

Kedoshim 5768

- Gidon Rothstein

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Aside from the famous Ramban-- who sees kedusha as generally abstaining from any overindulgence, including in permitted activities-- I would note the Rashba's differentiation between fulfilling a prohibition, which creates kedusha, and those mitzvot that are specifically called mitzvot of kedusha. In contrast, Rambam in Sefer HaMitsvot and in the Moreh assumes that the call for kedusha refers to all the mitzvot. In later sources, the Netsiv takes a contemporary to task for allowing a certain kind of meat that custom prohibited, and gives as one reason the idea that all such abstentions have kedusha to them. R. Herzog takes for granted that witnesses to a kiddushin by biah do not have to see the actual act, citing kedoshim tihyu, and R. Moshe uses the verse first to stress to women that the Torah cares equally about their spiritual status as to men's (in a teshuva to R. Kelemer, now of West Hempstead, then of Boston), so that the differences the Torah creates are not a question of higher or lower kedushah, second to argue that we are always required to take the ramifications of an act into account when trying to decide whether it's allowed (and not all that which is not specifically prohibited by the Torah is allowed) and third, as one reason to show why marijuana smoking is prohibited by Torah law.