**Good Advice**

"And the sons of Aaron, Nadav and Avihu, each man took his fire-pan." (10:1)

Nadav and Avihu made an error of judgment. They thought it was not only the Kohen Gadol who could bring the incense offering in the Holy of Holies, but that even they were permitted to do so.

They were great tzaddikim and no doubt pondered their conclusion before committing themselves to action.

The Midrash comments on the above verse: “Each man his fire-pan; each man by himself, without taking advice one from the other.” (Yalkut Shimoni, Shmini 524) The implication here is that if they had taken advice one from the other, if they had talked it over before they acted, that they would not have erred.

**Well-Known in Prague**

“And it was that on the eighth day, Moshe called to Aaron and the elders of Yisrael.” (9:1)

The great talmudic authority and Rabbi of Prague, the Noda B’Yehuda, Rabbi Yechezkel Landau passed away. After his passing, the leaders of the community gathered together to chose a successor. Rabbi Yakovka, the Noda B’Yehuda’s son told the gathering that prior to his father’s passing, he had left specific instructions that Rabbi Yakovka’s son, Rabbi Shmuel, should assume the position of Rabbi of the community.

Rabbi Zerach Idlitz, who had presumed himself to be the Noda B’Yehuda’s successor, rose and stated that he did not believe Rabbi Yakovka. Rabbi Yakovka quoted him the Midrash Tanchuma on the above phrase “and the elders of Yisrael.” He asked “Why were the elders called to witness Aharon’s elevation to the Kehuna? Hashem himself told Moshe to anoint Aaron and appoint him Kohen Gadol (High Priest) in front of the elders so that no-one could claim that Aharon had elected himself to the job.

“Of course, the question arises, if the elders would have suspected that Aaron had not been commanded by Hashem to be Kohen Gadol, but had appointed himself, why should they have been more ready to believe Moshe that Hashem had told him to anoint Aharon in front of them?

“It’s true they may not have believed Aharon, for he was biased in the matter, but if Moshe had wanted to lie, he could have claimed that Hashem had appointed him as Kohen Gadol!

“Similarly in our case, if I had wanted to lie, I could have said that my father wanted me to fill his place, and not my son.”

**Please Read Before Using!**

“...And they brought before Hashem a strange fire that He had not commanded them...” (10:1)

The Torah is the instruction manual of the world written by the Maker of the world.

No one knows better how to operate a machine than its maker. Imagine someone buying a new car. The salesman says to the proud new owner “Oh, yes sir. One more thing — your instruction manual.” The driver says “Oh, I don’t need that. I instinctively feel what the tire pressures should be, and I have a sixth sense when the car needs a major service. I know intuitively what octane fuel the car needs.”

Few people when faced with operating something as precise and unforgiving as a car would leave these sorts of decisions to instinct and feeling. Life is no less demanding nor complex than a car. Rather more so!

And yet many people are happy to coast along, assuming that they are not putting water in their spiritual gas tank.

The purpose of life is to become close to the Creator of the world, and continued on page four
Parsha Overview

On the eighth day of the dedication of the Mishkan, Aaron, his sons, and the entire nation bring various korbanos (sacrifices) as commanded by Moshe. Aaron and Moshe bless the nation. Hashem allows the Jewish People to sense His Presence after they complete the Mishkan and draw closer to Him through their mitzvos there. Aaron’s sons, Nadav and Avihu, innovate an original offering that was not commanded by Hashem. A fire comes from before Hashem and consumes them, stressing the need to perform the commandments only as Moshe directs. Moshe consoles Aaron, who grieves in silence. Moshe directs the kohanim as to their behavior during the mourning period, and warns them that they must not drink intoxicating beverages before serving in the Mishkan. The Torah lists the two characteristics of a kosher animal: It has split hooves, and it chews, regurgitates, and re-chews its food. The Torah specifies by name those non-kosher animals which have only one of these two signs. A kosher fish has fins and easily removable scales. All birds not included in the list of forbidden families are permitted. The Torah forbids all types of insects except for four species of locusts. Details are given of the purification process after coming in contact with ritually-impure species. The Bnei Yisrael are commanded to be separate, and holy – like Hashem.

SING MY SOUL
INSIGHTS INTO THE SHABBOS ZEMIROS

“Its remembrance is like a pleasing fragrance”

The Torah describes the offering of sacrifices in the Beis Hamikdash as providing “a pleasing fragrance for Hashem.” Even when we are not capable of offering sacrifices, our study of the laws of sacrifices is considered as if we actually offered them and provided this “pleasing fragrance.” In the same manner we are capable of infusing the entire week with the sanctity of the Shabbos by studying the laws of Shabbos and remembering the holy day. This sort of remembering is therefore similar to the “pleasing fragrance” created by the remembering of sacrifices.

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מ"ע ד’
ר’ דוד בן הירש ר’ אהרון ז’ ל“ד זטר לאה בת ר’ שמואל ז’ ל“ד
שנמאז מסמס על קשתות ד’
ה.ז.ע.ב.ד"ה.
PARTHA Q&A

1. What date was “Yom Hashmini”?
2. Which of Aaron’s korbanos atoned for the golden calf?
3. What two korbanos did Aaron offer for himself?
4. What korbanos did Aaron offer for the Jewish People?
5. What was unique about the Chatas offered during the induction of the Mishkan?
6. When did Aaron bless the people with the Birkas Kohenin?
7. Why did Moshe go into the Ohel Mo’ed with Aaron?
8. Why did Nadav and Avihu die?
9. Aaron quietly accepted his sons’ death. What reward did he receive for this?
10. What specific prohibitions apply to a person who is intoxicated?
11. Name the three Chatas goat offerings that were sacrificed on the day of the inauguration of the Mishkan.
12. Which he-goat Chatas did Aaron burn completely and why?
13. Why did Hashem choose Moshe, Aaron, Elazar, and Isamar as His messengers to tell the Jewish People the laws of Kashrus?
14. How did the Jewish People know which animals were permissible to eat?
15. What are the signs of a kosher land animal?
16. How many non-kosher animals display only one sign of Kashrus? What are they?
17. What are the signs of kosher fish?
18. If a fish sheds its fins and scales when out of the water is it kosher?
19. Why is a stork calledchasida in Hebrew?
20. The chagav is a kosher insect. Why don’t we eat it?

**BONUS QUESTION?**

“These, however, you shall not eat... the camel, because it chews its cud and lacks split hooves; it is not kosher... (11:4)” The camel is not kosher because it lacks split hooves. The Torah, however, states the reason for its being not kosher “because it chews its cud and lacks split hooves.” How is chewing its cud relevant to being not kosher? Isn’t cud-chewing a kosher characteristic?

**I DIDN’T KNOW THAT!**

The characteristic traits of kosher birds are not specified in the Torah. Rather, the Torah lists all categories of birds that are not kosher. All birds not listed in the Torah are kosher. (In actual practice, we don’t eat any type of bird unless it is traditionally established as kosher.)

* Aruch Hashulchan 82:2.31

**HAFTORAH: YECHZEKEL 45:16-46:18**

**PARTNERS IN TIME**

The Shabbos before Rosh Chodesh Nissan (the first day of the Hebrew month of Nissan) is called Shabbos HaChodesh. Nissan, the first month of the year, is called the ‘king of the months.’ On Rosh Chodesh Nissan, the Jewish People received the first of all of the 613 mitzvos — the sanctification of the moon.

Through this mitzvah, the Jewish People were given a partnership in the mastery of time: The world of Shabbos is fixed in time. We return to it every seven days. However, the mitzvah of kiddush hachodesh (sanctifying the moon) gave the Jewish People the ability to establish the length of the months, and thus to determine the dates of Pesach, Shawwa, Succos, etc.

Thus Man becomes a partner with Hashem in sanctifying time.

The Cesium and Rubidium atom clocks at the U.S. Naval Observatory Time Center are accurate to one second in 300,000 years. But three thousand years ago, Moshe, had no such time-piece. However, somehow Moshe knew the exact length of the lunar month — 29.53059 days — an accuracy which was literally out of this world!

In the reference work ‘Astronomy and Astrophysics’ (Loudolt Bornstein Group vol. a Sec 2.2.4, Berlin 1965) the precise length of the lunar month is listed as 29.530589 days! How did Moshe have a figure so accurate that it took science three thousand years to come to the same number?

Our Sages tell us that this number was given to Moshe by Hashem at the beginning of Parshas HaChodesh. It was passed down from Moshe to Hillel II, the last prince of the House of David. When Hillel II sanctified all the new moons from his day until the final redemption, he had to know the exact length of the lunar month to within a fraction of a second, for even a small error would, over millennia, amount to a visible error.

This was in fact the case with the calendar of Julius Caesar, which by the year 1582 had wandered so far that Pope Gregory XIII erased 10 days from the calendar, with the result that the day after the 4th October 1582 was called the 16th October!

There have been approximately 41,000 new moons since the time of Moshe, but from Mount Sinai onward, the secret of the exact length of the lunar month has always been known to the Jewish People, because Moshe Rabbeinu had a clock that was literally ‘out of this world.’

The Haftorah of Parshas HaChodesh describes a month of Nissan yet to come. Mashiach has arrived and the Third Beis Hamikdash is to be consecrated in a ceremony which starts on Rosh Chodesh Nissan. As in Parshas HaChodesh, so too in the Haftorah, the laws and sacrifices of Pesach are detailed.
Coercion or Liberation?

If a Jew made a pledge of erachin (the sum of money fixed by the Torah according to the gender and age of the person pledging his value or that of another Jew), and refuses to honor this pledge, the court seizes his property to enforce payment. Judicial pressure is similarly applied in regard to a pledge made of a voluntary sacrifice such as olah or shlamim.

The final example of coercion listed in the Mishnah is the Jew who is required by law to grant his wife a divorce but refuses to do so. He is pressured until he complies by saying “I wish to do so.”

If a divorce is only valid when the man grants it because he wishes to, how can an induced will be sufficient? Rambam (Laws of Divorce 2:20) supplies the following explanation:

We consider pressure as coercion only if one is forced to do something which he is not obligated to do by Torah law, such as selling or giving a gift. But one who has been incited by his evil inclination to put aside the performance of a positive command or to transgress a prohibition and is pressured until he performs that mitzvah or desists from that transgression cannot be considered the victim of coercion, for it is he who has coerced himself through his perverse attitude. Our perspective of the Jew who refuses to grant the divorce required by Torah law is as a man who still wished to remain a Jew and to perform all the mitzvos and refrain from all transgressions, but has been overcome by his evil inclination. The pressure exerted upon him until this evil inclination is subdued (and he is liberated from its coercive influence) and he declares “I wish to do so” is therefore not considered coercion, and the granting of the divorce is viewed as an expression of his genuine free will.

A Better Debtor

Payment of a debt, says Rabbi Papa, is a mitzvah.

When a person lends another person money, that money becomes the property of the borrower who now has the responsibility of repaying the debt. Failure to do so cannot, therefore, come under the category of theft. What do we find in our sources regarding the fulfillment of the borrower’s responsibility?

“It is forbidden for the borrower to hold on to money which he owes and to tell his creditor to come back another time. It is also forbidden to borrow money needlessly and then spend it so that the creditor has no means of collection. Even if the creditor is a wealthy man, such a borrower is considered a wicked person, as it is written (Tehillim 37:21) “The wicked person borrows and does not repay.” Our Sages (Avos 2:17) have warned us that the money of another should be as dear to us as our own.” — Rambam (Laws of Creditor & Borrower 1:3)

“What is the source for the mitzvah mentioned by Rabbi Papa? Rashi (Kesubos 86a) cites a Talmudic source (Bava Metzia 49a) based on a passage in the Torah (Vayikra 19:13) requiring us to have honest weights. “Your hin (a dry weight) should be just,” says the Torah, and our Sages see this as being superfluous since we have already been warned in regard to honest weights in the preceding word of the passage. They therefore conclude that we should read it as “Your hein (Hebrew for “yes”) should be just,” and that you must honor your verbal pledge to repay your debt.

Kosher Style

“Every (animal) that has a split hoof, which is completely separated into double hooves, and that brings up its cud - that one you may eat.” (11:3)

These two aspects of a kosher land animal are not a means of identifying them as being kosher, rather they are the cause of them being kosher.

In other words, having split hooves and regurgitating its cud are what makes the animal kosher.

The Torah specifically tells us that one of these aspects without the other renders the animal as non-kosher as if it had neither.

The split hoof represents the outward behavior of man towards his fellow, and the chewing of the cud represents the inward relationship between Man and G-d. If a person behaves in a kosher way only with his fellow or only with Hashem, he is, nevertheless, treif.
WHO IS A EWE?

Dear Readers,
We have been reading with interest about the birth of Dolly in Scotland. The first mammal ever cloned from a single adult cell. Questions have been raised in the media about the ethics and legality of cloning and questions have been pouring in to Ask The Rabbi about Judaism’s stand on this issue. Below is an initial reaction. Be on the lookout for future updates about this issue.

The Talmud (Bava Kama 85a) states that we derive permission and obligation to engage in healing and intrusive medicine from the verse that states “and you shall heal him and you shall heal him” (Exodus 21:19). Why do we need permission to heal? Judaism maintains that our bodies and souls are not our possessions which we may dispose of at will. Rather, they are “on loan” from G-d, and we may only interfere with them with the permission of the Torah. Maimonides states in his Mishneh Torah (Laws of Sanhedrin 18:6) that a person cannot be punished based on his own confession. The Radbaz explains that this law is based on the fact that: “the life of a person is not that person’s own property, rather the possession of G-d, as it states in Ezekiel 18 “their souls are mine;” therefore, the confession does not have bearing on that which does not belong to the confessor.”

Contemporary authorities see in these sources a restriction on the practice of medicine where there is no “healing” justification, such as cosmetic surgery for reasons of mere vanity, which Rabbi Waldenberg, a leading expert in Jewish medical ethics, forbids (Tzitz Eliezer 11:41). As he writes: “The permission that has been given to the doctor to heal is limited to curing of sickness and alleviation of pain.”

Regarding cloning, it seems clear that there is no actual healing involved in creating a human being, and therefore the Ashkenazi Chief Rabbi of Israel, Rabbi Yisrael Lau, stated in a recent interview: “The Torah gave a specific dispensation for doctors to use their knowledge to cure, and even to lengthen life, but the formation of new life goes way beyond that. We have no permission to enter the domain of the Creator on questions of life and death.”

We do, however, find some precedents in our tradition for “engineering” which is not strictly for the purpose of healing. For instance, the Talmud (Sanhedrin 21b, Avodah Zarah 44a) says that the runners of King David had operations on their feet, and had their spleens removed, in order to increase their efficiency as runners. It is possible to argue that these medical procedures imbued the runners with some tangible health benefits, such as fitness and endurance, and were therefore permitted, even though the runners were not ill.

According to some commentators (Shnorah, Rashbam ad loc.) the intervention of Jacob in the breeding of his sheep was a naturalistic manipulation that was not miraculous (Genesis 30:38-39). “In the watering trough where the sheep came to drink, Jacob set up striped sticks… and the sheep became stimulated when seeing the sticks, and when they gave birth, their offspring were striped, flecked and blotched.” In addition, the Talmud (Sanhedrin 65b) relates that the Sages were able to create living beings through their knowledge of the Kabbalah: “Rabbi Chanina and Rabbi Oshia sat every Friday afternoon and studied the Book of Formation. Through their study they created a prime calf, and they ate it. Rava created a person and sent him to Rabbi Zeira. Rabbi Zeira tried to speak to the creature, but the creature was unable to respond. Rabbi Zeira realized that the creature was a creation of Rava and he returned it to dust.” These creatures, as is evidenced by the creature’s inability to speak, did not have souls and were not really human (Maharsha ad loc.). However, a child born to a human mother, from a human embryo, would almost certainly be considered a fully fledged, human being with its own unique soul.

Although these incidents are interesting we cannot apply them to contemporary Jewish Law. Jacob lived before the giving of the Torah, and therefore we cannot prove halachah from his actions; and he was merely engaged in influencing the appearance of natural-born sheep, not cloning one, let alone cloning a human. The Rabbis of the Talmud were not cloning, and were certainly not engaged in any physical medical procedure. In addition it is difficult to derive halachic rulings from incidents that are not told in a halachic context (Yerushalmi, Peah Chapter 2).

Please Note: All of the above is written as an introduction to the issue of cloning in particular, and genetic engineering in general. It should be read only as an initial discussion and not as a conclusive legal ruling.
PARSHA Q&A!

Answers to this Week's Questions!
All references are to the verses and Rashi’s commentary unless otherwise stated.

1. 9:1 - 1st of Nissan.
2. 9:2 - The calf offered as a Korban Chatas.
3. 9:2 - A calf as a Chatas and a ram for an Olah.
4. 9:3,4 - A he-goat as a Chatas, a calf and a lamb for an Olah, an ox and a ram for Shlaimim, and a Minchah.
5. 9:11 - It’s the only example of a Chatas offered on the courtyard Mizbe‘ach that was burned.
6. 9:22 - When he finished offering the korbanos, before descending from the Mizbe‘ach.
7. 9:23 - For one of two reasons: Either to teach Aaron about the service of the incense, or to pray for the Shechina to dwell with Israel.
8. 10:2 - Rashi offers two reasons: Either because they gave a halachic ruling in Moshe’s presence, or because they entered the Mishkan after drinking intoxicating wine.
9. 10:3 - A portion of the Torah was given solely through Aaron.
10. 10:9-11 - He may not give a halachic ruling. Also, a kohen is forbidden to enter the Ohel Mo‘ed, approach the Mizbe‘ach, or perform the avoda.
11. 10:16 - The goat offerings of the inauguration ceremony, of Rosh Chodesh, and of Nachshon ben Aminadav.
12. 10:16 - The Rosh Chodesh Chatas: Either because it became tamei, or because the kohanim were forbidden to eat from it while in the state of aninus (mourning).
13. 11:2 - Because they accepted the deaths of Nadav and Avihu in silence.
14. 11:2 - Moshe showed them the various animals and pointed out which were permissible to eat and which were not.
15. 11:3 - An animal whose hoofs are completely split and who chews its cud.
16. 11:4,5,6,7 - Four: Camel, shafan, hare, and pig.
17. 11:9 - Fins and scales.
18. 11:12 - Yes.
19. 11:19 - Because it acts with chesed (kindness) toward other storks regarding food.
20. 11:21 - We have lost the tradition and are not able to identify the kosher chagav.

Symbolically, having one of the two kosher characteristics makes the animal 'more' non-kosher. It symbolizes hypocrisy, as if the animal is saying, “Look, I chew my cud — I’m kosher!”

• Kli Yakar

Recommended Reading List

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