



THE PARTING OF THE CHOSHEN AND THE Eifod: A PECULIAR PROHIBITION

by *Rabbi Shaya First*

This week's Parasha, Parashat VaYakheil Pekudei, discusses the Choshen and the Eifod: what is the connection between the two garments? In a phrase written first in Parashat Tetzaveh, and then repeated this week in Parashat Pekudei, the Torah writes that the Kohein Gadol's Choshen should be connected to the Eifod by a thread of Techeilet, followed by: "*VeLo Yizach HaChoshen MeiAl HaEifod*" (Shemot 28:28). What does this peculiar phrase mean, and what is its significance?

To answer these questions, we must first analyze the word Yizach. Since the Shoresh and origin of this word are unclear, the Mefarshim suggest a variety of interpretations. Rashi (ibid s.v. VeLo Yizach) states that Yizach originates from an Arabic word that means "to unhook" (Nun-Taf-Kuf). Ramban (ibid s.v. VeLo Yizach HaChoshen), however, claims that this word carries a connotation of not just separation, but also destruction (from the shoresh Yud-Samech-Chet). Therefore, the Ramban would interpret the Pasuk as a prohibition of destroying the connection between the Eifod and the Choshen. Rav Shimshon Refa'el Hirsch alternatively suggests that this word connotes movement, and that the Pasuk is forbidding the two garments from being moved away from each other. Yet other Mefarshim, including the Malbim commenting on Yeshayahu 23, translate Yizach as "elevate." According to this understanding, the Pasuk is stressing the importance of the Choshen and Eifod constantly being at the same physical level.

Whether "Yizach" means to destroy a connection, displace, or elevate, it appears, on a simple level, that the phrase was only meant to convey the *purpose* of this connecting thread: to ensure that these two garments of the Kohein Gadol remain in their proper places on the Kohein Gadol's chest. However, the Gemara (Yoma 72a) completely reinterprets the verse. It cites Rabi Elazar who states this verse introduces a formal prohibition against removing the Choshen from the Eifod. According to this reading, this clause is not a statement of purpose (as suggested by Rav Acha Bar Ya'akov in that same Gemara), but a formal command: Jews are proscribed from removing the Choshen from the Eifod.

What would be the logic behind such a peculiar prohibition? The Sefer HaChinuch (100) offers, arguably, the most straightforward explanation. He explains that the purpose of this Mitzvah is to ensure that the Kohein Gadol's garments appear professional and regal at all times. It would not be proper for a Kohein Gadol to appear in public with sloppily arranged garments only semi-attached to their proper location.

According to the Sefer HaChinuch's understanding, the Mitzvah of ensuring these strings remain attached to their proper locations, stems from the same source as the general Mitzvah of wearing the Bigdei Kehunah in the Beit Hamikdash. With regards to the general Mitzvah, the Sefer haChinuch lists two purposes: first, to ensure that the Kohanim maintain the proper mindset while doing the Avodah; by wearing regal garments, they could maintain a constant reminder of the power, significance, and universal implications of their service. Second, having the Kohanim dress like kings would ensure visitors to the Beit HaMikdash would be left in awe by its splendor and beauty, and this would inspire them to respect everything it stood for. To ascertain that these goals were met, it was critical that the Kohein Gadol appeared regal at all times, never allowing even a minor deviation from the proper adornment of his pristine attire.

While the Sefer HaChinuch seems to address questions on the Gemara's prohibition, there must be more to the story. There are many other possible ways a Kohein Gadol could have worn his clothing improperly, besides from not having the Choshen and Eifod attached properly. Yet, the Torah mysteriously identifies this lone example (along with, perhaps, not allowing the Me'il to rip-a discussion unto itself) to create a prohibition. Why only turn this particular connection into a formal negative commandment, as opposed to any other of the Kohein Gadol's garments? Even the Sefer HaChinuch, after offering his explanation, acknowledges that this answer is somewhat lacking, and concludes his discussion with an unenthusiastic endorsement, "*Ve'Ad SheShamanu Tov MiZeh, Nachzik BaZeh,*" "And until we hear a better explanation, this one should suffice." Despite the peculiarity of this prohibition, few commentators attempt to address this question.

Recently, however, I encountered a fascinating attempt to answer this question, based on a passage in the Gemara Arachin (16a). The Gemara writes that each of the Bigdei Kehunah atoned for a specific sin: the Mitznefet for haughtiness, the Me'il for Lashon HaRa, and the Tzitz for brazenness. The Eifod atoned for the sin of idolatry, and the Choshen for "Dinim," ostensibly meaning the abuse of civil law.

So, as we originally inquired, why single out breaking the connection between the Choshen and Eifod as a Mitzvat Lo Ta'asei? Perhaps, by connecting the need for atonement for

Kol Torah is a community-wide publication that relies on the generous donations of our friends and family in the community for its continuous existence. To sponsor an issue in memory of a loved one, in honor of a joyous occasion, or for a Refuah Sheleimah, please contact:

business@koltorah.org

both idolatry and civil law, the Torah is imparting a deeper message. What is unique about these prohibitions? Idolatry is the paradigm example of a sin which is Bein Adam LeMakom (between man and G-d). A disregard for civil law, by contrast, is a paradigm example of a sin that is Bein Adam LeChaveiro (between man and his peers). Perhaps the message here is that attempting to distinguish between these two categories of sins is a critical mistake. Judaism believes that true religious success can only be achieved by developing oneself in each of these arenas, both Mitzvot Bein Adam LeMakom and in Mitzvot Bein Adam LeChaveiro. To prioritize one of these types of Mitzvot would be making a critical error regarding our mission in this world. Although the Beit HaMikdash itself is sometimes viewed as a place focused solely on developing our observance of Mitzvot Bein Adam LeMakom, it truthfully had elements of both realms. This peculiar prohibition of maintaining a connection between the Choshen and Eifod, is a profound reminder of that essential truth.

FINDING THE AVNEI MILU'IM AND THE PARAH ADUMAH

by *Yehoshua Kanarek* ('19)

In Parashat VaYakheil, after being discussed already in both Parashiyot Terumah and Tetzaveh in far greater detail, the Avnei Milu'im are once again mentioned. There were twelve Avnei Milu'im -- the stones set into the Kohen Gadol's breastplate. There were four rows, each containing three of these precious stones. Each stone was different from the next, had the name of a different Sheivet engraved upon it, and each stone itself had its own special name (e.g. Odem, Pitdah, and Bareket). While the Torah goes so far as to provide names for each of the precious stones, it does not so much as offer the smallest hint as to where they were to be found.

The Gemara (Yoma 75a) states that the stones were brought to a select group of individuals by the Ananei HaKavod. They could simply appear inside one's home overnight at no expense and without any effort involved whatsoever, unlike almost all of the other items donated to the Beit HaMikdash. Gold, silver, and other precious metals had to be paid for. The wood that was burned on the Mizbei'ach involved many long hours of toil and sweat in foresting and delivering it to the Beit HaMikdash. But unlike all of these other items, the Avnei Milu'im were simply delivered by the Ananei HaKavod, free of charge and effort.

There is one specific person whom we know received one of these Avnei Milu'im. Ulah, an Amora, records (Kiddushin 31a) the story of one gentile named Dama Ben Netina. Ulah tells how his father owned one of these precious stones, and the Chachamim approached Dama while his father slept to ask him for the stone. They offered him six hundred thousand gold coins for this one stone which lay in a chest; the only issue was that the key

to the chest lay beneath the head of his sleeping father. To get the key to open the chest, he would have had to wake his father, a violation of Kibbud Av.

The Yerushalmi (Kiddushin 1:7) asks why he didn't simply smash the chest and take the stone without waking his father, and answers that while the key was beneath the head of the father, the chest was beneath his feet, and so smashing the chest would also wake him up. A year later, the Rabbis came back to Dama, for yet another miracle had happened in reward of his act of Kibbud Av -- a Parah Adumah had been born in his flock. When the Chachamim offered him any monetary compensation for the calf, he told them that he just wanted the six hundred thousand gold coins that he had lost out on for his act of Kibbud Av. Ulah uses this story of Dama Ben Netina to describe the extent of the Mitzvah of Kibbud Av Va'Eim.

There is something interesting about the two objects that happened to appear for Dama Ben Netina; the Avnei Milu'im (as mentioned before) and the Parah Adumah were both different from nearly all other objects in the Beit HaMikdash. The Torah in this week's Parashah describes the law of the Parah Adumah as the "*Chukat HaTorah*", "*the unexplainable law of the Torah*" (BeMidbar 19:2). This unexplainable law would allow those who were Tamei Meit (impure from contact with a corpse) to become pure again, and it is known as one of, if not the, greatest of all the Chukim in the Torah. This newfound purity would enable Klal Yisrael to become closer to Hashem. Likewise, the Avnei Milu'im were not only incredibly precious stones, but they were a medium through which the Kohen Gadol would communicate with Hashem, and ask Him questions that nobody else could answer. These two items were incredibly unique, and they each had their own special way of connecting the Jews to Hashem: the stones as a way of asking questions, and the Parah Adumah as a method of purification, so that we may come closer to Hashem.

It is fitting that these two items are used together in the case of Dama Ben Netina to describe the extent of Kibbud Av Va'Eim. This Mitzvah is special in its own sense -- it is the only Mitzvah that seems to be between man and his fellow, yet is considered one of the five Aseret HaDibrot that is Bein Adam LaMakom. The most well-known explanation for this dual-orientation (Kiddushin 30b) is that Hashem, a mother, and a father are all partners in creating and raising a child. Perhaps the story of Dama Ben Netina can further emphasize this point. The stones of the Choshen and the Parah Adumah, which bring us closer to Hashem, are the same items which are used to describe the Mitzvah of Kibbud Av Va'Eim. The fundamental shared nature of these items elaborates the true extent of Kibbud Av Va'Eim by highlighting its importance and fundamental connection to the Mitzvot Bein Adam LaMakom.

WHY WE SHOULD HATE KING ACHASHVEIROSH JUST AS MUCH (OR EVEN MORE) THAN HAMAN

by *Ari Solomon* ('18)

When we're in Shul on Purim listening to Megillat Esther, one of the highlights for every child, is the opportunity to drown out Haman's evil name by making an enormous racket. Every child's mind is set on creating an uproar the next time Haman's

name is read. However, when King Achashveirosh's name is read, there is never a sound in the room. If Achashveirosh approved the decree that ordered the destruction of the Jewish people, why do we not despise him as well? Both Achashveirosh and Haman had obsessions: Haman desired to annihilate the Jewish people, and Achashveirosh was fixated on displaying his power and authority to the entire world. The Gemara in Megilla (14a) explains that Achashveirosh was like a mound of dirt and Haman was like an empty pit. In my opinion, this Gemara is highlighting that Achashveirosh could have disposed of his mound of dirt without filling "Haman's hole" in numerous ways: by filling any hole with it or simply spreading it out. However, Haman's pit will remain empty unless he fills it specifically with Achachveirosh's mound of dirt. With regards to the Purim narrative Achashveirosh could have fulfilled his obsession with power in countless other ways that didn't involve the Jews, but Haman could only fulfill his desire to destroy the Jewish people with King Achachveirosh's help. Since Achashveirosh consented to place his mound of dirt specifically in Haman's pit, even though he could have disposed of it in countless other ways, Achashveirosh was just as culpable for the evil decree as Haman. Similarly, when asked the question about who the main villain responsible for the Holocaust, everyone will certainly answer Adolf Hitler Yemach Shemo, since he claimed the lead role in the destruction of the 6 million Jews in World War 2. However, Adolf Eichmann, the "brains of the operation," guided Hitler. Eichmann was responsible for the concentration camps, gas chambers, and the Final Solution, yet Hitler is still recognized as the main perpetrator of the Holocaust. By the near destruction of the Jews in the Purim story, Achashveirosh is like Hitler and Haman is like Eichmann. Haman needed Achashveirosh, the leader, to carry out his horrifying plans; so why do we not hold Achashveirosh as responsible as Hitler? Achashveirosh was just as instrumental in the attempted annihilation of the Jewish people as Haman, so we should recognize him as not just the "silly king," but rather as yet another cruel world leader who tried to wipe out the Jewish people over the course of our history.

SEPHARDIC DELAY OF BRIT MILAH

by Rabbi Chaim Jachter

Introduction - A Surprising Delayed Brit

Everyone at Congregation Shaarei Orah, the Sephardic Congregation of Teaneck, was ecstatic. A first child -- a beautiful little boy -- was born to one of our young couples. We all eagerly awaited the Brit.

The boy, however, suffered from jaundice and the Mohel decided that the Brit could not take place on the eighth day (for further discussion of managing jaundice in regard to Brit Milah, see my Gray Matter 4:163-165). Moreover, the Mohel ruled that a seven day wait was necessary after the boy had recovered from his jaundice. Finally, the seventh day wait was over on a Thursday and the Kehillah expected the Brit to take place that day. However, Sephardic practice calls for a Brit in such circumstances to be delayed to Sunday and everyone wondered why.

Talmudic Background - Shabbat 19a

The Gemara (*Shabbat* 19a) prohibits embarking on a boat that will travel through *Shabbat* if the trip begins within three days of *Shabbat*.¹ However, the Gemara limits this restriction to trips taken for one's own needs (*Devar HaReshut*), whereas one may set out for the sake of a *Mitzvah* even in the latter half of a week.² The *Shulchan Aruch* codifies the Gemara's rulings (*Orach Chaim* 248:1). The Steipler Rav (*Kehilot Yaakov, Shabbat* 14) writes that the Gemara's prohibition is merely a rabbinic enactment. The *Shulchan Aruch Harav* (248:7) appears to agree with his view,³ and Rav Moshe Feinstein (*Teshuvot Igrot Moshe, Orach Chaim* 1:127) asserts that most authorities indeed consider this prohibition to be rabbinic in nature.⁴

The *Rishonim* offer a number of explanations for the prohibition against beginning a trip too close to *Shabbat*.⁵ The Rif (*Shabbat* 7b, in pages of Rif) explains that people generally need three days until they adjust to sea travel. Hence, one who embarks within three days of *Shabbat* will probably experience an unpleasant *Shabbat* due to seasickness. The Rabbis thus prohibited such trips in order to ensure that people properly enjoy *Shabbat* (*oneg Shabbat*).

The *Baal Hama'or* (*Shabbat* 7a, in pages of Rif) claims that the three days immediately before *Shabbat* are considered "prior to *Shabbat*," so one who embarks on a voyage within that period intentionally enters a situation that will require violating *Shabbat* in case of *piku'ach nefesh* (saving a life).⁶ The *Shulchan Aruch* (*Orach Chaim* 248:2 and 248:4) appears to codify both explanations.

Defining "For the Sake of a Mitzvah"

The Gemara permits embarking on a trip during the latter half of a week "for the sake of a *Mitzvah*." Rabbeinu Tam (cited approvingly by the *Tur*, O.C. 248) interprets this concept in an extraordinarily lenient manner. He argues that traveling for business purposes or to visit a friend is considered a *Mitzvah*, while only a purely recreational trip would constitute a *Devar Reshut* (trip for one's own needs). The Rama (248:4) accepts Rabbeinu Tam's view.

Belated Circumcisions

When a *Brit Milah* (circumcision) takes place later than the eighth day of a boy's life (such as a baby who could not tolerate a *Brit* on the eighth day due to health reasons, or a non-Jew who wishes to convert),⁷ the *Tashbetz* (1:21) forbids performing it on a Thursday. He notes that on the third day after a *Brit* (including the day of the *Brit*), the baby is presumed to be in tremendous pain (see *Bereishit* 34:25 and *Rashbam ad loc.*). Thus, a baby who underwent a *Brit Milah* on Thursday may require medical treatment that will entail transgressing *Shabbat* (see *Shabbat* 86a). The *Tashbetz* is cited as normative by Rav Yosef Karo in the *Bedek HaBayit* portion of his commentary to the *Tur* (*Yoreh Deah* 262 and 266) and the *Taz* (*Yoreh Deah* 262:3). Significantly, Rav Yosef Karo does not cite the *Tashbetz* in the *Shulchan Aruch*.

According to the *Taz*, this problem exists when circumcising on Friday, too, as the baby suffers pain every day **through** the third day.⁸ The *Shach* (*Yoreh Deah* 266:18)

notes that some *Rishonim* do indeed assume that the baby suffers **through** the third day, but the *Tashbetz* explicitly permits circumcising on Friday even when it is not the eighth day.⁹

The *Shach* himself rejects even the *Tashbetz's* position. He asserts that circumcising constitutes a *Mitzvah*, so one may perform it even when it will later require violating *Shabbat* to save a life, just as one may embark on a trip for the sake of a *Mitzvah* even during the latter half of the week. The *Chacham Tzvi* (*Teshuvot Nosafot* 14) and *Mishnah Berurah* (331:33) rule in accordance with the *Shach*. The *Chacham Tzvi's* son, Rav Yaakov Emden (*Sh'eilat Yaavetz* 2:95), distinguishes between the late circumcision of a Jewish boy and the circumcision of a non-Jew who wishes to convert. A *mitzvah* already exists to circumcise the Jewish child, so Rav Emden agrees with the *Shach* that the *brit* should not be delayed. By contrast, the potential convert does not delay any *mitzvah* by pushing off his *brit milah*, for he is not bound by *mitzvot* prior to the conversion process.

In defense of the *Tashbetz* both the Chida (*Birkei Yosef Orach Chaim* 248) and Chatam Sofer (commentary to *Shabbat* 137a) argue that the Gemara permits embarking on a trip on a Thursday or Friday only when the opportunity to fulfill the *Mitzvah* will not be available the following week. However, in a case of *Brit Milah* it should be delayed until Sunday since the *Mitzvah* can be fulfilled on Sunday just as well as Thursday or Friday. One could counter, though, that it is improper and possibly prohibited to delay a *Brit* even when it will not occur on the eighth day of the boy's life.

Current Practice - Sepharadim and Ashkenazim

In practice, the *Magen Avraham* (331:9) notes that nowadays we rarely need to violate *Shabbat* in order to save a circumcised baby, so circumcising on Thursday should undoubtedly be permitted. Indeed, common practice among Ashkenazic Jews is to circumcise on Thursday and Friday under all circumstances, as noted by the Aruch HaShulchan. The Aruch HaShulchan cites the absence of support for the *Tashbetz* in other *Rishonim* as evidence for the *Shach's* criticism of *Tashbetz*.

Rav Ovadia Yosef (*Teshuvot Yabia Omer*, Y.D. 5:23) rules that Sephardic Jews should not perform a belated circumcision on Thursday or Friday unless their community has a custom to do so. Hacham Ovadia writes that we should follow the *Tashbetz* since it is cited as authoritative by Maran - Rav Yosef Karo - in the *Bedek HaBayit*, even though it is not presented in the *Shulchan Aruch*. He cites the custom to follow the *Tashbetz* ruling from a wide range of Sephardic communities such as Salonika, Turkey, Egypt, Aleppo and Iraq. Moreover, major Sephardic icons such as Maran HaChida (*Birkei Yosef* Y.D. 262:2), Rav Yosef Chaim of Baghdad (*Teshuvot Rav Po'alim* 4: Y.D. 28) and Kaf HaChaim (*Orach Chaim* 331:31) rule in accordance with the *Tashbetz*. Rav Shmuel Khoshkerman reports that the accepted custom of all Sephardic Jews has emerged to prohibit belated circumcisions on Thursday and Friday. Rav Mordechai Lebar (*Magen Avot* Y.D. p.161) confirms that this is the practice of Moroccan Jews as well.

Hacham Ovadia (following the Kaf HaChaim), though, limits his ruling to performing a *Milah* within two days of *Shabbat*. He writes that this ruling does not apply to *Yom Tov* which is not as strict as *Shabbat*. In addition, he does not believe

that it is necessary to postpone to Sunday a *Brit* for a boy born on Wednesday evening during *Bein HaShemashot* (the time between sunset and nightfall which is considered both night and day - the *Brit* is delayed until Thursday in such cases).

Conclusion

The dispute about postponing a delayed *Brit* from Thursday and Friday to Sunday involves a situation of competing values. On the one hand, is the importance of performing the *Brit* as soon as possible. On the other hand, we consider the need to preserve the integrity of *Shabbat*. Ashkenazic practice gives greater weight to performing a *Brit* as soon as possible and the Sephardic practice accords greater importance to taking precautions to avoid the need to violate *Shabbat*.

1. The *Mishnah Berurah* (248:4) cites a dispute regarding whether this prohibition applies on Wednesday, or whether the phrase "within three days" includes *Shabbat* itself as one day.
2. The *Shulchan Aruch* (*Orach Chaim* 248:4) mentions a trip to Israel as an example of a trip for the sake of a *Mitzvah*. See *Mishnah Berurah* 248:28 and *Teshuvot Chelkat Yaakov* (1:81) regarding whether this includes a temporary visit to Israel.
3. Rav Yisrael Rozen (*Techumin* 16:42) infers this position from the *Shulchan Aruch Harav's* words.
4. Rav Eliezer Waldenberg (*Teshuvot Tzitz Eliezer* 12:43:4) cites many authorities who indicate that this prohibition is merely a rabbinic enactment. See, however, *B'ikvei Hatzon* (p. 153), where Rav Hershel Schachter offers an explanation for why he believes it to be a Biblical prohibition.
5. In this chapter, we discuss only the two explanations that appear in the *Shulchan Aruch*. For a summary and analysis of these and other opinions, see Rivva (*Shabbat* 19a s.v. *Tanu Rabanan*).
6. Travel was dangerous at that time, so it was likely that the crew would need to perform forbidden activities on *Shabbat* in order to insure the passengers' safety.
7. Of course, none of these concerns applies when circumcising a baby on the eighth day of his life, as circumcision on the eighth day overrides *Shabbat*. The Gemara discusses the laws of a circumcision on *Shabbat* at great length in the nineteenth chapter of *Masechet Shabbat*.
8. The *Taz* indicates concern for the baby's pain and suffering per se, not for the desecration of *Shabbat* that it might necessitate. Apparently, he understands the problem of circumcising close to *Shabbat* in the same manner that the Rif explains the prohibition against traveling before *Shabbat* - concern for causing unnecessary discomfort during *Shabbat* (see *Teshuvot Tzitz Eliezer* 12:43).
9. See, however, *Teshuvot Yabia Omer*, Y.D. 5:23.

Editors-in-Chief: Ned Krasnopolsky, Akiva Sturm

Editors-in-Chief Emeritus: Tani Greengart, Shlomi Helfgot

Publishing Managers: Moshe Dergel, Eitan Leff, Avi Roth

Publication Editors: Avrumi Davis, Ephraim Helfgot,
Yehoshua Kanarek

Business Managers: Avraham Gellman, Eli Schloss

Staff: Shmuel Adler, Shmuel Bak, Eli Englard, Nachum
Freedman, Gabe Greenberg, Shai Rosalimsky, Yehuda
Saks

Contributing Writers: Tani Greengart, Naftali Kruman,
Yonatan Sragow, Aryeh Brusowankin, Eitan Leff, Ned
Krasnopolsky, Yaakov Zinberg, Yehoshua Kanarek, Natan
Lehman, Akiva Sturm, Yonason Rutta, Ezra Seplowitz

Rabbinic Advisor: Rabbi Chaim Jachter

Questions, comments? Contact us at:
koltorah@koltorah.org

To subscribe to Kol Torah via email, message webmaster@koltorah.org

*This publication contains Torah matter
and should be treated accordingly.*