

UL'HOROT ET B'NEI YISRA'EL

PARASHAT SH'MINI



by Yitzchak Etshalom

I

THE DEATH OF NADAV AND AVIHU

In our Parashah, we read about the tragic deaths of Aharon's sons, Nadav and Avihu. Although we know that this death happened as a result of something they did while performing the inaugural Avodah (worship) in the Mikdash (Sanctuary), it is not quite clear from the text where they erred. One of the explanations given (Vayyiqra Rabbah 12:1) is that they entered the Mikdash while they were inebriated. This is derived from context - the next paragraph in the Torah includes the prohibition of entering the Mikdash while drunk:

And YHVH spoke to Aaron: Drink no wine or strong drink, neither you nor your sons, when you enter the tent of meeting, that you may not die; it is a statute forever throughout your generations. You are to distinguish between the holy and the common, and between the unclean and the clean; and you are to teach the people of Israel all the statutes that YHVH has spoken to them through Moses. (Vayyikra 10:8-11)

II

THE PROHIBITION OF TORAH INSTRUCTION WHILE DRUNK

In the Gemara in Keritot (13b), the Rabbis derive from the last verse **and you are to teach...** that just as it is prohibited for a Kohen to do Avodah in the Mikdash while drunk, so it is prohibited to instruct in Torah matters while drunk. Rambam codifies it as follows (MT Bi'at Mikdash [Laws of Entering the Sanctuary] 1:3):

*Just as it is prohibited for a Kohen to enter the Mikdash due to drunkenness, so is it prohibited for any person, whether Kohen or Yisra'el, to instruct [in matters of Halakha] while drunk as it says: *ul'Horot et B'nei Yisra'el* (And that you may be able to teach the children of Israel).*

Several questions arise regarding this Rambam:

- *In the next Halakha, Rambam teaches us that "non-instructive" teaching, such as teaching Midrash, is not prohibited. Why the distinction?*
- *One of the prides of Rambam's code is its high level of organizational purity. Why does he include this law in the Laws of Entering the Sanctuary - it belongs in the Laws of Torah Study, or perhaps in the Laws of Dissenters (Mamrim)?*
- *Another wonderful characteristic of Rambam's code is his precision and economy of language. Rambam explicitly stated that "it is prohibited for any person" to instruct while inebriated. Why does he add "whether Kohen or Yisra'el"?*

III

THE KINGDOM OF KOHANIM

When we stood at Sinai, preparing to enter the covenant with God and receive the Torah, God Himself promised us that we will be a **kingdom of Kohanim and a holy nation** (Shemot 19:6). How are B'nei Yisra'el to be considered of Kohanim, as long as we have the tribal division of labor, such that only the children of Aharon are Kohanim and only they can perform the Kohanic functions in the Mikdash?

There are two separate functions of the Kohanim, as presented in both the Torah and the Prophets - as our emissaries, bringing our offerings on our behalf - a function which is the exclusive domain of the children of Aharon; and as God's emissaries, teaching and instructing us in His Torah:

For the lips of a priest should guard knowledge, and people should seek instruction from his mouth, for he is the messenger of YHVH of hosts. (Malakhi 2:7)

Although all of Torah teaching is a holy vocation, there is a distinction drawn in our literature between "teaching" - sharing insights, exhortative and inspirational lessons, conceptual and theoretical Halakhic analyses; and **Hora'ah** (instruction)- actual instruction of Halakhic behavior. The Gemara in Megilla (6b) indicates that human toil is all that is necessary to achieve greatness in Torah study - but, when it comes to accurately aligning one's study with Halakha - this

demands the blessing and help of God (see Sotah 21a and Rashi there). This is the point at which the instructor is truly God's agent, instructing the Bnei Yisrael how to follow the word of Hashem.

Rambam includes this Halakha - of not instructing while drunk - in the Laws of Entering the Sanctuary, to demonstrate the Kohanic nature of this function. This is not just instruction in the mundane sense - it is truly Avodat haMikdash - the worship of the Sanctuary. This is why the Sanhedrin had its seat in the Beit HaMiqdash - and why, in the prophecies of Yeshaya and Micha, we are promised: **Ki MiTziyyon Teitze Torah** - *Torah (instruction) shall come forth from Zion, and the word of God from Yerushalayim*. This is also why Rambam stresses *whether Kohen or Yisra'el* - to show that this is a Kohanic function in which any Jew who rises to this level of instruction fulfills the Sinaitic goal: for us, all of us, to become a "kingdom of Kohanim and a holy nation".

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