



Rabbi Joseph Dweck | Senior Rabbi

הרב יוסף דוויך | רב הראשי

Touring the Talmud: Shebu'ot 11-17 (Shabbat Mikets/Hanuka)

Our discussion last week examined how we take on different roles in life and the importance of knowing our core identity. The pages of the Talmud continue this week discussing the question of atonement and the allowance for someone to achieve atonement as a member of the nation of Israel. In these discussions a question is raised: Can one achieve atonement within the system if they do not believe in the system itself? Connected to this question is that of exclusion. When is it that we exclude someone from the group? What are the 'deal breakers' and what criteria determine the grounds for exclusion? In that light we look at the high value of inclusion in Torah and that the Torah urges us to avoid excluding ourselves from the population as well. We recognise the essential difference that conscious knowledge and education makes in our judgments of a person and their membership and that one who genuinely lacks them is considered a comrade even if he holds heretical ideas.

A word of caution: This week's essay is roughly 1,000 words longer than usual and it includes more quotes. But fear not! It's worth diving in.... - RJD

Deal Breakers

Whenever we find ourselves involved in a membership of some kind there are ranges of involvement and loyalty that we can have in it. We can be entirely faithful and even exemplary in our participation. We can give it our all and anticipate what we might do to make it better and stronger. We can also limit our contribution to participate only in the bare essentials or even actively misbehave.

Then there are deal breakers. These are the beliefs or acts that invalidate us for membership. There is a vast difference between misbehaviour and rejection. We may admonish and insist on apologies and reparation from those who act out of line with rules but we do not easily eject someone from membership because of bad behaviour or ignorance. It is when there is rejection and violation of core tenants that exclusion occurs, when the bad behaviour aims at damaging the foundations upon which the system is built.

We are social animals and we have tribal mentalities. We seek first and foremost to be members of a group with hopes for safety, acceptance and belonging. It is naturally easier to feel that we belong when those in the group or relationship are like us. Yet, when we look only at the superficial attributes that bind us we miss the deeper ones. We suffice with what is easy to detect: skin colour, common origins, language and customs. We do not usually make the effort to look for what connects us on a deeper scale — shared ideals, philosophies and goals for the future. Those are elements that are blind to race and ethnicity.

Judaism, which can essentially be recognised as a belief system whose core group begins with a family-based nation, but nonetheless remains open to practically anyone who wishes to be part of the group and espouse the core ideals, offers a perspective that there is no inherent prejudice against one's race, colour or ethnicity. Any such exclusions are purely subjective and personal rather than expressive of the fundamental ideals of the people.

How do we accept righteous converts?... We inform them the fundamentals of the creed; that God is one and that foreign worship is prohibited. (Rambam, Isure Bi'ah, 14:1,2)

Indeed, there is no prejudice against even those who fail to uphold and keep the law. Yes, they are deemed rebellious and at times, even criminal. They are to be taught, educated, reprimanded and disciplined, but they are not to be shunned or excluded. They are a part of the group.



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When one upholds the foundational principles and their faith in them is true, that person is included in Israel. It is an obligation to love them, and care for them, as God commanded us regarding love and brotherhood. Even if they did whatever they may do among the transgressions because of their desire or the inclination of their drives, they are penalised in response to the magnitude of their transgression, but they maintain their place....they are rebellious, [but they are part] of Israel.

(Rambam, Introduction to Perek Helek)

It is for this reason that we find the Hakhamim engaging with those who would otherwise be considered outsiders. Sometimes we must be reminded that even the ones who break the rules are on the inside.

There were certain delinquents in the neighbourhood of Ribbi Zera. He would bring them close and hoped that they would return in remorse (for their misdeeds). The Hakhamim disapproved [of R Zera's actions]. After his death the delinquents said he used to pray for compassion for us, now who will care to pray for us? They thought about this in their hearts and returned in remorse.

(Sanhedrin, 37a)

With the consent of the heavenly tribunal and with the consent of the earthly tribunal: with the sanction of the ever blessed God and with sanction of this holy congregation, we declare it lawful to pray with those who have transgressed.

(Opening of Kal Nidre prayer for Yom Kippur)

They are members because they hold onto the core ideals — some may only consciously hold from them when they are hard pressed and must choose what they value most (sometimes to their own surprise!) but in their heart of hearts they hold the core tenets of Israel to be true.

Isaac [Jacob's] father said to him: 'Pray come close and kiss me my son'. He came close and kissed him. And he smelled the smell of his garments and he blessed him. (Gen., 27:27)

Read it not as 'garments' (begadav - בגדיי), but as 'traitors' (bogedav - בגדיי). Thus he sensed the future presence of Jacob's renegades and he blessed him.

'Traitors' such as Yosef Meshita. When the Romans wanted to enter the Temple Mount, they said, 'Let a Jew go first, and whatever he takes out he can keep'. Yosef Meshita went in and walked out with the golden menorah.

The shocked Romans said: 'This is something that no commoner ought to use - go in again and anything you take will be yours'. He refused. They threw in a three year tax break, but he still refused, saying, 'It is bad enough to have angered my Creator once — I should do it again?'

So they trussed him up on a carpenter's bench and started sawing off pieces of his body, and he just kept sobbing, 'Oh, how I upset my Creator! Oh!'

(Sanhedrin, 37a)

Our Gemara this week brings out this principle. We do not close the doors of inclusion to anyone until they themselves mock and deny the very space to which the doors lead. It is only when that happens that the doors, along with the space, cease to exist for them.

One might have thought that Yom Kippur would atone for those who repent and for those who do not repent, but just as a sin-offering and guilt-offering atone only for those who repent, so too, Yom Kippur atones only for those who repent. (13a)



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Neither Yom Kippur nor the sin or guilt-offerings atone unless the one bringing them believe in their ability to atone. However, one who rejects them (literally, מבעט - 'kicks them') they do not provide atonement.

(Rambam, Shegagot, 3:10)

We accept offerings from the rebellious ones of Israel so that they might return in remorse (teshuba) except for one who is a heretic (= who is corrupted with foreign worship - Rambam, Maaseh haKorbanot, 3:4).

(Hulin, 5a)

It is only when the very foundations are attacked that we must, for the sake of self-preservation, exclude. In all other cases, we are warned time and again to be careful never to shun in our admonishments, so as never to repel those who rightfully belong — no matter how much we might deem them unacceptable.

Our rabbis taught: Always have the left hand drive sinners away and the right draw them near, so that the sinner will not despair of atonement.

(Sanhedrin, 107)

There were these delinquents in Ribbi Meir's neighbourhood who caused him a great deal of anguish. Rabbi Meir prayed for God to have mercy on them that they should die. Rabbi Meir's wife, Berurya, said to him: What is your thinking? [Do you base yourself on the verse,] as it is written: "Let sins cease from the land" (Psalms 104:35), [which you interpret to mean that the world would be better if the wicked were destroyed?] But is it written, let sinners cease?" Let sins cease, is written! (One should pray for an end to their transgressions, not for the demise of the transgressors themselves.)

(Berakhot, 10a)

Yet, as members who may or may not be among the transgressors, we must also consider the value of being part of a virtuous group. We may wax and wane with our participation and involvement but we would do well to ensure that we keep our place within it.

Hillel says: Do not separate yourself from the community.

(Pirke Abot, 2:4)

One who excludes oneself from the ways of the community (of Israel) even though he did not transgress commandments but rather separated himself from the congregation of Israel and doesn't perform commandments within them, and does not engage with them in their sorrows, and does not fast with them in their fasts, rather walks his own way as if he is one of the other nations of the earth and as if he is not part of them, he has no portion in the World to Come.

(Rambam, Teshuba, 3:10)

There are five things that lock the paths of return before those who do them...one who excludes oneself from the ways of the community; for when they engage in repentance he will not be with them and will not merit with them in the merits that they incur.

(Rambam, Teshuba, 4:2)

Finally there are circumstances in which we might not even know that we belong somewhere or that we are lost at all. We don't know what we don't know. In those situations, Torah is especially sensitive.

Since it has become known that such a person denies the Oral Law...he is like all the rest of the heretics who say that the Torah is not Divine in origin...All of these are not considered as members of the Jewish people...To whom does the above apply? To a



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person who denied the Oral Law consciously, according to his perception of things. He follows after his frivolous thoughts and his capricious heart and is first to deny the Oral Law...

The children of these errant people and their grandchildren whose parents led them away...and raised according to their conception, they are considered as a children captured and raised by them. Such a child may not be eager to follow the path of mitzvot, for it is as if he was compelled not to. Even if later, he hears that he is Jewish and saw Jews and their faith, he is still considered as one who was compelled against observance, for he was raised according to their mistaken path....

(Rambam, Mamerim, 3:3)

When one has either never known that he belongs or for that matter, what it means to belong, even when the most fundamental principles are not known to him, he is not excluded. The responsible members of the group must aim at teaching him, if possible, what the core ideas are and how he might find a place within the people.

Therefore it is appropriate to motivate them...and draw them to the strength of the Torah with words of peace.

(*ibid.*)

This was something that Aharon the Kohen Gadol was known for.

Hillel says, 'Be of the disciples of Aharon, loving peace and pursuing peace, loving the creatures and bringing them closer to Torah.'

(Pirke Abot 1:12)

He always looked for the best in people and sought to bring about peace (שלום) by making people feel whole (שלם) within themselves and within the framework of meaning to which they belonged.

Hanuka is a time in which we commemorate and meditate on a severe historical breakdown in the nation's sense of place and belonging. For the first time in Jewish history there was a mass movement to leave not just practices of Judaism but to fundamentally abandon the core tenets of the nation for Greek culture. We sought to abandon our covenant with God and disengage from the Temple service. There was one family, the descendants of Aharon the Kohen Gadol, the House of Hashmonai, that chose to fight for the core principles of Israel and reassert them. They won that war against all odds. And on this festival we light lights in memory of the Menorah that stood as testimony of God's presence within our people¹.

It is a unique obligation that rests not only on individuals but as members of a household. A member of a household can be on the other side of the earth, yet his obligation is fulfilled when the members of his household light at home.

Our Rabbis taught: The mitzva of Hanukah is a light kindled by a person, for himself and his household.

(Shabbat, 21b)

A light by a person and his household - ...For a man and his entire household it is sufficient to have one candle.

(Rashi, *ibid.*)

¹ 'The lighting of the Menorah is testimony to mankind that the Divine Presence rests among Israel.'
(Shabbat, 22b)



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Ribbi Zera said: At first, when I was studying in the yeshiva, I would participate with copper coins, together with the host so that I would be a partner in the light that he kindled. After I married my wife, I said: Now I certainly need not do so because they light on my behalf in my house.

(Shabbat, 23a)

The light of the Menorah in the Temple represented the soul that is the divine flame within us. It is that internal light which binds us all. It is towards that internal light, the true foundation of our being that we are to first look to for inclusion. The Menorah was thus the unique service of the Kohen Gadol, and it was the Menorah that reminded a renegade Jew, Yosef Meshita, that although his life was moving in a direction away from his people, he was after all a Jew, with a history and a covenant with God whom he, along with his forebears, loved deep in his soul.

Shabbat Shalom and Hanuka Sameah!

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Outline/Summary

Daf 11

Rabba states in the name of R"Yohanan that if an animal designated for the daily sacrifice (a national service) in the temple ended up not being used, it may be redeemed of its sanctity even if it was without blemish (a blemish would render it unfit for sacrifice and therefore 'redeemable', according to R"Yohanan, this animal is redeemable even though it is still fit for use).

Rab Hisda replies: Why should I listen to you or R"Yohanan your master? Since the animal in question is fit to be used as part of the service in the temple, its sanctity is not simply a monetary value that can be replaced, the animal *itself* has sanctity as it is meant to be part of the service!

The daily incense is mentioned as another case that bears intrinsic sanctity that can also be redeemed as if only its monetary value was sanctioned.

Rabba answers that when High Court reserves the animals to be brought as sacrifices on behalf of the people, it is conscious of the fact that there may be some designated animals that are not used and therefore does so with the condition that the sanctity of the animals that are not used is specifically monetary.

However the Gemara brings a case where if the sacrificial animal were to be lost and then found again, it cannot be redeemed, as this is a very rare case and we assume that the High Court does not consciously include it as they reserve the animals.

The Gemara proceeds to explain that a Red Heifer, although it is a rarity as well, *can* be redeemed even without a blemish, as the High Court is conscious of it and makes this condition because the Red Heifer is expensive.



The Gemara clarifies that R"Shimon does agree that we may redeem the 'leftover' daily sacrifices that are unblemished as he does not assume that the High Court was conscious of them, and that the opinion expressed by R"Yohanan is that of Hakhamim.

Daf 12

R"Yohanan explains that according to R"Shimon, the animals that were not used for the daily sacrifice are brought as *Olah* sacrifices (that are entirely burned on the altar) whenever there are no other sacrifices being brought (when the altar is not being used for other sacrifices) as 'supplemental' offerings.

R"Shimon's opinion is further clarified. He holds that specifically an *Olah*, such as the daily sacrifice can be brought as a supplemental offering, however, a *Hatat*, cannot be brought since it is not the same type of sacrifice.

Other sources are brought that comply with and confirm R"Yohanan's presentation of R"Shimon's opinion.

MISHNA

If someone *intentionally* enters the Temple or eats holy food while impure, the sacrifice brought in the courtyard of the Temple on Yom Kippur as well as the actual day of Yom Kippur itself atones (as learned from a verse).

On all other transgressions of the Torah, whether basic 'positive and negative commandments' or even transgressions that require *Karet*/capital punishment, whether done intentionally or not, they are atoned for by the 'scapegoat'.

Both regular members of Yisrael and priests are atoned for by the scapegoat, their atonements only differ for defiling that which is holy, where the priests are atoned for by the High Priest's sacrifice of his bull. (R"Yehuda).

R"Shimon holds that their atonements are entirely separate; the priests are atoned for by the High Priest's bull and everyone else is atoned for by the scapegoat.

Daf 13

GEMARA

Assuming that the scapegoat atones only for a person who has already repented the Gemara is uncertain why a person who has violated a positive commandment is mentioned, as we learn that repentance alone is atonement enough for the violation of a positive commandment.

The Gemara suggests that our mishna is the opinion of Ribbi who, contrary to Hakhamim, holds that Yom Kippur atones for sins even if a person has **not** repented (except for three cases), therefore the mishna can be talking about someone who violates a positive commandment and has not yet repented.

Since we later learn that the final statement of our mishna follows the opinion R"Yehuda, we assume that he might be the author of our mishna.



The opinions of Ribbi and R"Yehuda are cross examined and attempts to both reconcile and separate their opinions are entertained.

Proof is brought that the first opinion in the mishna is R"Yehuda. The manners in which R"Y and R"S read the verses to reach their conclusions is presented.

A *Berayta* (Tanaic teaching that was not codified by R' Yehuda HaNasi in the Mishna) is brought forth that the Gemara can be read according to both R"Y and R"S' opinions. Details of the *Berayta* are discussed.

Daf 14

There are two confessions done over the High Priest's bull; the Gemara details what each is for within the argument between R"Y and R"S.

R"Shimon	Yisrael	Priests
prior but no post	'inner atonement	first confession
post but no prior	'outer atonement	second confession
all other prohibition	scapegoat	blood of the bull

R"Yehuda	Yisrael	Priests
prior but no post	'inner atonement	second confession
post but no prior	'outer atonement	blood of the bull
all other prohibition	scapegoat	scapegoat

END OF FIRST PEREK (CHAPTER)

While the first chapter deals with the atonement for someone who has transgressed due to one's 'awareness of impurity' or lack thereof, the second chapter deals with defining the nature of the awareness of impurity.

MISHNA

Awareness of impurity, two that are four:

If a person is aware of the fact that they have become impure and then eat holy food, either because they forgot their own impurity, the sanctity of the food or both, they bring an *Oleh VeYored*. (Sliding-scale offering based on one's financial standing)



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If a person is aware of the fact that they have become impure and then enter the Temple, either because they forgot their own impurity, the sanctity of the Temple, or both, they bring an *Oleh VeYored*.

The 'Temple' mentioned is specifically the inner courtyard of the Temple. The mishna adds that even areas of the courtyard that were added to the original courtyard are part of the prohibition.

The gemara points out that the only way to legally and officially add to the either the city of Jerusalem or the inner courtyard of the Temple is with the approval of the king, a prophet, all of the High Court and the *Urim Vetumim* (The name of God that was placed in the High Priest's breastplate and was used as a mode of communication with God). Then there is a procession to the new area with two *Toda* (Thanks/Acknowledgement) sacrifices followed by the High Court and the entire population of Yisrael. At the site of the newly consecrated area one of the *Toda* offerings is eaten and the other burned as prescribed by the prophets and no reason is given.

GEMARA

The Gemara struggles to identify the 'two that are four' components of awareness mentioned in the mishna. It remains unclear whether the four cases mentioned refer to an instance when there was a recollection after the transgression (in addition to prior awareness) or if there was only prior awareness.

The Gemara attempts to clarify what constitutes 'awareness': If a person was aware of the general concept but unaware of a specific detail (for example: if a person is aware that a certain item can make him impure but unsure of the quantity that would make him impure or is aware of the Temple but unsure of its exact location), is that considered prior awareness?

This is left unanswered.

Daf 15

The Gemara learns that that an entire procession with all those leaders is necessary from a verse: It was done in the desert in this fashion, and it shall be done '*for all generations*' in this fashion.

There is discussion about the manner in which the original vessels of the tabernacle were consecrated versus the way in which vessels are to be consecrated in future generations.

The Gemara clarifies that two loaves of unleavened bread are brought for the *Toda* sacrifices. The Gemara also explains that since the *Toda* must be eaten within the walls of Jerusalem it is specifically brought when adding to the city of Jerusalem, while upon adding to the courtyard, a meal offering is brought (which must be unleavened) as the meal offering must be eaten within the walls of the courtyard.

When adding to the city of Jerusalem they would sing various chapters from Psalms, and there would be musicians at every street corner and at every major place of gathering.

It is mentioned that a third century scholar used to recite one of these chapters before going to sleep, as many of the verses mention trust in God and that God protects us. As a result the Gemara discusses the prohibition of using verses as charms.

There is discussion as to whether the two *Toda* offerings are marched side by side or one after the other.



Daf 16

There is disagreement as to whether *all* of the details mentioned in the mishna (king, prophet, High Court, *Urim Vetumim*) are necessary in order to add to Jerusalem or the courtyard or if just one of them is enough.

It is suggested that argument between the two scholars is a long standing argument between Tanaim (Mishnaic sages). Sources that this is indeed a preexisting argument are identified.

MISHNA

If a person becomes impure in the courtyard of the Temple itself, and forgets either his own impurity or the sanctity of the Temple and he either bows or stays in the courtyard long enough to bow, or he leaves the courtyard in a roundabout way, he is guilty. If he leaves immediately, by the shortest route, he is absolved.

GEMARA

The Gemara learns from an extra verse regarding someone who enters the Temple while impure, that one who became impure within the Temple itself can be guilty.

Different types of bowing are discussed:

- *Kri'ah*: Kneeling
- *Kida*: Fully bowing the head to the flooring from a kneeling position
- *Pishut Yadayim Veraglayim*: laying flat on the ground with arms and legs extended.

Raba explains that 'bowing' in the in the courtyard is specifically west, towards the Temple, and that the act of bowing itself makes one guilty, and therefore one can even be kneeling. However if one does not bow, or bows in the wrong direction, he must stay in the courtyard long enough for *Pishut*. The length of *Pishut* is debated.

Daf 17

Further questions as to defining the exact details of waiting in the courtyard are asked and left unanswered.

There is discussion regarding the shortest route: is it the time it would take to leave on the shortest route at average speed? or specifically the shortest route, regardless of the time?

It is agreed upon that it is specifically the shortest route, regardless of the time, however we remain uncertain as to whether or not the person must be constantly moving (even if very slowly) or not.

The Gemara discusses that in order for an impure person to be guilty for entering the Temple, he must enter properly, and not by coming through the roof or things of that sort.