

*Comments on Shmini*  
*Rabbi Eliot Malomet April 15, 2023 24 Nisan 5783*

<p>וַיְהִי בַיּוֹם הַשְּׁמִינִי  קָרָא מֹשֶׁה  לְאַהֲרֹן וּלְבָנָיו  וּלְזִקְנֵי יִשְׂרָאֵל. וַיִּקְרָא ט:א</p>	<p><b>And it came to pass</b> on the eighth day  that Moses called  to Aharon and to his sons  and to the elders of Israel... (Lev. 9:1)</p>	<p>Introducing the commentary of R. Yehuda Aryeh Leib Alter (1847-1905), the Gerrer Rebbe, also known as the Sfat Emet, one of the most prolific Hasidic commentators of the 19th century.</p>
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<p>שֵׁשֶׁת אֲמַתִּ: נִהְי  לְשׁוֹן צַעַר,  שָׂאֲהָרֹן נַעֲשֶׂה כֹהֵן גָּדוֹל  וְלֹא מֹשֶׁה.  בְּגַלְל שִׁירָאֵל הָיוּ  בְּגֵדָר בְּעַלֵי תְשׁוּבָה  וְרַק אַהֲרֹן  יָכוֹל הָיָה לְהִיּוֹת לָהֶם  כֹּהֵן גָּדוֹל.</p>	<p><b>Sfat Emet: Vayehi</b> (and it came to pass)  is a word that signals anguish.  In this case, it was Moshe's anguish that Aharon  was made the Kohen Gadol instead of Moshe.  This was because Israel, at this point, were  considered to be in the category of "Baalei  Teshuva" and only Aharon  could serve them  as Kohen Gadol.</p>	<p>Let's put these comments in context. Aharon and his sons have been sequestered in the Tabernacle for seven days during which various rituals of atonement have been performed in order to consecrate the Tabernacle. As with every seven-day period in the Torah (such as the Passover holiday which we just experienced) the seven-day period of consecration echoes the seven days of creation.</p>
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Here we are on the eighth day, and, as we know from reading this before, we are on the verge of a catastrophe. Aharon's sons bring a *strange fire* and are incinerated. This comment doesn't focus on what is about to happen. It focusses on the relationship between Aharon and Moshe and the possibility of a rivalry between them. The cue that there is a problem comes from the word **וַיְהִי** **vayehi-and it came to pass**. We have seen elsewhere that this word signals distress. If you pronounce it with a slightly different intonation, it sounds like a common expression of dread: *Vey!* or *Oy Vey!* which we tend to translate as *Woe is me!* Moshe may be the leader of the people, but he is not the one who will be designated to be the principal figure in the service of God. That role belongs to Aharon. And that, according to the Sfat Emet, distresses him. *Vey iz mir! Can you believe I wasn't chosen to be Koyhain Gadol!* We might not be able to empathize him, but in a world in which devotion to God is paramount, this disqualification may indeed have been terribly distressing. Analogies: You are the better goalie, but you are benched for the final game of the Stanley Cup Playoffs. You are the better soloist, but the conductor goes with your understudy. You are the better CEO candidate, but your board chooses someone less qualified. Seen in this light, even with his renowned humility, it would have been distressing to Moshe to be disqualified. But, there is wisdom here. First, in a practical sense it functions as a good division of powers. While the Principal Prophet and the High Priest may lead two co-equal branches of government, these two offices require two sets of skills and encompass two separate areas of activity: the political and the ritual. Additionally, it is a good model for a boundary between politics and religion. Second, and more importantly for Sfat Emet, it is precisely Moshe's untarnished status as a non-sinner, as having not been a part of the Golden Calf debacle, that *disqualifies* him from the role. While Moshe a man of impeccable moral credentials, he is not a *Ba'al Teshuva*. He has not experienced the transformative power of personal

repentance. Sure, he was the one who asked God to forgive the people, but he was acting as an agent and not someone who sinned himself. It would be akin to having a bereavement counselor who never experienced a bereavement, or a therapist who had never been in therapy. In order to serve in the capacity of High Priest, ie. the Penitent-in-Chief, you have to have had the experience of the transformative power of teshuva yourself. Aharon has it; Moshe doesn't. This speaks to the power of teshuva and the total reverence for *ba'alei teshuva*. These are people who have totally changed their lives. They have asked for forgiveness, corrected their behaviors and pledged not to transgress. The ability to do that elicits praise, a praise that is expressed in the common saying, **מְקוֹם שְׁבַעֲלֵי תְשׁוּבָה עוֹמְדִין** – *Where Ba'alei Teshuva stand, even complete Tzaddikim cannot stand*. This next comment picks up on this as well. Aharon and his sons experience only a condensed seven-day period of consecration unlike the newly freed Israelites who have to wait

<p>בַּיּוֹם הַשְּׁמִינִי.  מִכִּיּוֹן שְׁהִיוּ  בְּעַלֵי תְשׁוּבָה  הַבָּאִים בְּכַח גָּדוֹל  הִסְפִּיקוּ לָהֶם שִׁבְעַת יָמִים,  וְאֵילוּ בְּצִאתָם מִמִּצְרַיִם  הָיוּ נְחֻצִּים לָהֶם  שִׁבְעָה שָׁבוּעוֹת  עַד מָתַן תּוֹרָה.</p>	<p>On the eighth day.  Because they were "Ba'alei Teshuva"  and they came with the great virtue  of being in that category,  they only required seven days.  Whereas, when they left Egypt,  they urgently required  seven weeks  until they were able to receive the Torah.</p>
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seven weeks before receiving the Torah. They were *ba'alei teshuva* while the newly freed Israelites were not. The Israelites needed a prolonged experience of transformation in order to receive the Torah. If that is the case, what is the message for us now that we have started *sefirat ha-omer*? Having just experienced the Festival of Freedom, we are like the newly freed Israelites. And just as they required a seven-week period of preparation to receive the Torah, so do we, notwithstanding any previous teshuva.

<p>וַיִּקְחוּ בְנֵי-אַהֲרֹן  נָדָב וַאֲבִיהוּא  אִישׁ מִחַתְּלוֹ  וַיִּתְּנוּ בְּהֵן אֵשׁ  וַיִּשְׂמוּ עָלֶיהָ קִטְרֶת  וַיִּקְרְבוּ  לִפְנֵי ה'  אֵשׁ זָרָה  אֲשֶׁר לֹא  צִוָּה אֲתֶם:  וַתֵּצֵא אֵשׁ  מִלִּפְנֵי ה'  וַתֹּאכַל אוֹתָם  וַיָּמָתוּ  לִפְנֵי ה':  וַיִּקְרָא י-א-ב</p>	<p><i>Aharon's sons,  Nadav and Avihu,  took each one his pan,  placed fire in them,  put smoking-incense on it,  and brought near,  before the presence of God,  outside fire,  such as he had not  commanded them.  And fire went out  from the presence of God  and consumed them,  so that they died,  before the presence of God.  Lev. 10:1-2</i></p>
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To borrow from the great Broadway show, The Music Man) *Oh we got trouble, right here in the Tabernacle. Trouble with a capital "T" and that rhymes with "P" and that stands for...Pans - firepans that is!*

There is something terribly troubling in this story. Let's try to break it down frame by frame.

1. **אִישׁ מִחַתְּלוֹ** - *Each one his pan*. Why did they have their own firepans? Were they given firepans? Infraction #1. They took their own firepans from an unknown, possibly impure provenance.
2. **וַיִּתְּנוּ בְּהֵן אֵשׁ** - *they placed fire in them*. Infraction #2. These are coals. We note that up until now, the only fire mentioned is the fire that ignites the sacrifices. Where did Nadav and Avihu get their coals? Could they have gotten them from the altar? It sounds too dangerous. The only other fire mentioned was the fire used to burn the skins of the sin offering outside the camp - that would be a good reason to disqualify the fire. But they could have gotten fire/coals from anywhere. The point is, it's not from a holy source.

3. **וַיִּשְׂמוּ עָלֶיהָ קִטְרֶת**. *they put smoking-incense on it*. Infraction #3. The incense that they put on their firepans was either not the special Temple blend, or the unauthorized use of special incense blend. Whatever it was, they pushed the limits of the moment; they want to make this really spectacular, like adding fireworks. We have to recall that incense is the most powerful ingredient of the sacrificial system in terms of the potency of its ability to attract the divine presence. It is the plutonium of the Tabernacle.

4. **וַיִּקְרְבוּ** - *and they brought near*. Not only do they want to *bring the incense near*, they want themselves to be accepted before God. They want to be noted. They want to draw God's attention. Up until now, all the focus has been on their father Aharon and their uncle Moshe. But Nadav and Avihu are young men. They want some of the spotlight too. That is Infraction #4.

5. **לִפְנֵי ה'** - *before God*. It's one thing to bring the incense, it's another to bring before God! That is Infraction #5

6. **אֵשׁ זָרָה** - *an outside fire*. The narrator adjudicates for us what the species of fire this is. Infraction #6.

7. **אֲשֶׁר לֹא צִוָּה אֲתֶם** - *such as he had not commanded them*. This is the most severe of the infractions. Infraction #7. Interesting. There are seven constituent elements to the grand infraction of Nadav and Avihu. What would that mean? Seven is the structuring number of the Torah. The numerical symbol of creation and wholeness. Here it is inverted. If their act has seven constituent elements it is either their brazen attempt to legitimize the illegitimate, or rather the narrator's attempt to show how they broke the wholeness of the otherwise complete ceremony, that is composed of, quite intentionally, many units of seven items. They want to gain attention. They want credit. They want to add to the power of this moment. And they are seriously over the boundary. But here is a different take:

<p>כִּיִּן שָׂרְאוּ אֵשׁ חֲדָשָׁה  עָמְדוּ לְהוֹסִיף אֲהָבָה עַל אֲהָבָה.  וַיִּקְחוּ אִיר קִטְרֶת אֲלֵא שִׁמְחָה.  מִדָּב וַאֲבִיהוּ -  מִהַ תְּלַמּוּד לִדְמַר בְּנֵי אֲהֲרֹן?  שְׂלֵא חֲלָקוּ קְבוּד לְאֲהֲרֹן.  מִדָּב וַאֲבִיהוּ -  לֹא נָטְלוּ עֲצָה מִמֹּשֶׁה .  אִישׁ מִחַתְּלוֹ  אִישׁ מֵעֲצָמוּ יָצְאוּ  וְלֹא נָטְלוּ עֲצָה זֶה מִזֶּה .  ר' יִשְׁמַעֵאל אוֹמֵר: יִכּוּל אֵשׁ זָרָה  מִמֶּשׁ? תְּלַמּוּד לִדְמַר אֲשֶׁר לֹא צִוָּה  אוֹתָם - הַכְּנִיסוּהוּ בְּלֵא עֲצָה. רַבִּי  עֲקִיבָא אוֹמֵר: לֹא הַכְּנִיסוּהוּ אֲלֵא  מִן הַכִּירִים שְׁנֵאמַר: וַיִּקְרְבוּ לִפְנֵי  ה' אֵשׁ זָרָה. אִם כֵּן לָמָּה נֶאֱמַר  אֲשֶׁר לֹא צִוָּה אוֹתָם? שְׂלֵא נִמְלְכוּ  בְּמֹשֶׁה רַבֵּן. רַבִּי אֱלִיעֶזֶר אוֹמֵר:  לֹא נִתְחַיְּבוּ אֲלֵא עַל שְׁהוּרוּ  הִלְכָה בְּפָנֵי מֹשֶׁה רַבֵּן, וְכֹל הַמּוֹרָה  הִלְכָה בְּפָנֵי רַבּוֹ חַיִּיב מִיתָה.  סְפָרָא מְכִילְתָא ב: לֵב</p>	<p>When they saw the new fire from God,  they got excited and tried to add even more love.  <b>Each took</b>—the word <i>taking</i> indicates joy.  Since it says <i>Nadav and Avihu</i>,  why does it also say <i>Aharon's sons</i>?  To teach us that they did not honor Aharon.  <b>Nadav and Avihu</b>—  means that they did not consult Moshe either.  <b>Each man his fire pan</b>—these words teach us that  each <i>man</i> acted on his own,  and they did not even consult each other.  R. Yishmael said: Could it have been an actual  foreign fire? The text says, <i>that he had not  commanded him</i>. They took it without  permission. R. Akiva said: they took it from an  ordinary stove, as it says, <i>they brought a foreign  fire before God</i>. If this is the case, why does the  text stipulate that <i>he didn't command them</i>?  Because it wants to teach us that they did not  consult Moshe their master (rabbi). R. Eliezer  said: They are liable only because they taught  the halakha in the presence of their teacher, and  anyone who does that is liable for the death  penalty. <i>Sifra, Shemini, Mechilta d'Miluim 2 32</i></p>	<p>When you move away from the seven technical  infractions enumerated above, we get a different  picture altogether. We are looking at the moral and  ethical sphere, the sphere of personal comportment  and proper respect to colleagues and teachers. That  shouldn't surprise us, as rabbinic literature is deeply  committed to delivering the moral and ethical  meaning of the event to us and reading into biblical  stories paradigms of rabbinic behavior. What were  the infractions of Nadav and Avihu? They acted un-  rabbinically. They over-indulged. Instead of  tempered joy as befits a priest (or rabbi), they  became ecstatic and unbound. But more subtly, they  did not honor authority in the person of their father,  Aharon, the head of the priesthood, and their uncle,  Moshe, the head of the nation. And then, they did  not honor each other, they did not behave as brothers  or even colleagues. The debate of the R. Yishmael,  Akiva, and Eliezer, is a debate about rabbinic  propriety and deference. They took it seriously.</p>
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