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מחבר ספרי שו"ת דרך המלך, אמרי מרדכי, ודרכי המלך על המועדים ועוד
רשת מעונות, ורשת גנים, ת"ת פרי תואר, ובית יעקב פרי תואר, תיכון בית יעקב החדש, ת"ת מאור ישראל,
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Chief Rabbi of Elad, Israel MORDECHAI MALKA, Founder & President of Institutions "Or Hamelech"



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Parashat Shmini

Honoring the Torah and Torah Scholars

Our *parasha* teaches us about the deaths of Aharon's sons, Nadav and Avihu, who died after offering a *ketoret* that Hashem had not commanded. Rashi quotes Rabbi Eliezer as explaining that they were punished for having issued a ruling before Moshe, their teacher. He then quotes the view of Rabbi Yishmael who states that they were punished for drinking wine and then entering the Sanctuary. He brings proof to this from the fact that the episode follows with a warning to Aharon's remaining sons not to enter the Sanctuary after having drunken wine.

Attitude of our Generation

In present times, people think that *Gedolei Yisrael* are no longer important. They say that since everything is connected to politics nowadays, the Torah is not on the same level that it used to be. They therefore permit themselves to argue with and even belittle the *Gedolei Yisrael*. They furthermore claim that that it is the activists who are running the show, acting solely out of their own self-interests, and that the concept of *Gedolim* and Torah leaders has ceased, *chas ve'shalom*. However, the Torah teaches us that each generation is given the leaders that are appropriate for the generation, as our Sages state that Yiftach was in his generation as Shmuel was in his. That is, even though, Shmuel was greater than Yiftach, nevertheless, it does not detract from Yiftach's status as *Gadol Hador* of his generation. Therefore, an individual must be very careful not to damage the honor of the Torah and those who study it, for by doing so, he only damages himself and his family, as we will soon see just how serious a matter this is.

Question Regarding the Deaths of Aharon's Sons

Why did Aharon's sons die because they issued a *halachic* ruling before Moshe Rabbeinu? The Torah testifies to the fact that Moshe was the humblest man alive, and it is certain that he was not offended. Furthermore, there, Miriam and Aharon spoke about Moshe personally. Therefore Miriam was punished, despite the fact that Moshe was not offended. Yet here, Nadav and Avihu did not slight Moshe in any way. Rather, in their holiness, they grew excited and brought a fire that Hashem did not command. Therefore, there is no doubt at all that Moshe was not offended. Why, then, were they punished?

Breaking the *Mesora*

R' Chayim Shmulevitz zt"l answers that they were not punished for offending Moshe Rabbeinu. Rather, we are taught in *Pirkei Avot* that the Torah was transmitted from generation to generation, as it states that Moshe received the Torah from Sinai and transmitted it to Yehoshua, etc. In the third *perek* of *Avot* it states that "*mesoret siyag le'Torah*," that the transmission of Torah from teacher to student guards the Torah and ensures that it will endure. However, if the *mesora* is broken, *chas ve'shalom*, then the Torah cannot last. Therefore, if someone issues a *halachic* ruling in front of his teacher and thereby establishes himself as a *posek*, he has broken the chain of *mesora*. Therefore they were punished for their actions even though Moshe did not get angry nor was offended. This is because by breaking the *mesora*, the Torah cannot endure.

Even a Correct Ruling is Forbidden, Even by a Minor

The aforementioned idea explains the Gemara in *Masechet Brachot* (31b). The Gemara teaches that when Shmuel was only two years old, his mother Chana brought him to *Eli Hakohen* in the Mishkan. There Shmuel actually ruled on a *halacha* related to slaughtering a sacrificial offering. Despite the fact that he was correct in his decision, nevertheless, Eli said that he was liable for the death penalty since he ruled in front of him. Chana screamed to Eli that she was the woman who he had previously seen praying fervently for a son almost three years ago. Nevertheless, Eli said that it was preferable that the child be punished, and he would pray that she be granted another son. Yet Chana refused saying, "For **this** child did I pray." We see therefore that even though Shmuel's ruling was correct, he was nevertheless deserving of a punishment, because he issued the ruling in front of his teacher. Furthermore, the *Maharsha* comments that Shmuel was only two years old at the time. At that age, he should not have been deserving of a punishment. He explains that even though he could not be punished by an



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earthly punishment, nevertheless, he could receive a Heavenly punishment, as one who rules before his teacher is liable for a death penalty from Heaven. This is how he would have been punished. We see, then, that even when the ruling is correct and the one who ruled is a minor, a punishment is nevertheless incurred because of breaking the *mesora*. See *Masechet Eiruv* (63a) which details the severity of issuing a *halachic* ruling before one's teacher.

Michal's Punishment for Belittling David

In this week's *haftara*, we read about how David's wife Michal belittled him after she saw him dancing before the Aron. She felt that it was dishonorable for the King of Israel to be dancing in such a fashion, and she admonished him. The Navi states that she was punished for this and did not give birth until the day she died. We see from here just how severe it is to slight *Gedolei Yisrael*.

Aharon's Sons were Punished Measure for Measure

In his *sefer Ben Yehoyada*, the *Ben Ish Chai* writes that our Sages state that Nadav and Avihu were punished because they ruled in front of Moshe. There are other opinions as well as to which sins they committed. Yet, it is an explicit *pasuk* that they were punished for offering an alien fire that Hashem had not instructed. How can we reconcile this? He answers that Rebbe Eliezer, who states that they were punished for issuing a *halachic* ruling before Moshe, agrees with all of the reasons stated by the Torah and the Sages. He is simply saying that if they had not made light of Moshe's honor, Moshe's merit would have protected them from being punished on account of the other sins they committed. Therefore, he says that they died specifically because of ruling before Moshe. This is how the commentators explain the Sages' teaching that Yerushalayim was destroyed and the Jews exiled because they disgraced Torah scholars. The Gemara in *Eiruv* (ibid.) teaches that one who rules in front of his teacher deserves to be bitten by a snake. The *Ben Yehoyada* explains that since one who does so receives the death penalty from Heaven, a snake is sent to bite him. This is based on a *pasuk* in *Kohelet* (10:11) which mentions that a snake is a messenger sent from Heaven. Alternatively, he writes that since his ruling was a sin committed with his mouth, he dies through a snake's biting him with its mouth. Alternatively, he explains that our Sages teach that a Torah scholar must exact vengeance like a snake. Therefore, one who rules before his teacher is punished by a snake, which exacts vengeance in place of the teacher. He also answers that *kol* [voice] and *dibur* [speech] have the numerical value of *nachash* [snake]. Since he sinned with his voice and speech, he is deserving of a snake bite. Alternatively, he writes that one who rules instead of his teacher has trespassed into a boundary in which he does not belong. By doing so, he has acted similarly to a snake, which sneaks into places that it should not. Therefore, he is punished by a snake.

Fearing Torah Scholars is Derived from Fearing Hashem

The Gemara teaches in several places that *Shimon Ha'amusoni* used to expound on every place in the Torah where the word *et* was stated. However, when he arrived at the *pasuk* (*Devarim* 10) "*Et Hashem Elokecha tira*, You should fear Hashem your G-d," He did not know what to expound. How could anything be equated to the fear of Hashem, to which there is no equal? He therefore ceased working on his monumental Torah work. His students asked him how he could do such a thing. He had already expounded on scores of times where the Torah stated *et*? He answered that the same way he had received reward for expounding, so too would he receive reward for not expounding. Ultimately, however, Rebbe Akiva eventually expounded that it was meant to include the fear of Torah scholars. One must fear Torah scholars like he fears Hashem, as it were.

Words of Mussar

We have learned how one must be careful with the honor of the Torah and those who study it, for if one is not, his end will be a bitter one. Furthermore, in a house where *Gedolei Yisrael* are spoken about negatively, children are affected adversely. Parents will not be successful in educating them, because the children are not learning the value of Torah and Torah scholars. They do not learn that this is the most important thing in their home. This is as our Sages state in *Masechet Shabbat* (23b) that one who loves *Rabbanim* will have sons who are *Rabbanim*, and one who honors *Rabbanim* will have sons in laws who are *Rabbanim*. They furthermore states that one who fears



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Rabbanim, will himself become a Torah scholar. If he is not accustomed to learning Torah, his words will nevertheless be heeded like those of a Torah scholar. This teaches us that a Torah home is grounded on the precept of "*Asei lecha rav*, make for yourself a *rav*." The *rav* will help them clarify their questions and he will advise them. For continuing our *mesora* ensures the survival of the Torah. Not everyone should seek to establish himself as an authority. This way, he will ingrain the *mesora* into his children and will merit upstanding and blessed generations.

Shabbat Shalom
Rav Mordechai Malka