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**Rabbi Benjamin Yudin**

**Holy Cow! You're Only Human**

There is a most intriguing medrash (Shemos Rabbah 41:1) that states, "Rabbi Shmuel Bar Nachman taught, it was good and proper for our forefathers to receive the Torah and to declare (Shemos 24:7) 'everything that Hashem has said, we will do and we will listen - na'aseh v'nishma'. But was it proper for them to say (Shemos 32:4) 'these are your gods, Israel, who brought you up from the Land of Egypt!'" The medrash is asking - how could this happen?

The Bais Halevi suggests that the response of "n'aseh v'nishma - we will do and we will listen" is not to be understood literally. As every parent recalls instructing their child, why don't you listen before you do! Indeed, one cannot act without prior instruction. One cannot keep Shabbos without studying the laws of Shabbos. Hence included in the na'aseh is an earlier nishma. What then does na'aseh v'nishma mean? It means that we shall do and understand. We will do and make very effort to comprehend why we are so doing. The last Rambam in Hilchos Me'ilah teaches, "it is fitting for man to attempt to understand the laws of the holy Torah, to plumb the depths of reason and understanding to the best of one's ability."

In Parshas Ki Sisa (32:1) the Jewish nation miscalculated the return of Moshe from Har Sinai, and believed the forty day stay in the mountain had ended without Moshe returning. The Satan assisted in the confusion by displaying in the heavens an image of darkness and gloom (Shabbos 89a). The Ramban (Shemos 32:1) and others write that not for a moment did they look for a replacement of Hashem, but they were looking for a replacement of Moshe. Their leader had effected hashraas hashechina, causing Hashem to reside in their midst, and this is what they were looking to perpetuate, a replacement of Moshe to bring the Divine Presence in their midst.

The Ramban reminds us that at Sinai this enlightened generation (dor de'ah) encountered the Divine. While it is true that Hashem is incorporeal, in Yechezkel (1:10) the prophet describes His throne as having the image of an ox engraved upon it. Thus, on their own initiative with their understanding and quest for spirituality they endeavored to construct a calf, as a refection of His heavenly abode.

Hence the perplexing medrash above, explains the Bais Halevi. They tried on their own initiative to create a holy cow, only to find out that they are only human, and cannot create kedusha - sanctity. What was missing from the golden calf was the divine command. Without the authorization of Hashem it had no sanctity whatsoever. It is for this reason that the

description of the mishkan in Parshas Pekudei, which is an atonement for the sin of the golden calf, contains the expression "as Hashem had commanded Moshe" no less than eighteen times.

Spirituality is not created by the initiative of man. Perhaps a guitar would make the Shabbos morning service more appealing to the not-yet affiliated and committed youth. However, the lesson of Parshas Kisisa is to the contrary.

The gemara (Berachos 10a) teaches that the prophet Yeshayahu instructs King Chizkiyahu to prepare his last will and testament. The Torah observant King questions the decree and is told that it is because he refrained from having children. In his defense Chizkiyahu argued that he saw with Divine revelation that he would have a child (Menashe) who would not be upright in nature. Whereupon the prophet castigated the king and said "Don't be so smart! You have no business concerning yourself with these hidden matters. Rather, what is incumbent upon you, you are to do!"

Moreover, in Parshas Ki Sisa we are commanded to observe and safeguard the Shabbos. The Torah (Shemos 31:13) couches the mitzvah in the plural, "Es shab-s-osay tishmoru". The Ksav Ha'Hakbala explains that there are two different components of Shabbos. On one hand "mechal'leha", those who profane it and violate its sanctity by performing any of those melachos, shall be punished. In addition, there is the oneg Shabbos, the joy and pleasure of the day. Here, one might imagine, each individual might suggest and follow their own guidelines, such as casual wear (shorts and sneakers) after lunch, The Wall Street Journal, or other forms of rest and relaxation. Therefore the Torah uses the possessive plural form, "es Shab-so-say", to instruct that man cannot define neither the melachos nor the oneg of Shabbos, in accordance with what please him.

Na-aseh v'nishma teaches us that after a complete acceptance of the Divine boundaries of na'aseh, Hashem welcomes our engagement in nishma.

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Ki Tisa 5766 From: Rabbi Kalman Packouz [[newsletterserver@aish.com](mailto:newsletterserver@aish.com)] Sent: March 12, 2006 11:20 AM Subject: Shabbat Shalom - Ki Tisa [http://www.aish.com/torahportion/shalomweekly/Ki\\_Tisa\\_5766.asp](http://www.aish.com/torahportion/shalomweekly/Ki_Tisa_5766.asp) by **Rabbi Kalman Packouz** Insights into life; ideas for personal growth

**Dvar Torah**

**based on Growth Through Torah by Rabbi Zelig Pliskin**

After descending from Mt. Sinai with the Ten Commandments, Moses saw the people dancing around the Golden Calf. The Torah relates:

"And Moshe stood at the gate of the camp and he said, 'Whoever is for the Almighty come to me.' And all of the descendants of Levi gathered unto him." (Exodus 32:26)

Why does the Torah add the seemingly extra word "all"? It would have been sufficient to just write "and the descendants of Levi gathered unto him."

The Chasam Sofer, a renowned 18th century Hungarian rabbi, tells us that "all" comes to include even Korach and those Levites who later rebelled against Moshe. Though they were greatly displeased with Moshe, when it came to the honor of the Almighty, they joined him to fight for the Almighty.

Our lesson: We should put aside personal prejudice and philosophical differences if we are called upon to take action for the Almighty, for the Jewish people or any righteous cause!

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From: [RabbiWein@jewishdestiny.com](mailto:RabbiWein@jewishdestiny.com) Sent: March 16, 2006 8:56 AM To: Subject: **Rabbi Wein's Weekly Columns**

Now that the holiday of Purim has safely past, many find themselves suffering from a hangover. There are those who are suffering from this hangover in a literal sense – too much drink, too much food, just too much. Well, a long nap and an analgesic to soothe the stomach and a cold compress for the headache will eventually provide relief for this type of post-Purim hangover. But I feel that there is a deeper, more persistent and much more painful hangover that descends upon us after Purim. And those hangovers come from the realization that, though one Haman was vanquished many centuries ago, there were and are many others ready to take his place.

The story of Purim is therefore not a one-time event, an aberration of history, an accidental madman rising to power. It is rather the ultimate hangover that just refuses to go away. If that be the case then why all of the merriment and celebration on Purim? The triumph over Haman is only a temporary one, a short respite until the next onslaught against Jews, Judaism and the values that the Torah preaches and represents. And what a pounding hangover that realization can be!

Are there cures for this type of hangover? For many centuries, for most of Jewish history in fact, Jews were convinced that there really was no permanent cure for our hangover. Jewish survival and our eventual triumph over all of the various Hamans who constantly arose to persecute us lay in our strength of spirit, our tenacity of faith and tradition and in our attempts to outwit our enemies. We certainly had no ability to outgun them. Jews suffered and died and Haman always appeared triumphant but eventually Haman fell and the Jewish people, bloodied and battered, nonetheless persisted and survived. Jews saw this pattern of persecution and survival as a given, a facet of our existence that was almost inexorable and unable to be prevented.

Therefore, in a most ironic and paradoxical way, Purim represented not triumph or the elimination of Hamans from our world but rather the ability to survive and be productive and creative in spite of the fact that there would always be a Haman and that we would always have to struggle to survive his persecutions. Because of this view, Jews really did not suffer from a post-Purim hangover since they never had any illusions that Haman was really going to disappear permanently.

Only when great expectations are fostered and permanent solutions promised and, in spite of all of our efforts, Haman mocks us and continues to threaten does the sickening feeling of the post-Purim hangover take hold. Purim warns us that the story is not complete and that we are at best only granted respite in the words of Ahasveirosh to Esther of "up to half of a kingdom." To expect the whole kingdom would certainly lead to disappointment and depressed spirits not to mention a splitting headache.

Purim is connected to the commandment in the Torah regarding remembering Amalek. In that struggle against evil and murder, the Torah states explicitly that this a never-ending battle, a war of G-d and Godliness against Amalek - from one generation until the next. From this it is easy to deduce that Amalek is not subject to a one-time knockout punch that will end the struggle once and for all. It is rather a continuing struggle that every Jewish generation faces and must overcome, each generation in its own way and under its particular circumstances. The joy of Purim is always tempered by the fact that there are many more Purims that will be necessary to sustain us.

In the Hagada of Pesach that we will recite at the Seder table in a few short weeks we are reminded that there is a continual line from Pharaoh to Haman to Titus to Chmelienicki to Hitler to the current president of Iran. These people really meant and really mean to destroy us. No words are minced and no threats are veiled. It would be foolhardy at the least to pretend that no real danger exists to our survival. Yet all of our past history tells us that we should not be overly pessimistic about our future. We should not fall prey to the post-Purim hangover syndrome. Rather our realism should include the lessons of faith and tenacity that have stood us in

such good stead over the ages. The tempered joy of our Purim will help usher us into the moment of redemption and renewal that Pesach signifies.

KI TISA March , 17 2006

In continuing its description of the artifacts that were to be placed in the mishkan, the Torah informs us regarding the kiyor – the type of laver or fountain that was installed in the courtyard of the mishkan and later the Temple in Jerusalem. This kiyor was used by the kohanim – the priestly descendants of Aharon – to wash their hands and feet before entering the mishkan or Temple to begin their daily service to G-d and to Israel. This washing of hands and feet was not only a matter of cleanliness but it was also a symbolic ritual of preparation for holy service. The washing of the hands of the kohanim remains a ritual till today, when their hands are washed in water before they ascend the podium to bless the congregation.

In fact, washing one's hands in a ritual fashion no matter how clean or sterile they are remains a daily part of Jewish life for us all. Before we eat bread we must wash our hands. The washing of our hands is part of the order of the Seder service on Pesach night. When we arise in the morning, we wash our hands. Before prayer services we are also bidden to wash our hands. And when we have completed dealing with our bodily functions we are also instructed to wash our hands. Again, these are not only matters of cleanliness, though cleanliness is a prime virtue in Jewish life, but there is a ritual, spiritual and holy attachment to the washing of hands.

There is an important message implied in this hand-washing regimen of Judaism. It is to impress upon the person the holiness of everything in life and that all that we do is really in service of God. The phrase that was used throughout the Jewish world by the "wakers" in the early morning was "Arise to the service of God." But the service of G-d requires an appreciation and understanding that we are in fact serving G-d in our daily lives. Otherwise, without that realization, everything in life becomes prosaic and mundane, habitual rote and sometimes even meaningless. The fact that we are bidden to wash our hands before or after performing many of the most mundane things in life – eating, awaking, dealing with our bodily functions, etc. – reminds us that nothing in life is ordinary, profane or mundane.

Everything is important. Everything is part of the service that we owe to our Creator. Everything therefore requires a sense of purpose and dedication, an understanding of the challenges that life puts before us and that we are commanded to be a kingdom of priests and a holy nation. Washing one's hands is a reminder of this challenge and obligation. Just as the kohain in the Temple had to remind himself daily of the holiness inherent in the performance of his tasks in the Temple by washing his hands and feet before entering upon his daily regimen of work in the Temple, so too are we bidden by the ritual of washing our hands numerous times during the day to remember our duties and challenges to create holiness and spirituality in our everyday lives and affairs. Thus the kiyor and its message survive amongst all of us even today.

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From: **Rav Kook List** [[ravkooklist@gmail.com](mailto:ravkooklist@gmail.com)] Sent: March 16, 2006 1:55 AM To: unlisted-recipients Subject: Rav Kook on Ki Tisa: When Bad Things Happen to Good People  
Ki Tisa: When Bad Things Happen to Good People

After Moses succeeded in petitioning G-d to forgive the Jewish people for the sin of the golden calf, he made an additional request from God: "If You are indeed pleased with me, allow me to know Your ways" [Ex. 33:12].

What exactly did Moses desire to know? The Talmud [Berachot 7a] explains that Moses wanted to understand the age-old problem of reward and punishment in this world:

"Master of the World! Why is it that some righteous people prosper, while others suffer? Why do some wicked people prosper, and others suffer?"

\*Two Factors\*

According to Rabbi Yossi, G-d fulfilled Moses' request. The Talmud initially explains that anomalies in divine justice in this world stem from ancestral merits. A righteous person whose parents were wicked may undergo suffering in this world, while a wicked person whose parents were righteous may be rewarded.

However, the Sages were not satisfied with this explanation. Why should a righteous person who rejected his parents' evil ways be punished? On the contrary, he should be rewarded doubly! The Sages concluded that if there are righteous who suffer, it must be because they are not completely righteous. (This is usually understood that they are punished in this world for their sins so that their reward in the next world will be complete.) Similarly, the wicked who prosper must not be totally evil. They receive reward in this world for the few merits they do possess.

(The Talmud also mentions an additional factor, called "Afflictions of Love." Even a perfectly righteous individual may suffer in this world in order to gain additional reward in the afterlife.)

Upon inspection, we discover that these two mitigating factors - ancestral merit and incompleteness of righteousness or wickedness - are interrelated. Some actions are performed purposely, by choice; while others - the majority - are done without thought, but by habit or training. For a righteous person from a righteous family, good deeds come naturally. He does not need suffering in order to refine his soul. The righteous individual born in a wicked family, on the other hand, must work harder. His good deeds are a conscious effort, going against his education and natural bent. He therefore needs the refinement that comes from suffering in order to perfect his character traits.

The wicked person who hails from a righteous family is naturally helpful to others, and may have inherited many other positive character traits. Therefore, his portion in life is good, as he contributes to the world. But the wicked who comes from a wicked family is usually an utterly evil person. His lot in life is made unstable, in order to limit the destruction that he may cause in the world.

\*Beyond Our Grasp\*

The Talmud records a second opinion, Rabbi Meir, who disagreed with Rabbi Yossi. According to Rabbi Meir, G-d did not fulfill Moses' request to understand the mechanics of suffering and reward in this world. The complex calculations of how much of our actions is a function of free will, and how much is due to society, education, and family background - belong to the Creator alone. The knowledge needed in order to understand divine justice in this world is beyond the grasp of all humans - even the master of all prophets, Moses.

[adapted from Ein Ayah vol. I, p.32]

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<http://ravkook.n3.net> - Rav A.I. Kook on the Weekly Parasha

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**Peninim on the Torah**  
**by Rabbi A. Leib Scheinbaum**  
Parshas Ki Sisa

This shall they give - everyone who passes through the census - a half shekel. (30:13) The nation was commanded that every male Jew was to give a half-shekel donation each year. When the Bais HaMikdash was standing, this money was used for the maintenance of Korbanos Tzibbur, Public Sacrificial service. The half-shekel was chosen, as opposed to a whole unit, to imply that every Jew is incomplete as an individual. It is only when he joins together with another Jew that he becomes a whole and fully functional member of the community.

The Mishnah in Meseches Shekalim 1:1 says: On the first day of Adar, announcements are made concerning the donation of the Shekalim and concerning Kilayim, crops that are commingled in a forbidden manner. Is there some connection between these two seemingly disparate matters? At first glance, Shekalim and Kilayim are two divergent issues. Why does the Mishnah juxtapose them upon one another?

Horav Yosef Chaim Sonnenfeld, zl, explains that, as mentioned above, a person must strive to cultivate relationships. As the Tanna says in Pirkei Avos 1:6, Knei lecha chaver, "Acquire for yourself a friend." One who lives as an individual lives as an incomplete person. He is missing a part of himself. Nonetheless, one must maintain criteria with regard to his relationships. He must be sure to associate only with those people who are appropriate. Just as certain admixtures of crops are forbidden, so, too, is it unwise to develop an affiliation with people of questionable or incompatible character. The positive effect of a good friend - and, conversely, the negative effect of a bad friend - cannot be emphasized enough.

And He gave Moshe (the Luchos) when He finished speaking to him on Har Sinai. (31:18)

Moshe Rabbeinu remained on Har Sinai for forty days and nights, while Hashem taught him the entire Torah. In the Talmud Nedarim 38a, Chazal tell us that, despite Moshe's outstanding acumen and memory, "he learned and forgot, learned and forgot." In other words, he could not retain the Torah lessons that he was receiving from Hashem. In truth, this is not surprising. How could a human being comprehend the wisdom of the Creator? This troubled Moshe as he became increasingly frustrated with his inability to absorb and retain his knowledge of the Torah. In the end, Hashem gave him his Torah knowledge as a gift. We wonder why it had to be this way. Hashem knew that a yelud ishah, human being, was incapable of absorbing the entire Torah, and, ultimately, the only way he would grasp it would be as a gift. Why did Hashem make Moshe spend forty days on the mountain working at a task that was impossible and would inevitably end in failure?

The Alshich HaKadosh explains that Hashem selected Moshe as the one to receive and eventually transmit the Torah to Klal Yisrael. He would be the source from which future generations of Jews would learn Torah. To be worthy of this monumental privilege, Moshe would have to sustain the emotional pain and frustration of "learning and forgetting" the Torah that he had been taught for forty days. Horav Avraham Pam, zl, notes, as cited by Rabbi Sholom Smith, in his anthology on Chumash, that Moshe's frustration was probably exacerbated by the realization that he would only be able to transmit to Klal Yisrael that which he remembered. Whatever he forgot would be lost to eternity. Yet, Moshe persevered. His desire to absorb the eternal verities and wisdom of the Torah catalyzed him to go on, not to give up. Thus, he earned the Divine "gift" of the Torah.

Moshe earned the privilege to be the quintessential Torah leader, relaying the Torah in its entirety, even the profound insights that every perceptive student in the future would innovate, only because he overcame his own frustration, his feelings that his efforts were nothing more than an exercise in futility.

Rav Pam adds that it is human nature to forget. Even the rare genius forgets. One of the greatest challenges on the road to distinction in Torah knowledge is the feeling of despondency that one gets when he forgets much of what he has learned. The yetzer hora, evil inclination, avers, "Why waste your learning? You are going to forget most of it anyway. Why expend the energy when you could be doing something more productive?"

What really is the purpose of studying if it will be forgotten anyway? First, we acknowledge that Hashem rewards study for the purpose of study. There is a mitzvah of limud haTorah, study of Torah - not yedias haTorah, the knowledge of Torah. Whether the reward is received in This World or in Olam Habah, the World to Come, it will nonetheless be received. Second, Hashem granted the Torah to us as a gift. When one indicates his appreciation of the gift, when he demonstrates that he knows the value of the gift, he is then worthy of receiving it. One who studies shows that he cares and seeks mastery. He is deserving of that gift.

Last, Rav Pam cites the Talmud in Niddah 30b, which teaches us that an embryo developing in its mother's womb is taught the entire Torah by a Heavenly Angel. As soon as the child emerges, an angel strikes him on his mouth, and he forgets everything. Why bother teaching Torah to an embryo that will forget it anyway? The Bach explains that the Torah that is taught prior to birth is absorbed by all 248 organs of the body. Thus, even though he will forget it at birth, the Torah will,

nonetheless, permeate the child's body, infusing its soul forever with the holiness of Torah. In addition, the Eitz Yosef explains that once the Torah is suffused into the child's body, his task after birth is merely to remember what he learned from the angel during his embryonic stage.

Last, the Sefer Chassidim offers encouragement to the individual who is frustrated by his inability to remember what he learns. One should not be disheartened, regardless of how hard he struggles to understand Torah to no avail. In the World to Come, when he will be a student in the Yeshivah Shel Maalah, Heavenly Academy, he will be able to understand all of the Torah that he has struggled to comprehend in This World. His efforts and his struggles will then be richly rewarded.

Our reward is commensurate with the effort that we expend. Moshe Rabbeinu epitomizes this concept. Reflecting upon Moshe Rabbeinu makes our task that much easier.

And the people gathered around Aharon and said to him, "Rise up, make for us gods." (32:1)

The sin of the Golden Calf suggests a multitude of questions. First, how did they do it? How were they able to create a molten image of a calf? Rashi tells us that Aharon collected a wealth of gold and Jewelry. Afterwards, members of the *erev rav*, mixed multitude, trouble makers and rabble rousers who accompanied the Jewish People when they left Egypt, might have used the sorcery that they were taught in Egypt. Alternatively, Michah might have had with him a tablet upon which was written *al shor*, "rise up ox," a phrase which Moshe Rabbeinu used to raise up Yosef's coffin from the Nile River. This caused the calf to rise from the molten gold. According to the Tikunei Zohar, the leaders of the *erev rav* were two of Bilaam's sons, who in Egypt had graduated to the top of their class in witchcraft and sorcery. They used all of their acquired powers of *tumah*, spiritual contamination, to create a living idol of molten gold.

This answer leads up to a greater, more cogent question. If the *erev rav* had their own ability to create this idol, why did they approach Aharon? Apparently, they did not need him to make the *eigal*, Golden Calf, so why did they bother with him? What makes this question more pressing is the fact that the Zohar HaKadosh declares that if Aharon had told them to place their gold on the ground, rather than to give it directly to him, the magic forces would have dissipated. In other words, they were taking a risk by giving the gold to him. Why did they take a chance of endangering their plans by seeking Aharon's assistance?

The Maharil Diskin gives a compelling explanation for including Aharon in their diabolical plan. *Derech erez kadmah laTorah*, "Derech erez/manners, human decency, precedes Torah." In other words, in order for something to succeed, it is essential that a process be followed. That process demands that the elders - be they rabbinic authority, lay leadership, parents, mentors, or whoever is in charge - must be consulted. Otherwise, an individual's actions are indicative of a lack of control, a lack of focus, an accident about to happen. When leadership is not consulted, it is a recipe for disaster, both spiritually and physically. Indeed, upon recounting the episode of the *meraglim*, tragedy of the spies, Moshe Rabbeinu emphasized that everybody came to him in a tumult, with the young pushing the elders, exhibiting a lack of *derech erez*. This was the first sign that trouble was brewing and a disaster would occur.

The *erev rav* were very clever. They were not satisfied merely to create a Golden Calf. They wanted to make sure that everybody participated in its creation. They did not want a single Jew to say that his hands were clean, that he was innocent. No one would be more righteous than they. No one was going to denigrate them by saying, "I am better than you." In order to ensure "perfect attendance" at their unprecedented act of *chutzpah*, they included Aharon. When Chur intervened, they killed him.

It is not that they really had *derech erez*. They just knew that unless they exhibited *derech erez*, unless they put on a show, they would not get the following that they sought. They needed acceptance. Having Aharon in their camp increased the chances for their success.

"Go, descend - for your people that you brought up from Egypt has become corrupt. (32:7)

The sin of the Golden Calf has left a dark spot on the spiritual character of Klal Yisrael. Indeed, its repercussions, both from a spiritual perspective and from a punitive point of view, affect us until this very day. Particularly, occurring shortly after the highpoint of our history, the Revelation and the Giving of the Torah, this sin was one of epic proportion. Yet, there is a positive aspect, as evidenced by Chazal's statement in the Talmud Avodah Zarah 4b. They say, "Klal Yisrael made the Golden Calf only to give a *pischon peh*, opening (of the mouth) for *baalei teshuvah*, penitents or returnees to Judaism." Just as David HaMelech was not suited for "that" deed (David's misconstrued sin with Batsheva), neither was Yisrael suited for the Golden Calf. Why did they act that way? "So that if an individual sins, he is told to 'look' at

the 'other' individual who has sinned, and if a community or group sins, they are told to look at the 'other' group that has sinned."

Rashi's commentary reinforces this. He comments, "They were strong and in full control of their *yetzer hora*, evil inclination. In turn, they should not have fallen prey to the blandishments of the evil inclination. It was, however, a decree from the King (Hashem) in order to give an opportunity for the sinner. This way he will not say, 'I am not going to repent. It is too late. I will not be accepted.' To him, we say, 'Go derive a lesson from the Golden Calf.' They denied (Hashem), and, yet, their *teshuvah*, repentance, was accepted."

That generation should have been able to overcome its collective *yetzer hora*. Hashem, however, did not want that. He wanted to teach a lesson to future generations. People, by their very nature, fear change. Thus, one who has sinned and now must go through the process of *teshuvah* looks for every excuse to justify his misdeed and avoid repenting. He is afraid that his *teshuvah* will not be accepted. So, why bother?

In order to circumvent such a defeatist attitude, Hashem prepared the way that even such great individuals as those who received the Torah and David HaMelech should also fall into the clutches of sin. Their eventual *teshuvah* serves as a standard and a guide for others. If "they" can fall and raise themselves up through *teshuvah*, so can we. If they could erase the taint of sin, despite Hashem's extreme displeasure with them, so can we. It was worth it for Hashem to "allow" His noble servants to err, so that generations of others could learn from them.

Horav Chanoch HaKohen, zl, m'Alexander, interprets the famous *pasuk* of *U'beyom pakdi u'pakadeti aleihem es chatasam*, "And on the day that I make My account, I shall bring their sin to account against them" (Shemos 32:34), which is usually defined as a condemnation presaging everlasting punishment. In a positive note, in the future, when a Jew sins, Hashem will say, "If I forgave 'their' sin, I will certainly forgive the sins of others." Indeed, the tradition is that when his *chassidim* heard this from the Alexander Rebbe, they became so overjoyed that they danced throughout the night.

Moshe would take the Tent and patch it outside the camp... and call it a Tent of Meeting. (33:7)

Klal Yisrael's involvement in the sin of the Golden Calf effected a negative critical change in their spiritual persona. In his commentary to the end of the *parsha* (34:30), Rashi notes that the people feared coming close to Moshe Rabbeinu. "Come and see the great power of sin," Rashi says. "Prior to extending themselves to the Golden Calf, they were able to look at Moshe without fear, without trembling. Once they sinned, however, they shivered and trembled even before the *Karnei Hod*, Rays of Glory, of Moshe." Consequently, Moshe moved his tent out of the camp, so that those who sought the word of G-d would go there. While there is a difference of opinion between Rashi and the Ramban as to when Moshe moved, it is clear that once the people had sinned and fallen from their lofty spiritual perch, such that Hashem declared that He would not reside among them, Moshe also left. His tent remained outside the camp until *Rosh Chodesh Nissan*, at which time the *Mishkan* was inaugurated and became the new *Ohel Moed*.

The Talmud Berachos 63b relates Hashem's reaction to Moshe's move. "Now they will say, 'The Rav is angry, and the student is angry. What about Klal Yisrael? What will be with them? If you return your tent among them, good. If not, Yehoshua bin Nun, your disciple, will serve instead of you.'" Basically, Hashem was telling Moshe that he had no right to leave. Klal Yisrael needed him. This was especially true now after they sinned. They needed his compassion, his love, his guidance.

There is a powerful lesson to be derived herein. A leader does not have the right to stay angry. He may not sever his relationship with his flock. If Moshe would not return, then Yehoshua would have to step up and take over the reins of leadership. This idea applies equally in the family unit. Parents have a responsibility. Yes, there are disappointments, some simple setbacks, while others may be of a more serious nature. As parents, we have to be there through thick and thin, through trial and error, through disappointment and failure. We may be insulted, we may be hurt, we may become angry, but we must always be there. Unless, of course, as in the case of Avraham Avinu, who was compelled to send Yishmael away in response to the adverse influence he was having on Yitzchak. Eisav did not deter Yaakov from studying Torah. Thus, he was allowed to stay home while his father, Yitzchak Avinu, was *mekarev* him, reached out to him. Leadership has its perks. It also has its responsibilities. One goes in tandem with the other.

As parents and teachers, we have a responsibility to make realistic goals for our children and students, while simultaneously giving them the tools to realize these goals. All too often, we hear about demands that parents and teachers make, but little is said about how they assisted in their achievement. I recently came across a powerful educational lesson that I think is appropriate for these pages.

Everyone makes mistakes. Each of us fails at times. As adults, we accept these failures as setbacks which can serve as learning blocks upon which to build. It is all

part of the process. The problem is that we often relay a different message to our children and students. Failure is shameful, and anything less than an "A" is just short of disaster. When children are subjected to this form of pressure, it can have an inverse, devastating effect. We are conveying to the child that anything less than perfect will not meet with our approval.

This story is about a young third-grade boy who was a shy and nervous perfectionist. Because everything had to be so perfect, he refused to get involved. His fear of failure deterred him from playing classroom games. He never enjoyed himself with the other children, because anything that involved competition was too much for him to handle. Constantly frustrated, he rarely completed his assignments, as he was repeatedly checking for mistakes.

This went on for most of the school year until a young teacher's aide joined the class in order to ease the teacher's load. One morning, as the students were working on an assignment, the young boy suddenly burst into tears: he had missed one of the problems. The teacher's aide looked up in despair. What could she do? Then, out of the blue, she had an inspiration. "Come here," she said to the young boy. "I have something to show you."

The child came over to her desk, and she showed him a canister filled with pencils. As she removed the pencils one at a time, she said, "See these pencils? They belong to the teacher and to me. Notice how the erasers are worn. Do you know why? Because we also make mistakes. And when we make a mistake, we erase it and start over again. This is what you must learn to do. Do not let the mistake halt your growth. Use the eraser and continue writing! I will leave one of these pencils on your desk, so you will always remember that everyone makes mistakes, even teachers."

That pencil became the boy's most cherished possession, and he kept it with him throughout life. That, together with the encouragement he received, helped him to scale the heights of learning, as he rose to the pinnacle of his profession. He made it because he had learned that to err is human, and because somebody cared enough not to give up on him.

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TORAH WEEKLY - For the week ending 11 March 2006 / 11 Adar I 5766 - from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)  
-- Parshat Tetzaveh

by **Rabbi Yaakov Asher Sinclair** <http://ohr.edu/yhiy/article.php/2532>

#### INSIGHTS

A Drop in the Ocean? "...to kindle the lamp continually" (27:20)

We never know how a kind word can change a life. Often we think that a little drop of encouragement is no more than that — a drop in the ocean. How wrong! Sometimes the smallest smile can be a lifesaver to someone who may be sinking invisibly before our eyes.

The Midrash Tanchuma tells of Rabbi Chanina, the deputy Kohen Gadol (High Priest) speaking of his tenure in the Beit HaMikdash (Holy Temple):

"I served in the Beit HaMikdash and miraculous things happened with the Menorah. From the time we lit the Menorah on Rosh Hashana until the following Rosh Hashana it never went out."

The Gerrer Rebbe, Rabbi Avraham Mordechai, once asked Rabbi Chaim Brisker about this Midrash: The Torah mandates "...the Children of Yisrael shall take for you pure, pressed oil for illumination, to kindle the lamp continually." There is a mitzvah here to light the Menorah every day. If so, how could Rabbi Chanina report that the Menorah was never lit from one year to the next?

Rabbi Chaim answered that the Rambam says that someone who puts oil into an already-lit oil lamp on Shabbat is breaking the prohibition of kindling fire on Shabbat. If so, similarly in the Beit HaMikdash, every day they put a little drop of oil into the Menorah and it was considered as though they lit it.

Sometimes just pouring a little of the oil of encouragement into someone's life is enough to light up their entire world.

- Based on Peninim Yekarim in Iturei Torah

Written and compiled by Rabbi Yaakov Asher Sinclair

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From: Halacha [[halacha@yutorah.org](mailto:halacha@yutorah.org)] Sent: March 15, 2006 2:48 PM To: Subject: Weekly Halacha Overview- Lo Sisgodi: Divergent Halachic Practices in a Single Synagogue **WEEKLY HALACHIC OVERVIEW BY RABBI JOSH FLUG** Lo Sisgodi: Divergent Halachic Practices in a Single Synagogue

#### Part I

##### Guest Writer: Rabbi Michael Zylberman

As contemporary religious Jewry is comprised of many culturally diverse groups, it is not uncommon for one to pray in a synagogue that follows different practices than those to which he is accustomed. Such scenarios raise the question of when an individual's liturgical practices are allowed to differ from those of his fellow congregants. May someone who ordinarily prays in nusach Ashkenaz do so even in a congregation that follows nusach Sefarad? May one respond to kedusha in the fashion in which he is accustomed?

The Talmud (Yevamos 13b) derives the prohibition of agudos agudos from the passuk in D'varim, "Lo sisgodi" (14:1). While the literal reading of the verse prohibits self-mutilation as a sign of mourning, the Talmud provides an additional interpretation, suggesting that the verb form lo sisgodi indicates "lo sa'asu agudos agudos," or "do not make yourselves into divergent groups." This prohibition applies specifically to courts that condone divergent halachic practices within a unified constituency.

#### Minhagim

Two reasons for the prohibition of lo sisgodi emerge from Rishonim, and there may be practical differences between the reasons. According to Rashi (Yevamos 13b s.v. lo sa'asu) if Jewish courts condone two divergent practices in a single region, it will appear as if there are two "Torah"s, two legal systems. Rambam (Avodah Zarah 12:14, Pe'er HaDor 151) views the prohibition as simply intending to limit machlokes (disputes).

Presumably Rashi and Rambam will disagree about lo sisgodi's application to minhag, common practice not rooted in objective halachic requirements. Regarding Rashi's reasoning, the condoned practice of divergent minhagim does not convey the impression that the judicial system recognizes two "Torah"s. However, according to Rambam - who maintains that the purpose of the prohibition is to limit disputes - disputes about minhagim arise with no less frequency than disputes about strictly halachic practices.

Rambam in fact is explicit, both in Yad Hachazakah, *ibid*, and in his responsa (262), in codifying lo sisgodi in regard to minhagim. The particular query addressed to Rambam involved a community whose longstanding practice was to sit for kedushas yotzeir of the brachos preceding krias shema. A new rabbi who lacked the stature and wisdom of his predecessors arrived in town and began standing for this part of the services, and a handful of congregants followed his lead. Rambam responded that the new rabbi's practice was an incorrect minhag, and having a situation in which some congregants stood while others sat constituted a violation of lo sisgodi. In practice we accept the ruling of Rambam, as Rama (Orach Chayim 493) discusses lo sisgodi in the realm of minhag, specifically in the context of mourning practices during the period of sefiras ha'omer, the days between Pesach and Shavuos during which 24,000 of Rabbi Akiva's students died.

#### Beis Din

The Talmud indicates that practical applications of lo sisgodi may be significantly limited. According to Abaye, if two courts functioning in two different cities provide divergent rulings, they do not violate lo sisgodi. The prohibition only applies to two courts in the same city that rule differently, as when one follows Beis Hillel's position and the other follows Beis Shamai's position. Rava disputes Abaye's view and claims that lo sisgodi applies exclusively to a single court within which half of the members rule one way and the other half rule another way. Rava assumes that two courts, even if they function within the same jurisdiction, are entitled to different opinions, just as two sages may disagree about halachic rulings. Abaye presumably distinguishes between two sages, who are allowed to hold their own opinions and two functioning courts in the same city, which must reflect a uniform opinion when defining popular practice.

Some Rishonim limit even Abaye's more expansive definition of this prohibition. The first Mishna in Megilla provides for villagers to read the megilla on an earlier date than city dwellers. According to many Rishonim, the villagers would congregate in the cities to read the megilla on an earlier date. [Rabbeinu Chayim (quoted in Tosafos Yevamos 14a s.v. ki amrina) holds that the villagers would read on the earlier date in their own villages. This is also the opinion of the Rav Av Beis Din (R' Avrohom ben Yitzchok of Narbonne) as quoted in Ramban and Rashba s.v. amar Abaye.] This practice appears to be equivalent to two courts in the same city providing divergent rulings, which Abaye prohibits. The Rashba explains that since the villagers were recognizable as a separate entity in the cities, they were considered residents of another city and thus not subject to lo sisgodi. Further indicating the distinct identity of visiting villagers, the Rashba in Megilla (2a s.v. ela) indicates that

they had their own established lodgings in the cities and everyone knew that people from a given village would congregate at a specified point in the city.

As a general rule, the halacha follows Rava's opinion when he disputes Abaye (see Bava Metzia 22b). Yet Rambam apparently supports Abaye on the issue of *lo siggodidu*, prohibiting two courts in the same city from issuing divergent rulings (Avoda Zara 12:14). Kesef Mishna quotes two explanations for Rambam's ruling, suggesting either that Rambam did not mean what he wrote literally or that there is a scribal error in our texts of Rambam. Kesef Mishna also suggests that the rule that we follow Rava over Abaye does not apply when their disagreement reflects a dispute that existed in generations prior to Abaye and Rava.

Netziv (Meishiv Davar 17:4) writes that Rambam in fact follows Rava but understands Rava's opinion differently. Rava's prohibition of a split court applies exclusively to a situation in which the entire court agrees in principle to a lenient position but half of the court wants to follow in practice a more stringent position. Rava would agree that even when two courts function in one city, a given court that agrees in principle with a lenient position practiced by the other court cannot apply the more stringent position. When Rambam prohibits two courts in the same city from issuing divergent rulings he refers specifically to this case.

Since Jewish communities today generally lack a single unchallenged judiciary body, practical applications of *lo siggodidu* arise mostly in synagogue settings. Accommodation of divergent practices within the same synagogue approximates a single court with half its judges ruling one way and half the other way. Next week we will discuss instances of *lo siggodidu* that can arise in contemporary situations, specifically as relates to changes in nusach hatefillah and wearing or not wearing tefillin on Chol Hamoed.

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Covenant & Conversation

Thoughts on the Weekly Parsha from

**Sir Jonathan Sacks**

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth [From 2 years ago 5764]

<http://www.chiefrabbi.org/tt-index.html>

Ki Tissa - A Stiff-Necked People

IT IS A MOMENT OF THE VERY HIGHEST DRAMA. The Israelites, a mere 40 days after the greatest revelation in history, have made a golden calf. G-d threatens to destroy them. Moses, exemplifying to the fullest degree the character of Israel as one who "wrestles with G-d and man", confronts both in turn. To G-d, he prays for mercy. Coming down the mountain and facing Israel, he smashes the tablets, symbol of the covenant. He grinds the calf to dust, mixes it with water, and makes the Israelites drink it. He commands the Levites to punish the wrongdoers. Then he re-ascends the mountain in a further prolonged attempt to re-establish the shattered relationship between G-d and the people.

G-d allows himself to be entreated. In an extraordinary epiphany, He causes His "glory" to pass by Moses saying, "You will see My back, but My face may not be seen." He instructs Moses to carve two new tablets of stone, and proclaims his attributes of mercy. At this point, however, Moses makes a strange appeal:

And Moses hurried and knelt to the ground and bowed, and he said, "If I have found favour in your eyes, my Lord, may my Lord go among us, because [ki] it is a stiff-necked people, and forgive our wickedness and our sin, and take us as your inheritance." The difficulty in the verse is self-evident. Moses cites as a reason for G-d remaining with the Israelites the very attribute that G-d had previously given for wishing to abandon them:

"I have seen these people," the LORD said to Moses, "and they are a stiff-necked people. 10 Now leave me alone so that my anger may burn against them and that I may destroy them. Then I will make you into a great nation." And again:

"Go up to the land flowing with milk and honey. But I will not go with you, because you are a stiff-necked people and I might destroy you on the way." When the people heard these distressing words, they began to mourn and no one put on any ornaments. For the LORD had said to Moses, "Tell the Israelites, 'You are a stiff-necked people. If I were to go with you even for a moment, I might destroy you. Now take off your ornaments and I will decide what to do with you.'" So the Israelites stripped off their ornaments at Mount Horeb. How can Moses invoke the people's obstinacy as a reason for G-d to maintain his presence among them? What is the meaning of Moses' "because" - "may my Lord go among us, because it is a stiff-necked people"?

The commentators offer a variety of interpretations. Rashi reads the word *ki* as "if" - "If they are stiff-necked, then forgive them." 4 Ibn Ezra and Chizkuni read it as "although" or "despite the fact that" (*af al pi*). Alternatively, suggests Ibn Ezra, the verse might be read, "[I admit that] it is a stiff-necked people - therefore forgive our wickedness and our sin, and take us as your inheritance." These are straightforward readings, though they assign to the word *ki* a meaning it does not normally have.

Ramban takes a different approach:

This is to be understood in its literal sense. G-d is to go in their midst because they are a stiff-necked people, for now that the Holy One, blessed be He, has become reconciled with them, His presence amongst those who are stiff-necked would be better than that of the angel. For He will want to increase their blessings more, since they are His people and His inheritance. . . . At a time of goodwill it is better for them that the Divine glory go with them, because they are a stiff-necked people, and He would more readily show grace and mercy upon His servants. For Ramban it is precisely the waywardness of Israel that requires the close attention of a forgiving G-d - like a rebellious child for whom the kindest cure is the attentive concern of a loving parent. Ramban's comment anticipates the famous and audacious prayer of the Hassidic master Rabbi Levi Yitzhak of Berditchev: "Lord of the universe, I want to propose a deal. We have many sins. You have much forgiveness. Let us exchange our sins for Your forgiveness. And if You should say that this is not a fair exchange, then my reply is: If we had no sins, what would You do with Your forgiveness?"

There is, however, another and far more striking line of interpretation that can be traced across the centuries. In the twentieth century it was given expression by Rabbi Yitzhak Nissenbaum. The argument he attributed to Moses was this: Almighty G-d, look upon this people with favour, because what is now their greatest vice will one day be their most heroic virtue.

They are indeed an obstinate people. When they have everything to thank You for, they complain. Mere weeks after hearing Your voice they make a golden calf. But just as now they are stiff-necked in their disobedience, so one day they will be equally stiff-necked in their loyalty. Nations will call on them to assimilate, but they will refuse. Mightier religions will urge them to convert, but they will resist. They will suffer humiliation, persecution, even torture and death because of the name they bear and the faith they profess, but they will stay true to the covenant their ancestors made with You. They will go to their deaths saying *Ani maamin*, "I believe." This is a people awesome in its obstinacy - and though now it is their failing, there will be times far into the future when it will be their noblest strength.

The fact that Rabbi Nissenbaum lived and died in the Warsaw ghetto gives added poignancy to his words.

Many centuries earlier, the midrash had made essentially the same point:

There are three things which are undaunted: the dog among beasts, the cock among birds, and Israel among the nations. R. Isaac ben Redifa said in the name of R. Ammi: You might think that this is a negative attribute, but in fact it is praiseworthy, for it means: "Either be a Jew or prepare to be hanged." Jews were stiff-necked, says R. Ammi, in the sense that they were ready to die for their faith. As Gersonides (Ralbag) explained in the fourteenth century, a stubborn people may be slow to acquire a faith but once it has done so it never relinquishes it.

We catch a glimpse of this extraordinary obstinacy in an episode narrated by Josephus, one of the first recorded incidents of mass nonviolent civil disobedience. It took place during the reign of the Roman emperor Caligula (37-41 C.E.). He had proposed placing a statue of himself in the precincts of the temple in Jerusalem, and had sent the military leader Petronius to carry out the task, if necessary by force. This is how Josephus describes the encounter between Petronius and the Jewish population at Ptolemais (Acre):

But there came ten thousand of the Jews to Petronius at Ptolemais to offer their petitions to him that he would not compel them to violate the law of their forefathers. "But if," they said, "you are wholly resolved to bring the statue and install it, then you must first kill us, and then do with what you have resolved on. For while we are alive we cannot permit such things as are forbidden by our law . . ."

Petronius, however, was angry at them and said: ". . . Caesar has sent me. I am compelled to observe his decrees . . ." Then the Jews replied, "Since, therefore, you are so disposed, O Petronius, that you will not disobey Caesar's orders, neither will we transgress the commands of our law . . ."

When Petronius saw by their words that their determination was hard to be removed, and that . . . he would not be able to be obedient to Caligula in the dedication of his statue, and that there must be a great deal of bloodshed, he took his friends and servants and hastened to Tiberius, to see how the Jews there felt about the affair; but many tens of thousands of Jews met Petronius again when he came to Tiberius . . .

Then Petronius came to them (at Tiberius): "Will you then make war with Caesar, regardless of his great preparations for war and your own weakness?" They replied, "We will not by any means make war with Caesar, but we will die before we see our laws transgressed." Then they threw themselves down on their faces and stretched out

their throats and said that they were ready to be slain. And this they do did for forty days, neglecting to till their soil, though this was the season of sowing. Thus they continued firm in their resolution and proposed to themselves to die willingly rather than see the statue dedicated. Faced with such heroic defiance on so large a scale, Petronius gave way and wrote to Caligula urging him, in Josephus' words, "not to drive so many ten thousands of these men to distraction; that if he were to slay these men, he would be publicly cursed for all future ages."

Nor was this a unique episode. The rabbinic literature together with the chronicles of the Middle Ages are full of stories of martyrdom, of Jews willing to die rather than convert. Indeed the very concept of Kiddush ha-Shem, sanctification of G-d's name, came to be associated in the halakhic literature with the willingness "to die rather than transgress." The rabbinic conclave at Lod (Lydda) in the second century C.E., which laid down the laws of martyrdom (including the three sins about which it was said that "one must die rather than transgress") was an attempt to limit, rather than encourage, the phenomenon.

Of these many episodes, one stands out for its theological audacity. It was recorded by the Jewish historian Shlomo ibn Verga (15th-16th century) and concerns the Spanish expulsion:

I heard from some of the elders who came out of Spain that one of the boats was infested with the plague, and the captain of the boat put the passengers ashore at some uninhabited place. And there most of them died of starvation, while some of them gathered up all their strength to set out on foot in search of some settlement.

There was one Jew among them who struggled on afoot together with his wife and two children. The wife grew faint and died, because she was not accustomed to so much difficult walking. The husband carried his children along until both he and they fainted from hunger. When he regained consciousness, he found that his two children had died.

In great grief he rose to his feet and said: "O Lord of all the universe, You are doing a great deal that I might even desert my faith. But know You of a certainty that - even against the will of heaven - a Jew I am and a Jew I shall remain. And neither that which You have brought upon me nor that which You may yet bring upon me will be of any avail."

Thereupon the gathered some earth and some grass, and covered the boys, and went forth in search of a settlement. It is this passage which inspired Zvi Kolitz's famous Holocaust fiction, *Yossl Rakover Talks to G-d*. One is awestruck by such faith - such obstinate faith.

Almost certainly it was this idea that lies behind a famous Talmudic passage about the giving of the Torah at Mount Sinai:

And they stood under the mountain: R. Avdimi b. Hama b. Hasa said: This teaches that the Holy One blessed be He, overturned the mountain above them like a barrel and said, "If you accept the Torah, it will be well. If not, this will be your burial place." R. Acha b. Jacob observed: This constitutes a strong protest against the Torah. Said Rava, Even so, they re-accepted it in the days of Ahasuerus, for it is written, the Jews confirmed and took upon them, meaning, "they confirmed what they had accepted before." The meaning of this strange text seems to be this: at Sinai (according to R. Avdimi) the Jewish people had no choice but to accept the covenant. They had just been rescued from Egypt. G-d had divided the sea for them; He had sent them manna from heaven and water from the rock. Acceptance of a covenant under such conditions cannot be called free.

The real test of faith came when G-d was hidden. Rava's quotation from the Book of Esther is pointed and precise. The book is one of only two in Tenakh which does not contain the name of G-d. The rabbis suggested that the name Esther is an allusion to the phrase *haster astir et panai*, "I will surely hide My face." The book relates the first warrant for genocide against the Jewish people. That Jews remained Jews under such conditions was proof positive that they did indeed re-affirm the covenant. Obstinate in their disbelief during much of the biblical era, they became obstinate in their belief ever afterward. Faced with G-d's presence, they disobeyed Him. Confronted with His absence, they stayed faithful to Him. That is the paradox of the stiff-necked people.

Not by accident does the main narrative of the Book of Esther begin with the words "And Mordechai would not bow down." His refusal to make obeisance to Haman sets the story in motion. Mordechai too is obstinate - for there is one thing that is hard to do if you have a stiff neck, namely, bow down. At times, Jews found it hard to bow down to G-d - but they were certainly never willing to bow down to anything less. That is why, alone of all the many peoples who have entered the arena of history, Jews - even in exile, dispersed and everywhere a minority - neither assimilated to the dominant culture nor converted to the majority faith.

"Forgive them because they are a stiff-necked people," said Moses, because the time will come when that stubbornness will be not a tragic failing but a noble and defiant loyalty. And so it came to be.

From: Kol Torah [<mailto:koltorah@koltorah.org>] Sent: Friday, September 16, 2005 2:38 PM To: [koltorah@koltorah.org](mailto:koltorah@koltorah.org) Subject: Kol Torah Parshat Ki Teitzei  
**Our Recovery from Cheit HaEigel – Part One**  
**by Rabbi Chaim Jachter**

It is sometimes challenging for us to understand what we seek to accomplish with the Selichot that we recite before and during Yom Kippur, specifically in regard to the thirteen Middot of Rachamim (thirteen aspects of Divine mercy) that are the centerpiece and focal point of the Selichot. One could get the impression that these thirteen attributes are a sort of magical formula that, according to our tradition, somehow convinces Hashem to judge us more leniently. Indeed, the Gemara (Rosh Hashana 17b) records that Hashem told Moshe Rabbeinu that anytime we sin, we should recite the thirteen Middot and He will forgive us. Our goal in this series of essays is to analyze the thirteen Middot of mercy in their broader context – our nation's recovery from Cheit HaEigel – in order to appreciate their message and objective. We seek to analyze and present the recovery of Bnei Yisrael from Cheit HaEigel as a precedent and model for what is expected from us both before and during Yom Kippur. Indeed, Chazal (Ta'anit 30b) teach that Yom Kippur was the day on which Moshe Rabbeinu descended from Sinai with the second set of Luchot, an action that expresses our complete recovery from Cheit HaEigel. This is why Yom Kippur is the day that Hashem designated for all generations of Jews to serve as the climax of our efforts to do Teshuva (see Ran to Rosh Hashana, 12b in the pages of the Rif, and Rav Yosef Dov Soloveitchik's *Shiurim LeZechar Abba Mori Z"L* 1:176-178). Accordingly, if we wish to discover a deeper appreciation of the meaning and significance of Yom Kippur, we must carefully examine the meaning of the very first Yom Kippur.

Cheit HaEigel The Rishonim debate what precisely was the sin of the Cheit HaEigel. Rashi (Shemot 32:1 s.v. *Asher Yeilchu* and *Asher He'elanu*) seems to believe that we worshipped actual Avodah Zarah, whereas Rabi Yehuda Halevi (*Kuzari* (1:97) argues that the Eigel was simply a (forbidden) symbol intended to help us in our service of Hashem. I recall that Rav Hayyim Angel noted (in a Shiur that he delivered at the Torah Academy of Bergen County) that a careful examination of Shemot 32:1-6 seems to yield proofs to both positions. It is possible to suggest that both Rashi and Rabi Yehuda Halevi are correct, that some worshipped the Eigel as a symbol connecting them to Hashem while others worshipped and regarded it as pure Avodah Zarah (see *Chizkuni* to 32:28). For a full analysis of this issue, see *Nechama Leibowitz*, *Iyunim Chadashim BeSeifer Shemot*, pp. 395-400. In any event, Hashem regarded Cheit HaEigel as a grievous sin to the extent that Bnei Yisrael deserved to be destroyed (Shemot 32:10). My Talmid Roni Kaplan notes that the entire purpose in Bnei Yisrael's leaving Mitzrayim and eventually entering Eretz Yisrael was to fulfill the Brit Bein Habetarim that Hashem made with Avraham Avinu (Bereishit Chapter 15). The Brit Bein Habetarim is essentially the roadmap for Jewish history in general, but especially for the generation that left Mitzrayim. Roni notes that a component of the Brit Bein Habetarim was that we would leave Mitzrayim with great riches. A function of these riches was to provide dignity and an economic future for the Israelites so that they could establish a model nation in Eretz Yisrael (see further discussion of this issue in *Nechama Leibowitz* ad. loc. pp.129-134). However, Bnei Yisrael used these riches, which they had received in Mitzrayim as a fulfillment of the Brit, to build the Eigel, an item that was antithetical to the message of Avraham Avinu and the *raison d'être* (purpose for existing) of Am Yisrael. Bnei Yisrael thus abused the Brit Bein Habetarim and strayed from the roadmap that Hashem had given them so long ago. (Note how Moshe Rabbeinu, as explained by the Midrash cited by Rashi to 32:31, seeks to find somewhat of an argument to defend Bnei Yisrael from this specific error.) Accordingly, it is understandable that Hashem concluded that we deserved to be destroyed. The primary reason Hashem performed miracles and allowed Avraham Avinu and Sarah Imeinu to have children was to build a nation that would communicate to the world the message that Avraham and Sarah sought to communicate as individuals (we can understand the Radak to Bereishit 25:20 in light of this point). If we do not act in accordance with our mandate for existing, we simply do not deserve to exist. In fact, this is the reason, Roni explains, that Hashem tells Moshe Rabbeinu, "I will make you into a great nation," using the exact language that He used with Avraham Avinu (Bereishit 12:2). Only Moshe Rabbeinu deserves to live, since he has not veered from the path of Avraham Avinu. We should note, though, that there are certainly others, such as Yehoshua, who have not deviated from the path of Avraham Avinu. However, they still deserve to be destroyed by virtue of belonging to the community that sinned (see Rashi to Bereishit 6:13 s.v. *Keitz*). Moshe Rabbeinu, in what Rav Moshe Lichtenstein (in his work entitled *Tzitz Vatzon*) aptly notes is his greatest moment, manages to convince Hashem not to destroy the Israelite nation, to bring them to Eretz Yisrael, and (most importantly) to restore the relationship between Himself and Bnei Yisrael. He was not able, however, to achieve this all in one fell swoop. Instead, there was a somewhat complex process involved in this accomplishment. It

seems that we can identify six stages in this process that we shall seek to identify and analyze in some depth.

**Stage One – Rescue from Destruction** Initially, Hashem informs Moshe Rabbeinu that He plans to destroy the Israelite nation. However, He signals to Moshe Rabbeinu that this decision is negotiable. Hashem tells Moshe, "And now leave Me and I will destroy them and make you a great nation" (Shemot 32:10). Rashi, citing Chazal, notes that Hashem clearly implies that He will not destroy the nation if Moshe Rabbeinu does not "leave Him alone." One may ask why Hashem acts in a manner that does not seem straightforward. We may suggest that Hashem wants to communicate a complex message. It appears that Hashem wishes to say that, strictly speaking, Bnei Yisrael deserve to be destroyed. On the other hand, He also wishes to say that there is room for them to recover from this ugly incident. It is vitally important for Hashem to inform us that we deserve to be destroyed because of Cheit HaEigel, because we need to hear the unambiguous message that Cheit HaEigel was an absolutely inexcusable sin, and that although we might be able to recover from it, we will probably not be able to recover if the sin is repeated. Even Middat HaRachamim (Hashem acting compassionately) has its limits (Rashi's comments to Shemot 32:34 s.v. Uvyom Pokdi, might be understood in light of this insight). We should note, though, that some of Hashem's decrees are not subject to negotiation, such as His decision that Moshe Rabbeinu may not enter Eretz Yisrael (see Devarim 3:26). Moshe Rabbeinu, though, is posed with the enormous challenge of finding arguments to defend Bnei Yisrael, after Hashem has specifically stated that they are an unworthy people. Moshe marshals two basic arguments to defend Bnei Yisrael, and we invoke these arguments in our Tefillot throughout the year, especially during Selichot. First, Moshe Rabbeinu invokes a Chillul Hashem argument (Shemot 32:11-13). He argues that it would constitute a Chillul Hashem if Hashem were to destroy the Jewish People at this point, since the Egyptians would interpret Hashem's actions as demonstrating His inability to bring Bnei Yisrael into Eretz Yisrael. Indeed, pagans would quite likely make such an argument, as it fits their understanding of how gods function. They would not believe that Hashem was punishing people for sinning, as divine justice is an alien concept to pagans, who believe that gods behave capriciously and act as they please. In the pagan worldview, different gods control different parts of the world. Thus, they would interpret Hashem's destroying of the Israelites as demonstrating that while Hashem controls Egypt and the Sinai desert, His sphere of influence ends at the border of the land of Canaan. This would constitute a grave Chillul Hashem because a major component of the Yetziat Mitzrayim process was the education of the Egyptian people (and by extension much of the rest of the world, as Egypt was the center of civilization at that time; see Meshech Chochmah to Shemot 7:3) about Hashem. They were forced to learn that He punishes in a manner that is consistent with one's actions (Middah Keneged Middah) and that He controls the entire universe (see Shemot 10:1-2 and compare Shemot 5:2 with Shemot 10:32; see the Ramban's comments at the conclusion of Parashat Bo, and Nechama Leibowitz ad. loc. pp.124-128). We follow Moshe Rabbeinu's example and use a Chillul Hashem argument in our Tefillot. In Avinu Makeinu, we plead, "Aseih Lemaancha Im Lo Lemaaneinu," "Act in Your own interest if we are undeserving." After Shemoneh Esrei, we ask Hashem, "Aseih Lemaan Shemecha," pleading that He should act for His own sake, in case He regards us as unworthy. The second argument that Moshe Rabbeinu uses (Shemot 32:13) is that of Zechut Avot. Although the Israelites who left Mitzrayim themselves lack merits, they nonetheless descend from individuals who are worthy. Indeed, Hashem specifically states in the Asseret HaDibrot (Shemot 20:6) that He rewards the descendants of the righteous for the good deeds of their ancestors. An important lesson of the Torah is that the actions of someone in one generation, whether good or bad, can have extraordinary impact – either good or bad – on future generations. Thus, it is appropriate for Moshe Rabbeinu to appeal to Zechut Avot in the hope of saving Am Yisrael. We should note that one may appeal to Zechut Avot only if one identifies with the Avot. Indeed, this might be the reason Moshe Rabbeinu does not appeal to Zechut Avot after Cheit HaMeraglim (Bemidbar 14:13-19). Perhaps Bnei Yisrael repudiated their connection to the Avot by adamantly refusing to enter Eretz Yisrael, and thereby severed their ideological connection to the Avot to the point that Zechut Avot could not be invoked on their behalf. After Cheit HaEigel, though, Bnei Yisrael had not directly rejected the Avot and thus remained worthy of Zechut Avot. We, too, invoke Zechut Avot in our Tefillot throughout the year, particularly in our recitation of the Selichot. It is certainly emphasized on Rosh Hashana, when we seek to invoke the merit of Akaidat Yitzchak to be considered on our behalf (see, for example, Rosh Hashana 16a and Rashi to Megillah 31a s.v. Maftirin BeChanah). Hashem ultimately accepts Moshe Rabbeinu's argument and reverses His decision to destroy Bnei Yisrael (Shemot 32:14). However, at this point He has not forgiven Bnei Yisrael; He has merely resolved not to destroy them. Thus, Moshe Rabbeinu must take further action in order to restore the relationship between Hashem and Bnei Yisrael. Next week,

TY"Y and B"Y, we shall continue outlining the other five stages of recovery from Cheit HaEigel.

From: Kol Torah [mailto:koltorah@koltorah.org] Sent: Friday, September 23, 2005 3:26 PM To: koltorah@koltorah.org Subject: Kol Torah Parshat Ki Tavo

### **Our Recovery from the Cheit HaEigel - Part Two by Rabbi Chaim Jachter**

Last week we began our analysis of our recovery from the Cheit HaEigel. We noted the importance of this endeavor in light of Chazal's teaching that Moshe Rabbeinu descended with the second Luchot on Yom Kippur, the climax of the process of repentance and recovery from Cheit HaEigel. Yom Kippur is therefore selected as the culmination of the process of Teshuva begun on Rosh Chodesh Elul. Accordingly, we noted that if one wishes to fully appreciate the significance of Yom Kippur and the recitation of the thirteen attributes of Rachamim, he must carefully examine the events leading up to the very first Yom Kippur.

**Stage Two - Moshe Rabbeinu Gets Tough with Bnei Yisrael** We also noted last week that our relationship with Hashem was not restored immediately after the Cheit HaEigel. Rather, a process of Teshuva and Tefilla restored the connection in stages. Last week we outlined stage one (32:11-14), in which Moshe Rabbeinu convinced Hashem not to destroy Am Yisrael. In the second stage (32:15-29), Moshe Rabbeinu takes dramatic and strong action to communicate to Bnei Yisrael the severity of their transgression (see Shemot 32:30). This will hopefully prompt Bnei Yisrael into Hakarat Hacheit, recognition of their sin, which is an essential component of the Teshuva experience (see chapter one of the Rambam's Hilchot Teshuva and Rav Yosef Dov Soloveitchik's Al HaTeshuva, pp. 37-65).

**Breaking the Luchot** The first dramatic action is Moshe Rabbeinu's shattering of the Luchot. Rashi (citing Shabbat 87a) writes that the message of the breaking of the Luchot is simply that after the Cheit HaEigel we do not deserve to have the Luchot. I recall hearing an explanation (I think in the name of Rav Yosef Dov Soloveitchik) that the Luchot were a sort of "ring" to create Kiddushin, the metaphorical wedding between Hashem and Am Yisrael, and Moshe Rabbeinu was the Shadchan, the broker between Hashem and Am Yisrael. (The relationship between Hashem and Am Yisrael is often compared to a marriage; see Hoshea chapter one, Shabbat 88b, and Rashi's commentary to Shir Hashirim.) Accordingly, a Kallah (bride) who strays from her Chatan (groom) is hardly deserving of her ring of betrothal from her beloved (for further discussion of the varied approaches to the breaking of the Luchot, see Nechama Leibowitz, Iyunim Chadashim BeSefer Shemot pp.425-435). It is important to emphasize that Moshe Rabbeinu acts with reason and does not shatter the Luchot in rage (see Nechama Leibowitz's aforementioned discussion of the breaking of the Luchot). We may support this point by carefully examining 32:19. The Pasuk records that as Moshe Rabbeinu draws close to the camp, he sees the Eigel and the dancing and he becomes enraged. The Pasuk then concludes that he casts the Luchot and brakes them at the bottom of the mountain. It seems clear from the Pasuk that although Moshe Rabbeinu becomes enraged when he draws near the camp, he nonetheless waits to break the Luchot until he is at the bottom of the mountain. Thus, we see that Moshe Rabbeinu controls his emotions and does not break the Luchot immediately upon seeing the Eigel HaZahav. Perhaps the reason Moshe Rabbeinu waits until he is at the bottom of the mountain before breaking the Luchot is that he wants all of Bnei Yisrael to see him break the Luchot, as he intends to dramatically highlight the severity of their sin. Indeed, in the recounting of the Cheit HaEigel in Sefer Devarim (9:17), Moshe Rabbeinu emphasizes that he broke the Luchot "Le'Eineichem", in view of everyone. Destroying and Disposing of the Eigel HaZahav Next, Moshe Rabbeinu speeds into action and burns the Eigel (32:20). Moreover, he grinds the Eigel into a powder and sprinkles it on the water (there was a spring at Har Sinai; see Shemot 17:6 and Devarim 9:21) and then makes Bnei Yisrael drink from this water. Of course, this sounds very much like the procedure for testing a Sotah to determine whether she was unfaithful (as described in Bemidbar chapter five). Indeed, Rashi, citing Chazal, writes that Moshe Rabbeinu tests them like a Sotah. The Sotah comparison is quite apt, as the straying from Hashem is comparable to a wife straying from her husband as we stated earlier. Once again we see that Moshe Rabbeinu takes highly unusual action to emphasize the severity of Bnei Yisrael's actions. Interestingly, my student Chaim Tauber noted (in TABC's 5764 Y4 Chumash Shiur) that Bnei Yisrael do not object to or offer any resistance to Moshe Rabbeinu. This presents a ray of hope for Bnei Yisrael, as it seems that they are beginning to grasp the severity of their sin. The lack of resistance is especially noteworthy in light of the resistance offered by some to Moshe Rabbeinu at the Korach rebellion (Bemidbar 17:6) and the Cheit of Baal Peor (Bemidbar 25:6).

**Punishing the Leaders of the Cheit HaEigel** Finally, Moshe Rabbeinu punishes those who constituted the core leadership of Cheit HaEigel (see Rashi 32:20 s.v. Vayashk; also see the Kuzari cited in last week's essay, Ramban to 32:27, and Chizkuni to 32:28). This is another opportunity for Hashem to treat us leniently. He



deals harshly with the leadership of a sinning community but is more lenient with the followers, as the latter may be deemed to be acting BeShogeg (negligently but not deliberately), since the followers were led astray by misguided leaders. Indeed, see the Ramban (Bemidbar 15:22) and Rambam (Hilchot Mamrim 3:3) who articulate this principle at some length. Examples of the phenomenon of "punish the leaders and spare the followers" abound in Sefer Bemidbar. These include the Mit'onenim (see Rashi to Bemidbar 11:1 s.v. Biktzeih), Kivrot Hata'avah (see Ramban to 11:20), Cheit HaMeraglim (Bemidbar 14:37), and the Korach rebellion (see Ramban to Bemidbar 16:21). Indeed, it is highly significant that we recite at Kol Nidrei no less than three times the Pasuk "V'nislach L'chol Adat Bnei Yisrael...Ki Lechol HaAm Bishgaga," which concludes the section of Bemidbar that teaches that Hashem treats followers as acting B'shogeg. It is highly appropriate to invoke this Pasuk on Yom Kippur as its underlying concept was a major factor in Hashem forgiving us on the very first Yom Kippur. Dealing harshly with sinning leaders is a potent manner on the one hand not to tolerate sin but on the other hand to develop a method by which to judge a community with mercy. Indeed, this approach deals with a fundamental problem inherent in lenient treatment of sinners. On the one hand, there is room for mercy, but on the other hand, there must be accountability for sinning; otherwise people have no motivation not to repeat the mistake. However, treating the leadership of a rebellion more harshly than the followers allows room for mercy yet discourages future sin, as it discourages future leaders of rebellions (and there cannot be rebellions without leaders). We find very significant hope for the future of Bnei Yisrael in the manner in which the core leadership of the Cheit HaEigel is held accountable for their sins. Moshe Rabbeinu does not act alone. Instead, he asks for volunteers to come forward and serve as a new body of leadership, punishing the core leaders and redirecting Bnei Yisrael in the right path (Shemot 32:26). This serves as a proper response to the leadership of the Cheit HaEigel that also emerged voluntarily and spontaneously. The response to Moshe Rabbeinu's call is dramatic, as the entire Sheivet Levi respond to his call. From the depths of the Cheit HaEigel, a new spiritual leadership for Bnei Yisrael emerges (see Rashi to 32:29 s.v. Mil'u). From this point forward, a nation within a nation will function as spiritual role models for the rest of the nation whose mission is to be the Mamlechet Kohanim, the role model nation to the rest of the world (Shemot 19:6; see the comments of the Seforno thereupon). Moreover, one could view the actions of Bnei Levi in bringing the leaders of the Cheit HaEigel to justice as a Tikkun (correction) for the actions of their ancestor Levi at Shechem, recorded in Bereishit chapter 34. (Tikkun is a Kabbalistic concept that later generations can correct the sins of their ancestors; examples of Tikkun abound in Tanach.) Levi punished the people of Shechem for their egregious treatment of Dinah. Yaakov Avinu, however, was displeased with Levi's (and his partner Shimon's) actions, in part because he acted unilaterally without consulting his father (see Bereishit 34:30 and 49:5-7, and Ramban to Bereishit 34:13 and 49:5-6). Moreover, in Shechem Levi killed not only the leaders of sin but also the entire community that followed in their leaders' misguided path. Regarding the Cheit HaEigel, however, Sheivet Levi do not act unilaterally without permission from the leadership. They do not act until Moshe Rabbeinu descends and calls for help in punishing the leading perpetrators of the sin. Moreover, they appear to kill only the leaders of the sin and not the entire community. Thus, Sheivet Levi act as a shining example of Teshuva for the rest of Bnei Yisrael. We should note, though, that this approach assumes that Levi sinned at Shechem, an issue that the commentators to the Chumash vigorously debate (see Ramban Hilchot Melachim 9:14 and Megadim 23:9-28). Bnei Yisrael do not resist the actions of Sheivet Levi, thereby implicitly expressing their consent to the Leviim's new role as spiritual role models for the rest of Bnei Yisrael (see Devarim 33:10). Indeed, it is remarkable that Bnei Yisrael never complain about the role of the Leviim and the replacement of the Bechorim as the spiritual leaders of the nation. (I once heard Rav Yosef Dov Soloveitchik observe that Ibn Ezra's understanding of the Korach rebellion as essentially a rebellion against the replacement of the Bechorim is entirely disproved by the Ramban to Bemidbar 16:1.) Accordingly, we see that although the Cheit HaEigel was a grievous sin, Moshe Rabbeinu nevertheless makes all the right moves on the day that he returns from Sinai. Although their relationship with Hashem is far from being repaired, Bnei Yisrael have taken a few significant steps on the road to recovery from their horrific mistake. They do not protest against the harsh actions of Moshe Rabbeinu and do not seek to justify worshipping the Eigel, despite the fact that they could be tempted to excuse themselves by saying that they acted in panic, since they did not expect Moshe Rabbeinu to be absent for so long. They have acknowledged the fact that they sinned and they are ready for improvement and a return to Hashem.

**Conclusion** Next week, we shall continue outlining the steps of recovery from the Cheit HaEigel and the manner in which this recovery serves as a model for our Teshuva during the period leading up to Yom Kippur.

### Recovery from Cheit HaEigel – Part Three

#### by Rabbi Chaim Jachter

In the past two weeks we have begun to analyze the process involved in Bnei Yisrael's recovery from the Cheit HaEigel. This is an especially relevant topic for this time of the year, as Yom Kippur is designated as the day of potential forgiveness since the second set of Luchot were presented on Yom Kippur. Receiving the second set of Luchot represents a rapprochement with the Ribbono Shel Olam, which is precisely what we seek to achieve on Yom Kippur. We noted that in order to fully appreciate Yom Kippur and the recitation of the Thirteen Middot of Rachamim (mercy), we must carefully examine the events leading up to the first Yom Kippur – the process of Bnei Yisrael recovering from the Cheit HaEigel. We suggested that we can discern six stages involved in this process. The first step involved Moshe Rabbeinu presenting arguments that spared Bnei Yisrael from immediate annihilation but did not restore our relationship with Hashem. The second step involved Moshe Rabbeinu taking drastic steps to dramatically demonstrate to Bnei Yisrael the profundity of their sin. We noted that Bnei Yisrael cooperated with Moshe Rabbeinu, acknowledging the fact that they sinned. This week we shall outline what appear to be stages three, four, and five of the process of our recovery from one of our most severe sins ever, the Cheit HaEigel.

**Stage Three – Moshe Rabbeinu's Failed Offer** Once Moshe Rabbeinu has purged Bnei Yisrael of the major players in the Cheit HaEigel debacle, he believes that the time is ripe to secure complete forgiveness from Hashem and to restore the relationship between Him and Bnei Yisrael. Let us carefully examine precisely how Moshe Rabbeinu makes this attempt and why it fails. Moshe Rabbeinu informs Bnei Yisrael that he will ascend to Hashem and seek forgiveness (32:30). It is highly instructive to note that Moshe tells the nation, "maybe I will succeed in obtaining atonement for your sin." This teaches us a very fundamental point regarding prayer and our relationship with Hashem (this approach is based on a talk that Rav Yuval Sherlow presented in 1983 at Yeshivat Har Etzion). We are not entitled to atonement and we should not expect it as a right. It is a privilege that Hashem bestows upon us if He deems us to be deserving of it. We echo this point in Selichot when we utter the refrain, "Ulai Yachos Am Ani Ve'Evyon, Ulai Yerachem." Our attitude during the Yamim Nora'im period should be that maybe Hashem will forgive us. Indeed, we read in the Haftara for Mincha on Yom Kippur that the king of Nineveh, in exhorting his subjects to repent, told them, "Who knows? Maybe G-d will relent and we will not perish," reflecting the appropriate attitude that we are not guaranteed forgiveness from Hashem for our sins (also note the refrain of "Kulai Hai VeUlai" in Chagigah 4b). Meanwhile, Moshe Rabbeinu ascends to Hashem and makes the following offer to Hashem. He says (32:32 following Ramban's explanation; also see Rashi, Ibn Ezra, and Seforno) that if Hashem cannot forgive Bnei Yisrael, He should take Moshe instead and he will suffer on their behalf. Hashem rejects this offer, explaining that Hashem judges fairly and acts based on Middah Kenegged Middah. Hashem rewards those who deserve it and punishes those who deserve it. This is a fundamental and immutable Torah principle – Hashem acts fairly and gives everyone what he or she deserves, and a righteous person cannot suffer on behalf of a sinner in order to excuse the latter from punishment. Hashem cannot function in any other manner, as it is profoundly unfair to make one person suffer on behalf of another. (See Bereishit 18:25, Devarim 32:4, and Tehillim 145:17, which stress that Hashem acts only in an entirely just and fair manner.)

**Hashem's Counter-Offer** Hashem, though, makes a counter offer to Moshe Rabbeinu at this point. Hashem apparently takes note of Bnei Yisrael's positive response to Moshe's harsh actions on the day he returned to the camp, and deems them worthy of restoring His relationship with them, at least on a partial basis. Hashem says to Moshe Rabbeinu (32:34 and 33:1-3 and 5) that he may bring the nation to Eretz Yisrael. However, He will not accompany them into the Land since the people are undeserving. Rather, He says, He will send one of His angels to escort the nation and help them conquer the Land. Hashem explains that He foresees that the people will once again sin and be deserving of severe punishment. The solution to this problem, He says, is for Him to distance Himself from us, because if He is close to us we will not survive. The closer we are to Hashem, the more demanding He is of us, and thus it is imperative for Hashem to distance himself from us. Moreover, Hashem at this point (32:35) sends a plague that strikes some of the less prominent participants in the Cheit HaEigel (see Rashi to 32:35). Moshe Rabbeinu seems to have thought that it would be sufficient to eliminate the most prominent sinners at the Cheit HaEigel. Thus, Moshe Rabbeinu should be seen as compassionate in his purge of the three thousand ringleaders of the Cheit HaEigel. He might have reasoned that Hashem might spare the less grievous sinners if he performs this task instead of Hashem. However, Hashem does not feel this to be just and eliminates the less prominent sinners as well.

**Stage Four – Bnei Yisrael Improve** Obviously, Bnei Yisrael do not demonstrate in one day that they are worthy of full forgiveness from Hashem. Thus, Hashem cannot, in all fairness, offer anything better than to send an angel to accompany us to

Eretz Yisrael. Full forgiveness can come only if Bnei Yisrael demonstrate that they deserve a more generous offer from Hashem. Ultimately, though, Hashem does fully restore our relationship with Him and agrees to bring us into Eretz Yisrael directly, and not through an intermediary. It is highly unlikely that Moshe Rabbeinu's Tefillot alone (see Devarim 9:18-29) motivate Hashem to restore His connection with us. Accordingly, we must search the text of the Chumash to see if we can discern any improvement in Bnei Yisrael's behavior. First, we find in Shemot 33:4 that Bnei Yisrael are profoundly upset that Hashem will not directly accompany them to Eretz Yisrael. This demonstrates that they acknowledge their sin and its futility. They recognize the point made by the Navi Hoshea (14:2, which we read on Shabbat Shuvah) that our sins have caused us to stumble and fail. We may have thought, as Rav Soloveitchik explains in *Al HaTeshuva*, that our sins would bring us happiness or at least not harm us. Now we realize, though, the grave consequences of sin. Moreover, many people would not mind if they could achieve their goals even if Hashem would remain distant from them. Am Yisrael, however, very much wants a close relationship with Hashem and is very disturbed by its absence. The Ramban (to 33:5) argues that this reflects well on Bnei Yisrael after the Cheit HaEigel, and it seems to show that they have internalized the messages that Moshe sought to impart to them on the day he returned to the camp. A second indication of Bnei Yisrael's improvement is that they fully comply with the order to remove the jewelry received at Har Sinai. The Ramban (*ibid.*) notes that this also shows that Bnei Yisrael are in the process of Teshuva and that they regret their participation in the Cheit HaEigel. Third, the Pasuk (33:7) records that those who seek Hashem go to the Ohel Moed where Moshe and Hashem communicate. This appears to imply that there are Jews who are actively seeking out Hashem and who make an effort to come close to Him (see Ramban to 33:7 for an important discussion about when does this seeking occur). Finally, the Torah also describes the awe and respect that Bnei Yisrael demonstrated towards Moshe Rabbeinu and Hashem (33:9-10), yet another sign of their progress in recovering.

**Stage Five – Moshe Rabbeinu Advocates for Bnei Yisrael** We see that Bnei Yisrael have made considerable progress in their recovery from the Cheit HaEigel. Therefore, Moshe Rabbeinu is able to offer a new argument to Hashem (33:13): "See that this is Your nation." Heretofore Moshe has only been able to marshal arguments that do not depend on the worthiness of the nation, such as Zechut Avot and the Chillul Hashem issue. Now that we have improved, Moshe Rabbeinu can say to Hashem that the people are truly devoted to Him. Moreover, the fact that in stage three, Hashem told Moshe regarding Bnei Yisrael, "And I shall know what I shall do to you" (33:5) seems to signal to Moshe Rabbeinu once again (recall 32:10) that Hashem is willing to reconsider His unwillingness to directly escort Bnei Yisrael into Eretz Yisrael. Thus, in stage five Moshe is emboldened to present a startling argument to Hashem based on the improvements in Bnei Yisrael's behavior. He states (33:15; see the comments of Seforno thereupon) that if Hashem will not directly accompany us to Eretz Yisrael, we will not leave the Midbar! As Rav Menachem Leibtag explains, we are engaging in a sit-down strike of sorts, boldly attempting to try to convince Hashem to restore our connection to Him. Furthermore, Moshe Rabbeinu chooses at this point to say to Hashem that he wants to "see Your glory" and "know You" (33:18 and 13). Rav Yonatan Grossman (in a Shiur that is available on Yeshivat Har Etzion's Virtual Beit Midrash) explains that Moshe Rabbeinu's request is not a digression but is entirely consistent with his efforts to fully restore Hashem's connection with Am Yisrael. Indeed, one cannot construe Moshe Rabbeinu's plea to see and know Hashem as distinct from his efforts to secure full atonement for Bnei Yisrael, as Pesukim 33:12-33 clearly show that these two topics are closely intertwined. Similarly, Hashem's partially granting Moshe's request to see and know Him is intertwined with Hashem's granting full forgiveness to Bnei Yisrael. Rav Grossman explains that Moshe Rabbeinu sought to reenact the Brit Bein Habetarim, in which Hashem made a covenant with Avraham Avinu. He notes the many parallels between the incident of Hashem passing before Moshe Rabbeinu and His passing between the pieces of animals in the Brit Bein Habetarim to seal the covenant. Since the gold that we received as a result of the Brit Bein Habetarim was abused to create the Eigel HaZahav (as we explained in the first part of this series), the Brit had to be renewed. Hashem accepts Moshe Rabbeinu's arguments and renews the Brit Bein Habetarim. He also has agreed to adopt a new mode of relating to Am Yisrael that will facilitate His accompanying us to Eretz Yisrael (33:19 and see Rashi's comments thereupon). Next week, we shall analyze the climax of our recovery from the Cheit HaEigel – our receiving the second set of Luchot and Hashem's proclaiming the Thirteen Attributes of Rachamim.

#### **Our Recovery from Cheit HaEigel - Part Four by Rabbi Chaim Jachter**

In the past few weeks we have been discussing how we recovered from the Cheit HaEigel to the extent that Hashem forgave us and presented us with a second set of Luchot. We have noted that Chazal teach that we received the second Luchot on

Yom Kippur, thereby designating this day as the time for Teshuvah and reconciliation with Hashem. We also noted that because of this, a way to appreciate the significance of Yom Kippur is to closely examine the background to the first Yom Kippur. We suggested that we could discern six stages in our recovery from the Cheit HaEigel. This week we shall conclude with a discussion of what we will regard as the sixth stage of this process.

**Stage Six - Hashem Changes to Middat HaRachamim** We noted last week that Moshe Rabbeinu makes an unbelievable demand of Hashem on behalf of Bnei Yisrael. He tells Hashem that if He will not accompany us into Eretz Yisrael, He should not bother to bring us out of the Midbar (desert). Rav Menachem Leibtag explains beautifully that Moshe is prompting Hashem to change from His mode of strict judgment (Middat Hadin) to the somewhat more flexible and lenient approach of Middat HaRachamim. Recall that Hashem has told Moshe Rabbeinu that He cannot accompany us personally, as it were, into Eretz Yisrael, since when we sin He would then have to punish us severely. The only way to avoid this is for Hashem to distance Himself from us. Moshe Rabbeinu is nudging Hashem to find an alternative solution, essentially telling Hashem that His offer is unacceptable! Indeed, the only way that Hashem can accompany us into Eretz Yisrael is for Him to change the manner in which He relates to us. Thus, in stage six we find Hashem willing to change modalities and deal with us in a manner of Middat HaRachamim. As a result of this change, it becomes a viable option for Hashem to accompany us to Eretz Yisrael, to which He gives His consent (34: 11). It should be strongly, emphasized, though, that Hashem changes His mode not simply because of Moshe Rabbeinu's fine negotiating skills. Rather, the true motivation seems to be the changed behavior of Bnei Yisrael.

**The Thirteen Attributes of Rachamim** At the point when Hashem has changed into the Middat HaRachamim mode, He expresses this new approach through the Thirteen Middot HaRachamim (34:6-7). Rav Leibtag explains these thirteen attributes in a most beautiful manner. He asserts that one can appreciate these Middot by contrasting the manner in which heretofore He had been relating to us. For example, the Middah of "Keil Rachum VeChanun," "the merciful and compassionate God" contrasts with the manner in which Hashem presented Himself in the Asseret HaDibrot (20:5) - "Keil Kanah," "a jealous God." In the Asseret HaDibrot (Shemot 20:7), Hashem states that He will not cleanse ("Lo Yenakeh"), but here He presents Himself as "VeNakeih," "He will cleanse." It is vital to note, however, that judging in a manner of Middat HaRachamim does not mean that Hashem will forego any accountability. A contrast with the Asseret HaDibrot will help illustrate this point. In the Asseret HaDibrot (20:6), Hashem states that He will "deal kindly to those who love Me and observe My laws." However, in the Thirteen Middot HaRachamim, Hashem places no such limitation and simply presents Himself as "Rav Chesed VeEmet," "abundant in kindness and truth," apparently even to those who do not yet love Hashem and observe His Mitzvot. Despite His willingness to show kindness to all, Hashem balances His kindness with truth. Thus, one cannot sin with impunity, but rather Hashem will be patient ("Erech Apayim;" contrast with 32:10: "VeYichar Api Va'achaleim") and give the sinner a chance to repent, before He will hold him accountable for his misdeeds. Indeed, Hashem presents Himself as "VeNakeih Lo Yenakeh," "He will cleanse and He will not cleanse." Rashi, citing Chazal, explains that He will cleanse those who engage in Teshuvah, but He will not cleanse those who fail to take advantage of that extraordinary opportunity. Moreover, in Devarim 4:34 we find what appears to be an astonishing phenomenon. Moshe Rabbeinu, forty years after the Cheit HaEigel, presents Hashem as Keil Kanah! This is utterly shocking in light of the fact that Hashem has said that He has moved away from the pre-Cheit HaEigel "Keil Kanah" approach. The answer seems to be that Moshe Rabbeinu warns us that Hashem will revert to Middat Hadin mode if we regress into sin. Our Teshuvah after the Cheit HaEigel and Moshe's Tefillah convinced Hashem that He should change into the Middat HaRachamim mode. Our sins, on the other hand, can convince Him (Chalilah, heaven forbid) to revert to the "Keil Kanah" approach of Middat HaDin. Indeed, Moshe Rabbeinu continues and states that if we seek out Hashem (as we did after the Cheit HaEigel) and engage in wholehearted and sincere Teshuvah, He will again treat us mercifully ("Ki Keil Rachum Hashem Elokecha" [Devarim 4:31]).

**Implications for Selichot and Yom Kippur** We see from our review of the process leading to our rapprochement with Hashem after Cheit HaEigel, that the Thirteen Middot of Rachamim are not a magical incantation that we recite to convince Hashem to forgive our sins. Rather, they should be seen as a plea coupled with Teshuvah imploring Hashem to deal with us in the mode of Middat HaRachamim rather than Middat HaDin. We invoke the restoration of our connection with Hashem after Cheit HaEigel as a precedent for us to reconnect with our Creator despite our failings. One may ask, though, how we can succeed in recreating the recovery from the Cheit HaEigel if we do not have someone like Moshe Rabbeinu to advocate on our behalf. It may be for this reason that the Rama (Orach Chaim 581:1) writes that we should choose the person of the highest spiritual stature "in

Torah and good deeds available" to serve as the Sheliach Tzibbur (prayer leader) for Selichot and the Yamim Nora'im. Although we do not have Moshe Rabbeinu to advocate for us, the person of highest spiritual level will lead us in imploring Hashem to deal with us in the manner of the Thirteen Middot HaRachamim (see Rav Yosef Dov Soloveitchik's explanation of this Rama, cited in Harerei Kedem 1:1, that is based on Rosh Hashana 17b). Interestingly, in the Sephardic rite, there is a Piyyut that addresses this specific point. Sephardim recite in each of the Selichot as well as on Monday and Thursday as part of Vidui (what Ashkenazim refer to as Tachanun) the Piyyut of "Anshei Emunah Avadu." In this Piyyut Sephardim emphasize that we no longer have great men such as Moshe Rabbeinu to advocate for us. They conclude that we have returned to Hashem humbled by our sins to implore Him at our time of distress. This Piyyut appears to ask Hashem to accept our Teshuvah and Tefillah despite the absence of someone like Moshe Rabbeinu to negotiate with Hashem on our behalf. Indeed, this Piyyut seems to shed light on the recovery from the Cheit HaEigel. It seems to show that the Teshuvah of Bnei Yisrael was the prime motivator for Hashem to reconnect with us, rather than Moshe Rabbeinu's skillful advocacy on behalf of his people. The implications for us are profound. We can experience a successful and meaningful Yom Kippur even without someone like Moshe Rabbeinu. Our own Teshuvah and Tefillah are the necessary components to restore our relationship with Hashem. There is one more aspect of the recovery from the Cheit HaEigel that can shed light on our experience of the Yamim Noraim. Rav Moshe Lichtenstein notes in his work Tzir VaTzon that in Sefer Shemot we find a radical transformation in the thinking of Moshe Rabbeinu. At first, Moshe Rabbeinu is alienated from Bnei Yisrael and all of mankind (the name he gives his son reflects this attitude, see Shemot 2:22). Moshe joins Yitro, who seems to believe that the only way to connect with Hashem is to retreat from involvement in society. However, at the Sneh (burning bush) Hashem battles mightily and succeeds in convincing Moshe Rabbeinu to abandon the ideology of Yitro and to rejoin his People. Hashem wishes to show Moshe Rabbeinu that one must connect with Am Yisrael in order to fully connect with Hashem. Moshe Rabbeinu's transformation reaches its peak in the aftermath of the Cheit HaEigel. In a dramatic reversal of his earlier alienation from Am Yisrael, Moshe Rabbeinu offers himself as a Kapparah on behalf of Am Yisrael. It is precisely at this juncture that Moshe Rabbeinu reaches his spiritual peak. It is at this point that he is able to request and partially receive from Hashem the ability to somehow truly know and see Hashem. Indeed, we find (Makkot 10a) Rebbe teaching, "...UMitalmidai Yoteir Mikulam," "I have learned much from my Rebbeim, and even more from my friends, but the most I have learned is from my students." It is related that the Baal Shem Tov remarked that his teaching emerged only because of his students such as the Mezericher Maggid. We are able to reach our spiritual potential only when we are together with Am Yisrael. This might explain the seemingly puzzling ruling of the Rama (O.C. 565:5) that Selichot may not be recited without a Tzibbur. Indeed, the Mishnah Berurah (565:13) records that the Acharonim expressed bewilderment at this ruling. They wondered what could be wrong with reciting prayers beseeching Hashem for mercy in private and not as part of the community. We may answer in light of the above that since Selichot recreate the experience of our community recovering from the Cheit HaEigel (note Rosh Hashana 17b), the recitation of Selichot is a quintessentially communal activity. (For further discussion of this point, see Rav Yosef Dov Soloveitchik's thoughts cited in Harerei Kedem 1:3).

**Conclusion** Rav Aharon Lichtenstein often stresses in his Shiurim that the source of a Halacha often determines the nature of the Halacha and therefore we must carefully examine the source of the Halacha. Regarding Yom Kippur, our appreciation of this special day can be greatly enriched when we carefully examine the road to the very first Yom Kippur. We learn that when we engage in Tefillah and Teshuvah as a community, we can scale great spiritual heights despite past failures. In addition, we may now understand the Gemara (Rosh Hashana 17b) that states that Hashem told Moshe Rabbeinu that if Bnei Yisrael sin, "they should perform before Me this Seder (order) and I will forgive them." It seems that the Gemara does not refer to the mere rote recitation of the Thirteen Middot of Rachamim. Rather, it refers to engaging in the "Seder," the process, that Bnei Yisrael engaged in during their recovery from Cheit HaEigel. Our receiving the second Luchot and the introduction of the Thirteen Middot of Rachamim are simply the culmination of this Seder. Accordingly, if our recitation of the Thirteen Attributes of Mercy represents the climax of a wholehearted effort to reconcile with our Creator, we are promised that Hashem will not ignore such efforts (see Rosh Hashana 17b and Rashi s.v. Brit Keruta).

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WEEKLY-HALACHA FOR 5766

**By Rabbi Doniel Neustadt**

Rav of Young Israel in Cleveland Heights

A discussion of Halachic topics.

For final rulings, consult your Rav

#### **EATING MEAT AND FISH TOGETHER**

The Sages of the Talmud,(1) in their infinite wisdom, determined that eating meat and fish together(2) is a sakanah, injurious to one's health. Although medical science admits of no evidence that eating meat and fish together causes illness, we accept the Rabbis' decree unequivocally, for we know that their pronouncement are sacrosanct, their knowledge being as close to Divine wisdom as is humanly attainable. Indeed there have been poskim, most notably the Magen Avraham,(3) who have ruled that environmental conditions have changed so, that what once posed a danger no longer does and this prohibition no longer applies.(4) But the vast majority of poskim disagree(5) and the basic halachah forbids eating meat (including poultry(6)) and fish together.(7) This is surely the universal custom and should be strictly adhered to.(8)

Since it is prohibited to mix meat and fish in any way, one should also not bake a pot of fish and a pot of meat together in the same oven, unless at least one of the pots is tightly covered. If both pots were left uncovered, then even b'dieved it is questionable if the foods may be eaten. (9) A rav should be consulted.

Bread that was baked in an oven together with an uncovered pot of fish may be eaten together with meat, and vice versa. But bread or any other food that was baked, cooked or roasted in a pot together with fish may not be eaten with meat, and vice versa.(10)

#### **POTS AND DISHES**

The prohibition against eating fish and meat applies only when the two foods themselves are actually mixed together. But the ta'am (meat or fish taste) exuding from inside the pots or dishes used in their preparation or consumption is of no consequence. There is no requirement to set aside separate dishes and pots for the use of fish and meat. It is, therefore, permitted:

\* to cook meat in a pot, remove the meat, scrub the pot thoroughly and then cook fish in that pot even on the same day.(11)

\* to bake an uncovered pot of fish in an oven and then bake an uncovered pot of meat in the same oven, as long as the oven walls are wiped clean of any spills.(12)

\* to use the same grinder to grind both meat and then fish, even if onions or other sharp foods were added, provided that the blade and receptacle are wiped clean.(13)

\* to use a clean meaty knife to slice onions that will be cooked with fish. (14)

Similarly, if some chicken soup, for example, inadvertently splashed against the outside of a pot containing fish while it was cooking on the stove, the fish may be eaten. This is because only the ta'am of the chicken will affect the fish in this manner, and that, as stated earlier, is of no consequence.(15)

Even if, inadvertently, fish and meat were actually cooked together in the same pot [and thus may not be eaten], the pot that was used does not need to undergo a koshering process in order to be used in the future. It is sufficient to merely scrub it clean and wait twenty-four hours before using it again.(16)

#### **WHEN FISH AND MEAT ARE EATEN CONSECUTIVELY:**

The Rishonim debate the degree of severity to which the prohibition against eating fish and meat together extends. Some maintain that we must avoid the mixture to such a degree that even a greasy film which lingers in the mouth or on the hands must be carefully washed off before eating meat after fish, or vice versa. Others, however, hold that we need not be concerned with fatty residue and there is no need to wash one's mouth and hands between eating fish and meat. The final halachah, basically, follows the second opinion.(17)

The following rules apply when both fish and meat will be served at the same meal:

Carve must be taken that the foods do not mix. Silverware that was used for fish should not be used for meat unless they are rinsed in between. But it is permitted to place both of the foods on the table at the same time.(18) While it is customary in

many places to eat fish before meat, this is not a requirement and it is permitted l'chatchilah to eat meat before fish.(19)

Although, as stated earlier, we are generally not concerned with fatty residue and one is not required to wash his hands(20) and mouth between fish and meat, the poskim do require some type of break between eating fish and meat. Some(21) require that a drink(22) be taken between them, while others(23) stipulate that a food item be eaten in addition to the drink.(24)

**QUESTION: What could be done if, inadvertently, a piece of fish fell into a pot of chicken soup?**

**DISCUSSION:** After removing the piece of fish from the soup [if it can be found] one must estimate whether or not there is sixty times more soup [including vegetables, etc.] than the piece of fish that fell into it. If there is 60 times more soup, then the soup is permitted to be eaten.(25) If not, then the soup should not be eaten.(26) Under extenuating circumstances [e.g., discarding the soup would entail a serious monetary loss; the soup is needed for Shabbos or for important guests; shalom bayis, etc.] it is permitted to add more water or other ingredients to the soup so that there will be sixty times more soup than the piece of fish. (27)

**QUESTION:** Kosher Worcestershire sauce lists anchovies among its ingredients, yet many people use it in preparing steak and other meats. Is that permitted?

**DISCUSSION:** It depends which brand of Worcestershire sauce is being used. In most brands, the anchovy content is so small that the other ingredients easily exceed it by sixty times. It is therefore permitted to use those brands with meat. But some brands of Worcestershire sauce, notably Lea and Perrins, Shoprite and Great Value, contain a greater percentage of fish, and those may not be used with meat.(28) When in doubt, the kashruth agency supervising the product should be consulted.

**QUESTION: In some communities the custom is not to eat fish together with milk [and milk products] as well. Is there any source for this? Should this custom be adopted?**

**DISCUSSION:** There are several early sources who warn against mixing fish with milk or milk products. Rabbeinu Bachaye( 29) writes that doctors believe that eating cheese with fish can lead to all kinds of diseases, and the Beis Yosef (30) warns against drinking milk together with fish. But almost all of the latter poskim discount this danger and some go so far as to say that the entire issue is based on a copyist's error!(31) Others suggest that we follow current medical opinion concerning this question, since it is a medical - not a halachic - issue.(32) Consequently, only those communities who have traditionally banned the eating of fish and milk together should follow their tradition,(33) but it is not a custom that others should adopt.(34)

**FOOTNOTES:**

1 Pesachim 76b.

2 The Talmudic advisory warns only against eating fish and meat that were roasted together. The Rishonim deduced that eating them together even if they were prepared separately is also prohibited; see Tur Y.D. 116:2 and Derishah 5.

3 Quoted without comment by the Mishnah Berurah 173:3 and Aruch ha-Shulchan Y.D. 116:10. This is also the view of Teshuvos Maharshdam 4:124, quoting Sefer ha-Kaneh.

4 Note that the Rambam does not mention this prohibition at all, probably for the reasons mentioned by the Magen Avraham; see Chasam Sofer Y.D. 101 and Tiferes Tzvi 91.

5 See Chachmas Adam 68:1, Shulchan Aruch ha-Rav (Shemiras Guf v'Nefesh 9), Maharam Shick Y.D. 244; Yad Efrayim Y.D. 116:3 quoting Shevus Ya'akov 3:70, and Kitzur Shulchan Aruch 33:1 who all either question or ignore the Magen Avraham's opinion.

6 Pischei Teshuvah Y.D. 116:2.

7 The poskim do, however, take the Magen Avraham's view into consideration and allow for some leniency in certain questionable situations; see note 11 and 13.

8 Chasam Sofer Y.D. 101; Divrei Malkiel 2:53; Kaf ha-Chayim O.C. 173:9.

9 If the oven was small and tightly closed then we are concerned with reicha - that one food will absorb the aroma emitted by the other (Chachmas Adam 68:1). In larger ovens, where reicha is less of a problem, ze'ah - steam which carries the taste of one food to the other - is still an issue.

10 Taz Y.D. 116:2. See Chalkas Yaakov 1:109.

11 Taz Y.D. 95:3, quoted by most of the latter poskim. There is a minority view that holds that separate pots should be used for cooking fish and meat (see Tur Y.D. 116:2, quoted by Chachmas Adam 68:1). Although the basic halachah does not require it (see also note 7), it is customary in many homes to have separate pots for fish and meat.

12 See previous note.

13 Darkei Teshuvah 116:23. There is a minority view that recommends not using the same grinder for fish and meat if they are going to be ground with onions or garlic, but the basic halachah permits it; see Shevet ha- Levi 6:111.

14 See previous note.

15 Pri Megadim, quoted by Reb Akiva Eiger Y.D. 116:2.

16 Divrei Malkiel 2:53; Kaf ha-Chayim Y.D. 116:3; Shemiras ha-Guf V'hanefesh 1:26 quoting Harav P. Epstein. A minority opinion holds that when koshering is possible (e.g., a metal pot), it should be done; see Pischei Teshuvah Y.D. 116:3 and Shevet ha-Levi 6:111.

17 Rama Y.D. 116:3; Mishnah Berurah 173:4. Sefaradim, however, rule in accordance with the first opinion and are careful to wash their mouth and hands between eating fish and meat; Kaf ha-Chayim O.C. 173:4; Yalkut Yosef 173:2.

18 Noda b'Yehudah (Kama) E.H. 13; Shevet ha-Levi 6:111; Yabia Omer Y.D. 6:9. It is also permitted for two people to eat fish and meat on the same table at the same time, even while sharing the same tablecloth; Kaf ha-Chayim O.C. 173:6.

19 See Kitzur Shulchan Aruch 33:1 and Ben Ish Chai, Pinchas 8:10. See also Shulchan Aruch O.C. 173:2 and Y.D. 116:2: between meat and fish ...

20 In the atypical case [e.g., silverware is not being used] when the hands are soiled from fish, they should be wiped clean before partaking of meat; see Pri To'ar Y.D. 116:3.

21 Chachmas Adam 68:1, quoted by Sha'ar ha-Tziyun 173:2. There is no need to swish the drink around in the mouth.

22 For unknown reasons, Tosfos, Moed Katan 11a (quoted by Reb Akiva Eiger Y.D. 116 and by Kaf ha-Chayim 170:79), advises against drinking water [or soda] after fish. She'arim Metzuyanim B'halachah 33:2 suggests that for this reason whiskey - and not water - is customarily drunk between fish and meat.

23 Rama Y.D. 116:3, quoted by Mishnah Berurah 173:4.

24 A food item dipped in wine or another beverage covers both requirements; Y.D. 116:3, as explained by Perishah 23.

25 Chachmas Adam 68:1; Pischei Teshuvah 116:3; Aruch ha-Shulchan 116:10. While a minority view maintains that "dangers" such as fish and meat together are not bateil b'shishim (Taz Y.D. 116:2), most poskim do not accept this stringency.

26 If it is questionable whether or not there is sixty times more soup than fish, some poskim are lenient while others are stringent. A rav should be consulted.

27 Although there is a general rule that bitul b'shishim must happen on its own and one cannot cause it to happen intentionally, many poskim permit doing so concerning a fish and meat mixture; see Pischei Teshuvah Y.D. 116:3 and Divrei Malkiel 2:53. Since other poskim disagree (see Darkei Teshuvah 116:20-21), one should rely on this leniency only under extenuating circumstances.

28 The Orthodox Union, for instance, designates an OU Fish symbol for those sauces that should not be used with meat

29 Shemos 23:19, quoted by Pischei Teshuvah Y.D. 87:9.

30 Y.D. 87:3.

31 See Taz Y.D. 87:3 and Shach 5 and Machazik Berachah 4.

32 See Darkei Teshuvah Y.D. 87:43 and Kaf ha-Chayim O.C. 173:3.

33 The Sefaradim, especially, are careful not to mix cheese or milk with fish (Ben Ish Chai, Beha'alos'echa 15) but most are lenient concerning butter with fish; Yechaveh Da'as 6:48.

34 Aruch ha-Shulchan Y.D. 87:15.

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[From last year]

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## **"You Will See My Back; But My Face Must Not Be Seen"**

**Guest Sicha by Rav Ya'akov Medan**

**Summarized by Matan Glidat**

**Translated by David Silverberg**

Two verses in our parasha seem to contradict one another. On the one hand, "G-d would speak to Moshe face to face, as one man speaks to another" (33:11). Yet, G-d Himself tells Moshe, "...You will see My back; but My face must not be seen" (33:23). Did Moshe merit face-to-face communication or not?

The answer, however, is clear. The first verse relates to the period when Moshe had relocated his tent outside the Israelite camp, away from the nation, in the aftermath of the sin of the Golden Calf. At that point, G-d spoke to him face to face (so to speak). The second verse, however, describes the situation after Moshe returned to the nation. The people's spiritual level had declined with the incident of the Golden Calf, and, accordingly, Moshe's prophetic level decreased when he rejoined the camp.

In Parashat Beha'alotekha, G-d describes the superior quality of Moshe's prophecy: "With him I speak mouth to mouth, plainly [be-mar'eh] and not in riddles" (Bemidbar 12:8). This image clearly corresponds to the first verse cited above and thus refers to the situation prior to the Golden Calf. After the sin, Moshe's prophecies resembled those of other prophets, of which G-d says, "I make Myself known to him in a vision [be-mar'a]" (ibid., verse 6). The prophetic quality before the sin is called "mar'eh," whereas after the sin it becomes "mar'a," literally, a mirror. A mirror absorbs some of the rays of light, and the resulting image is thus of inferior quality. Chazal described the difference between these two levels of prophecy with the terms "aspaklaria ha-me'ira" and "aspaklaria she-eina me'ira." Herein, then, lies the distinction between looking at G-d "face to face" and seeing only His "back." The view of the back is obscured, the clarity diminished.

What is the meaning and significance of this distinction?

In describing these two prophetic visions, Chazal employ the image of the tefillin. They liken the prophetic vision of "face to face" to the viewing of the tefillin proper, while the view "from the back" they compare to the sight of the knot of the tefillin (worn on the back of one's neck). However, we may gain a clearer understanding through a comparison to the "tzitz" - head plate - worn by the Kohen Gadol. When viewing the High Priest from the front, one sees a golden strip with the inscription, "Kodesh La-Hashem" ("Sacred to God"). A rear view reveals the string of "techelet" (bluish dye) that held the "tzitz" around the Kohen Gadol's forehead. The Gemara (Menachot 43b) explains the significance of "techelet." This shade of blue resembles the color of the ocean, which itself brings to mind the color of the sky, which is similar to Heavenly Throne. Thus, one who looks straight at the Kohen Gadol beholds the Divine Name, whereas one looking from behind must employ his imagination and behold the Almighty only through the process indirect association.

Similarly, herein lies the distinction between Benei Yisrael's situation before the Golden Calf and after. The nation had earned a direct revelation of the Shekhina in its most natural form, which required no exertion on their part. After the sin, they merited the revelation only through hard work and concentrated effort.

The Midrash (Shir Hashirim Rabba 1:12) recounts that Benei Yisrael slept on the morning of Matan Torah, and the Almighty had to wake them. (In commemoration, we have the custom of remaining awake all night long on Shavuot engaged in Torah study.) This passage in the Midrash underscores the passivity that marked Am Yisrael's experience at Mount Sinai; they slept and G-d reached out to them. After the sin, however, we must search for God: "And I will return to My abode - until they realize their guilt. In their distress, they will seek Me and beg for My favor" (Hoshea 5:15). The depiction in Shir Ha-shirim of the maiden searching out her beloved who hides accurately depicts this concept.

Nowadays, we stay awake all night long on Shavuot, rather than sleeping and waiting for the Almighty to awaken us. Similarly, the Kohen Gadol would remain awake the entire night before Yom Kippur in preparation for his encounter with G-d the following day. Indeed, this encounter takes place in the Kodosh Ha-kodashim, where G-d appears in the cloud of the incense - in a clouded, obscured revelation.

This type of revelation requires active effort and preparation, as opposed to the direct revelation at Sinai, which could be attained passively.

This may also mark the distinction between the first and second sets of tablets. The Ramban explains that the first tablets contained the Ten Commandments as recorded in Parashat Yitro, while the second tablets featured the commandments as they appear in Parashat Vaetchanan. The two sets of commandments differ significantly from one another, particularly in their presentation of the mitzva of Shabbat. It stands to reason that Moshe repeats the mitzva of Shabbat when introducing the Mishkan to Benei Yisrael (at the beginning of Parashat Vayakhel) because the content of this commandment underwent a certain change with Moshe's receiving the second tablets. In Parashat Yitro, G-d bases the institution of Shabbat on the fact that "in

six days G-d made heaven and earth and sea... and He rested on the seventh day" (20:11). The Vaetchanan version, however, presents a different reason for Shabbat: "You shall remember that you were a slave in the land of Egypt... therefore the Lord your G-d has commanded you to observe the day of Shabbat" (Devarim 5:15). In the first Tablets, the individual need not expend any effort to understand the mitzva of Shabbat. He sees G-d and imitates Him - just as the Almighty "rested" on the seventh day, so do we. In the second Tablets, by contrast, one cannot readily behold God. To appreciate this mitzva, then, one must recall the Egyptian bondage and thereby contemplate the meaning of Shabbat.

An additional discrepancy between the two different sets of Tablets relates to their manufacture. The first tablets were produced by G-d Himself. Presumably, they were not chiseled; G-d simply took two prefabricated slabs and engraved the commandments thereupon. In the situation prior to the Golden Calf, the natural order was complete and G-d revealed Himself therein. One saw Him without searching and discovered Him without effort. In such circumstances, G-d could take a primitive, undeveloped object from the natural world and inscribe upon it the Divine Word. The second tablets, as we know, were manufactured by Moshe. It seems that G-d did not even instruct Moshe how to make them; he worked independently. The writing was not engraved upon the tablets, but rather written on them. By this point G-d was not directly revealed through nature, and, consequently, one needed to perfect nature to see Him.

The significance of brit mila - circumcision - also relates to this idea. Adam was "born" circumcised; nature needed no further processing or development. One may even suggest that Adam had a foreskin, but it constituted no problem whatsoever. Nature was perfect and did not call out for any form of correction or improvement. Rabbi Akiva's celebrated remark that "the work of humans is superior to that of the Almighty," as evidenced by the superior quality of bread over wheat (Tanchuma Tazria, 5), likely refers specifically to the aftermath of Adam's sin. In fact, Adam did not need to bake any bread; he plucked fruits straight from the tree and ate. Only after the sin did he fall under the decree, "By the sweat of your brow shall you get bread to eat," at which point he needed to perfect nature, to turn the wheat into loaves of bread through the painstaking processes of agriculture and baking. Nature was no longer perfect.

Only when Am Yisrael experiences difficult times does the Almighty reveal Himself to them and dwell Among them. During times of oppression, Benei Yisrael take the ark with them to battle, symbolizing the accompaniment of God's Presence. In such situations, one needs not labor to find the Almighty: "Since the Lord your G-d moves about in your camp to protect you and to deliver your enemies to you..." (Devarim 23:15).

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