**S.A.L.T. – PARASHOT ACHAREI-MOT – KEDOSHIM**

**By Rav David Silverberg**

Motzaei Shabbat

 Parashat Acharei-Mot concludes with the section of *arayot*, which lists the various kinds of sexual relationships which the Torah forbids. In the introduction to this section the Torah admonishes, “You shall observe My commands and My statutes which a person shall perform and live by them” (18:5). The Gemara (Sanhedrin 74a) famously understands the phrase “*va-chai bahem*” (“and live by them”) in this verse as indicating that God does not wish us to die as a result of observing His commands. This verse thus establishes the famous rule of *piku’ach nefesh*, whereby the concern to rescue human life overrides the Torah’s laws.

 A number of *Acharonim* have noted the irony in the fact that this rule is alluded to by the Torah specifically here, in the introduction to the section of *arayot*. Sexual offenses are among the group of three exceptions to the rule of *piku’ach nefesh*, as one is required to surrender his life when this is necessary to avoid a forbidden sexual relationship (such as if an enemy threatens to kill somebody if he refuses to engage in relations with a family member or another man’s wife). This prohibition, like idol-worship and murder, is not waived for the sake of protecting human life, in contradistinction to the vast majority of Torah laws. It might therefore strike us as surprising, and odd, that the Torah would establish the principle of *piku’ach nefesh* specifically in the context of *arayot* – one of the three sins regarding which this principle does not apply.

 Several answers have been offered to this question, one of which emerges from the comments of Tosefot (Sanhedrin 74b) regarding the verse “*va-chai bahem*.” Tosefot assert that fundamentally, there should be no reason for the Torah to inform us the rule of *piku’ach nefesh*. The premise that God does not want us to surrender our lives for the sake of observing His laws is, essentially, intuitive and self-understood. The only reason why it was necessary for the Torah to specify “*va-chaim bahem*,” that we suspend its laws for the sake of human life, is because of the extraordinary requirement of martyrdom to avoid transgressing one of the three aforementioned sins (murder, idolatry and sexual immorality). Since there are three Torah laws for which one must be prepared to surrender his life, one might have assumed that this standard applies to all the Torah’s laws. It is for this reason, Tosfot explain, that the Torah informs us “*va-chaim bahem*,” that protecting human life overrides all but three of the Torah’s commands.

 This perspective might help explain why the provision of “*va-chai bahem*” appears in the introduction to the section dealing with the *arayot*. The unique stringency of *arayot*, which must be observed even at the risk of death, is what gives rise to the possibility that all Torah laws override the concern for human life. And thus specifically in this context, the Torah specified “*va-chai bahem*,” that with but three exceptions, its laws are waived when human life is at risk.

(See *Or Ha-chayim* to Vayikra 18:5, and Rav Chaim Leib Eisenstein’s [*Peninim Mi-bei Midresha*, Parashat Acharei-Mot](http://hebrewbooks.org/pdfpager.aspx?req=47428&st=&pgnum=178&hilite=).)

Sunday

 The Torah in Parashat Acharei-Mot introduces the *mitzva* of *kisui ha-dam*, which requires covering the blood of non-domesticated animals and birds that are slaughtered (17:13). This obligation does not apply to domesticated animals; after slaughtering a sheep or a cow, the animal’s blood does not have to be covered.

 On the level of *peshuto shel mikra* (the plain meaning of the text), this command should be viewed in the context of the previous section, where God forbids *Benei Yisrael* from slaughtering domesticated animals in the wilderness except as sacrifices. While the precise meaning of this prohibition is subject to debate among the *Tanna’im* (Chulin 16b-17a), the straightforward reading of the text – as noted by the Ramban (17:2-3) – follows the view that during the years of travel in the wilderness, *Benei Yisrael* were permitted to slaughter domesticated animals only if they were offering a sacrifice. This means that if somebody wished to eat the meat of a domesticated animal, he would need to consecrate an animal as a *shelamim* offering, and bring it to the *Mishkan* where certain portions of the animal would be placed on the altar and others given to the *kohen*. The owner would then be allowed to eat the rest of the animal’s meat. Once *Benei Yisrael* entered the Land of Israel, where it was unfeasible to bring a sacrifice every time one wished to eat the meat of a domesticated animal, it became permissible to do so without offering a sacrifice. This rule applied only to domesticated animals for the simple reason that only domesticated animals could be brought as sacrifices. God wanted *Benei Yisrael* during this period to eat animals that are suitable for sacrifices only as sacrifices. Non-domesticated animals and birds, which are not offered as sacrifices, were allowed to be eaten in an ordinary fashion. (Some birds are eligible as an *ola* and *chatat*, but none are eligible as a *shelamim*, and thus nobody who would bring a bird offering would be able to partake of the bird’s meat.)

 Accordingly, God here presents the instructions concerning all forms of meat consumption in the wilderness, establishing two basic guidelines: 1) slaughtering domesticated animals is forbidden outside the framework of sacrifices; 2) slaughtering non-domesticated animals and birds is allowed outside the *Mishkan*, provided that the blood is then covered by earth.

 The explanation of this requirement to cover the blood likely relates to the reason given for why slaughtering domesticated animals was forbidden. God tells Moshe that this command is issued so that *Benei Yisrael* would sacrifice only in the *Mishkan*, “and they would no longer offer their sacrifices to the demons after which they stray…” (17:7). As Ibn Ezra explains, it seems that *Benei Yisrael* had grown accustomed in Egypt to offering sacrifices to the spirits in the desert. Forbidding the slaughtering of sacrifice-eligible animals outside the area of the *Mishkan* was a safeguard against pagan worship, to which *Benei Yisrael* were, apparently, drawn. This same concern likely underlies the requirement of *kisui ha-dam*. As birds and non-domesticated animals were not commonly offered as sacrifices, there was not the same level of concern regarding the slaughtering of these animals as there was regarding the slaughtering of domesticated animals. Nevertheless, God commanded *Benei Yisrael* to cover the blood to ensure that the blood could not be used in any sort of religious rite. Although slaughtering these animals and birds was allowed, it was still necessary to protect against pagan worship by requiring that the blood would be covered by earth so it could not be used for any sacrificial purpose. God thus sought to lead *Benei Yisrael* away from idolatry by forbidding the slaughtering of domesticated animals unless they are brought as sacrifices to Him, and by requiring that the blood of other creatures must be covered after slaughtering.

Monday

 One of the commands issued in Parashat Acharei-Mot is the obligation of *kisui ha-dam*, which requires covering the blood of a slaughtered animal or bird. As we discussed yesterday, this *mitzva* applies specifically to birds and to non-domesticated animals. After one slaughters a domesticated animal, such as a cow or lamb, the blood does not have to be covered.

 Among the approaches taken to explain this obligation appears in Rav Aharon Elazar Fashkas’ [*Ma’aseh Avot* commentary to *Pirkei Avot* (p. 3a)](http://hebrewbooks.org/pdfpager.aspx?req=5401&st=&pgnum=19). Rav Fashkas takes note of the fact that the Torah introduces this command by addressing the case of a person who “hunts” a non-domesticated animal or bird (“*asher yatzud tzeid chaya*” – 17:13). This focus on the act of hunting, Rav Fashkas suggests, perhaps gives us a clue as to the nature of this command. The Torah allows sacrificing only domesticated animals, and thus whenever a sacrifice is required, one merely has to take an animal from his herd, or purchase an animal from the cattle market, to offer a sacrifice. Never does the Torah require a person to go out to hunt for a deer or other animals in the wild. Rav Fashkas thus suggests that the obligation of *kisui ha-dam* serves to draw one’s attention to the somewhat problematic nature of hunting birds or non-domesticated animals for food. A person goes out to hunt an animal because, apparently, he is not satisfied with the animals in his herd, and desires something different. The Torah seeks to admonish this individual for exerting this kind of effort for his physical gratification, a level of exertion that God does not require for sacrifices. While we are certainly not to ignore our physical and material needs, and we are entitled to enjoy food and other physical delights, we must live with a proper sense of balance and prioritization, devoting as much time and effort as we can to the service of our Creator. Covering the blood of a slaughtered bird or non-domesticated animal signals that while the Torah looks unfavorably upon – while stopping short of prohibiting – going to hunt for animals when ordinary meat is available with less effort and exertion.

 One could easily question whether this approach is technically correct, as there are occasions when the Torah requires bringing doves or pigeons as sacrifices, and the obligation of *kisui ha-dam* applies even when slaughtering domesticated birds that do not require hunting, such as chickens. Nevertheless, the insight reminds us of the need for moderation in our material pursuits, that we must try to devote as much time and energy as possible to spirituality, to studying Torah and performing *mitzvot*, recognizing that this is ultimately the purpose for which we have come into the world.

Tuesday

 The Torah in Parashat Kedoshim introduces the *mitzva* of *neta revai*, which applies to fruits produced by a tree on the fourth year since its planting. After the three-year period during which the fruit is forbidden for consumption (*orla*), the fruit during the tree’s fourth year is declared “*kodesh hilulim le-Hashem*” (“sacred for praise to the Lord” – 19:24). The commentaries (see Rashi, Rashbam) explain that the produce during the fourth year is considered sacred the same way the annual *ma’aser sheni* tithe is considered sacred – in that it must be brought to Jerusalem and eaten there. The produce is called “*kodesh hilulim* *le-Hashem*” because its consumption in Jerusalem is to be accompanied by joyous songs of praise to God.

 The Gemara in Masekhet Berakhot (35a) cites this verse and considers interpreting it as a Biblical source for the requirement of *berakha rishona* – the recitation of a blessing before eating. The expression “*kodesh hilulim*,” according to this proposed reading, refers to the words of praise that must be expressed before partaking of the *neta revai*, thus establishing the general obligation to recite a blessing before partaking of food. The Gemara ultimately rejects this theory, concluding that the requirement of *berakha rishona* was enacted by *Chazal*, and in truth is not derived from this verse.

 The question arises, according to the Gemara’s proposition that the phrase “*kodesh hilulim*” constitutes the source of the *berakha rishona* obligation, why would the Torah introduce this obligation specifically in the context of *neta revai*? At the stage when the Gemara viewed this obligation as a Torah requirement, why did it think that the Torah would introduce this *mitzva* in reference to *neta revai*, rather than present it as a generic command, applicable to all foods?

 Rav Yosef Salant, in his [*Be’er Yosef*](http://hebrewbooks.org/pdfpager.aspx?req=47092&st=&pgnum=52), suggests an explanation based on the halakhic status of *neta revai*. As mentioned, *neta revai* has the same status as *ma’aser sheni*, the classification of which is subject to a debate among the *Tanna’im*. Rabbi Meir (Kiddushin 52b-53a) maintains that *ma’aser sheni* is considered sacred property, and not the legal property of the owner. Although he may eat the produce, he is not, from a technical, legal standpoint, the owner, as it has been consecrated and thus belongs to the Almighty. This has several legal implications, such as the inability to use the produce to betroth a woman, or to use an *etrog* of *ma’aser sheni* for the *mitzva* of the four species on Sukkot, as one may use only species which he legally owns. Although other *Tanna’im* disagree, the Rambam codifies this view of Rabbi Meir (Hilkhot Ma’aser Sheni 3:17), and he writes later (9:1) that *neta revai* has the same status as *ma’aser sheni*. It emerges, then, that when one eats his *neta revai*, he is, in essence, partaking of God’s food, so-to-speak. God allows – and even commands – him to partake of this food, but it does not belong to him.

 On this basis, Rav Salant suggests, we can perhaps understand more clearly the Gemara’s proposed theory that the phrase “*kodesh hilulim le-Hashem*” forms the Biblical source of the requirement to recite a *berakha* before eating. The purpose of this *berakha*, as the Gemara there in Berakhot explains, is for a person to “take possession” of his food. The Gemara demonstrates based on sources in *Tanakh* that all food on earth belongs to the Almighty, and it is only by reciting a *berakha* that one earns rights over the food he wishes to eat. Accordingly, when the Gemara considered the possibility that *berakha rishona* constitutes a Biblical requirement, it cited a source specifically from the context of *neta revai*, food which does not become one’s possession even after reciting a *berakha*. This produce remains God’s property, as it were, even after one recites a blessing, yet God wants the individual to partake of it. As such, we might have assumed that one does not recite a *berakha rishona* over this produce, since the entire purpose of a *berakha* is to bring the food one wishes to eat under his possession – something that cannot happen when eating *neta revai*. And so the Torah – according to the Gemara’s hypothesis, which was ultimately dismissed – chose to introduce the *berakha* *rishona* requirement in this context, to clarify that one must recite a *berakha* even over hallowed produce which remains in God’s possession after the *berakha* is recited.

Wednesday

 Parashat Acharei-Mot begins by outlining the *avodat Yom Ha-kippurim*, the service that is to be performed in the *Beit Ha-mikdash* each year on Yom Kippur. After detailing the special sacrifices and rituals, the Torah proceeds to introduce the two commands that apply on Yom Kippur even outside the *Beit Ha-mikdash*: the requirement of “affliction” (fasting and refraining from other physical pleasures), and the prohibition against work (16:29). Two verses later, the Torah repeats these two commands: “It is a Sabbath of rest for you; you shall afflict your souls.”

 Abarbanel offers an insightful interpretation of this second verse, explaining that the phrase “afflict your souls” in this context refers not to fasting, but rather to the emotional angst of introspection and repentance, which he describes as, “*inui la-nefashot ha-mitchartot mi-ma she-chat’u kol ha-shana*” – “the torment of souls that regret all that they sinned throughout the year.” In this verse, Abarbanel writes, the Torah commands us to reverse our normal mode of conduct on Yom Kippur. On ordinary weekdays, we exert a great deal of physical energy in the pursuit of a livelihood and in caring for our bodily and material needs, but we generally spend little time “afflicting” our souls by reflecting upon our failings and shortcomings and upon how we can improve. Yom Kippur is the time to do just the opposite – to abstain from all physical work, and to spend the day involved in the “torment” of *teshuva*, in the difficult and painful process of introspection, remorse, guilt and resolutions for the future.

 Abarbanel’s interpretation of this verse, according to which the term “affliction” refers to the emotional torment of *teshuva*, reminds us that repentance and spiritual growth is not easy. While the end result is gratifying, as one recognizes his achievement and appreciates how far he has come, the process itself is excruciating. If we want to elevate ourselves and improve, we need to endure the shame of guilt, the anguish of remorse, and the frustration of failure and missed opportunities. If we simply tell ourselves that we should improve, without experiencing any degree of what Abarbanel calls “torment,” then we are not likely to advance or grow. Self-improvement demands an element of “*inui*,” of emotional “affliction” borne out of a recognition of our guilt and failure, which in turn leads to a recognition of the desperate need for change.

(See also Rav Mayer Twersky’s [“Penitential Pains”](http://torahweb.org/torah/2015/parsha/rtwe_achrei.html))

Thursday

 The Torah in Parashat Kedoshim (19:23-25) issues the commands relevant to the fruits of a newly-planted tree, and declares that the fruits are forbidden for the first three years after a tree’s planting (“*orla*”). The fruits of the fourth year are to be brought in Jerusalem and eaten amid giving praises to the Almighty (“*kodesh hilulim le-Hashem*”), and it is only on the fifth year when the fruit becomes entirely permissible without any restrictions.

 The Ramban, commenting on these verses, explains that the fundamental objective of these laws is that one does not partake of his trees’ fruits until he first uses them in the context of giving praise to God. Just as the first fruits that ripen each year are brought to the *Beit Ha-mikdash* and given to a *kohen* (“*bikkurim*”), similarly, the first fruits produced by a new tree must be brought to Jerusalem and eaten there. The Torah forbids partaking of the fruits produced during the first three years, the Ramban explains, because these fruits are not suitable as an offering to God. It is only in a tree’s fourth year that it produces quality fruit, and therefore, in order for one to bring his tree’s first fruits to Jerusalem as an “offering” of sorts, he must refrain from the tree’s produce during its first three years.

 Rav Chayim Elazary, in his [*Netivei Chayim*](http://hebrewbooks.org/pdfpager.aspx?req=42861&st=&pgnum=230), finds it significant that the Ramban speaks of the fruits of the fourth year as a “sacrifice.” (The Ramban’s formulation is “***le-hakrivo*** *lifnei Hashem ha-nikhbad*.”) The fruits are eaten in their entirety; nothing at all is offered on the altar or given to a *kohen*. (Ibn Ezra actually writes that the fruits are given to a *kohen*, but this is in opposition to *Halakha*.) Seemingly, this produce hardly qualifies as a “sacrifice” in any sense of the term. If the Ramban uses this terminology in reference to this produce, Rav Elazary suggests, then we should perhaps expand our definition of the concept of “sacrifice.” Even if a person does not actually give anything of himself to the Almighty, and engages in a simple act such as eating, he is nevertheless considered as offering a “sacrifice” if he conducts his affairs in the manner prescribed by *Halakha*. Conducting one’s ordinary affairs, such as tending to his personal needs, is viewed as a “sacrifice,” as an offering to God, if this is done in accordance with the divine will as understood by our halakhic tradition. Hence, *neta revai* – the produce of the fourth year – is considered a “sacrifice,” as it is eaten under very specific conditions and subject to a strict code of laws. It thus establishes an important precedent for all our ordinary, mundane affairs, that can be transformed into sacred, hallowed endeavors when we meticulously ensure that they are conducted in precise compliance with the will of the Almighty.

Friday

 Yesterday, we parenthetically noted Ibn Ezra’s comments in Parashat Kedoshim (19:24) in explaining the law of *neta revai* – the status of fruits produced during a tree’s fourth year. The Torah commands that after the first three years, during which the tree’s produce is forbidden for consumption (and for any other kind of benefit), in the fourth year, its fruit has a status of sanctity referred to by the Torah as “*kodoesh hilulim*.” According to the halakhic tradition, this means that the fruit must be brought to Jerusalem and eaten there in a state of ritual purity (like *ma’aser sheni*). Ibn Ezra, however, explained that the produce must be given to a *kohen*. In his view, it appears, *neta revai* resembles *bikkurim*, the first fruits that ripen each year that must be brought to the *Beit Ha-mikdash* and given to a *kohen*.

 On the level of *peshuto she mikra* (the plain reading of the text), Ibn Ezra’s interpretation in fact seems quite compelling. The next verse (19:25) states, “And on the fifth year, you shall eat its fruit,” seemingly implying that the tree’s owner may not eat the fruit prior to the fifth year. This implication seems to be what led the Behag, as cited by numerous *Rishonim* (Tosefot, Rosh Hashanah 10a; Rash Mi-Shantz, Ma’aser Sheni 5:1), to controversially maintain that *neta revai* is forbidden for consumption during the fourth year, and it is eaten only during the fifth year. The Rambam, in Hilkhot Ma’akhalot Asurot (10:18), writes that this view is based upon a misreading of the aforementioned verse, which seems to imply that no produce of a tree – including the produce of the fourth year – may be eaten until the tree’s fifth year. In truth, the Rambam writes, this verse means something else entirely – that it is only from the fifth year that a tree’s produce may be eaten without special restrictions and guidelines. (See Dr. Bernard Revel’s treatment of this topic in [his work on *Targum Yonatan Ben Uziel*](http://hebrewbooks.org/pdfpager.aspx?req=35988&st=&pgnum=40&hilite=).) Ibn Ezra’s reading, too, likely stems from this implication, only in his view, *neta revai* is never eaten by the tree’s owner, not even in the fifth year, and is instead given to the *kohen*. Accordingly, it emerges that the Torah forbids eating the produce during the first three years, designates the fourth year’s fruit as “*kodesh hilulim*,” and permits eating it only on the fifth year. Meaning, the fruits of the fourth year are neither forbidden for consumption, like the fruits of the first three years, nor permissible for consumption, like the fruits after the fourth year. The most likely explanation is that, as Ibn Ezra claims, the hallowed fruits of the fourth year are forbidden for the owner and instead given to a *kohen*, similar to *bikkurim*.

 Nevertheless, as mentioned, *Chazal* understood that the fruit’s owner eats the *netza revai*, but under specific conditions, in Jerusalem. (See *Sifrei* to Bamidbar 5:10, which cites several opinions as to how this conclusion was reached.) The connection between this reading and the plain understanding of the text perhaps reinforces the idea we noted yesterday regarding the Ramban’s reference to *neta revai* as a “sacrifice.” Although the owner partakes of the *neta revai*, and does not give it as an offering or to a *kohen*, he is nevertheless considered as having offered a “sacrifice,” presumably because he eats the fruit under specific conditions, in compliance with God’s commands. This premise perhaps also underlies the relationship between the simple reading of the text – which implies that *neta revai* is given to a *kohen* – and the halakhic interpretation, which explains that the owner eats the produce in Jerusalem. By eating the *neta revai* in Jerusalem and in accordance with the Torah’s guidelines, one becomes like a *kohen*, who eats sacrificial food in the *Beit Ha-mikdash* in a state of sanctity and purity. When we conduct our mundane affairs in compliance with God’s will, strictly adhering to all relevant halakhic requirements and restrictions, then we elevate ourselves to a status resembling that of *kohanim*, living our lives devoted entirely to the service of our Creator like the *kohanim* in the Temple.

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