yosef questions this, as Rabbeinu Tam was not a *Nosi*. He writes that Rabbeinu Chaim must hold that the allowance

applies to any *Godol Hador*. The Beis Yosef writes that we do not follow this.

The Raava^d¹⁵ has an interesting Shitah. Nowadays since Kohanim are all impure anyway, there is no longer any prohibition on them becoming impure. This is also the opinion of the Sefer Mitzvos Gadol¹⁶. However the majority of Rishonim maintain that *Tumas Meis* remains in force today.

The vast majority of Poskim¹⁷ maintain that there is an *Issur Gamur* for Kohanim to visit the gravesites of Tzaddikim. Rabbi Shlomo Kluger writes that a Kohen who does so desecrates their *Kehunah* and cannot be called a Kohen! Even on the day of the burial itself we cannot be lenient nowadays. Kitzur Shulchan Aruch¹⁸ writes that it is a mistaken practise and one must protest.

A noted voice of dissent is the Minchas Elozor¹⁹ who writes that it is permissible for Kohanim to visit Kivrei Tzaddikim of their Rebbe. However it is preferable to refrain from doing so as it may lead to Kohanim being lenient for any Rabbi or Talmid Chacham.

At the funeral of the Sfas Emes they asked the Avnei Nezer whether a Kohen was allowed to be involved with the *Kevurah*. He replied "Chas Veshalom"!

In a letter²⁰, the Rebbe refers to a letter from the Alter Rebbe's brother, the Mahari"l, concerning the fence which was erected around the Alter Rebbe's Tziyun in Haditch. In another letter²¹ the Rebbe writes that he is not pleased with the practise of Kohanim going to Kivrei Tzaddikim. He brings proof from this from the fact that at the Ohel in Lubavitch there were markers to restrict Kohanim from approaching.

The Rebbe continues to explain that at the Ohel of the Frierdike Rebbe a wall of 10 Tefachim tall was erected and that Kohanim may enter (as long as they stay 4 Tefachim away from the grave itself).

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1. Mishlei Parsha 9 also quoted in Yalkut Shimoni. Known as the Midrash Asarah Harugei Malchus
 2. Sukkah 25a
 3. Bava Basra 58a
 4. Ibid. Also Ritva and Nimukei Yosef and Rif (Teshuva 313)
 5. Hagahos on Bava Metziah 85b
 6. Sefer Haeshkol
 7. Bava Metziah 114b
 8. Megillah 3b
 9. Yevamos 61b
 10. Chiddushim 61a
 11. Mitzvah 263
 12. See also Kli Yakar Parshas Emor who writes likewise
 13. Kesubos 103b
 14. Tosfos Kesubos 103b
 15. Hilchos Nezirus 5:17
 16. Positive Mitzvah 231
 17. Including Avnei Nezer (YD 468), Noda Biyehuda, Chasam Sofer, Shlomo Kluger (Tuv Taam Vedaas YD 2:231), Bikurei Yaakov (20). See Shu"t Yechave Daas 4:58
 18. 202:14
 19. 3:64
 20. Shaar Halacha uMinhag 3:150
 21. ibid