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from: Parsha@torahinaction.com date: Aug 22, 2019, 5:46 AM subject:
Eikev

**Eikev – Human Suffering
Rabbi Eliezer Parkoff**

Adapted from a lecture by Rabbi Dr. Abraham J. Twerski.

And you shall remember the entire way on which the Lord, your God, led you these forty years in the desert, in order to afflict you to test you, to know what is in your heart, whether you would keep His commandments or not. And He afflicted you and let you go hungry, and then fed you with manna, which you did not know, nor did your forefathers know, so that He would make you know that man does not live by bread alone, but rather by, whatever comes forth from the mouth of the Lord does man live. (Devorim 8:2-3)

These psukim elicit a very deep-seated question, that of human suffering. Hashem afflicted us and let us go hungry. Hunger is a very painful experience. To say the least, it is not pleasant. It is agony. Why does Hashem inflict pain and suffering? Is that the only way for Him to achieve whatever plan He has in store for us?

I have to admit, this question is unanswerable. There are many wonderful seforim written giving many interesting discussions, and all sorts of logical sounding answers. But I'm not satisfied with them. So ultimately the question remains unanswered.

However, we should not leave this in question form. We should not ask, why. We don't ask why because there is no answer.

During the lifetime of the Maggid of Mezeritch, the successor of the Baal Shem Tov, there were no new anti-Semitic government decrees. But after his passing, these decrees renewed. One of the talmidim thought, "The Talmud says that tzaddikim in their passing are even greater and more powerful than

in their lifetimes. So if the Rebbe could avert these horrible decrees in his lifetime, why isn't he doing so now? He is so much closer to Hashem in Heaven.

Then the Maggid appeared to him in a dream. "When I was alive and I saw one of these decrees approaching, and I saw how bad it would be, I prayed to Hashem to avert it. But from my vantage point up here, I can now see the ultimate good that is going to come out of this. And seeing the ultimate good that is going to come out of it, I have no right; I do not have the power to annul it. But you my dear talmid, you live in the earthly world. You see it as bad. You pray to Hashem to annul it. I cannot do it."

So there is a perspective of truth where it is so far beyond our means to understand so that even the most painful things somehow serve a purpose, a purpose that is not for us to understand.

There was a great tzaddik Rav Shimon of Yaruslov, who lived to a ripe old age into his 90's. And he told his disciples, "You know why I have lived so long? There are people that when bad things happen they ask Hashem, 'Why did You allow this to happen?' Hashem answers them, 'You want to know the answer why? Come up here and I'll tell you.'" Reb Shimon said, "I've never asked why, so they don't call me up there to tell me."

I want to share a little story with you. Like any normal human being, I have good days, and I have lousy days. One summer day I was standing in front of my home in Pittsburgh watering the lawn, and it turned out that it was a very lousy day. I was in a bad, bad mood. Then a car drove by and two men jumped out. It turned out they were former patients of mine who had graduated treatment (for alcoholism). So they jumped out of the car and ran over to me and shouted, "Hey. How yeh doin' Doc?"

I said to them, "You know, under normal circumstances one would answer such a question politely with, 'I'm fine!' But I've made it my principle that I do not lie to people on the Recovery Program. I expect them to be honest with me, so I don't lie to them. You asked me how I feel. Lousy. It's a bad day."

"Oh. Oh. Doc, you should come to an AA (Alcoholics Anonymous) meeting." I said, "No thank you."

8 PM that evening the doorbell rings and these 2 jokers are there. "We're here to take you to a meeting Doc."

I didn't want to turn them down, so I went to the meeting with them. Still feeling very depressed.

In my mazal it happened to be a Gratitude meeting. At an AA Gratitude Meeting everyone gets up and says, "I've been sober for 6 years, and my life has been so much better etc. etc. And everything is so great." So one person after another gets up to give his shpiel why he's so happy how their lives turned out. This was not what I needed to hear.

Finally the last guy gets up and he says, "I've been sober for 4 years. And I wish I could tell you that they've been good. But my company downsized and I lost my job and I couldn't find another one. I fell behind on my mortgage payments, so they foreclosed on my house. And my wife divorced me and she took the custody of the kids. And last week the finance company repossessed my car. But I can't believe that G-d brought me all this way, only to walk out on me now." And then I knew why I was at that meeting. That's why I was here.

The next Shabbos as I was reciting Nishmas I read,

You redeemed us from Egypt, O Lord our G-d, and You released us from the house of bondage; during famine You fed us, and You sustained us in plenty; from the sword You rescued us, from pestilence You saved us, and from sore and lasting diseases You delivered us. Until now Your tender mercies have helped us, and Your loving kindnesses have not left us: You will never forsake us, O Lord our G-d, forever.

I had been saying that prayer for over 55 years and I never heard that before. I never had understood what I was saying. You will never forsake us, O Lord our G-d, forever. G-d brought me all this way, He will not walk out on me now.

We say in Shmone Esre, על נסִיךְ שֶׁבָּל יוֹם עִמּוּ. We thank G-d for the miracles that He does for us every day. What miracles? I don't have Manna falling down from Heaven every day. I don't see the lakes and oceans splitting every day. I don't see the Clouds of Glory around me every day. I don't see any miracles. But that's because we don't appreciate the miracles we have. As the Talmud states, the beneficiary of a miracle does not realize that he is experiencing a miracle.

We get up in the morning and we say the brachos. We say them, but I don't know if we think them.

"We thank you Hashem for giving sight to the blind." Can anyone tell me why protoplasm should have vision? What gives us the power to see? Protoplasm can't see. Protoplasm can't speak. Protoplasm can't hear. If only I would realize the myriad of miracles that are taking place every day, which means that G-d is sustaining me every moment.

And if G-d has sustained me all this time with so many miracles, He's not going to walk out on me now!

That was a very powerful lesson that I had. I get powerful lessons by going to AA meetings.

One time I was stuck in Manhattan. I don't like getting stuck in Manhattan. I think Manhattan was a mistake. But it was one of those days that things were not going well for me. I just felt terrible. Then I thought, maybe if I went to an AA meeting I'd get a little lift. So I called the central office, and I found out that this was lunch time and there were 3 meetings within 3 blocks of where I was in Manhattan scheduled for lunch time. So I walked into one of the meetings.

A young woman was speaking and I've heard that story a hundred thousand times. When she was young she started using alcohol, then she started with marijuana and other drugs, and her lifestyle deteriorated, etc. etc. And she fell into terrible ways. And then when she was 26 or 27 years old somebody brought her into the recovery program. And now she's sober and things are good and getting better.

That story didn't do anything for me, I've heard that a thousand times.

Then she said, "Before I leave, I have to tell you one more thing. I'm a football fan. And the NY Jets, that's my team. I will never miss a NY Jets football game. Well, one weekend I had to be out of town, but I didn't want to miss the game. So I asked my girlfriend to record the game on her VCR. When I came back I went to pick up the tape. As she handed me the VCR she told me, 'Oh. By the way. The Jets won.'"

"OK. So I got home and I put in the tape and started watching, and OY! The Jets are getting mauled! They're playing horrible. By half time they're 20 points behind. Under other circumstances I would have been a nervous wreck. I would have been pacing the floor, I would have been hitting the fridge. This time I sat there perfectly calm. I knew they were going to win."

She said, "Ever since I came into this program, and I turned over my life to the will of G-d, I know it's going to turn out alright. Sometimes I'm 20 points behind at half time. But I know that in the end it's going to turn out alright."

This is a lesson that applies to all of us. How many times are we stuck in a situation where nothing seems to be going well. It is then that we should apply that rule. If we turn our lives over to G-d, we know that it's going to turn out alright. I'm in good hands. He's not going to walk out on me now. Somehow or other. How? I don't know. I don't understand. But somehow or other, the end is going to be good.

And so when things happen that are unpleasant, when adversity happens, we make the bracha to praise G-d for being a true judge. We don't agree with His judgment. But we understand that His judgment is true.

Moshe Rabbeinu davened fervently 515 consecutive prayers to be allowed to go into the Land of Yisroel. That was his one lifetime wish and Hashem refused it to him. And Moshe in his last words הַצּוֹר תָּמִים פָּעֵלוּ כִּי כָל דְּרָכָיו מִשְׁפָּט. "He is the rock, whose work is perfect, all of His ways are justice." There is no way that we can understand His justice. And this is where emunah comes in: in something that we cannot understand. And it gives us the strength. Because we know that because G-d has kept us alive until this

day, and He is responsible for our being here, then He is not going to walk out on us now. עִמּוּ אִנִּי בְצָרָה. He is with us in our moments of anguish. He is not going to walk out on us now.

Gut Shabbos!

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Rabbi Parkoff is author of "Chizuk!" and "Trust Me!" (Feldheim Publishers), and "Mission Possible!" (Israel Book Shop - Lakewood).

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From: torahweb@torahweb.org to: weeklydt@torahweb.org date: Aug 22, 2019, 11:50 PM subject: Rabbi Daniel Stein - Start Small

Rabbi Daniel Stein
Start Small

"The entire mitzvah that I am commanding you today you should keep to do it" (Devarim 8:1). Rashi cites the Medrash which derives from the word "entire," that one who begins a mitzvah should be careful to complete it, because the credit for a mitzvah is not awarded or assigned until it is concluded. For this reason, even though Moshe was the primary impetus in returning Yosef's bones to Eretz Yisrael, the pasuk (Yehoshua 24:32) attributes all of the credit for the mitzvah to the entirety of the Jewish people, since they were the ones who oversaw and facilitated its completion. In fact, the Steipler Gaon (Birchas Peretz) notes that the numerical value of the phrase from this pasuk, "mitzvacha ha'yom tishimrun" - "commanding you today you should keep to do it," is analogous to the value of the words "maschil be'mitzvah omrim lo gemor" - "one who begins a mitzvah is encouraged to complete it."

The Gemara (Sotah 13b) adds that one who begins a mitzvah without completing it not only forfeits any potential credit for the mitzvah, but also places themselves in spiritual danger and risks losing the confidence of their family and community. Rav Binyamin of Zolishitz (Turei Zahav) compares it to a broken shidduch which can transform feelings of affection and excitement into animosity and disappointment, where the heightened anticipation itself only intensifies and deepens the frustration when the relationship is dissolved. Similarly, when one embarks upon an ambitious spiritual mission to come close to Hashem, a set of infectious expectations are generated not only by the person himself, but by his family and group of supporters. If the mitzvah is subsequently abandoned, everyone around him might become disheartened and confused, which can lead them to begin to doubt his abilities and convictions in other areas as well.

Moreover, the Medrash tells us that at the end of the sixth day of creation, Hashem was in the midst of fashioning additional human beings, however, He was interrupted by the onset of Shabbos. It was those truncated human beings, with souls but no bodies, that ultimately became the sheidim, or spiritual demons. The Alter of Kelm derives from here, that it is specifically our aborted or unfinished projects which can produce demons of regret that haunt a person throughout the rest of his life. Similarly, the pasuk states, "Beware of ascending the mountain or touching its edge, for whoever touches the mountain shall surely die" (Shemos 19:12). The Kotzker Rebbe creatively interprets the pasuk as follows: Beware of embarking upon bold ventures, such as climbing a mountain, if you suspect that you will only be able to touch its edge. For if you come up short, if you will only be able to touch the mountain but not ascend to the top, there can be toxic and damaging consequences.

The hallmark of tzaddikim and great people, is that they follow through with their plans. The pasuk states in connection with Avraham, "and they set out for the land of Canaan, and they arrived in the land of Canaan" (Breishis 12:5). Once we are told that Avraham arrived safely in the land of Canaan,

why does the Torah bother to inform us that Avraham initially set out for the land of Canaan? The Chafetz Chaim claims that this pasuk must be contrasted with an almost identical pasuk earlier in the Torah, where the pasuk states in connection with Terach, "and they set out together etc. for the land of Canaan, but they came to Charan and they settled there" (Breishis 11:31). Both Terach and Avraham initially hoped to take a spiritual pilgrimage to the land of Canaan, because they both aspired to come close to Hashem. However, it was only Avraham who followed through with his plans, who achieved his goals, whereas Terach got stuck and settled somewhere along the way.

Therefore, instead of conjuring up excessively elaborate and ambitious plans for spiritual growth that will undoubtedly prove difficult to achieve, it is preferable to have more realistic religious goals and checkpoints even if they might be less sensational and glamorous. Indeed, the path of authentic avodas Hashem is paved with lots of more modest accomplishments that can only be traversed by taking small steps.

Parshas Eikev begins "vehaya eikev tishmaun" - "And it will be if you will heed these laws" (Devarim 7:12). The word "eikev" - "if" can also refer to the "heel" of the foot. Therefore, Rashi comments that the Torah here is stressing the significance of the weak or little mitzvos that we regularly trample upon with our heel. Rav Asher Weiss (Minchas Asher) emphasizes that of course there are no "little" mitzvos, because all positive commandments are equally important and sublime as the Mishnah (Avos 2:1) describes. The only "little" mitzvos are those mitzvos that we choose to devalue or disregard, (see also the Rambam's commentary to Avos). Unfortunately, we tend to emphasize and concentrate disproportionately upon the occasional or spectacular mitzvos, such as blowing the shofar, shaking the lulav, eating matzah, or celebrating a siyum, while neglecting or discounting the daily mitzvos, which are regularly available and more easily attainable. However, in truth, it is the cumulative effect of many smaller achievements, such as davening, learning Torah daily, tzedakah, and chesed that are the backbone of substantial and sustained spiritual growth.

This is perhaps highlighted by the fact, that the parsha that we read on Shabbos Shuva, the Shabbos in between Rosh Hashanah and Yom Kippur, is invariably the shortest keriyas haTorah of any Shabbos throughout the entire year. On those years when Yom Kippur falls out during the week, on Shabbos Shuva we read Parshas Vayeilech, the shortest parsha in the Torah, which has only 30 pesukim. During those years that Yom Kippur coincides with Shabbos, we read Parshas Haazinu on Shabbos Shuva, the third shortest parsha in the Torah, which consists of only 52 pesukim. However, during the years that Parshas Haazinu is read on Shabbos Shuva, Parshas Vayeilech is read the preceding Shabbos together with Parshas Nitzavim which together total 70 pesukim. On Shabbos Shuva, not only is the keriyas haTorah remarkably short, but the Haftorah is also taken from the books of Trei Asar, the Twelve Prophets, which is a collection of the shortest books in all of Tanach (see Bava Basra 14b).

On Shabbos Shuva, during the Aseres Yemei Teshuvah, when we are standing in judgement before the Almighty, and one mitzvah has the potential to alter our verdict for the coming year, why don't we choose to read a Torah portion that is little bit more ambitious and impressive in order to demonstrate our dedication to the mitzvos and learning Torah? It seems a bit odd if not ill advised to look for an easy way out during the most sensitive time of the entire year. However, Rav Pam suggests that these selections are deliberate, and they are instructing us that the most effective way to undertake a process of true teshuvah and real change is by choosing realistic and attainable goals. Only through reviving our commitment and appreciation for small accomplishments and the daily mitzvos that perhaps we trampled upon throughout the previous year, can we accomplish all of the great things we hope to achieve.

More divrei Torah from Rabbi Stein

More divrei Torah on Parshas Eikev

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From: **Rabbi Berel Wein** <genesis@torah.org> reply-to: do-not-reply@torah.org to: rabbiwein@torah.org date: Aug 21, 2019, 5:49 PM
subject: Rabbi Wein - Plain and Simple

Parshas Eikev

Plain and Simple

In this week's Torah reading Moshe teaches us that he was instructed by heaven to construct an ark made of wood in order to house the two tablets of stone that he received on Sinai. I have written about this subject before and it is one that has been noted heavily by the commentators to the Torah. But I have become aware of an insight that I feel has great relevance to understanding many of the issues that confront us here in Israeli society and the world generally.

Certainly, there was no shortage of gold, silver, bronze or any other type of valuable and special metal in the camp of Israel during their sojourn in the desert of Sinai. We know from the construction of the Temple/Tabernacle that large amounts of gold and silver as well as bronze were used in order to create that structure and the artifacts inside. So why would Moshe be instructed to fashion a simple and plain box of wood to house the most precious artifacts that humans have ever known – the tablets of Sinai? Is it not almost disrespectful to treat such holiness in a mundane and ordinary fashion? After all, the tradition in all Jewish communities and synagogues is to decorate and beautify Torah coverings, crowns, breastplates and pointers. And here, the two tablets of stone of Sinai are relegated to an undecorated plain wooden box! This fact alone should make us aware that there are great and profound lessons here. The wooden box that encased the eternal tablets of stone of Sinai represents the fact that the Torah itself requires no outside affirmations or adornments. It stands alone, it means what it says and is not subject to human improvement or editing. The fact that we decorate the appearance of the scrolls in our synagogues is to enhance our own respect in view of the contents. Over the centuries, and especially over the last few hundred years, there are those that wished to adorn the Torah with strange but temporarily popular crowns and decorations. There was a period in the 19th and even in the 20th century when there were those that claimed that the Torah was for socialism. Others claimed it was for capitalism or other forms of economic and government systems. Everyone attempted to adorn the Torah with its own brand of covering and decoration. By so exalting the Torah, they in fact cheapened it and made it factually irrelevant. The improvements became detriments and the unique message of Judaism was perverted if not lost completely. We are accustomed to homiletic interpretations of words and ideas of Torah. This is part of the "seventy faces" of Torah. However, we should always remember that the text means what it says. The Torah is carried in a simple unadorned wooden box. To we mere mortals, this is what makes it so meaningful Shabbat shalom Rabbi Berel Wein

From: **Rabbi Yochanan Zweig** <genesis@torah.org> to: rabbizweig@torah.org date: Aug 21, 2019, 2:51 PM subject: Rabbi Zweig on the Parsha - The Spice Of Life

Rabbi Zweig on the Parsha By Rabbi Yochanan Zweig
Dedicated to the speedy recovery of Mordechai ben Chaya

Parshas Eikev The Spice Of Life

"You shall place these words of Mine upon your heart..." (11:18)
In the second portion of the Krias Shema, we find the instruction to constantly contemplate and internalize the Torah and its precepts. The Talmud interprets the word "vesamtem" – "you shall place" as "vesam tam" – "a perfect elixir"; the Torah is the ideal cure for the "yetzer hara" – "evil inclination". The following analogy is offered by the Talmud: A father educating his child finds it necessary to strike him. The father then instructs his child to place a compress on the inflicted wound, saying to his son "As

long as the compress is in place, you may eat and drink what you desire, you may bathe with hot or cold water, and you need not fear that your wounds will become infected. However, if you remove the compress, your health is at risk.” Similarly, Hashem says “My son, I created the evil inclination and I created the Torah as its ‘tavlin’ – ‘antidote’” 1

We generally understand that Hashem created the Torah for man to follow, with the yetzer hara as the obstacle which man must overcome in his pursuit of Torah study and adherence. However, from the aforementioned passage in the Talmud, we see that this perception is not entirely correct. The Sages of the Talmud describe the Torah as a “tavlin” – literally, “condiment” or “spice” used to enhance the flavor of the main course. It would appear that the primary creation is the yetzer hara, with the Torah being the necessary but secondary creation. This notion is substantiated by the parable given in the Talmud; the child’s punishment, which is analogous to the yetzer hara, is a necessary facet of his education, while the compress serves as the counterbalance or antidote which prevents the beating from having a negative consequence. How do we understand the idea that the Torah is merely the spice that enhances the yetzer hara’s natural flavors?

The Talmud states that the yetzer hara threatens to overpower a person every day and kill him.² What function of the yetzer hara makes its existence necessary?

Hashem created man with an enormous potential for accomplishment. Man’s overwhelming awareness of his capabilities, coupled with the fear that he may not be able to live up to his potential, leads him on a path of self-destruction. Man indulges in behaviors which either block out the awareness of his capabilities, or demean him to the extent that he can rationalize that the expectations of him are unfounded.

The part within us which makes us aware of our potential is the yetzer hara. Left unharnessed, this awareness develops into man’s most destructive force, the destruction he wreaks upon himself. The Torah is the tool through which we can actualize and develop our potential. Without the yetzer hara making us aware of our potential, the Torah’s capacity to actualize and develop that potential would not be utilized. Our Sages therefore confer upon the yetzer hara the significance of being Hashem’s primary creation for without the aspirations of what he can become man’s potential would be wasted.

1. Kiddushin 30b 2. ibid

Trivial Matters “This shall be the reward when you listen...” (7:12)

The simple interpretation of the verse is that if we observe the ordinances of Hashem, we will be rewarded and He will love us. However, Rashi interprets the verse midrashically. The word “eikev” means “heel”. The verse is referring specifically to those mitzvos which we trample underfoot, for we perceive them to be less important.¹ The Mizrachi questions the need for Rashi’s interpretation, especially since the Midrash apparently contradicts the simple interpretation. The simple interpretation implies that the verse refers to all ordinances. Rashi limits the verse to only those which we perceive as less important.²

The Mishna in Pirkei Avos warns us to be as meticulous in our observance of the less important mitzvos as we are in the more important mitzvos, for we do not know on what basis we are being rewarded.³ If it is possible to distinguish between less important and more important mitzvos, why, in fact, are we not rewarded more for those which are more important?

The stronger the relationship you have with a person, the more at ease you are with asking him to do something which is relatively trivial. However, in a relationship which is not so strong, you tend to limit requests to matters of significance. For example, a person would not think twice about waking up a mere acquaintance at two o’ clock in the morning for medical assistance, but the same person would find it inconceivable to wake up the acquaintance asking for a pint of ice cream. On the other extreme, a woman will have no problem with asking her husband to buy her a pint of ice cream at two o’ clock in the morning.

We are naturally more meticulous with those precepts which we perceive to be more fundamental, for example belief in Hashem and honoring one’s

parents. Moreover, for those precepts which Hashem commands us to observe, in which we do not perceive any major fundamental principles, it is possible to approach them with less enthusiasm. However, it is with these very mitzvos that we show our commitment and express our love for Hashem. The stronger the relationship, the more apt one is to acquiesce to a seemingly trivial request. Therefore, our observance of “themitzvos kalos”, the less serious mitzvos, is the yardstick for our relationship with Hashem.

With this, we can understand what the Mishna in Pirkei Avos is teaching us. We do not know on what basis we are rewarded for observance of the precepts, whether it is the gravity of the precept or the reflection of commitment and love in adherence of the precept. The Midrash understands that these are the precepts which the verse is alluding to, for the verse is referring to those mitzvos for which we are rewarded with Hashem’s love. This must be because those mitzvos express our love for Hashem. This, the Midrash explains, must be the mitzvos which are perceived to be less important, for our observance of them truly expresses our love for Hashem.

1.7:12 2. ibid. 3. Avos 2:1

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From: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to: shabbatshalom@ounetwork.org date: Aug 22, 2019, 8:03 PM

The Politics of Memory **Rabbi Lord Jonathan Sacks**

In Eikev Moses sets out a political doctrine of such wisdom that it can never become redundant or obsolete. He does it by way of a pointed contrast between the ideal to which Israel is called, and the danger with which it is faced. This is the ideal:

Observe the commands of the Lord your God, walking in His ways and revering Him. For the Lord your God is bringing you into a good land – a land with streams and pools of water, with springs flowing in the valleys and hills; a land with wheat and barley, vines and fig trees, pomegranates, olive oil and honey; a land where bread will not be scarce and you will lack nothing; a land where the rocks are iron and you can dig copper out of the hills. When you have eaten and are satisfied, bless the Lord your God for the good land He has given you. (Deut. 8:6–10)

And this is the danger:

Be careful that you do not forget the Lord your God, failing to observe His commands, His laws, and His decrees that I am giving you this day. Otherwise, when you eat and are satisfied, when you build fine houses and settle down, and when your herds and flocks grow large and your silver and gold increase and all you have is multiplied, then your heart will become proud and you will forget the Lord your God, who brought you out of Egypt, out of the land of slavery.... You may say to yourself, “My power and the strength of my hands have produced this wealth for me.” But remember the Lord your God, for it is He who gives you the ability to produce wealth, and so confirms His covenant, which He swore to your forefathers, as it is today. (Deut. 8:11–17)

The two passages follow directly on from one another. They are linked by the phrase “when you have eaten and are satisfied,” and the contrast between them is a fugue between the verbs “to remember” and “to forget.”

Good things, says Moses, will happen to you. Everything, however, will depend on how you respond. Either you will eat and be satisfied and bless God, remembering that all things come from Him – or you will eat and be satisfied and forget to whom you owe all this. You will think it comes entirely from your own efforts: “My power and the strength of my hands have produced this wealth for me.” Although this may seem a small difference, it will, says Moses, make all the difference. This alone will turn your future as a nation in its own land.

Moses’ argument is brilliant and counter-intuitive. You may think, he says, that the hard times are behind you. You have wandered for forty years

without a home. There were times when you had no water, no food. You were exposed to the elements. You were attacked by your enemies. You may think this was the test of your strength. It was not. The real challenge is not poverty but affluence, not slavery but freedom, not homelessness but home.

Many nations have been lifted to great heights when they faced difficulty and danger. They fought battles and won. They came through crises – droughts, plagues, recessions, defeats – and were toughened by them. When times are hard, people grow. They bury their differences. There is a sense of community and solidarity, of neighbours and strangers pulling together.

Many people who have lived through a war know this.

The real test of a nation is not if it can survive a crisis but if it can survive the lack of a crisis. Can it stay strong during times of ease and plenty, power and prestige? That is the challenge that has defeated every civilisation known to history. Let it not, says Moses, defeat you.

Moses' foresight was little less than stunning. The pages of history are littered with the relics of nations that seemed impregnable in their day, but which eventually declined and fell and lapsed into oblivion – and always for the reason Moses prophetically foresaw. They forgot.[1] Memories fade.

People lose sight of the values they once fought for – justice, equality, independence, freedom. The nation, its early battles over, becomes strong. Some of its members grow rich. They become lax, self-indulgent, oversophisticated, decadent. They lose their sense of social solidarity. They no longer feel it their duty to care for the poor, the weak, the marginal, the losers. They begin to feel that such wealth and position as they have is theirs by right. The bonds of fraternity and collective responsibility begin to fray. The less well-off feel an acute sense of injustice. The scene is set for either revolution or conquest. Societies succumb to external pressures when they have long been weakened by internal decay. That was the danger Moses foresaw and about which he warned.

His analysis has proved true time and again, and it has been restated by several great analysts of the human condition. In the fourteenth century, the Islamic scholar Ibn Khaldun (1332–1406) argued that when a civilisation becomes great, its elites get used to luxury and comfort, and the people as a whole lose what he called their *asabiyyah*, their social solidarity. The people then become prey to a conquering enemy, less civilised than they are but more cohesive and driven.

The Italian political philosopher Giambattista Vico (1668–1744) described a similar cycle: People, he said, “first sense what is necessary, then consider what is useful, next attend to comfort, later delight in pleasures, soon grow dissolute in luxury, and finally go mad squandering their estates.”[2] Affluence begets decadence.

In the twentieth century few said it better than Bertrand Russell in his *History of Western Philosophy*. He believed that the two great peaks of civilisation were reached in ancient Greece and Renaissance Italy, but he was honest enough to see that the very features that made them great contained the seeds of their own demise:

What had happened in the great age of Greece happened again in Renaissance Italy: traditional moral restraints disappeared, because they were seen to be associated with superstition; the liberation from fetters made individuals energetic and creative, producing a rare fluorescence of genius; but the anarchy and treachery which inevitably resulted from the decay of morals made Italians collectively impotent, and they fell, like the Greeks, under the domination of nations less civilised than themselves but not so destitute of social cohesion.[3]

Moses, however, did more than prophesy and warn. He also taught how the danger could be avoided, and here too his insight is as relevant now as it was then. He spoke of the vital significance of memory for the moral health of a society.

Throughout history there have been many attempts to ground ethics in universal attributes of humanity. Some, like Immanuel Kant, based it on reason. Others based it on duty. Bentham rooted it in consequences (“the greatest happiness for the greatest number”[4]). David Hume attributed it to

certain basic emotions: sympathy, empathy, compassion. Adam Smith predicated it on the capacity to stand back from situations and judge them with detachment (“the impartial spectator”). Each of these has its virtues, but none has proved fail-safe.

Judaism took, and takes, a different view. The guardian of conscience is memory. Time and again the verb *zachor*, “remember,” resonates through Moses' speeches in Deuteronomy:

Remember that you were slaves in Egypt... therefore the Lord your God has commanded you to observe the Shabbat day. (Deut. 5:15) Remember how the Lord your God led you all the way in the desert these forty years... (Deut. 8:2) Remember this and never forget how you provoked the Lord your God to anger in the desert... (Deut. 9:7) Remember what the Lord your God did to Miriam along the way after you came out of Egypt. (Deut. 24:9) Remember what the Amalekites did to you along the way when you came out of Egypt. (Deut. 25:17) Remember the days of old, consider the years of ages past. (Deut. 32:7)

As Yosef Hayim Yerushalmi notes in his great treatise, *Zachor: Jewish History and Jewish Memory*, “Only in Israel and nowhere else is the injunction to remember felt as a religious imperative to an entire people.”[5] Civilisations begin to die when they forget. Israel was commanded never to forget.

In an eloquent passage, the American scholar Jacob Neusner once wrote: Civilisation hangs suspended, from generation to generation, by the gossamer strand of memory. If only one cohort of mothers and fathers fails to convey to its children what it has learned from its parents, then the great chain of learning and wisdom snaps. If the guardians of human knowledge stumble only one time, in their fall collapses the whole edifice of knowledge and understanding.[6]

The politics of free societies depends on the handing on of memory. That was Moses' insight, and it speaks to us with undiminished power today.

[1] For a recent study of this idea applied to contemporary politics, see David Andress, *Cultural Dementia: How the West Has Lost Its History and Risks Losing Everything Else* (London: Head of Zeus, 2018). [2] Giambattista Vico, *New Science: Principles of the New Science Concerning the Common Nature of Nations* (London: Penguin, 1999), 489. [3] Bertrand Russell, *History of Western Philosophy* (London: Routledge, 2004), 6. [4] *The Collected Works of Jeremy Bentham: A Comment on the Commentaries and A Fragment on Government*, ed. James Henderson Burns and Herbert Lionel Adolphus Hart (London: Athlone Press, 1977), 393. [5] Yosef Hayim Yerushalmi, *Zachor: Jewish History and Jewish Memory* (Seattle: University of Washington Press, 1982), 11. [6] Jacob Neusner, *Conservative, American, and Jewish* (Lafayette, LA: Huntington House, 1993), 35.

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Tachanun in Yerushalayim by Rabbi Yehuda Spitz

Visitors to Yeshivas Ohr Somayach's famous beginner 4 P.M. daily Mincha (you are also welcome to join) are wont to comment on the fact that everyone recites Tachanun with Nefillas Apayim, the placing down of the head on an arm, even though the Beis Midrash where this tefillah is held, the Lauffer Beis Midrash, does not have a Sefer Torah or even an Aron Kodosh.

The reason they find this behavior odd is because the Rema, the authoritative codifier of Ashkenazic practical halachah, rules that if there is no Sefer Torah in a shul, Tachanun should still be said, but without Nefillas Apayim.[1] This distinction is traced back to the Neviim that “falling down” in prayer is reserved for when an Aron is present.[2] Although several authorities did not concur with this distinction,[3] this nonetheless remains common practice. If so, the visitors ask, why would Ohr Somayach not follow such a widespread custom?

But before we answer our question, some background is in order.

What is Tachanun? Although the importance of the power of the tefillah of Tachanun is underappreciated by many, it should not be; it is actually based on Moshe Rabbeinu's successful entreating of Hashem on Har Sinai of granting mercy and sparing Klal Yisrael from punishment after their grievous sins: "Va'esnapel lifnai Hashem - And I threw myself down in prayer before G-d,"[4] and is a known catalyst for Hashem to speedily answer our prayers.[5]

However, it is quite interesting that if you would ask different people what the tefillah of Tachanun actually is, you would be getting different responses. Aside for "Long Tachanun" on Mondays and Thursdays,[6] and those that recite the Thirteen Middos daily as part of Tachanun,[7] there actually is a difference of opinion which pesukim of Tehillim constitute the mainstay of Tachanun.

Sefardim actually say a different Perek of Tehillim than Ashkenazim as the ikar of Tachanun. Ashkenazic Tachanun consists mainly of chapter 6 (verses 2-11), "Rachum V'chanun... Hashem al be'apcha tochicheini", while Sefardim recite chapter 25, "L'Dovid Eilecha Hashem". This fascinating dichotomy is due to the Zohar's exhortation of great tragedy that might befall one who performs Nefillas Apayim with improper kavannos.[8] However, this passage was referring to chapter 25, "L'Dovid Eilecha Hashem." Hence, separate disparate minhagim formed - to either recite "L'Dovid Eilecha" without Nefillas Apayim (which is the general Sefardic minhag), or to recite a different Perek of Tehillim ("Rachum V'chanun") with Nefillas Apayim (which is the common Ashkenazic minhag).[9] Accordingly, the general Sefardic practice nowadays is to never actually perform Nefillas Apayim while reciting Tachanun.[10]

How to Tachanun Another related interesting topic is how to properly perform Tachanun. As we no longer do the "full version" as performed by Moshe Rabbeinu, but rather a symbolic lowering of our heads onto our armsleeves while reciting the appropriate prayer,[11] there is some discussion as to which arm we should lower our heads onto. Although this is debated among the Rishonim,[12] the Rema rules that during Shacharis, as we are wearing Tefillin, we should perform Nefillas Apayim on the other arm out of deference to the Tefillin. This would generally translate to performing Tachanun on the ("un-Tefillin-ed") right arm. [Ergo, lefties would do the opposite, performing Nefillas Apayim on their left arm.] However, at Mincha, when we generally are not wearing Tefillin, Nefillas Apayim should be performed on the left arm.[13]

Although there is a notable minority opinion of the Arizal, Levush, and Vilna Gaon, that argues that Nefillas Apayim should always be performed on the left arm, even while wearing Tefillin,[14] nonetheless, the common minhag follows the Rema, and hence, the majority of Klal Yisrael become "switch-hitters" when it comes to Tachanun.[15] For those who follow the minority minhag, both Rav Moshe Feinstein and Rav Moshe Sternbuch advise to perform Tachanun with both arms (meaning actually performing Nefillas Apayim on the left arm while covering with the right arm) in order not to stick-out and appear as performing Tachanun differently than the Tzibbur.[16]

Kedushas Yerushalayim Now that we have had some Tachanun training, let's segue back to our original question. If the halacha states that if there is no Sefer Torah in a shul, Tachanun should still be recited, albeit without Nefillas Apayim, why would Ohr Somayach's beginner minyan, held in a Beis Midrash without an Aron Kodosh still recite Tachanun with Nefillas Apayim?

The answer is: Yerushalayim. Yes, Yerushalayim Ir Hakodesh. Ohr Somayach is privileged and blessed to be located in the Holy City of Jerusalem. As such, it maintains special dispensation for certain tefillos; one of them is Tachanun. In the words of Rav Moshe Feinstein zt"l: "Yerushalayim contains intrinsic holiness and is designated for prayer, and therefore even without a Sefer Torah one should do Nefillas Apayim, as it is comparable to a place that has a Sefer Torah." [17]

This minhag dates back to the 1700s to the famed Pri Ha'Adamah,[18] who writes that since there are opinions that in lieu of Sefer Torah one may still say Tachanun in a room that contains many sefarim,[19] then certainly in the Holy City of Yerushalayim whose intrinsic Kedushah is superior to a house filled with holy books, one would still recite Tachanun with Nefillas Apayim, even without a Sefer Torah.

This special deference for Yerushalayim is noted by many authorities, including those who specialize in the customs of Eretz Yisrael, such as Rav Yechiel Michel Tukachinsky zt"l, author of the world-renowned Luach Eretz Yisrael.[20]

Managing Magen Avos Interestingly, Tachanun is not the only tefillah that Yerushalayim affects. The Birkas Me'eyn Sheva, more commonly known as Magen Avos that is recited on Friday night, is another tefillah that is performed fully in Yerushalayim in any location, for the same aforementioned reasons. Although Magen Avos technically needs to be recited in the presence of a Sefer Torah, or at least be recited in a set minyan,[21] nevertheless, the inherent holiness of Yerushalayim trumps these concerns and it is always recited every Leil Shabbos anywhere in Yerushalayim.[22]

Where is Yerushalayim? There is, however, a matter of dispute among contemporary authorities as to what is considered the Holy City of Yerushalayim for our intents and purpose; where one would still recite Tachanun with Nefillas Apayim and Magen Avos even without a set minyan. It is well known that Rav Shlomo Zalman Auerbach zt"l[23] was of the opinion that this special regard is only meant for the original Holy City, which is now known as (parts of) the Old City (bein hachomos or AltShut), similar to the halachos of eating Maaser Sheini and Kodshim Kalim in the times of the Beis HaMikdash. The rest of Yerushalayim, he maintains, does not share this unique intrinsic holiness. In fact, unless he was in the Old City or in a room filled with sefarim in the rest of Yerushalayim, Rav Shlomo Zalman would personally not perform Nefillas Apayim while reciting Tachanun.[24]

However, many other contemporary poskim, including Rav Yechiel Michel Tukachinsky zt"l, Rav Moshe Feinstein zt"l, Rav Yosef Shalom Elyashiv zt"l, and the Debreciner Rav zt"l, do not make such a distinction, and consider all of Yerushalayim, old and new, to contain inherent kedusha, and therefore maintain that when in any part of Yerushalayim one should always say Tachanun with Nefillas Apayim (as well as Magen Avos on a Friday night). This is also how the basichalachah is cited in many sefarim devoted to Hilchos Tefillah.[25] In fact, it is reported that Rav Shlomo Zalman himself later acknowledged that the common custom is not to follow his opinion on this issue.

So the next time you are in Ohr Somayach, or essentially anywhere in Yerushalayim, it is worthwhile to take advantage of the extra dimension and intensity of Nefillas Apayim that is exclusive to our Holy City.

Postscript: Is Tachanun Obligatory? Although this author has heard it opined that the common "custom" of skipping Tachanun for reasons not mentioned in the Shulchan Aruch nor Poskei HaDoros is due to the Tur's citing of Rav Nitoranei Gaon's dictum that 'Tachanun recited in the Beis Kenesses is a Reshus,'[26] nevertheless, both the Bach and the Prishah explain that that is far from his intent.[27] These authorities point out that they very next line in the Tur states that Tachanun is not recited when a Chosson is present.

They explain the juxtaposition of these two statements is meant to clarify the Halachah. If the reciting of Tachanun is an actual din, then we would be obligated to recite it even with a Chosson present (akin to Shemoneh Esrei etc.). That is why the Tur prefaced it with Rav Nitoranei Gaon's statement that Tachanun is a Reshus: to allow us leniency in certain specific halachically mandated cases. In other words, the recital of Tachanun is similar to Tefillas Maariv: although officially titled a Reshus according to some opinions (see Gemara Brachos 27b), it is nonetheless still required; it just has certain nuances that are relaxed in specific situations.[28] The reader is referred to Rav Yisroel Reisman's excellent forward to the English sefer

titled “Tachanun,” where he decries, in his inimitable manner, the common lackadaisicalness and underappreciation many have for this important tefillah.[29]

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For any questions, comments or for the full Mareh Mekomos / sources, please email the author: yspitz@ohr.edu.

[1] Rema (Orach Chaim 131: 2; quoting the Rokeach, 324).

[2] Yehoshua (Ch. 7: verse 6).

[3] The Chida (Birkei Yosef, Orach Chaim 131: 1 and Shiyurei Bracha ad loc. 1) argues that one should always perform Tachanun with Nefillas Apayim, due to the fact that the Shulchan Aruch does not bring this distinction as psak l’maaseh, even though he mentions it in his Beis Yosef commentary (ibid s.v. kasav haRivash); also, this was the Maharit’s minhag. See also Ben Ish Chai (Year 1, Parashas Ki Sisa 14; who writes that Nefillas Apayim applies everywhere and all the time) and Kaf Hachaim (Orach Chaim 131: 40). The Taz (Orach Chaim 131: 5) also questions this practice, but concludes that nevertheless the halacha pesuka still follows the Rema and Rokeach. The Chayei Adam (vol. 1, 32: 33), Shulchan Aruch Harav (Orach Chaim 131: 3), Kitzur Shulchan Aruch (22: 4), Aruch Hashulchan (Orach Chaim 131: 10), and Mishnah Berurah (131, 11) rule this way as well, that without a Sefer Torah, Nefillas Apayim is not performed.

[4] Devarim (Parashas Eikev Ch. 9: verse 18 and 25). See Tur (Orach Chaim 131).

[5] Aruch Hashulchan (Orach Chaim 131: 2), based on Gemara Bava Metzia (59b).

[6] See Tur, Shulchan Aruch, and main commentaries to Orach Chaim 134: 1. This is because Monday and Thursday are Yemei Ratzon, as Moshe Rabbeinu went up to receive the Luchos Shniyos on Thursday and brought them down on Monday[see Midrash Tanchuma (Parashas Vayera 16), Tosafos (Bava Kamma 82b s.v. kday shelo), and Mishnah Berurah (134: 6).] A mnemonic to showcase this is the first pasuk read on a public fast day Haftara (Yeshaya Ch. 55: verse 6) “Dirshu Hashem B’H imatzo” - “Seek out Hashem when He is to be found.” The letters Beis and Hei show that an auspicious time when Hashem may be found is on Monday and Thursday; therefore Mondays and Thursdays are preferable for fasting and prayer.[SeeMatteh Moshe (748) and Shulchan Aruch (O.C. 580: 3, based on Tosefta (Taanis Ch. 2: 5).]

[7] See Beis Yosef (Orach Chaim 134 s.v. b’sheimi), Mishnah Berurah (ad loc. 1), and Kaf Hachaim (ad loc. 1 and 131:5; citing this as the minhag of the Arizal as detailed in Shaar Hakavannos, end Drush 5). This is mainly performed by Sefardim and those davening Nusach Sefard.

[8] Zohar (vol. 3, end Parashas Bamidbar pg. 121a; cited by the Beis Yosef in Orach Chaim end 131).

[9] See Abudraham (vol. 1, pg. 132 - 133 s.v. v’noflin), Seder Hayom (Seder Viduy), Levush (Orach Chaim 131:1), Magen Avraham (ad loc.5 s.v. b’medinos eilu), Shulchan Aruch Harav (ad loc. end 1), Ba’er Heitiv (ad loc. 2), Aruch Hashulchan (ad loc. 8), and Mishnah Berurah (ad loc. 8). The Elijah Rabba (ad loc. end 1), and Machatzis Hashekel (ad loc. 5s.v. b’medinos) maintain that it is preferable to recite both as part of Tachanun, one with Nefillas Apayim (“Rachum V’chanun”) and one without (“L’Dovid Eilecha”), as it is brought down (Ayalah Shelucha on Na’ch, Tehillim 25; cited by the Elijah Rabba ad loc.; see also Hagahos Mahar’ a Azulai on the Levush ad loc. 2, who explains how this is alluded to in the tefillah) that one who recites “L’Dovid Eilecha” daily, “aino ro’eh pnei Gehinom.”

[10] See Ben Ish Chai (Year 1, Parashas Ki Sisa 13 s.v. v’hinay), Yalkut Yosef (Kitzur Shulchan Aruch, Orach Chaim 131: 16), and Rav Mordechai Eliyahu’s Darchei Halacha glosses to the Kitzur Shulchan Aruch (22: 1). However, it must be noted that other Sefardic authorities, including the Rambam (Hilchos Tefillah Ch. 5: 14 and 15), Abudraham (vol. 1, pg. 132 s.v. v’noflin), Shulchan Aruch (Orach Chaim 131; although interestingly mentioned in his Beis Yosef commentary ad loc.; see below), Chida (Birkei Yosef ad loc.), and Kaf Hachaim (ad loc. 30 and 31), all discuss reciting Tachanun with Nefillas Apayim, with no mention of reciting the tefillah without it.

[11] See Magen Avraham (Orach Chaim 131: 2), Aruch Hashulchan (ad loc. 4 and 5), and Mishnah Berurah (ad loc. 3; and Biur Halacha ad loc. s.v. l’hatos). See also Rabbeinu Bachaye (Parashas Korach Ch. 16: 22), who explains the three distinct kavannos that were in Moshe Rabbeinu’s original Nefillas Apayim and are inherently present in Tefillas Tachanun.

[12] See Tur and Beis Yosef (Orach Chaim 131: 1), citing and explaining the varying shittos of the Rishonim.

[13] Rema (Orach Chaim 131: 1). Although on Tisha B’Av we all daven Mincha wearing Tefillin, Tachanun is nonetheless not recited, due to its being called a “Moed” (Eicha Ch. 1: 15). See Shulchan Aruch (Orach Chaim 559: 4).

[14] The Levush (Orach Chaim 131: 1 s.v. yeish) advises to perform Nefillas Apayim on the left arm even with Tefillin on, and simply tilt one’s head more to the right during Shacharis Tachanun and more to the left at Mincha. The Bach (ad loc. 2), and Elijah Rabbah (ad loc. 2 s.v. v’ha) agree with his assessment. The Vilna Gaon (Biur HaGr’a ad loc. s.v. Tefillin; Maaseh Rav 50; Tosefos Maaseh Rav 16; Chayei Adam vol. 1, 32: 33) ruled to always perform Nefillas Apayim on the left arm, even while wearing Tefillin. The Arizal is quoted as holding this way as well (Shalmei Tzibur pg. 149b; Shulchan HaTahor 131: 3; and Kaf Hachaim ad loc. 30; citing a diyuk from Shaar Hakavannos, Drush 3). The Shulchan HaTahor (ibid.) asserts very strongly that always performing Nefillas Apayim on the left arm is the proper minhag. “V’hameshaneh m’daas Maran Ha’Ari aino ela lev to’eh ki Maran b’kedushaso uv’ruach kodsho v’gadol chochmaso machria kol haminhagim, v’Rabbeinu HaTaz lo ra’ah divrei Maran Ha’Ari b’zeh.” Interestingly, it turns out that lefties would end up following this shittah – always performing Nefillas Apayim on their left arms.

[15] Magen Avraham (Orach Chaim 131: 3), Taz (ad loc. 3), Shulchan Aruch Harav (ad loc. end 1), Pri Megadim (Mishbetzos Zahav ad loc. 3; “ain leshanos mimah shenahagu olam”), Chayei Adam (ibid.; although he adds that even if one is wearing Tefillin by Mincha he can still do Nefillas Apayim on the left arm), Aruch Hashulchan (ad loc. 7), Mishnah Berurah (ad loc. 6; adding that if one is in a shul wear they perform Nefillas Apayim on the right arm due to Tefillin on the left and one does it on the left he would transgress “Lo Sisgededu”), and Rav Yosef Eliyahu Henkin’s Shu”t Gevuros Eliyahu (vol. 1 – Orach Chaim 13: 12; based on his Eidus L’Yisrael; citing the common minhag).

[16] Shu”t Igros Moshe (Orach Chaim vol. 5: 20, 19) and Shu”t Teshuvos V’Hanagos (vol. 1: 133). Elsewhere [see for example, Hilchos HaGr’a U’Minhagav (106) and Shu”t Teshuvos V’Hanagos (vol. 2: 80)], Rav Moshe Sternbuch questions the Mishnah Berurah’s assessment as to why specifically regarding how one performs Nefillas Apayim should it be classified as transgressing “Lo Sisgededu.”

[17] Shu”t Igros Moshe (Yoreh Deah vol. 3, 129: 2).

[18] Mizבח Adamah (pg. 2, s.v. siman 268). The Ben Ish Chai (Year 2, Parashas Vayera 10) dates this minhag back to the times of the Rashash, Master Kabbalist and Rosh Yeshivas Beit-El in the Old City of Yerushalayim, Rav Shalom Sharabi (1720-1777).

[19] See Shiyarei Knesses Hagedolah (Orach Chaim 131, Haghos al Beis Yosef 6), Olas Tamid (ad loc. 10), Magen Giborim (Elef Hamagen ibid, 7), and Orchos Rabbeinu (vol. 1, pg. 67). However, many authorities, including the Elijah Rabbah (ad loc. 5), Derech Hachaim (Dinei Tachanun 5), and Kitzur Shulchan Aruch (22: 4), do not agree with this assessment and maintain that even with sefarim in the room, one would not perform Nefillas Apayim. The Mishnah Berurah (ad loc. 11) does not rule conclusively on this. However, see Shu”t Divrei Yatziv (Orach Chaim

vol. 1, 75: 1), who maintains that the minhag is not to rely on this dispensation, as we follow the Rema’s ruling and he only referenced that this din applies exclusively if a Sefer Torah was present, and with nary a mention of sefarim present as a consideration.

[20] Sefer Eretz Yisrael and Luach Eretz Yisrael (Dinei Tzom Gedalya, in the brackets).

[21] Elijah Rabba (Orach Chaim 268: 19), Pri Megadim (ad loc. Mishbetzos Zahav 8), Mishnah Berurah (ad loc. 24), Shu”t Igros Moshe (Orach Chaim vol. 4, 69: 3), based on the words of the Shulchan Aruch (Orach Chaim 268: 10). See also Ishei Yisrael (Ch. 36: 35, footnote 93) for more on this topic.

[22] See Pri HaAdamah (ibid.), Ben Ish Chai (Year 2, Parashas Vayera 10; and in Shu”t Rav Pe’alim vol. 3 Orach Chaim 23), Shalmei Chagiga (2: 27), Luach Eretz Yisrael (Dinei Shabbos Shuva), Kaf HaChaim (Orach Chaim 268: 50), Shu”t Har Tzvi (Orach Chaim 152), Shu”t Minchas Yitzchak (vol. 10: 21), Shu”t Tzitz Eliezer (vol. 7: 23 s.v. zohee), Ishei Yisrael (Ch. 36: 35).

[23] For example, see Shemiras Shabbos Kehilchasah (vol. 2, 65: 58), V’aleihu Lo Yibol (vol. 1, pg. 95: 105; pg. 298: 15; pg. 348: 2), Ishei Yisrael (Ch. 25, footnote 39), and Halichos Shlomo (Tefillah Ch. 11: 11).

[24] Halichos Shlomo (Tefillah Ch. 11, footnote 37).

[25] Including the Luach Eretz Yisrael (ibid.), Shu”t Igros Moshe (ibid.), Leket Kemach Hachadash (vol. 4, 131: 23), Beis Baruch on the Chayei Adam (vol. 1, 32: 170), Shu”t Ba’er Moshe (vol. 7, Dinei Bnei Eretz Yisrael pg. 208 s.v. yeish omrim), Shu”t Rivevos Efraim (vol. 4, 43: 9), sefer Olas Reiyah (cited in Halichos Shlomo ibid.), Ishei Yisrael (Ch. 25: 10), and Tefillah Kehilchasah (Ch. 15: 2, quoting sefer Dinei Eretz Yisrael U’Minhageha). Rav Yosef Shalom Elyashiv explicitly ruled that this includes all of Yerushalayim (see Shevus Yitzchak on Purim pg. 92 and Ashrei Halsh, Orach Chaim vol. 1, Ch. 24: 3). Although he implies that the minhag follows Rav Shlomo Zalman in an earlier responsum (Shu”t Teshuvos V’Hanagos vol. 2: 79), Rav Moshe Sternbuch, in a later responsum (Shu”t Teshuvos V’Hanagos vol. 4: 41) gives an explanation why the prevalent minhag is to consider all of Yerushalayim equal for this aspect. In fact, Rav Shlomo Zalman himself acknowledged that the common custom is not to follow his opinion on this (see V’Aleihu Lo Yibol ibid.).

[26] This teaching that Tachanun is essentially a Reshus is cited l’maaseh by many authorities, including the Rivash (Shu”t 412), Rema (Darchei Moshe, Orach Chaim 131: 5; who adds ‘u’lachein kol dinav b’minhaga talya milsa’), Pri Chodosh (ad loc. 2), Ma’amar Mordechai (ad loc. 13), Shulchan Aruch Harav (ad loc. 1), and Aruch Hashulchan (ad loc. 2). However, it is important to note that the Shulchan Aruch Harav stresses that Tachanun is a ‘minhag shenahagu kol Yisrael mimos olam’, and the Aruch Hashulchan adds that ‘v’achshav shekol Yisraelnahagu bazeh shavinu k’chova...v’gam matzinu b’Gemara d’im ki huReshus,inyana gadol me’ode, v’chein haShamayim mimaharim l’anos al Nefillas Apayim’. Additionally, the Kaf Hachaim (ad loc. 53) maintains that according to the Arizal (Shaar HaKavannos, Derushei Nefillas Apayim) Tachanun is essentially an actual Chovah, and concludes that one should make sure to recite it barring legitimate reason.

[27] Tur (Orach Chaim 131), Bach (ad loc. end), and Prishah (ad loc. 8).

[28] However, in his weekly Ateres Shalom publication (Parashas Acharei Mos / Kedoshim 5775, pg. 1 s.v. Misas) the Kamarna Rebbe of Yerushalayim gave a possible explanation as to why many Chassidim do not say Tachanun on a Tzaddik’s Yahrzeit. The Yerushalmi (Yoma Ch. 1, Halacha 1; also cited in the Zohar vol. 3, pg. 56b) teaches that the reason the deaths of Nadav and Avihu (the beginning of Parashas Acharei Mos) are read on Yom Kippur is to teach us that just as Yom Kippur effects forgiveness for Klal Yisrael, so does the deaths of Tzaddikim. The Arizal (Shaar HaKavannos, Inyan Nefillas Apayim Drush 2) adds that the deaths of Tzaddikim has the same effect as reciting Tachanun. The Kamarna Rebbe posits that this is the source why many Chassidim do not recite Tachanun on a Tzaddik’s Yahrzeit: If the deaths of Tzaddikim can bring about Kapparah and works akin to the recital of Tachanun, they must hold that since the Yahrzeit itself has the same effect, there is no need to additionally recite Tachanun. See also Rav Moshe Sternbuch’s Shu”t Teshuvos V’Hanagos (vol. 1: 134) who cites a limud zeichus as to why many Chassidim do not recite Tachanun by Mincha even though this seems counter-indicative of the general halacha.

[29] More recently, Rav Shmuel Brazil, Rosh Yeshivas Zeev HaTorah, addressed this issue in his weekly Parasha sheet (Parashas Vayakhel 5779; “Who is the Holder of the Keys”), elucidating why not to underestimate the significance of this incredible Tefillah, when Hashem comes closer to us and allows us to beseech Him for mercy, forgive us for our transgressions, and save us from our ills and maladies.

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shabbatshalom@ounetwork.org date: Aug 22, 2019, 8:03 PM

Thoughts on “Rupture and Reconstruction”—Twenty-Five Years Later

DAVID BROFSKY

The impact of the Internet and other contemporary developments on halachah Almost twenty-five years ago, I attended a public address by my professor of Medieval Jewish history, Dr. Haym Soloveitchik, on the topic of Orthodoxy in America. As I recall, Dr. Soloveitchik mesmerized the audience as he demonstrated that he was not only a brilliant historian who could turn obscure legal sources into a clear and meaningful historical narrative, but he was now one of the most penetrating and insightful sociologists of the generation. This lecture appeared in Accounting for Fundamentalisms: The Dynamic Character of Movements (Chicago, 1994), and an expanded version was published in Tradition (28:4), titled “Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy.”

Dr. Soloveitchik affirmed that which many had long thought about Orthodoxy in the second half of the twentieth century—“the nature of contemporary spirituality has undergone a transformation”—and he set out to understand what he called “the swing to the Right,” including the tendency towards halachic stringency. He observed that the Orthodox community had turned towards texts for halachic guidance and abandoned the practice of relying upon traditions passed from parent to child.

Dr. Soloveitchik posited that from the beginning of the twentieth century and continuing after World War II, the Holocaust and the destruction of European Jewry, contemporary religion lost its roots or, more precisely, what he called “a mimetic tradition,” a phrase which from that day on entered the Modern Orthodox lexicon. In the past, not only values but also religious practice was conveyed by living example, and not through texts. The absence of a continuous tradition, or masorah, led to religious insecurity; people now turned to detailed texts, as opposed to their parents and elders, to learn how to observe Jewish law and live an observant lifestyle.

Of course, this phenomenon is not new. Rabbinic tradition has turned towards accessible halachic compendiums numerous times, specifically after a break in religious

continuity. For example, halachic treatises, such as the Maharil (Rabbi Yaakov Moelin), were written during the century after the Black Plague (fifteenth century) in order to restore tradition, and halachic codes, such as the Shulchan Aruch HaRav, Chayei Adam and the Kitzur Shulchan Aruch, were written in the first half of the nineteenth century in order to create it.

Dr. Soloveitchik's essay was widely acclaimed and also criticized.² Some felt that he drew his conclusions from too narrow a segment of Orthodoxy; others felt that he was overly critical of the Chareidi religious experience. His romanticization of post-war American Jewry was also somewhat jarring in light of his own description of their (lax) religious observance, and one almost gets the impression that he does not share the excitement felt by others towards the explosion of Torah learning, scholarship and religious observance throughout the second half of the twentieth century.

Over the past twenty-five years, the Orthodox world has seen numerous challenges and changes, expansion and retreat. I often felt that while Dr. Soloveitchik may have brilliantly described what he observed during the second half of the twentieth century, the Orthodox world experienced major changes in the years following the publication of his essay. First, just a few months after the publication of "Rupture and Reconstruction," Sir Tim Berners-Lee founded the World Wide Web Consortium, and the world began to change in ways which we have yet to understand fully. Second, the mid-to-late 1990s saw the emergence of a spiritual renewal, dominated at first by Neo-Chassidus, and later by other intellectual and religious trends. Therefore, Dr. Soloveitchik's thesis must be reevaluated based on subsequent developments.

The Impact of the Internet on Halachic Research and Practice Dr. Soloveitchik describes the proliferation of halachic compendiums serving the public, which seeks to learn how to meticulously fulfill the halachah through studying the written word. In a deeper sense, these books replace the traditional family or communal masorah. In the absence of a clear family or communal custom, the Shemirat Shabbat KeHilchatah or the ArtScroll Halachah Series, determines personal, family and communal halachic standards. Twenty-five years later, the publication of these books continues.

However, the transition from custom to text took a giant step forward with the proliferation of halachic resources on the Internet, which has changed the dynamic of halachic pesak and observance. Alongside the massive amounts of Jewish content, including materials relating to the Bible, Jewish philosophy and history, and the State of Israel, there is a vast amount of halachic resources available on the Internet. Over the past twenty to twenty-five years, almost all halachic questions, relevant, contemporary or obscure, have been written about and published on the Internet. Articles, halachic guidelines and online question and answers (she'eilot u'teshuvot) are available at the touch of a finger.³

Many have expressed their concern about this phenomenon. Internet responsa are often short and terse, lacking nuance, depth and sources. This accusation has often been directed at Internet responsa authored by well-known Israeli rabbis, such as Rabbi Shlomo Aviner.

{On the Internet, however, there are no rules; anyone and everyone can be a posek. Almost all opinions bear the same weight, and almost all responders enjoy the same gravitas.}

In addition, and possibly more troubling, while there are numerous genres of halachic material on the Internet, common to almost all is the lack of quality control and the potential for unknown authors to appear side by side with experienced halachic authorities. The credentials of those who write books are readily available, and major publishing companies usually only print the works of qualified scholars. On the Internet, however, there are no rules; anyone and everyone can be a posek. Almost all opinions bear the same weight, and almost all responders enjoy the same gravitas. Even more troubling is the phenomenon of asking halachic questions to the collective hive mind, with virtually no regard for experience or expertise. However, while this is largely true, a patient and skilled Google-researcher may uncover a wealth of information, much of which may have been inaccessible or unavailable before the Internet.

Some note an interesting paradox: As the Internet encourages greater religious autonomy, and mere Google-searches produce halachic answers, many rabbis report that they are asked even more questions than in the past. Similar to the phenomenon of patients challenging doctors with Internet-based medical and diagnostic information, rabbis are now challenged by and expected to relate to other opinions found online. The availability of halachic information not only empowers the questioner but also leads to more questions and more precise and diligent mitzvah observance. Numerous teachers and congregational rabbis in America and Israel are known to answer hundreds, if not thousands, of questions, both privately and in WhatsApp groups that host these discussions. This phenomenon is worthy of a separate study.

In recent years, the Internet has become the venue for certain halachic discussions. For example, the increased popularity of women's megillah readings and hakafot on Simchat Torah may be attributed to the availability of halachic sources and online support and encouragement found on social media. Similarly, more radical practices

such as partnership minyanim and the ordination of women have been almost exclusively discussed online. Due to the speed and venue of these discussions, proper rigor and peer review are absent or ineffective, and the Internet has enabled the boundaries of "masorah" to be stretched, if not breached and redefined, in a manner which Dr. Soloveitchik could not have predicted.

Therefore, we might conclude that in the age of the Internet, when halachic material is readily available in all languages and levels of understanding, the scope, methodology and impact of masorah have been altered. Not only do people no longer follow a mimetic tradition passed on from parent to child, they do not adhere to familial or communal standards. Those who provide halachic rulings and guidance on the Internet become the new chains in the masorah. One might even say that the Internet threatens to completely replace tradition, as one's practice may be determined by halachic authorities (or just ordinary Facebook users) from around the world, from different communities and religious ethnicities.⁴ As religious communities grow farther from the days of a mimetic tradition, this appears to be the natural next step.

Neo-Chassidus⁵ and "Commitment vs. Connection" Dr. Soloveitchik concluded his essay by describing how Jews today have lost "the touch of His presence, [and] they seek now solace in the pressure of his yoke." While Jews of Eastern Europe felt "God's palpable presence and direct, natural involvement in daily life," contemporary Orthodox Americans generally prefer adherence to the halachic minutia, especially through the observance of stringencies, "maximum-position compliance."

Only a few years after the essay was published, a new trend or movement, later known as "Neo-Chassidus," began to take root in Israel and later spread to America. This phenomenon is characterized by a greater engagement with the inner, spiritual aspects of the Torah, or as some would say, with God. Of course, this turn to the inner, spiritual and even mystical side of Judaism also has its historical precedents, whether in the Chassidei Ashkenaz of twelfth- and thirteenth-century Germany or the Chassidus of eighteenth-century Poland and Eastern Europe. Some, however, detected a lack of halachic commitment alongside this search for spiritual meaning.⁶

In response to this quickly spreading socio-religious movement, Rabbi Yehuda Amital, zt"l, then rosh yeshiva of Yeshivat Har Etzion, delivered (and later published) an address titled "Commitment vs. 'Connection': The Current Crisis of our Youth" (Yeshivat Har Etzion, 2003). Rabbi Amital described the "search for avodat Hashem that is meaningful and relevant, here and now." He noted the "dryness and lack of spirituality that characterize[s] the great majority of Religious Zionist synagogues" and how "the sense of obligation has weakened over the years, if not disappeared altogether." Finally, he spoke of liberal individualism, experience without commitment, and selective connection, which he was witnessing. Rabbi Amital was fully aware of the reasons why Neo-Chassidus was taking root and identified the risks and aspects he found dangerous and incompatible with a traditional religious outlook.

{In the past, not only values but also religious practice was conveyed by living example, and not through texts. The absence of a continuous tradition, or masorah, led to religious insecurity; people now turned to detailed texts, as opposed to their parents and elders, to learn how to observe Jewish law and live an observant lifestyle.}

What appears to be a similar phenomenon also developed in America as well. Since the mid-1990s, high schools, summer camps and Israeli yeshivot and seminaries have changed radically. One high school principal once remarked to me, "I run a summer camp with APs." He referred to the emphasis upon informal education and spirituality through Shabbatons, singing, dancing, and other opportunities to "connect" and "experience" Judaism—a seemingly welcome addition to the traditional "dry" religious studies curriculum. However, some observed that while years ago students brought closer to religion sought to learn more Torah, and to meticulously adhere to the details of the halachah, in recent years there isn't necessarily a correlation between closeness to God and halachic observance.⁷ Although I believe that the "commitment vs. connection" phenomenon in Israel fundamentally differs from that in America,⁸ in both cases, a "rupture" of masorah leads to a thirst for religious connection, not necessarily accompanied by commitment.⁹

One might view the development described above as contradicting Dr. Soloveitchik's thesis. He portrays a generation turning to the written word to compensate for the absence of a firm, mimetic tradition, and I describe an erosion of authority, and youth looking for inspiration without necessarily searching for commitment. However, I believe that in essence both phenomena stem from the same source that Dr. Soloveitchik identified—a "rupture" in the tradition. While one generation attempts to reconstruct its lost masorah by turning inwards towards halachic texts, clinging to "the yoke," another generation doesn't feel the lack of a masorah, doesn't consider itself connected or bound to the past, and therefore seeks not to reconstruct but to create and to connect, even if at times it lacks the sense of obligation and continuity.

This religious trend, which erupted shortly after the publication of Dr. Soloveitchik's essay, is not reflected in or predicted by "Rupture and Reconstruction," but may be attributed to a similar cause and is also worthy of study. Dr. Soloveitchik's description

of the centrality of the masorah to religious life, whether a “ruptured masorah” or even an “absent masorah,” continues to contribute to our understanding of contemporary Orthodoxy in the age of the Internet, when “masorah” is more complex than ever. While those looking to restore a ruptured masorah may turn to texts and meticulous mitzvah observance, those who feel very little connection to a tradition may seek spiritual and religious meaning without necessarily feeling bound by or committed to the halachah. Masorah may also be more complex in the twenty-first century than ever before as parents, teachers and communal norms are replaced by knowledge gleaned from the Internet. It is our responsibility to understand and be aware of these trends, as we strive to strike the proper balance between tradition and innovation, and commitment and connection. Dr. Soloveitchik’s framework may continue to challenge and guide us for generations to come.

Notes 1. I would like to thank Mrs. Mali Brofsky, Dr. Yoel Finkelman, Mr. Joseph Kaplan and Rabbi Reuven Tradburks for their helpful comments and insights. 2. See, for example, Hillel Goldberg, “Responding to Rupture and Reconstruction,” *Tradition* 31: 2 (winter 1997). See also Isaac Chavel, “On Haym Soloveitchik’s ‘Rupture and Reconstruction: The Transformation of Contemporary Orthodox Society’: A Response,” *The Torah U-Madda Journal* 7 (1997): 122-136, and “Clarifications and Reply,” Haym Soloveitchik, *ibid.*, 137-149. 3. See Rav Aryeh Katz, “Darkhei Shu”t Chadashot (Telefon, Internet uMeseronim)—Yitronot, Chesronot uMaskanot,” *HaMaayan*, Tevet 5775. 4. Some do note a different, opposite trend: People are able to reconnect, or deepen their connection to their German, Sephardic, Chassidic or other traditions through online resources and virtual communities. In addition, others note that the plethora of available information has empowered those promoting more liberal halachic positions, as it becomes more apparent which practices are source-based and those which may be primarily based upon tradition. 5. For a relatively recent perspective, see Barbara Bensoussan, “Rekindling the Flame: Neo-Chassidus Brings the Inner Light of Torah to Modern Orthodoxy,” *Jewish Action* (winter 2014). 6. Rabbi Ariel Evan Mayse, in an article to be published in the next volume of the *Orthodox Forum Series*, “Contemporary Uses and Forms of Hasidut,” ed. Shlomo Zuckier (Urim, 2019), “The Development of Neo-Hasidism: Echoes and Repercussions,” describes the roots of this movement. He writes: Neo-Hasidism emerges from a twofold disappointment with the contemporary world. It reflects a lack of confidence in the secular world and the ideals of progress and modernization. Literature, philosophy, science, and technology hold wisdom and can greatly improve our lives, but these fields do not provide sufficient answers to the deepest questions of religion and existence for the seekers drawn to neo-Hasidism. This ironic “disenchantment” with the secular is all the more profound in the post-Holocaust world. But neo-Hasidism is also a response to the lack of spirituality or lack of intellectual and theological openness in the modern Jewish religious world. He later describes its attempt to penetrate traditional Orthodox communities. Neo-Hasidism found little traction in Orthodox circles where halakhah is the defining feature of Jewish life and its practice is considered the summum bonum of religious experience . . . The turn toward theology and spirituality at the expense of engagement with (and practice of) halakhah in some neo-Hasidic circles has surely pushed members of the Orthodox community—including those who follow Isaiah Leibowitz and Rabbi Joseph B. Soloveitchik—to become more deeply entrenched in their single-minded focus on the study and practice of Jewish law . . . This renewal, in its infancy in America, is readily visible in Israel, where yeshivot of all kinds have now incorporated the study of Hasidic texts into their curricula. Some of these schools have even embraced aspects of Hasidism—and indeed, a particularly nationalistic form of neo-Hasidism—as a core part of their spiritual identity and ethos. The climate for spiritual renewal in Israeli culture was set by mystically-inclined writers like Rabbi Abraham Isaac Kook, but neo-Hasidic writers and teachers such as Rav Shagar have also played an important role. In his conclusion, he suggests that “Neo-Hasidism embraces the centrality of ritual and halakhah but brings values such as personal experience and cultural transformations into consideration when formulating a legal decision. Most importantly, however, neo-Hasidism reminds us that Jewish practice and observance, the duties outlined by the halakhah, should be understood as leading the worshiper to God. Halakhah is thus best understood not as law per se, but as halikhah—a sacred path of obligation that brings us into the presence of the Divine. Hasidic and neo-Hasidic approaches to halakhah are grounded in the ideals of spiritual creativity, compassion, and personal integrity, values that deepen rather than undermine commitment.” 7. We may even point to Yeshiva University’s appointment of a “mashpia,” Rabbi Moshe Weinberger, in 2013 as another example of this phenomenon. His responsibilities included bringing Chassidus to the Yeshiva, holding a monthly farbrengen and offering religious inspiration. 8. In this context it is worth noting a unique trend in Israeli Religious Zionist communities of enriching and enhancing religious and spiritual life, including Shabbat, holidays and life-cycle events (brit milah, weddings and even funerals) with soulful music and singing. In the twenty-first-century Israeli religious experience, Dr. Soloveitchik’s “mimetic vs. text” discussion seems to

be absolutely irrelevant; the phenomenon described above is a new expression of authentic, wholesome and sincere religiosity. 9. In addition, in recent years, post-modernism has swept through the Western world, undermining traditional hierarchies of authority and further undermining the “yoke,” which was once central to the religious experience. This trend quite possibly poses one of the greatest challenges to Torah educators in our day.

Rabbi David Brofsky is an author and educator. He has taught Talmud and halachah in yeshivot and seminaries in Israel, including Yeshivat Har Etzion, Michlelet Mevaseret Yerushalayim, Midreshet Lindenbaum and Midreshet Torah V’Avodah. He writes a weekly halachah shiur for Yeshivat Har Etzion’s Virtual Beit Midrash (VBM) and is the author of *Hilkhot Tefilla* (New Jersey, 2010) and *Hilkhot Moadim* (Jerusalem, 2013). Rabbi Brofsky lives in Alon Shevut, Gush Etzion with his wife Mali and their four children.

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Hamaayan By Shlomo Katz

Dedicated to the speedy recovery of Mordechai ben Chaya To Dedicate an Article click here

Parshas Eikev What Were They Thinking?

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Sponsored by Nathan and Rikki Lewin in memory of his father Harav Yitzchak ben Harav Aharon Lewin a”h

Much of our parashah is devoted to praises of the Land of Israel. We read, for example, “For the Land to which you come, to possess it — it is not like the land of Egypt that you left, where you would plant your seed and water it on foot like a vegetable garden. But the Land to which you cross over to possess it . . . from the rain of heaven shall you drink water.” (11:10-11)

Unlike Egypt, which has a constant water supply in the Nile, Eretz Yisrael is dependent on rain. Nevertheless, writes R’ Moshe Yechiel Epstein z”l (the Ozhorover Rebbe; died 1971), our verse is difficult to understand. The verse in Bereishit (13:10) praises Egypt as “G-d’s garden.” Why then does our verse seem to deprecate Egypt?

The answer is in the second verse quoted above. In Eretz Yisrael we are dependent on G-d’s kindness in bringing rain. This is desirable because it causes us to humble ourselves before G-d. The Nile, on the other hand, made the Egyptians feel secure and therefore bred arrogance.

When Yitro heard how G-d punished the Egyptians, he praised G-d for acting measure-for-measure. On a simple level, this refers to the fact that Hashem drowned the Egyptians just as they drowned Jewish children. On a deeper level, however, Yitro may have been referring to the fact that Hashem struck the Nile, the very source of Egyptian pride and arrogance. (*Haggadah Shel Pesach Esh Dat* p.190)

“Your heart will become haughty and you will forget Hashem, your Elokim, Who took you out of the land of Egypt from the house of slavery . . . And you might say in your heart, ‘My strength and the might of my hand made me all this wealth!’ Then you shall remember Hashem, your Elokim—that it was He Who gives you strength to make wealth . . .” (8:14, 17-18)

R’ Nosson Lewin z”l (1857-1926; rabbi of Rzeszów, Poland) writes: The Torah commands us here to remember at all times that Hashem is Good and does good, and that everything that any created being has is from His “Hand.” Therefore, all created beings are obligated to thank Hashem for everything He does for them.

He continues: Rambam z”l teaches in his *Moreh Nevochim*, “The verse (Tehilim 16:8), ‘I have set Hashem before me always!’ is a major principle of the Torah and an attribute of the Tzaddikim who walk before Hashem. By following this verse’s teaching, a person attains Yir’ah / fear, subdues himself before Hashem, and is afraid to sin against Him. [Until here from Rambam]

It follows, continues R’ Lewin, that one who forgets Hashem will lose the trait of Yir’ah and its place will be taken by haughtiness. [Ed. Note: R’ Lewin appears to be reading our verse to say, “Your heart will become haughty and you will already have forgotten Hashem.”] This, writes R’

Lewin, is why our Sages say that one who is haughty is considered to have denied G-d. (Bet Nadiv p. 59-60)

“With seventy Nefesh / soul[s]our ancestors descended to Egypt.” (10:22) Midrash Vayikra Rabbah (4:6) observes that Yaakov’s family numbered seventy people, yet they are called “Nefesh” / soul (singular). In contrast, even when speaking of a time that Esav’s family numbered only six people, the Torah calls them “Nefashot” / souls (plural).

R’ Yitzchak Shmelkes z”l (1828-1906; rabbi of Lvov, Galicia) explains: A Rasha / wicked person doesn’t want others to be as wicked as he is, for then they might act wickedly toward him. A thief doesn’t want others to steal, for then they might steal from him. Thus, the wise king [S[Shlomo]ays (Mishlei 21:10), “The soul of the evildoer desires evil; his companion [i]n evil]ill not find favor in his eyes.” Since evildoers can never truly unite, the Torah calls them Nefashot.

In contrast, the ultimate desire of a Tzaddik is that all mankind be righteous, just as he is. This, concludes R’ Shmelkes, explains the Gemara (Yevamot 61a) which says that only the Jewish People are called “Adam” – a word that has no plural form, paralleling the unity of purpose that the righteous desire. (Bet Yitzchak)

From: **Joshua Kruger** <genesis@torah.org> to: parsha-halacha@torah.org
date: Aug 21, 2019, 2:30 PM subject: Parsha Halacha for the Shabbos Table - Birkas Hamazon

Parsha Halacha for the Shabbos Table

By Joshua Kruger

Birkas Hamazon

The silly person in the following story makes four halachic mistakes. Can you find them?

Can you think of how the story is connected with the parsha?

The Story

In the city of Balagan, on a street named Gevalt, lived a boy named Barney Mevulbal. He was nice and funny and very very very mixed up.

One day Barney Mevulbal entered his favorite restaurant to order some dinner. He sat down at his favorite table, and was pleased to see his favorite waiter.

“I’d like to order a super cheese pizza with extra cheese, please”

The waiter frowned. “Umm... this is still a meat restaurant, so there won’t be any pizza today...again”.

“Oh. In that case, I’ll take two hamburgers with everything on them. But please hold the tomatoes, ketchup, mustard, onions, lettuce, pickles and burgers”.

The waiter shortly returned with two hamburger buns.

Barney devoured the first hamburger bun, and then decided to eat the second at a slower pace. “These are great! I want to savor every bite,” he thought.

Soon the waiter came to check on Barney. “Can I bring you something else?” he asked. “My work shift finishes at 6 o’clock so I’ll be leaving soon”.

“It’s almost 6 o’clock!?” asked Barney. “Oh no! It’s getting late. I need to get home and start my homework.”

“I’ll bring you a birkon” said the waiter.

“Thanks but I’m in a rush” said Barney. “I’ll say birkas hamazon later when I’m back at home”. He asked the waiter to place the remaining half of his hamburger bun in a take away bag, paid a very discounted price, and left.

Along the way he bumped into his friend Yehuda at the neighborhood park. “Hi Yehuda. Sorry, I can’t talk. I’m in a rush to get home and start my homework.”

Yehuda smiled. “I think you can relax, Barney. The school year finished last week and you won’t have to worry about homework for two months. Would you like to play some basketball with me?”

“Absolutely” said Barney.

Forty minutes later, the boys decided to take a break.

“I win again” exclaimed Barney proudly, “I missed the net twenty-five more times that you did, Yehuda!”.

“Congratulations” smiled Yehuda, “By the way, what’s in that bag?”

“Oh my goodness!” said Barney. “It’s the leftovers from my meal. I can’t remember if I said birkas hamazon. I’m going to go home and call the restaurant to check. Maybe they’ll remember. Would you like the rest of my hamburger bun, Yehuda? I guess it’s too late to eat it now.”

“Thanks for the offer” said Yehuda, “but we’re about to start dinner soon at my home. See you tomorrow!”

Barney quickly made his way home, though he accidentally entered four other homes along the way. By the time he had arrived in the right home, he had completely forgot about birkas hamazon.

“Better get started on my homework. Now where did I leave my pencil?”

An hour later, after searching every drawer and shelf in the fridge, Barney forgot about doing his homework and started thinking about food.

“I sure could go for a hamburger. Wait a minute – I still haven’t said birkas hamazon!”. He closed the fridge and went to find a birkon... in the laundry machine.

Discussion

Q: What are four halachik mistakes that Barney makes?

1) You should say birkas hamazon in the place that you eat your meal (Shulchan Aruch 184:1). If you forgot, then you should try to go back, though it’s not absolutely necessary (Mishna Berura 184:5).

2) If you’re not sure whether you said birkas hamazon, then you should say it, provided you ate your fill (Shulchan Aruch 184:4).

3) If you are unsure whether you said birkas hamazon and you happen to have some bread leftover, then it’s best to eat the bread and then say birkas hamazon (Shulchan Aruch 184:2). This ensures that you will not say a beracha levatala.

4) You can only say birkas hamazon while you are still full from the meal that you ate. This is learned from the words in our parsha ואכלת ושבעת

ואכלת ושבעת It is a requirement that we be full, ואכלת ושבעת in order to say birkas hamazon. For this reason, most poskim rule that birkas hamazon should be said within 72 minutes of finishing the meal (Mishna Berura 184:20). If you forgot, and more than 72 minutes has passed, then you can still say birkas hamazon bedieved, as long as you did not become hungry since the meal and as long as you did not eat anything else in the meantime (Shulchan Aruch 184:5). Once six hours has gone by, it has become too late to say birkas hamazon even if you still do not feel hungry (Magen Avraham 184:9).

Q: How is our story connected to the parsha?

A: Parshas Eikev discusses the mitzva to say birkas hamazon (Devarim 8:10).

(Written by Josh and Tammy Kruger, in collaboration with Rabbi Yehoshua Pfeffer of the Institute for Dayanim)

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from: **Chanan Morrison** <ravkooklist@gmail.com> reply-to: rav-kook-list+owners@googlegroups.com to: Rav Kook List <Rav-Kook-List@googlegroups.com> date: Aug 21, 2019, 1:02 AM subject: **[Rav Kook Torah] Eikev: Two Loves for Eretz Yisrael**

Eikev: Two Loves for Eretz Yisrael

The Blessings of Torah Scholars

The Talmud (Berachot 50a) gives a litmus test to determine if an individual is truly a Torah scholar: listen to how he recites berachot (blessings). Clearly, when berachot are recited sincerely, they reflect a proper outlook on life and help instill important traits such as gratitude to God. What is less obvious is that even the detailed laws for blessings reflect fundamental concepts of the Torah. For this reason, Torah scholars are punctilious in their blessings.

Loving the Land of Israel

The following story gives one example of such an exacting approach towards blessings. It also contains an important lesson about love for the Land of Israel.

“Rabbi Hisda and Rabbi Hamenuna were seated at a meal, and were served dates and pomegranates. Rabbi Hamenuna made the blessing over the dates. Rabbi Hisda told him, ‘Do you not agree that those fruit mentioned earlier in the verse take precedence when reciting the blessing?’ Rabbi Hamenuna responded, ‘Dates are mentioned second after the word “land”, while pomegranates are only mentioned fifth.’ Rabbi Hisda exclaimed, ‘If only we had legs of iron to always follow you and learn from you!’” (Berachot 41b) The two scholars referred to the verse that praises the Land of Israel for seven grains and fruits:

“It is a land of wheat, barley, grapes, figs and pomegranates; a land of oil-olives and honey-dates.” (Deut. 8:8) Rabbi Hisda felt that the blessing should reflect the order of the produce mentioned in the verse. Thus, pomegranates should come first. Rabbi Hamenuna explained that while the order in the verse is indeed important, there is an even more important factor: how close is the fruit to the word “land” in the verse? Pomegranates are the fifth produce mentioned after the first time “land” appears in the verse; dates, however, are the second fruit mentioned after “land” appears a second time in the verse. In other words, the position of dates in the verse indicates a greater closeness to the Land of Israel; therefore, this fruit deserves to come first.

The thought and care that Rabbi Hamenuna gave to his blessing demonstrates the importance he placed on loving Eretz Yisrael. This great love stems from recognizing the unique qualities of the Land - qualities that enable the Jewish people and all of humanity to attain spiritual goals. One who is closer to the Land of Israel, and demonstrates a greater connection to it, comes first for blessing. Such an individual is closer to the perfection that is attained through this special land.

Two Types of Love

Yet, we may ask: why is the word “land” mentioned twice in the verse? Why does the verse divide up the produce of Eretz Yisrael into two categories?

There are in fact two types of love for the Land of Israel. One’s appreciation for the Land is a function of his spiritual level and awareness. Some value Eretz Yisrael because of its unique spiritual qualities. They long “to take pleasure in her stones and love her dust” (Psalms 102:15) in order to fulfill the mitzvot that are connected to the Land. They recognize the blessings that Eretz Yisrael provides for the spiritual elevation of the Jewish people and the entire world.

Then there are those who appreciate the land for its material benefits. They recognize its value as a homeland for the Jewish people, and work towards settling and rebuilding the land. This form of devotion to the Land of Israel, even though it does not take into account its special spiritual qualities, is nonetheless a good and positive trait.

The verse mentions the word “land” twice, each time followed by a list of produce. This corresponds to the two forms of devotion to the Land of Israel. The first list of produce represents those who love the Land for its elevated, spiritual properties. This group consists of five fruits and grains, corresponding to the Five Books of Moses. This devotion to Eretz Yisrael stems from the world of Torah, from an awareness of the spiritual goals of the Jewish people and the entire world.

The second list contains oil-olive, symbolizing knowledge, and the honey-date, representing material contentment. These fruits represent those who appreciate the Land as a place where the Jewish people can be successful in the material spheres of life, whether academic, cultural, or economic.

Rabbi Hamenuna taught us an important lesson: how great is the love for the Land of Israel, even when this love is limited to its physical benefits. When they are connected to the community, all material matters become spiritual ones; the elevated goals will automatically be realized through the bonds of God’s people to His Land.

The Pomegranate and the Date

Why does the date take precedence before the pomegranate? Even though the pomegranate belongs to the first group, it is the last fruit in the list. The pomegranate represents those who are aware of the holy qualities of Eretz Yisrael, yet in practice remain distant from the Land. These individuals unfortunately take few practical measures to express their love for the Land.

The date, on the other hand, is near the top of the second group. It represents those who only recognize the material benefits of the Land of Israel. Through their efforts, however, they are much closer to the Land, taking practical steps in settling and rebuilding it. Such a person, Rabbi Hamenuna taught, should be strengthened and presented first for a blessing. Devotion to the Land, when promoted in practical, concrete efforts, is a wonderful thing. Thus we find the Talmud (Sanhedrin 102b) states that Omri merited to be king in reward for establishing a city in the Land of Israel, even though his intentions were certainly pragmatic.

Legs of Iron

Now we can understand Rabbi Hisda’s fervent response, “If only we had legs of iron to always follow you and learn from you!” Rav Hisda understood the inner message of Rabbi Hamenuna’s teaching. One needs “legs of iron” - courage and fortitude like iron - in order to be able to receive this remarkable message, and appreciate the importance of the material strength of Israel.

Similarly, on the national level, we need “legs of iron,” powerful means to build up the physical aspects of the nation. Then we will have the spiritual strength to create a courageous national spirit. “And we will learn from you” - we will follow your path of Torah, and merit inheriting the Land through love and wholeness and inner strength.

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See also: Eikev: Balancing Torah and Work